

WHITEHAVEN TOWN COUNCIL

Minutes of the Council Meeting held on 2nd March 2017

Present: Councillors R Gill (Chairman); C. Arrighi; J. Forster; M. Guest; J. A. Laine; G McKew; B. O’Kane; G.Roberts

M. Jewell, Interim Clerk to the Council

Paula Ratcliffe

Janice Knight

Steve Bewsher

Keith Cartner

Members of the Public

The Press

623/17 Apologies For Absence

An apology for absence was received from Councillor J Kane.

624/17 Minutes of Meeting held on 26th January 2017

- (i) Councillor Laine referred to the Minute on Public Participation and said that the query from Charles Maudling was about a chartered accountant not a registered accountant and that the wording should be changed.
- (ii) Councillor Laine referred to the Minute on the Appointment of Clerk and Responsible Financial Officer and said there were no Minutes of the Staffing Committee and also that she had asked for a recorded vote. The Interim Clerk said she had no record of a recorded vote and the remainder of the Councillors said they were not concerned whether it was a recorded vote or not and had no objections to the Minutes being amended accordingly.
- (iii) Councillor Laine referred to the Minute on the Precept and said this was a recorded vote. As in (ii) above Again the remaining

Councillors raised no objections to the Minutes being amended accordingly.

- (iv) Councillor Laine stated that every vote on the Minutes was a recorded vote and the Chairman disagreed and said he could only remember the Interim Clerk recording one recorded vote and further stated that a recorded vote was not a recorded vote unless a Councillor specifically asked for it to be recorded before the voting took place.
- (v) Councillor Laine referred to the Minute on the amendment to the Standing Orders and again said she had asked for recorded vote but there was no record of a recorded vote taking place.
Councillor Laine said she asked the Chairman for an apology over this matter but did not receive one and Councillor Guest said that there should be a corporate apology.

Following a discussion on the approval of the Minutes there was a recorded vote and the result was as follows:-

Councillor R Gill	For approval
Councillor C Arrighi	Abstained as not present at meeting on 26/1/17
Councillor J Forster	For approval
Councillor M Guest	Against approval
Councillor J Laine	Against approval
Councillor G McKew	Abstained as not present at meeting on 26/1/17
Councillor B O’Kane	For approval
Councillor G Roberts	For approval

RESOLVED – That the Minutes be approved and signed by the Chairman as a correct record subject to them being amended in accordance with paragraphs (i), (ii) and (iii) above

625/17

**Minutes of the Extraordinary Full Council Meeting on 15th
February 2017**

The Interim Clerk asked to amend the Minutes to delete Councillor Laine and Councillor Guest from those present and to include Councillor McKew as being present.

RESOLVED – That the Minutes be approved and signed by the Chairman as a correct record subject to the amendments above.

626/17

Declarations of Interest

There were no declarations of interest.

627/17

Public Participation

- (i) John Trevaskis said that the Sneckyeat Allotment holders were interested in self management and wanted to run their allotment site themselves. He said they wanted a cheque for £6,000 from the Town Council to run their allotment site and they would hire and fire their own workforce.
- (ii) Charles Maudling referred to the Picnic in the Park and asked if the wards grants granted to Councillor Arrighi and Councillor Kane were included in the cost. The Councillors confirmed that they were.
- (iii) Charles Maudling stated that the Solway Hall in the Civic Hall had received two payments of £4,000. He said the expenditure for that day was £1800 and that anything that was not used would be going back to the Town Council.
- (iv) Charles Maudling asked why the Town Council was paying £360.00 per month to Corporate Finance. The Interim Clerk explained that it was an IT contract for office equipment
- (v) Julie Rayson referred to an item she would like to have placed on a future agenda and Councillor O’Kane said he had asked for it to be on the next Copeland Borough Council meeting on 21st March 2017.
- (vi) Julie Rayson said the Jolan concert she had attended was unsuccessful and referred to the cost of it compared to the number of tickets sold. She said 35 tickets had been sold but over 100 were there on the night. She said the event included afternoon entertainment but she did not have the benefit of this. She said she would like a refund as she did not think it was fair that she had funded a Councillors night out. She said that when she bought her ticket she thought the ice rink was going to be open but it was not. She said the Jolan concert started at 8.30pm and that what was charged for the tickets was not value for money.

The Chairman said that not enough tickets had been sold for the Jolan concert. He said the management team for Jolan had asked for free food and drink and the Town Council had refused but that the previous Clerk had subsequently agreed to this without his knowledge or that of the Chairman of the Finance Committee. Julie Rayson asked for a refund of the £11.00 ticket fee for her son and the Chairman said he would look into it.

- (vii) Sylvia Maudling said she bought her ticket for Jolan and sat at the back but people got in free and sat in front of them. She said she sat trying to watch the concert and two security guards stood over their shoulders for most of the time and then one of the security guards said to Charles that if he was him he would go home. She said she just wanted justice.
- (viii) Peter Tyson said he would like the Council to consider having the Town Council meetings at different venues in the Wards. The Chairman said the Council had discussed this and decided that Whitehaven was central for Council meetings. Councillor Laine said the Chairman and not the Council had decided this. Councillor O’Kane said the Council had decided on Whitehaven. Peter Tyson disagreed with this and wanted the Council to consider holding Council meetings in different venues throughout the Wards. The Chairman said he would ask the Interim Clerk about the six month rule and put it on the Agenda for the next meeting.

628/17

Planning Applications

Councillor Laine stated that she had gone to Aldi and Iceland and measured the signage in the car parks because the residents were getting fines and the company concerned had been acting illegally. She said she would like to request Copeland Borough Council Planning Department to contact Parking Eye to ask that all charges that had been paid be refunded and that and charges in the process be waived and that a letter of apology be issued. The Chairman said that this had nothing to do with the planning Applications item on the Agenda.

RESOLVED - That the Interim Clerk inform Copeland Borough Council Planning Department that there were no representations on the planning applications.

629/17

Financial Report

- (i) The Interim Clerk raised a request from Café 35 for payment of the £200 shop front grant for which they said they had previously submitted an application in April 2016 and had been told by the Clerk that it was being processed in June 2016. The Interim Clerk said that there was no record of the application in the office. The Chairman said that as a gesture of goodwill he would be in favour of paying this grant.
Councillor Laine said that any other people who had submitted applications for shop front grants and who had heard no more should be asked to resubmit the applications and that these be referred to the Council for approval.

RESOLVED – That the suggestion made by Councillor Laine above be approved and actioned.

- (ii) The Council considered a Financial Report. Following a discussion it was

RESOLVED – (a) That the invoices shown at Appendix 1 be authorised for payment.
(b) That the Cashbook and Income and Expenditure shown at Appendix 2 and Appendix 3 be noted and approved
(c) That £50,000 be transferred from the deposit into the current account

- (iii) Following a discussion on the cash book namely as follows:-
- Picnic in the Park going over budget
 - Councillor Laine said the Council needed a forensic report on the finances not just an accountants report
 - Councillor Laine said Councillors are entitled to go to the Cumberland Building Society and get a bank statement and she questioned who had signed a number of cheques
 - The Winter Wonderland going over budget
 - Councillor Laine asked to send a list of all payments made in December 2016 to the Interim Clerk to see who had signed the cheques and the Chairman agreed.

Councillor Laine then moved to hold a special meeting to discuss the

Christmas expenditure of £74,000. The Chairman said he had already said he would let the public know and he would do so.

A recorded vote followed on Councillor Laine's proposal to hold a special meeting to discuss the Christmas expenditure and the result was as follows:-

Councillor R Gill	Against
Councillor C Arrighi	Abstained
Councillor J Forster	Against
Councillor M Guest	For
Councillor J Laine	For
Councillor G McKew	Abstained
Councillor B O'Kane	Against
Councillor G Roberts	Against

RESOLVED – That no a Special Meeting be held

630/17 Quote For Grass Cutting

The Council were informed that a quote for grass cutting of various areas in the Parish of Whitehaven had been received from Copeland Borough Council. The Town Council had paid the Borough Council to cut these areas in 2015/2016.

RESOLVED – That two further quotations be sought and that the matter be referred back to the Council for a decision.

631/17 Grant Applications

(i) Mirehouse Residents Group

An application for a grant of £10,000 was received from Mirehouse Residents Group. The Council heard from their Representative, Keith Cartner that the cost of the project was £18,000 and that the Group was asking for help from the Council to support the residents. The grant was for the removal of the stone structure and steps and to landscape the land between the Wasdale subway and Valley School and to refurbish the Wasdale cattle arch.

A recorded vote was held on this and the results were as follows:-

Councillor R Gill	For
Councillor C Arrighi	For
Councillor J Forster	For

Councillor M Guest	For
Councillor J Laine	For
Councillor B O’Kane	For
Councillor G McKew	For
Councillor G Roberts	For

RESOLVED – That a grant of £10,000 be awarded to Mirehouse Residents Group.

(ii) Whitehaven Judo Club

The Council heard that an application for a grant of £3,937.50 being 50% of year 1 costs and 50% of the total 3 year project cost which amounted to £11,812.50 which in turn amounted to £3,937.50 per year for three years. Janice Knight representing the Whitehaven Judo Club said the project was to introduce the olympic and paralympic sport of judo to as many pupils as possible. She said the project was in Copeland in general and Whitehaven in particular.

The Chairman moved a motion that the Council agree to the grant of £11,812.59 to be drawn down in equal annual instalments of £3, 937.50 for 3 years. This was seconded by Councillor Guest. Councillor O’Kane moved a second motion that the Judo Club be awarded a grant of £3,937.50 only and this was seconded by Councillor McKew.

A vote on the second motion was taken and the result was 3 Councillors voted for the motion and 4 Councillors voted against it. A vote on the substantive motion of the Chairman was taken and the result was that 5 Councillors voted for the motion, 1 Councillor voted against and 1 Councillor abstained.

RESOLVED – That a grant of £11,812.00 be awarded to the Whitehaven Judo Club to be paid in equal annual instalments of £3,937.50 for the next three years.

(iii) Greenbank Pensioners and Residents Social Club

The Council heard that an application for a grant of £10,000 had been received from Greenbank Pensioners and Residents Social Club to upgrade and improve their building. Paula Radcliffe from the Copeland Community Fund who was representing the club said it was a one off application and that other funding for the project in the sum of £108,000 had already been secured. The aim of the

project was to reduce social isolation and increase the number of activities for the community.

RESOLVED – That a grant of £10,000 be awarded to Greenbank Pensioners and Residents Social Club.

During the consideration of the above item the Chairman stated that the meeting had gone on for nearly 2.5 hours and that in order to continue he proposed suspending Standing Orders for 30 minutes in order to complete Agenda Item 9 and to adjourn the meeting and continue it the next week and this was agreed.

(iv) Brathay Trust

The Council were informed that an application for a grant of £6,000 had been received from the Brathay Trust. Steve Bewsher representing the Brathay Trust said that the Children's home at Hensingham wanted to partner with the Brathay trust to try and get the children on a holiday, weekends away, and on 4/5 day programmes.

Councillor J Forster declared an interest in this matter

Following a discussion it was

RESOLVED - That a grant of £2,375 be awarded to the Brathay Trust.

(v) Whitehaven and District Operatic Society

The Council heard than an application for a grant of £5,000 had been received from the Whitehaven and District Operatic Society to stage a performance of Oliver.

RESOLVED – That this be investigated and referred back to the next meeting of the Council.

(vi) Kie Park

The Council were informed that an application for a grant of £40,000 had been received from the Friends of Kie Park. The Interim Clerk read out the previous minutes on this project and informed the Council that £10,000 had been paid in April 2016. It was mentioned that the park was now operational and Councillor Laine said the grant was now required because there was a second phase to the Kie park project.

The Chairman said that he had no knowledge of a second phase.

RESOLVED - That a representative from Kie Park be asked to attend the next Council meeting to present the case.

(vii) Copeland Stadium Trust

The Council were informed that an application for a grant of £5,000 had been received from the Copeland Stadium Trust for the development of facilities at Copeland Stadium.

RESOLVED – That a representative from the Copeland Stadium Trust be requested to attend the next Council meeting to present the application.

(viii) Rosehill Arts Trust Ltd

The Council heard that an application for a grant of £5,000 had been received from Rosehill Arts Trust Ltd for a music makers programme.

RESOLVED – That a representative from the Rosehill Arts Trust Ltd be asked to attend the next meeting of the Council to present the application.

(ix) Cumbria Dyslexia Project

The Council heard that an application had been received from the Cumbria Dyslexia Project for a grant of £300.00 for screening software and handbooks for children with dyslexia

RESOLVED - That a grant of £300.00 be awarded to the Cumbria Dyslexia Project.

The Meeting closed at 10.00 pm and the Chairman stated that the meeting was adjourned would be resumed next week at the same time.

The Meeting adjourned on 2nd March 2017 continued on 16th March 2017 at 7.00 in the United Reformed Church to consider the remaining items numbered 10 to 17 on the Agenda.

Present: Councillor G Roberts (Deputy Chairman in the Chair); J Forster; M Guest; J Kane; J Laine; G McKew; B O’Kane

Apologies for absence were received from Councillors R Gill and C Arrighi Councillor Laine asked is Councillor Arrighi had given a reason for absence and the Interim Clerk said it was business reasons.

633/17 **Declarations of Interest**

There were no declarations of interest

634/17 **Allotment Fees and Bonfires on Allotments**

- (i) The Council considered a report from the representative from Crow Park allotments asking for the reinstatement of the 50% reduction on the allotment fee for people who were pensioners or who had a disability.

Interim Clerk said very few local Councils offered a reduction on the allotment fee and said that since the discount had been removed the income from allotments was £5,974 and that when the 50% discount had been in operation the income was just over £3,689.

Councillor Laine asked Councillor Forster why she had proposed removing the 50% discount and Councillor Forster said she had not and that it was voted on at full Council with the proviso that it would be reviewed after six months.

Councillor Laine stated that if the Council had a clerk with CiLca qualifications the Council would be able to make money from the allotments.

Councillor Laine proposed that the Council offer a 50% reduction on the allotment fee and this was seconded by Councillor Forster.

Councillor Laine wished it to be noted that allotments should be free.

RESOLVED – That the 50% reduction on allotment fees be reinstated for all persons who were pensioners or who had a disability.

- (ii) The Council considered a request for the allotment agreement to be amended to allow bonfires on allotments. The Interim Clerk said that many local Councils did not permit bonfires on allotments; that some only allowed bonfires on a certain day or days and under certain conditions eg the bonfire had to be in a galvanised steel bin.

Councillor Kane said that the Environmental Health Department of Copeland Borough Council needed to be involved.

Councillor Laine said that there needed to be a risk assessment carried out and that there should be no children around when there were

bonfires.

RESOLVED – That it be agreed in principle that bonfires be allowed on allotment sites subject to a risk assessment being carried out, the Environmental Health Department being consulted for advice, an appropriate clause being drawn up for insertion in the allotment agreement and the result reported back to full Council for ratification.

635/17

Allotments Contract

The Council considered a report on the tendering process for the award of a contract for the management of the Council's allotment and pigeon loft sites together with draft documentation.

Councillor Laine said that this was the wrong form of contract and that TUPE had not been addressed and said she had contacted the Interim Clerk about this and had been informed that TUPE did not apply to this contract.

Councillor Laine said that the TUPE question had not been addressed and that she would like it recorded in the Minutes that she had asked the question as to whether or not TUPE would apply to any of those employees of Copeland Borough Council currently undertaking allotment work for the Town Council in the event of the allotment contract being awarded to another contractor.

Councillor Laine said if the contract was not in the correct form Clinton Boyce would not sign it as he had already refused to sign an agreement. Councillor Guest said that the Council needed a steer on TUPE

RESOLVED – That advice be taken on TUPE from Jo McLeod from Copeland Borough Council's Human Resources Department and then be referred back to full Council for consideration.

636/17

Appointment of Internal Auditor

The Council considered a report on the appointment of an Internal Auditor. The Report informed the Council that two quotes had been received from competent and experienced people.

Councillor Laine said there should be three quotes. Councillor Kane disagreed with this.

The Interim Clerk informed the Council that it was important to have an Internal Auditor appointed as soon as possible as it was coming to the year end when the accounts would need to be finalised.

Councillor Laine said that under value for money the Council needed to

find someone competent to do the audit work and that it was about price and quality.

Councillor Laine suggested that the Council should ask Fiona Rooney the Chief Finance Officer of Copeland Borough Council about how the Town Council should move forward to find someone good enough to do the job.

Councillor McKew proposed that the Council contact Fiona Rooney to seek her advice on the employment of an Internal Auditor and this was seconded by Councillor Laine.

RESOLVED – That the Interim Clerk contact Fiona Rooney to seek her advice on the employment of an Internal Auditor.

637/17

Whitehaven Town Council Audit For The Year Ended 31st March 2016

The Council considered a report from BDO in respect of the Council's audit for 2015/2016 which included an Issues Arising Report.

Councillor Laine said that the Council must start its budget process in September 2017, liaising with all the Committees to produce a three year Plan and that the reserves should be earmarked for something.

Councillor Laine said there had been no Finance Committee meetings since March 2016 and that the audit had cost a lot of money and had been reported in the press. She said the Audit Report should be published in a timely manner.

Councillor Laine asked the Interim Clerk for the full audit report and the Interim Clerk informed the Council that everything that BDO had sent had been included in the Agenda.

Councillor Laine asked for a five minute adjournment to consider the BDO Report and the Chairman agreed to this.

Councillor Laine asked the Chairman if the Council was going to apologise to the public for this matter and the Chairman replied no.

Following a discussion it was :-

RESOLVED – (i) The Annual Return and Certificate be accepted and approved.

(ii) That all the recommendations contained in the BDO Issues Arising Report dated 3rd February 2016 be actioned .

638/17 Casual Vacancy for Mirehouse Ward

The Council considered a report on the casual vacancy for the Mirehouse Ward. Further information had been received from the Electoral Services Manager at Copeland Borough Council and the Interim Clerk gave the up to date position as follows:-

- 10 people had signed a request for an election and these signatures had been verified by the Electoral Services Manager
- Poll Cards. There is no legal requirement to issue poll cards for parish elections. However a text box has been included on the reverse of the County Council poll cards stating that if the election is contested the election will take place on 4th May 2017. This is normal practice when a parish election takes place on the same day as another election. The poll cards are due to be mailed w/c 27th March 2017 and there will be no cost to the Town Council for this.
- Postal Votes. If the election is contested the posted votes will be combined with the County Council postal votes. The cost of printing and postage will then be split equally between Cumbria County Council and Whitehaven Town Council
- The Notice of Election is due to be published on Thursday 23rd March 2017 and Nominations can then be submitted from Friday 24th March 2017 to Tuesday 4th April 2017.

Councillor Laine said that as we approach a by election for Norman's ward it is appropriate that the Council reflects for a few moments on the contribution he gave his ward over 30 years. She said that Norman was held in high regard and was a man of integrity and honesty and was very much a champion of transparency. Councillor Laine proposed that a vote of thanks be given to Norman and this was agreed.

RESOLVED – (i) That the position be noted and
(ii) That a vote of thanks be given to Norman Williams for his community work over the decades

639/17 Complaint to the Information Commissioner's Office

The Council considered a report on a complaint that had been made to

the ICO relating to the publication of images of children at the ice rink that had been published on web pages.

The Interim Clerk informed the Council that the ICO had investigated this matter and said that they did not intend to take any regulated action but would keep the information on file.

The ICO advised the Council to destroy any discs with images of Children at the ice rink which had been done and also to develop a policy relating to the retention of images.

RESOLVED – That a policy be developed relating to the retention of images of children in compliance with the Data Protection Act 1998 and submitted to full Council for approval.

640/17 Whitehaven Town Plan

The Interim Clerk apologised for giving a verbal report rather than a written one. An informal meeting had taken place between Action with Communities in Cumbria and the Interim Clerk regarding the preparation of a Whitehaven Town Plan. ACTION is a community development organisation and Rural Community Council for Cumbria with over 65 years experience assisting communities to achieve their aspirations.

The Interim Clerk read out a draft proposal from Act which said that they could support the Council in the next year in preparing a Town Plan by:-

- Preparing a brief explaining the likely staged processes for Councillors
- Initial scoping meeting and workshops to discuss topics and agree actions
- Attendance at 4 bi monthly Council meetings to support and review actions
- Consultation assistance – surgeries, walkabouts, suggestion boxes, targeted engagement

They stated that they estimated that they would spend 12 days on these tasks in the first year at a cost of £4,000

Councillor Guest said that he had talked with the previous Clerk about this and another organisation had been mentioned.

Following a discussion it was:-

RESOLVED - That other organisations that provide a similar service be contacted to see how they could help the Council and to get other quotes

from these organisations as to cost and the matter be reported back to full Council.

641/17 **Councillor Matters**

- (i) Councillor Kane referred to the failure of Home Group to deal with matters and said that people had to phone a Newcastle number.
- (ii) Councillor Forster said that she was looking at grot spots to try and get things done,
- (iii) Councillor O’Kane said he could not understand how one secondary school in our area is shrinking. He said the Council could not do a great deal but that life must be difficult for some people and asked if there was anything the Council could do to support people who were losing out. He said some children were being bussed to Keswick and Egremont. Councillor Guest said that Councillors could become School Governors. Councillor Kane said that the majority of schools have had their budgets slashed. Councillor O’Kane said secondary education was in a terrible state and asked if the Council could have a presentation from the Education Authority on this.
- (iv) Councillor Guest referred to the airmans memorial. He said the previous Clerk had applied to take over ownership of the seat and negotiate with Copeland Borough Council to get a licence for the land and asked that this be checked.
- (v) Councillor Laine said the daughter of a friend of hers had been knocked over. She asked if the Interim Clerk could look into what the Council can do to get green cross code.
- (vi) Councillor Laine said the cattle arch was still a mess and there was a problem with littering behind the cattle arch.
- (vii) Councillor Laine referred to car parking at West Cumberland Hospital and said that UKPC were operating unlawfully by charging people £70. She said it had now been clarified that there was no advertising consent and therefore they were operating contrary to the law. She said people were visiting the hospital to visit dying children and relatives and they were getting fines.
- (viii) Councillor Laine said she knew a few people who had children at Whitehaven Academy and asked if the Town Council could support Whitehaven Academy and write to the Government minister and the new MP to try and intervene and forge better links with the school and the town

- (ix) Councillor McKew said there was a problem with dog poo on Hillcrest. He had had a meeting to get additional bins.
- (x) Councillor McKew said there was an issue with lighting on Jericho Park. He said he was going to be linking up with Jericho School and Jericho Park to do make improvements on Jericho Park.

The Meeting closed at 8.45pm

A handwritten signature in black ink, appearing to read 'R. G. ...', is written above the title 'Chairman'.

Chairman