

Lowestoft Town Council

Meeting of the Implementation Committee

Riverside, Waveney District Council Offices, 4 Canning Road, Lowestoft NR33 0EQ
16:00 on 9 April 2018

MINUTES

Present: Cllrs Sue Barnard (arrived 17:06), Neil Coleby, Peter Collecott, Dick Houghton (arrived 16:58), Peter Knight (Chair) and Alice Taylor

In attendance: Shona Bendix (Clerk), Mark Speller (Facilities and Contracts Manager), Lauren Elliott (Committee Clerk)

Public: None present

257. Welcome

The fire evacuation procedure and public right to report were explained and the meeting was welcomed.

258. To receive and consider acceptance of apologies for absence

Apologies were received and accepted from Cllrs Barron, Ford and Patience.

259. Declarations of Interests and dispensations

None.

260. To consider the accuracy of the Minutes:

19 March 2018 – accepted as accurate.

261. Public Forum

None present.

262. Asset and compliance issues

The Facilities and Contracts Manager gave a presentation to the Committee on the management and control of Legionella, and how Lowestoft Town Council can move forward to managing this itself.

An overview was given explaining what Legionella is, and how it is contracted and spread.

Information was provided on those most at risk of contracting Legionella, and the main risk areas; such as air conditioning unit and hot and cold water systems.

A scheme for control should include;

- weekly flushing of infrequently used services
- monthly temperature monitoring
- quarterly shower-head disinfection
- six monthly storage inspections

An annual review of the scheme and risk level should be undertaken, along with a bi-annual review of the risk assessment document.

Cleaning and disinfection of sites should be carried out as required, as well as quarterly bacteria tests on higher risk sites (this would be necessary for the Denes Oval).

It was noted that the water source at allotment sites might need to be considered for inclusion if not already.

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The requirements from Lowestoft Town Council would be as follows:

- designated responsible person with delegated authority to act should there be a major issue (the Clerk)
- a deputy responsible person with delegated authority to act should there be a major issue, if the designated responsible person is unavailable (Deputy Clerk)
- a competent person to manage processes and advise (it was noted that the Facilities and Contracts Manager has already received the appropriate training to fulfil this role)
- clear lines of communication
- clear procedures
- management system
- operatives
- monitoring equipment

The associated costs have been calculated as follows:

- to conduct responsible persons training - £200 per delegate (LTC would require two delegates)
- no charge for the competent person as the Facilities and Contracts Manager already has the necessary qualifications
- clear lines of communication and procedures – no charge
- online management plan - £500 per annum
- Waveney Norse operatives – costs would need to be confirmed for the six sites involved
- Monitoring equipment - £137.50 plus UKAS calibration of £80 per annum (it was noted that two sets of equipment would be required, one for the competent person at LTC and the other for Waveney Norse)

An example of the software was shown to the Committee, which included a calendar of requirements of what action is needed and when. At present, with the number of sites involved, the Facilities and Contracts Manager can enter all the necessary data.

As part of the Service Level Agreement, Norse already carry out monthly preventative work at public conveniences, changing rooms and the café in Normanston Park. It was queried why the café in Sparrows Nest was not included, and the question will be raised with Norse, but they can only undertake a certain level of testing. The Facilities and Contracts Manager will need to complete some form of overall checks.

It was questioned whether the café owners should be completing these checks, rather than Lowestoft Town Council. The issue is with the shared water supply, and the potential problems of backflow or cross contamination. Lowestoft Town Council must conform to regulations, particularly as there would be a risk to life associated with this.

If a problem is discovered a contingency needs to be put in place to ensure that someone with the necessary expertise can be sought to rectify it, as Norse only has a certain level of expertise in this field.

A concern was raised as to why Lowestoft Town Council needs to purchase equipment for Norse to use. This is so the Council can ensure it is suitably maintained and calibrated. Conditions would be stipulated that it is to be used for Lowestoft Town Council's assets only.

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It was noted that there is no reserve in place to use in the event of a Legionella outbreak, or rectify an issue which could result in an outbreak. A figure of £10,000 was suggested to start to build up a risk budget.

Enquiries are being made as to the extent that the Council would be covered by insurance; but funds would need to be available to cover the upfront cost of addressing a problem.

It was queried whether Lowestoft Town Council would have landlord responsibilities over the house in Belle Vue Park. The lease will be checked but general maintenance has most likely been covered by Waveney District Council's Asset Management Team.

Cllr Coleby proposed a recommendation to the Finance and Governance Committee for a budget to be set aside to be used in the event of a Legionella outbreak, or to rectify an issue discovered by the routine monitoring of Legionella, with the relevant delegated authority. Also for training and the appropriate support to be given to the responsible and deputy responsible persons (and competent person if necessary) from the existing training budget, and to approve purchase of the two sets of monitoring equipment; seconded by Cllr Taylor; all in favour.

It was agreed that compliance should be included as a standing item on the agenda, to allow the Facilities and Contracts Manager to report back to the Committee on all the tests which are completed (not just Legionella) and to raise any issues.

It was noted that the sea wall would not have to be included in Legionella monitoring as this is not associated with a regulated water supply.

Waveney Norse have received several requests from members of the public for memorial benches dedicated to a loved one. These would be entirely funded by the individual, but Norse have approached the Council for their views as to the preferred style and finish of the benches.

It was suggested that a standard style for all of the benches would be more aesthetically pleasing.

The issue would be when the benches fall into a state of disrepair and a procedure is required to determine whether the benches are disposed of or reconditioned, or whether the memorial only lasts for the lifetime of the bench and then the space it occupied becomes available for somebody else.

Cllr Collecott left the room at 16:50

A discussion was held as to whether a partial refund should be offered if the bench is vandalised within the first year. There were arguments in favour of and against the idea but it was considered that the public should not have to fund this. Terms and conditions should be formulated which state that benches are introduced at the individual's own risk.

It was noted that the conditions should also stipulate that flowers are not left on or around the benches as they are there to serve a purpose to the public as well.

Cllr Collecott returned at 16:52

It was suggested that enquiries could be made with Norse with regard to the current policy, which could be amended following this discussion.

Cllr Houghton arrived at 16:58

A query has been raised regarding night fishing in Fen Park. A member of the public contacted Lowestoft Town Council to ask whether he was permitted to do so, as he said he had a prior agreement in place with Norse and Waveney District Council last year.

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There had also been concerns raised about fishing by the Friends of Fen Park. Waveney Norse have confirmed that they did grant permission for night fishing last year and there is not a no-fishing agreement in place.

It was agreed that Lowestoft Town Council will continue to allow night fishing until such time as an alternative arrangement is discussed. However, an action which is in breach of the rod licence or Environment Agency's code should still be reported and dealt with.

Cllr Barnard arrived at 17:06

It was suggested that a query could be raised with Norse about how the levels of fish in the fishing lakes are monitored. Research could also be undertaken into any byelaws which may be in force, although there has not been a suggestion that the law has been broken.

An update has been requested from Waveney Norse regarding completion dates for improvement works to play areas at Stoven Close, Rosedale Gardens and Normanston Park, funded by CIL money. The funding was provided ten months ago so the Council would like to know what stage this work is at.

Stoven Close is not a functioning play area at the moment. The equipment has been temporarily removed and the site has been flooded by recent heavy rain.

It is understood that there may still be unused CIL money which was to be spent in Gunton in 2010-11. This may be subject to a time limit on when it can be spent and it was suggested that this could be used to introduce picnic benches in the North Denes area.

In relation to the sale of a section of land on Walmer Road, LTC had been passed some paperwork to sign by a WDC lawyer, but has now been advised by WDC that this was an error, and more paperwork has been received today explaining what has happened, that the original paperwork should no longer be considered, and what action now needs to be taken to resolve the matter.

It was noted that this could be in relation to planning application DC/15/4350/COU. The application for change of use from an open space to residential garden area was permitted on 11 January 2016 and therefore the permission will shortly expire.

Lowestoft Town Council had previously given authorisation for Waveney District Council to take the land back, arrange the sale and provide Lowestoft Town Council with the proceeds of the sale. It was agreed that this original process should continue.

The Facilities and Contracts Manager has been analysing other compliance issues, with regard to what action should be carried out, when and by whom, and what regulations must be adhered to.

A disc has recently been received from WDC which contains some essential documents required by LTC – such as asbestos certificates – although some necessary items appear to still be missing. This will be reviewed in detail.

263. Summary table of concerns regarding asset transfers

This has now been referred to Full Council. However this will be carried forward to the next agenda as a confidential document, as the next meeting will be just ahead of the Full Council meeting.

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264. Progress with events on Town Council land

All scheduled events are progressing well. It is understood that an event has been scheduled on Gunton Warren, but as the land is leased to the Suffolk Wildlife Trust it is thought that they will be managing this. This is being investigated.

The Lowestoft Lions' Easter Egg Hunt was very successful and it was suggested that an email could be sent to them in appreciation of all their hard work for the event. They also gave positive feedback on the Deputy Mayor's involvement on the day.

It was noted that Cllr Knight has requested to join the Lowestoft Lions Club.

265. Progress with a framework for requests for the Freedom of the Town

There is no update at present.

266. Progress with draft lease for community halls

The Section 113 Agreement has now come to an end. Work under that agreement should have been completed now and this is being looked into.

Trustee names for the Gunton Estate Community Meeting Hall have been obtained and forwarded to Waveney District Council.

The previous lease did not cover statutory obligations, and these were therefore being carried out by the Housing Department. It was queried whether the Council now wanted to include them in the lease, at a cost of £1,500 per year to the tenants. It was suggested that statutory obligations should be included in the lease, but this is a large cost to pass onto the tenants.

Cllr Barnard proposed including the statute obligations in the lease with a transition period of three to five years for Lowestoft Town Council to support the tenants in becoming able to meet the extra cost; seconded by Cllr Taylor; all in favour.

It was noted that the new lease will affect the Gunton Estate Community Meeting Hall, the Whitton Residents Hall and the Lowestoft Movie Makers.

267. Progress with community engagement

267.1 Survey (including Survey Monkey)

267.2 Promotion leaflets and advertising

267.3 Noticeboards and signs

267.4 Events material: gazebo, banners and microphone etc

It was noted that all of the above items are ongoing. The recommendation for the colour of the gazebo was approved by Full Council.

268. Draft protocols

268.1 'Friends of' groups – Cllr Taylor has re-drafted this and it will be available for the next meeting.

269. Progress with the introduction of plaques commemorating significant events

It was queried whether the Finance and Governance Committee need to examine funding. This will be looked into for the next Finance and Governance Committee agenda.

It was noted that the Jack Rose Old Lowestoft Society would like to place an advertisement on Lowestoft Town Council's website. If they contact the office, staff can discuss this with them.

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270. Progress with plans and lease for the first floor of Hamilton House

During the Full Council Meeting it was suggested that no interest will be payable. Interest will however be payable.

It was also noted that negotiations regarding the cost should be taking place where possible. The figures East Coast Community Healthcare have provided were a starting point and they are willing to negotiate.

271. Update and next steps for the following assets:

271.1 Allotments – Cllr Houghton has drafted a new asset plan, which will be available for the next meeting.

271.2 CCTV - The CCTV Committee Meeting is being held at 14:30 on Friday 13 April at Hamilton House to note the current position and make recommendations for the future of the service. All Councillors have been invited to attend.

271.3 Community halls – There were no matters for discussion.

271.4 East of England Park – There were no matters for discussion.

271.5 The Lowestoft Collection – A review indicates that there are apparent issues including that some items seem to have deteriorated significantly from when Waveney District Council assessed them last year and now.

Some of the items are included on WDC's list of item but are not in the Reorganisation Order. This could therefore mean they are not insured at all, or they may have been insured by mistake if they were included in the Durrants valuation.

It was agreed that Lowestoft Town Council should seek a transfer of these items. Enquiries will be made with insurers and terms for a transfer should be negotiated with Waveney District Council as per the Council's request.

It was noted that the Council needs a complete and definite list of all the items in the Collection.

There is a separate list of civic regalia which was valued by T.W. Gaze in April 2017 and again by Durrants in December 2017. There is a large variance in the values of some of the pieces and this will be investigated

There is an auction being held shortly which will include items of Lowestoft Porcelain. There is a budget in place to enhance Lowestoft Town Council's collection, but in the event that the Council seeks to do so at some point in the future expert advice would need to be sought to determine which items would enhance the collection.

It was suggested that the Town Hall could be used to store items not on display. However there is currently no temperature regulation in place and LTC would have to start paying business rates if the building was brought back into use.

Some items will be displayed in Lowestoft Town Council's new office at Hamilton House and suitable storage containers will be arranged for items not on display at the museum.

271.6 Marina Theatre – The Asset Plan (a confidential paper) was shown to Councillors. A meeting is being held on 20 April and the document will also be available there. It was noted that one of the objectives has already been achieved at the Full Council meeting on 3 April so the plan will be updated accordingly.

271.7 North Denes including asset records – It was queried whether drafting a plan to proceed with erecting picnic benches in the North Denes area could be added to the next Planning and Environment Committee agenda, with a view to potentially using the unused CIL money.

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This was queried as it was thought that this would form part of the overall strategy for the area. It was noted that this would not be a formal asset plan. It was queried whether this should be added to the Planning Committee agenda or the Implementation Committee agenda. The Planning agenda was originally selected as it is a consideration of the use of parks and open spaces and it could tie in with the Neighbourhood Plan.

It was noted that the Neighbourhood Plan is a long-term ambition and it would be beneficial for a strategy to be introduced for the area, which could also assist if further planning applications are submitted. The Open Spaces Sub-Committee could start considering strategies.

At the Full Council meeting on 3 April it was requested that the North Denes Asset Plans be reviewed again by the Implementation Committee. The most recent versions of the documents have been circulated to the Committee and this will be added to the next agenda so Councillors can review them.

- 271.8 Open Spaces and parks – There have been no further updates with regard to the Memorial installation at Belle Vue Park at present.

A professional horticulturalist who has worked with Waveney Norse has been in contact to say he would be keen to work with Lowestoft Town Council if required.

It was suggested that a fence could be erected at the site of the septic tank on the land of the Uplands Community Centre to offer protection of the site and electrical cables, and offer protection against potential trip hazards.

It was queried how much protection fencing would offer; plus the Council would have to ensure it is maintained. The initial cost would be £1,460 for a wire mesh fence and gate.

A suggestion was raised that the residents whose properties are served by the septic tank be approached to see if they would be willing to purchase it for a nominal fee. The associated paperwork would be completed by Lowestoft Town Council and this could be of benefit to the residents by potentially increasing the value of the properties.

Cllr Coleby proposed making enquiries with the residents as to whether they would be interested in purchasing the septic tank for a nominal fee; seconded by Cllr Taylor; all in favour.

- 271.9 Town Hall (including condition survey) and Heritage Action Zone – The current asbestos survey for the Town Hall has been sent to the architect from Historic England, so the assessment of the Town Hall on 20 April can proceed. It was noted that pictures should be taken so the Council can provide an update on the status of the Town Hall.

- 271.10 Triangle Market – Cllr Houghton has produced a draft asset plan which was circulated ahead of the previous Implementation Committee meeting. This will be revisited at the next meeting. NABMA will be completing their assessment of the Triangle Market and speaking to the Implementation Committee at the next meeting.

There have been some difficult discussions with Waveney District Council in relation to the Capital Programme funds and the management agreement with the Marina Theatre Trust, and legal opinions are being sought

- 271.11 Other assets and asset records – There were no matters raised for discussion.

272. Summary table for asset records, protocols and strategies

This was noted and will be carried forward to the next agenda.

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- 273. Any developments in relation to the threatened closure of Lowestoft Records Office**
Cllr Taylor attended the Pre-Consultation Meeting today and it went well. All those who attended were of the opinion of keeping the Records Office in its current location and improving the facilities. The Town Hall was discussed but the issues and expense related to it were noted and understood. The site of the proposed Burger King restaurant was also suggested as a potential new location for the Records Office.
A report will be created and the full consultation will begin in May.
- 274. Date of the next meeting**
23 April 2018 16:00 Riverside – The time of 16:00 was still convenient for most members of the Committee although this can be reviewed if issues arise.
- 275. Items for the next Agenda and Close**
The Clerk will look into the question of locating a bus shelter opposite the train station. This will be added to the next agenda and can be discussed in more detail.

The Chair closed the meeting at 19:04

Signed:
23 April 2018