

COPELAND BOROUGH COUNCIL

MINUTES OF MEETING HELD ON 12 SEPTEMBER 2013

Present: Councillors Geoffrey Garrity; (Mayor); David Banks; Geoffrey Blackwell; Hugh Branney; Yvonne Clarkson; George Clements; Peter Connolly; Brian Dixon; Margarita Docherty; Jon Downie; Eileen Eastwood; Fred Gleaves; Stephen Haraldsen; Reg Heathcote; Ian Hill; Keith Hitchen; Lena Hogg; Joan Hully; Alan Jacob; John Jackson; John Kane; Michael McVeigh; David Moore; Sam Pollen; David Riley; Robert Salkeld; William Southward; Peter Stephenson; Graham Sunderland; Gillian Troughton; Peter Tyson; Jeanette Williams; Felicity Wilson; Elaine Woodburn; Henry Wormstrup.

Apologies for absence were received from Councillors: Jackie Bowman; John Bowman; Karl Connor; Anne Faichney; John Fallows; Allan Forster; Allan Holliday; Peter Kane; Alistair Norwood; Jack Park; Gilbert Scurrah; Dave Smith; Paul Whalley; Doug Wilson; Carole Woodman.

C 26 Minutes

The minutes of the meeting of the Council held on 20 June 2013 were signed by the Mayor as a correct record.

C 27 Disclosures of Interest

Councillor Yvonne Clarkson declared a non Disclosable Pecuniary Interest in Agenda item 6 on issues relating to Townscape Heritage Initiative and left the meeting during its discussion.

Councillor Graham Sunderland declared a Disclosable Pecuniary Interest in a question from Councillor Margarita Docherty to the Portfolio Holder Community Planning on Discretionary Housing Payment and left the meeting during its consideration.

C 28 Mayor's Announcements

The Mayor referred to various engagements he had attended and reminded Members of his Charity Evening taking place on the 27 September 2013.

The Mayor congratulated Cleator Cricket Club on winning the National Village Cricket Club Final at Lords and undertook to invite the players to the Parlour.

The Mayor also advised Members of the recent illness of Councillor Whalley whilst on holiday in Canada and the leader of the Council Councillor Elaine Woodburn read out a short statement from Councillor Paul Whalley thanking everyone for their kind messages and praising the hospital care and staff in Canada.

C 29 To Receive Petitions under Procedure Rule 19

There were no petitions

C 30 Questions from Members of the Public

There were no questions from members of the public

C 31 Questions from Members of the Council

It was noted that two questions had been submitted by Councillor Phil Greatorex however due to him having submitted his apologies it was AGREED that written replies be sent.

To the Portfolio Holder for Environment Councillor Allan Holliday from Councillor Stephen Haraldsen

“A large number of Hillcrest residents have contacted me to complain about seagulls this year. There are more than usual, and more people attacked, including children, than in previous years. These vermin need to be dealt with and ideally eliminated. Can the portfolio holder outline what householders can do to address this problem? What can the council do to address this problem? Finally, will the portfolio holder tell the residents of Hillcrest under what circumstances can householders have these pests destroyed?”

As the Portfolio Holder for the Environment had submitted his apologies the Leader of the Council replied as follows:-

“The gulls are a protected species so the circumstances as to when they can be killed are very limited, under the wildlife and countryside act gulls can only be destroyed under licence issued by Natural England applications can be made but very few are actually accepted and the ability to apply for that licence applies to both individuals as well as the Local Authority and other organisations. It’s worth pointing out that we’re not actually bound as a local authority to control gulls they’re but like any responsible property owner we do all we can to protect our buildings and do give advice to any other commercial businesses in what they can do to protect theirs.

The best advice to give to the public is to eliminate the food sources from them and we can continue to work with householders if they want to change from bagged refuse to wheelie bins as this prevents access to food and continue to provide advice to commercial premises owners when nesting is taking place. When it’s safe to do so and only when it’s safe to do so and obviously it would be at their own risk you can remove the nest before the eggs are laid and they can remove them after the young have fled but again they’ve got to consider the circumstances and judge if it’s safe to do so.

But obviously if anyone needs advice we’ll help where we can.”

C 32 Executive Report

In moving the Executive report the Leader of the Council updated members of the formal consultation process for the post office in Whitehaven and the Secretary of State’s launch of the consultation on the revised process with regard to the potential siting of a GDF.

The Leader of the Council further moved that the Council support the MP for Copeland in his request for a formal public consultation to be carried out to ensure that this community has the opportunity to feed into the changes that the hospital has proposed by writing a letter to the trust.

The recommendations were duly seconded and it was: -

RESOLVED – that a) the Executive report be received and noted;

b) the Council formally supports the MP in his request for a formal public consultation to be carried out to ensure that this community has the opportunity to feed into the changes that the hospital has proposed by writing a letter to the NHS Trust.

C 33 CORE – Radioactive Particles on West Cumbria Beaches

Arising from the Portfolio Holders report and a question from Councillor David Moore the Leader of the Council undertook to write to CORE expressing Council's concern over damage being done to the areas economy by misinforming the public by putting up signs on beaches warning users of radioactive particles.

C 34 Trade Unions Campaign to Protect the Future of Sellafield Site and Staff

Consideration was given to a request from the Unions at Sellafield to support their campaign to protect Sellafield Site and the 10,000 staff employed there.

RESOLVED – That the campaign be supported.

C 35 The Beacon

Arising from a question from Councillor Stephen Haraldsen the Portfolio Holder for Community Regeneration Councillor Hugh Branney undertook to provide a written reply on visitor numbers and profit at the Beacon during the two exhibitions.

C 36 Cumbria in Bloom

Arising from a request from Councillor Reg Heathcote relating to Cumbria in Bloom the Portfolio Holder for Community Regeneration Councillor Hugh Branney undertook to congratulate all winners of the Cumbria in Bloom award.

C 37 Royal Mail

Arising from a request from Councillor Pollen the Leader of the Council undertook to respond to Government expressing concerns over the proposed "sell off" of the Royal Mail once details have been looked at.

C 38 Change in Membership to Audit and Governance Committee

Consideration was given to a change of Membership to the Audit and Governance Committee.

RESOLVED - That Councillor Carole Woodman be removed from membership of the Audit and Governance Committee and Councillor John Bowman be appointed as her replacement.

C 39 Anti Money Laundering Policy

Consideration was given to a recommendation from the Audit and Governance Committee to approve the proposed new Anti Money Laundering Policy.

RESOLVED – That the draft Anti Money Laundering Policy be approved.

C 40 Risk Management Strategy and Risk Register

The Council's Risk Management Strategy and Strategic Risk Register were submitted and noted.

C 41 Copeland Pool Extension

RESOLVED – That the following be agreed to enable the Council to deliver the Copeland Pool Extension as required:

- i) the Copeland Pool Extension project PID;
- ii) the release of the capital allocation of £263,000 agreed at Council on the 21st February 2013 for spend from the Council's capital resources to supplement external funding in delivering the Copeland Pool Extension as part of our asset portfolio;
- iii) any underspend against this capital programme allocation be returned to capital receipts;
- iv) approve £27,000 project management budget for the Copeland Pool Extension to be financed from the Council's General Reserve;
- v) approve the receipt and spend of match funding for the Copeland Pool Extension of £150,000 from Sport England and £300,000 from Copeland Community Fund subject to, in the opinion of the Head of Regeneration and Community, the satisfactory resolution of grant funding conditions as set out in the Monitoring Officer's comments;
- vi) authorise officers to explore additional external funding to reduce the Council's capital contribution, delegating a final decision on receipt and spend of any such resources to the Head of Regeneration and Community in conjunction with the S151 Officer and Portfolio Holder.
- vii) authorise the Head of Regeneration and Community as project sponsor to seek tenders for the building extension using the restricted procurement procedure in accordance with the timetable and process set out in Appendix B to the report.

(Note Councillor Brian Dixon left the meeting at this point of the Agenda)

C 42 Exclusion of Press and Public

RESOLVED - That pursuant to Section 100(A)(4) of the Local Government Act, 1972, as amended, the press and public be excluded from the meeting for the following items of business on the grounds of likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

C 43 North Country Leisure Contract Variation

Consideration was given to proposed contract variation with North Country Leisure.

RESOLVED - That

- (a) that the period of the project agreement dated 1st April 2006 and made between the Council and NCL for the provision of leisure management services ('the Agreement') be extended, in accordance with clause 5.2 of the Agreement, for the period 1st April 2016 to 30th September 2018 be agreed;
- (b) that the management fee payable under the Agreement by the Council to NCL agreed as detailed in the report;
- (c) that the Whitehaven Civic Hall be removed from the Agreement, closed and that a further report be made to Council, in due course, on the future operation of this building;
- (d) that the changes to the repairing covenants and arrangements as set out in paragraph 4 of the report be approved and that an exception to adopted policy in respect of the Cleator Moor Bowls Centre additional maintenance cost in 2014/15 as set out in paragraph 4.9 be agreed;
- (e) that the resulting shortfall in the councils 2013/14 budget of £325,000 be financed from the identified earmarked reserves as set out in paragraph 4.16 and the S151 officer be authorised to complete all necessary virements and it be council noted the additional financial savings required in subsequent years of circa £128,000 in 2014/15 will need to be met as part of the 2014/15 policy and financial planning process.
- (f) that the other miscellaneous changes to the Agreement as outlined in paragraph 5.2 of this report be approved;
- (g) that finalisation of the detailed variations and heads of terms be delegated to the Head of Regeneration and Community in consultation with the Head of Paid Service, Section 151 Officer, Monitoring Officer and the Portfolio Holder; and

- (h) that the decision of Council at its meeting on the 21 February 2013 in respect of discretionary services looking to move to a self-financing position be endorsed and that the Council continues to seek external funding to support its leisure functions.

C 44 Phoenix Enterprise Centre – New 25 Year Lease to Support Business Growth in Cleator Moor

Consideration was given to a recommendation to enter into a new 25 year lease with Phoenix Enterprise Centre.

Members thanked Officers for their hard work in finalising the agreement.

RESOLVED – That the new lease be granted to the Phoenix Enterprise Centre on the provisionally agreed terms as detailed in the report along with an annual Service Level Agreement finalising of which being delegated to the Head of Regeneration and Community in consultation with the Portfolio Holder for Community Regeneration Councillor Hugh Branney.

The meeting closed at 3.35pm

Mayor