

Lowestoft Town Council

Full Council Meeting

Held via Video Meeting

19:30 on 24 November 2020

MINUTES

Video meeting participants: Cllrs Sue Barnard, Robert Breakspear, Colin Butler, Neil Coleby, Amanda Frost, Alan Green (Mayor), Jacqueline Hardie, Paul Page, Graham Parker, Keith Patience, Andy Pearce, Alice Taylor and David Youngman

Also participating: Shona Bendix (Clerk) and Lauren Elliott (Committee Clerk)

119. Welcome

Councillors and members of the public were reminded of the right to report and application of the video meeting protocol, and the meeting was welcomed. The Mayor read out a resignation letter from Cllr Collecott, which the Clerk will formally respond to.

120. Apologies for absence from any councillors not in attendance

Apologies were received from Cllrs Peter Knight, Peter Lang and John Pitts. Cllr David Youngman advised he would be late. Cllrs Tara Carlton and Tracey Eastwood had not provided apologies and were absent. Cllr Pearce proposed acceptance of the apologies received; seconded by Cllr Barnard; all in favour bar one abs.

121. Declarations of Interests and dispensations

There were none.

122. Receipt of any comments and noting that the draft minutes of the meeting on 27 October 2020 will be considered at the next appropriate meeting

At item 110.3, when the Town Hall group membership was being discussed, the minutes reference the Town Council's Heritage Action Zone representative. The Town Council currently has two representatives and an amendment will be made to the minutes to reflect this.

123. Any advance comments from the public on any matters on this agenda

A detailed comment had been received from a member of the public about the Triangle Market. Thanks were offered for the comment, which will be referred to the Assets, Inclusion and Development (AID) Committee for consideration.

124. Finance

124.1. Receipt of the draft minutes of the meeting on 12 November 2020 – The draft minutes had not yet been reviewed by the Finance and Governance Committee and were noted.

124.2. Receipt and consideration of the following:

124.2a. The 2020 – 2021 budget position – The Budget and Loan Sub-Committee has been reviewing the budget.

124.2b. The 2021 – 2022 budget position, including the following:

124.2bi The budget provision for Christmas lights (or an alternative) – The Council had hoped to progress Christmas lights for London Road South this year and it was requested that this area is included with the plans for 2021 – 2022, and there is an equal balance between the North and South sides of the town. The option of projectors is being considered and seems to be cheaper than the braided lights the Council currently has. One of the companies who provided a quotation gave a presentation this week about projectors, and also suggested uplighters for trees or buildings. Images could be projected onto buildings or the seawall, but it is recommended that the projector is placed indoors, to project out through a window. Site visits can be arranged to consider appropriate locations. The Budget and Loan Sub-Committee will consider the budget provision.

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124.2bii Whether to include provision for measures to improve the safety of the Town Council's assets, such as CCTV – The Community Safety Committee has been considering the provision of security measures, such as CCTV. There is a budget allocation of £50,000 which can be taken forward under broader heading of community safety, and may be increased for 2021 – 2022.

124.2biii Whether to progress a loan application for capital works – The Budget and Loan Sub-Committee is seeking an in-principle decision, to ensure there is an appropriate budget for the repayments. A contingency sum could be set aside and it was suggested that Full Council considers this item again in the spring when it may have a clearer idea of what projects to progress under the loan application.

124.2c. Any bank reconciliations – September's bank reconciliation has been complete and confirmation is pending that October's has been completed also.

124.2d. Payments, income and expenditure reports for the month ending 31 October 2020 and November 2020 to date, including any payments made under delegated authority and any COVID-19 grant awards – A Covid-19 grant application from the Lord Kitchener Memorial Holiday Centre has recently been approved and an application from Access Community Trust has just been received. The income and expenditure reports were received and noted as follows:

October income

Date	Received From	Description	Amount
1 October 2020	Market Income	Weekly Market Income 1 st October	£42.50
5 October 2020	Tenant	Rental Income from Tenant	£6,300
5 October 2020	Tenant	Rental Income from Tenant	£213.16
9 October 2020	Market Income	Weekly Market Income 5 October	£24
12 October 2020	Market Income	Weekly Market Income 12 October	£42.50
16 October 2020	East Suffolk Council	CIL 2 nd Instalment 2020-21	£11,044.44
19 October 2020	Market Income	Weekly Market Income 19 October	£18.50
22 October 2020	Lamarti	Hire of Links Road Car Park for sale of ice cream	£420 + £84 VAT = £504
26 October 2020	Market Income	Weekly Market Income 26 October	£42.50

October expenditure

Date	Payment to	Description	Amount
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1 October 2020	East Suffolk Council	Pakefield Street PC Business Rates	£122
1 October 2020	East Suffolk Council	Kensington Gardens PC Business Rates	£210
1 October 2020	East Suffolk Council	Sparrows Nest Bowls Pavilion Business Rates	£110
1 October 2020	East Suffolk Council	Links Road Car Park Business Rates	£187
1 October 2020	East Suffolk Council	Triangle Market PC Business Rates	£117
1 October 2020	Autopa Ltd	2x Lockable Posts Sparrows Nest	£144.18 + £28.83 VAT = £173.01
5 October 2020	Suffolk Pension Fund	Pensions September 2020	£4,664.31
6 October 2020	Land Registry	Land Registry searches	£12
7 October 2020	NPower	Electricity charges	£106.75 + £5.34 VAT = £112.09
7 October 2020	SLCC	Virtual National Conference Admin and Finance Assistant	£25 + £5 VAT = £30
7 October 2020	Blachere Illuminations	Festive Light Installation 2020	£2,587.50 + £517.50 VAT = £3,105
7 October 2020	GYH Plumbing	Denes Oval Pavilion Service	£83.33 + £16.67 VAT = £100
13 October 2020	NPower	Kensington Gardens Electric 1 June 2020 – 31 August 2020	£179.92 + £9 VAT = 188.92
16 October 2020	Lloyds Bank	Credit Card Charges	£31.29
19 October 2020	Gazprom Energy	Town Hall Gas September 2020	£42.11 + £2.11 VAT = £44.22
19 October 2020	NPower	Triangle Market Electric September 2020	£102.11 + £5.11 VAT = £107.22
19 October 2020	SERV Suffolk &	Covid-19 Grant	£750

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	Cambridgeshire		
19 October 2020	Nicholsons Solicitors	Legal Advice	£384 + £76.80 VAT = £460.80
20 October 2020	Land Registry	Land Registry Search	£3
21 October 2020	HMRC	HMRC September 2020	£4,951.38
22 October 2020	Lowestoft and East Suffolk Maritime Society	Covid-19 Grant	£1,000
22 October 2020	East Suffolk Norse	Partnership Charges November 2020	£36,525 + £7,305 VAT = £43,830
23 October 2020	Salaries	Salaries October 2020	£8,940.68
27 October 2020	Trevor Brown	Internal Audit October 2020	£250
27 October 2020	SLCC	Accessibility Training	£35 + £7 VAT = £42
27 October 2020	RICOH UK Ltd	Printer Hire and Costs	£251.02 + £50.21 VAT = £301.23
27 October 2020	Essex and Suffolk Water	Normanston Park Water 6 th April 2020 – 8 th October 2020	£268.48
27 October 2020	Binder Ltd	Sewage Maintenance and Disposal at Uplands	£302.50 + £60.50 VAT = £363
27 October 2020	EPBS Ltd	Hamilton House Rent Q3 2020-21	£3,675 + £735 VAT = £4,410
27 October 2020	EPBS Ltd	Hamilton House Capital Repayment	£3,357.40 + £671.48 VAT = £4,028.88
30 October 2020	East Suffolk Council	Planning application	£231
30 October 2020	SLCC	Excel accessibility training	£35 + £7 VAT = £42

November income

Date	Received from	Description	Amount
2 November 2020	Market Income	Weekly market income 2	£42.50

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		November 2020	
2 November 2020	Tenant	Rental income from tenant	£213.16
3 November 2020	Market Income	Weekly market income March 2020	£85
5 November 2020	Market Income	Weekly market income 9 November 2020	£42.50
12 November 2020	HMRC	VAT return Q2 2020-21	£30,040.92
13 November 2020	Screen Suffolk	Drone filming at The Ness and Normanston Park	£125 + £25 VAT = £150
16 November 2020	Market Income	Weekly market income 16 November 2020	£42.50
20 November 2020	Market Income	Weekly market income 23 November 2020	£42.50

November expenditure

Date	Payment to	Description	Amount
2 November 2020	East Suffolk Council	Pakefield Street PC business rates	£122
2 November 2020	East Suffolk Council	Kensington Gardens PC business rates	£210
2 November 2020	East Suffolk Council	Sparrows Nest bowls pavilion business rates	£110
2 November 2020	East Suffolk Council	Links Road car park business rates	£187
2 November 2020	East Suffolk Council	Triangle Market PC business rates	£117
4 November 2020	East Point Business Services		£8,877
4 November 2020	Need2Store Ltd	Civic artefact storage	£200 + £40 VAT = £240
5 November 2020	Suffolk Pension Fund	Pensions October 2020	£3,977.69

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9 November 2020	NPower	Electricity charges	£225.94
9 November 2020	NPower	Electricity charges	£369.60
9 November 2020	NPower	Electricity charges	£757.83
9 November 2020	NPower	Electricity charges	£210.80
9 November 2020	NPower	Electricity charges	£158.80
9 November 2020	NPower	Electricity charges	£202.09
9 November 2020	NPower	Electricity charges	£121.14
16 November 2020	Gazprom Energy	Town Hall gas	£45.70
16 November 2020	Lloyds Bank	Credit card charges	£20.39
16 November 2020	Joshua Freemantle Creative	Remembrance Day 2020 video	£225
16 November 2020	Nicholsons Solicitors	Legal advice	£285.12
16 November 2020	Royal British Legion	Poppy wreaths	£50
16 November 2020	Nicholsons Solicitors	Legal advice	£763.20
16 November 2020	Guy McGregor	Payslips	£77.40
16 November 2020	SLCC	ILCA Fees Events and Communications Officer	£99 + £19.80 £118.80
18 November 2020	Need2Store Ltd	Civic artefact storage	£200 + £40VAT = £240
19 November 2020	NPower	Electric charges	£114.20
19 November 2020	HMRC	HMRC October 2020	£3,925.19
23 November 2020	NPower	Electric charges	£661.43
23 November 2020	Salaries	Salaries November 2020	£10,247.81
23 November 2020	British Hamper Co	Covid 19 thank you hampers	£1,466.92 + £82.15 VAT = £1,549.07
24 November 2020	MS Oakes	Town Hall repairs	£850 + £170 VAT = £1,020

124.3. Any payments for approval (see schedule) – There were no payments for approval.

124.4. Consideration of the following recommendations from the Finance and Governance Committee:

124.4a. Ring fencing funds in the play areas budget reserve for outdoor fitness equipment (some aspects may be confidential) – The Finance and Governance Committee has recommended earmarking £30,000 in the existing play areas reserve. With this item and the next item, a decision is required from the Council on if and how to proceed. A public consultation has been run on Facebook, which has received a largely positive response.

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Cllr Hardie proposed ring fencing £30,000 in the play areas reserve for outdoor fitness equipment, whilst the Council consider whether to proceed; seconded by Cllr Pearce; all in favour.

124.4b. Ring fencing funds in the play areas budget reserve for improvement work to Whitton Green (some aspects may be confidential) – It was clarified that the proposal is to ring fence funds within the existing play areas reserve. Consultation with local residents has been completed. A tender process may be required so it was suggested that details should be discussed during the confidential session, although some external funding has been secured, so the proposal to ring fence funds does not represent the overall cost of the project. Should the Council decide to ring fence the funds in principle, a formal decision would still be required once the final total sum of the project is determined. Cllr Coleby proposed an in principle agreement to ring fence funds in the existing play area reserve, up to and including the sum discussed by the Finance and Governance Committee, for improvement work to Whitton Green; seconded by Cllr Green; all in favour.

124.4c. Adoption of the Data Retention Policy, as amended – Cllr Coleby proposed adoption of the policies as listed in items 124.4c – 124.4h; seconded by Cllr Pearce; twelve Councillors voted in favour; one Councillor abstained from the vote.

124.4d. Adoption of the Data Protection Policy, as amended

124.4e. Adoption of the Anti-Harassment and Bullying Policy, as amended

124.4f. Adoption of the Appraisals Guidance

124.4g. Adoption of the Code of Conduct

124.4h. Adoption of the Complaints Procedure

124.5. Further consideration of a recommendation regarding nesting prevention measures at the Marina Theatre – The Theatre has requested funding to progress bird nesting prevention measures, but questions have been raised about whether it is acceptable to do so. Bird nesting is causing health issues and some damage, but there are concerns over whether the measures are lawful and deemed appropriate by wildlife organisations. It has been confirmed that the measures are legal, so long as the work takes place outside of nesting season, but Suffolk Wildlife Trust will not formally sign off any measures which prevent nesting. The Theatre has looked at wildlife management advice available online via Natural England and the RSPB. It is recognised that nesting birds can pose some health and safety issues and some measures are permitted. The Theatre has confirmed that it is not proposing to use netting, but would like to use a gel, which is a degradable substance and remains effective for approximately a year. The proposed work will also include cleaning where birds have previously nested to make the area more presentable and hygienic. The total cost is £7,851.60. Cllr Taylor proposed approval for the expenditure of £7,851.60 for bird nesting prevention measures at the Marina Theatre, but would like an explicit statement from the Theatre to confirm it will be using the gel and will not use netting and/or Perspex; seconded by Cllr Hardie; ten Councillors voted in favour; two Councillors voted against; one Councillor abstained from the vote.

125. Governance

125.1. Consideration of actions by the Town Council in response to the COVID-19 pandemic, and to consider related expenditure on meals for vulnerable people – The Council has previously agreed to set funds aside to support this, but the Government has since committed to providing free school meals through this period. Consideration now needs to be given to whether the Council would like to put funds towards supporting vulnerable people. These individuals are not always means tested as the situation is often urgent and there can be difficulties when individuals are also shielding. East Suffolk Council has submitted a request for funding and Access Community Trust (ACT) has submitted a Covid-19 grant application. The application from ACT is for a higher sum than is usually considered for a single application and

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may need scrutiny as to whom the funding would support, although the grant awarding policy does not prevent applications for higher sums being considered. It was queried whether the funding set aside by the Council to support meals for school children who would usually receive free school meals should now not be used for that purpose. It was suggested that the funds should remain held for that purpose until Easter, although this would be in the next financial year. Any funding awarding to ACT would be from the grant fund, which is separate. The Clerk is seeking clarification from East Suffolk Council regarding the amount of funding they are requesting, but it is understood it would be less than £15,000 in total, and would be £3,000 to cover the period between now and January, although this would require some scrutiny. The application from ACT is for £2,000 although they may be working together with East Suffolk Council, so this will need to be checked before any approval is given to the two individual requests. Cllr Coleby proposed delegating authority to the Mayor, the Chair of the Finance and Governance Committee and the Clerk to consider the applications for the sums necessary to support the projects to the end of the first period in January; nine Councillors voted in favour; three Councillors voted against; one Councillor abstained from the vote.

- 125.2. Consideration of the Internal Auditor's Interim Audit Report and related Action Plan from the Responsible Financial Officer, following their review by the Finance and Governance Committee – One of the recommendations is to open a separate bank account for Arnold's Bequest, but this is not a decision for the Town Council to make, and will be included on the next agenda for the Charity Board to consider. This will mean that the funds will no longer be ring fenced in the Town Council's account. Having achieved its aspiration to maintain general reserves equivalent to four months' precept, the Council now has an aspiration to maintain general reserves equivalent to six months' precept, but a timescale to achieve this has not yet been agreed. Cllr Coleby proposed noting the Internal Auditor's Interim Audit Report and approval of the related Action Plan from the Responsible Financial Officer; seconded by Cllr Pearce; all in favour.

A comfort break was taken at 20:29 and the meeting resumed 20:35

126. Assets, Inclusion and Development

- 126.1. Receipt of the draft minutes of the meeting on 2 November 2020 – The draft minutes were noted.

- 126.2. Consideration of the following recommendations from the AID Committee:

126.2a. A lockable bollard trial at Sparrows Nest until January 2021 – Since the bollard has been installed there have been some complaints, and it has presented a trip hazard when lowered. Despite there being no authorisation for vehicular access and parking at Sparrows Nest, complaints have still been received that parking outside Martello is no longer possible. The bollard was installed very close to the entrance and has caused an issue with delivery vehicles blocking the road. The bollards have been temporarily removed whilst the health and safety issues are addressed and issues worked through with tenants. It had been suggested that the bollard could be placed further back, and limited parking permitted next to the old cinema. There is also no appropriate signage at the site, which will need to be addressed. The safety concerns about unauthorised vehicular access, particularly during busier periods, is serious, and particularly with cars passing so close to the children's play area.

Cllr Taylor temporarily left the meeting 20:41

Tenants would be given keys to the bollards. Signage alone would likely be ignored.

Cllr Taylor returned 20:43

Cllr Coleby proposed referring this matter back to the AID Committee, with delegated authority to consider and progress an appropriate solution; seconded by Cllr Green; eleven Councillors voted in favour; two Councillors abstained from the vote. A budget for signage has been approved and it was suggested this could be installed in the interim to see if it is effective.

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- 126.3. Whether to continue to provide a facility for a market in 2021 – Initially there was an agreement to run the market until Christmas. Cllr Green proposed referring this matter to the Market Working Group to consider initially, along with the comment from the member of the public; seconded by Cllr Pearce; all in favour.
- 126.4. Supporting the use of bollards to restrict traffic access through the Triangle Market area – Cllr Patience declared a local non-pecuniary interest in this item. Cllr Patience is looking to progress this via his highways budget as a County Councillor, but the budget is being removed on 31 December. A licence must be issued before this can proceed, and the licence holder is required to have public liability insurance. Planters have been placed on the highway as a temporary measure. The market traders do not have the required insurance to hold the licence or move the planters. If the Town Council were to agree to be the licence holder it would be responsible for raising and lowering the bollard. Suffolk Highways would need to receive a statement of support from the Town Council. The Town Council has previously given support in principle to this idea. The ongoing maintenance of the bollard will need to be considered. Cllr Green proposed delegating authority to the Clerk to send a letter of support to Suffolk County Council, confirming that the Town Council will be the licence holder, will cover the bollard under its insurance, and will make arrangements to raise and lower the bollard, subject to this being practical and achievable; seconded by Cllr Taylor; all in favour. Maintenance and replacement costs will need to be considered by the Budget and Loan Sub-Committee.
- 126.5. Issues arising from the anticipated Practical Completion of The Ness and the potential handover to Lowestoft Town Council (confidential) – To be discussed during the confidential session.

127. Planning and Environment

- 127.1. Receipt of the draft minutes of the meetings on 27 October and 10 November 2020 – the draft minutes were received and noted.

128. Climate Emergency

- 128.1. Receipt of the draft minutes of the meeting on 3 November 2020 – The draft minutes were received and noted.

129. Community Safety

- 129.1. Receipt of the draft minutes of the meeting on 19 November 2020 and noting that any recommendations will be considered at December's Full Council meeting – The draft minutes were received and noted.

130. Representative Roles

- 130.1. Reviewing the Representation on Outside Bodies Protocol and arrangements for representation on outside bodies – The document describes the procedure, but it was requested that provision be included to allow the Council to intervene if an appointed representative persistently fails to attend meetings and makes no arrangements for a substitute to attend in their place. There was some discussion over how many consecutive meetings a representative should be allowed to miss before the Council intervenes, as some of the outside bodies only meet three or four times a year. It was suggested it should be no more than three meetings in a row. All Councillors should be responsible for checking their obligations and responsibilities and it can be difficult for substitute representatives to attend meetings at short notice. It was suggested that if a representative misses three meetings in a row they are automatically removed from their position as representative and replaced with the substitute. There was some discussion over whether this should be three meetings or six months, depending on how frequently the outside body meets, but officers can refine the wording around this. Cllr Taylor proposed an amendment to the Representation on Outside

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Bodies Protocol that a representative will be automatically removed from their position and replaced with their substitute should they fail to attend for three meetings (or six months where the meetings are less frequent than monthly); seconded by Cllr Pearce; all in favour. The protocol will be reviewed again at the Annual Meeting in May.

130.2. Receipt of a report from the Cultural Leadership Group meeting of 22 October 2020 – Cllr Barnard had provided a written report, which was circulated in advance.

130.3. Appointing a representative to the East Suffolk Community Partnership – Cllr Patience declared a local non-pecuniary interest in this item, as he is a member of this Partnership in his role as a District Councillor. Cllr Barnard put herself forward as the Town Council's representative, and was seconded by Cllr Pearce. Cllr Hardie put herself forward as the substitute representative, and was seconded by Cllr Green. All Councillors voted in favour to appoint Cllr Barnard as the representative and Cllr Hardie as the substitute representative. There seems to be several bodies with similar names, and it was clarified that this item had been put forward from the Community Safety Committee, after enquiries were made with East Suffolk Council to join the Safer Neighbourhoods Committee. East Suffolk Council advised that the Safer Neighbourhoods Committee did not exist, but that the East Suffolk Community Partnership covered matters relating to community safety and security.

131. Date of next meeting

15 December 2020 19:30

132. Items for the next agenda and close

There were no requests for items to be added to the next agenda.

Cllr Pearce proposed moving the meeting into confidential session; seconded by Cllr Barnard; all in favour. The Mayor thanked those who had been viewing the meeting via live stream and the live stream was closed as the meeting went into confidential session. It was confirmed the meeting would end following the confidential session.

133. Resolution to close the meeting to the public:

133.1. Any legal matters, including those above as required –

124.4b Ring fencing funds in the play areas budget reserve for improvement work to Whitton Green (some aspects may be confidential) – There was a more detailed discussion regarding the cost of the project and the budget the Town Council has set aside. Cllr Green proposed approval of the Finance and Governance Committee's recommendation, with delegated authority to the Clerk, the Mayor and the Chair of the Finance and Governance Committee to put together the tender and agree the whole process, with the Mayor and Chair of the Finance and Governance Committee as signatories; seconded by Cllr Hardie; all in favour. Cllr Coleby also offered his assistance as Chair of the AID Committee and Councillor for the ward.

126.5 Issues arising from the anticipated Practical Completion of The Ness and the potential handover to Lowestoft Town Council (confidential) – The Council wished to record its formal thanks to Cllr Butler for his work representing the Council on The Ness Steering Group.

Outstanding issues at The Ness were discussed.

Cllr Patience left the meeting 21:34

It was noted that the park is being well used at the moment.

The Mayor closed the meeting 21:35.

Signed:

15 December 2020