

WHITEHAVEN TOWN COUNCIL

Clerk to the Council:

Marlene Jewell

Telephone: 01946 67366

Chairman:

Councillor Brian O'Kane

To: Members of the Whitehaven Town Council

You are duly **SUMMONED** to attend a meeting of the **WHITEHAVEN TOWN COUNCIL** which will be held at: -

Venue: United Reformed Church Hall, Market Place Whitehaven

Date: Thursday 7th December 2017

Time: 6.30pm

Signed.....*Marlene Jewell*.....Dated.....*1st December 2017*
Marlene Jewell, Clerk

AGENDA

1. Apologies for Absence

To receive apologies for absence

2. To approve Minutes of the Council Meeting held on 26th October 2017

3. To approve the Minutes of the Extraordinary Council Meeting on 13th November 2017

4. Declarations of Interest

To receive declarations of interests by elected members in respect of Agenda items

If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact the Clerk at least 24 hours in advance of the meeting.

5. Public Participation

6. Planning Applications

To consider planning applications received any submit any representations to Copeland Borough Council.

7. Financial Report

8. Whitehaven Town Council Audit for the year ending 31/3/17

9. Appointment of Internal Auditor

10. Quote received for grass Cutting – To discuss a quote received from CBC on Grass Cutting

11. Health and Safety Consultants – To consider a report on entering into a contract for the provision of health and safety advice to the Council.

12. Street light on Unadopted Road

13. Office opening hours at Christmas

14. Corruption in Copeland – adjourned from earlier Council meetings.

15. Audit and Governance Report – Chairman to read out.

16. Councillor Group Recommendations – on Council contracts and the Council Budget and precept for 2018/19.

17. The Whitehaven Academy – Chairman to give a report.

18. Councillor Matters

19. Date, time and venue of next Council Meeting

WHITEHAVEN TOWN COUNCIL

Minutes of the Council Meeting held on 26th October 2017

Present: Councillors B O’Kane (Chairman); S. Gearing; R Gill;
T Lowrey; C Maudling; J Rayson; G. Roberts

M. Jewell, Clerk and Responsible Financial Officer
Dave Whalley from Cardio Cabinets
Members of the Public

The Chairman opened the meeting and said that he wished to express his congratulations to Councillor Kane for being nominated for the Pride of Britain award and for all the charity work he does and this was endorsed by the Council.

818/17 Apologies for Absence

Apologies for absence were received from Councillor Forster
Councillor Guest, Councillor Kane and Councillor Laine.

819/17 Minutes of the Meeting held on 28th September 2017 and the continuation meeting on 5th October 2017

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

820/17 Minutes of the Extraordinary Meeting held on 20th October 2017

RESOLVED – (i) That the Minutes be approved and signed by the Chairman as a correct record.

The Chairman read out an extract from Local Councils Explained which was a NALC publication and explained what minutes should and should not contain. He said that the Council had a tendency to have mega detailed minutes. Councillor Gill said that minutes should be a record of the decisions made and who said what was irrelevant.

RESOLVED – (ii) That in future the minutes be concise with particular attention being paid to the decision.

821/17 **Declarations of Interest**

Councillor Roberts declared that he was a member of CCC.
Councillor Maudling declared that he was a member of CBC's Planning Panel.

822/17 **Public Participation**

No member of the public wished to speak.

RESOLVED – That this be noted

823/17 **Planning Applications**

The Clerk reported that two planning applications had been received namely

CH/4/17/2296/001	50 dwellings at Elizabeth Crescent
CH/4/17/2294/0F1	Conversion former town Mission into a dwelling

Councillor O'Kane declared an interest in CH/4/17/2296/001 as he lived close by.

RESOLVED – That because one of the applications was for a large housing development and had only recently been received that both be deferred for consideration at extraordinary meeting of the Council.

824/17 **Defibrillators**

A demonstration on defibrillator cabinets was given by Dave Whalley from Cardio Cabinets who said that the cost of a cabinet was £745 + VAT and that he was also able to supply the defibrillator units giving a total cost for the cabinet and defibrillator of £1595 + VAT and approximately £10 per annum running costs.

The Chairman proposed that all Councillors be asked to go round their individual wards to see if there was a need for a defibrillator or and additional defibrillator and then report back to the next Council meeting. This was seconded by Councillor Gill.

RESOLVED – That all Councillors be asked to go round their Wards to identify any need for a defibrillator/additional defibrillator and report

back to the next Council meeting.

825/17 **Ward Issues relating to Highways and Street Lighting**

Following Minute 803/17 where various highway issues were raised under Councillor Matters the Clerk read out the response to these issues from CCC Highways. The Chairman said that Cllr Laine had offered to be the Single Point of Contact (SPOC) for collating all Ward highway issues and liaising with the CCC Highways about these and the Chairman proposed that Councillor Laine be appointed SPOC for highway issues.

RESOLVED – That Councillor Laine be appointed the SPOC to collate all Ward highway issues and liaise with CCC Highways about these.

826/17 **Financial Report**

The Council considered a Financial Report.

(i) The Council considered at Appendix 1 a list of invoices for payment. It was proposed by Councillor Gill and seconded by Councillor Roberts that the invoices be paid.

RESOLVED – (i) That the invoices shown at Appendix 1 be authorised for payment

(ii) That Councillor Rayson liaise with the Clerk about the Westcom contract

(ii) The Chairman said that flowers had been ordered for the Church for the Mass for Whitehaven and this appeared on list of invoices for payment and would come from the budget for civic events

RESOLVED – That this be approved and noted

(iii) The Council considered the cashbook and the income and expenditure report at Appendices 2 and 3

RESOLVED – (a) That cashbook and income and expenditure reports at Appendices 2 and 3 be approved and noted

(iv) The Chairman said that he had spoken to the Council's Accounts

Manager at the Cumberland Building Society who had advised that the number of authorised signatories for Council bank accounts should be reduced and suggested reducing it to 4 as 2 signatures were required for each transaction. The Chairman proposed that the number of authorised signatories be set at 4 and that they be Councillor O’Kane, Councillor Forster, Councillor Gill and Councillor Roberts and that the appropriate paperwork be submitted to the Cumberland Building Society.

RESOLVED – That the number of authorised signatories for the Council’s bank accounts be 4 and that the 4 Councillors be Councillor O’Kane, Councillor Forster, Councillor Gill and Councillor Roberts and that the appropriate paperwork be submitted to the Cumberland building Society.

827/17 **Asset Register**

Following Minute 795/17 relating to the asset value of the Transferred Christmas lights, the Mayoral Robe and Allotments a report was presented and considered by members. It was reported that the Mayoral Robe and the Ceremonial medals had never been insured and the Mayoress pendant and chain had been insured twice. This had been rectified with the insurance company.

RESOLVED - (i) That the financial details on the Asset Register regarding the civic regalia be amended to reflect the insurance position and the insurance company be requested to give a refund for those items insured twice.

(i) That the financial details relating to the transferred Christmas lights and the allotments remain unchanged

828/17 **Safeguarding Policy**

Following Minute 798/17 relating to the operational hours of the Council it was

RESOLVED – That all full Council meetings start at 6.30pm.

829/17 **Remembrance Sunday**

The Chairman informed the Council on the present position and said all payments for Remembrance Sunday would come out of the Civic Events

budget. The Chairman said that the Cenotaph needed to be restored and that the Council was looking to obtain grant funding for this.

RESOLVED – That this be approved and noted.

830/17 **Corruption in Copeland**

RESOLVED – That consideration of this be adjourned until Councillor Guest attends.

831/17 **Councillor matters**

- (i) The Chairman expressed concern about Whitehaven School and the decline in Whitehaven School which was destructive to the whole area. The Chairman said he was asking for the Council's permission to facilitate a public meeting for the Whitehaven Academy Action Group, the M P, Mayor of Copeland, the Chairman of the Education Authority and Bright Tribe to attend and answer questions from the public and this was agreed.
- (ii) Councillor Maudling said he had arranged for 2 Christmas trees for St Nicholas Gardens to be delivered in time for the Christmas lights switch on.

832/17 **Date and Venue of Next Meeting**

RESOLVED - that the next Council meeting be held on 30th November 2017 at 6.30pm.

Exclusion of public and press

833/17 **Urgent Confidential Item**

The Chairman referred to an incident that had occurred at the beginning of the week that had affected business continuity in the office.

RESOLVED – That this be noted and any further information be given to the Council in private and with the public and press excluded.

The Meeting closed at 8.55pm

Chairman

WHITEHAVEN TOWN COUNCIL

Minutes of the Extraordinary Council Meeting held on 13th November 2017

Present: Councillors B O’Kane (Chairman); S Gearing; J. Kane; C Maudling; J Rayson; G. Roberts

M. Jewell, Clerk and Responsible Financial Officer

V. Gorley Trainee Assistant Town Clerk

Members of the Public

834/17 Apologies For Absence

Apologies for absence were received from Councillor Forster, Councillor Gill and Councillor Laine.

835/17 Declarations of Interest

Councillor O’Kane declared an interest in planning application no. CH/4/17/2296/001 and said he would be leaving the room during the discussion of this application.

Councillor Maudling said he was on Copeland Borough Council Planning Panel.

Councillor Roberts said he was a Member of Copeland Borough Council

836/17 Prior to consideration of the following item the Chairman moved the following resolution.

“That in view of the special or confidential nature of the business about to be transacted the public and/or press be temporarily excluded and they are instructed to withdraw”.

RESOLVED – That this be agreed and the public left the room.

837/17 Whitehaven Academy

At the previous Council meeting it was agreed that the Council would facilitate a public meeting re Whitehaven Academy (Minute 831/17(i)).

The meeting had now been arranged and the Chairman said that the cost of this would be taken out of the Mayor's allowance. The Chairman proposed that the full Council meeting be put back one week and this was agreed.

RESOLVED – (i) That this be approved and noted
(ii) That the full Council meeting due to be held on 30th November be put back a week until the 7th December 2017

The Public were then readmitted to the room as the private matter had been dealt with.

At this point Councillor O'Kane left the room and Councillor Roberts assumed the Chair.

838/17 Public Participation

Many members of the public attended the meeting to express concerns regarding outline planning application CH/4/17/2296/001 for 50 dwellings at Elizabeth Crescent. No member of the public who spoke wished his/her name to be withheld.

Councillor Anne Bradshaw Ward Councillor for Bransty – Supported the residents in objecting to planning permission being granted as had always been problems with this piece of land. She said as it was an outline application it was impossible to drill down to the detail. She said there were 2 issues the first being access/egress through the estate and the second being the continual flooding of the land. She said the Transport Document mentioned about buses to Moresby Parks but there were no buses to Moresby Parks.

Don Haslett a resident of Elizabeth Crescent said he was speaking on behalf of quite a few residents and had the following objections/comments:-

- There were massive concerns particularly with access
- The access to the proposed development goes right through the middle of a mature and peaceful estate
- There is concern at the lack of prior consultation
- There is concern about the piecemeal nature of recent planning approvals

- The proposal to access the development through the middle of the estate is going to result in a loss of amenity for all 86 residents as there is only 1 road in and 1 road out
- There will be a visual impact to residents on what is a green field area with some residents have quite a good distant view and if you look from a distance towards the area it is very visible as it sits at the top of a hill
- It is proposed to use the existing watercourses and the area experiences problems already and there will be an effect on local water courses down and along Victoria Road
- This is an opportunistic approach to developing a green field site with no regard to the 86 residents who already live there

Mark Jones a resident of Elizabeth Crescent – Was objecting to the outline planning application for the following reasons:-

- There are things around the Copeland Plan – this lists 5 options with 3 preferred options and gives 3 principles for these options. But this proposal is outside all of that.
- There does not seem to be any coordination where people have got outline or planning approval in the area
- Has future demand been taken into consideration ? Moorside has potentially gone back in time
- It just feels that it is an opportunist permission with little regard for those using the existing estate

Mark Sarrington a resident of Elizabeth Crescent - I have looked at the transport statement in the outline planning permission and what has been done is to count the number of cars that go up and down to the new development but the counter starts half way up Elizabeth Crescent and so does not give a true picture. Also there are a couple of errors –

- It refers to a bus stop 500 metres from the development but the bus stop is no longer there
- It is misleading “traffic on Victoria Road speed is low” The average speed on Victoria Road is 37mph
- IT doesn't take into account any construction traffic. Elizabeth Crescent is on a very steep hill and there are parked cars on the estate

- There are practical issues as to how a lorry etc might get up the estate
- There are some errors and misleading text in the document as it says that there is no justifiable transportation reason why planning permission should not be granted.

Helen Barlow a resident of Elizabeth Crescent – She said she had seen several planning applications being refused all of which had various proposals for access. She said it was really surprising that CCC could approve and support this application. She said her concern was that the developers were leaving open-ended cul-de-sacs which could potentially provide for the proposed development to be extended to provide 50 more houses.

Dorothy Haslett- She said she had concerns about access for children coming from school and walking to and from school. She said there is no footpath on Victoria Road and no cycle paths. She said there was a bus service provided by the schools but that this was poor due to spending cuts.

She said the proposed homes would be family homes so there would be an increase in children.

Robin Pickford – He said he had young children and was concerned about access to schools based on the impact of the 12 houses on The Mount.

Alan Freeman a resident of Elizabeth Crescent – He said that there was a massive amount of information to be considered but he only wanted to say 2 things:-

- The access
- The change of use of the site

He said the developer had not tried to address the real problems but there was a lot of information about how people should deal with bats. He said squirrels or deer had not been considered.

He said only lip service had been paid to green ecological issues.

He said 50 houses were proposed that the proposal to hold the surface water off the roads in storage tanks to be let out was dangerous because if there was any blockage all the houses on Victoria Road would be flooded.

He said the Transport Statement contained mathematical errors in that it

only commented on existing footpath and road widths.

Robert Barlow – He said in the broader sense the demand for housing needed to be thought through and that it did not feel like this was a sustainable development.

839/17 Planning Applications

The Council considered a list of planning applications received and it was

RESOLVED – (i) That the Clerk write to Copeland Borough Council informing them of the Councils representations on the planning applications as below in (ii), (iii) and (iv)

(ii) That the Council endorse the comments made by the public and give its full support to the residents of Elizabeth Crescent in objecting to the outline application no CH/4/17/2296/001

(iii) That application no. CH/4/17/2354/OF1 for a snooker hall on part of B and H Motors was very near the road and very close to residents and a school

(iv) That it would be important for the planners of Copeland Borough Council to consider the legalities around Morrisons entire arrangement.

The Meeting closed at 6.55

Chairman

Planning Application for Consideration by Whitehaven Town Council

<u>Application Number</u>	<u>Detail</u>
CH/4/17/2317/0F1	FIRST FLOOR AND TWO STOREY EXTENSION TO EXISTING POOL HOUSE TO PROVIDE MUSIC STUDIO FOR DOMESTIC USE TEO TORRIATTE, BRANSTY ROAD, BRANSTY, WHITEHAVEN
CH/4/17/2367/0F1	ERECTION OF REAR CONSERVATORY 140 MONKWRAY BROW, WHITEHAVEN
CH/4/17/2373/0F1	CHANGE OF USE FROM A GUEST HOUSE TO A PRIVATE HOUSE GLENARD, INKERMAN TERRACE, WHITEHAVEN
CH/4/17/2377/0F1	ERECTION OF DETACHED GARAGE JOHNSTON HOUSE, HILLCREST AVENUE, WHITEHAVEN
CH/4/17/2363/0R1	RESERVED MATTERS APPLICATION RELATING TO ACCESS (OUTLINE APPLICATION 4/16/2453/001) LAND ADJACENT TO 16 LOOP ROAD SOUTH, WHITEHAVEN
CH/4/17/2378/0L1	LISTED BUILDING CONSENT FOR REMOVAL OF END GABLE WALL, PART OF LOW LEVEL LISTED WALL AND INTERNAL BAY OF EXISTING FISH HANDLING HALL; CONSTRUCTION OF NEW MATCHING EXTERNAL GABLE WALL, NEW SURFACE FINISHES TO GROUND LEVEL FISH HANDLING HALL, NORTH SHORE, WHITEHAVEN
CH/4/17/2382/0F1	CHANGE IN GROUND LEVELS TO CREATE PATIO EXTENSION 27 MONKWRAY COTTAGES, WHITEHAVEN
CH/4/17/2389/0F1	CONSTRUCTION OF A TWO STOREY EXTENSION PROVIDING A KITCHEN/DINER, BEDROOM AND BATHROOM 5 ENNERDALE TERRACE, KELLS, WHITEHAVEN

FINANCIAL REPORT

Purpose of the Report

Members are asked to consider a list of invoices for authorisation and payment as shown at Appendix 1 and that the recommendations in paragraphs 3.1 and 3.2 be approved

1.0 INTRODUCTION

- 1.1 Authorise the payment of all invoices as listed in Appendix 1
- 1.2 The Council is asked to note the cashbook as reconciled with The bank account as shown at Appendix 2 together with income and expenditure at Appendix 3.

2.0 FINANCIAL POSITION

- 2.1 The bank reconciliation was carried out on 30th November 2017. This shows a balance of £304,151.43.
- 2.2 The balance in the deposit account is £185,135.74.

3.0 RECOMMENDATION

- 3.1 The invoices listed and shown in Appendix 1 be approved and authorised for payment.
- 3.2 The Cashbook (Appendix 2) and the Income and Expenditure (Appendix 3) be noted.

08/07/2017	246	Copeland Borough Council							3111.59	3111.59	716/17(f)	3111.59	716/17(f)
13/07/2017	247	Cumbrian Newspapers		15000.00	15000.00				15000.00	15000.00	692/17(f)	15000.00	692/17(f)
13/07/2017	248	Kellsfest		10000.00	10000.00				10000.00	10000.00	663/17(f)	10000.00	663/17(f)
13/07/2017	249	Brathay Trust		2375.00	2375.00				2375.00	2375.00	631/17(w)	2375.00	631/17(w)
14/07/2017	250	Greenbank P&R Social Club							2000.00	2000.00	C/GRANT	2000.00	C/GRANT
15/07/2017	SAL	Staff		7256.52	7256.52				3301.76	3301.76	HMRC	3301.76	HMRC
20/07/2017	254	HMRC - TAX and NI Contributions											
26/07/2017	DD	BT Group											
31/07/2017	255	United Reformed Church		118.19	118.19				23.64	23.64	HMRC Contract	141.83	Contract
31/07/2017	256	Roshill Youth Theatre		60.00	60.00							60.00	739/17(f)
31/07/2017	257	Copeland Borough Council		708.50	708.50							708.50	739/17(f)
31/07/2017	258	Copeland Borough Council		65.40	65.40							65.40	739/17(f)
31/07/2017	259	Copeland Borough Council		1910.00	1910.00							1910.00	608/17
31/07/2017	260	Viking Direct - Stationery		15.20	15.20							15.20	739/17(f)
31/07/2017	261	Westcom IT		32.21	32.21							6.44	739/17(f)
31/07/2017	262	Midshire		15.00	15.00							3.00	739/17(f)
31/07/2017	263	Midshire		475.04	475.04							475.04	739/17(f)
31/07/2017	263	Midshire		193.94	193.94							193.94	739/17(f)
31/07/2017	264	Roshill Youth Theatre		708.50	708.50							708.50	739/17(f)
AUG-17													
01/08/2017	DD	CF Corporate Finance		300.00	300.00							300.00	Contract
02/08/2017	265	WRJFC Grant		4475.00	4475.00							4475.00	729/17
04/08/2017	266	Greenbank P&R Social Club										500.00	C/GRANT
04/08/2017	267	WRJFC Ward Grant										2000.00	C/GRANT
15/08/2017	SAL	Staff		3764.48	3764.48							3764.48	654/17
17/08/2017	268	HMRC - TAX and NI Contributions										1549.47	HMRC
27/08/2017	DD	BT Group		130.65	130.65							130.65	Contract
SEP-17													
01/09/2017	269	Cumbria Media		95.00	95.00							95.00	763/17(f)
01/09/2017	270	Copeland Borough Council		375.00	375.00							375.00	763/17(f)
01/09/2017	271	Copeland Borough Council		196.24	196.24							196.24	763/17(f)
01/09/2017	272	Copeland Borough Council		20.00	20.00							20.00	763/17(f)
01/09/2017	273	Viking Direct - Stationery		69.78	69.78							0.96	763/17(f)
01/09/2017	274	Copeland Borough Council		65.40	65.40							65.40	763/17(f)
01/09/2017	275	Copeland Borough Council		1910.00	1910.00							1910.00	763/17(f)
01/09/2017	276	Whitehaven Garden Centre										2292.00	763/17(f)
01/09/2017	277	Cumbria Media		26.00	26.00							26.00	763/17(f)
01/09/2017	278	Copeland Borough Council		183.33	183.33							220.00	763/17(f)
01/09/2017	279	Julie Hartley										250.00	763/17(f)
06/09/2017	280	Mrs Janice Knight - VOID re-issued dtd 287											GRANT
06/09/2017	281	Mrs Janice Knight - VOID re-issued dtd 288											GRANT
06/09/2017	282	Roshill Arts Trust Limited											GRANT
06/09/2017	283	New Arts North Ltd											GRANT
07/09/2017	284	Hospice at Home West Cumbria											GRANT
14/09/2017	285	HMRC - TAX and NI Contributions											GRANT
15/09/2017	SAL	Staff		1743.87	1743.87							1743.87	HMRC
18/09/2017	286	Bransty Rangers Junior Football Club		4541.64	4541.64							4541.64	654/17
27/09/2017	DD	BT Group											Contract
28/09/2017	287	Whitehaven Judo Club		117.07	117.07							117.07	Contract
28/09/2017	288	Whitehaven Judo Club										2625.00	GRANT
OCT-17												2625.00	GRANT
05/10/2017	289	Mirehouse Community Centre											GRANT
05/10/2017	290	Cumbria Media		61.88	61.88							12.37	792/17(f)
05/10/2017	291	Westtokes Recruit		451.40	451.40							90.28	792/17(f)
05/10/2017	292	Viking Direct - Stationery		26.18	26.18							5.24	792/17(f)
05/10/2017	293	Cumbria Media		92.00	92.00							92.00	792/17(f)
05/10/2017	294	Roshill Youth Theatre		60.00	60.00							60.00	792/17(f)
05/10/2017	295	Scott Garvie (cancelled)											GRANT
05/10/2017	296	Mrs Barton											Contract
10/10/2017	297	HMRC - TAX and NI Contributions		1592.87	1592.87							331.80	MAYORS
13/10/2017	SAL	Staff		3937.76	3937.76							1592.87	HMRC
24/10/2017	BACS	Garston Entertainments Ltd										3937.80	654/17
27/10/2017	DD	BT Group		1200.00	1200.00							1200.00	781/17(f)
30/10/2017	298	Westcom IT		121.74	121.74							24.35	Contract
30/10/2017	299	United Reformed Church		15.00	15.00							3.00	813/17(f)
30/10/2017	300	Copeland Borough Council		72.00	72.00							72.00	813/17(f)
30/10/2017	301	Copeland Borough Council		65.40	65.40							65.40	813/17(f)
30/10/2017				1910.00	1910.00							1910.00	813/17(f)

WHITEHAVEN TOWN COUNCIL - RECREATED CASH BOOK

INCOME 2017-18

Date	Item	Precept	Interest	Other
01/04/2017	Interest		4750.03	
25/04/2017	Parish Precept	334166.78		
15/06/2017	Charity Fund			100.00
05/07/2017	VAT Refund			28683.93
18/07/2017	SBRR			1574.08
27/07/2017	VAT Refund			11701.65
21/08/2017	VAT Refund			548.88
20/09/2017	VAT Refund			893.76
06/10/2017	Returned Grant			9330.46
20/11/2017	VAT Refund			1248.84
20/11/2017	Xmas Lights Fundraising (Pop Steps, C of T)			1200.40
20/11/2017	Street Collection Hospice at Home			284.31
20/11/2017	Donations (Haven Café, Glow & Bucket)			107.90
20/11/2017	Rent from Market Stalls			300.00
20/11/2017	Land Train takings			890.00
20/11/2017	Donation from Taylors Fairground			500.00
23/11/2017	Zurich Insurance Refund			119.16

334166.78	4750.03	57483.37
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**WHITEHAVEN TOWN COUNCIL
SUMMARISED INCOME & EXPENDITURE STATEMENT
FINANCIAL YEAR 2017-18**

BANK BALANCES BROUGHT FORWARD

CBS 53905917	44,343.62
CBS 53906216	185,135.74
TOTAL OPENING BALANCE	229,479.36

INCOME:

Precept	334,166.78
Interest (Deposit)	4,750.03
Other Income	57,483.37
TOTAL INCOME	396,400.18

EXPENDITURE

Salaries	48,832.21
Expenses (Clerk & Councillors)	37.30
Training	-
Office Exps/Room Hire	11,711.14
Allotments	16,240.00
Christmas	6,168.35
Market	-
Cleaning & Maintenance	-
General Grants	70,060.07
Civic Hospitality	411.80
Insurance & Audit	3,075.07
Mayor's Events	140.00
Ward Grants	7,032.80
Elections	8,908.72
Regeneration	1,000.00
VAT (to be reclaimed)	8,224.84
TOTAL EXPENDITURE	181,842.34

CASH BOOK BALANCE

Brought forward	229,479.36
Income	396,400.18
Expenditure	181,842.34
Town Council Funds	444,037.20

BANK BALANCES

CBS 53905917 (30 November 2017)	304,151.43
CBS 53906216 (30 November 2017)	139,885.77
	444,037.20

Unpresented Cheques

	-
FINANCIAL POSITION	444,037.20

Expenditure Net of VAT Invoices not yet processed Budget

**WHITEHAVEN TOWN COUNCIL ANNUAL RETURN FOR THE YEAR ENDED 31ST
MARCH 2017**

Purpose of Report and Recommendation

To consider the Annual Report received from BDO in respect of the Council's Audit for the year 2016/2017 and in particular to issues arising from the Annual Return

It is recommended that the Annual Return including the Certificate for the year 2016/2017 be approved by the Council and that the Annual Return, including the Certificate and the Conclusion of Audit be published on the Council's Website for at least 14 days.

1.0 Introduction

- 1.1 The Council has now received the Annual Return for the year ended 31st March 2017 from BDO the Council's external auditors which is attached at Appendix 1.
- 1.2 The Annual Return including BDO's certificate and Notice of Conclusion of Audit will be published on the Council's website and made available for public access following this meeting.

2.0 Present Position

- 2.1 The Council is now required to approve and accept the Annual Return including the Certificate and this must be minuted.
- 2.2 Members will have considered the Issues Arising Report which raised the following:-

- (i) The 31 March 2016 accounts were approved after the commencement of the inspection period of the exercise of electors rights which occurred during the current audit year.
- (ii) The Internal Auditors Report has made a number of serious recommendations which indicate a number of breaches of proper practices and regulations.
- (iii) The authority set a budget of £35,000 for Winter Wonderland and an overspend of £38,000 was incurred.
- (iv) The Minutes of the smaller authority only evidence a comparison of actual expenditure against budget once a year.

3.0 Recommendations

3.1 That the Annual Return including the Certificate be accepted and approved.

3.2 That the Annual Return including the Certificate and the Conclusion of Audit be published on the Council's website for at least 14 days.

NOTICE OF CONCLUSION OF AUDIT

(LOCAL AUDIT AND ACCOUNTABILITY ACT 2014
ACCOUNTS AND AUDIT REGULATIONS 2015)

FOR

Whitehaven Town Council

NOTICE is hereby given that the audit for the
year ended 31 March 2017 was completed on

06 November 2017

and the accounts are now available for inspection by local electors
in accordance with Section 25 of the Local Audit and Accountability Act 2014.
The requisite information as defined by Section 13(1) of the Accounts and Audit
Regulations 2015 is/is not* displayed alongside this notice

(* Please delete as necessary)

If the requisite information is not displayed alongside
this notice, it is available for inspection by appointment.

To arrange a viewing please contact

between the hours of _____ and _____

Dated: _____ 20

Signed: _____

(Responsible Financial Officer)

**ISSUES ARISING REPORT FOR
Whitehaven Town Council
Audit for the year ended 31 March 2017**

Introduction

The following matters have been raised to draw items to the attention of Whitehaven Town Council. These matters came to the attention of BDO LLP during the review of the annual return for the year ended 31 March 2017. This report must be presented to a full meeting of the smaller authority for review.

The review of the annual return may not disclose all shortcomings of the systems as some matters may not have come to the attention of the auditor. For this reason, the matters raised may not be the only ones that exist.

The matters listed below are explained in further detail on the page(s) that follow;

- Electors rights period during the year
 - Budget monitoring
 - Internal auditors report
 - Winter Wonderland
-

The following issues have resulted in the annual return being qualified. They indicate either a breach of proper practices or legislation and they require the smaller authority to take immediate action to rectify these issues.

Electors rights period during the year

What is the issue?

The 31 March 2016 Accounts were approved after the commencement of the inspection period of the exercise of electors' rights, which occurred during the current audit year.

Why has this issue been raised?

The Accounts and Audit Regulations 2015, reg 15(3) specifies that the Annual Governance statement must be approved. This is followed by the approval of the Accounting Statements. Both statements must be published including on a website with the notice of electors' rights. The electors' rights period should start on the following day. The smaller authority has not complied with the Accounts and Audit Regulations 2015 during the year under audit.

What do we recommend you do?

The Smaller Authority must ensure in future years that the electors' rights inspection period commences after the accounting statements are approved.

Further guidance on this matter can be obtained from the following source(s):

Accounts and Audit Regulations 2015

Internal auditors report

What is the issue?

The internal auditor has made a number of serious recommendations, which indicate a number of breaches of proper practices and regulations.

Why has this issue been raised?

The smaller authority is exposed to the risks associated with these weaknesses.

What do we recommend you do?

The smaller authority must implement the recommendations made by the internal auditor to improve the financial systems of the smaller authority as soon as possible or in any event before the end of the current financial year.

If the smaller authority addresses all the issues raised by the internal auditor, the smaller authority should improve internal controls which will help to prevent and detect error and fraud and assist the smaller authority to operate in an effective and efficient manner.

Further guidance on this matter can be obtained from the following source(s):

Governance and Accountability in Local Councils in England - A Practitioners Guide, NALC/SLCC
The Accounts and Audit Regulations 2015
The Local Government Finance Act 1992

Winter Wonderland

What is the issue?

The smaller authority set a budget for the 'Winter Wonderland' of £35,000.

A committee was established to oversee the 'Winter Wonderland' but no powers were delegated to this committee. The minutes of the committee were vague and not kept properly. They were also not reviewed and endorsed by the full Council.

The committee and individual councillors incurred significant costs which were not authorised by the smaller authority.

The budget was not monitored during the year and so an overspend of approximately £38,000 was incurred.

Why has this issue been raised?

Under the Local Government Act 1972 powers can be delegated to committees or officers but individual councillors cannot be delegated powers to incur costs on behalf of the smaller authority.

The Local Government Finance Act 1992 and Proper Practices state that a budget must be set and monitored during the year.

What do we recommend you do?

The new clerk and smaller authority have taken steps to address the weaknesses noted above.

When a project is envisaged a budget must be set. The budget must be closely monitored and any potential overspends communicated to the smaller authority who should make a decision as to how to proceed, viring costs from other budget headings or using reserves as appropriate. A committee may be delegated powers to spend to the budget.

Further guidance on this matter can be obtained from the following source(s):

Governance and Accountability in Local Councils in England - A Practitioners' Guide, NALC/SLCC
The Local Government Act 1972
The Local Government Finance Act 1992

The following issues have been raised as we have detected issues with the governance arrangements of the smaller authority. It is recommended that the smaller authority consider these matters and decide what action to take to improve the governance arrangements as soon as possible.

Budget monitoring

What is the issue?

The minutes of the smaller authority only evidence a comparison of actual expenditure against budget once a year.

Why has this issue been raised?

The smaller authority has potentially demonstrated a lack of financial control over the spending and receipt of public money and were exposed to the risk of overspending.

What do we recommend you do?

The smaller authority must regularly review, and ensure this review of the budget against the actual income and expenditure is minuted as such. The smaller authority should monitor the budget at least quarterly or more frequently if required and evidences this review in the minutes.

Further guidance on this matter can be obtained from the following source(s):

Governance and Accountability in Local Councils in England - A Practitioners Guide, NALC/SLCC

No other matters came to our attention.

For and on behalf of
BDO LLP

Date: 06 November 2017

40-26/7

Local Councils, Internal Drainage Boards and other Smaller Authorities in England Annual return for the year ended 31 March 2017

Every smaller authority in England with an annual turnover of £6.5 million or less must complete an annual return at the end of each financial year in accordance with proper practices summarising its activities. In this annual return the term 'smaller authority'* includes a Parish Meeting, a Parish Council, a Town Council and an Internal Drainage Board.

The annual return on pages 2 to 4 is made up of three sections:

- Sections 1 and 2 are completed by the smaller authority. **Smaller authorities must approve Section 1 before Section 2.**
- Section 3 is completed by the external auditor.

In addition, the **internal audit report** is completed by the smaller authority's internal audit provider.

Each smaller authority must approve Section 1 and Section 2 in order and in accordance with the requirements of the Accounts and Audit Regulations 2015.

Completing your annual return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

Complete all highlighted sections. Do not leave any highlighted box blank. Incomplete or incorrect returns require additional external auditor work and may incur additional costs.

Send the annual return, together with the bank reconciliation as at 31 March 2017, an explanation of any significant year on year variances in the accounting statements, **your notification of the commencement date of the period for the exercise of public rights** and any additional information requested, to your external auditor by the due date.

Your external auditor will ask for any additional documents needed for their work. Unless requested, do not send any original financial records to the external auditor.

Once the external auditor has completed their work, certified annual returns will be returned to the smaller authority for publication and public display of Sections 1, 2 and 3. You must publish and display the annual return, including the external auditor's report, by 30 September 2017.

It should not be necessary for you to contact the external auditor for guidance.

More guidance on completing this annual return is available in the Practitioners' Guide that can be downloaded from www.nalc.gov.uk or from www.slcc.co.uk or from www.ada.org.uk

*for a complete list of bodies that may be smaller authorities refer to schedule 2 to Local Audit and Accountability Act 2014

Section 1 – Annual governance statement 2016/17

We acknowledge as the members of:

Enter name of
smaller authority here:

WHITEHAVEN TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2017, that:

	Agreed		Yes means that this smaller authority
	Yes	No	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.		✓	prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of this smaller authority to conduct its business or on its finances.	✓		has only done what it has the legal power to do and has complied with proper practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this smaller authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered the financial and other risks it faces and has dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this smaller authority and, where appropriate have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	NA
			✓

This annual governance statement is approved by this smaller authority on:

25/05/2017

and recorded as minute reference:

687/17 (1)

Signed by Chair at meeting where approval is given:

Brian O'Kane

Clerk:

M Dewell

*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how this smaller authority will address the weaknesses identified.

Section 2 – Accounting statements 2016/17 for

Enter name of smaller authority here:

WHITEHAVEN TOWN COUNCIL

RE-STATED

	Year ending		Notes and guidance
	31 March 2016 £	31 March 2017 £	
1. Balances brought forward	—	249,842	Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.
2. (+) Precept or Rates and Levies	309,975	332,073	Total amount of precept (or for IDBs, rates and levies) received or receivable in the year. Exclude any grants received.
3. (+) Total other receipts	230	9,362	Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.
4. (-) Staff costs	9,525	41,285	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5. (-) Loan interest/capital repayments	—	—	Total expenditure or payments of capital and interest made during the year on the smaller authority's borrowings (if any).
6. (-) All other payments	50,838	315,763	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7. (=) Balances carried forward	249,842	234,229	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8. Total value of cash and short term investments	249,842	234,229	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.
9. Total fixed assets plus long term investments and assets	12,331	12,331	This cell shows the value of all the property the authority owns. It is made up of its fixed assets and long-term investments.
10. Total borrowings	—	—	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).
11. (For Local Councils Only) Disclosure note re Trust funds (Including charitable)	Yes	No	The Council acts as sole trustee for and is responsible for managing Trust funds or assets. N.B. The figures in the accounting statements above do not include any Trust transactions.
		<input checked="" type="checkbox"/>	

I certify that for the year ended 31 March 2017 the accounting statements in this annual return present fairly the financial position of this smaller authority and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

M. Lawrence

Date

25/05/17

I confirm that these accounting statements were approved by this smaller authority on:

25/05/2017

and recorded as minute reference:

687/17 (11)

Signed by Chair at meeting where approval is given:

Brian O'Kane

Section 3 – External auditor report and certificate

In respect of:

Enter name of smaller authority here:

WHITEHORN TOWN COUNCIL

1. Respective responsibilities of the body and the auditor

This smaller authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The smaller authority prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2017; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

Our responsibility is to review the annual return in accordance with guidance issued by the National Audit Office (NAO) on behalf of the Comptroller and Auditor General (see note below). Our work does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and does not provide the same level of assurance that such an audit would do.

2. 2016/17 External auditor report

(Except for the matters reported below)* on the basis of our review of the annual return, in our opinion the information in the annual return is in accordance with proper practices and no other matters have come to our attention giving cause for concern that relevant legislative and regulatory requirements have not been met. (*delete as appropriate).

There are few breaches of Proper Practices, regulations or legislation which we have noted in our opinion - please see enclosed report.

(continue on a separate sheet if required)

BDO LLP Southampton
United Kingdom

Other matters not affecting our opinion which we draw to the attention of the smaller authority:

Please see enclosed report

(continue on a separate sheet if required)

BDO LLP Southampton
United Kingdom

3. 2016/17 External auditor certificate

We certify/~~do not certify~~* that we have completed our review of the annual return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2017.

*We do not certify completion because:

External auditor signature

[Handwritten Signature]

External auditor name

BDO LLP Southampton
United Kingdom

Date

6/11/17

Note: The NAO issued guidance applicable to external auditors' work on 2016/17 accounts in Auditor Guidance Note AGN/02. The AGN is available from the NAO website (www.nao.org.uk)

Annual internal audit report 2016/17 to

Enter name of smaller authority here:

WHITEHAVEN TOWN COUNCIL


This smaller authority's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2017.

Internal audit has been carried out in accordance with this smaller authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this smaller authority.

Internal control objective	Agreed? Please choose only one of the following		
	Yes	No	Not covered**
A. Appropriate accounting records have been kept properly throughout the year.	✓		
B. This smaller authority met its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This smaller authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.			✓ Next Audit 8/17
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.		✓	
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.			N/A Not kept
G. Salaries to employees and allowances to members were paid in accordance with this smaller authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.			✓ Next Audit 8/17
I. Periodic and year-end bank account reconciliations were properly carried out.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.			✓ Not applicable

For any other risk areas identified by this smaller authority adequate controls existed (list any other risk areas below or on separate sheets if needed)

Name of person who carried out the internal audit MRS JULIE WRIGHT

Signature of person who carried out the internal audit  Date 24-4-17

*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

Guidance notes on completing the 2016/17 annual return

1. You must apply proper practices for preparing this annual return. Proper practices are found in the Practitioners' Guide* which is updated from time to time and contains everything you should need to prepare successfully for your financial year-end and the subsequent work by the auditor. NALC, SLCC and ADA have helplines if you want to talk through any problem you encounter.
2. Make sure that your annual return is complete (i.e. no empty highlighted boxes), and is properly signed and dated. Avoid making amendments to the completed return. Any amendments must be approved by the smaller authority, properly initialled and explanation provided. Annual returns containing unexplained or unapproved amendments may be returned and incur additional costs.
3. **Smaller authorities must approve Section 1 on page 2 before approving Section 2 on page 3.**
4. Use the checklist provided below. Use a second pair of eyes, perhaps a Councillor or Board Member, to review the annual return for completeness and accuracy before sending it to the external auditor.
5. Do not send the external auditor any information not specifically asked for. Doing so is not helpful. However, you must tell the external auditor about any change of Clerk, Responsible Finance Officer or Chair.
6. Make sure that the copy of the bank reconciliation which you send to your external auditor with the annual return covers all your bank accounts. If your smaller authority holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree your bank reconciliation to Box 8 on the accounting statements (Section 2 on page 3). You must provide an explanation for any difference between Box 7 and Box 8. More help on bank reconciliation is available in the Practitioners' Guide*.
7. Explain fully significant variances in the accounting statements on page 3. Do not just send in a copy of your detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include a complete numerical and narrative analysis to support your explanation. There are a number of examples provided in the Practitioners' Guide* to assist you.
8. If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which the auditor will make a charge.
9. **You must inform the external auditor of the date set for the commencement of the period for the exercise of public rights.**
10. Make sure that your accounting statements add up and the balance carried forward from the previous year (Box 7 of 2016) equals the balance brought forward in the current year (Box 1 of 2017).
11. Do not complete Section 3 which is reserved for the external auditor.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All highlighted boxes have been completed?	
	All additional information requested, including the dates set for the period for the exercise of public rights , has been provided for the external auditor?	
Section 1	For any statement to which the response is 'no', an explanation is provided?	
Section 2	Smaller authority approval of the accounting statements is confirmed by the signature of the Chair of the approval meeting?	
	An explanation of significant variations from last year to this year is provided?	
	Bank reconciliation as at 31 March 2017 agreed to Box 8?	
	An explanation of any difference between Box 7 and Box 8 is provided?	
Sections 1 and 2	Trust funds – all disclosures made if a Council is a sole managing trustee? NB: Do not send trust accounting statements unless requested.	
Internal Audit report	All highlighted boxes completed by internal audit and explanations provided?	

*Note: The Practitioners' Guide is available from your local NALC, SLCC or ADA representatives or from www.nalc.gov.uk or www.slcc.co.uk or www.ada.org.uk.

APPOINTMENT OF INTERNAL AUDITOR TO WHITEHAVEN TOWN COUNCIL

PURPOSE OF REPORT AND RECOMMENDATION

To start the process for appointing an Internal Auditor for 2018/19 and to recommend that 3 quotes be obtained for consideration by the Council.

1.0 INTRODUCTION

- 1.1 The Accounts and Audit Regulations 2015 imposes a duty on parish councils to maintain an adequate and effective system of internal audit of its accounting records and of its systems of internal controls. The Internal Auditor is a key part of the Council's internal controls.
- 1.2 The Internal Auditor must be both competent and independent from the Council and an Internal audit has to include both financial and procedural controls.
- 1.3 A strong internal audit will check that the Council has strong processes and controls not only over money but over all areas to help ensure the Council operates legally and complies with all relevant legislation.
- 1.4 A good internal audit will come in 2 parts done at different times of the year.
 - Is usually done part way through the financial year in October/November and is mainly an audit of the Council's processes and procedure.
 - It may also include an audit of transactions to ensure the completeness of the Council's records.
 - The final audit is done after the year end so that balances within the accounts may be verified and that any problems found at the interim audit have been addressed by the Council.

- The Internal Auditor reports to the Council and will submit a written report to the Council after both audits.

2.0 RECOMMENDATION

It is recommended that 3 quotes be sought from competent and experienced people for the provision of an Internal Audit Service on the basis of 2 Internal Audits for 2018/19

GRASS CUTTING REPORT

Purpose of the Report

For members to consider a quote received for grass cutting and to decide which additional areas in their wards would require cutting and whether to go out for tender.

1.0 INTRODUCTION

- 1.1 A quote has been received (see Appendix 1) for a fortnightly grass cutting service starting in April 2018 and ending in September 2018.
- 1.2 The list of areas to be cut are attached at Appendix 2.
- 1.3 The maps showing the areas to be cut are attached at Appendix 3.

2.0 RECOMMENDATION

Members are asked if there are any additional areas of grass within their wards to the ones on the list that require cutting and to provide a detailed map of these additional areas within the next 2 weeks so that a report can be compiled.

Member are asked to consider whether to accept the quote as it is or invite tenders for compiled grass cutting report.



Proud of our past. Energised for our future.

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

Tel: 01946 59 8300
Fax: 01946 59 2525
Email: info@copeland.gov.uk
Web: www.copeland.gov.uk

Whitehaven Town Council
c/o Marlene Jewell
The Civic Hall
Lowther Street
Whitehaven
Cumbria
CA28 7SH

9th November 2017

Our Ref. AC/AB/2018/29

Dear Mrs Jewel

Parks and Open Spaces Grounds Maintenance for 2018

Thank you for your continuing valued custom throughout 2017. As a commercially focused organisation we are committed to being competitive on price whilst offering a wide range of services such as tree inspections, maintenance of sports facilities and general grounds maintenance. We can also create horticultural features such as troughs and planters for Cumbria in Bloom.

The price for this years' service will be **£6,824.04 excluding**.

Assuming you are happy for us to undertake this work please could you sign and return the confirmation slip overleaf.

If you have any queries regarding this years' work or indeed any other matter please do not hesitate to get in touch.

Yours sincerely

Alan Clements
Contracts Supervisor
Tel: 01946 593022



Proud of our past. Energised for our future.

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

Tel: 01946 59 8300
Fax: 01946 59 2525
Email: info@copeland.gov.uk
Web: www.copeland.gov.uk

Grounds Maintenance – From Copeland Borough Council

Terms and Conditions of Service

1. Application/Definitions

- 1.1. These terms and conditions shall apply for the provision of Grounds Maintenance services by the supplier to the client.
- 1.2. In these terms and conditions the following expressions have the following meanings.

2. Business Day

- 2.1. A day excluding Bank Holidays on which Banks generally are open for the transaction of normal Banking business, and when scheduled Grounds Maintenance visits to the clients' premises will be undertaken.

3. The Client

- 3.1. Means any individual, firm, public body or corporate body which purchases services from the supplier.

4. Commencement Date

- 4.1. The date of commencement of the Grounds Maintenance services as stated in the quotation/Grounds Maintenance Specification, as agreed with the client.

5. Services

- 5.1. The Grounds Maintenance services to be provided by the supplier to the client as set out in the quotation/Grounds Maintenance Specification.

6. The Supplier

- 6.1. Copeland Borough Council

7. The Service

- 7.1. With effect from the date of commencement the supplier shall, in consideration of the fees being paid in accordance with the terms of payment, will provide the services expressly identified in the Grounds Maintenance Specification or otherwise agreed.
- 7.2. On occasion(s) the Grounds Maintenance service visits may vary in length from time to time, this will be solely dependent on conditions and the available man power at the time of the scheduled visit by the supplier to the client, and will not under any circumstances effect the standard of the service to the client as set out in the Grounds Maintenance Specification

8. Price

- 8.1. The client agrees to pay the fees in accordance with the terms of payment, in addition the supplier shall be entitled to recover from the client his reasonable incidental expenses for materials used, and for third party goods and services supplied in connection with the provision of services.
- 8.2. Although on occasion(s) the Grounds Maintenance Service may vary in length from time to time. The price agreed with the client prior to the commencement of the Grounds Maintenance Service by the supplier, will remain as specified in the quotation/contract.



13. Cancellation

- 13.1. If for any reason(s) the client wishes to cancel the Grounds Maintenance Service, then the client must give the supplier 28 days' notice in writing, in advance of the client's intention to cancel. The supplier reserves the right to invoice the client a maximum of 2 full months' charges for any cancellation of service of less than 28 days.

14. Copyright

- 14.1. The supplier reserves all copyright and any other rights (if any) in the products or in connection with the provision of the supplier's services. The supplier reserves the right to take such action that may be appropriate to prevent infringement of such copyright.

Whitehaven Town Council-Grass cutting 2018			
Area		Cut 2 weekly cycle from April - Sept (12 cuts)	
Verge from Firestation to Alma Bank road		£ 13.17	
Carlton Drive to Thornton Road	Flail only	£ 37.00	
End of Carlton Drive		£ 14.51	
Thornton Road Entrance		£ 9.57	
Verges along Thornton Road		£ 17.12	
End of Greenlands Ave		£ 9.49	
Ashleigh Place		£ 14.44	
Hillcrest Ave		£ 17.12	
Tower Hill		£ 22.12	
Victoria Road Verge		£ 13.98	
Rannerdale Drive junctions		£ 9.30	
Crossfield Road, Bransty verges		£ 13.98	
Area next to St Gregs/St pats school		£ 17.84	
Verges along Whinlatter rd		£ 25.42	
Yewbarrow Close-Bank	Flail only	£ 37.00	
Whinlatter rd ,Large bank		£ 68.68	
Wastewater rd entrance		£ 17.84	
Monkway Bungalows, junction of Monkway Brow		£ 4.60	
Verge next to Monkway Cottages		£ 9.20	
Corner Harbour view/High rd		£ 9.20	
Mirehouse rd verge		£ 15.71	
✓ Sandwith Village Green		£ 21.62	
✓ Toll Bar		£ 19.67	
Toll bar to Pelican verge		£ 19.67	
✓ Pocket Park, Bransty		£ 9.47	
✓ Hillcrest ave-Opposite Jericho play area		£ 4.60	
✓ Cleator Moor rd verghe, Whitehaven		£ 6.87	
Corner at start of Foxhouses Road		£ 9.20	
✓ Springfield Ave		£ 9.57	
✓ Springbank junction		£ 9.20	
Wordsworth Junction		£ 9.20	
✓ Richmond Hill to Homewood verge		£ 19.67	
✓ Bottom of Lincoln Rd junction		£ 5.36	
✓ Station Rd - Coach Rd junction		£ 10.72	
✓ Corner of Winston Drive off Main St Hensingham		£ 7.00	
Substation at junction of Homewood Road & Sneckyeat Road		£ 9.80	
✓ Cambridge Road - Garage Site (Cut only)		N/A	
Total cost per cut		£ 568.67	
Total cost per year		£ 6,824.04	£ 6,824.04

HEALTH AND SAFETY CONSULTANTS REPORT

Purpose of the Report

Members to consider whether to enter into a contract provided by Kym Allen Health and Safety Consultants.

1.0 INTRODUCTION

Members may recall at the Extraordinary Council meeting held on 20th October 2017 that the Chairman gave a verbal report about a conversation he'd had with Kym Allen regarding advising the Council on Health and Safety matters (minute ref 811/17 refers).

1.1 A contract has now been submitted by Kym Allen Health and Safety Consultants for members to consider see Appendix 1. The contract is for the period 16.10.2017 – 31.10.2018 and the quote briefly comprises of:

- Provision of a core Advisory, information and support service accessible via email and telephone helpline from 08:45 to 17:00, Monday to Friday.
- Professional support during legal/enforcement process, e.g. civil claims.
- The option to purchase additional services as 'pay as you go'.

1.2 The price for the provision of the Core services is calculated on a pay as you go retainer and will cost £55 per hour or £330 per day (excluding VAT).

2.0 RECOMMENDATION

Councillors are asked to consider this contract and decide whether to obtain a further 2 quotes or to suspend with financial regulations and sign the contract with Kym Allen Health and Safety Consultants.



Kym Allan Health and Safety Consultants Ltd
3-4 Citadel Row
CARLISLE CA3 8SQ
Telephone : 01228 210152
Fax No : 01228 210153
www.kymallanhsc.co.uk
E-mail : kym@kymallanhsc.co.uk

16 October 2017

Introduction

Kym Allan Health and Safety Consultants are 100% committed to providing a high quality professional, reliable and efficient service to organisations throughout Cumbria and the Northwest.

Regulation 7 of the Management of Health and Safety at Work Regulations, 1999 requires that employers must have access to competent help in applying the provisions of health and safety law, including the Management Regulations. Kym Allan Health and Safety Consultants Ltd will fulfil this role.

The core function of the business is to support businesses to achieve legislative compliance. Kym Allan Health and Safety Consultants Ltd are committed to providing a service to organisations and fulfils the much needed support role such organisations may need in order to feel comfortable about dealing with health, safety and welfare issues on a day to day basis. Our Team of qualified and experienced safety practitioners will provide you with the information, advice and skills to achieve high standards of health and safety management without burdening or restricting the opportunities that allow staff to undertake their roles in a safe and legislatively compliant manner.

Scope, Roles and Responsibilities

This agreement sets out the detailed services being offered to Whitehaven Town Council which will provide a support structure with access to a competent person for health and safety advice where needed. You will also have access to unlimited telephone support and advice from the Team during normal office hours and unlimited e-mail support.

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1. This Service Level Agreement is between:

The Client ("the Purchaser") : Whitehaven Town Council

and

Kym Allan Health and Safety Consultants (KAHSC) ("Service Provider"):

Address: 3-4 Citadel Row, Carlisle CA3 8SQ

Director: Kym Allan

Telephone No: 01228 210152

Service Title: Health and Safety Advisory Services

Period of Agreement – From 16 October 2017 – 31 October 2018

2. Service Provision

The following specification details the Services which will be provided to the client as a Core package, together with a range of additional Services available for purchase at an additional cost in order to support the health and safety improvement and development agenda of an individual organisation.

3. Core Services to be provided:

Kym Allan Health and Safety Consultants Ltd. will provide the following Core Services:

Advisory & Information Service

- Provision of an advisory, information and support service accessible via email and through a telephone helpline which will be available Monday to Friday, 08.45 to 17.00.
- Professional support during legal/enforcement process, e.g. civil claims.

4. Optional Additional Pay as You Use Services

The following services will be available to purchase as additional provision:

- fire safety advice and written Fire Risk Assessments to ensure compliance with current regulations;
- accessibility audit in order to comply with Equality Act;
- on-site assistance with conducting specific risk assessments and advice on control measures;
- on-site Display Screen Equipment (DSE) risk assessment and advice on control measures;
- on-site DSE assessor training;
- on-site risk assessment and risk management training;
- on-site manual handling training;
- bespoke health and safety training or briefings

5. Pricing Schedule & Service Standards

Core Services

Charges will be calculated based on a pay as you go retainer service for Core Services (excluding VAT):

- Core Services (excluding VAT) £55 per hour or £330 per day

The above price is exclusive of VAT

Charges will be subject to review on an annual basis at the beginning of each agreement period. Whitehaven Town Council will be notified of the rates for the next SLA period towards the end of their contract period.

Service Standards to be provided by the Service Provider

- ❑ Office opening hours and access to telephone support service will operate between the hours of 08.45 – 17.00 (Monday – Friday);
- ❑ answer e-mail messages within 2 working days of receipt (the answer may be an acknowledgement in some cases);
- ❑ where requested, all advice will be confirmed in writing either by e-mail or letter to the organisation;
- ❑ acknowledge or respond to letters within 10 working days.

6. Conditions of the Agreement

Confidentiality

Neither party shall disclose to any other party any information in connection with the provision of the Services or any information contained in the agreement other than in compliance with the agreed information format specified in compliance with the provisions of the Data Protection Act 1998 and Freedom of Information Act 2000.

Statutory Requirements

Both parties shall comply with all statutory requirements relating to the provision of the Service and where applicable national Codes of Practice or British Standard Specifications.

7. Monitoring and Liaison

The parties to this agreement will be required to jointly implement and maintain a system for monitoring this agreement. Both parties shall agree the joint monitoring and liaison arrangements required. This shall include but not be limited to identification of key personnel and frequency of monitoring meetings required.

8. Compliments and Complaints

For compliments and complaints:

Contact Tel. No: 01228 210152

E-mail: kym@kymallanhsc.co.uk

9. Dispute Resolution Procedure

The Senior Manager or the Director of KAHSC can raise concerns relating to performance against the standards set out in this agreement. Either party can initiate the dispute resolution process which shall be formed of 3 stages.

Stage 1: At this initial stage the Senior Manager (or representative) or a member of the Consultancy Team can raise concerns. The parties will meet to identify and agree a resolution. In the event that the problem persists within or up one calendar month of the initial dispute being raised, the matter may be referred to stage 2.

Stage 2: A meeting may be called by either party involving the Senior Manager and the Director of KAHSC. If during the next calendar month either party continues to be dissatisfied, the matter can be escalated to the Notice period.

Notice period

The period of notice of termination of this agreement by either party will be 2 calendar months.

10. Client Responsibilities

The Purchaser (Client) will be responsible for:

- Identifying a point of contact for communication with the Service Provider;

11. Payment for the Service

The Client will be invoiced for the annual service once the signed SLA has been received. Any queries relating to the calculation of charges should be directed to Kym Allan, Kym Allan Health and Safety Consultants, 3-4 Citadel Row, Carlisle CA3 8SQ

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Service Title: Health and Safety Advisory Services

This Service Level Agreement is between:

The Client ("the Purchaser"): Whitehaven Town Council

and

Kym Allan Health and Safety Consultants Ltd (KAHSC) ("Service Provider"):

Address: 3-4 Citadel Row, Carlisle CA3 8SQ

Director: Kym Allan

Telephone: 01228 210152

To be charged as a pay as you go service (exc. VAT): £55 per hour or £330 per day

Purchaser Declaration: *We have read and accept the terms of the Service Level Agreement in relation to the Health and Safety Service provision to this setting.*

Signed: _____ Date: _____

Print Name: _____

For and on behalf of Business

Signed: Kym Allan Print Name: Kym Allan

Position: Director Date: 16/10/2017

For and on behalf of Kym Allan Health and Safety Consultants Ltd.

Please note:

Once signed, one copy of this Agreement should be returned to:

Kym Allan Health and Safety Consultants, 3-4 Citadel Row, Carlisle CA3 8SQ. Fax : 01228 210153 or e-mail gordon.hastings@kymallanhsc.co.uk . The second copy should be retained for your records.

The particular services to which this Agreement relates are set out in the enclosed Schedule of Services.

Contract Duration

This agreement will run from 16 October 2017 – 31 October 2018. It is subject to annual review and may be extended or varied by mutual agreement between the parties.

PLEASE ENSURE THAT THE SIGNED RETURN COPY REACHES US AT THE ABOVE ADDRESS AS SOON AS POSSIBLE.

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STREET LIGHT ON UNADOPTED ROADS REPORT

Purpose of the Report

To inform Members of a problem reported about a cut down lighting column on Caldbeck Road and to make a decision as to whether this be replaced.

1.0 INTRODUCTION

- 1.1 The daughter of a resident on Caldbeck Road, Red Lonning emailed Copeland Borough Council to complain that the light outside her parents house had been cut down.
- 1.2 Initially Copeland Borough Council said that Cumbria County Council was starting work on the street lights on Caldbeck Road in September 2017 and had asked them to check the lighting columns and repair them if necessary.
- 1.3 Copeland Borough Council then said that Cumbria County Council had informed them that they would not be installing any lighting round the corner to Caldbeck Road and Copeland Borough Council said that in line with their policy they would not be replacing any lights which had come to the end of their life (in this particular case the lighting column had been cut down for safety reasons) and suggested that the Parish Council may wish to take on the replacement and future maintenance/utility costs.

2.0 LEGAL POSITION

- 2.1 The Council has a power (Parish Council's Act 1957 s3 and s301 of the Highways Act 1980) to light roads and public places in it's area but it is a difficult subject as if the Council starts erecting street lights it means we are then responsible for repairs, maintenance and electricity costs.
- 2.2 The issue here is that this road is an unadopted road and is therefore not maintainable at public expense. Caldbeck Road is adopted up to it's junction with Jubilee Road and this property is a few houses up from this on an unadopted road which means that Cumbria County Council do not install street lighting.

- 2.3 There are various housing estates in the Whitehaven area where the roads have not been constructed to adoptable standards by the developer which means that Cumbria County Council have no responsibility for them and the cost of any maintenance and repairs will have to be met by the owners of the properties. This also applies to any street lighting that may have been installed by the developer on these unadopted roads.
- 2.4 As already mentioned, Caldbeck Road is adopted up to the junction with Jubilee Road and it appears that at some time Copeland Borough Council decided to install a lighting column on the unadopted part of the road but now have a policy of non-replacement.
- 2.5 Cumbria County Council have been contacted about this and have said that it will cost approximately £2,000 to provide and install a lighting column and then there will be the costs of ongoing maintenance, repair and electricity costs. If the Council were minded to install a lighting column there is also the likely knock on effect of requests for lighting columns in other areas.

3.0 RECOMMENDATION

It is recommended that the Council consider this matter and make a decision whether or not to install a new lighting column on the unadopted part of Caldbeck Road.