WHITEHAVEN TOWN COUNCIL

# Minutesof the Council IVle eting held on 27th January 2022

**Present:** Coun cil lor C Hayes (Chairman); Counci l lor E Dinsda le; Counci llor G Din sdale; Counc illor R Gill; Councillor C Maudling; Councill or B O' Kane; Cou ncill o r .I Ray son; Coun cill or G Robe rt s; Councillor R Redmond;

M. Jewe ll, Cle rk and Responsible Financial Officer V Gorley. Assistant Clerk

Member of the Public

Before the Meeting started the Clerk informed the Council that Carla Arrighi had resigned as a Counc ill o r for Whitehaven Town Council due to the fact that the Counci l could not hold virtua l meetings. The Clerk said that she had

ac knowledged Carla Arrigh i 's resignation, thanked her for all the work that she had done and wished her all the best for the future. s\_he said that Copeland ' s Electoral and Democratic Se rvices Manager had been informed.

# 1932/22 Apologies for Absence

Apologies for absence were rece ived as follows:- Councillor Walmsley Work Commitments

It was proposed by Councill or Hayes and seconded by Counci ll or O'Kane that the apologies for absence given be accepted and noted. A vote was held and it was unan imous ly

**RESOLVED** - That the apologies for absence be accepted and noted.

# 1933/22 Declarations of Interest

Councillor Ro be1t s declared that he was a member of Cumbria County Council Counci llor Rayso n declared an interest in Item 9 as she was an allotment holder

Counci llor Maudling entered the Meeting and declared an interest in Item 5 as he was a membe r of CBC's Planning Panel

# 1934/22 Public Participation

A member of the public (OT) attended to speak about the drains in Hensingharn. He said

* The drains were overlo aded and in the early 2000s United Utilities had built storm holding tanks. When the drains in Hensingham get to 147 litres a second the drain water goes into the storm holding tanks where it is

s upposed to stay until the storms pass and then it goes back down the sewer.

* The storm overflow tanks have overflows on them. The ove rflows for Winston Drive overflow tanks discharged straight into the back of his garden and into the stream which he owned and has been in his garden since 1830 and it is a listed building.
* This was damag ing his wall, the river bank and the ri ver bed.
* United Utilities are in com plete denial about this and say the damage is upstream but that he had st udi e d fluid dynam ics at uni ve rsity and could categor ically state that it is not upstream it is right where the pipe discharges
* The overflow that we are talking about from sewage in 2018 there was l 84 hours of discharge of unt reated sewage into his garden. In 2019 186 hours; in 2020 214 hours
* He said he owned the riparian rights and was entitled to unpollute d wate r. He said the smell and stench that comes out of there is unb elievab le. He said it then went down his garden into Pow Beck and straight into the harbour by Zest. There are no warning not ic es and nothing to tell people that there is raw sewage discharging anywhere.
* Un ited Uti li ties say that they are doing nothing wrong because they have a permit from the Environment Agency.
* He said he had had a so licit or dealing with this for the last 3 years and they had done an environme nta l se arch which said that there were no pollution incidents. But he said that he had reported 80 plus pollution incidents
* He said that eve ryone was just bu1y ing their heads and that in October when the river had burst its banks the sewage went eve1ywhere,

HensinghamSquare and up to road level at Ribton Moorside. He said there a lot of sludge from this was still there now and several people were sent by the Counc il to clean it up but the sludge was still all over Beck Bottom

* He said Planning have agreed for more houses to be put up on the former Sekers site and United Utili ties were planning on in creasing the surface water disc ha rge i nto his river and the lis ted wall in his garden was going to co me down.
* He said the proble ms star ted in his garden and went down to the harbour

Following a discuss ion it was agreed that the Clerk would write to United U tilities and CBC to express concern about this mat te r.

# 1935/22 Minutes of the Meeting held on 2nd December 2021

It was proposed by Councillor Gill and seconded by Coun cill or Roberts that the Minutes of the Meeting held on 2nd December 2021 be approved and signed by the Chainnan as a correct record.A vote was held and 8 Councillors voted for the proposal and I Coun cillor abstained.

**RESOLVED** -That the Minutes of the Meeting held on 2nd December 2021 be approved and signed by the Chairman as a conect record.

# 1936/22 Planning Applications

The Council considered a list of Planning Applications received and shown at Appendix I. Following a disc ussi on it was proposed by Councillor O'Kane and seconded by Councillo r Roberts that the follo wing representations and objections to Planning Applications Nos 4/2 l/2 l 95/0Rl and4/2 1 /2 l96 /0O l be forwarded

to CBC

1. That CBC be requested to the two Planning Applications Nos 4/21/2195/0RI and 4/21/2196 /00 1 be referred to the Planning Panel of CBC on the grounds of the anomaly relating to reserved matters and whethe r these reserve matters have been appropriate ly put through and whether they are repetitions of previous applicatio ns

11. That these appl ic atio ns represent a fragmented approach to the Town and

are not looking at the totality of it

111. lt is overcrowdi ng to build 90 houses on a strip of land that size and there are st ill problems with traffic management that have not been addressed

1v. There are access problems

v. There are infrastructure issues in the area due to the strain it puts on the rest of Whitehaven

There were no futiher representations

A vote was taken on the proposals and 8 Councillors voted for the proposal and

I Councillor abstained

**RESOLVED** - That the representa tions/objections in i to v above be forwarded to CBC

# 1937/22 Finance Report

The Council considered a Finance rep01i.

1. Appendix I - The Clerk repotied that there was I extra in voice to be considered namely:

Cumbria Media £1 42.00 for uploading and

maintenance of website

It was proposed by Coun cill or Hayes and seconded by Councillor Roberts that the Invoices shown at Appendix I together with the I extra invoice above be approved and paid. A vote was taken and it was unanimously

**RESOLVED** - That th e Invoices shown on Appendix I together with the I extra i nvo ices above be approved and paid.

1. Appendices 2 and 3 - It was proposed by Coun cillor Gill and seconded by

Counci llor Hayes that Appendices 2 and 3 be approved and noted. A vote was held and it was unanimously

**RESOLVED** - That Appendices 2 and 3 be approved and noted.

**1938/22 Approval of Setting of Budget and Precept for 2022/23**

The Counc il considered a report and documents on the Revenue Budget and Precept for 2022/23 which incorporated recommendations mad e following 4 meetings of the Budget Setting Advisory Group held on 22nd November 2021, 29th November 2021, 1 3th December 2021 and 20th January 2022. The recommendations were read out to the Council. No comments were made on the report and no amendments were proposed. It was proposed by Councillor

Hayes and seconded by Councillor Gil l that the following recomm endation s be approved :-

* 1. That the Coun cil consider the proposed 2022/23 Revenue Budget and Precept;

11. Make any proposed amendments;

111. Subsequent to i and ii above approve the 2022/23 Revenue Budget and Precept; and

1v. Agree that the Chairman and Clerk sign the Precept 2022 /23 Form received from Copeland Borough Council to advis e Copeland Borough Council of the approved Whitehaven Town Council Precept for 2022 /23 to inform the setti ng of the overall Council Tax requirements.

A vote was held and 8 Councillors voted for the proposal and **1** Councillor voted against

**RESOLVED** - That the recommendations contained in i to iv above be approved.

**1939/22 Recommendations of Events Advisory Group**

The Counci l considered a report on recommendations made by the Events Adviso1y Group as follows:-

1. That 4 official Platinum Jubilee flags be purchased at a cost of approximately £20 per flag to be put up in each corner of St Nicholas Gardens.

LI. That an extra 200 metres of bunting and rope be purchased at a cost of approximately £225.00

t11. That the Council makes a Resolution to sus pend Financial Regul atio ns to allow the Council 's contractor (CCC) to erect and dismantle the bunting throughout the town and harbourside at a cost of £2500 and that

fol lowing suspension the reasons for suspension be considered and recorded together with an assessment of the risks

1v. That a hospitality event for the Council's sponsors and those who have helped the Council be held in the marquee on St Nicholas Gardens housing the Photographic Exhi bition. Gerard Richardson said he would provide the wine free of charge and that cake would also be provided

v The Cle rk reported that she would be sending out an information pack to Coun cil lors containing information /s uggestions for local Community Organisations on what events could be organised by them for the Platinum Jubilee so that Counc illors could circulate the pack to the Community Organisations in their Wards.

Following a discussion it was

1. Proposed by Counci ll or Gill and seconded by Coun cil lor Hayes that recommendations i, ii, iv. and v above be approved. A vote was held and it was unanimously

**RESOLVED** - Tha t recommendations i, ii, iv and v above be approved and actioned

1. rt was proposed by Councillor Gill and seconded by Councillor Hayes that in respect of iii above that the Coun cil makes a resolution to Sus pend Financial Regulations to allow the Counci l' s Contractor to erect and dismantle the bunting throughout the town and harbourside at a cost of

£2,500.00. A vote was held and it was unanimously

**RESOLVED** - That the Coun cil make a resolution to Suspend Financial Regulations to allow the Council's Contractor to erect and dismantle the bunting throughout the town and harbourside at a cost of £2,500.00.

1. It was proposed by Councillor Roberts and seconded by Councillor Gill that having made the resolution in b above that having considered the reasons for suspension that they be recorded and approved and that the assessment of the risks be recorded and approved. A vote was held and it was unanimously

**RESOLVED** - That having made the resol uti on in b above and havin g considered the reasons for suspension that they be accepted and approved and that the assessment of the risks be accepted and recorded.

**1940/22 Recommendations of Allotments Advisory Group**

The Council considered a report on recommendat ions made by the Allotments Advisory Group . It was proposed by Counci llor Gill and seconded by

Councill or Roberts that the recommendations in paragraph 2.5 of the report be approved and that the information contained in the report be noted. A vote was held and 8 Councillors voted for the proposal and I Counc ill or abstained

**RESOLVED** - That the recommendations in paragraph 2.5 of the repoti be approved and that the information contain ed in the report be noted.

**1941/22 Recommendations from Steering Group on Office Accommodation**

The Clerk gave a repoti on a meeting between the Council's Architect and the Steering Group on Office Accommodation which had been held by zoom

on 2Yh January 2022 to discuss the way forward. Documents were discussed name ly Phase l Architectural inclusions and Phase l Mechanical and Electrical inclusions. The Steering Group made recommendations and these were circulated to the Council prior to the Coun cil Meeting. Coun cillor O' Kan e explai ned that this was an update and pa1i of the process and was trying to give the Counci l an id ea of what works could be done and that everything on the circulated documents had to be costed so that the Counc il could decide what it wanted to do. He stated that no decisions would be taken by the Steering Group and that all decisions wo uld be made by full Counc il. Fo ll owi ng a discussion

it was proposed by Councillor Gill and seconded by Councillor Roberts that the recommendations from the Steering Group shown on the documents inclu ding the additional 3 recommendations be approved. A vote was held and it was unanimously

**RESOL YEO** - That the recommendations from the Steering Group shown on the documents i nc l uding the 3 additional recommendations be approved.

**1942/22 Christmas Lights Infrastructure**

1. The Counc il considered a repo1i on the Christmas Lights Infrastructure. As pati of the continuing upgrade of the Christmas li ghts infrastructure the Counc il ' s Contractor had recommended the purchase of 500mtrs of stainless stee l PVC 4mm catenary wire, 50 *x* 10mm sta inle ss steel tensioners, 100 stainless steel eyelets and I 00 stain less steel U bolts.

Quotes for this had been obtained as follows:-

* + Supp lie r A
  + Supp lier B
  + Supp lier C

£1 ,451.28 plus VAT

£ 1 ,8 51.85 plus VAT

£ 1,282.50 plus VAT

It was proposed by Counc ill or Gill and seconded by Councillor Roberts that the materials be purchc:1secl and the quote from Su pplier C be accepted . A vote was held and it was unanimously

**RESOLVED** - That the materials be purchased and the quote from Supplier C be accepted.

1. The Coun c il also c ons ider ed a quote received from the Contractor to insta ll the catenary wire etc in streets in Whitehaven in the sum of £2,195.86 plus VAT. In order to allow the Contractor to carry out the work the Council had to consider making a resolution to suspe nd Financial Regulations 11 and if doing so then under Financial Regulation 18 had to agree and record the reasons for sus pension and also the risk assessment. The reaso ns for suspension and assessment of the risks were stated in the report

1. It was proposed by Counci llor Hayes and seconded by Councillor Gill that in accordance wit h Financial Regulation 11a resolution be made to allow the Contractor to carry out the work at a cost of £2,195 .86. A vote was held and it was un animous ly

**RESOLVED** - That in accordance with Financial Regulation 11 a resolution be made to all ow the Contractor to carry out the work at a cost of £2, I 95.86.

11. Having then made the resolu tion it was proposed by Councillor Hayes and seconded by Coun cillor Roberts that in accordance with Financial Regulation 18 the assessment of the ris ks be accepted and recorded. A vote was held and it was unanimously

**RESOLVED** - That in accordance with Financial Regulation 18 the assess me nt of the risks be accepted and recorded.

**1943/22 Christmas Lights Upgrade**

The Council considered a report on Christmas Lights Upgrade which included quotes from 3 supp liers for the purchase of extra lights

Councillor Rayson wished it to be noted that if the Council was going to spend money on lights then she would like the lights to be on for a longer period.

lt was proposed by Councillor Gill and seconded by Council lor Hayes that the quote received from suppl ier C be accepted and the goods purchased in the sum of £3,716.00 plus VAT. A vote was held and it was unanimously

**RESOLVED** - That the quote for lights received from supplier C in the sum of

£3,716.00 plus VAT be accepted and the lights purchased

**1944/22 Quotes Received for Johnson House Defibrillator**

Fu1iher to Minute 19 36/21 the Council considered quotes received for the re­ routing of the wiring for the de fibr ill ator at Johnson House. It was proposed by Councill or Gill and seconded by Councillor Roberts that the quote from

Ele ctrical Contractor D be accepted and the wo rk be carried out. A vote was held and it was unanimously

**RESOLVED** - That the quote from Electrical Contractor D be accepted and the work be carried out.

**1945/22 Attendance at Council Meetings**

The Clerk said that in the circumstances that this Repor t sh ould be withd rawn and this was agreed. No discussion took place on the report and no decisions were made.

**1946/22 Councillor Ward Matters**

* 1. Councillor G Dinsda le asked if there was an update on the bus she l ter at Loop Road South. The Clerk said that she had written to the comp laints department of Highways England twice but had not received a reply but that she would keep trying.

11. Counci llor E Dinsdale said there was dog muck all around town and asked what could be done about this to encourage residen ts to pick up and asked if the Council could start a campaign. The Chairman said that Dog Wardens would be a help

111. Councillor Maudling said that dog fouling was really in the whole of Copeland and that there was a problem with dog fouling and that he had had a meeting Enforcement the next week to see what could be done about it.

1v. Councillor Maudling said the Police were doing a good job in Whitehaven

v. Councillor Rayson refeITed to the Hillcrest Commun ity Centre and said that herself and Councillor O'Kane had met with representatives of a group proposing to take on a lease. The Committee had not been set up as yet but that it all looked quite positive and that this was good for the area. Councillor O' Kane said they had until 31/0 l / 22 to get together as a group and run the building.

v1. Councillor Roberts said that he had been contacted by a resident who was having problems with dog poo outside her house. He said it was irnpo1tant that CBC get a grip of it because it was dangerous for kids.

vi i. Councillor Gill refe1Ted to the roads and parking at Hensingham and said that CCC Highways had told him the problem with the roads was surface damage and not potho le s. He said he had been working with Mike Hawkins on this

v111. Coun cillo r Hayes said at Kells they had started the ball rolling with Jubil ee Events and that there would be a big event on the Welfare field

and they were we!l on the way to getting it organised and that they had had a major input on this from young kids

1x. Coun cillor O'Kane asked about the Bus Shelter at Bransty and was informed that the I icence was still awaited from CBC

x. Counc illor O' Kane said the Bay Vista planning application had been refused on the basis that th e drainage scheme was totally inadequate for the proposal. He said this application had bypassed CBC and went straight to the Planning Inspector.

x1. Coun cill o r O'Kane said he had asked Matthew Reed to do a review of all primary sc hools in Whitehaven and in particular the Review that exists for St Bened ic t' s and the Whitehaven Academy was still waiting for this to come through

x11. Coun cillor Redmond referred to parking on Hensingham Main Street and in particular nea r the chip shop and that residents had complai ned about this.

x111. Councillo r Hayes Said he had had a meeting with Mayor Starkie and had asked him to give the Mayoral robes and Regalia to the Town Counci l and had been fobbed off again but that he did not intend to give up on this. He said the engrav ing on every li nk sa id Whitehaven Borough Council

1. . Councillo r Gill said in 1973/74 it was decided not to hav e a Whitehaven Town Counc il and al l the others like Cleator Moor, Egremont and Millom got their Market Halls. He said the chain was given to the people of Whitehaven by the first Mayor of Whitehaven Lord Lonsdale. He said this was historic value to this town and we should be getting it and that if we don't get an asset transfer of the Regalia we shou ld complain about this
2. Coun cillor Roberts said he thought we should allow a little more tim e to elapse and if nothing was forthcoming then it should be referred to Michael Gove

xv1. Councillor O' Kane sa id the decision on something lik e this goes to CBC full Council for decision and not to the Mayor Of Copeland and that if this Coun cil decides to ask for the Mayoral Regalia then it goes before the Coun cil for decision not the Mayor.

# 1947/22 Date and Time and Venue of Next Meeting

The next Council Meeting would be on 24th February 2022 at 6.00pm at the Beacon Portal.

Coun cillor Robe1is left the meeting

# IN PRJVATE

**1948/22** That prior to the following items of business the Cha inn an moved the following Resolution:-

That in view of the special or confidential nature of the busine ss about to be

transacted it is advis able in the public i nte res t th at the pu blic and or press be in s tructed to with draw from the meet in g. Councillor Gill proposed this and Coun ci llor G Di nsda le seconded it. A vote was held and it was un ani mous ly

**RESOLVED** - That in vie w of the special or confidential nature of the business about to be transacted it is advisable in the public interest that the public and or press be i ns tructed to withdraw from the meeting.

Councill or Roberts came back in to the Meeting

**1949/22 Application for Council Grant** - TTCWCWOW

The Coun cil cons idered a report on a Grant application by TTCWCWOW The power to award the grant was und er sec tion 137 of the Local Government Act 1972 which requires a resolut ion to say that

1. The re is a di rect benefit to the area or pa1t of the area or to some or all of the inhabitants of the area and
2. ) That the direct benefit accruing to its area or residents is commensurate with the expenditure incurred

It was proposed by Coun cillor Gill and seconded by Counci llor Roberts that the Council pass a resol ut ion that the Grant application comp lies with

the prov is ions of s 137 of the Loca l Government Act 1972 given in (i) and (ii) above and that the Coun cil Grant be awarded. A vote was held and it was unani mous ly

**RESOLVED** - That the Counc il Grant application com plies with the provisions of s 137 of the Loca l Government Act 1972 given in (i) and (ii) above and that a Counci l Grant of£ 1,000 be awarded to TTCWCWOW.

# 1950/22 App lication for Council Grant - WCT

The Counc il considered a report on a Grant application by WTC

However the status of the organisation was not c le ar and it was proposed by Councillor Gill and seco nded by Councillor Hayes that consideration of the application be de ferred to the next Counci l Meeting to check the charit able stat us of the organisation . A vote was held and it was unanimous ly

**RESOLVED** - That consideration of the appli cation be deferred to the next Counci l Meeting to check the charitab le status of the organis ation.

The Meeting closed at 7.45



Chairman