

# WHITEHAVEN TOWN COUNCIL

## Minutes of the Council Meeting held on the 31st October 2024

**Present:** Councillor C Hayes (Deputy Chairman in the Chair); Councillor J Carr; Councillor E Dinsdale; Councillor R Gill; Councillor B O’Kane; Councillor A Pearson; Councillor R Redmond; Councillor A Spedding;

M. Jewell, Clerk and Responsible Financial Officer

V. Gorley, Assistant Clerk

Councillor M Hawkins – Cumberland Council

Members of the Public

### **2636/24 Apologies for Absence**

Apologies for absence were received from:

|                       |           |
|-----------------------|-----------|
| Councillor G Roberts  | illness   |
| Councillor G Dinsdale | Childcare |
| Councillor White      | Away      |

### **2637/24 Declarations of Interest**

Councillor Hayes declared that he was a member of the Whitehaven Tidy Town Group and the Harbour Users Group.

Councillor Gill declared that he was a member of the Whitehaven Heritage Action Group

### **2638/24 Public Participation**

Councillor Redmond came into the Meeting during this item

- (i) WM said he was at the Meeting because of Crow Park. He said the allotments had been in one hell of a mess for over a year. He said he had been sending emails for over a year now to the Clerk and Councillors and as far as he knew none of them had got there. He said he was disabled now

because of one of the Councillors comments. He said he had been at Crow Park for 55 years.

He said all the time Copeland had the allotments they were inspected April to September and suddenly last year the Council decided they could be inspected all year round. In early February whilst inspecting the allotments he said he slipped and fell and had a snapped tendon in his shoulder and trapped nerves in the bottom of his back and that was the result of allotments being inspected for 12 months of the year. He said they should be inspected April to September.

WM said the paths on the allotments are ok when it was dry but at present like that day you couldn't walk on them – they were as slippery as hell. He said one of the emails he had raised in the past was for a health and safety representative to visit with him to look at them paths because the grass paths that were on a slope like that at this time of the year the grass wanted lifting and it wanted hardcore put down to make it non-slip. He said somebody was going to end up going to hospital with a broken knee, ankle or hip unless this was sorted out

WM said he was also concerned about a member who was now being harassed because of the state of his plot. He said they knew it was a mess but this chap had had to give up work through bad health. He said on Crow Park there were 40 allotments – 11 had grown nothing this year just grass and weeds and those were the allotments the Council should be concentrating on and not hounding somebody who was producing on his plot.

The Chairman thanked WM for attending

- (ii) A Market Trader who was trading on the Green Market appeared. He said he was not quite sure what he was meant to be presenting but he was just making an appeal on behalf of himself and the other market trader that they be able to continue trading on Whitehaven Green Market. He said looking at the plans (Whitehaven Public Realm) it was clear there was no space whatsoever for them to stand anywhere near the allotted area. So his question was (he acknowledged that this wasn't being moved by the Town Council but Cumberland Council) because there was a Charter applying to the Green Market was it legal for them to expel them from that area without any prospect of going back ever. He said this was essentially terminating any possibility of a market in Whitehaven in the traditional Market area. He asked if this was legal without any compensation or giving the market traders any possibility of standing anywhere in that area. He asked who owned the actual land and the Chairman said it came under Cumberland.

Councillor Gill said the market traders provided a good service to the Town and said some Councillors had opposed this proposal when it was mooted some years ago by Copeland. He said his view was that it was wrong and that the money could be better spent elsewhere in the Town and he shared the market trader's concerns in relation to our rich heritage of

having a market in the Town. He said he thought a letter should be written to Cumberland Council expressing the Council's severe concern about this and asking that alternative arrangements be made for the market holders. The Market Trader said that the initial approach that they got was from a representative from Cumberland Council who said they were redeveloping and basically the market traders had to go and an intimation was made that their presence was not desired. It was an aesthetic problem with the new super clean antiseptic look of what this plan appears to be.

He said they had been there for many years (over 60 years between the 2 of them) and it was very offensive just to come out without a letter or any apology and just tell us to go. But since he had had an interview with the Whitehaven News it appeared that Cumberland had approached the Whitehaven News and made a statement that they were going to accommodate us somewhere during the works but it doesn't say what will happen after. The market trader asked was there any possible hope that they might be able to fight this on the legality of the Market Charter and the right to have a market in the Green Market.

The clerk said she could give some background information

- The Market charter bestowed the market area which she assumed would include the Green Market to the people of Whitehaven
- All land in market place is a public highway except on market days- Thursday and Saturday and the market was the whole area
- The Market Authority Cumberland may well be able to move the market traders elsewhere within that market area as they would not be depriving anyone of the right to trade.

The market trader said that where they were on the Green Market they were not disturbing anyone and traffic could go through. The Clerk said if they went anywhere else on the market area for public safety reasons the road would have to be closed

The Chairman thanked the market trader for attending

#### **2639/24 Minutes of Council Meeting held on 26<sup>th</sup> September 2024**

It was proposed by Councillor Gill and seconded by Councillor Hayes that the Minutes of the Council Meeting held on 26<sup>th</sup> September 2024 be approved and signed by the Chairman as a correct record. A vote was held and it was unanimously

**RESOLVED** - That the Minutes of the Council Meeting held on 26<sup>th</sup> September 2024 be approved and signed by the Chairman as a correct record.

#### **2640/24 Planning Applications**

The Council considered a list of Planning Applications shown at Appendix 1 It was proposed by Councillor O'Kane and seconded by Councillor Gill that

having considered the Planning Applications on Appendix 1 that Cumberland Council be informed that the Council had no representations/comments to make

**RESOLVED** - That after consideration of the Planning Applications on Appendix 1 that Cumberland Council be informed that the Council had no representations/comments to make

**2641/24**     **Report from Cumberland Council**

Councillor Mike Hawkins from Cumberland Council attended. He said

- In reply to the Market Trader who had spoken in the Public participation part he said that if he put his issues in writing to him he would address the problem and try and get some answers to his questions and was sure they could come to some arrangement/compromise
- They were hoping to complete the Cenotaph on 16/17 October but the weather was against the stonemasons going in and doing their jobs. So hopefully it would be done next week before Remembrance Sunday towards a conclusion
- The TROs are still ongoing
- He had started meeting with Highways England about Homewood roundabout, Rutland Avenue to assist Cumberland as they had been left out of the loop. So they had re-established that and they had had a meeting the previous week.
- The Pelican Garage Crossing was ready to go. The junctions and traffic but it was subject to funding
- Councillor O’Kane asked if it would be possible to set up another meeting regarding sometime in the future where we could look at the possibilities for stage two of works to the Cenotaph and Councillor Hawkins said that this would be no problem
- Councillor O’Kane asked if there was another meeting with Home Group with James in the near future and Councillor Hawkins said he would send an email to James about this

The Chairman thanked Councillor Hawkins for attending

**2642/24**     **Finance Report**

The Council considered the Finance report

- i. Appendix 1 - The Assistant Clerk reported that there were 5 additional invoices to consider on Appendix 1 namely:-

|                           |   |
|---------------------------|---|
| V Gorley                  | £346.31 - 40 thimble eyes<br>200m catenary wire |
| V Gorley                  | £2.50 lightbulb storage unit                    |
| St James Community Centre | £15 - Room Hire 14/10/24                        |

|                |  |
|----------------|--|
| PHP Architects | £2049.80 - Contract Admin and<br>Technical Support |
| V Gorley       | £3.50 – Trophy Engraving                           |

It was proposed by Councillor Gill and seconded by Councillor Hayes that the invoices shown on Appendix 1 plus the 5 extra invoices be approved and paid. A vote was held and it was unanimously

**RESOLVED** – That the invoices shown on Appendix 1 plus the 5 extra invoices be approved and paid.

- ii. Appendices 2 and 3 – It was proposed by Councillor Gill and seconded by Councillor 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.

The Chairman agreed to move Item 17 up to this point on the Agenda because of the Market Traders who were attending

#### **2643/24 Whitehaven Public Realm Scheme**

The Council considered an email and accompanying documents/plans relating to the Whitehaven Public Realm Works and said they hoped works on this would begin early in 2025 with a completion date of Spring 2025. The Clerk said this was not a consultation document but that Cumberland Council had said they would be happy to answer any questions

The following points were made:

- Councillor Gill said this started with CBC and we opposed these plans and they have been consistently refused by the Town Council. He said it was a waste of time telling them what we feel as we told them years ago and have just been ignored. So he didn't know where the Council could go except to send a letter in to say we don't support this development and that in that letter we state our support for the existing market traders that alternative accommodation will be found for them and he proposed this which was seconded by Councillor Hayes
- Councillor O'Kane said before we did this fellow Councillors should have a realisation that the first time this was proposed all Councillors went round town with 2 officers from CBC and the concentration was entirely on the Green Market and a few other areas of King Street. We talked about a range of things including the issue of public toilets but it all seemed to disappear and at the start of last year the money went back into CBC which was never spent. At the same time as this the other areas in Copeland were undergoing the same for public realm activities. Whitehaven was left to the very end and he had asked the question how will the activities proposed for the Green Market bring in £1 of business to our town. No response. At the end they agreed with Millom, Egremont and

a bit of an agreement with Cleator Moor. There was no agreement with WTC at all and we were left totally in the dark. We realised this year that the money due to Whitehaven still existed and in theory that was £150,000 and when we asked about it we were told it was held in reserve and would be ready for future use. Six or seven months ago we got an invitation to attend a public realm discussion with CC and talked about a digital hub, public toilets. At the end of the meeting just before it stopped the Officers brought in the idea again of the Green market and at that time he said they should check the Market Charter.

Councillor O’Kane this was something that has been foisted on the TC. Cumberland Council had said they wanted to tidy up the market area and this had been extended to an area outside the Globe on Duke Street.

Following consultations no responses had ever been fed back. So they now had 2 things in front of them and he had added up the cost of 6 benches and 5 trees which was a total of £450,000 and if that was as much as we can get from CC to develop our Town then we were really struggling. He asked the question again will those benches and those trees bring in £1 extra to the Town. Who will carry out future maintenance.

He said he had emailed the CC Officer and asked her for the advice she had been given regarding the market and the response I got indicated that CC does not seem to think that the Green Market was ever part of the Market Charter. If the 2 market holders move up to say outside Kinsellas then that means the market place has to be closed. He said he thought they should be sending an invitation to the 2 CC Officers to attend the next meeting to explain why exactly we want to spend £450,000 in our Town for 6 benches and 5 trees

- Councillor E Dinsdale said he didn’t think anyone would disagree with the fact that we are the poor relations in this. He said we all get the local press we all read other areas press and we all know what’s going on in other areas. He said we need to create our own vision and that this wouldn’t be an easy thing to do but we needed to start and take the reins on this even though we’re not responsible for the funding. We’ve got to create something as an alternative and as the representative for the market he would campaign for ever and ever if the market traders suffer any detriment. If they agree to something they agree to it but if they don’t we’ve got to stand up
- Councillor Gill said what can we do. We don’t own any land. We have no rights over highways. There is nothing we can do unless we’ve got some power over the land in the town. He said the CC was just doing what they want and that the tail was wagging the dog
- Councillor Hawkins said he would be feeding back what had been said tonight. He said he wasn’t aware of any of this.
- Councillor E Dinsdale asked if we could get Mark here with the 5 local Councillors

The Clerk reminded the Council that there was a proposal on the table which

had been duly seconded. The Clerk read this out “ It was proposed by Councillor Gill and seconded by Councillor Hayes that a letter is sent to CC to expressing concern and saying that the Town Council does not support this development and also that the Council is supporting the 2 market traders and asking that CC meet with the Town Council at the earliest opportunity”.

A vote was held and it was unanimously

**RESOLVED** - That a letter be sent to CC to expressing concern and saying that the Town Council does not support this development and also that the Council is supporting the 2 market traders and asking that CC meet with the Town Council at the earliest opportunity

#### **2644/24 Quote for Council Events Equipment Contract for 2025/26**

The Council considered a report on a quote received of £3,000 plus VAT from the Council’s preferred supplier for 8 Council events in 2025/26. In order to accept the quote from the Council’s preferred Contractor the Council had to consider suspending Financial Regulation 5 to permit this. In order to suspend Financial Regulation 5, Financial Regulation 19.2 states that “The Council may by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members”. It was proposed by Councillor Gill and seconded by Councillor Hayes that (i) that the Council suspends Financial Regulation 5 to allow the Quote of £3,000 plus VAT for 8 Council Events and (ii) having made that resolution that the reasons for the suspension as stated in the report be recorded and also that the assessment of the risks in the report be accepted and approved. A vote was held and it was unanimously

**RESOLVED** – That (i) that the Council suspends Financial Regulation 5 to allow the Quote of £3,000 plus VAT for 8 Council Events and (ii) having made that resolution that the reasons for the suspension as stated in the report be recorded and also that the assessment of the risks in the report be accepted and approved.

#### **2645/24 Quotes for Marquees for Council Events 2025/26**

The Council considered a report on quotes received for the provision of marquees for Council events. Three quotes had been sought and 2 had been received as shown at Appendix 1 to the report. It was proposed by Councillor Gill and seconded by Councillor O’Kane that the quote from LL be accepted. A vote was held and it was unanimously

**RESOLVED** – That the quote from LL be accepted

**2646/24 Quote received for Planting and Maintenance of Summer and Winter Plants in Whitehaven 2025/26**

The Council considered a report on quotes for the planting and maintenance of summer and winter plants in Whitehaven 2025/26. 3 quotes had been sought and 1 quote was received in the sum of £44,512.73 plus VAT. Last years price was £40,072.50. It was proposed by Councillor Gill and seconded by Councillor Hayes that (i) the quote of £44,512.73 plus VAT be accepted and (ii) that a letter be sent to Cumberland Council to inform them that in future the Town Council would be putting in the application for Cumbria in Bloom. A vote was held and it was unanimously

**RESOLVED** – (i) That the quote of £44,512.73 be accepted and (ii) that a letter be sent to Cumberland Council to inform them that in future the Town Council would be putting in the application for Cumbria in Bloom.

**2647/24 Quote Received for Maintenance Contract for Allotment Sites and Pigeon Lofts**

The Council considered a report on the quote received for the maintenance of Allotment Sites and Pigeon Loft Sites for 2025/26. 3 quotes had been sought and 1 had been received in the sum of £6,566 plus VAT. It was proposed by Councillor Gill and seconded by Councillor O’Kane that the quote of £6,566 be accepted. A vote was held and it was

**RESOLVED** – That the quote of £6,566 plus VAT be accepted

**2648/24 Recommendations to Council from the Events Advisory Group**

The Events Advisory Group met on 28<sup>th</sup> October 2024 to discuss a list of proposed events for 2025/26 and to make recommendations to full Council. The Clerk circulated and read out the list of Events and the recommendations made by the Events Advisory Group. The Council considered 9 proposals and made separate resolutions for each proposal. All proposals were voted on and unanimously approved by the Council as follows:-

- |                      |   |
|----------------------|---|
| 1. Tall Ship Visit   | Proposed Approval Councillor Gill<br>Seconded Councillor Hayes<br>Vote unanimous<br>RESOLVED - Approved |
| 2. Leyland Bus Event | Proposed Approval Councillor Hayes<br>Seconded Councillor Carr<br>Vote unanimous<br>RESOLVED – Approved |
| 3. VE Day            | Proposed Approval Councillor Hayes  |



- |  |   |
|--|---|
|  | Seconded Councillor O’Kane<br>Vote unanimous<br>RESOLVED - Approved                                       |
| 4. Science Show                          | Proposed Approval Councillor Gill<br>Seconded Councillor O’Kane<br>Vote unanimous<br>RESOLVED Approved    |
| 5. Flower and Vegetable Show             | Proposed Approval Councillor Hayes<br>Seconded Councillor O’Kane<br>Vote unanimous<br>RESOLVED - Approved |
| 6. Robots and Sci Fi Exhibition          | Proposed Approval Councillor Hayes<br>Seconded Councillor O’Kane<br>Vote unanimous<br>RESOLVED - Approved |
| 7. Christmas Lights Switch On            | Proposed Approval Councillor Hayes<br>Seconded Councillor Gill<br>Vote unanimous<br>RESOLVED - Approved   |
| 8. Christmas Market and Firework Display | Proposed Approval Councillor Hayes<br>Seconded Councillor Carr<br>Vote unanimous<br>RESOLVED - Approved   |
| 9. Marketing Budget for Events           | Proposed Approval councillor Hayes<br>Seconded Councillor Gill<br>Vote unanimous<br>RESOLVED - Approved   |

**2649/24**    **Remembrance Sunday** – 10<sup>th</sup> November 2024

The Council considered a report on the preparations for Remembrance Sunday and for expenditure to be incurred for Remembrance Sunday namely

- i. Additional lamp post poppies (50 @ £5 per poppy)
- ii Poppy Wreath ( £27.50)
- iii Refreshments (sandwiches) in The United Reformed Church after the Church Service (£100)
- iv Tea, coffee, milk, sugar, soft drinks, cakes and biscuits (£40)

It was proposed by Councillor Gill and seconded by Councillor Hayes that the report be noted and the expenditure in i to iv above be approved. A vote was

**RESOLVED** - That the report be noted and the expenditure in i to iv above be approved.

**2650/24**     **Replacement Pads for Council Defibrillators**

The Council considered a report on replacement electrode pads for Council defibrillators. It had been necessary to obtain quotes for replacement electrode pads for the defibrillators as they had expired. It was therefore necessary to urgently purchase 14 electrode pads to enable the defibrillators to remain in service. 4 quotes were received and the quote from supplier D was accepted at a cost of £54.99 each plus VAT. The pads had subsequently been purchased and installed. It was proposed by Councillor Hayes and seconded by Councillor Carr that the urgent action taken and the cost incurred for the 14 replacement pads for Council Defibrillators be noted and approved. A vote was held and it was unanimously

**RESOLVED** – That the urgent action taken and the cost incurred for the 14 replacement pads for Council Defibrillators be noted and approved

**2651/24**     **Recommendations from Policy and Resources and Finance Committee**

The Council considered a report on recommendations made by the Policy and Resources and Finance Committee at its Meeting on 14<sup>th</sup> October 2024. It was proposed by Councillor O’Kane and seconded by Councillor Hayes that the recommendations made in 1.1 and 1.2 of the report be approved. A vote was held and it was unanimously

**RESOLVED** - That the recommendations made in 1.1 and 1.2 of the report be approved.

**2652/24**     **WCSSG**

Councillor E Dinsdale reported:

1. Since the last Meeting a report had been produced by the National Audit Office and that he would send a copy of the report to the Clerk
2. Euan Hutton who had been the interim CEO at Sellafield Limited had been made permanent that day

**2653/24**     **Councillor Ward Matters**

- i. Councillor O’Kane said:
  - The hedge at Victoria Road had been done about half of the way along
  - All lights in the area seem to have now been sorted
  - He was dealing with 1 or 2 Home Group issues and that the more we can work as a Council with James the more we will get done
- ii. Councillor Carr said at the last Meeting he had been praising Home Group but that he had got a whatsapp through the other day and it was worse than ever. He had received clippage in a 4 minute video and he

was trying to break it down. Councillor Hawkins said he should send it to Councillor Minshaw.

- iii. Councillor Spedding said that following a walk down the allotments with WM the Clerk had answered most of his questions. He said That WM had raised an issue regarding the paths and that the Clerk had said that the paths would be cut down. But he didn't know how we were going to progress the hardcore issue. He said he had received an answer for one of the tenants on Crow Park regarding the Improvement Notice
- iv. Councillor Pearson said
  - after 6 months of raising it they eventually got the grass cut and the most dangerous part had been cut and they could now see for 200yards. But they still hadn't cut the grass on the path to keep people off the road further up stopped short of the next footpath.
  - The grass hadn't been cut on no man's land. They didn't touch the pathway to keep people off the main road.
  - The street lights at the exit of the footpath to cross the road don't work and this is creating a black spot and he had reported this on the portal. They keep saying it has been actioned but it hasn't. It is pitch black
  - He said he had reported the speed reminder signal on the road and Emma Wilkinson had said that she was going to look into it
  - Flooding on the Playing Fields – the water was over 4 ft deep because of what Storys had done. He said he had raised this with both Storys and Emma Williamson
  - The residents had submitted a letter about the play park to Mark Fryer with more than 100 signatures from people off the estate to say the play park should be taken back under the wing of the Cumberland Council but they had received no reply
- v. Councillor E Dinsdale said he would like to propose that we send a letter to Mark Fryer and all 5 local Councillors to tell us what the vision for Whitehaven Town centre is and also what is meant when the words "Whitehaven is next" are used
- vi. Councillor Hayes said
  - with the schools being off there had been some anti social behaviour on Kells and that some parents had been spoken to
  - There had been some complaints about the speeding ban
  - On behalf of the Mayor he had given out 2 awards
    - Bennett Brothers – Civic Pride Certificate
    - Rosina Harrison from Milltech Computers – Service to the Community Plaque

**2654/24**     **Date and Time of next Meeting**

The next Town Council Meeting would be on Thursday 28<sup>th</sup> November 2024 at the Beacon Portal, Whitehaven at 6.00pm

**2655/24**     **IN PRIVATE**

That prior to the following items of business the Chairman moved the following resolution:

That in view 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 instructed to withdraw. Councillor O’Kane proposed this and Councillor Gill seconded this. A vote was held and it was unanimously

**RESOLVED** - That the public and or press be instructed to withdraw.

**2656/24**     **Update on Office Accommodation**

The Clerk gave a report received from the Contractor on progress since the report to the Council Meeting in October as follows:

1. Further update on work carried out since last Meeting:
  - All defective exterior paintwork has been pressure washed/cleaned off ready for the painter starting when the weather clears up
  - Joiner has started renovating the existing timber windows
  - They have started installing the metal stud work ready for plasterboards to be fixed to ceilings and walls
  - Replacement gutters to rear of the property have been replaced
  - Materials acquired for the party wall remedial work
  - New dash applied to chimney between Whitehaven News and adjacent property

No decision to be made on this as it was for information only

2. The Clerk read out an email from the Council’s Architect which summarised a report received from the structural engineers which identified further necessary structural works that needed to be carried out to the building and which recommended the actions that should be taken. It was proposed by Councillor Gill and seconded by Councillor Hayes that the recommendations made be approved. A vote was held and seven Councillors voted for the proposal and one Councillor abstained

**RESOLVED** – That the recommendations made be approved

**2657/24 Application for Councillor Ward Grant – FoSJIS**

The Council considered an application from FoSJIS for a Councillor Ward grant of £1,000. It was proposed by Councillor Gill and seconded by Councillor Carr that a Ward Grant of £1000 be awarded to FoSJIS. A vote was held and it was unanimously

**RESOLVED** – That a Ward Grant of £1000 be awarded to FoSJIS.

**2658/24 Application for Councillor Ward Grant – DR**

The Council considered an application from DR report for a Councillor Ward Grant of £800.00. It was proposed by Councillor Gill and seconded by Councillor Carr that a grant of £800 be awarded to DR. A vote was held and it was unanimously

**RESOLVED** - That a grant of £800 be awarded to DR.

The Meeting Closed at 7.40pm

Chairman

