

MARYPORT TOWN COUNCIL

Minutes of the meeting of the Planning & Economic Development Committee held on Monday 10 June 2024 at the Town Hall, Senhouse Street, Maryport at 7.00pm.

Present

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|---------------------------------|---------------------------|
| Councillor S Ashworth | Councillor C Bell |
| Councillor B Copeland | Councillor V Cuthbert |
| Councillor J Cuthell | Councillor P Hetherington |
| Councillor G Kemp | Councillor S Merrin |
| Councillor W Pegram | Councillor L Radcliffe |
| Councillor C Slater, (Chairman) | |

In Attendance

P Bramley (Clerk)
L Douglas (Clerk)

1/24 Apologies for Absence

Apologies for absence were received from Councillors I Greaney, G Hampson, J Hastewell, C McCarron-Holmes, G Mitchell, J Newton & D Peggs.

2/24 Declarations of Interest

A declaration of interest was received from Councillor W Pegram, Personal, as a member of Cumberland Council Planning Committee.

3/24 Requests for Dispensation

None received.

4/24 Minutes of Meeting held on 22 April 2024

Resolved that the minutes of the meeting held on 22 April 2024 be agreed, & signed by the Chairman as a correct record.

5/24 Public Participation

No questions received.

6/24 Planning Applications

Resolved that the following observations on each planning application be forwarded to Cumberland Council:

- 1) HOU/2024/0089 Resubmission of approved application HOU/2022/0043 for two storey extension with the addition of a balcony
Dale Dickinson
5 Alder Avenue
Maryport
No Objections

Planning Decision Notices

Resolved that the following planning decisions be noted:

- 1) FUL/2024/0040 2 storey extension to residential care home & open porch & garden shed
J Hindmoor
Jahjireh Kingdom House
72-74 Main Street
Ellenborough
Maryport
APPROVED
- 2) FUL/2024/0054 Extension with garage
Andrew Scott
Kirkborough Farm Cottages
Ellenborough
Maryport
APPROVED
- 3) FUL/2024/0030 Replacement Vicarage
Netherton vicarage
Church Terrace
Maryport
APPROVED
- 4) LBC/2023/0042 Listed Building Consent for window replacement
Maryport Tandoori
2-3 South Quay
Maryport
APPROVED

7/24 Correspondence

Resolved that the schedule of correspondence be received & noted, & that the Council support the funding of a CCTV System for the Maryport Marina Play Area in accordance with Option 2 of the proposals submitted

8/24 Maryport Regeneration

Representatives on Cumberland Council Maryport Regeneration New Town Board & sub-groups reported on progress made on various projects. In particular, it was reported that:

- Development of the new Maritime Museum at Christ Church is behind schedule
- The Play Park management agreement with Maryport Aquarium has been agreed & signed
- The Heads of Terms and lease agreements with the Maryport Harbour & Marina Authority and Cumberland Council for the Events Area & Play Areas spaces are still in negotiations for a tripartite agreement.

It was reported that the position of the cabin outside the Carlton was considered to be causing a danger to motorists due to its position & lack of warning signage, with several accidents having been noted.

Resolved that the reports be accepted & that the concerns with the cabin outside the Carlton be reported to Cumberland Council.

9/24 Future Town Board Minute Response

A discussion of the minutes from the Maryport Town Board meeting held on 3 June took place.

Resolved that the following comments be forwarded to the Maryport Town Board in correction of the minutes:

Item 'Adventure Play'

- 1) 'Still no agreement after 30 weeks/8 months is unacceptable'

It is the Town Council's responsibility to decide what is acceptable in terms of suitable lease arrangements. It has a responsibility to council tax payers which Town Board members should understand is the overriding position.

- 2) 'Both the MTC & the Harbour Authority have missed the deadline delaying both projects'

The Town Council has never been officially informed of what the deadline is. It was requested by Cumberland Council to take a decision to operate the Entertainment Space by 31 March 2024, which it did, despite Cumberland Council being only able to provide scant information on the Entertainment Space, information which had been requested by the Town Council since August 2023.

Cumberland Council, it appears, failed to submit a timely planning application for the Entertainment Space. It is understood that due process will delay an approval until at least mid-July 2024. Therefore, this is the over-riding matter, not the lease. Why wasn't this matter made clear at the Board meeting?

- 3) 'This matter was raised initially on 6 Nov & in FTB meetings with promises from both sides that the matter would be resolved, due to clash of personalities between Harbour Authority & MTC these projects risk being jeopardised & the funding lost' **Cumberland Council was requested, through Kevin Kerrigan on March 20, to provide a date(s) for when the works to the Play Area & Entertainment Space would be completed so that it/they could be included in the lease documents; no such information has as yet been provided.**

What is the evidence for a 'clash of personalities'? There is no 'clash of personalities', rather, the Town Council has had to deal with intransigence concerning the format of an agreement.

The following email was sent to Kevin Kerrigan on 30 April; no response has been received. Was Cumberland Council, as the accountable body, not communicating with MHMA, & if not, why not?

'Can you advise whether MHMA has been given a deadline for completion of the lease agreement please?

Representatives of the Town Council attending various meetings are notifying the office that MTC is being referred to as if it were the driver of this matter. Whilst we can continually ask the Council's solicitor for progress, we have no direct control over MHMA's solicitor's attention to the issue. I would have anticipated that Cumberland Council would have given an indicator to MHMA to be able to instruct their solicitor in this.

If MHMA has not been so advised, can you please advise MTC of the deadline that should be being worked to; the last we heard was that it was 31 March, but since then there have been delays, we understand, in other elements of the developments.'

- 4) 'No consideration has been given to the businesses who[sic] are effected[sic] by the lack of progress by both parties.'

Which businesses have been affected & what evidence supports this?

- 5) 'The Town Board does not want to have to explain to the public the reasons for this project not happening, particularly when these two organisations are supposed to be working in the interests of the Maryport community'.

It is not the Town Board's responsibility to act as communicator with the public on these matters; that rests with Cumberland Council as the accountable body.

There are three organisations involved in the lease arrangements, not two.

The Town Council is well aware of its responsibilities to the community, which includes a fiduciary duty that seems to have not been taken into account by the Board, according to the minutes.

At a meeting held between MHMA, MTC & CC on 26 February, it was agreed by MHMA to act in the interests of the community, & its directors were reminded of this when discussions on the lease charge were being held, as well as in an email to the directors following a meeting held between MHMA, MTC & CC on 24 May to discuss a tripartite agreement, a meeting from which the General Manager of MHMA left abruptly, refusing to consider a tripartite agreement, & subsequently

advised the Council that it should communicate directly with the directors of the company.

- 6) 'The Town Board issued an ultimatum that this must be resolved by next Friday.'

The Town Board has no authority to issue such an ultimatum. In the words of Kevin Kerrigan, explaining the Town Board's role in an email on 8 April, '.....Future Town Board which Cumberland Council has established to act in an advisory capacity in relation to the delivery of the Maryport regeneration programme. No formal decision making has been delegated to the Future Town Board but this is an important forum for co-ordinating stakeholder views.'

On the other hand, the Town Council has a legal duty towards its council tax payers & will endeavour to ensure that is achieved.

- 7) 'MTC & the Harbour Authority are failing the people of Maryport; the people of Maryport voted this project as their number 1 priority for the town'.

There is no basis in fact for this scurrilous accusation against the Town Council. Whilst it is referred to as one project, both in the statement above & in the title of the project, the discussion is of two projects, the Entertainment Space & the Play Area. It is the former which has proved the most problematic; for work to commence on the Play Area, it would appear that only agreement between Cumberland Council & the Aquarium is required on access over land on which the obstacle golf course is sited is required, which is for those two parties to arrange; the obstacle golf course is not part of the current lease of the land on which Shiver Me Timbers is located, it is the subject of a separate agreement between MHMA & the Aquarium.

- 8) 'Kevin said an element of goodwill is needed from both sides & that a resolution can be reached so that they can start the works'.

Kevin Kerrigan is well aware that works on the Entertainment Space cannot commence until Cumberland Council has received planning permission; the lease arrangement has not impacted on this, since it will be mid-July at the earliest. As in (7), Cumberland Council needs to agree access arrangements for works on the Play Area to commence. The Town Council has acted with goodwill at all times. At its special meeting held on 19 March, it agreed to operate the Entertainment Space, once completed, having at its 22 January meeting agreed to manage the Play Area. If Cumberland Council was to accept those minuted agreements as 'goodwill', rather than first requiring a lease agreement, works could commence. It is understood that the MHMA held a meeting subsequent to that held on 24 May, (referred to in (5) above), to which Giles Cooper of Cumberland Council was invited, to discuss further the tripartite agreement proposed by MTC & CC which the General Manager of MHMA had refused to consider. Giles Cooper was asked to draw up a Heads of Terms for such an arrangement for MHMA's further consideration.

9) The minutes produced in respect of Town Board meetings are public documents, & as such, appropriate care & caution should be exercised in drawing them up. As accountable body, Cumberland Council should be advising the Board of this. This is not the first time that minutes from the Town Board meeting indicated that matters have not been properly investigated with all parties before the Town Council has been criticised. It is worth noting that the Town Board minutes of 8 April stated that, *'Sean asked Steve why MTC charged £400 for the flower beds, and has asked Steve for the regulations. These funds have taken money out of the project and could have been utilised to pay for tarmacking. Sean said he would suggest Cumberland invoice MTC for putting the flower beds into storage.'* Notwithstanding the fact that the impact of £400 on the project was overly exaggerated in this comment, the fact was that the Cumberland Council officer managing that project had advised that the contractor had failed in its obligations & should be charged for the hire of the features which had been requested. In addition, it should have been clear that such a charge would have to be met from the contractor's potential profits, & would not impact on the facilities provided under the project. Following the facts being made clear, an email was received from Sean Parnaby on 12 April, accepting his mistake & stating that, 'at the next meeting I will put on the record an apology to MTC'. The minutes from the next Town Board meeting held on 22 April state, ***'Minutes of the previous meeting – Invoice for MTC has been sorted and to be paid by Armstrong's.'*** An apology has therefore not been recorded &, as above, the Town Board should ensure that in producing documents as a public record, it corrects any incorrect statements appropriately.

10/24 Building Preservation Notice served on Dixon's Jewellers
Resolved that the item be deferred.

11/24 Items for Next Agenda
 None received.

Following the meeting, a meeting of the Allotment Committee took place.

Signed

Chairman

Date