

# Lowestoft Town Council

## Full Council Meeting

First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE

19:30 on Tuesday 27 November 2018

### MINUTES

**Present:** Cllrs Sue Barnard, Allyson Barron, Peter Byatt, Tara Carlton, Neil Coleby, Tracey Eastwood, Amanda Frost, Ian Graham (Chair), Alan Green, Peter Knight, Peter Lang, Keith Patience, John Pitts and Alice Taylor

**In attendance:** Shona Bendix (Clerk) and Lauren Elliott (Committee Clerk)

**Public:** There were two members of the public in attendance

#### **423. Welcome**

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

Lowestoft Town Council accepted two portraits of Lowestoft as a gift from a member of the public in attendance and thanks were offered for the generous donation.

#### **424. To receive and consider acceptance of apologies for absence**

Apologies were received from Cllrs Alam, Bemment, Collecott, Houghton and Parker. Cllr Ford had not provided apologies and was absent. Cllr Knight proposed acceptance of the apologies and noting of the absence; seconded by Cllr Coleby; all in favour.

#### **425. Declarations of Interests and dispensations**

Cllr Patience declared a local non-pecuniary interest in items 431.9 and 433.1.

Cllr Barnard declared a local non-pecuniary interest in item 431.9.

Cllr Byatt declared a local non-pecuniary interest in items 433.1 and 433.2.

Cllrs Byatt, Green and Patience declared a local non-pecuniary interest in any legal or sensitive issues regarding Waveney District Council, in their role as District Councillors.

Cllr Lang declared a pecuniary interest in item 431.10.

The Clerk and Committee Clerk declared a pecuniary interest in item 428.1k.

#### **426. To consider the accuracy of the Minutes:**

a) 23 October 2018 – Accepted as accurate. Proposed by Cllr Coleby; seconded by Cllr Knight; all in favour.

b) 22 November 2018 – These are notes from an internal meeting and will be discussed later on the agenda.

The minutes from the meeting on 12 November were also considered and accepted as accurate. Proposed by Cllr Green; seconded by Cllr Knight; thirteen Councillors voted in favour; one Councillor abstained from the vote.

#### **427. Public Forum**

Neither of the members of the public in attendance wished to speak.

#### **428. Finance:**

**428.1** The minutes of the previous Finance and Governance Committee Meeting (8 November 2018) were received particular consideration was given to the following matters:

**428.1a** The 2018-19 budget, monitoring and bank reconciliation – There are several abbreviations in the financial paperwork. It was requested that a key is added to future financial papers. Cllr Green proposed to note the 2018-19 budget, monitoring and bank reconciliation; seconded by Cllr Coleby; all in favour.

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- 428.1b** Noting of the expenditure and income reports for the month ending 31 October 2018 and November 2018 to date – These reports were noted.
- 428.1c** Approval of the virement of £20,000 for the Christmas lights from the East of England budget – This has previously been approved but confirmation of where the funds are coming from needs to be recorded in the minutes. Cllr Green proposed approval of the virement of £20,000 for the Christmas lights from the East of England budget; seconded by Cllr Barron; all in favour.
- 428.1d** The draft 2019-20 budget and related precept – The draft 2019-20 budget was displayed on screen. Information regarding the precept was circulated to Councillors in advance of the meeting. The Budget Working Group has been considering options, and has scrutinised the particular costs relating to the Marina Theatre and the required condition works. The Working Group will consider any comments or suggestions made by Councillors. The ‘miscellaneous’ total includes a large sum for capital repairs, as the Facilities and Contracts Manager (FCM) has been assessing the determined maintenance costs of Lowestoft Town Council’s assets from condition surveys, aside from the Marina Theatre. The increase in the draft precept for 2019-20 is largely due to the short term expenditure required for the Marina Theatre. It is anticipated that it will decrease for the 2020-21 financial year, and the expenditure can be spread more evenly over future years. Options for grant funding will also be explored. There is an issue with the heating at the Marina Theatre. The Theatre will arrange to have this fixed, then it will be determined who is responsible for the cost. There is currently a figure of £0 against the sports and leisure fees for 2019-20. This will be discussed in more detail later on the agenda. An Extraordinary Meeting will be arranged to discuss the budget in more detail to provide Councillors with a briefing. It was requested that Councillors receive the budget paperwork sufficiently in advance of the meeting to allow them to review it in detail. All Councillors will be made aware of the date of the next Budget Working Group meeting and invited to attend to hear more about the budget analysis.
- 428.1e** The arrangements for insurance of the Lowestoft Collection – It is understood that there is no issue surrounding the Lowestoft Collection and this does not require the input of Lowestoft Town Council, however the Clerk is making enquiries to confirm this.
- 428.1f** A recommendation for renovation work to the public conveniences at Fen Park and Sparrows Nest to be completed using S.106 funding, and CiL funding if necessary – This has been discussed by the Assets, Inclusion and Development (AID) Committee. Cllr Barron proposed approval for the AID Committee to draw up a specification to be considered by the Finance and Governance Committee, before going out to tender; seconded by Cllr Knight; all in favour.
- 428.1g** A recommendation to continue the current charges for events – Cllr Coleby proposed the continuation of the current charges for events; seconded by Cllr Knight; all in favour.
- 428.1h** Agreement of hire fees for Lowestoft Town Council’s meeting rooms, as per the following recommendations: Cllr Green proposed acceptance of the hire fees for Lowestoft Town Council’s meeting rooms, as specified in items 428.1hi – hiv; seconded by Cllr Coleby; all in favour. Thanks were offered to staff for already reaching the target for the sum raised through meeting room hire for the year.
- 428.1hi £150 per day to hire the combined space of the Council Chamber and Lowestoft Room, or £90 per half day
  - 428.1hii £100 per day to hire the Council Chamber, or £60 per half day
  - 428.1hiii £50 per day to hire either the Plaisir or Lowestoft Room, or £30 per half day
  - 428.1hiv Tea and coffee to be charged at £1.50 per person per round
- 428.1i** A recommendation that the arrangements for the sports and leisure facilities remain the same for next year and to consider the meetings with sports and leisure clubs – The tennis club reported that their membership had increased 100% and they invested the money saved

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in coaching sessions. The cricket club increased membership to its Junior Club as it was able to decrease its membership charges. The council will need to consider whether it continues the fee waiver and whether it should be determined on a site-by-site basis. A grant system could also be considered alongside this.

Cllr Byatt proposed that the sports and leisure fees for 2019-20 be considered as part of the budget-setting process; seconded by Cllr Knight; all in favour.

**428.1j** A recommendation that the current arrangements with market stall holders at the Triangle Market remain the same for next year – Enquiries are being made with Waveney Norse as to the rental income from the stall holders and the existing terms of the lease are not known. It was suggested the fees could be increased if permitted within the existing arrangements, or new arrangements could be introduced if possible.

Cllr Knight proposed an increase in line with the Retail Price Index (RPI) for existing stall holders and a 3% increase for new stall holders; seconded by Cllr Graham.

Cllr Lang proposed deferring this matter until further information is known.

Cllr Knight's proposal had been seconded so a vote was taken on that proposal. Nine Councillors voted in favour and five Councillors voted against.

**428.1k** A recommendation to close the office on Christmas Eve (confidential re staffing)

*The Clerk and Committee Clerk left the room 20:17 for the discussion of this item*

Cllr Green proposed approval of the recommendation to close the office on Christmas, for which staff would be paid but would not be required to take annual leave; seconded by Cllr Barron; all in favour.

*The Clerk and Committee Clerk returned 20:19*

**428.1l** Consideration of a budget and delegates for the NALC Spring Conference 2019 – Seven delegates attended the NALC Annual Conference in October. A report has been circulated and generally those who attended did feel it was of benefit, although some workshops were more beneficial than others.

Cllr Lang proposed four delegates represent Lowestoft Town Council at the NALC Spring Conference 2019, comprising three members of staff and one Councillor (the Mayor, Clerk, Deputy Clerk and one other member of staff) ; seconded by Cllr Patience; eight Councillors voted in favour; six Councillors voted against.

**428.2** Noting of any payments previously approved (schedule and see **428.1b**) – This was noted.

**428.3** Noting of income received (schedule) and the transfer of £300,434.71 from the Debt Management Office account to the current account and consider any further investment – Cllr Lang proposed that the Finance and Governance Committee provide a recommendation to the next Full Council meeting on what should be done with the funds; seconded by Cllr Knight; all in favour.

**428.4** Consideration of any payments for approval by Full Council:

**428.4a** The associated schedule of payments, including –

A schedule was displayed at the meeting for Councillors to consider, as below. Cllr Barnard declared a pecuniary interest as one of the payments was a reimbursement to herself.

*Cllr Barnard left the room 20:24*

Person	Amount	Description
Archant	£244.80 + £48.96 VAT = £293.76	Gunton Warren Disposal of Land Advert for 2 weeks – Hard Copy
Archant	£405.00 + £81.00 VAT = £486.00	Town Hall Advert for Tender for 2 weeks – Hard Copy and Website
Sue Barnard	£10	Reimbursement for Friends of Gainsborough Drive Meeting

All Councillors voted in favour to approve the three payments as above.

428.4ai Archant for tender advert for the Town Hall at £202.50 (VAT ££40.50) = £243 – Cllr Green proposed approval of this payment; seconded by Cllr Knight; all in favour.

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*Cllr Patience left the room 20:27*

*Cllr Barnard returned 20:28*

*Cllr Patience returned 20:28*

**428.4b** A grant application in the sum of £1,014 from Gunton Woodland Community Project – Cllr Coleby proposed approval of this payment on the condition that a receipt is produced; seconded by Cllr Lang; all in favour.

**428.4c** A grant application in the sum of £10,800 from First Light Festival C.I.C. – Cllr Lang proposed approval of this payment; seconded by Cllr Taylor; thirteen Councillors voted in favour; one Councillor abstained from the vote.

*Cllr Eastwood left the meeting 20:36*

**428.4d** The following expenditure relating to Hamilton House:

428.di Four desktop power socket extensions, at a cost of £18.98 each

428.dii A water cooler, at a cost of £17.33 per month (plus VAT) – will not be supplying plastic cups

428.diii An additional intercom receiver, at a maximum cost of £280

Cllr Green proposed approval of all items for Hamilton House as detailed in items 428.di – 428.diii; seconded by Cllr Knight; all in favour.

**428.4e** A maximum budget of £1,000 on mapping and visual data management tools delegated to the Clerk – This would be beneficial for the Neighbourhood Plan and it was suggested that the cost could be met from the related grant funding.

Cllr Taylor proposed approved of the maximum budget of £1,000 for mapping and visual data management tools, as expenditure relating to the Neighbourhood Plan; seconded by Cllr Knight; all in favour.

**428.5** Consideration of essential compliance expenditure (associated schedule) –

*Cllr Frost left the room 20:39*

The FCM has compiled a spreadsheet of compliance costs over ten years. This was displayed at the meeting for information and provides important data for the Budget Working Group to consider.

Cllr Barnard proposed a formal vote of the thanks to the FCM; seconded by Cllr Lang; all in favour.

**428.6** Any progress with condition surveys for the Town Hall and Marina Theatre – The invitation and instructions to tender for heritage survey services for the Town Hall have been advertised. A site visit for interested parties has been arranged for 6 December and the deadline for submissions is 14 December. A recommendation should be prepared in time for the Full Council meeting on 18 December.

*Cllr Frost returned 20:41*

**428.7** Consideration of a feasibility study for the Town Hall and whether to conduct this as part of a joint study with Waveney District Council for their site behind the Town Hall and consider delegating authority for agreement of the tender process – It was suggested that as part of the bidding process Lowestoft Town Council should ensure it focusses on ensuring a feasibility study for itself and, if possible, jointly with Waveney District Council.

All Councillors voted in favour of delegating authority to Cllrs Graham, Green and the Clerk to decide on this and report back to the next Full Council meeting.

**428.8** Consideration of delegating authority for expenditure, tender and other commitments made under the agreement for the emergency repairs grant from Historic England to the Clerk and agree the councillor signatories to any tender contracts – Cllr Coleby proposed delegating authority to the Clerk, with Cllrs Graham and Green as the signatories; seconded by Cllr Taylor; all in favour.

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**428.9** Consideration of storage options for the artefacts from Waveney District Council and the associated cost – Cllr Coleby has been researching storage options. One of the options is £165 per month (plus VAT). It has been suggested that one container should be sufficient for the items. It was suggested that a representative from Lowestoft Town Council should be present when the items are moved to ensure all items on the list are seen and transferred to Lowestoft Town Council.

All Councillors voted in favour of delegating authority to Cllr Coleby and the Clerk to research further storage options and progress this in line with the budget of £165 (plus VAT) per month.

**428.10** Consideration of the provisional election costs for 2019 – It was confirmed that the cost of postal votes is the same for the Town and District Councils.

*Cllr Taylor left the room 20:56*

All Councillors were happy to note this item.

### **429. Governance:**

**429.1** Consideration of the terms of reference for an Events and Communications Sub-Committee – These were recommended for approval by the AID Committee at yesterday's meeting.

Cllr Green proposed acceptance of the terms of reference for the Events and Communications Sub-Committee; seconded by Cllr Coleby; all in favour.

Cllrs Knight and Lang expressed an interest in joining the Events and Communications Sub-Committee and Cllr Byatt would like to be involved if time allows.

*Cllr Taylor returned 20:58*

*A member of the public left the room 20:58*

### **430. Assets, Inclusion and Development:**

**430.1** The minutes of the previous Assets, Inclusion and Development Committee meeting (5 November 2018) were received, as well as a report from the meeting of 26 November 2018.

*The Clerk left the room 20:58*

Noticeboards were discussed at yesterday's AID Committee meeting. It was recommended that the Council should consider the purchase of seven twin cabinet noticeboards (one for each ward), from David Ogilvie Engineering Ltd, at a cost of £2,000 each (including VAT). The recommendation was to consider delegating authority to the AID Committee with a budget of £15,000, which would also allow for the purchase of replacement acrylic panels.

*The member of the public returned 21:00*

Councillors have previously been asked to confirm whether they would like a noticeboard in their ward, and if so where it should be located.

*The Clerk returned 21:00*

It was suggested that the budget could come from the inflationary underspend on the Waveney Norse contract. The Events and Communications Sub-Committee can progress this with the AID Committee.

Cllr Barron proposed approval of delegating authority to the AID Committee with a budget of £15,000 as virement from the inflationary underspend on the Waveney Norse contract; seconded by Cllr Knight; twelve Councillors voted in favour; one Councillor voted against.

**430.2** Consideration of bestowing the Freedom of the Town – Cllr Graham proposed transferring this matter to the AID Committee and Events and Communications Sub-Committee to consider this further; seconded by Cllr Lang; all in favour.

**430.3** Consideration of joining the Cycle to Work scheme –

*The Clerk and Committee Clerk left the room 21:06 for the consideration of this item*

Cllr Lang proposed that Lowestoft Town Council should join the Cycle to Work Scheme; seconded by Cllr Barnard; all in favour.

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*The Clerk and Committee Clerk returned 21:09*

It was agreed that only the non-confidential legal items would be discussed at this point in the meeting.

### **431. Legal:**

- 431.1** Agreement the registration and any other documentation and councillor signatories for the transfer of land at Gunton Warren to Waveney District Council (confidential) and delegate authority to the Clerk for any further steps for completion required once the period for advertising has ceased – Not discussed.
- 431.2** Consideration of the draft licence for Waveney District Council to undertake work on Lowestoft Town Council owned land (“East of England Park”) (confidential) – Not discussed.
- 431.3** Consideration of signing documents relating to the land registration of Gunton Estate Residents Meeting Hall and Whitton Residents Meeting Hall (confidential) – Not discussed.
- 431.4** Consideration of arrangements with Waveney and District Council and British Gas in relation to Whitton Residents Meeting Hall – The Whitton Residents Meeting Hall has solar panels. British Gas had a twenty five year agreement in place with Waveney District Council, of which nineteen years is still remaining. A balance of £2,535.43 is still outstanding. It is unclear whether ownership of the solar panels has transferred, and who is responsible for providing meter readings to British Gas.  
All Councillors voted in favour for the Clerk to take necessary steps to ensure Lowestoft Town Council has the information it needs to take on an agreement with British Gas, before the outstanding amount is settled.
- 431.5** Consideration of the Supplemental Agreement between Waveney District Council, Waveney Norse and Lowestoft Town Council (confidential) – Not discussed.
- 431.6** Consideration of the Hamilton House lease between East Point Business Services Limited and Lowestoft Town Council (confidential) – Not discussed.
- 431.7** Consideration of an agreement between Waveney District Council and Lowestoft Town Council in respect of coastal erosion/flood risk works (confidential) – Not discussed.
- 431.8** Consideration of a deed of transfer and release between the Big Lottery Fund, Waveney District Council and Lowestoft Town Council in relation to Normanston Skateboard Park (confidential) – Not discussed.
- 431.9** Consideration of legal issues relating to the North Denes land (confidential) – Not discussed.
- 431.10** Consideration of progress with the CCTV contract and out of hours service (confidential) – Not discussed.
- 431.11** Noting of progress with the assessment of the Normanston Allotments site – This is an ongoing matter and there were no updates to consider.
- 431.12** Noting of progress with the domain transfer for the website – This is an ongoing matter and there were no updates to consider.
- 431.13** Consideration of the application of the Living Wage to contractual arrangements (confidential) – Not discussed.
- 431.14** Consideration of the 2019 – 20 contract with Waveney Norse (confidential) – Not discussed.
- 431.15** Consideration of a lease for the Lowestoft Tennis Association (confidential) – Not discussed.
- 431.16** Consideration of a review of utilities and payment of utility bills (confidential) – Not discussed.
- 431.17** Consideration of a three year utilities contract with Vertas (confidential) – Not discussed.
- 431.18** Consideration of a commercially sensitive matter re advertising (confidential) – Not discussed.

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**431.19** Formalisation and acceptance of arrangements for Arnold's Bequest – It was clarified that this will not be meeting of Lowestoft Town Council but the Councillors will sit as Trustees for the charity. Proposed by Cllr Coleby; seconded by Cllr Knight; all in favour.

It was suggested that the bin storage area needs to be reviewed. The lease will be checked and legal documents will pass over to Lowestoft Town Council once it has possession of the land.

### **432. Planning and Environment:**

**432.1** The minutes of the previous Planning and Environment Committee meetings (23 October and 6 November) were received – All Councillors were happy to note the minutes.

### **433. Policy and consultation matters**

**433.1** The Records Office – Suffolk County Council's Cabinet Meeting is taking place on 4 December to discuss this matter.

*Cllr Pitts left the room 21:25*

A representative from Lowestoft Town Council can give a five minute statement at the meeting. A draft statement was displayed to the AID Committee at yesterday's meeting.

*Cllr Pitts returned 21:26*

The draft statement was displayed to Councillors.

Cllr Green proposed acceptance of the draft statement, to be read at the meeting by the representative from Lowestoft Town Council; seconded by Cllr Taylor; all in favour.

It was agreed that Cllr Taylor would represent Lowestoft Town Council at the Cabinet Meeting on 4 December.

**433.2** Lowestoft Hospital – A Freedom of Information request has been submitted, independently of Lowestoft Town Council, regarding the whole process. It was confirmed that no response has been received to the Clerk's letter. Questions could be raised regarding the disposal of the site in the public interest, but it was agreed that Lowestoft Town Council should not spend public money to pursue this.

**433.3** Polling station changes – A meeting was held recently to discuss this and recommendations were made. These were circulated to Councillors in a draft response in advance of the meeting. It had been recommended for St Andrews Church Hall to become the polling place for Harbour South, however this is already the polling place for two other polling districts and there was a concern that there would not be room at the hall to accommodate another, or offer sufficient parking provision. It was recommended that consideration be given to the Fire Station as polling place for the Tom Crisp polling district, however this means that many parishioners would have to cross a busy road to get there and it was instead suggested that a portable polling station could instead be considered, with suitable space along Long Road. Twelve Councillors voted in favour and one Councillor voted against the agreement of the draft response to Waveney District Council's review of Parliamentary polling districts and polling places, with amendments to keep Stella Maris Hall as the polling place for Harbour South and to suggest a portable polling station for the Tom Crisp ward, rather than the Fire Station.

*Cllr Byatt left the room 21:38*

*Cllr Patience left the meeting 21:38*

*The members of the public left the meeting 21:38*

*Cllr Byatt returned 21:39*

### **434. Written reports from Councillors and any new representative roles**

**434.1** Report on the Coastal Communities Team – There were no updates to consider.

**434.2** Report on the Kirkley People's Forum – There were no updates to consider.

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- 434.3** Report on the Lowestoft Development Group – There were no updates to consider.
- 434.4** Report on the Plaisir Twinning Association – There were no updates to consider.
- 434.5** Report on the Cefas neighbourhood group – There were no updates to consider
- 434.6** Report on the Lowestoft Transport Infrastructure Partnership – A report was circulated in advance of the meeting.
- 434.7** Report on First Light Festival Board – There were no updates to consider.
- 434.8** Report on the Lowestoft Museum – The Clerk is seeking clarification as to the current insurance arrangements.
- 434.9** Report from the Records Office meetings – There were no updates to consider.
- 434.10** Report from the new East Suffolk Council – There were no updates to consider.
- 434.11** Report from the Third Crossing Group – A report was circulated in advance of the meeting.
- 434.12** Report from the Heritage Action Zone – There were no updates to consider.
- 434.13** Report from the Kirkley Business Association – There were no updates to consider.
- 434.14** Report from the SCC A47 Improvement Scheme – There were no updates to consider.
- 434.15** Report from the Lowestoft Summer Festival – A report was circulated in advance of the meeting.
- 434.16** Report from the Community Enabler Project Board – There were no updates to consider.
- 434.17** Report from the East of England Park Steering Group – Cllr Coleby attended a meeting yesterday and will be circulating a report in due course, however Councillors have already been receiving updates. Lowestoft Town Council have previously requested that the heritage of the site be considered in the plans but it was queried whether there are any other aspects which the Council would like to see considered. It has been suggested that the size of the events space could be increased to make the area more of a destination, and that an electricity supply could be considered to make the area more sustainable. It had been discussed that the central staircase may not be necessary but no formal vote was taken. Consideration also needs to be given to public conveniences and whether the proposed play equipment is appropriate for the area.  
Cllr Graham agreed to call an Extraordinary Meeting on 4 December at 18:15, to discuss the 'East of England Park' project and the confidential items on this agenda, as there was not sufficient time remaining to discuss all of the items.
- 434.18** Report from the Lowestoft Regeneration and Growth Board meeting and to consider a representative on the Board – This item was deferred to the next Full Council meeting
- 434.19** Report from the NALC Annual Conference – This item was deferred to the next Full Council meeting
- 434.20** Report from the Cultural Board, and to consider a further representative from Lowestoft Town Council – This item was deferred to the next Full Council meeting.
- 434.21** Any other reports – This item was deferred to the next Full Council meeting.

### **435. Date of the next meeting**

18 December 19:30

### **436. Items for the next agenda**

All Councillors voted in favour to move the meeting into confidential session.

### **437. Resolution to close the meeting to the public**

**437.1** Christmas Eve office closure – This was discussed earlier in the meeting.

**437.2** Any legal issues including those **431** above as required – An advertisement has been placed in the local press for the Gunton Warren land transfer. The Clerk has sought legal advice as to how to progress the matter. The land is being transferred back to the authority who

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transferred it to the Town Council and is disposing of the land under social, economic and environmental interests.

All Councillors voted in favour of Cllrs Graham, Green and the Clerk progressing the transfer of land without the involvement of the Secretary of State or an independent valuation, as this was unnecessary given that it was an inter-local authority transfer back to Waveney District Council on the same terms as transferred from them on 1 April 2017. Additionally, both Councils had agreed that Waveney District Council was in the better position to deal with the liabilities attached to the land; hence the transfer was in social, environmental and economic interest of residents and taxpayers.

The Chair closed the meeting 21:53.

Signed: .....

18 December 2018