

WHITEHAVEN TOWN COUNCIL

Clerk to Whitehaven Town Council & Responsible Financial Officer

Mr. Leslie J Abrahams

Tel. 07536091604

Summons

On this 25th September 2016 you are duly summoned to attend a Full Council Meeting of **WHITEHAVEN TOWN COUNCIL** which will be held at:

Venue: The Civic Hall, Lowther Street, Whitehaven, CA287ES

Location: First floor meeting Room –

Date: Thursday, 29nd September 2016

Time: 7PM

To transact the business set out in the agenda attached hereto.

Signed: *LJ Abrahams*

Date: 25/09/2016

Leslie J Abrahams – Clerk & Responsible Financial Officer

WHITEHAVEN TOWN COUNCIL

To: Members of Whitehaven Town Council.

Councillors: Cllr Raymond Gill - Mayor
Cllr Graham Roberts - Deputy Mayor
Cllr Michael Guest
Cllr John Kane
Cllr Brian O’Kane
Cllr Jayne Laine
Cllr Carla Arrighi
Cllr Jeanette Forster
Cllr Norman Williams
Cllr Darren Elliot
Cllr Gavin McKew

Note: Standing Order 4 (d) v requires any Member who is unable to attend to confirm to the Proper Officer (2) days before the meeting that they are unable to attend.

WHITEHAVEN TOWN COUNCIL

Register of Attendance

Name	Present	Absent
Cllr Gill		
Cllr Roberts		
Cllr O’Kane		
Cllr Forster		
Cllr Arrighi		
Cllr Laine		
Cllr Guest		
Cllr McKew		
Cllr Elliot		
Cllr Forster		
Cllr Williams		
Clerk		

Note: any apologies must be sent to the Proper officer in accordance with standing orders with a valid reason for absence. Non-compliance will result in a record of absence and failure to respond to a summons.

AGENDA

Item	Detail	Notes
1	AGENDA ITEM 1 Welcome Deputy Mayors opening remarks	GR
2	AGENDA ITEM 2 Apologies for absence To receive apologies for absence.	ALL
3	AGENDA ITEM 3 Minutes of Council Meeting held on 250816 Chairman to sign minutes as a true and correct record.	GR
4	AGENDA ITEM 4 Declarations of interest To receive declarations of interest by elected members in respect to Agenda items. Members of CBC taken as read.	ALL

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• PROMOTION OF EQUALITY & RESPECT FOR OTHERS • OBJECTIVITY & PROPRIETY • SELFLESSNESS
& STEWARDSHIP • INTEGRITY • DUTY TO UPHOLD THE LAW • ACCOUNTABILITY AND OPENNESS •

AGENDA_

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WHITEHAVEN TOWN COUNCIL

5	<p>AGENDA ITEM 5 Public Participation To take representation from the public in respect of business on the agenda. Note: This is a platform to answer such representations the chair may respond in accordance with Standing order 3(h). Maximum 15 mins & 3 mins per person.</p>	Public
6	<p>AGENDA ITEM 6 Planning Committee Report: Cllr McKew (Lead) Report on planning applications received. (see list) Motion for the Clerk to respond to cbc</p>	GMcK
7	<p>AGENDA ITEM 7 Regeneration Committee – Cllr Arrighi (Lead) Update Report Motion to accept report and accept recommendations.</p>	CA
8	<p>AGENDA ITEM 8 Market Regeneration - Update Report Letter of intent from WTC to CBC Market stall quotations Market stall costs Actual Motion to accept report and accept recommendations.</p>	CA
9	<p>AGENDA ITEM 9 POLICIES Policies appended</p> <ul style="list-style-type: none"> • Sanction for breach of code of conduct • Data Protection • Recording of meetings & Copyright • Disciplinary and grievance procedure <p>Motion to approve draft & implement policies</p>	GR
10	<p>AGENDA ITEM 10 Staffing Committee Report – Cllr. McKew (Lead) Update on current status from Committee Staffing matters</p> <ul style="list-style-type: none"> • Disciplinary and grievance procedure <p>Motion to Accept and implement policy Admin & Finance assistant Motion to accept report and accept recommendations</p>	GMcK
11	<p>AGENDA ITEM 11 Allotments Committee Report – Cllr Forster (Lead) Update on current status from Committee Evictions Motion to accept report and accept recommendations</p>	GR

WHITEHAVEN TOWN COUNCIL

12	AGENDA ITEM 12 Christmas Events Report – Cllr Elliot (Lead) Update on current status from Committee Motion to accept report and accept recommendations	DE
13	AGENDA ITEM 13 Financial Report – By Clerk Update up to 21 st September expenditure/income –And Payments for approval Motion for Mayor to sign report	DE
14	AGENDA ITEM 14 Public Consultation – Clerk – URGENT MATTERS ONLY To consider comments received from the public. Member of public request: AGE UK	LA
15	AGENDA ITEM 15 Grants (Time sensitive) (a) None	LA
16	AGENDA ITEM 16 Local plan & Strategy meeting of Whitehaven Town Council. Meeting 2 - Follow up Venue – Golf Club Date: 11 th or 13 th October	LA
17	AGENDA ITEM 17 Town Centre Cleaning - Update	CA
18	AGENDA ITEM 18 Whitehaven Harbour Commissioners Meeting outcome Proposed meeting with WTC members 4 th Oct Civic Hall Time TBC	CA
19	AGENDA ITEM 19 Copeland Disability Forum Motion for WTC to be on CDF. Nominations accepted from Members Motion to select a Member of WTC to Accept Nomination	LA
20	AGENDA ITEM 20 Hensingham Hand Rail Update	LA
21	AGENDA ITEM 21 Kells Litter bins Motion to fund cost of a litter bin at Haig Colliery Park Deferred due to Councillor Guest not submitting a draft motion	MG

WHITEHAVEN TOWN COUNCIL

22	<p>AGENDA ITEM 22 Kells Airmens memorial bench In accordance with War Memorials (Local Authorities' powers) Act 1923 s.1 as extended by LGA 1948 s.133 & Public Health Act 1936 a.125 Motion to adopt the maintenance of the Kells War Memorial Whitehaven Heritage Action Group proposal for WTC to adopt the memorial seat at Kells</p>	GR
23	<p>AGENDA ITEM 23 Consultation on Intended Public Payphone Removals in Whitehaven Wards Motion to discuss and agree response</p>	
24	<p>AGENDA ITEM 24 Communication Motion to instruct the clerk not to respond to correspondents who are not on the electoral role in Cumbria.</p>	BOK
25	<p>AGENDA ITEM 25 Proper officer Motion to confirm that the Clerk of Whitehaven Town Council is the Proper Officer for the Council for all statutory functions.</p>	GR
26	<p>AGENDA ITEM 26 Service of Summons by email Motion to approve summons to Council Meetings of service by email.</p>	GR
27	<p>AGENDA ITEM 27 Market Relaunch Council Borough Council gives consent under section 50(2) of the Food Act to the Town Council establishing the market. Motion to accept said consent</p>	GR
28	<p>AGENDA ITEM 28 Thompson Reuters Legal Solutions. Motion to approve registration.</p>	GR
29	<p>AGENDA ITEM 29 Whitehaven Townscape Heritage Initiative James Street Plaza Motion to ask WTHI to enable WTC as a consultee on town centre developments.</p>	GR
30	<p>AGENDA ITEM 30 Councillor Matters Matters not on this Agenda raised by councillors on behalf of residents.</p>	ALL

WHITEHAVEN TOWN COUNCIL

	<i>Note: No discussion or decision can be made on these matters but the Clerk may make investigations and/or they may be placed on a future Agenda of the Council.</i>	
31	AGENDA ITEM 31 Items from previous meeting carried forward: None	GR
32	AGENDA ITEM 32 Items to be placed on the Agenda of the next meeting	
33	AGENDA ITEM 33 Date & Venue of Next Meeting To confirm the date & venue of next meeting.	GR
34	AGENDA ITEM 34 A motion to resolve exclusion of the press and public from a closed meeting. (if required) In accordance with Public Bodies (Admission to Meetings) Act 1960, s.1 100	GR

FC290916

Agenda Item 3

Minutes 250816

WHITEHAVEN TOWN COUNCIL – MEETING MINUTES

Meeting: Meeting of Full Council	Location / Date / Time: The Civic Hall – Ennerdale Meeting Room 1900hrs 25/08/16
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Present: (Participants) Cllr R Gill (RG) - Mayor Cllr G Roberts (GR) – Deputy Mayor Cllr J Laine (JL) Cllr J Forster (JF) Cllr C Arrighi (CA) Cllr J Kane (JK) Cllr O Kane (BOK) Cllr G McKew (GMck) Cllr. D Elliot (DE) Mr L Abrahams (Clerk)(LA) Register Signed by all above	Observer: Public participation Press Whitehaven News Sarah Robinson Apologies Cllr. M Guest (MG) Cllr N Williams (NW) Absent None
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ITEM	DETAIL	INITIALS
473/16	AGENDA ITEM 1 The meeting opened by Mayor Gill Cllr Gill proposes a motion for an amendment to the Agenda in accordance with 10 (vi) Standing Orders to allow our guest Inspector Craig Lory to give a policing update. Seconded GR RESOLVED	RG
474/16	AGENDA ITEM 2 Apologies for absence Apologies received from Cllr M Guest Cllr N Williams (NW) (illness)	LA
475/16	<u>Inspector Craig Lory.</u> The general picture for reduction in crime is good. Slight increase in shoplifting. Castle Park antisocial behaviour improved Licensing check last weekend, one pub served under age. Good result. Whitehaven Hub up and running-official opening next month. All agencies in one room. CA raised an issue of Peter Street – drug use JK said last night there was drinking in Castle Park	CL

WHITEHAVEN TOWN COUNCIL – MEETING MINUTES

	<p>BOK raised the issue of car parking and enforcement. Sunny Hill has a parking issue. CL to look into it. JK main problem is failure of CCC. CL we may be able to address this with the hub. JL Important we get fed back from the police, can we pop-in to the hub. Are there any plans for taxi marshal's at busy times. CL We push for taxi marshals at busy times. JL I worked out the cost of taxi marshals at 2 men costing £4K for the whole year. JL Mirehouse cattle arch, there may be a grant application. Anti-social behaviour and drug use evident. Getting quotes. CA Needle found outside Wetherspools CL Everyone needs to work together, all local organisations. RG increasing car ownership causes car parking issues.</p> <p>Mayor Gill thanked Inspector Lory.</p>	<p>RG</p>
<p>476/16</p>	<p>AGENDA ITEM 3 Minutes of Extraordinary Council Meeting held on 040816 Motion for Mayor to sign minutes as a true and correct record. Cllr Gill proposed a vote for the Minutes to be recorded as a true and accurate record of the meeting. 437/16 Cllr Laine voted Against not Abstain 445/16 Cllr Laine objected to the content. NOTED Vote For 6 Abstain 2 GMcK / DE Against 1 JL RESOLVED as a true and accurate record of the meeting The Mayor signed the minutes</p>	<p>RG</p>
<p>477/16</p>	<p>AGENDA ITEM 4 Declarations of interest To receive declarations of interest by elected members in respect to Agenda items. Members of CBC taken as read.</p>	<p>ALL</p>
<p>478/18</p>	<p>AGENDA ITEM 5 Public Participation NONE</p>	<p>PUBLIC</p>

WHITEHAVEN TOWN COUNCIL – MEETING MINUTES

479/16	<p>AGENDA ITEM 6 Planning Committee Report: Cllr McKew (Lead) To consider Planning Applications received. 4/16/2246/0F1 Subject to further inspection on drainage JK – We need more info on the bus depot development – suggest invite to FC Motion for the Clerk to respond RESOLVED JL/BOK Abstain</p>	GMcK
480/16	<p>AGENDA ITEM 7 Regeneration Committee – Cllr Arrighi (Lead)</p> <ul style="list-style-type: none"> ○ Market plans ongoing ○ 14 stalls booked ○ Bands playing ○ Artisian Market ○ Motion to accept report <p>RESOLVED to accept report.</p>	CA
481/16	<p>AGENDA ITEM 8 Market Regeneration - The clerk referred to CBC documents</p> <ul style="list-style-type: none"> (a) Whitehaven Market development summary (b) Market plan <p>NOTED</p>	RG
482/16	<p>AGENDA ITEM 9 POLICY & RESOURCES & FINANCE Committee Motion to accept phase 1 Standing Orders amendments Motion to accept Phase 1 Financial Regulations amendments Proposed BOK Second CA BOK stated that having spoken to CALC we are our own authority in relation to amendments made to standing orders Vote For 7 Abstain 2 JL/DE RESOLVED</p>	RG
483/16	<p>AGENDA ITEM 10A STANDING ORDERS Motion to replace wording of s.18 Financial Controls & Procurement with new wording to ensure compliance with 2015 Public Contracts Regulations in accordance with NALC Legal Topic Note LTN87 see working papers Proposed BOK Second CA Vote For 7</p>	RG

WHITEHAVEN TOWN COUNCIL – MEETING MINUTES

	<p>Abstain 2 JL/DE RESOLVED</p>	
<p>484/16</p>	<p>AGENDA ITEM 10B FINANCIAL REGULATIONS Motion to replace wording of s.11 Contracts with new wording to ensure compliance with 2015 Public Contracts Regulations in accordance with NALC Legal Topic Note LTN87 see working papers Proposed BOK Second CA Vote For 7 Abstain 2 JL/DE RESOLVED</p>	
<p>485/16</p>	<p>AGENDA ITEM 11 Staffing Committee Report – Cllr. McKew (Lead) Update on current status from Committee No meeting has taken place – No report NOTED</p>	
<p>486/16</p>	<p>AGENDA ITEM 12 Allotments Committee Report – Cllr Forster (Lead) Update on current status from Committee Nothing to Report NOTED</p>	
<p>487/16</p>	<p>AGENDA ITEM 13 Christmas Events Report – Cllr Elliot (Lead) Update on current status from Committee Cllr Elliot outlined the results of the first Christmas events meeting a full report will be presented at next FC on 290916.</p>	
<p>488/16</p>	<p>AGENDA ITEM 14 Financial Report – By Clerk Update up to 19th August expenditure/income –And Payments for approval Motion for Mayor to sign report RESOLVED</p>	<p>RG</p>
<p>489/16</p>	<p>AGENDA ITEM 15 Public Consultation – Clerk – URGENT MATTERS ONLY To consider comments received from the public. Member of public request: (a) Can we write to takeaway owners on Duke street to keep the area clean. (b) Can we clean the area in front of Wilkinsons</p>	<p>RG CA</p>

WHITEHAVEN TOWN COUNCIL – MEETING MINUTES

<p>490/16</p>	<p>(c) Can we do something about chewing gum on pavements (d) Can we assist with Home Group housing issues. NOTED refer to AGENDA item 18</p> <p>AGENDA ITEM 16 Grants (Time sensitive) None NOTED</p>	
<p>491/16</p>	<p>AGENDA ITEM 17 Local plan & Strategy meeting of Whitehaven Town Council. The meeting was attended by Cllr Gill, Cllr Roberts, Cllr O’Kane, Cllr Arrighi, Cllr Elliot, Cllr Forster & the clerk. Report by Cllr Gill NOTED</p>	
<p>492/16</p>	<p>AGENDA ITEM 18 Town Centre Cleaning (a) Motion to send a letter to take away shops to keep shop fronts tidy. (b) Motion to clean area in front of Wilco, (c) Motion to obtain quotes for chewing gum cleaning. (d) Motion to continue clearing of Castle Park for a further 3 month and issue new PO to CBC.</p> <p>Motion part (b) amended to devolve power to the Clerk to spend up to £2000 Proposed Bok Sec RG RESOLVED Motion Part (a) (c) & (d) RESOLVED</p>	<p>CA</p> <p>MS</p>
<p>493/16</p>	<p>AGENDA ITEM 19 BDO Audit Update by RFO The RFO informed Council a complaint had been submitted to BDO and this was being challenged as it was not from a elector and did not comply with Audit office guidelines. NOTED</p>	
<p>494/16</p>	<p>AGENDA ITEM 20 Bank Account (a) Motion to transfer £100,000 from deposit account to current account. RESOLVED</p>	<p>RG</p>

WHITEHAVEN TOWN COUNCIL – MEETING MINUTES

495/16	<p>AGENDA ITEM 21 Whitehaven Harbour Commissioners Identify responsibilities and cross over Motion to interact with all Whitehaven Stakeholders Clerk to set up meeting RESOLVED</p>	
496/16	<p>AGENDA ITEM 22 Mayors Sunday Event review by Cllr Gill NOTED with first proposed date Thursday 18th August RESOLVED</p>	
497/17	<p>AGENDA ITEM 23 Councillor Matters BOK Pedestrian crossing – new road JK lack of progress on Coach Road works JL Inkerman Terrace pavement works will take 5 weeks</p> <ul style="list-style-type: none"> o Mirehouse pot holes CCC o Cattle Arch / Coast to coast cycle way issues being looked into o Cost of burial £800- JL to look into <p>BOK Letter to home group to ask how people interact</p>	
498/16	<p>AGENDA ITEM 24 Items from previous meeting carried forward: NONE</p>	LA
499/16	<p>AGENDA ITEM 25 Date & Venue of Next Meeting 290916 1900hrs Civic Hall</p>	JL RG
500/16	<p>Meeting closed at 2050Hrs ends END Signed as a True record</p> <p>Deputy Mayor_ Cllr G Roberts_____</p>	JL

WHITEHAVEN TOWN COUNCIL – MEETING MINUTES



Agenda Item 6

**Planning Committee report
Cllr McKew**

Whitehaven Town Council		Period	6
PLANNING APPLICATIONS		FC Meeting	290916
To the Planning Committee (DE/JK/BOK/JL/GMcK/GR)			
Application Number	Detail	Date of letter	Objection Y/N
Comments			
4/16/2277/001	OUTLINE APPLICATION FOR DWELLING (REVISED BOUNDARY) GARDEN LAND OF NEMARE, HARRAS ROAD, WHITEHAVEN	11/08/2016	
4/16/2278/TPO	REDUCTION OF HEIGHT AND WIDTH OF TREE SITUATED WITHIN A CONSERVATION AREA 6 ACTON COURT, WHITEHAVEN	12/08/2016	
4/16/2280/0F1	SINGLE STOREY GROUND FLOOR EXTENSION TO PROVIDE LARGER KITCHEN/SUNROOM 36 VICTORIA ROAD, WHITEHAVEN	12/08/2016	
4/16/2293/0F1	SINGLE STOREY KITCHEN AND UTILITY EXTENSION TO REAR 62 HILL TOP ROAD, WHITEHAVEN	24/08/2016	
4/16/2295/0F1	SINGLE STOREY FRONT EXTENSION 64 BRANSTY ROAD, BRANSTY, WHITEHAVEN	22/08/2016	
4/16/2297/0F1	KITCHEN EXTENSION AND ALTERATIONS TO THREE BEDROOMS BETHSHAN NURSING HOME, YEWBARROW CLOSE, MIREHOUSE, WHITEHAVEN	24/08/2016	
4/16/2298/0F1	CREATION OF A NEW BEER GARDEN ON THE ROOF OF AN EXISTING PUBLIC HOUSE WITH A NEW CUSTOMER STAIRCASE AND DISABLED LIFT WETHERSPOONS, THE BRANSTY ARCH, BRANSTY ROW, WHITEHAVEN	25/08/2016	
4/16/2299/0F1	ERECTION OF A GARAGE 71 ELIZABETH CRESCENT, WHITEHAVEN	25/08/2016	

NB: Comments within 21 days of letter date

4/16/2299/0F1	ERECTION OF A GARAGE, 71 ELIZABETH CRESCENT, WHITEHAVEN	25/08/2016				
4/16/2301/0F1	ERECTION OF A DWELLING AND GARAGE (AMENDED LISTED BUILDING CONSENT FOR INSTALLATION OF COMMEMORATIVE PLAQUE ON FRONT ELEVATION OF BUILDING 5 CORKICKLE, WHITEHAVEN	26/08/2016				
4/16/2291/0L1	SINGLE STOREY EXTENSION TO REAR, 1 COMMODORE STREET, BRANSTY, WHITEHAVEN	30/08/2016				
4/16/2303/0F1	FULLY ACCESSIBLE CHANGING FACILITY AT POOL AND FITNESS CENTRE PLUS THREE ADDITIONAL DISABLED PARKING BAYS, WHITEHAVEN SWIMMING POOL, CLEATOR MOOR ROAD, WHITEHAVEN	30/08/2016				
4/16/2304/0F1	EXTENSION TO GARAGE AND BUNGALOW AND ADDITION OF TERRACE TO THE WEST SIDE 9 THISTLE CLOSE, THE HIGHLANDS, WHITEHAVEN	31/08/2016				
4/16/2308/0F1	REPLACEMENT OF EXISTING FLAT ROOF WITH CHANGE OF CONFIGURATION TO DUAL PITCH PEAK ROOF WITH INCREASE OF EXISTING HEIGHT MILLSON, MONKWRAY, WHITEHAVEN	08/09/2016				
4/16/2310/0F1	VARIATION OF CONDITION 2 OF PLANNING APPROVAL 4/15/2222/0F1 TO CREATE ADDITIONAL WINDOWS PLOT 2, OAK CRESCENT, WHITEHAVEN	09/09/2016				
4/16/2312/0F1	PRIOR NOTIFICATION FOR REAR EDWARDIAN STYLE CONSERVATORY 12 GABLE ROAD, MIREHOUSE, WHITEHAVEN	12/09/2016				
4/16/2317/HPAE						
0117						

4/16/2318/TPO	FELLING OF THREE TREES AND REMOVAL OF BRANCHES OF ONE TREE PROTECTED BY A TREE PRESERVATION ORDER 12 STONYHURST DRIVE, MIDGEY, WHITEHAVEN	12/09/2016		
4/16/2322/0F1	TWO STOREY EXTENSION OVER GARAGE 26 GRANT DRIVE, WHITEHAVEN	13/09/2016		
4/16/2327/0F1	ERECTION OF A STORE BUILDING STONEWOLD, LOW MORESBY, WHITEHAVEN	15/09/2016		
4/16/2328/0F1	VARIATION OF CONDITION 2 OF PLANNING PERMISSION REF 4/12/2517/0F1 TO INCORPORATE INCREASE IN HEIGHT OF REAR ANNEXE AND REVISED REAR ELEVATION FORMER YWCA, 43 LOWTHER STREET, WHITEHAVEN	16/09/2016		

Agenda Item 7

Regeneration Committee Report

Nothing to Report

Cllr Arrighi

Agenda Item 8

Market Regeneration

Cllr Arrighi

Market update

Market layout

Letter of Intent for Market

Market stall quotes

Market Stall pro forma invoice

Whitehaven Market Project Meeting – 16 September 2016

Present: Mayor Mike Starkie; Mike Graham; Steve McCullough, CN Media; Julie Betteridge, Director of Customer and Community Services; Janice Carrol, Waste Services Manager; Mary Blackwell, Admin Support Assistant; Councillor Carla Arrighi, Chair of Events Committee, WTC; Les Abrahams Clerk, WTC; Anja Swan Communications Officer; Lesley Taylor, Executive Support Officer.

Apologies: Eric Barker, Regeneration Officer

<u>Launch Details</u>	Action
Official launch would be Saturday 1 st October. MG presented the draft order of events	
LA/CA provided details of entertainment for the launch – Whitehaven Brass Band; Ragtime Rascals and Circus Act.	
Action LA: Forward running order to JC	LA
Action JC: Produce an events plan	JC
Action LA: Utilise WTC PA system if required	LA
Action MB: Market Layout to be provided by GIS Officer. To be shared with group when complete.	MB
Action CA: Refreshments provided would require a licence holder to be present.	CA
The group discussed promotional materials for the launch	
Agreed: Balloons with 3 logos in black and text; Note pads; Bags – plastic	
Action AS: Promotional materials and Bunting to be ordered	AS
Note: Any orders to be agreed by WTC prior to purchase	
Action MB: Purchase of trolley to transport weights – cost details to be circulated for approval	MB
MB provided the group with details of stalls taken to date (Thursday 15, Friday 10, Saturday 15). In addition 19 stalls would be utilised by the continental market. CBC stalls would be dismantled and stored (Market Hall or Copeland Centre possible option). Security would be required for the continental market.	
Action LT: Liaise with URC to look at possibility of storage solution.	LT
Action MB: List of stalls detailing types of produce to be forwarded to SMC	MB
Action LA/SMC: Provide contact details to JC/MB for options for security	LA/SMC
Action JB: Arrangements for toilets to be open during the launch weekend	JB
<u>Promotion</u>	
3000 leaflets would be ready by Monday	
To be launched via social media next week	

Traders classified advert	
Action AS: Engage with tourist partners/TIC's/Muncaster to display posters	AS
Action AS: look to Civic Hall external display boards to advertise launch	AS
Action AS: Selfie promo - #market launch	AS
Action LT: Engage with Parish Councils/Elected Members/Utilise Dispatches e-mail group	LT
Banner ready by Wednesday – the group discussed where this would be best placed. (would permission be required to display outside Civic Hall on corner of Scotch St/Lowther St)	
Action MG: Contact CCC. Local Area Committee Chairman	MG
Action JC: Arrangements for Christmas Market details to promoted on Refuge Vehicles	JC
Action JC: Photographer – engage with amateur photographer group	JC
<u>Taste Cumbria – Saturday 24th September</u>	JC
Stall to be delivered next week.	
SMC informed the group that this would be set up on Friday – a time slot would be provided	
Action JC: delivery/set up arrangements to be coordinated	JC
Action AS: Market Packs Available to distribute	AS
Action AS/SMC: Leaflets available for distribution	AS/SMC
Action AS/SMC: Provide Banner	AS/SMC
Action AS: Chase up Beacon promotional materials	AS
<u>Market Place and King Street</u>	
Requirement for the Gazebo to be painted	
Action MG: Contact Tier 2 to look at possibility of apprentice involvement	MG
Action JC: Speak to cleansing team re clean-up of King Street	JC
<u>Open Public Meeting</u>	
Action LT: Arrange open public meeting to take place approx. 2 weeks following the launch	LT
Action AS: Draft market feedback sheet	AS
<u>Date and Time of Next Meeting</u>	
Action LT: Weekly meetings prior to launch event	LT



WHITEHAVEN TOWN COUNCIL

STRICTLY CONFIDENTIAL

Date of Issue: 5th August 2016

To: Copeland Borough Council
Mike Starkie
Julie Betteridge

Cc: Ray Gill

From: Mr. Leslie Abrahams – Clerk & RFO

Subject: Whitehaven Market Regeneration Project

Memorandum

This Document is confidential and may be protected by legal privilege. If you are not the intended recipient, do not copy or disclose its content, but please contact the sender immediately.

Dear Mayor Starkie,

At a Full Council meeting of Whitehaven Town Council on 04th Aug 2016 a motion was proposed as follows:

8	<p>Market Regeneration</p> <p>a) Purchase of 30 Stalls £ 39,000</p> <p>b) Marketing for first year £ 5,000</p> <p>c) Storage lease arrangement for first year £ 3,000</p> <p>d) Programme of events to encourage interest and new stall holders for first year £18,000</p> <p>e) Market Manager (3 days) (per year) £17,400 £8,700</p> <p>f) Cleansing and stall set up and take down £23,000 £11,500 (Full year / Half year)</p> <p>g) stall holder support for 6 new entrepreneurs per week (stall fee + set up grant)</p> <p>2017/18 £26,976 2018/19 £27,516</p> <p>See working papers</p>	JK
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This Motion was Resolved by a majority vote at Council.
The vote was recorded as 5 For & 1 Against (Councillor Laine).

Note. Unless specifically stated this documents originates from Mr. L Abrahams Clerk & Responsible Financial Officer to Whitehaven Town Council

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WHITEHAVEN TOWN COUNCIL

STRICTLY CONFIDENTIAL

I am pleased to advise you that your grant was Approved by Full Council.

I can confirm I have taken independent legal advice on this matter and reviewed the risks.

The Grant will be made under the following power: LGA 1972 s.136

Contributions towards expenditure on concurrent functions

Two or more local authorities may make arrangements for defraying any expenditure incurred by one of the in exercising any functions exercisable by both or all of them.

I can therefore confirm that a grant will be made available on a draw down basis upon application to the Clerk by Copeland Borough Council as follows:

- a) **£39,000**
 - a. CBC to provide the Clerk with break-down of costs.
 - b. CBC to provide the Clerk with the 3 estimates (FINREGS)
 - c. Stands will be owned by CBC.
 - d. Stand will be branded WTC/CBC "Open for Business"
- b) **£2916.00** Pro rata based upon 1st Sept (7 Months) to 31st March 2017
 - a. Funds ring fenced to REGEN committee
 - b. Plan to be prepared for approval by REGEN
 - c. Stands will be marketed on non-market days
- c) **£1750.00** Pro rata based upon 1st Sept (7 Months) to 31st March 2017
 - a. Funds ring fenced subject to location and cost of storage defined.
- d) **£10,500** Pro rata based upon 1st Sept (7 Months) to 31st March 2017
 - a. Funds ring fenced to EVENTS & CULTURE committee
 - b. Plan to be prepared for approval by EVECOM
- e) **£5,075** Pro rata based upon 1st Sept (7 Months) to 31st March 2017
 - a. CBC to inform the Clerk upon completion of the interview process.
- f) **£6,708** Pro rata based upon 1st Sept (7 Months) to 31st March 2017
 - a. Funds ring fenced subject to confirmation and cost of cleaning, set up and take down is defined

The total grant for period 2016-2017 will be £65,949.00

SIXTY-FIVE THOUSAND NINE HUNDRED AND FORTY-NINE POUNDS ONLY.

*Note. Unless specifically stated this documents originates from Mr. L Abrahams Clerk & Responsible Financial Officer to Whitehaven Town Council
This document is intended to be a professional opinion of the author; certain assumptions have been made, based upon information supplied to the author or received from third parties.
The document is intended solely for the use of the recipient, Whitehaven Town Council, its Members, Associates and employees.
The author accepts no responsibility for omissions or miss-information that may occur as a result of this document/ report*



WHITEHAVEN TOWN COUNCIL

STRICLY CONFIDENTIAL

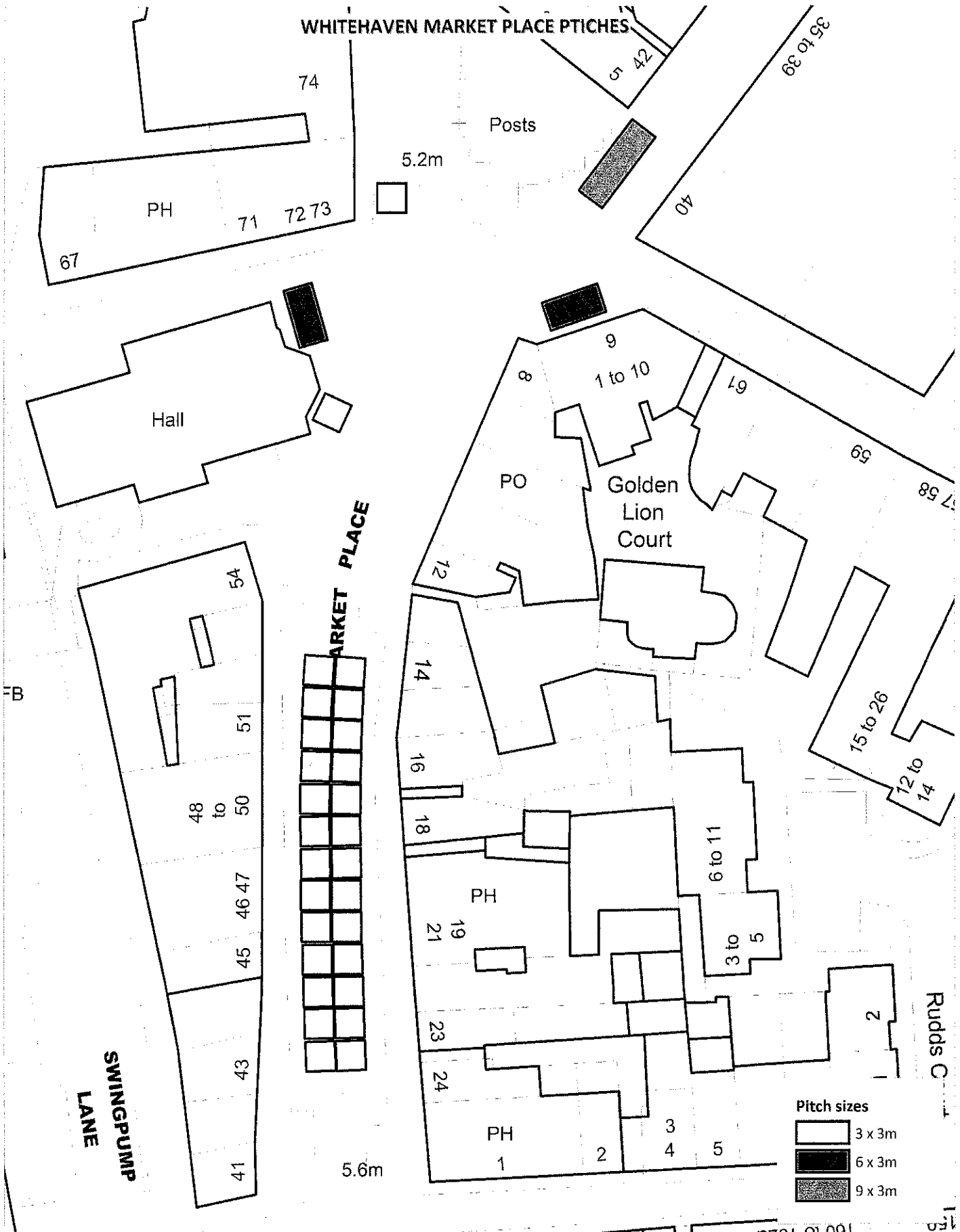
- i. All funds are subject to audit.
- ii. All expenditure must be compliant with FINREGS.
- iii. All funding will be fully reviewed after the initial 12-month commitment.
- iv. A mid-term review will be carried out in Jan 2017 prior to setting the 2017-18 precept.
- v. WTC reserve the right to review item (e) after 2 years this will be carried out in January 2018.
- vi. Quarterly performance reports will be sent to the Clerk
- vii. A full business plan with cash flow projections to be developed to be developed by the stakeholders WTC/CBC and updated with real-time data.

Regards

Clerk & RFO
Whitehaven Town Council

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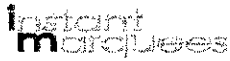
025



Copeland Borough Council
 The Copeland Centre
 Catherine Street
 Whitehaven
 Cumbria CA28 7SJ



026



Unit D Highfield Rd Camelford Cornwall PL32 9RA Price ex VAT Qty Total Qty disc % Total Notes

INSTANT MARQUEE PROFESSIONAL MARKET STALL WITH WELDED PVC CANOPIES

Price inc: h/duty PRO frame, PVC canopy and market footplates

3x3 Instant Marquee + welded PVC canopy, heavy duty market scissor tubes, market footplates	£ 695.00	30	£ 20,850.00	25	£ 15,637.50	green & white PVC
6x3 Instant Marquee welded PVC canopy, heavy duty market scissor tubes, market footplates	£ 995.00	3	£ 2,985.00	15	£ 2,537.25	green & white PVC

POLYESTER MARKET WALLS

3m poly wall	£ 50.00	61	£ 3,050.00	20	£ 2,440.00	forrest green
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ACCESSORIES

30 kgs 2 piece "jigsaw" weight	£ 75.00	100	£ 7,500.00	33	£ 5,025.00
Gutter 3m, double velcro	£ 35.00	19	£ 665.00	20	£ 532.00
Stability bar 3m	£ 30.00	45	£ 1,350.00	30	£ 945.00
Stability bar clamp (fits at half the leg height)	£ 9.95	61	£ 606.95	20	£ 485.56
Tent connector clamp	£ 9.95	38	£ 378.10	20	£ 302.48

BRANDING

Economy Pelmet logo (1.50 x 0.36m)	£ 80.00	33	£ 2,640.00	40	£ 1,584.00
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EXTRAS SUBTOTAL

£ 13,140.05 **£ 8,874.04**

TRANSPORT

£ 55.00 0 £ 0.00 £ 0.00

GRAND TOTAL ex VAT

£ 40,025.05 Ex VAT: £ 29,488.79

VAT @ 20%

£ 8,005.01 VAT £ 5,897.76

GRAND TOTAL inc VAT & Transport

£ 48,030.06 **Your Price inc VAT £ 35,386.55**

Customer Copenad Council
 Contact Mary Blackwell
 Address
 Tel
 Email

Date 25/08/2016
 Prepared by jf

SALES TEAM DETAILS

If you have any questions about this quote please call:

John on DD: 01840 219 047 or M: 07748 165 827

Maxine on DD: 01840 219 048 or M: 07876 742 701
 Switchboard: 01840 213 063

TERMS

E&OE

T&C apply - pls ask to see a copy

Quote valid for 30 days

COO

Goods remain property of Instant Marquees until paid for in full

Written orders only please

Artwork in Illustrator (.ai) files

Mary Blackwell

From: Cec Jones <sales@apexmarketstalls.co.uk>
Sent: 13 July 2016 11:21
To: Mary Blackwell
Subject: RE: Market stalls

Hi Mary,

Please see prices below based on 31 units.

6. 4m x 4m Elite canopies. To include frame, roof cover, 4 side walls,
wheeled roller carry bag and tie down kit. £2,988.00

3. 6m x 4m Elite canopies, spec as above £1,906.50

2. 8m x 4m Elite canopies, spec as above £1,566.00

20. 4m x 2m Elite canopies, spec as above £12,340.00

Print charge

31. Roof panel logo prints £2,294.00

31. Feltnet logo prints £1,581.00

The above print charges are for in house print and will be limited in size.

Metal leg weights £46.00 per pair

Canopy connector brackets £31.00 each

Rain gutter 4.5m £23.00 each

Rain gutter 3m £18.00

each

Please note, the above canopies packed size is 2m long.

Turnaround time is currently about 7 weeks as we are waiting for new stock.

All prices are plus VAT. Delivery charges at cost.

Regards

Cec Jones
Apex Market Stalls

Instant Marquees Ltd
0845 644 1195 (Sales)
08456 444 760 (Head Office)

Confidential Sales Quotation

**Instant
marquees**

Unit D Highfield Rd Carnelford Cornwall PL32 9RA

	Price each		Qty		Total		Qty disc %	Total	Notes
	ex VAT								

INSTANT MARQUEE PROFESSIONAL MARKET STALL WITH WELDED PVC CANOPIES

3x3 Instant Marquee + PVC canopy + market footplates + frame cover	£ 634.04	1	£ 634.04	22.5	£ 491.38			
Supplement for striped canopies 3m	£ 60.00	1	£ 60.00	36	£ 42.00			
3x1m Awning System (integral)	£ 175.00	1	£ 175.00	0	£ 175.00			

COUNTER SYSTEM

3m Articulated Counter with Aluminium work top, folds to 1.5m. Includes centre leg, and all fittings for attaching to legs	£ 195.00	1	£ 195.00	10	£ 175.50			
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SIDEWALLS

Polyester 500D									
3m poly wall	£ 59.57	1	£ 59.57	25	£ 44.68				
3m poly wall with zip door	£ 69.95	1	£ 69.95	25	£ 52.46				
3m polyester window wall	£ 69.57	1	£ 69.57	25	£ 52.18				

PVC QUICK FIT WALLS (Type 1&2)

3m pvc wall	£ 95.00	1	£ 95.00	20	£ 76.00				
3m pvc standard window wall (1.35w x 0.90 h)	£ 110.00	1	£ 110.00	20	£ 88.00				
3m pvc full window wall (2.40w x 1.95 h)	£ 120.00	1	£ 120.00	20	£ 96.00				
3m pvc wall with zip door	£ 110.00	1	£ 110.00	20	£ 88.00				

PVC MARKET WALLS - velcro loops both ends, no flaps

3m pvc market wall	£ 75.00	1	£ 75.00	20	£ 60.00				
3m pvc market wall standard window (1.35w x 0.90 h)	£ 90.00	1	£ 90.00	20	£ 72.00				
3m pvc market wall full window (2.40w x 1.35 h)	£ 100.00	1	£ 100.00	20	£ 80.00				

HALF HEIGHT WALLS (mid-height support bar & brackets required)

3m pvc market half height lower	£ 50.00	0	£ 0.00	0	£ 0.00				
3m poly market half height lower	£ 40.00	0	£ 0.00	0	£ 0.00				

ACCESSORIES

Safetyloc 45 ground anchor system (see Steel Footplate above)	£ 25.00	1	£ 25.00	20	£ 20.00				
30 kgs 2 piece jigsaw weight	£ 75.00	1	£ 75.00	33	£ 50.25				
Gutter 3m	£ 24.68	1	£ 24.68	25	£ 18.51				
Stability bar 3m - 2 part (2x1.5m)	£ 30.00	1	£ 30.00	25	£ 22.50				
Stability bar bracket	£ 9.95	3	£ 9.95	25	£ 7.46				
Teri connector clamp - stainless steel	£ 12.50	3	£ 12.50	25	£ 8.38				

BANDING

Economy Pelmet logo (1.50 x 0.36m)	£ 60.00	1	£ 60.00	50	£ 30.00				
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TEMPORARY PELMET BANNERS

Temp pelmet banner - fully banded (per 3m section)	£ 90.00	1	£ 90.00	80	£ 36.00				If ordered 4 at a time
--	---------	---	---------	----	---------	--	--	--	------------------------

Customer Copeland Market

Contact Mary Blackwell

Address

Tel

Email

Date

Prepared by jf

SALES TEAM DETAILS

If you have any questions about this quote please call:

John on DD: 01840 219 047 or M: 07746 165 627

Maxine on DD: 01840 219 048 or M: 07876 742 701

Switchboard: 01840 213 063

TERMS

Errors & Omissions Excepted

T&C apply - pls ask to see a copy

Quote valid for 30 days

COD

Goods remain property of Instant Marquees until paid for in full

Written orders only please

Artwork in Illustrator (.ai) files

Mary Blackwell

From: Sales@nicoll-industries.co.uk
Sent: 13 July 2016 15:55
To: Mary Blackwell
Subject: Re: Contact us

Mary,

Thank you for your enquiry. We don't do the 4m x 2m size, but we do every other size.

A 4m x 4m (4 legs) frame, with roof and side walls is priced at £995 inc VAT. The 6m x 4m (4 legs) frame with roof and sides is priced at £1195 inc VAT. The 8m x 4m (6 legs) frame with roof and sides is priced at £1345 inc VAT.

These sizes only come in the strongest framework, with the heavy duty roof and sides.

Our weights are 13kg made of cast iron. Each weight is £25.20 inc VAT and we would recommend at least 1 weight per leg, but ideally 2 per leg. The rain gutters we can include free of charge.

Price for branding can vary quite a lot with the design. We would need to know what you want before quoting.

Delivery is a flat rate of £18 inc VAT to a UK mainland address.

I hope this helps,
Kind regards,
Anton
Nicoll Industries Limited
Tel: 01283 510570
Fax: 01283 536188

Confidentiality: This Email and it's Attachments are intended for the above named only and may be confidential. If they have come to you in error, you must take no action based on them, nor must you copy or show them to anyone.

Please reply to this email and highlight the error.
Security Warning: Please note that this Email has been created in the knowledge that internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

Viruses: Although we have taken steps to ensure that this email and attachments are free from any virus, we advise that in keeping with good computing practice, the recipient should ensure that they are actually virus free.

Registered Office of Nicoll Industries Limited
Units 10 & 11, Windsor Industrial Estate, Hawkins Lane, Burton Upon Trent, Staffordshire DE14 1QF

From: Nicoll Industries
Sent: Wednesday, July 13, 2016 1:10 PM
To: Sales@nicoll-industries.co.uk
Subject: Contact us

Instant Marquees Limited

Unit D Highfield Road
 Camelford
 Cornwall
 PL32 9RA

Tel. 01840 212955

Fax. 01840 212909

VAT Reg. GB 783 7037 06

Co Reg No. 4403788

Order

Invoice No. 00009016

Invoice Date. 26/08/2016

Your Order No. 000038971

Invoice To:

Copeland Borough Council
 The Copeland Centre
 Catherine Street
 Whitehaven
 Cumbria
 CA28 7SJ

Deliver To:

Copeland Borough Council
 Whitehaven Commercial Park
 Moresby Parks
 Whitehaven
 Cumbria
 CA28 8YD

QTY.	ITEM NO.	DESCRIPTION	PRICE	UNIT	DISC %	EXTENDED	VAT
30	IM3x3FRAME	Instant Marquees 3x3 Heavy Duty Pro Frame	£695.00		25%	£15,637.50	S
3	IM6x3FRAME	Instant Marquees 6x3 Heavy Duty Pro Frame	£995.00		15%	£2,537.25	S
61	IMBASEBARBR.	Base Bar Bracket	£9.95		20%	£485.56	S
30	IM3x3CANOPYI	IM 3x3 Canopy Green & White PVC		1			S
3	IM6x3CANOPYI	Canopy 6 x 3 Green & White PVC					S
33	Custom	Pelmet Logo PVC (1.50 x 0.36)	£80.00		40%	£1,584.00	S
61	IMSIDEWALL3C	IM Sidewall 3m Forest Green Polyester	£50.00		20%	£2,440.00	S
19	IMRAINGUTTEF	3m Raingutter Double Velcro Green PVC	£35.00		20%	£532.00	S
45	IMBASEBAR	Base Bar 3m	£30.00		30%	£945.00	S
38	IMTENTCONNE	Pro Tent Connectors	£9.95		20%	£302.48	S
200	IM15kilo	Jigsaw Weight 15 Kilo	£37.50		33%	£5,025.00	S
CODE		RATE	VAT	SALE AMT.	SALE AMT.		£29,488.79
S		20%	£5,897.76	£29,488.79	CARRIAGE		£0.00
					VAT		£5,897.76
					TOTAL AMT.		£35,386.55
					PAID TODAY		£0.00
					BALANCE DUE		£35,386.55

Bank Details: HSBC. Acc No 31387618. Sort Code 40-12-22

031

Agenda Item 9

Cllr ROBERTS

Policies

Sanction for breach of code of conduct

Data Protection

Recording of meetings

Copyright

WHITEHAVEN TOWN COUNCIL - DRAFT

POLICY FOR NON-COMPLIANCE WITH THE CODE OF CONDUCT

INTRODUCTION

This policy has been developed to deal with findings following receipt of a report by the Monitoring Officer of an apparent failure by a Town Councillor to comply with the Code of Conduct.

When a complaint against a Town Councillor has been referred to the Monitoring Officer, and an investigation finds that the Town Councillor has failed to comply with the Code of Conduct, Copeland Borough Council's Monitoring Officer will refer the complaint to the Town Council to determine, along with a recommendation for an appropriate sanction.

This policy will deal with such complaints as follows:

PROCEDURE

RECEIPT OF COMPLAINT

1. Upon receiving a complaint concerning a Town Councillor from the Monitoring Officer, the Town Clerk will make provision for the matter to be included on the agenda for the forthcoming Town Council meeting.
2. All Town Councillors will be provided with details of the complaint, including the name of the councillor who has not complied with the Code of Conduct, along with the recommendation for an appropriate sanction from the Monitoring Officer.

COMPLAINT HEARING

3. At the appropriate point during the Town Council meeting the Chairman will outline the nature of the complaint.
4. The complaint will be heard in the public session of the meeting. However, if the matter is deemed to be too sensitive, the complaint will be heard in private in accordance with the Public Bodies (Admission to meetings) Act 1960.
5. The decision of the Town Council will be made public at the conclusion of the meeting.
6. If a councillor is in breach of the Code he/she will be offered an opportunity to respond to the complaint.
7. Once the complaint has been considered, the Town Council will consider whether to apply the Monitoring Officer's recommended sanction.

8. Should the Town Council resolve not to apply the Monitoring Officer's recommendation, then the Town Council may consider an alternative sanction.

ACTION FOLLOWING CONSIDERATION OF THE COMPLAINT

9. The Sanction may include removal from any committee that the complaint refers to and or;
 - a. A formal letter to the member found to have breached the code
 - b. Formal censure by motion
 - c. Adverse publicity
10. Town Councillors in breach of the Code of Conduct must adhere to the sanction imposed once it has been considered and approved by the Town Council.
11. Town Councillors who fail adhere to an imposed sanction will be reported to the Monitoring Officer.
12. The findings and resolution of the Council will be recorded in the minutes of the meeting.

Approved: Sept 2016

Review: May 2017

DATA PROTECTION POLICY

OVERVIEW

THE DATA PROTECTION ACT 1998

The Data Protection Act 1998 Act regulates the use of personal data and gives effect in UK law to the European Directive on Data Protection. Whereas the Freedom of Information Act 2000 seeks to make information public, the Data Protection Act seeks to control how information can be processed and used.

WHAT DOES THE ACT COVER?

The Act is concerned with "personal data", that is information about living, identifiable individuals. This need not be particularly sensitive information and can be as little as a name and address.

The Act gives individuals (data subjects) certain rights. It also requires those who record and use personal information (data controllers) to be open about their use of that information and to follow sound and proper practices (the Data Protection Principles).

Data controllers are those who control the purpose for which and the manner in which personal data is processed. The Council, the corporate body is the Data Controller and responsible for compliancy with the act.

Data subjects are the individuals to whom the personal data relate.

The Information Commissioner is responsible for administering and enforcing the Data Protection Act.

The Council holds personal information about living individuals on paper or on computer (e.g. details of planning applications, grant applications etc.) and are required in law to notify and register with the ICO under the Data Protection Act 1998. Registration takes place annually.

The Data Protection Act controls how your personal information is used by organisations, businesses or the government.

Everyone responsible for using data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the UK without adequate protection

There is stronger legal protection for more sensitive information, such as:

- ethnic background
- political opinions
- religious beliefs
- health
- sexual health
- criminal records

DO INDIVIDUAL COUNCILLORS ALSO NEED TO NOTIFY UNDER THE DATA PROTECTION ACT?

If members have computers at home and those computers hold data to which the Data Protection Act applies, they may need to register individually with the ICO. Unless the computer belongs to the Council and it is controlled by the Council, the ICO is likely to argue that each member is a data controller and he or she will need to register and pay the fee. There is a self-assessment guide which members can complete online to check whether or not they need to do this.

THE DATA PROTECTION PRINCIPLES

The Council must still comply with the eight data protection principles. The principles are set out below.

1. It must be collected and used fairly and inside the law.
2. It must only be held and used for the reasons given to the Information Commissioner.
3. It can only be used for those registered purposes and only be disclosed to those people mentioned in the register entry.
4. The information held must be adequate, relevant and not excessive when compared with the purpose stated in the register.
5. It must be accurate and be kept up to date.
6. It must not be kept longer than is necessary for the registered purpose.
7. The information must be kept safe and secure. This includes keeping the information backed up and away from any unauthorised access.

8. The files may not be transferred outside of the European Economic Area (that's the EU plus some small European countries) unless the country that the data is being sent to has a suitable data protection law.

PRACTICAL IMPLICATIONS

- The council must have a legitimate reason for processing the data.
- Information should be 'processed fairly' i.e. when you collect the information from individuals you should be honest and open about why you want it.
- The Council should explain (in most cases in writing): who (the data controller) are the Council- the name of your Council; the intent to use the information and to whom the Council intends to give the personal data. This may be a specific third party, or a may be a more general description such as "other Councils' etc.
- Data users should monitor the quantities of data held and ensure that they hold neither too much nor too little. Hold only the data which you actually need.
- Personal data should be accurate. If it is not, it must be corrected.
- Only in exceptional circumstances should data be kept indefinitely. In order to comply with the principle the Council has a Record Management System for the removal of different categories of data from your system after certain periods, and is no longer required for audit purposes.
- Individuals must be informed, upon request, of all the information held about them. They can prevent the processing of data for direct marketing purposes and are entitled to compensation if they have been caused damage by any contravention of the Act.

DEALING WITH SUBJECT ACCESS REQUESTS

In response to a subject access request individuals are entitled to a copy of the information held about them, both on computer and as part of a relevant filing system. They also have the right to receive a description of why their information is processed, anyone to whom it may be disclosed, and any information available to you about the source of the data.

On receipt of a written subject access request, the Council must deal with it promptly and in any case within 40 days from the date of receipt.

If the Council seeks clarification or further information, the 40 days will begin when you receive this further information from the requester.

The Council may ask for a fee which will be assessed on a case by case basis and the 40 days does not begin until this is received.

DESCRIPTION OF PROCESSING AT WHITEHAVEN TOWN COUNCIL

The following is a broad description of the way this organisation/data controller processes personal information. To understand how your own personal information is processed you may need to refer to any personal communications you have received, check any privacy notices the organisation has provided or contact the organisation to ask about your personal circumstances.

NATURE OF WORK – TOWN COUNCIL

REASONS/PURPOSES FOR PROCESSING INFORMATION

The Council process personal information to enable us to provide local services in accordance with our statutory powers and duties, to promote campaigns, public relations and fundraising, conduct research and to support and manage our staff.

TYPE/CLASSES OF INFORMATION PROCESSED

The Council process information relevant to the above reasons/purposes.

This may include:

- personal details
- family details
- lifestyle and social circumstances
- financial details
- employment
- education and training details
- information regarding goods or services provided

The Council also process sensitive classes of information.

WHO THE INFORMATION IS PROCESSED ABOUT

The Council process personal information about:

- employees
- elected representatives, other holders of public office and members of the town council
- residents of the town
- complainants and enquirers
- suppliers
- advisers, consultants and other professional experts
- Business or other contacts, agents and contractors.

WHO THE INFORMATION MAY BE SHARED WITH

The Council sometimes needs to share personal information. Where this is necessary the Council are required to comply with all aspects of the Data Protection Act (DPA).

Where necessary or required the Council shares information with:

- the residents of the town
- employees family, associates and representatives of the person whose personal data The Council are processing
- current, past or prospective employers
- suppliers, providers of goods or services
- education, training establishments and examining bodies
- financial organisations and advisers
- persons making an enquiry or complaint
- the media
- local government

TRANSFERRING INFORMATION OVERSEAS

The Council do not transfer any personal information outside the European Economic Area (EEA).

Approved: TBA

Review: May 2017

WHITEHAVEN TOWN COUNCIL - DRAFT

PROTOCOL ON THE FILMING, RECORDING AND BROADCASTING OF MEETINGS

The public may record, film, and broadcast publicly accessible meetings of Whitehaven Parish Council and its committees, and may use digital and social media recording tools

- The activity must not disrupt the meeting.
- Any party recording a meeting must notify the Chair prior to commencing
- The rights (for instance, under the Data Protection Act 1998) of those being filmed, recorded or broadcast must be respected.
- As set out in CDPA the Council retains copyright of all recordings if published in any form or manner.
- No formalities need to be observed in the UK for a work to receive copyright protection; protection automatically applies to all works recorded in any form the requirements of subsistence, duration and first ownership.
- Any claims or other liabilities arising from the filming, recording, or broadcasting lies with those carrying it out – not with the Council.
- Any editing must not lead to possible misinterpretation of the proceedings, or infringe the core values of the Council (such as editing in such a way that may ridicule, or show lack of respect to those being filmed or recorded).
- The Town Council may photograph, film, record, or broadcast meetings, and may use or dispose of material following its own procedures
- These guidelines apply to everyone, whether or not they have not read them.
- No-one may film or record meetings or parts of meetings from which the press and public are excluded.
- The Chair can stop the meeting and take appropriate action if these guidelines are not followed.

Approved:
September 2016
Review: May 2017

FC290916

Agenda Item 10

Cllr McKew

Staffing



WHITEHAVEN TOWN COUNCIL

DISCIPLINARY AND GRIEVANCE PROCEDURE

WTC_POL_001-V1-0416

Discipline and Grievance Policy

Resolved to recommend by Staffing Committee: 17/08/16

Adopted by Full Council:

Minute:

Review Date: June 2017

DISCIPLINARY AND GRIEVANCE ARRANGEMENTS

- **The disciplinary process: how councils can deal with concerns about employee misconduct or poor performance.**

- **The grievance process: how employees can raise work-related concerns.**

2. NALC has produced model disciplinary and grievance policies that contain the detailed procedures that councils should follow and have been adopted by Whitehaven Town Council.

3. Many disciplinary and grievance matters can be resolved informally, just by having a quiet word with the employee. But formal policies can help councils deal with employment disputes fairly, consistently and in accordance with equality legislation.

4. Council policies should comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures and Discipline and Grievances at Work – the ACAS Guide (see www.ACAS.org.uk).

Committees and sub-committees

5. Disciplinary and grievance arrangements will be established by full the staffing committee and adopted at Full Council. The authority to decide a disciplinary matter, a grievance or an appeal can be delegated to a sub-committee. This should be confirmed in its terms of reference. Councillors with direct involvement in a disciplinary or grievance matter should not be appointed to a sub-committee or an appeal panel. And an appeal panel should not contain any member who made the original decision.



WHITEHAVEN TOWN COUNCIL

DISCIPLINARY AND GRIEVANCE PROCEDURE

WTC_POL_001-V1-0416

6. A sub-committee should have three members. This is because:

- i. one councillor cannot make a decision on behalf of the council
- ii. a two-member sub-committee would always allow the chairman to secure his/her desired outcome by exercising the casting vote in the event of a tie
- iii. more than three members will probably be unwieldy. It may also make it more difficult to find sub-committee members with no direct involvement and it will reduce the pool of potential appeal panel members.

Meetings

7. Meetings should be arranged as soon as possible but the employee should be given reasonable time to prepare. Proceedings should be minuted. If possible the minute taker should be an employee.

8. The employee and companion (if there is one) must make all reasonable efforts to attend. Employees have a statutory right to be accompanied by a colleague or a trade union representative to a grievance, disciplinary or appeal meeting. If the employee's companion is not available on the proposed date, the employee can request a postponement and can propose an alternative date within five working days of the original meeting. If the employee does not attend the disciplinary meeting, he/ she should be given the opportunity to be represented and to make written submissions.

Decisions

9. Employees should be informed, promptly and in writing, of the council's decision. If possible, the decision should be handed to the employee. Disciplinary and grievance decisions should notify the employee of the right to appeal.

The Disciplinary Investigation

10. In cases of misconduct, an investigation of the facts should be carried out as soon as possible. Other than for allegations of minor misconduct, an investigator should be appointed by the council's staffing committee. The Investigator's role is to submit a report



WHITEHAVEN TOWN COUNCIL

DISCIPLINARY AND GRIEVANCE PROCEDURE

WTC_POL_001-V1-0416

with recommendations to the staffing committee which decides whether further action should be taken. He/she must be independent and should normally be a councillor. If there are no independent councillors (for example, because they all have direct involvement in the matter), the staffing committee should appoint someone from outside the council.

11. An employee does not have a statutory right to be accompanied to an investigatory meeting. However, the disciplinary procedure in the Appendix permits employees to be accompanied to an investigatory meeting.

12. In cases of poor performance, it may not be necessary to have an investigation.

Mediation

13. Mediation may be appropriate at any stage of the disciplinary or grievance procedure (for example where there have been communication breakdowns or allegations of bullying and harassment). Mediation is a confidential dispute resolution process that requires the Council's and the employee's consent. The mediator is an independent person who helps individuals or groups try to find a solution. Mediators do not make judgments or determine outcomes - they ask questions that help to uncover underlying problems, assist the parties to understand the issues and clarify the options for resolving their difference or dispute. See www.ACAS.org.uk.

Data protection

14. Information about disciplinary or grievance matters should be restricted to those involved in the disciplinary process. Any disciplinary action or grievance outcome should remain confidential. The employee's disciplinary and grievance records should be held by the Council in accordance with the Data Protection Act 1998.



WHITEHAVEN TOWN COUNCIL

DISCIPLINARY AND GRIEVANCE PROCEDURE

WTC_POL_001-V1-0416

Whitehaven Town Council Disciplinary Policy

INTRODUCTION

1 This policy is based on and complies with the 2009 ACAS Code of Practice. It is designed to help council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.

2 The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

3 This policy confirms:

- the Council will fully investigate the facts of each case
- the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used to when performance management proves ineffective.

For more information, see the ACAS publication "How to manage performance" at: (http://www.ACAS.org.uk/media/pdf/g/7/ACAS_how_to_manage_performanceaccessible-version-Nov-2011.pdf)

- employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
- employees may be accompanied or represented by a trade union representative or a work colleague at any disciplinary or investigatory meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case
- the Council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions.



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If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date.

- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the Data Protection Act 1998
- recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition
- employees have the right to appeal against any disciplinary action. The appeal decision is final
- if an employee who is already subject to the Council's disciplinary procedure, raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council can include an oral warning, written warning, final written warning or dismissal
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it.
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the Council's and the employee's consent.

Examples of misconduct

4 Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct.

- unauthorised absence



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- poor timekeeping
- misuse of the Council's resources and facilities including telephone, email and internet
- inappropriate behaviour • refusal to follow reasonable instructions
- breach of health and safety rules.

Examples of gross misconduct

5 Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice.

The following list contains some examples of gross misconduct.

- bullying, discrimination and harassment
- incapacity at work because of alcohol or drugs
- violent behaviour
- fraud or theft
- gross negligence
- gross insubordination
- serious breaches of health and safety rules
- serious and deliberate damage to property
- use of the internet or email to access pornographic, obscene or offensive material
- disclosure of confidential information.

EXAMPLES OF UNSATISFACTORY WORK PERFORMANCE

- inadequate application of office procedures
- inadequate IT skills
- unsatisfactory management of staff
- unsatisfactory communication skills.

DISCIPLINARY INVESTIGATION

6 There will be an investigation of the facts. The council's staffing committee will appoint an Investigator who will be responsible for undertaking the disciplinary investigation. The Investigator will be independent and will normally be a councillor. If the staffing committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the council. The Investigator will be appointed as soon as possible after the allegations have been made. The Investigator will be asked to submit a report within 20



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working days of appointment. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the council may decide to commence disciplinary proceedings at the next stage (see paragraphs 14 -16).

7 The staffing committee will first notify the employee in writing of the alleged misconduct and ask him/her to attend a meeting with the Investigator. The employee will be given at least five working days' notice of the meeting with the Investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee should be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets with the Investigator, he/she will have the opportunity to comment on the allegations of misconduct.

8 Employees may be accompanied or represented by a trade union representative or a work colleague at any investigatory meeting.

9 If there are other persons (eg employees, councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.

10 The Investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the staffing committee whether or not disciplinary action should be taken.

11 The Investigator's report will contain his/her recommendations and the findings on which they were based. He/she will recommend either: • the employee has no case to answer and there should be no further action under the Council's disciplinary procedure • the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or • the employee has a case to answer and there should be action under the Council's disciplinary procedure.

12 The Investigator will submit the report to the staffing committee which will decide whether further action will be taken.



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13 If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

THE DISCIPLINARY MEETING

14 If the staffing committee decides that there is a case to answer, it will appoint a staffing sub-committee of three councillors. The staffing sub-committee will appoint a Chairman from one of its members. The Investigator shall not sit on the sub-committee. No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting.

The sub-committee's letter will confirm the following:

- the names of its Chairman and other two members
- details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
- a copy of the investigation report, all the supporting evidence and a copy of the Council's disciplinary procedure
- the time and place for the meeting. The employee will be given reasonable notice of the hearing (at least 15 working days) so that he /she has sufficient time to prepare for it
- that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least five working days before the meeting
- that the employee and the Council will provide each other with all supporting evidence at least five working days before the meeting. If witnesses are not attending the meeting, witness statements will be submitted to the other side at least five working days before the hearing
- that the employee may be accompanied by a companion, either a trade union representative or a work colleague

The disciplinary meeting will be conducted as follows:

- the Chairman will introduce the members of the sub-committee to the employee
- the investigator will present the findings of the investigation report
- the Chairman will set out the council's case and present supporting evidence (including any witnesses)



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- the employee (or the companion) will set out his/her case and present evidence (including any witnesses)
- any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness
- the employee (or the companion) will have the opportunity to sum up his/her case
- the Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within five working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision
- the disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

DISCIPLINARY ACTION

15 If the sub-committee decides that there should be disciplinary action, it may be any of the following:

Verbal warning

A verbal warning is issued for most first instances of minor misconduct. The council will notify the employee:

- of the reason for the warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action
- of the right to appeal
- that a note confirming the oral warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for six months.

Written warning

If there is a repetition of earlier misconduct which resulted in an verbal warning, or for different and more serious misconduct, the employee will normally be given a written warning. A written warning will set out:

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action
- the employee's right of appeal



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- that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for 12 months.

Final written warning

If there is further misconduct during the period of a written warning or if the misconduct is sufficiently serious, the employee will be given a final written warning.

A final written warning will set out:

- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
- the employee's right of appeal
- that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for 18 months.

Dismissal

The council may dismiss:

- for gross misconduct
- if there is no improvement within the specified time period in the conduct which has been the subject of a final written warning
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

16 The council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she will receive a written statement of the reasons for his/her dismissal, the date on which the employment will end and details of his/her right of appeal.

17 If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action imposed as a result of the disciplinary meeting will remain in force unless and until it is modified as a result of an appeal.



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THE APPEAL

18 An employee who is the subject of disciplinary action will be notified of the right of appeal. His/her written notice of appeal must be received by the Council within five working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

19 The grounds for appeal include;

- a failure by the Council to follow its disciplinary policy
- the sub-committee's decision was not supported by the evidence
- the disciplinary action was too severe in the circumstances of the case
- new evidence has come to light since the disciplinary meeting.

20 The Appeal will be heard by a panel of three members of the staff committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of three members of the council who may include members of the staff committee. The appeal panel will appoint a Chairman from one of its members.

21 The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that he/she may be accompanied by a companion, either a trade union representative or a work colleague.

22 At the appeal meeting, the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
- explain the action that the appeal panel may take.

23 The employee (or his companion) will be asked to explain the grounds for appeal.

24 The Chairman will inform the employee that he/she will receive the decision and the



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panel's reasons, in writing, within five working days of the appeal hearing.

25 The appeal panel may decide to uphold the decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

26 If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.

27 The appeal panel's decision is final.

END

FC290916

Agenda Item 11

Clr Forster

Allotments



Proud of our past. Energised for our future.

Copeland Borough Council
Whitehaven Commercial Park,
Moresby Parks, Whitehaven,
Cumbria CA28 8YD

tel: 01946 59 83 00
fax: 01946 59 25 25
email: info@copeland.gov.uk
web: www.copeland.gov.uk
twitter: @copelandbc

Mr G Wilson,
79 Brakeside Gardens,
Whitehaven,
Cumbria.
CA28 9PP

6th September 2016,

Dear Mr Wilson,

Formal Notice – Plot Number 5 Sneckyeat Allotment

I am writing to you again following a letter sent to you on the 9th August 2016 due to non-compliance of clause 2.3.1 of your Allotment Agreement with regard to non-cultivation.

I now wish to inform you that I enclose a formal notice to vacate the allotment site due to non-compliance and this means your last date of access to the site will be the 5th October 2016.

Yours sincerely,

Nicky Scott
Neighbourhoods Services Officer
Tel: 01946 593031
Email: nscott@copeland.gov.uk



Proud of our past. Energised for our future.

Copeland Borough Council
Whitehaven Commercial Park,
Moresby Parks, Whitehaven,
Cumbria CA28 8YD

tel: 01946 59 83 00
fax: 01946 59 25 25
email: info@copeland.gov.uk
web: www.copeland.gov.uk
twitter: @copelandbc

Mr F Storey,
18 Melbreak Close,
Whitehaven,
Cumbria.
CA28 9TG

6th September 2016,

Dear Mr Storey,

Formal Notice – Plot Number 4a Sneckyeat Allotment

I am writing to you again following a letter sent to you on the 18th August 2016 due to non-compliance of clause 2.3.1 of your Allotment Agreement with regard to non-cultivation.

I now wish to inform you that I enclose a formal notice to vacate the allotment site due to non-compliance and this means your last date of access to the site will be the 5th October 2016.

Yours sincerely,

Nicky Scott
Neighbourhoods Services Officer
Tel: 01946 593031
Email: nscott@copeland.gov.uk



Proud of our past. Energised for our future.

Copeland Borough Council
Whitehaven Commercial Park,
Moresby Parks, Whitehaven,
Cumbria CA28 8YD

tel: 01946 59 83 00
fax: 01946 59 25 25
email: info@copeland.gov.uk
web: www.copeland.gov.uk
twitter: @copelandbc

Ms C McCreadie,
37 Solway Road,
Kells,
Whitehaven,
Cumbria.
CA28 9AR

6th September 2016,

Dear Ms McCreadie,

Formal Notice – Plot Number 4b Sneckyeat Allotment

I am writing to you again following a letter sent to you on the 12th August due to non-compliance of clause 2.3.1 of your Allotment Agreement with regard to non-cultivation.

I now wish to inform you that I enclose a formal notice to vacate the allotment site due to non-compliance and this means your last date of access to the site will be the 5th October 2016.

Yours sincerely,

Nicky Scott
Neighbourhoods Services Officer
Tel: 01946 593031
Email: nscott@copeland.gov.uk



Proud of our past. Energised for our future.

Copeland Borough Council
Whitehaven Commercial Park,
Moresby Parks, Whitehaven,
Cumbria CA28 8YD

tel: 01946 59 83 00
fax: 01946 59 25 25
email: info@copeland.gov.uk
web: www.copeland.gov.uk
twitter: @copelandbc

Ms W Thomas,
5 Beck Close,
Braystones,
Cumbria.
CA21 2YH

6th September 2016,

Dear Ms Thomas,

Formal Notice – Plot Number 4 Midgey Allotment

I am writing to you again following a letter sent to you on the 10th August 2016 due to non-compliance of clause 2.3.1 of your Allotment Agreement with regard to non-cultivation.

I now wish to inform you that I enclose a formal notice to vacate the allotment site due to non-compliance and this means your last date of access to the site will be the 5th October 2016.

Yours sincerely,

Nicky Scott
Neighbourhoods Services Officer
Tel: 01946 593031
Email: nscott@copeland.gov.uk

FC290916

Agenda Item 12

Cllr Elliot

Christmas Events sub-committee

Christmas Events Sub Committee

Date 20th November 2016 to tie in with a retail shopping promotional event.

1.0

A brief synopsis of the highlights

JOLAN Booked to switch on lights

JOLAN booked for concert at the Civic Hall in partnership with Rosehill Theatre Group

CFM stage with local dance groups and performers,- Program to be decided (invitation gone out to dance schools and children's theatre groups to participate.

Fairground on Lowther Street

Ice Rink in St Nicholas Gardens 4-6 weeks

Fire service display TBC

Civic Hall children's events

Reindeer

Carol Concerts and musical events in market bandstand

Street performers

2.0 Funding

The Christmas Events Committee would like to recommend that the Town Council, underwrite a projected cost of £30,000.

A detailed breakdown will be available at the next FC meeting.

The underwritten sum is anticipated to be the overall outlay with the following potential returns.

Circa £10,000 from sponsorship packages of the Jolan concert, the ice rink, letter for switch on, banners and product placement.

Circa £5,000 revenue from ice rink charges.

There is a projected additional cost of up to £15,000 to repair or replace the electrical feed boxes, this has been assessed at 9 boxes.

The cost of this CAPEX will be amortized over a four year period.

Invitations to tender have been issue for lights installation.

I am writing to you on behalf of **Whitehaven Town Council Christmas Events Sub-Committee**.

We are planning an exciting Christmas in Whitehaven for 2016. However, we cannot do this alone we need your help, assistance can be in many forms;

Financial, Time or labour, Goods in kind, Advertising to name just a few.

We have many sponsorship opportunities for the Whitehaven Christmas Events giving your company or organisation an excellent opportunity to help the community at this family event.

We received a great deal of support last year and are looking achieve bigger and better things this year, such as an ICE RINK in St Nicholas Gardens, a high profile musical event featuring JOLAN, and many more activities for children and adults alike.

Last year the event drew over five thousand spectators and culminated in a town centre parade before the official lights switch on.

This year the ICE Rink will be opening the week after the lights switch on for a period of 4-6 weeks providing a draw for increased foot fall pre-Christmas in Whitehaven. This will be the only ice rink within a fifty mile radius and will attract significant visitors.

The Ice rink will be amidst a veritable "**Winter Wonderland**" that will be open throughout the holiday period to New year.

We have many sponsorship opportunities with the 2016 Christmas in Whitehaven Festivities. We want you to be part of this, no matter how small your contribution. Many of you may have helped us in the past and we are most grateful for that, we would greatly appreciate any support that you could give to us for the forthcoming festivities

We are still at this time in the planning phase and would welcome any input or suggestions. If you have some expertise which you think may be relevant and that you would be willing to give please contact us.

This event is underwritten by Whitehaven Town Council for the residents and visitors of Whitehaven.

Our ethos is to provide a safe, attractive and economically strong market town, which is pedestrian and cycle friendly, and with very high environmental standards and an active leisure and arts culture

- Raise town to new heights in terms of visitor experience
- Create a visual impact that show cases the town for what it is.
- Show case the town for the best it has to give.
- Work with all stakeholders

This event will see participation, from the Civic Hall, the Chamber of Trade, Copeland Borough Council, BEC Energy Coast, Local schools, all local dance schools, shop keepers, businesses, residents and the children of Whitehaven plus many other participants.

We need your help and with the support of our local business community we can make this a success.

I will be in touch shortly to find out if we can be of any assistance in your decision. If you would like any further information please do not hesitate to contact me

FC290916

Agenda Item 13

Clerk Mr Abrahams

Financial Report

Agenda Item 14

Public Consultation – Clerk – URGENT MATTERS ONLY

To consider comments received from the public.

Member of public request:

AGE UK

Leslie Abrahams

From: Jacqui Rogan <jacqui.rogan@ageukwestcumbria.org.uk>
Sent: 23 September 2016 15:47
To: 'clerk@whitehavencouncil.co.uk'
Subject: FW: Age UK Meeting

From: Jacqui Rogan
Sent: 23 September 2016 15:45
To: 'clerk@whitehavencouncil.co.uk'
Subject: FW: Age UK Meeting

From: Jacqui Rogan
Sent: 23 September 2016 15:43
To: 'clerk@whitehavencouncil.co.uk'
Cc: Rachel Finley
Subject: Age UK Meeting

Dear Mr Abrahams

Thank you for meeting with my colleague and I on Wednesday, your time was much appreciated.

Just a brief overview of our project as discussed; I feel that our presentation would be viewed out of context if I send it to you.

Age UK West Cumbria is delivering the Community Connections project over 5 years. Our funders are Big Lottery, Copeland Community Fund, Copeland Borough Council, and the Henry Smith Charity.

The project has come about because research has shown that over 1 million older people feel lonely all or most of the time. Loneliness is a serious public health issue as it is linked to a decline in health both physically and mentally which leads to an increased demand on health services. As we are an ageing population the problem will only get worse over time if it is not addressed.

The project is based on Asset Based Community Development which is a bottom up community led approach to enabling individuals to develop their own assets however small and therefore promote health, wellbeing and independence. We can help individuals in many ways including but not limited to: giving information to people about social activities in their area so they can access these activities independently, supporting an individual on a short term basis to attend activities and achieve their goals, enabling someone to use email or skype to keep in touch with distant family thus keeping them socially connected.

Outcomes for the project are:

- That local communities will be more aware of the impact of loneliness on health and wellbeing – through spreading the word and awareness campaigns
- The health and wellbeing of lonely and isolated older people will improve through support and activities in their own community.

- Volunteers will feel increased confidence, self-esteem and wellbeing through helping lonely be involved in community activities.
- Rural communities will be more resilient to loneliness through local interventions and support

We need as many volunteers as possible as this is vital to the project being a success; volunteers can become a befriender, help people get to activities, run a coffee morning or lunch group. We also need people who are lonely to come forward if they feel they want help.

We are making contact with as many people, communities and organisations as possible who can help us to reach lonely isolated older people and would welcome any suggestions you many have about how to go about this.

We welcome your kind offer of £1000 for the intention of a community project in the Greenbank and Sandwith areas and also your invitation to speak at one of your meetings. We look forward to speaking with you again in the near future, however if you require any further information please do not hesitate to contact us.

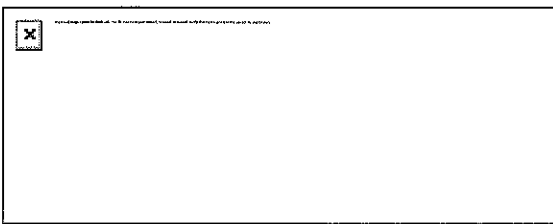
Kind regards,

Jacqui Rogan
Copeland Community Connections Co-ordinator

Age UK West Cumbria
14-15 Market Place
Egremont
CA22 2AF


01946 828100
07714247971

Jacqui.rogan@ageukwestcumbria.org.uk



Age UK West Cumbria is an Appointed Representative of Age UK Enterprises Ltd which is authorised and regulated by the Financial Conduct Authority for insurance mediation. Previously Age Concern Northwest Cumbria. Registered charity No: 1122049. Company No. 6047495. Financial Services Register Number 311438

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Agenda Item 15

Grants

None

Agenda Item 16

Local plan & Strategy meeting of Whitehaven Town Council.

Meeting 2 - Follow up

Venue – Golf Club

Date: 11th or 13th October

Agenda Item 17

Cllr Arrighi

Town Centre Cleaning - Update

FC290916

Agenda Item 20

Clerk

Hensingham Hand Rail

Environment & Community Services Copeland Area Support Team
Copeland Community Unit Cleator Moor Council Centre Cleator Moor Cumbria CA25 5AP
T: 01946 505020 E: nicky.long@cumbria.gov.uk

Leslie Abrahams
Room 3 Civic Hall
Lowther Street
Whitehaven
Cumbria
CA28 7SH

25 September 2016
Our reference: CCG/15255-15

Dear Leslie

Community Grant: Whitehaven Town Council

I am pleased to inform you that your application to the Mirehouse (Copeland) Community Grants Fund has been successful and that a grant of £708 has been awarded in respect of funding to supply and install a handrail.

I will instruct Accounts Payable to arrange payment directly into your bank account via BACS (Bankers Automated Clearing System) as soon as possible. A Remittance Advice slip will be emailed out to you from Accounts Payable if an email address has been provided.

Should you be producing any publicity material in the future, I would be grateful if acknowledgement could be given to Cumbria County Council for supporting your project.

A Project Completion Report (PCR) is enclosed for your attention. I would be grateful if you would please complete and return this form **together with copies of receipts for monies spent**. We ask that all Project Completion Reports be returned within six months of receiving a grant, to enable us to complete our audit trail and confirm completion of your project.

I look forward to hearing how the project has progressed and would be grateful if you could let us have any photographs we could use for display purposes.

If I can be of any further assistance please do not hesitate to contact me.

Yours sincerely

Maria Hewitt
Area Engagement Officer

PLEASE SEE THE PROJECT COMPLETION FORM BELOW

071

Whitehaven Town Council
Civic Hall
Room 3
Lowther Street
Whitehaven
Cumbria
CA28 7SH

7th July 2016

Quote Ref. 01961.QUO

Dear Leslie

Subject:- Quotation for handrail-Beck Bottom

I have pleasure in submitting the following quotation

Supply and fit metal galvanised handrail along steps at Beck Bottom

Total Price = £625.58 excluding vat

If you would like us to carry out this work on your behalf, please confirm in writing to myself.

Yours sincerely

John Davis

Parks Manager

Neighbourhoods

01946 593022

john.davis@copeland.gov.uk

The screenshot displays a webGIS interface with an Ordnance Survey map. The map shows a residential area with streets such as SPURFIELD COVE, DECK BOTTOM, HENDONHAM, Holy Terrace, BROOK, and NURSERY PLACE. A search bar at the top left contains the text "Search for Address". The map type is set to "Ordnance Survey". On the right side, there are controls for "Map", "Layers", and "Choose Theme". At the bottom, there are buttons for "LAYERS (open)" and "SEARCH RESULTS (open)". A scale bar indicates 100 meters. The text "(c) Crown copyright and database rights (2011) Ordnance Survey (100018818)" is visible at the bottom left of the map area.

- 3.2 to indemnify the Owner against all actions claims demands losses and liability in respect of any breach of the Regulations or use of the Property by the Licensee;
- 3.3 to pay the Licence Fee on the date hereof and on each anniversary thereof as long as this Licence continues together with VAT, if demanded; and
- 3.4 not to assign the benefit of this Licence.

4 Determination

This Licence may be determined:

- 4.1 by the Owner forthwith by notice to the Licensee upon failure by the Licensee to pay the Licence Fee within 28 days of the due date or upon any breach of any provisions of this Licence (including the Regulations) (and in such event the Licensee is not to be entitled to any refund of any part of the Licence Fee), or
- 4.2 by three months written notice served by either party on the other, such determination to be without prejudice to the liability of the Licensee under this Licence up to the date of expiry of the notice; or

such determination to be without prejudice to the liability of the Licensee under this Licence up to the date of expiry of the notice.

5 Reinstatement

At the expiration of the Licence Period or upon determination of this Licence the Licensee must forthwith remove the handrail placed on the Property and, if requested to do so by the Owner, remove any handrail supports, pavement or other materials placed on the Property by the Licensee to create a base for the handrail and to reinstate the Property to the condition that existed prior to the Commencement Date such works being carried out to a reasonable standard specified by the Owner and to the reasonable satisfaction of the Owner.

6 Notices

Any notice to be given under this Licence must be in writing and shall be sufficiently and effectually given by the Licensee if sent by registered post or recorded delivery to the address of the Owner shown above and addressed to the Legal Services Manager, and by the Owner if given by the Owner or his surveyor or agents on his behalf by being sent by registered post or recorded delivery to the Licensee at the address shown above or the last known address of the Licensee in the United Kingdom.

075

7 Reservation of rights

The Licensee agrees that this Licence does not give the Licensee exclusive rights to the use of the Property and that the Owner may, in its absolute discretion, either itself or by granting rights to third parties use the Property to pass and re-pass over or to lay pipes, cables and other service media within those lands provided that, in respect of the laying of such media the Owner ensures that those lands are reinstated and any damage thereto made good.

IN WITNESS whereof the hands of the parties have been set hereto the day and year first before written

SCHEDULE ("The Regulations")

- 1 The Licensee may use the Property only for the respective purposes stated above and at the times authorised by the licence given to him and for the avoidance of doubt use of the Property for any trade or business use (use in connection with the Licensee's statutory functions excepted) or purpose is not permitted by this Licence;
- 2 The Licensee must at all times fully and effectually indemnify the Owner against any liability whatsoever and however caused arising out of the use of the Property authorised by the Licence;
- 3 The Licensee must comply with all further reasonable regulations and conditions that may from time to time be made by the Owner for the safety good management and control of the Property;
- 4 The Licensee must pay and discharge all rates and outgoings of whatever nature payable in respect of the Property and in the absence of any formal apportionment or separate assessment must pay to the Owner on demand the proper proportion, as certified by the Owner or its agents or surveyor, of the amount payable in respect of the Property;
- 5 The Licensee must pay interest at the rate of 5% a year above the base lending rate of National Westminster Bank Plc. from time to time in force on any payments due under the Licence from the date when they become due to the date of payment if they are not paid within 28 days after becoming due;
- 6 The Licensee must not deposit rubbish or litter on the Property or place any structure on them other than the handrail with support on the Property;

- 7 The Licensee must not do or allow to be done anything that may be or become a nuisance or annoyance or cause damage to the Owner or any other person using the Property or the owners or occupiers of adjoining or nearby residential properties;
- 8 The Licensee must not do or permit anything to be done whereby any policy of insurance on the Property against fire and/or other risks may become void or voidable or whereby the rate of premium on it may be increased;
- 9 The Licensee must repay to the Owner on demand all expenses incurred by the Owner in respect of any renewal of the policy of insurance on the Property or any increase of premium rendered necessary by a breach of condition 8;
- 10 The Licensee must not do or permit anything to be done on or to the Property that may contravene any statutory provision or regulation or any bye-laws made by a competent authority with regard to the use of the Property and, without prejudice to the generality of the foregoing, the Licensee must, in particular, obtain all necessary planning and building regulation approvals in connection with the use of the Property and to produce such approvals or permission to the Owner on demand;
- 11 The Owner is not to be under any liability whatsoever:
 - 11.1 for loss of or damage to any vehicle or property or any damage or injury to any person howsoever arising from the use of the Property for the intended purposes;
 - 11.2 for damages or compensation for loss of profits delay or otherwise if:
 - 11.2.1 unauthorised persons use or endeavour to use the Properties; or
 - 11.2.2 vehicles prevent ingress to egress from or across the Properties;
 - 12.3 to obtain or take out any insurance on the Property; and
 - 12.4 to repair, maintain or renew the Property;
- 12 The Licensee must not do or allow to be done anything that may damage the Property including any drains sewers or other pipes laid in under or on them;
- 13 The Licensee must construct the handrail on the Property and its supports and base to the reasonable satisfaction of the Owner and in accordance with the specification annexed hereto;

- 14 The Licensee must keep the Property and any structure erected thereon, including the handrail, maintained in good repair and condition to the satisfaction of the Owner; and
- 15 The Licensee must ensure that, at all times, it has a valid policy of insurance in place to cover public liability in respect of claims that may be made by members of the public arising from the use of the Property, such policy covering claims up to a minimum of £2,000,000 per claim.

**SIGNED AS A DEED ON BEHALF OF THE
OWNER BY:**

.....
Legal Services Manager

**SIGNED AS A DEED ON BEHALF OF THE
LICENSEE BY:**

.....
Authorised signatory

FC290916

Agenda Item 21

Clr Guest

KELLS Litter Bins

NO MOTION SUBMITTED TO THE PROPER OFFICER

FC290916

Agenda Item 22

Cllr Roberts

KELLS Airmen's memorial seat



... working to improve the Town Centre & Harbour

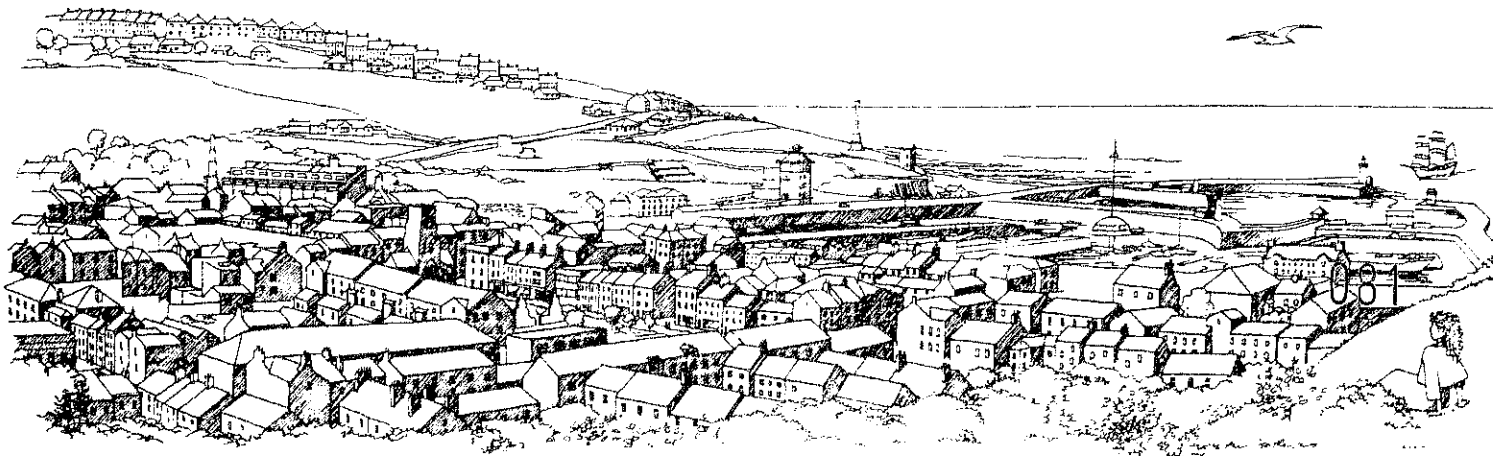
To The Clerk
Whitehaven Town Council

Dear Mr Abrahams,

Re: Airmen's Memorial Bench, Kells

I write on behalf of the members of Whitehaven Heritage Action Group who hope your council may be able to offer help with the long-term care and maintenance of the Airman's Memorial Bench at Kells (near Monkwray Cottages).

You may recall our group installed this seat in September 2008 marking the 65th anniversary of the 1943 plane crash on The Brows that took the lives of the five young airmen on board.



This tragedy has long remained in the consciousness of local people, and for many, is a childhood memory of walking home from school that day and witnessing the aircraft's fall from the sky. The airmen, based at RAF Millom had been on a training flight when their plane began to fail. No one survived.

Copeland Council assisted the Heritage Group with the installation of the memorial seat and, subsequently, a poignant dedication and unveiling ceremony was held in the presence of the then Mayor, Coun Keith Hitchen, and attended by RAF representatives, local clergy and also several of the airmen's descendants and family members that we managed to track down. That was eight years ago.

A verbal commitment was made (via Toni Magean who was then in charge of parks) that the council would undertake future maintenance of the seat and surrounding area. However, given the cutbacks that the council has faced and the departure of Mr Magean, this arrangement would appear to have fallen by the wayside. Our group has undertaken to have the bench re-varnished in recent times, however, it is now in need of a major overhaul, needing stripped back, re-stained and re-varnished. The metal plate carrying the inscription, and the immediate vicinity, would also benefit from an upgrade.

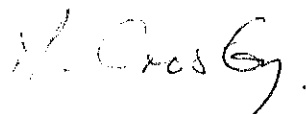
The Heritage Group is this year marking its 25th anniversary and has several projects in hand, not least the re-gilding of the Children's Mining Memorial in St Nicholas Gardens which has cost around £3,200.

We have very limited resources and no core funding and would be grateful if the council would consider taking on the refurbishment of this seat in the short term and also the future responsibility for its care and maintenance. It is, in effect, a war memorial to those who made the ultimate sacrifice and we feel the town owes it to these men and their memory to respect their memorial by giving it due care and attention.

Also, we understand it is within the powers of the Town Council to maintain, repair and protect war memorials under the War Memorials Act 1923 and the Local Government Act 1948.

We hope for a positive response from the Council, and we thank you and your members for listening.

Yours sincerely,

A handwritten signature in black ink, appearing to read "M. Crosby". The signature is written in a cursive style with a large, stylized "G" at the end.

Margaret Crosby (Mrs)

Secretary,

Whitehaven Heritage Action Group,

c/o Redhowe, 2 Castle Close, Whitehaven, CA28 7TP

crosby.n@sky.com

17 September, 2016

Agenda Item 23

Cllr Roberts

Consultation on Intended Public Payphone Removals in Whitehaven Wards

Motion to discuss and agree response

Rec'd 2.9.16



Chief Planning Officer
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ

1 September 2016

TIME SENSITIVE - 90 Day Consultation period end date: 30 November 2016

Dear Sir/Madam,

Further to our previous letter, we are writing to you as part of a formal consultation process regarding our current programme of intended public payphone removals. This letter formally starts our consultation with you and the local community.

There are currently 33 public payphones in your area which have been identified and proposed for removal by BT under the 90-day consultation process and details of these payphones are shown below.

To ensure that the local community are fully informed, we have placed consultation notices on the relevant payphones, and a sample notice is enclosed. We have also included the date we posted these notices on the payphones. The consultation period will close on 30 November 2016. Unless you contact us to agree otherwise, responses received after this date will not be accepted.

This consultation process gives your local communities the opportunity to adopt a traditional red 'heritage' phone box and make them an asset that local people can enjoy. It's really simple to do and it costs just £1 - <http://business.bt.com/phone-services/payphone-services/adopt-a-kiosk/>

Overall use of payphones has declined by over 90 per cent in the last decade and the need to provide payphones for use in emergency situations is diminishing all the time, with at least 98 per cent of the UK having either 3G or 4G coverage. This is important because as long as there is network coverage, it's now possible to call the emergency services, even when there is no credit or no coverage from your own mobile provider.

You may also want to consider the recent Ofcom affordability report which found that most people do not view payphones as essential for most consumers in most circumstances - http://stakeholders.ofcom.org.uk/binaries/research/affordability/affordability_report.pdf

On the 14th March 2006 the Office of Communications (Ofcom) published a statement following their 2005 review of universal service in the Telecommunications market, which includes a requirement for payphone

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provision to meet reasonable needs. Part of that statement amended our obligations with regard to the removal of payphone service - http://stakeholders.ofcom.org.uk/consultations/uso/uso_statement/

As stated in Ofcom's 2005 review, it is the responsibility of the local authority to initiate its own consultation process to canvas the views of the local community. They would normally expect these consultations to involve other public organisations such as the Parish or Community councils and work within the terms of the Communications Act 2003. This means that you must be able to objectively justify your decisions.

Full guidance on the removal process can be viewed at:

<http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removals.pdf>

and a summary is available at:

http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing_callboxes.pdf

The guidance also details the appeals process we must follow in case of unreasonable objections.

What you need to do next

Please complete and return the attached annex with your decision on each payphone.

If the decision is that the local community wish to 'adopt', please provide their contact details and we'll do the rest.

If you wish to 'object', you'll need to complete the last column with your reasons, having reviewed all of the factors set out in Annex 1 of Ofcom's guidance (see link above), and the information sent to you in our previous letter.

If the information is incomplete for any payphone in the list, then we'll assume you have no objection to its removal and also that you do not wish to adopt it.

The best way to respond to us is by email at bt.authorisation.team@bt.com. Please retain proof that the email was sent or apply a read receipt. If you would prefer to respond by post please use the following address and allow at least two days for postal delivery:

BT Payphones
pp 4th Floor Monument TE
11 - 13 Great Tower Street
London
EC3R 5AQ

You will need to obtain proof of postage from your local post office and be aware that we are unable to receive mail that requires a signature.

If you've got any questions then please get in touch with us by emailing bt.authorisation.team@bt.com.


Yours sincerely

Rick Thompson
Payphone Planning Officer

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Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agreed Adopt/ Object	Comments/Reasons
01946861294	PCO ENNERDALE CLEATOR	CA23 3AR	43	22/08/2016		
01946830590	PCO HINNINGS ROAD DISTINGTON WORKINGTON	CA14 5UR	8	22/08/2016		
01946830565	PCO COMMON END DISTINGTON WORKINGTON	CA14 5XU	11	22/08/2016		
01946820311	PCO NETHERTOWN EGREMONT	CA22 2UH	3	22/08/2016		
01946820304	PCO DENT VIEW EGREMONT	CA22 2ET	52	22/08/2016		
01946820246	PCO THE CRESCENT THORNHILL EGREMONT	CA22 2SP	30	22/08/2016		
01946810301	PCO PARKSIDE ROAD CLEATOR MOOR	CA25 5HE	2	22/08/2016		
01946810228	PCO SCALEGILL ROAD MOOR ROW	CA24 3JN	3	22/08/2016		

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Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agree/ Adopt/ Object	Comments/Reasons
01946692578	PCO MAIN STREET HENSINGHAM WHITEHAVEN	CA28 8QA	53	22/08/2016		
01946692549	PCO HOWGATE WHITEHAVEN	CA28 6PL	2	22/08/2016		
01946692547	PCO MEADOW ROAD WHITEHAVEN	CA28 8ER	138	22/08/2016		
01946692309	PCO SKIDDAW RD WHITEHAVEN	CA28 9TQ	307	22/08/2016		
01229772689	PCO THE HILL MILLOM	LA18 5HB	0	22/08/2016		
01229772535	PCO SILECROFT MILLOM	LA18 5LR	2	22/08/2016		
01229772376	PCO KIRKSANTON MILLOM	LA18 4NN	0	22/08/2016		
01229717283	PCO WABERTHWAITE MILLOM	LA19 5YJ	12	22/08/2016		

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Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agree/ Adopt/ Object	Comments/Reasons
01946810011	PCO MOOR PLACE FRIZINGTON	CA26 3PL	28	22/08/2016		
01946725211	PCO WELLINGTON SEASCALE	CA20 1BH	0	22/08/2016		
01946723232	PCO BOOT HOLMROOK	CA19 1TG	818	23/08/2016		
01946693685	PCO LOWESWATER AVE WHITEHAVEN	CA28 9NR	247	22/08/2016		
01946693515	PCO NORTH ROAD WHITEHAVEN	CA28 6BL	18	22/08/2016		
01946693090	PCO NEWLANDS AVENUE WHITEHAVEN	CA28 95H	3	22/08/2016		
01946693013	PCO LOWCA WHITEHAVEN CUMBRIA	CA28 6QH	2	22/08/2016		
01946692625	PCO WOODHOUSE ROAD WHITEHAVEN	CA28 9LL	0	22/08/2016		

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Copeland

Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agree/ Adopt/ Object	Comments/Reasons
01229718211	PCO BOOTLE STATION MILLOM	LA19 5XB	2	22/08/2016		
01946810220	PCO MAIN STREET FRIZINGTON	CA26 3SB	0	22/08/2016		
01946724211	PCO HOLMROOK	CA19 1YG	14	22/08/2016		
01946810511	PCO KEEKLE TERRACE CLEATOR MOOR	CA25 5RQ	0	22/08/2016		
01946694101	PCO CALDER AVENUE WHITEHAVEN	CA28 8AX	0	22/08/2016		
01946693398	PCO OVEREND RD WHITEHAVEN	CA28 8SD	0	22/08/2016		
01946841252	PCO THE SQUARE CALDERBRIDGE SEASCALE	CA20 1DH	14	22/08/2016		
01946810484	PCO TRUMPET TERRACE CLEATOR	CA23 3DX	1	22/08/2016		

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Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agree/ Adopt/ Object	Comments/Reasons
01229716447	PCO ULPHA BROUGHTON-IN-FURNESS	LA20 6DX	34	23/08/2016		

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