

WHITEHAVEN TOWN COUNCIL

Minutes of the Council Meeting held on 28th July 2017

Present: Councillors B O’Kane (Chairman); J. Forster; S. Gearing; J. A. Laine; T. Lowrey; C Maudling; G. Roberts

M. Jewell, Clerk and Responsible Financial Officer

Members of the Public

Richard Majewicz, Copeland Borough Council

731/17

Apologies for Absence

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

732/17

Minutes of the Meeting held on 29th June 2017

- (i) Councillor Laine referred to Minute 715/17 Public Participation and Julie Rayson had asked if the money for the Ward grant for Hillcrest could be passed to the new Councillor. She said at the meeting the Clerk had said that the money would be available. The Clerk replied that what she had said was that she did not see any reason why it could not be paid but that it would be looked into and that she had looked into it and had written to Julie Rayson to say the money would be allocated to the Hillcrest Ward.
- (ii) Councillor Laine stated that what she had said about Advisory Groups was not in the Minutes. She referred to Minutes from 719/17 when Advisory Groups were discussed at this meeting. Councillor Laine referred to a recent report which recommended the Council going back to Committees properly constituted with delegated powers. Councillor Laine said she had asked for this to be minuted. The Clerk said she did not recall this as the Agenda item was for the appointment to Advisory Groups which had been set up previously. The Chairman said that the Advisory Groups were set up for a period of six months to be reviewed after that time and that an item would be put on the Agenda for that particular meeting. It was agreed that the minute be amended to include Councillor

Laine's comment that this council should go back to Committees properly constituted with delegated powers.

- (iii) Councillor Laine referred to Councillor Matters and said she had asked if the Council could ask Copeland Borough Council if they would provide free parking during the Taste Cumbria event and asked to see the request to Copeland Borough Council.
The Clerk replied that she had contacted Copeland Borough Council by phone about this and had been told that it was unlikely and had heard no more.
- (iv) Councillor Laine referred to Councillor Maudling's comments about Bransty Rangers Football Club with regards to claiming VAT back. Councillor Maudling suggested that when the Council gave grants out for the purchase of equipment that the Town Council should purchase the equipment for that grant and then it could retain the 20% VAT. It was agreed that the Minutes be amended to record this

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

733/17

Minutes of the Extraordinary Council Meeting held on 17th July 2017

- (i) Councillor Maudling said that he had made a counter proposal to retain £1500 of the grant money because the grant period did not end until 2018 and because there would still be some money if anyone came forward for a grant or in case there was a need or an emergency. It was agreed that this be added to the Minutes.
- (ii) Councillor Lowrey referred to the Minute on Kells Rugby League Football Club and queried whether it should read Whitehaven Rugby League Football Club. The Clerk said it should and it was agreed that the Minute be amended accordingly

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

Councillor Laine raised a point of order in respect of the grant application for Bransty Rangers Junior Football Club and said that by giving part of his Ward Grant to this did it mean that Councillor Roberts

was now overspent in view of the fact that he had spent £6000 for a bus shelter and now £583 on the grant. The Chairman asked if the £6000 had been spent and Councillor Roberts said it had not.

Councillor Laine referred to the hanging baskets in Whitehaven and said she would like to thank Charles Maudling, Brian O’Kane and the Mirehouse Garden Centre for the speedy delivery of the flowers and Councillor O’Kane endorsed this.

Councillor Maudling said there had been a lot of positive feedback from the public about this.

734/17 **Declarations of Interest**

Councillor Maudling declared a non pecuniary interest as he is on the Planning Panel at Copeland Borough Council

735/17 **Declaration of Interest**

The Chairman referred to an issue raised by Councillor Laine at the Council meeting on 29th June 2017 about a declaration made by Councillor Gill where the Chairman had said that he would take advice on the matter and report back.

The Chairman reported that he had taken advice from CALC. It was reported that failure to disclose a disclosable pecuniary interest is an offence but that in this case there was no disclosable pecuniary interest as no decision was being made on an item of business from which the Councillor or his spouse were set to benefit financially. Neither the Councillor nor his spouse had received any parking fines so neither could be said to benefit in any way and the advice given was that there was no disclosable pecuniary interest in this case. The Chairman reported that this information had been passed to Copeland Borough Council’s Monitoring Officer and there would be no discussion on the matter.

RESOLVED – That the report of the Chairman be noted

736/17 **Public Participation**

1. Julie Rayson said the website wasn’t being kept up to date. Also on the invoices for payment it said Luke Johnson’s name on some and Cumbria Media on others. She said there were lots of things missing

from the website eg emails and contact numbers. She said there were only two items in the news section of the website, one was the market and the other was the ice rink and that November was the last time anything had been updated. She asked where the money was going and said the website should be promoting the Town Council better than it is. The Chairman said that until very recently the Town Council had been struggling with only one member of staff but now that there was an extra member of staff the Council would be able to look at this.

2. Julie Rayson was concerned about the details of direct debits, long term and things like BT and payments to CBC and that it would be good to see a breakdown. The Chairman said that if an individual was concerned about anything they could contact the office about it.
3. Julie Rayson referred to the £15 bank charge that she had asked about at the June meeting and said although it was not a lot of money £15 was £15
4. Mr Nicholson asked again about the public transport that comes from Kendal to Workington to be extended into Whitehaven. Councillor Roberts said that there was going to be a reshuffle at Stagecoach within the next six weeks and that if Mr Nicholson would give him his address he would give him a written reply. Councillor Laine asked if the Town Council could write to Cumbria County Council about this. It was agreed that the Clerk would write to Stagecoach.
5. Peter Tyson asked if there was a communication problem as he said he had arrived the previous night for the Town Council meeting at the United Reformed Church and found it locked up and asked if the Town Council had changed its meeting dates. The Chairman said that it was his doing as he had asked for the Council meeting to be changed on this occasion due to business commitments

737/17

Planning Applications

- (i) Councillor Laine referred to planning application CH/4/17/2212/0T1 relating to 21 metre high lattice telecommunications mast at Wilson Pit. She wished to ask Copeland Borough Council if any

environmental impact assessment had been done.

Councillor Laine had the following concerns about the application:-

- The visual/environmental disturbances and that it should not create a scar on the landscape
- That CBC should ensure that the base station where it is at is ICNIRP compliant and meets the guidelines for public exposure to electromagnetic fields
- CBC should impose a condition requiring its removal as soon as reasonably practicable when it is no longer required and the land restored to its previous condition before any development takes place.

This was seconded by Councillor Maudling.

- (ii) Councillor Laine referred to planning application CH/4/17/2248/0F1 for a temporary car park for 4 years at Preston Street, Whitehaven. She said there were many car parks in town and many that use Parking Eye and other different companies. She wanted to ask CBC why the application was for a temporary car park.

Councillor Laine said that CBC should consider traffic lights on feeder roads if the car park will be opening onto Preston Street or a mini roundabout. The Chairman said that this was not in the remit of CBC it was all CCC and Councillor Laine said it was CBC land not CCC and CBC could impose a CIL or planning obligations.

This was seconded by Councillor Gearing .

RESOLVED – (i) That the Council endorse Councillor Laine’s representations and a letter be sent to Copeland Borough Council containing the representations. -----

(ii) That no representations be made on the remaining planning applications,

738/17

Planning Committee and Training

- (i) Councillor Laine reported on the need for a Planning Committee and for training for Councillors on planning. She said that training should be provided for all councillors on planning as soon as possible and Councillor O’Kane seconded that.

Councillor Laine proposed that the Clerk arrange training for all Councillors as soon as possible and this be reported to the next meeting.

RESOLVED - That this be agreed

- (ii) Councillor Laine proposed that all planning applications be circulated in good time from all authorities not just CBC

RESOLVED - That this be agreed

- (iii) Councillor Laine proposed that the Council arrange open meetings for the public to come for contentious issues when they can come and talk and feedback to the Council 5 days before the Council meeting. This was seconded by Councillor Lowrey

RESOLVED - That the Council set up regular open meetings to discuss current planning applications.

- (iv) Councillor Laine said planning was the most important thing and proposed that it should be on position 1 or 2 on the Agenda unless there are exceptional circumstances. Councillor Maudling seconded this.

RESOLVED – That Planning Applications be in position 1 or 2 on the Agenda unless there are exceptional circumstances.

Councillor Roberts said he opposed this because the Town Council was not the planning authority

739/17 Financial Report

- (i) The Council considered at Schedule 1 a list of invoices for payment

RESOLVED - That payment of the invoices shown on Schedule 1 be authorised for payment with the exception of the invoice for £780 for the parking permit for bay 13

- (ii) The Council considered whether or not to renew the Council parking permit for a space on the Civic Hall car park at a cost of £780. Councillor Laine said that the taxpayer should not be paying for staff parking. She proposed that the parking permit should not be

renewed and this was seconded by Councillor Maudling. A vote was held and four Councillors voted for the proposal and three Councillors voted against it.

RESOLVED – That the parking permit for the space in the Civic Hall be not renewed.

(iii) **RESOLVED** – (i) That the Cashbook (Appendix 2) and the Income and Expenditure (Appendix 3) be noted and Councillor Laine wished it to be noted that Vanessa be thanked for obtaining a refund on the Council's business rates.

(ii) That the Clerk send Councillor Laine a breakdown of the sum of £1078 for Clerk and Councillor expenses and for the sum of £5269 for office expenses and room hire.

(iv) The Clerk reported that VAT refunds were now up to date and in future VAT would be reclaimed each month. Councillor Laine said that every time the Council spends money thought should be given to spending it wisely in order to get the VAT back. She referred to grants given out by the Council and said that the Council could purchase goods for organisations and recover the VAT and this would mean less cost to the taxpayer and add 20% to the precept each year.

RESOLVED – That the Clerk investigate whether the Council can make purchases on behalf of others and recover the VAT and report back.

740/17

Whitehaven Market

The Chairman referred to the report from Copeland Borough Council and said he assumed that someone from Copeland would come along so that the matter could be discussed and questions asked. The Clerk said that someone from Copeland was due to attend but had been unable to but it had been agreed that a representative from Copeland would attend the August meeting.

The Chairman proposed that the item be taken off the Agenda and put on the August Agenda. Councillor Laine said she would not be at the next meeting and asked if she would be able to give some points and ask questions.

RESOLVED - (i) That The Whitehaven Market report be deferred to the next Council meeting in August and that Councillor Laine submit

her questions and comments to the Clerk so that they can be put to the meeting and written replies given.

(ii) That following consideration of this report the Town Council have a separate meeting to discuss how the Town Council wishes to progress the market going forward.

741/17

Presentation on the Draft Conservation Area Design

Richard Majewicz from Copeland Borough Council gave a presentation on the Draft Conservation Area Design. He said the Council wanted to promote the change from using modern materials to using traditional materials in the conservation area. He said a Design Guide had been produced to help property owners, developers and designers to enhance and market properties in a conservation action area. He said it was not Copeland Borough Council policy just a guide and a guide could not be enforced.

So the Council had to put something together that would form Council policy and the only way to do that would be to produce a document that becomes a supplementary planning document which when approved by Council becomes part of the planning process. He said the Council wanted to keep the historic character of the conservation area as much as possible.

Richard said Copeland had produced a document which was out for public consultation until 18/08/17. He said the document was available on line, in libraries and at the Market Hall and they would like feedback.

RESOLVED – That the position be noted and that Richard be thanked for the presentation.

742/17

Whitehaven Mining Company

Councillor Laine had circulated a supplementary letter to CCC which herself and Councillor Guest had already sent. She asked if the Town Council would support this letter as it would carry more weight if it came from the Town Council. Following a discussion it was

RESOLVED – That the letter be not sent out by the Council but that the letter in its entirety or in part be available for individual Councillors to use and send to the County Council if they so wished.

743/17

Councillor Matters

1. Councillor Gearing said there were big problems in Mirehouse with littering and said that bins were needed. She said that along with her daughter she had recently picked up nine bags of litter.
She said there was a big problem with drugs and with people saying that they were reporting discarded needles to CBC but CBC were not picking them up and was worried for children's safety. The Chairman said that bins and litter would be put on the next Agenda and each Ward Councillor should prepare a list of where bins have been removed and how many bins are needed and where they should be located and produce a report. Councillor Holliday from Copeland Borough Council had said that if the Town Council purchased the bins he would look into emptying them. The Chairman said that bins would be put on the Agenda for August.
2. Councillor Forster said there was a problem with grass cutting and trying to find who was responsible for cutting the grass on various bits of land. She said she was going to organise a big clean up on her estate involving different bodies. Councillor Gearing said the Town Council could report it to Copeland Borough Council and ask them to get it cut. Councillor Laine said Copeland Borough Council had £160,000 underspend
3. Councillor Roberts said grass cutting was a major issue and that after walking round town he was becoming concerned that there was a culture of knocking down buildings and we are now being labelled as eye-sore- on sea. He gave an example of Captain Sennys which had been knocked down and just left.
The Chairman said that the difficulty is picking out the positives rather than the negatives.
4. Councillor Laine said that on Mirehouse 09 side there were potholes everywhere but Mirehouse had not been resurfaced at all.
On Derwentwater Avenue and Borrowdale the potholes are dangerous and could result in accidents
Potholes are dangerous for kids and vulnerable people and cars.
Councillor Laine said that if you take a picture of the pothole and report it to the CCC they come and repair that pothole alone and ignore all those around it.
- 5 Councillor Laine stated that on Derwentwater and Borrowdale there is a lack of street cleaning – bottles, glass, cans and litter and it looks like the street cleaners don't go round that area of Mirehouse at all.

6. Councillor Laine said 2 people had complained about the rats between 52 and 48 Derwentwater Road. She asked who we could go to with respect to the rats and the Clerk suggested Copeland Borough Council Environmental Health Department.
7. Councillor Laine said 3 needles had been found on Wasdale Close and an 11 year old had picked them up and I told him to take them to the nearest Pharmacy which was Mirehouse pharmacy.
8. Councillor Laine said that at West Cumberland Hospital people are still annoyed with parking charges.
9. Councillor Laine said that Susan Fryer had agreed to meet about drugs at Mirehouse and Kells but didn't turn up.
10. Councillor Laine complained about the state of Union Hall and said it was getting worse and that the Council should send a letter to Dixons about this.
11. Councillor Laine referred to the Moresby roundabout and said she was going to send a letter to CCC because there had been a few accidents and near misses with regards to the markings on the road.
12. Councillor Maudling said that on a positive note there were lots of compliments to WTC about the flowers that had been displayed and that the bins he reported last month had been replaced. He said the biggest complaint is Home Group particularly with the state of the buildings particularly the flats are awful. He said that shoplifting was a huge problem in town.
13. Councillor Maudling said St Nicholas looks alright from the front but that the side garden of St Nicholas is overgrown with weeds and is an eyesore and he had seen on social media that the new vicar wanted nothing to do with it. The Chairman said that he had been asked to go to meet the lady in charge of St Nicholas in the next few weeks and would report back.
14. Councillor Lowrey said that he had been getting phone calls and messages about gas safety checks being carried out by Home Group every year. He said tenants were getting letters saying the contractors could not gain access to the property when the contractors failed to

turn up or turned up exceptionally late for an appointment when the tenants had gone out. He said he had phoned Home Group about this and they had said that they would alter the letter that was being sent out to tell the tenant to contact Home Group not the Contractor Councillor Maudling said that you had to phone Home Group in Newcastle to get an appointment in Whitehaven.

The Chairman asked the Clerk to write to Home Group to ask them to attend the next Council meeting to discuss issues raised by tenants in Whitehaven

744/17 Date and Venue of next Meeting

RESOLVED – That the next Council meeting be on 31st August 2017 at 7.00pm at the Hub, The Beacon, Whitehaven.

745/17 Exclusion of Press and Public

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.

746/17 SUSPENSION OF STANDING ORDERS

The Chairman stated that the meeting had gone on for nearly 2.5 hours and that in order to continue proposed suspending Standing Orders for 30 Minutes in order to complete Agenda Item 15

RESOLVED – That this be agreed

747/17 Local Government Pension Scheme

- (i) The Chairman reported on a claim against the Council and of a letter that had been received from the Claimants Solicitors relating to the LGPS and circulated a draft letter of reply to the solicitors. Following a discussion on this it was:-

RESOLVED – That the draft letter of reply be sent to the Claimants solicitors.

- (ii) The Chairman reported on a situation that had arisen concerning the Local Government Pension Scheme with regard to Town Council Employees.

RESOLVED – That the Council seek the advice of Jo Mcleod as to whether the Council is required to make the LGPS available to employees.

The Meeting closed at 10.00pm



Chairman