

MORECAMBE TOWN COUNCIL

Minutes of the Meeting of Morecambe Town Council held on Thursday 6th June 2019 at 7.00 p.m. at Morecambe Town Hall

Present: Councillors: P. Heath (Chairman), June Ashworth (Vice-Chair), T. Anderson, Marius Balcer, Mirka Balcer, J. Bates, V. Boyd-Power, T. Clarke, I. Cliff, R. Cleet, G. Dennison, R. Dennison, M. Evans, J. Firth, J. Goodwin, P. Heath, C. Matthews, J. Pilling, P. Ross-Clasper and D. Whitaker

Officers in Attendance:

D. Croxall (Town Clerk and Responsible Finance Officer) and N. Kitchen (Assistant Clerk)

14. Apologies for Absence

Councillors P. Anderton, Alex Ashworth, S. Burns, J. Hanson, D. Jenkins and B. Vickers

15. Declarations of Interests

Councillors Boyd-Power, Goodwin and Matthews declared a personal interest in Minute No. 24 in so far as it related to Planning Applications as they were both members of the Lancaster City Council Planning Committee.

16. Minutes of Meetings held on 16th May 2019

The Council considered the Minutes of the Meeting of the Town Council held on 16th May 2019.

Resolved:

That the minutes of the meeting of Council held on 16th May 2019 be signed as a correct record

17. Public Participation

There were no members of the public present at this point in the meeting.

18. Chairman's Statement

The Chairman made a brief statement (Appendix A) in respect to the points raised by Mrs Barber during her address to the Council during public participation on 16th May 2019.

The Chairman also requested that the Council considers sending a letter to Lancaster City Council regarding the current position in respect of ice creams on the Promenade as it was understood that the City Council was no longer letting contracts to commercial operators, but was allegedly intending to sell ice creams themselves which appeared strange in a seaside town and which had resulted in no ice cream sales on the promenade over the Easter weekend 2019.

Resolved:

- (1) That the Chairman's statement regarding the comments made by Mrs Barber during public participation on 16th May 2019 be noted.

- (2) That the Clerk sends a letter to Lancaster City Council expressing the Town Council's concern that the City Council were not letting contracts for the sale of ice cream on the promenade to commercial operatives in a seaside town where private enterprise should be promoted and that the City Council's response be considered at the next meeting of Council on 4th July 2019.

18. Notice of Motion re Public Participation

The Council considered the following Notice of Motion proposed by Councillor P. Heath and seconded by Councillor J. Ashworth:

"That Standing Order No. 1(d) which currently states:

"Subject to Standing Order 1 (c) above, members of the public are permitted to make representations regarding items on the agenda only although other issues could be raised if written notice of the question/matter were submitted to the Clerk 10 working days prior to the meeting"; be amended to read:

"Subject to Standing Order 1 (c) above, Standing Order 1 (c) above, residents of the Parish of Morecambe Town Council are permitted to make representations regarding items on the agenda, although other issues could be raised if written notice of the question/matter are submitted to the Clerk 10 working days prior to the meeting."

Councillor Bates by way of a friendly amendment proposed that the word "residents" within the motion be replaced with "electors of the Parish."

Councillors Heath and June Ashworth accepted the friendly amendment.

Councillor Pilling by way of a further friendly amendment proposed that the words "or Business Rates payer within the Parish" be added to the motion.

Councillors Heath and June Ashworth accepted the friendly amendment.

Resolved:

That Standing Order No. 1(d) be amend to read:

"Subject to Standing Order 1 (c) above, Standing Order 1 (c) above, electors and Business Rates payers of the Parish of Morecambe Town Council are permitted to make representations regarding items on the agenda, although other issues could be raised if written notice of the question/matter are submitted to the Clerk 10 working days prior to the meeting".

19. Notice of Motion re Unallocated Funds

The Council considered the following Notice of Motion proposed by Councillor P. Heath and seconded by Councillor J. Ashworth:

"That the unallocated funds totalling £11,000.00 within the Council's accounts at the 2018/19 year end (as reported to Council on 16th May 2019) be utilised to create a Street Cleansing Fund and that the Chairman and Clerk meet with Morecambe BID and Lancaster City Council to discuss options for the most effective use of this funding and report back to a future Council meeting."

Resolved:

That the unallocated funds totalling £11,000.00 within the Council's accounts at the 2018/19 year end (as reported to Council on 16th May 2019) be utilised to create a Street Cleansing Fund and that the Chairman and Clerk meet with Morecambe BID and Lancaster City Council to discuss options for the most effective use of this funding and report back to a future Council meeting.

20. Environmental Enforcement

Further to the report submitted to the meeting of Council on 16th May 2019 and the discussion at the Annual Town Meeting on 23rd May 2019 which was attended by a Lancaster City Council officer, the City Council provided a response to the issues raised at both the above meetings for consideration, which had been circulated to all members for consideration.

Resolved:

That the Council informs Lancaster City Council that it wished to give the required two months notice for the termination of the arrangements to fund the post of Environmental Enforcement Officer, but that during the two month period negotiations take place with Lancaster City Council to renegotiate the contract with a view to arrangements being put in place to ensure that the post provided value for money to the residents of the Parish and that the Town Council retained the required management and tasking of the Post.

21. Statement of Accounts and Annual Governance Return 2018/19

The Responsible Finance Officer (RFO) advised the Council that it was required to complete the following tasks and submit supporting information to the External Auditor by 1st July 2019:

- Approve the Annual Statement of Accounts at a Council Meeting (decisions must be minuted).
- Approve the Annual Governance Return to the External Auditor at a Council Meeting (decisions must be minuted) (The Annual Governance Return must be completed by all Local Councils with an annual turnover of less than £6.5m and includes details of the Council's Accounting Statements (Section 1) and Governance procedures (Section 2).
- Undertake an Internal Audit inspection: Once the Internal Auditor's report is received this will be reported to Council via the Finance and Management Committee. No issues of concern were raised by the Internal Auditor at the Inspection.
- Display a Public Notice between 17th June and 26th July 2019 inclusive outlining to electors their rights to inspect the Council's accounts including its books, vouchers, receipts relating to the Accounting Statements
- Accounting Records to be made available to Electors between 17th June and 26th July 2019 inclusive for inspection at the Town Council's Office
- Publish audited accounts on completion of External Audit and no later than 30th September 2019.

The RFO therefore submitted the Annual Governance Return document required to be submitted to the External Auditor by 1st July and advised that the annual Internal Audit would be taking place on 18th June 2019.

The RFO advised Council that requirements for Local Councils required those with expenditure which exceeded £200,000 per annum to produce a Balance Sheet and an Income and Expenditure Account, and presented these to Council for the year ending 31st March 2019.

Resolved:

- (1) That the Annual Governance and Accountability Return 2018/19 as submitted by the Responsible Finance Officer be approved and the Responsible Finance Officer and Chairman be authorised to sign the Return on behalf of the Council.
- (2) That following the approval of the Annual Return, the Annual Statement of Accounts (Balance Sheet and Income & Expenditure Account) for 2017/18 and Asset Register at 31st March 2019 as submitted by the Responsible Finance Officer be approved.

22. Toilets Update

The Clerk advised the Council that in 2016 the previous Council agreed to reopen the Dome Toilets for 60 days per year. The building had been leased to the Town Council by Lancaster City Council, with the City Council being responsible for the shell of the building.

The toilets had so far operated for two summer seasons i.e. 2017 and 2018.

On 20th September 2018 the Council had resolved:

“That a review of the management of the toilets be undertaken once all repair costs for 2018 were known.”

The Dome toilets were leased to the Town Council by the City Council on 12th December 2016 for a period of 10 years at a cost of £1 per year.

There were no clauses within the lease regarding the timescale for termination of the lease and penalties that they may incur.

The Town Council’s current policy was to open the toilets for 60 days per annum. This takes place between 1st May and the second weekend in September.

At the meeting of Council on 21st March 2019, the Clerk presented quotations received in respect of the toilet block cleaning and appropriate Sanitary waste disposal, Baby Changing and Nappy Waste Disposal contracts for 2019.

The contract for Sanitary Waste disposal and Baby Changing and Nappy Waste Disposal was awarded to Canon Hygiene in the sum of £650 plus VAT.

Regarding the toilet cleaning contract tenders had been invited from five companies as well as the contract being advertised online and the Council were advised on 21st March that quotations had been received from one company only in the sum of £7,746.60 compared to £3,600.00 paid in 2018.

Consequently, the Council agreed on 21st March to:

- “(1) That Council delegates to the Clerk to explore all options for letting of the cleaning contract at a price which would represent value for money to the Council, and in doing so to explore the following:
- Request Lancaster City Council to undertake the work
 - Re tender the contract
 - Re tender with some days only being cleaned once per day
 - The Council to employ its own operative.
- (2) That the Clerk aims to achieve (1) above to open the toilets over the Easter weekend 2019, but that it be recognised that if a cost effective solution could not be found, then Council recognises that the Clerk would not be able to let the contract and the matter would be reconsidered by the Council at its meeting on 16th May 2019.”

Since this decision was made, the Council re-advertised the cleaning contract and only one quotation was received from Lancaster Cleaners. The City Council in house team were invited to quote but did not do so.

Given the above decision of Council on 21st March, the Clerk awarded the contract for toilet cleaning to Lancaster Cleaners for 2019 in the sum of £4,970.00.

Consequently, the toilets opened for the first time over the weekend of 4th – 6th May.

The report advised that the total capital and revenue costs to date in respect of the reopening of the Dome Toilets were: £54,927.45

Total income to date had been: 6,192.84

Therefore, total net spend to date (capital/revenue costs less income) - £48,734.61

Resolved:

That the report be noted and the provision of the Dome toilets be reviewed at the end of the 2019 summer season.

23. Consultation re Residents Parking

Lancashire County Council had consulted the Town Council regarding a Traffic Regulation Order which proposed to amend the charges for Residents Parking Permits in respect of Morecambe as follows:

	Resident Permits		Visitor Permits	
Morecambe	Cost	Maximum per household	Cost	Maximum per household
N, O, P, R	£25	Unlimited	£25	2
Q	£25	unlimited	NOT AVAILABLE	

The above proposals were different to the current charges in respect of Zone Q, where the current charge is £15.

Resolved:

That the Council makes the following comments and objections to Lancashire County Council regarding their proposed Traffic Regulation Order in respect of Residents Parking Permits:

- (1) The Council objects to the proposed cost of visitor parking permits and would propose that each household be permitted to purchase one visitor permit at a cost of £25 per annum which could be used by any visitors to that household; and
- (2) The Council suggests that one concessionary permit per household be issued on an annual basis free of charge for use by registered carers, subject to the household producing the required evidence of need.

Councillors Boyd-Power, Goodwin and Matthews had declared a personal interest in the following item of business and left the meeting during the consideration of Minute No. 24.

24. Planning Applications

The Council considered the following Planning Applications:

Application Number	Proposal Details	Site Address
19/00633/FUL	Demolition of existing extension and erection of single storey rear extension	45 Beaufort Road, Morecambe
19/00619/ADV	Advertisement application for the display of 1 illuminated free standing sign and 1 non illuminated free standing sign, 1 non illuminated fascia sign, and 6 non illuminated poster display units	The William Mitchell, Glentworth Road West, Morecambe
19/00597/FUL	Change of use of retail unit (A1) to mixed use unit comprising of retail to the ground floor and part of first floor (A1), 8 1-bed flats (C3) and 2 studio flats to the first, second and third floors and erection of a fourth floor extension to form 1 2-bed flat with external alterations including the installation of a new shop front, construction of balconies to the front, removal of existing windows and installation of new windows to all elevations and new doors to the front, rear and side	2 - 8 Euston Road, Morecambe
19/00558/FUL	Installation of an external disabled access to the rear elevation	1a Roseberry Avenue, Morecambe
19/00442/CU	Change of use of dwelling (C3) to supported living accommodation (C2)	11 Graham Street Morecambe

Resolved:

- (1) That in respect of Application No. 19/00442/CU re Change of use of dwelling (C3) to supported living accommodation (C2) at 11 Graham Street Morecambe Lancaster City Council be informed that the Town Council objects to this application on the following basis:
 - (a) Graham Street is situated in densely area of town near to several public houses and to many residential dwellings and thus not suitable for two vulnerable young persons.
 - (b) The Council is concerned that there would not be adequate site management for the proposed two vulnerable young people who would occupy the dwelling. Given the night time culture that occurs in this area (including anti social behaviour), the Council remains extremely concerned that the appropriate level of support will not be given to the two vulnerable young people. The proposed change of use application has two bedrooms and therefore does not appear to have enough space for carers to stay overnight to ensure adequate supervision, support and protection as the plans state two bedrooms and two residents.
 - (c) Given the many family dwellings in this area, there does not appear to be adequate security in place for both young families and the young persons who would reside in this property.
 - (d) The change of use of the residential property to a care home will impact the availability of residential housing stock in the area for use by families and will impact upon the character of the residential area.
- (2) That no comments be made in respect of any of the other Applications listed above.

Councillors Boyd-Power, Goodwin and Matthews returned to the meeting at this point.

25. Appointment of Chairs to Committees

The Council considered the appointment of the Chairs of the following Committees:

- Personnel
- Complaints
- Neighbourhood Plan Steering Group

Resolved:

- (1) That Councillor R. Dennison be appointed Chair of the Personnel and Complaints Committees until the 2020 Annual Meeting.
- (2) That Councillor Bates be appointed Chair of the Neighbourhood Plan Steering Group until the 2020 Annual Meeting

26. Community Litter Picks - "Clean and Greening Morecambe"

The Council considered a programme of Community Litter picks within the town to assist with enhancing Morecambe's environment and involving our community.

The Clerk advised that a community litter pick had been organised for Fisherman's Square within the Poulton Ward following a request from residents of that community.

Resolved:

- (1) That a community litter pick be organised to assist in tidying the North West in Bloom judging route prior to Judging day which would take place on 25th July 2019.
- (2) That the Clerk ascertains the rules for the removal of weeds i.e. types of equipment and pesticides that may be used.
- (3) That the Council seeks to organise a community litter pick on a monthly basis and that members be requested to forward their suggested areas to the Clerk or Assistant Clerk.
- (4) To note that the Clerk had arranged a community litter pick in the Fisherman's Square area on Thursday 20th June commencing at 6.00 p.m. following a request from residents of that community.

27. Date of Next Meeting

Thursday 4th July 2019 at Morecambe Town Hall – the meeting will be preceded by a Councillor Workshop with the formal meeting commencing at 7.30 p.m.

The meeting ended at 8.10 p.m.

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Chairman

Any queries regarding this meeting, please contact David Croxall, Clerk to the Council on 01524 422929 or via email to clerk@morecambe.gov.uk

12th June 2019

Appendix A

Transcript of Statement by Councillor Heath - Chairman of Morecambe Town Council to the Council at its meeting held on 6th June 2019

“This reply is in response to Mrs Barber’s statement at the last Town Council meeting. I have been asked several times what Mrs Barber was referring to, so here is the abbreviated version of events. There will be no questions or debate on the subject.

The receipt of the 2016 Carnival accounts raised numerous questions on the distribution of monies received. Labour Councillor David Brayshaw had requested and received from the controlling Labour Group £10,000 of taxpayer’s money for the Carnival. The accounts for the 2 day event showed £5K for security to ICU, the company run by Labour Councillors Brendan and Liam Hughes and £2.5 K for management of the Carnival run by Labour Councillors Carla and David Brayshaw.

When former Councillor Barber and myself raised questions to the Clerk over these accounts we were told the money had already been paid out (with cheques signed by Labour councillors).

We decided to take the issue to the Council’s Internal Auditor, who also raised several issues on the accounts (later replaced by the Labour Group with a new Auditor). This also brought about an unwarranted verbal attack by Senior Labour Councillors against Councillor Barber at the next Council meeting.

Following this attack an arbitrary panel – for want of a better description, was set up by Councillor Carla Brayshaw which found Councillor Barber guilty of bullying the Clerk. A complaint was sent by the MBI Group to Lancaster City Council with what we considered the totally unfair treatment of Councillor Barber. They in turn, sent it to a firm of solicitors to be investigated.

The solicitors, Wilkin Chapman LLP came back with the conclusion “We therefore consider that Councillor Brayshaw could be reasonably regarded as bringing the Town Council or her office into disrepute and therefore has breached the Town Council’s Code of Conduct.” This redacted statement is in the public domain, as are all the other background papers relating to this issue.

Lancaster City Council Standards Committee decided there was nothing to answer, despite the rumoured 15K of taxpayers money spent on the investigation.

A contrived standards complaint was put into LCC against me by colleagues of the Brayshaws who run the “Splendid Day Out” Festival.

This was thrown out as shown to be completely unfounded. However shortly after this “Splendid Day Out” received a grant of 10K of public money proposed by Labour Councillor David Brayshaw and voted through by Labour, although they had not followed the criteria for funding as set out by the Council. £1,800 of this paid for a ticketed meal at the Strathmore Hotel which at least 2 Labour Councillors attended.

It is alleged that some of these issues are still part of an ongoing Police investigation.”