

Lowestoft Town Council
Extraordinary Meeting of the Finance and Governance Committee

First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
12:30 on 16 January 2024

MINUTES

Present: Cllrs Sonia Barker (ex-officio), Nasima Begum, Wendy Brooks, Andy Pearce (Chair) and Bernie Rappensberger

In Attendance: Sarah Foote (Deputy Town Clerk), James Cox (Finance and Information Officer) and Michael Winter (Communication Officer)

Public: No members of the public were present.

123. Welcome

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

124. To receive and consider approval of apologies for absence

Officers reported that no apologies had been received by the office ahead of the meeting.
Cllrs Parker, Page, Coleby were absent with no apologies.

125. Declarations of Interests and dispensations

125.1.To receive declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable Interests from councillors on items on the Agenda
Cllr Pearce declared that he was aware of the background of the grant application at 130.1c but had no part in the application.

125.2.To consider written requests for dispensations for Disclosable Pecuniary Interests and note dispensations granted
None were received.

126. To consider the draft minutes and the appended confidential notes of the meetings on 14 November 2023 and 12 December 2023

Cllr Brooks proposed approval of the minutes; seconded by Cllr Rappensberger; all voted in favour.

127. Public forum

An opportunity for the public to make comments on any matters on this agenda, and to consider any advance comments from the public.
There were no public comments received ahead of the meeting and no members of the public were present in-person or on the webinar.

128. Budget and Loan:

128.1.To monitor the budget for 2023 – 2024, including delegated Committee and Sub-Committee budgets
Cllr Pearce noted that the 2023 – 2024 budget was regularly monitored through the Budget and Loan Sub-Committee and that there were no other comments outside of this monitoring process.

128.2.To note any bank reconciliations

The Finance and Information Officer reported that the November bank reconciliations had been signed off and that December's bank reconciliations had been sent to Cllr Page.

128.3.To consider any recommendations from Budget and Loan regarding the 2024-2025 budget and precept

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- 128.3a. To consider a delegation to Budget and Loan to submit a recommendation on the 2024-2025 budget directly to Full Council in the event a draft budget is not finalised until after 9 January 2023

Cllr Pearce reported that the Budget and Loan Sub-Committee had met on 15 January 2024 and had made a recommendation to the extraordinary Full Council on 17 January 2024. Cllr Brooks explained that three options of a 3.93%, 4.93% and 5.93% increase had been discussed with the recommendation being for 4.93%. Cllr Pearce explained that +5.93% would equate to a £20,000 contribution into general reserves whilst +3.93% would use the income generated by a tenant. +4.93% reflects the commitments the Town Council had already made and any upcoming projects that needed funding in place.

Cllr Brooks asked by how much would the 4.93% increase Council Tax contributions by in real terms. The Finance and Information Officer confirmed that this would be a £7.53 increase per year to Band D properties and £5.86 increase per year for Band B properties which are the most common.

Cllr Brooks commented that the Town Council had taken on a lot of responsibilities and assets and that this budget included no cuts and only a few budgets being frozen for the coming year.

Cllr Pearce proposed to endorse the recommendation from Budget and Loan Sub-Committee for a precept of £2,090,222 (which would be a 4.93% increase); seconded by Cllr Barker; four voted in favour, one abstention.

129. Payments and Receipts:

- 129.1. To note the income and expenditure reports for December 2023 and January 2024 to date, including payments made under delegated authority (see schedules)

The income and expenditure reports were circulated ahead of the meeting. Cllr Begum asked if the £1,500 donation to the Red Cross, agreed by Full Council in December, had been paid. The Finance and Information Officer confirmed that the payment had been made last week and would appear in January's report. Cllr Pearce proposed acceptance of the report; seconded by Cllr Begum; all voted in favour.

- 129.2. To consider any payments for approval (see schedule)

There were no payments requiring approval.

130. Grants

- 130.1. To consider the following grant applications:

- 130.1a. Project Apocalypse - £1,000

Cllr Pearce confirmed that this grant application had been discussed at a previous meeting however could not be considered due to the applicant having a private bank account. Officers reported that a new business account had been set up by the applicant so this could be considered. Cllr Pearce commented that he had doubts over whether this was an organisation or if it was a group of individuals, and questioned what the community benefit was. Cllr Pearce suggested that a presentation could be given by the applicant so that questions could be asked.

Cllr Brooks commented that she could not see any community benefit and that this was more like a private venture.

Cllr Begum agreed that it would be good to have a presentation from the applicant but questioned if the Town Council should be using grant funding for

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this and would like to see a breakdown of their costs. The Deputy Town Clerk reported that a breakdown of costs was available in the application which included the cost to hire a venue, including an outdoor space, and the cost of covering staff/an event organiser. The Deputy Town Clerk commented that the Town Council could provide use of a free outdoor space through an event application.

Cllr Begum proposed to ask the applicant to attend a meeting and give a presentation on their application, with officers highlighting the availability of Town Council-owned land for events and that a grant cannot cover staffing costs; seconded by Cllr Barker; four voted in favour; one voted against.

130.1b. National Literacy Trust - £1,180

Cllr Brooks questioned whether this application was covering a statutory obligation of another authority. Cllr Begum commented that the application was for events taking place in Lowestoft. Cllr Rappensberger added that the application referenced events for local Brownies and Guides organisations and events for over 60s.

Cllr Pearce commented that the application was to fund facilitators and a contribution to resources and questioned if the facilitator cost was an expense or a fee. Cllr Brooks questioned whether funding could be sought from other funding streams that the National Literacy Trust have access to. Cllr Begum commented that the application notes the start day as 16 January 2024 and asked whether the event was still going ahead without the funding in place.

Cllr Pearce proposed to approve the grant subject to staff liaising with the applicant to check the facilitator contribution to establish if that element is eligible and not-a-profit element, with staff reporting back to members of this committee if there are any questions which materially change the nature of the application, with a delegation to make any further decisions; seconded by Cllr Begum; all in favour.

130.1c. Oulton Broad Water Sports Centre – £2,000 pre-April 2024 and £5,500 post-April 2024

Cllr Pearce reported that this organisation was looking to run a subsidised offering to schools to engage with water sports, with a two-year plan to make their business sustainable. As part of their business plan, they were budgeting for £30,000 with £15,000 funded through an expected increase in revenue. Of the remaining funding, half was already covered by district councillors with the applicant now applying to the Town Council to cover the remaining cost over two years. Cllr Brooks commented that the applicant was not based within the parish but noted that the community benefit was wide reaching and included Lowestoft. Cllr Pearce commented that, if approved, the additional funding that was sought post-April 2024 could be referenced for match-funding from other organisations.

Cllr Brooks proposed approval of the application; seconded by Cllr Pearce; all in favour.

The Finance and Information Officer as to clarify that this see £2,000 out of the 2023/24 budget with £5,500 ring-fenced in the 2024/25 budget. This was agreed.

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The Deputy Town Clerk reported that she had checked and no apologies had been received for the meeting. Cllr Pearce asked for any councillors not in attendance to ensure that they sent any apologies into the office.

131. Other financial and governance matters, including:

131.1. To receive an update on the expenditure against budget for the changes to grounds maintenance operations from 2023/2024, including areas where the budget may be challenged (some aspects may be confidential)

There was no update required.

131.2. To consider costs to repair or replace the emergency lights at the Marina Theatre (confidential)

It was agreed to consider this item in confidential session.

131.3. To consider the following in relation to the Denes Oval:

131.3a. To consider the installation and funding of Wi-Fi at the Denes Oval

Cllr Pearce commented that an initial quote had been received previous via the Cricket Club and a further quote was also received to include public Wi-Fi for the whole of Denes Oval. It was asked if this could be rolled over for a further update once three quotes for just the Pavilion site had been found.

131.4. To consider information to be supplied for Councillors to appropriately consider legal and commercial agenda items in confidential session, especially where they are required to make recommendations or decisions

Cllr Pearce asked whether it would be appropriate for briefing papers to be made available for Councillors three working days before any meeting which included legal or commercial agenda items. Cllr Brooks commented that this might put additional pressure on staff to deliver papers in a short turnaround. Cllr Pearce clarified that this would be for reports from external advisors, such as solicitors, rather than internal papers.

Cllr Brooks asked whether there were any examples of items where this would be of benefit. Cllr Pearce commented that there were three or four times in the past four years where a verbal summary of a solicitors report had been given to Councillors rather than the full written report.

Cllr Pearce proposed to recommend to Full Council for a general rule that any reports by external advisors, such as solicitors, on items of a legal or commercial nature should be circulated to Councillors at least three working days before consideration, with an acknowledgement that there may be exceptions; seconded by Cllr Brooks; all in favour.

131.5. To consider a request from the Lowestoft and Plaisir Twinning Association to drawdown on the £1,000 funding ring-fenced for them

Cllr Pearce asked to clarify if the Twinning Association had applied for this money as it was ring-fenced in the budget at sponsorship, with £1,000 for this financial year and £1,000 for the next. Cllr Brooks reported that she had raised this at a Twinning Association meeting where she is the Town Council representative, telling them that they would need to submit a request for the funding. The Deputy Town Clerk reported that an email had been sent to the Twinning Association before Christmas to ask for a funding request letter to be sent but no letter had been received.

Cllr Pearce proposed to contact the Twinning Association again to let them know of the annual £1,000 sponsorship that had been set aside and that they should communicate formally if they would like to draw down on this sponsorship funding, with a delegation to staff to release the funding once a formal request had been received; seconded by Cllr Brooks; all in favour.

132. To consider lease and licence arrangements for the following (some aspects may be confidential):

132.1. The Lowestoft War Memorial Museum Lease (confidential)

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Cllr Pearce updated the committee that a Zoom call had taken place with the solicitors and that this item would be considered further by Full Council.

132.2.Licenses for the Lowestoft Town Tennis and Cricket Clubs (confidential)

The Deputy Town Clerk reported that the lawyers had asked some questions in September 2023 which were forwarded to all councillors to consider however, only one councillor had responded. Cllr Pearce proposed to arrange a Zoom call with the lawyer with all councillors invited to attend and given the opportunity to respond to the questions, with the solicitor asked to create a report for Full Council; seconded by Cllr Brooks; all voted in favour.

132.3.The Heads of Terms and lease for Unit 2 (some aspects may be confidential)

The Deputy Town Clerk report that this matter had been taken care of and was in progress

132.4.To understand the legal position and risk of a tenancy at will situation (some aspects may be confidential)

The Deputy Town Clerk report that this matter had been taken care of and was in progress

132.5.To receive an update on progress of the Marina Theatre lease, following recent discussions with the legal and VAT advisors.

The Deputy Town Clerk reported that an update would be given to Full Council before a formal agenda item at the next meeting

132.6.London Road South land transfer (partial) to East Suffolk Council (confidential)

132.7.Northern coastal and sea wall transfers from East Suffolk Council (confidential)

132.8.Kirkley Community Sports and Social Club land from East Suffolk Council (confidential)

The Deputy Town Clerk agreed that items 132.6, 132.7 and 132.8 should have a brief discussion during the confidential session if the time allows.

133. Date of the next meeting

13 February 2024 10:30

134. Items for the next agenda and close

Cllr Pearce suggested that any items for the next agenda should be sent to officers.

Cllr Begum proposed for the meeting to move into confidential session; seconded by Cllr Rappensberger; all voted in favour.

135. Resolution to close the meeting to the public:

135.1.Any legal matters, including those above as required

131.2 To consider costs to repair or replace the emergency lights at the Marina Theatre (confidential) – Cllr Pearce confirmed that this request was not for the LED lights but a new item for consideration. Three quotes had been received with one over the threshold for this committee. Cllr Pearce asked for clarification if the quotes were like-for-like and proposed that the Facilities Maintenance Officer should check that the works quoted were comparable and to liaise with the Marina Theatre to give a recommendation to Full Council; seconded by Cllr Rappensberger; all in favour.

132.6 London Road South land transfer (partial) to East Suffolk Council (confidential) - The Deputy Town Clerk reported that this item was in the notes to the Full Council meeting which took place in December and that the solicitors were progressing and would give an update when it was received.

132.7 Northern coastal and sea wall transfers from East Suffolk Council (confidential) – The Deputy Town Clerk reported that this covered an area which included different pockets of land. A verbal agreement with East Suffolk Council to maintain the sea wall was in place but no formal agreement was agreed with a Zoom call with the solicitor being arranged to advise

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Cllr Rappensberger left the meeting at 13:58

132.8 Kirkley Community Sports and Social Club land from East Suffolk Council (confidential) – Cllr Pearce suggested that all councillors should be invited for a Zoom call with the solicitor for advice.

The Deputy Town Clerk suggested that she would write a priority list of legal issues that needed progressing. Cllr Pearce suggested for an item to go on the next Full Council agenda to seek a delegation for this committee to prioritise the outstanding legal issues.

The meeting was closed at 14:00.