

Workington Town Council

Town Hall, Oxford Street, Workington, Cumbria CA14 2RS

Telephone: 01900 702986

Email: office@workingtontowncouncil.gov.uk

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16 September 2020

Dear Councillor

You are summoned to a meeting of Workington Town Council on Wednesday 23 September 2020 at 6.30pm on the Zoom platform. Joining details for the Zoom meeting will be distributed under a separate cover. The meeting takes place under the authorisation scheme outlined in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Yours faithfully

A handwritten signature in black ink, appearing to read 'C Bagshaw', with a long horizontal line extending to the right.

Chris Bagshaw
Town Clerk

AGENDA

Chaplain

The Mayor's Chaplain may lead a moment of prayer.

Police Report

Inspector Rachel Gale from Cumbria Police may make a brief report.

Public Participation

To discuss any items of interest to the council brought forward by members of the public. This session will last no longer than 20 minutes. The council cannot take any decisions in this session, except to bring items to a future meeting. The public are not permitted to speak in other parts of the meeting unless allowed to do so by the chairman. Please follow the specific guidelines for Zoom meetings distributed separately.

1. Apologies

To receive and accept any apologies. If accepted, apologies will be considered to be for reasons approved by the Council under the terms of Local Government Act, 1972, s85.

2. Declarations of Interest

To receive any declarations of interest relating to matters which appear on this agenda, but which have not been previously declared on members' declarations of pecuniary interest and other interests.

3. Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

To consider whether there are any agenda items during consideration of which the press and public should be excluded.

4. Minutes of the previous meeting

To receive the minutes from the meeting on 2 July 2020 and affirm them as a true record.

5. Mayoral Announcements

To receive a report from the mayor on her civic activities.

Mayor's calendar of events since Full Council Meeting on 5 February 2020

Date	Event	Time
15 August 2020	VJ Day flag raising	10am
3 September 2020	Merchant Navy Day flag raising	10am
21 September 2020	Cumbria Pride Week Flag raising	10am

6. Recruitment of a new Town Clerk and RFO

To consider a report on the process for the recruitment of a new Town Clerk, to replace the present incumbent who is joining Kendal Town Council on 1 October 2020.

(Report appended by separate cover)

7. Princess St Day Care Centre

To consider a proposal that the Town Council purchases the Princess Street Day Care Centre from Cumbria County Council for £50,000, subject to correct process, and that the Council funds the purchase through a loan from the Public Works Loan Board, for the value of the building, plus a sum for the necessary renovations.

(Report appended by separate cover)

8. Financial Regulations

To consider the proposed changes to the Council's Financial Regulations to enable the effective use of Electronic and online banking, including the receipt of card payments.

Background

The Council has been reviewing the online banking processes available for some time, and has been reluctant to in the past to progress these, as the safeguards in place were not robust. However, the systems on offer are now much more sophisticated and the onset of

the pandemic has made online payment and receipt the default for many businesses. This has created difficulties for the Council in paying suppliers.

(The proposed amended Financial Regulations are appended by separate cover).

8. Notice of Motion

To consider a motion submitted by Cllr MJ Heaslip:

That the Council open early discussions with Allerdale Borough Council about:

a) the return to Workington Town Council of any property assets taken from Workington Corporation in 1974, whether classed as "corporate land" or "parish land" or otherwise under the legislation; and b) the transfer of any other Community Assets held in Workington for charitable purposes or community benefit by Allerdale Borough Council.

A supplementary note from Cllr Heaslip is appended to this agenda.

Reports from Committees

9. Finance and General Purposes Committee

To receive the draft minutes of the Finance and General Purposes Committee meeting on 20 August 2020.

10. Planning Committee

To note the Planning comments submitted to Allerdale Borough Council since the last meeting. The Planning Committee has not met since March 2020, and has been dealing with Planning applications through delegated powers.)

11. Environment Committee

To receive the draft minutes of the Environment Committee meetings on 3 September 2020

12. Culture Committee

To receive the draft minutes of the Culture Committee meeting on 8 September 2020.

Appendix B

The following supplementary notes are supplied by Cllr Heaslip in support and explanation of his motion

Supplemental Note for Explanation not forming part of the substantive motion.

The Mayor, Aldermen and Burgesses (electors) who comprised the Corporation of Workington owned a substantial amount of property in the town.

This included "operational land" held for the statutory purposes of the Corporation acting as a municipal district authority; "corporate land" which was held for the benefit of the Corporation under its royal charter: and "parish land" which was held for the purposes of discharging functions which would otherwise be a Parish Council responsibility (parish matters).

Operational land held by Workington Corporation on 1 April 1974 was transferred to its legal successor authorities, which included Cumbria County Council, Allerdale District Council, Cumbria Area Health Authority, North West Water Authority etc., according to the statutory function for which the property had been held.

"Corporate land" and "Parish Land" was, under the legislation, to be transferred to the Parish Council which covered the same areas as the former municipal corporation, but that was not possible in the case of Workington because Workington was prevented from having a Parish Council, and Allerdale District Council took ownership. Charter Trustees were established by the Act, where a Parish Council was not established, to have custody in trust for the members of the former Corporation (the electors of Workington) of the provisions of the royal charter: they were the district councillors elected for wards within the area covered by the royal charter, and were consulted (at least in the first years of existence) on the disposition of corporate land and parish matters.

When a parish council for Workington was set up under the Allerdale Parishes Order 1982, that Order replaced the Charter Trustees with an elected Parish Council and provided that arrangements would be made between Allerdale District Council and Workington Parish Council, for the disposition of those lands and properties that could not be transferred to it in 1974 (as it didn't exist).

Those arrangements under the Allerdale Parishes Order 1982 have never been made and Allerdale District (now Borough) Council, continues to hold title to those lands and properties.

If Allerdale Council is replaced by a new unitary authority, its land and property holdings (including former properties of the electorate of Workington) will pass to that new authority to dispose of as it sees fit for the benefit of the people of that new local government area.

It would be timely to initiate the conversations provided in the Allerdale Parishes Order 1982.

References: The Local Authorities (England) (Property etc.) Order 1973 Schedule Two; Allerdale Parishes Order 1982; Local Government Act 1933.

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Minutes of the meeting of Workington Town Council held at 6.30pm on Wednesday 2 July 2020 on the Zoom web platform.

C Armstrong	Present	J Hunter	Apologies
M Bainbridge	Apologies	D King	Present
L Baldry	Apologies	J King	Present
H Briggs	Present	P McCarthy	Absent
R Briggs	Present	S Melton	Present
B Cannon	Present	B Miskelly	Present
B Dixon	Present	D Rollo	Apologies
D Farrar	Present	B Sansom	Present
S Fryer	Present	P Scott	Present
G Glaister	Present	S Stoddart	Not present*
H Harrington	Present	W Wilkinson	Present
M Heaslip	Present	L Williams	Present
J Holliday	Present		

* was present at beginning of meeting but connection dropped for technical reasons

In attendance: Town Clerk

Also present: Inspector Rachel Gale, Cumbria Constabulary (until the end of her presentation)

One member of the public

The Mayor's Chaplain was unable to attend due to another commitment. The Mayor began the meeting with a minute's silence for reflection on those who died during the ongoing Coronavirus pandemic.

Police Report

Inspector Gale from Cumbria Constabulary reported that general crime levels had dipped during April and May as the lockdown took effect, but there was an increase in anti-social behaviour crimes, mostly related to breaches of the Coronavirus regulations. The main focus of policing in the town had switched to an area in St Michael's Ward around the Cumberland Hotel, Clay Street and Milburn Street, following successful operations against properties in Headlands Close and John Street. Ongoing community focussed work in St Michael's and Moorclose wards continued to be important and the police were making increased use of Community Protection Warning Notices.

Councillors made various comments thanking the police for their work during the pandemic, but there were queries about anti-social behaviour in Harrington – particularly on the Marina and speeding cars on Church Road. There was also an ongoing issue with unauthorised encampments on the Marina. Inspector Gale reported that the police patrols in Harrington

had been increased, but encouraged people to report incidents of anti-social behaviour, substance misuse etc to the police and to the My Allerdale app.

A councillor observed that the latest iteration of the Allerdale local plan made provision for a gypsy/traveller site, but that no site had yet been provided by Allerdale Borough Council. He asked if a letter could be sent to the Borough Council seeking their reassurance that the matter would receive their urgent attention. The Mayor concurred that a letter should be sent.

Public Participation

A member of the public raised concerns about waste tipping and illegal fires on an area of undeveloped land behind Bolton Street. It was observed that the problem was long-standing and had been the subject of several multi-agency meetings to investigate possible solutions. There was a theory that the land may in fact be owned by Allerdale Borough Council (that which isn't registered), since it appears to have been managed by Workington Borough Council at one time. The investigation was ongoing, and ward councillors would remain vigilant. Further problems should be reported through 101 for police incidents and through the MyAllerdale app for environment issues.

19.63. Apologies

The Council received and accepted apologies from Cllrs M Bainbridge, L Baldry, J Hunter and D Rollo for reasons approved by the Council under the terms of Local Government Act, 1972, s85. The Council received apologies from Cllr P McCarthy, but did not accept them, as no excuse was offered.

19.64. Declarations of Interest

Councillor Cannon drew members' attention to her presence on the Board of the Carnegie Theatre.

19.65. Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were raised.

19.66. Minutes of the previous meeting

The Council received the minutes of the previous meeting, held on Wednesday 5 February 2020 and affirmed them as a true record.

19.67. Mayoral Announcements

The Council received a report from the mayor on her civic activities. The Mayor added that she felt it was appropriate to record her thanks to the keyworkers, emergency services, community and volunteer groups, neighbours friends and families who had supported us all through the Coronavirus crisis. Acknowledging that she couldn't thank everyone by name she made special mention of Cllr Paul Scott and the Workington Community Emergency Response Group, Angela Good at Moorclose Community Centre, and Heather Nixon and all her colleagues at Cumbria County Council. Town Council officers and grounds maintenance staff have done sterling work keeping the business of the council ticking over, she added.

Mayor's calendar of events since Full Council Meeting on 5 February 2020

Date	Event	Time
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Sunday 2 February 2020	Licensing of the Very Revd. Dr. Francis Ward as priest in charge of St John's & St Michael's	6.00 pm St John's then on to St Michael's
Sunday 9 February 2020	Presentation to Our Lady & St Michael's from the Scouts re: - monies raised towards Stella Maris Project Group, through distribution of Mayor's Christmas cards.	10.20 for 10.30 am
Wednesday 12 February 2020	Visit to Moorclose Youth Club. WAOS Juniors' production of Oliver, Carnegie Theatre	5.00 pm 7.00 for 7.15 pm
Thursday 27 February 2020	Jobs Fair (Rotary event), St John's Church, Community Rooms.	Event 10.00 am – 3.00 pm
Friday 28 February 2020	Beckstone School, Mayor's Parlour	1.30pm
Monday, 2 March 2020	6 th Workington Scout Group, Mayor's Parlour	5pm
Thursday 7 May 2020	Flag Raising to commemorate VE Day, Town Hall, Workington	3pm
Thursday 25 June 2020	Flag raising to celebrate Armed Forces Day, Town Hall, Workington	3pm

Resolved: To note the report.

Reports from Committees

19.68. Finance and General Purposes Committee

a) The Council received the draft minutes of the Finance and General Purposes Committee meeting on 21 June 2020.

Resolved: To accept the minutes.

b) The Council considered the Risk Assessment recommended by the Committee at its meeting on 21 June 2020.

Resolved: To accept the Risk Assessment

c) The Council received the Internal Auditor's Report for 2018-19 (AGAR p3).

Resolved: To accept the Internal Auditor's Report.

d) The Council went through the Annual Governance Statement (AGAR p4), line by line.

Resolved: To accept the Governance Statement in the affirmative for each appropriate statement.

e) The Council considered the Annual Accounting Statements for 2019-20 (AGAR p5).

Resolved: To accept the Annual Accounting Statements for 2019-20.

19.69. Planning Committee

The Council received the minutes of the Planning Committee meeting on 2 March 2020. A councillor requested that the delegated decisions made during the Coronavirus lockdown be published. The Clerk confirmed that he would do this through the reports to the next meeting of the Planning Committee, but if this was not reasonably imminent, he would make a separate report to councillors.

Resolved: To accept the minutes.

19.70. Culture Committee

The Council received the draft minutes of the Culture Committee meeting on 10 March 2020. The Chair of the Committee drew the Council's attention to the fantastic effort by South Workington Youth Partnership to ensure that both VE Day and the Big Lunch were able to take place, despite the lockdown, through supplying food and holding virtual street parties.

Resolved: To accept the minutes.

19.71. Environment Committee

The Council received the draft minutes of the Environment Committee meeting on 12 June, 2020. There was some discussion about the necessity for the bowling green in Vulcan Park to be made accessible to the general public, so as to ensure that the benefit of the new mower, authorised by the Committee, was not enjoyed solely by a very small minority of residents. A councillor also queried whether the disabled access toilet in the Bower could be made available to the general public through the radar key scheme. The Committee had talked about a park walkabout and a councillor wondered whether a date had been set for this. The Chair confirmed that it would take place in the coming weeks, subject to current regulations.

Resolved: To accept the minutes.

19.72. Annual Meeting of the Council

The Council considered a date for the Annual Meeting of the Council. The Clerk had reported that the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 on 26 March 2020, prohibited any public gathering of more than two people, and so physical council meetings and the Mayor Making Ceremony had to be cancelled. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, allowed councils to make arrangements and hold their meetings remotely, or for members to attend remotely. The regulations also made provision for any annual meeting which would otherwise be required to take place in a specific period of time, to be held over by the Council until a subsequent time to be determined by the Council, or until the following annual meeting, if that meeting's date had already been fixed in 2021.

Cllr Fryer left the meeting at 19:58.

Following a discussion, centring on the fairness of the current committee allocations between various groups on the Council, a motion was proposed that the Annual Meeting be held on 12 May 2021. An amendment to this was then proposed that this date be altered to 'as soon as possible in the next two months'.

Moving to a vote, the amendment was defeated by 12 votes to 5. The motion to hold the Annual Meeting on 12 May was carried by 12 votes to 1 with 4 abstentions.

Resolved: That the Council holds its next Annual Meeting on 12 May 2021, and that all current office holder remain in place until then.

The meeting closed at 20:15

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Minutes of the meeting of the Finance and General Purposes Committee held on Tuesday 20 August 2020 at 6.30pm on the Zoom platform under the restrictions imposed by the Coronavirus Emergency.

Cllr C Armstrong	Present
Cllr H Briggs	Present
Cllr R Briggs	Apologies
Cllr G Glaister	Apologies
Cllr H Harrington	Present
Cllr S Melton	Apologies
Cllr B Sansom	Apologies
Cllr P Scott (chair)	Present
Cllr S Stoddart (vice chair)	Absent
Cllr W Wilkinson	Present
Cllr J King (Mayor)	Present

In attendance: Town Clerk.

FG19.82. Apologies

Apologies were received and accepted as being for approved reasons under the terms of the Local Government Act 1972, s85, from Cllrs R Briggs, G Glaister, S Melton and B Sansom.

FG19.83. Declarations of Interest

No further declarations were made

FG19.84. Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were noted.

FG19.85. Minutes of the Previous Meeting

The Committee received the minutes of the meeting held on 22 June 2020.

Resolved: To affirm the minutes as a true record.

FG19.86 Schedule of Payments

The Committee received the Schedule of Payments to 31 July 2020.

Resolved: To note the Schedule of Payments

FG19.87 Bank Reconciliation Statement

The Committee received the Bank Reconciliation Statement as at 31 July 2020.

Resolved: To note the statement

FG19.88. Budget Monitoring Statement

The Committee received a report on the Budget Monitoring Statement for 2020–2021 to 31 July 2020.

Resolved: To note the report.

FG19.89. Banking Arrangements – Electronic and Online Banking

The Committee considered a report on the requirements for enabling electronic banking. The Clerk explained that the Covid-19 risk assessment would be unlikely to support face to face payments of allotment rents, and that increasingly suppliers were refusing to handle cheques.

Resolved: Subject to an approved amendment to standing orders, the Council should take the necessary steps to adopt online bank management and payments, and receipt of card payments using a connected device. Amended Financial Regulations should be put before the full council for approval at the earliest opportunity.

FG19.90. Banking Arrangements - Mayor's Charity Fund

The Committee considered the arrangements for the proper management of the Mayor of Workington's Charity Fund. It was noted that the existing signatures were no longer Councillors and should be replaced by current Councillors.

Resolved: To appoint the existing Council bank mandate signatures as signatures for the Charity account, along with the Clerk.

FG19.91. Employment Matters - Town Clerk

The Committee considered the arrangements for the recruitment of a new Town Clerk and Responsible Finance Officer, following the departure of the present incumbent at the end of September. Because of the tight timetable for recruiting a replacement, the Chair and the Mayor have liaised with the Town Clerk over the Job description, based on his existing Job description, and the vacancy has been advertised with a deadline set for 9 September, and interviews the following week. The Committee considered who should be on the interviewing panel, and the Chair suggested Cllr Rollo, who had been present on several previous employment panels would bring valuable experience to the role.

Resolved: To note the recruitment process in hand and to ask Cllr Rollo to join the Interview panel.

FG19.92 Property Matters - Princess Street Day Centre

The Committee received an update from the Clerk on the Council's ambitions to purchase the former Princess Street Day Centre in Vulcan Park from Cumbria County Council. He reported that the property had been subject to a certain amount of negotiating over price, with the two Councils attaching different valuations to the property. However, he believed a negotiated price of £50,000 was probably the best price to be obtained. The Committee concurred that this, though at variance from their original valuation, was probably the best price that could be obtained. It was noted that the Council currently pays over £16,000 pa in rent for various rooms, and that this may be reduced through purchase of its own building.

Resolved: That subject to the approval of the full council, the Clerk makes the necessary arrangements to purchase the building for the Council to use as offices and as a base in the park for the Estate team and community facility. The Clerk will bring a report to the next meeting of the Council setting out the proposed payment methods and other costs. A timetable for that process

should be set out as soon as possible, with a special meeting of the Council being arranged if required.

FG19.93 Property Matters - Council Van

The Clerk reported that the Council's Ford Transit lease was due to expire in November, and the Estate Team Leader had prepared a report on the supply of a successor vehicle. The Estate Team Leader has requested that the next vehicle should be a caged tipper, with a tarpaulin cover to enable winter/rainy day use by the events team. Various prices were discussed, including a sample price from Vanarama around £300 per month. The Committee considered the advantages of leasing against HP and cash purchase.

Resolved: That the Estate Team Leader source a suitable caged tipper van and tarp to lease with a repair contract.

The meeting closed at 19.00.

Workington Town Council

23 September 2020

The following applications were considered by members of the Planning Committee, but the decision on feedback was taken under the scheme of delegation by the Clerk, due to the ongoing restriction on physical meetings.

Planning Applications for 7 September 2020

Application	Applicant	Description	Delegated feedback
ADV/2020/008	Aldi Food Stores Ltd, Derwent Drive. Workington	Advertisement consent for 1no store entrance sign and 2 no illuminated pole mounted signs	No objections
HOU/2020/0125	11 Scaw Road, High Harrington, Workington	Demolition of existing outbuildings/garage and erection of two storey rear and side extension	<u>No objection</u> , subject to Planning Officer satisfaction that any issue of overlooking is addressed.

Planning Applications for Consideration 6 Aug 2020

The Council has noted the following planning applications in the civil parish. The feedback on the applications is through the Council's delegated scheme, the Clerk having consulted councillors appropriately.

Application	Applicant	Description	Delegated feedback
TEL/2020/0006	CAT Surveys Ltd Side of 18 James Duffield Close	Notice of proposed installation of high speed broadband telephone cabinets	No further comments
HOU/2020/0118	Mr and Mrs B Maxwell 18 James Duffield Close	Proposed front porch extension	<u>No objection</u>
HOU/2020/0109	Mr M Ellwood 45 Coronation Drive, Salterbeck, Workington	Two storey, flat roof extension to rear	<u>No objection</u> if Planning Officer happy with overlooking issue

FUL/2020/0129	Mr M White 51 Frostoms Road, Workington	Sectional concrete garage	<u>No objection</u>
CAT/2020/0025	Ricki Crawford Cumbria County Council Portland Square, Workington	Cut back limbs on six trees in the conservation area	<u>No objection</u>
FUL/2020/0143	Mr A Fowler Unit 8a Kerry Park Industrial Estate Workington	Proposed new storage unit for B8 use (storage and distribution)	<u>No objection</u> , though safeguards for residents on Solway View should be considered
HOU/2020/0115	Mr G Fisher 88 Newlands Lane South Workington	Single storey extension	The Council is concerned about whether this development would create an over- development of a tight corner plot, which overlooks adjacent properties. If the development is to be approved, mitigations against such a risk should be assessed and implemented.
FUL/2020/0160	Ms K Wilson Lakes College, Land to the north of Hallwood Road, Lillyhall Industrial Estate Lillyhall, Workington	Erection of training facilities: Phase 1 Modular welfare building with external works Phase 2 Erection of teaching and training facility Once the main facility has been erected the modular facility will be removed	Whilst welcoming investment in training and recognising that such training has to take place somewhere, the Council is disappointed that the proposed site is a green field between

