

COPELAND BOROUGH COUNCIL

MINUTES OF MEETING HELD ON 17 AUGUST 2010

Present: Councillors: M McVeigh (Mayor); D Banks; G Blackwell; J W Bowman; H Branney; A Carroll; N Clarkson; Mrs Y R T Clarkson; G Clements; P C Connolly; Mrs M Docherty; Mrs E Eastwood; G Garrity; Mrs C A Giel; F Gleaves; F R Heathcote; K Hitchen; A Holliday; Mrs J I Hully; A E Jacob; J Kane; T J Knowles; S J Meteer; D W Moore; A Norwood; J Park; R Salkeld; G Scurrah; J G Sunderland; P D Tyson; P Whalley; Mrs C Watson; P Watson; C J Whiteside; N Williams; D A Wilson; E M Woodburn; H Wormstrup.

Apologies for absence were received from Councillors E Brenan; R Cole; B A Dixon; Mrs D A Faichney; J Jackson; Mrs W Metherell; A D Mossop; R F Pitt; J Prince; W Southward; Mrs J Williams; A Wonnacott; Mrs M B Woodburn.

C 261 Minutes

The Minutes of the Meetings held 24 and 27 June 2010 were signed by the Mayor as a correct record, subject to:

Addition of a declaration of a personal interest in C 243 by Councillor A Holliday due a relative's employment at the hospital

Substitution of £1.5b for £1.5m in C 249

Deletion of Councillor E Woodburn from the Members declaring interests in C

Addition of a declaration of a personal interest by Councillor N Williams in C260

Substitution of Copeland for Whitehaven in C 260

Addition of Councillors Meteer to the attendance list and Councillors Norwood and Sunderland to apologies for the 27 June meeting.

C 262 Declarations of Interests

Councillors D Banks, N Clarkson, J Hully and H Wormstrup declared personal interests in the Executive report (nuclear issues) due to relatives employed in the industry.

Councillor C Whiteside declared a personal interest in the Executive report (telephone and internet registration) as a BT employee.

Councillor G Sunderland declared a personal and prejudicial interest in the discussion on Stagecoach due to his employment and withdrew from the meeting during the discussion.

Councillors C Giel and T Knowles declared personal and prejudicial interests in the discussion on West Lakes Scientific Consulting Ltd as pension beneficiaries and withdrew from the meeting during the discussion. Councillor G Clements declared a personal interest in the same item due to a relative's employment in the company.

Councillor T Knowles declared a personal interest in the report on Land at Bransty Row as a Member of the Cumbria County Council Cabinet.

C 263 Mayor's Announcements

The Mayor referred to the various engagements he had fulfilled since the last meeting of the Council.

The Mayor welcomed Angela Brown, Interim S151 Officer, to her first Council meeting.

The Mayor then referred with regret to the recent death of Jeff Pickup, formerly Assistant Secretary to the Council.

C 264 Petitions

There were no petitions under Procedure Rule 19

C 265 Questions from Members of the Public

There were no questions from members of the public under Procedure Rule 12.

C 266 Questions from Members of the Council Under Procedure Rule 13.1

Written notice of the following questions had been given under Procedure Rule 13.1:

Councillor H Wormstrup asked the following question of the Portfolio Holder for Environment:

“What is currently the operation of Environment within CBC to contain or control seagulls within Copeland’s principal town Whitehaven & surrounding areas?”

The Portfolio Holder, Councillor A Holliday, replied as follows:

“Thank you Mr Mayor. As far as seagulls are concerned we have pest control provided to households but this is mainly for common pests such as wasps. We have only one firm, based in Hensingham. We usually do an annual count of gulls in Whitehaven and the surrounding area. There is no statutory duty to provide pest control for seagulls but we are of course aware of the problem, especially within the town centre and surrounding area. Our waste management and environmental health officers will be willing to work alongside local representatives to minimise the effects of gulls in the town centre and will work in partnership with elected members for those particular areas.”

Councillor J Kane asked the following question of the Portfolio Holder for Development Strategy:

“Can the portfolio holder please update us on job creation within the future jobs fund and highlight any successes.”

The Portfolio Holder, Councillor C Giel, replied as follows:

“Thank you Mr Mayor and thank you Councillor Kane for the question. Yes this has been an extremely successful scheme. We generated 48 jobs, 20 females and 28 males, 36 full-time positions, 21 part-time positions, across a range of sectors, public sector, voluntary sector, business community and the nuclear supply chain, and across the breadth of Copeland parishes from Whitehaven to Millom. The scheme has been running just over 6 months and we have 3 people now in permanent posts and 1 recruit has left the scheme to go to university. I spoke about 2 meetings ago about our hope for a second phase of this scheme for a further 24 jobs and that is in jeopardy, but we have not given up hope because we do believe this has been a success and there are still 7 months to go.”

Councillor H Wormstrup asked the following question of the Leader of the Council:

“Recently you gave a speech to the Alliance when they held their meeting here in Copeland. As Members will know the Alliance has worked tirelessly to secure funding and support for those areas that have had to deal with the loss of major coal and steel industries. We have already witnessed jobs going in the nuclear industry and we know the impact of this on both Copeland and the North West, so now I feel is the time for the Alliance to extend their support and lobbying towards the Nuclear industry. Therefore can the Leader ensure a paper is put to the Alliance to lobby to aid the sustainability of nuclear here in Copeland and the North West?”

The Leader of the Council replied as follows:

“Thank you Councillor Wormstrup. It's a privilege to be able to speak at the Alliance. I know a lot of the work they've done throughout the country has helped a lot of people and organisations. It was also an opportunity for them to hear about the recent cuts that have affected both the finances and people in Copeland. I think that Copeland and other areas throughout the country, obviously not to the same extent as Copeland, are feeling the impact of the decommissioning of the nuclear industry. Any support and any lobbying that the Alliance can do on our behalf and on behalf of other nuclear areas would be welcomed.”

Councillor Wormstrup then asked the following supplementary question:

“Thank you very much. We have an alliance conference in less than a month's time, then an Alliance meeting in October and in December. Is there any possibility of the paper coming forward to any of those dates?”

The Leader of the Council replied as follows:

“I was asked at the last full Council meeting about asking Sellafield and the NDA to do a quick impact study on the jobs that have already been announced are going from both those organisations. The NDA has already agreed to do an economic impact study. This will only happen after Sellafield do their lifetime report. I can't guarantee that it will be done in time but I think there should be enough information in December.”

Councillor D Moore asked the following question of the Leader of the Council:

“In light of the significant borough wide events that took place on June second, and the public generosity in setting up of two memorial funds. Does the leader consider it appropriate that representations should be made from this council to seek representation on these two funds. If the leader agrees could she make approaches as soon as possible?”

The Leader of the Council replied as follows:

“Thank you Councillor Moore. As you quite rightly say they are two funds that are actively working in Copeland, set up after the June incident. I sit on the Cumbria Community Memorial Fund wearing the hat of a Cumbria Community Foundation Trustee, and I can assure you that I am definitely wearing my Copeland hat when I sit on that group to make sure that those organisations, those individuals most in need are getting the help and support they need. The Copeland Tragedy Fund is managed by the Parishes Whitehaven in Need Fund and is administered by parish representatives. The Council hasn't been approached to formally become involved with the fund but it is true that there has been some liaison between the Tragedy Fund and the Memorial Fund because Rev John Bannister sits on both. But we don't have any influence with regard to that fund. I am quite happy to write to the Tragedy Fund on your behalf and let you have a copy of their response.”

Councillor Moore asked the following supplementary question:

“Thank you Mr Mayor. With regard to the Cumbria Community Foundation Fund, I don't think there's any doubt there are clear criteria that they operate under and its very open and transparent. My concern with the other is about public accountability, because a lot of people I know who have donated to the fund thought that this was Borough-wide, and there's been some publicity recently about Whitehaven, and how Whitehaven funds would be spent. One of the concerns is that we do represent the Borough, and I do thank the Leader for agreeing to write to the Fund. Hopefully we can have a clear line and clear criteria for these grants. Thank you Mr Mayor.”

Councillor H Wormstrup asked the following question of the Portfolio Holder for Development Strategy:

“On Sunday 8th August I visited Mount Pleasant on the Whitehaven Harbourside and can I congratulate the Portfolio holder and all the funders who have done such a fantastic job. My fear is that because of the coalition governments short sighted decision to remove the funding from the North West Development Agency this will be last we see of such projects in Copeland for a long time, at least 5 years I imagine. Can the Portfolio Holder answer me what is the impact of losing the NWDA funding on Copeland?”

The Portfolio Holder, Councillor C Giel, replied as follows:

“Thank you Mr Mayor, thank you Councillor Wormstrup. Copeland have completed both the Civic Quarter and Mount Pleasant projects, schemes amounting to over £1m worth of funding, with £800,000 coming from NWDA. Clearly withdrawal of this type of funding will have an impact on schemes of this nature and Copeland as a whole. We know that public realm schemes have been put on hold pending review and we know there are limited resources available externally for these types of schemes. So I would suggest

that large scale public realm schemes are certainly under threat and it will be some time before we see the size and the scope of what we've witnessed in the past year. However Copeland's Coastal Initiative will be investigating opportunities for smaller scale public realm improvements like signage etc and we haven't given up hope. We will continue to seek funding for schemes that are necessary for the transformation of the Borough but it will certainly not be easy and we will not see anything in the short-term."

Councillor G Garrity asked the following question of the Leader of the Council:

"Can the Leader tell me how much money has been lost to Copeland since the new coalition government started?"

The Leader of the Council replied as follows:

"Thank you and thank you Councillor Garrity for the question. Looking at the total cuts in Copeland at this moment in time, I estimate that its about £100m that Copeland has lost, in a very short period of time. I'll just go through some of them – so that Members and hopefully the wider community can hear: £63m from Building Schools for the Future – that was going to improve 4 schools in West Cumbria, 3 of them here in Copeland. We've lost £10m from the West Cumberland Hospital; we've lost £6m from Britain's Energy Coast, and that means 17 projects that were going to aid transformation and diversification; £1.2m Millom Swimming Pool will not now go ahead; we've lost £650,000 for disabled facilities grants – these are grants that help the most vulnerable people to stay in their homes for longer. Councillor Giel has already spoken of the loss of the Future Jobs Fund that would have helped 24 long term unemployed next year. That doesn't include planning delivery grant, local authority business grants, where we are probably one of the few authorities in Cumbria who use these to work with businesses. It doesn't include free swimming or the funding for improvements to Whitehaven Swimming Pool. It includes the 2 play areas that we've lost with the Playbuilder Fund. It doesn't include the £1.3m that's gone from Cumbria Tourism and at a time when we are trying to diversify, and at a time when we've just had one of the biggest visits to Copeland, we're told that £1.3m will go. And the programme in Britain's Energy Coast is one of the projects that has been axed. The police have lost £1m – 70 less police officers in Cumbria. It doesn't include the £3.8m that I reported at the last meeting that Copeland is going to have to find, never mind the cuts in the highway authority that will impact on the whole of Cumbria. Unfortunately we have a government at this time that is obsessed with the cost of everything but understands the value of nothing."

C 267 Executive Report

The Council received and noted the Executive report.

C 268 Supporting People Commissioning Board

Arising from the Executive Report (Improving Quality of Life) and in response to a question by Councillor J Hully, the Portfolio Holder Councillor G Clements undertook to provide a written reply on whether or not the Supporting People Commissioning Board includes people with experience of the mental health services.

C 269 WLSC Ltd

Arising from the Executive Report (Nuclear Issues) the Leader of the Council agreed to write to UCLan expressing the Council's concern at the placing into administration of West Lakes Scientific Consulting Ltd.

C 270 Report on Urgent Business

The Council noted a report on Urgent Action taken by the former Interim Chief Executive in relation to the constitution of the Selection Panel for Corporate Director Recruitment.

C 271 Questions from Members of the Council Under Procedure Rule 13.2

Councillor C Whiteside asked the following question of the Leader of the Council:

"Will the leader of the council join me in welcoming the news that the government is to treat West Cumberland Hospital as a "special case" and the confirmation of £70 million of DoH funding together with £10 million from the Regional health authority and £10 million from the North Cumbria University Hospitals Trust towards the hospital rebuild/refurbishment programme.

Will she further agree that this council should continue to work together on a cross-party basis to support the hospital and in particular to seek alternative medium and long-term sources of funding for new professional training and research facilities?"

The Leader of the Council replied as follows:

"Thank you Mr Mayor. It was convenient that the Coalition agreed to release funding that this community fought hard for anyway and was given by the Labour Government. Yet I believe that withdrawal of NWDA and £10m funding was a lost opportunity to produce a world-class facility to link the rural and nuclear health specialisms together with high quality teaching facilities that were needed. I'm sure the Council will still work together to get the hospital that we want and have earned and I would like to hear from Councillor Whiteside where we should go to secure that £10m funding because I and others have wracked their brains to think what door we can knock on to secure that funding."

Councillor Whiteside asked the following supplementary question:

"Whats actually happened with scrapping of regional development agencies is not a suggestion that there won't ever be any money available for regional development again, but that it will be devolved to elected authorities, e.g. county councils. I think that clearly we will need to be ready to campaign as and when the country's dire financial situation permits, so that when that happens this should be one of the first ports of call we have, but if not, we should continue to press the Department of Health and quite possibly the Department of Education and Skills."

The Leader of the Council replied as follows:

"Thanks Mr Mayor, in response to that I know the Government has announced that there is a £1m regional growth fund that is going to replace the NWDA's funding. I think that's about 60% less and bearing in mind that's the whole of the country. We have to have a submission working with the Cumbria County Council in by December with regard to what we can spend that money on, and my own fear is that is a bit late for the funding for the hospital. But that isn't political, we have lost funding for a hospital that we collectively for the communities we represent, have fought for. I am quite happy to continue working together to find out where we can find that funding from."

C 272 Choosing to Change

The Council considered a progress report on the Choosing to Change initiative.

RESOLVED – that the Council

- (a) notes the report;
- (b) notes the need to change Resource Planning Working Group meetings from September 2010 to October/November;
- (c) notes the additional £24,000 offer from Local Government Improvement and Development and receives further reports in due course.

C 273 Constitution Review – Contract Procedure Rules

Consideration was given to a report of the Constitution Working Group on a revised set of Contract Procedure Rules governing the Council's procurement arrangements.

RESOLVED – that

- (a) the Contract Procedure Rules be approved to form Chapter 17 of the Constitution;
- (b) the minor amendment referred to in the report be approved; and
- (c) a written reply be provided for Councillor Mrs Y Clarkson on the matters raised concerning urgent works, local labour, performance bonds, leases and valuations.

C 274 Appointment of Section 151 Officer and Deputy

RESOLVED - that

- (a) from August 17th 2010 Angela Brown be appointed as the Council's s 151 officer;
- (b) with effect from 2 September 2010 the s 151 officer of the Council be re-defined in the Council's Constitution as the Corporate Director, Resources and Transformation; and

(c) a written reply be provided for Councillor G Sunderland on the nature of the current interim appointment.

C 275 Closure of Whitehaven Magistrates and County Court

The Council considered a report on the process for responding to the consultation on proposed closure of the magistrates' and county courts in Whitehaven.

RESOLVED – that the Council agrees to the External Overview and Scrutiny Committee (OSC) responding to the Ministry of Justice Consultation Paper HMCS CP05/10 on the Council's behalf, in consultation with the Group Leaders.

C 276 Memberships of Overview and Scrutiny Committees

RESOLVED – that the following members be appointed to Overview and Scrutiny Committees in the current year:

Internal OSC	External OSC
YRT Clarkson (Chairman) J Kane (Deputy Chairman) B Dixon Mrs A Faichney A Mossop (from External OSC) J Park R Pitt R Salkeld (from External OSC) Mrs J Williams	G Garrity (Chairman) K Hitchen (Deputy Chairman) D Banks Mrs E Eastwood (from Internal OSC) S Meteer Mrs W Metherell C Whiteside (from Internal OSC) Mrs M Woodburn H Wormstrup

C 277 Nominations to Cumbria Joint Scrutiny Committee

RESOLVED – that the Council:

- a) Approves Councillor G Garrity and Councillor Y Clarkson as the Council's representatives to the Cumbria Joint Scrutiny Committee;
- b) Approves Councillor J Kane and Councillor D Banks as substitute representatives to the Cumbria Joint Scrutiny Committee.

C 278 Private Sector Housing Financial Assistance Policy

The Council considered the recommendations of the Executive on reviewing the Council's policy on financial assistance for private sector housing.

RESOLVED – that the Council agrees the recommendations set out in paragraphs 7.1 to 7.7 of the report.

C 279 Membership of Personnel Panel

RESOLVED – that the membership of Personnel Panel be increased to eleven Members, and that Councillors J Bowman, P Connolly, D Moore and A Norwood be appointed to the Panel for the remainder of the 2010/11 year.

**C 280 Local Government Act 1972 – Section 85
Absence of Members from Meetings**

RESOLVED – that pursuant to Section 85 of the Local Government Act 1972, the Council agrees to the continued absence from meetings of Councillors R Pitt and E Brenan for health reasons.

C 281 Exclusion of Press and Public

RESOLVED – that the press and public be excluded for the remaining items of business in view of the likely disclosure of exempt information as defined in paragraph 7 of Part I of Schedule 12A of the Local Government Act 1972 as amended.

C 282 Transport Interchange – Bransty Row, Whitehaven

Consideration was given to a report setting out recommendations of the Executive on proposals for land transactions at Bransty Row, Whitehaven, in connection with a new transport interchange, public plaza and supermarket.

RESOLVED – that

(a) the proposed terms of the land transactions set out in paragraph 2.2 of this report be approved subject to the Council's external surveyor being satisfied that the terms are acceptable;

(b) that any amendments to the said terms be delegated to the Strategic Director, People and Places in consultation with the Corporate Director, Resources and Transformation, Head of Legal and Democratic Services, the Executive Member for Development Strategy and the Council's external surveyor; and

(c) that a further report be submitted to the Executive and if necessary the Council when terms for the disposal of the interchange land are agreed with the Cumbria County Council.

The meeting closed at 4.23 pm

Mayor

