

Lowestoft Town Council

Full Council Meeting

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

18:30 on 23 April 2024

MINUTES

Present: Cllrs Sonia Barker (Mayor), Wendy Brooks, John Murray, Andy Pearce, John Pitts, Bernadette Rappensberger, Deborah Ray, Nick Webb and Elise Youngman

In attendance: Sarah Foote (Acting Town Clerk) and Lauren Elliott (Project and Committee Clerk)

Also in attendance: Sheila Moss King (Town Hall Project Manager) (via Zoom), Emma Bellward (Marina Theatre Project Manager) (via Zoom) and Allan Gray (Zero Hour) (via Zoom)

Public: There were no members of the public in attendance

270. Welcome

The fire evacuation procedure and public right to report were explained, and the meeting was welcomed. Cllr Barker reminded Councillors to be respectful towards one another in meetings. Cllr Barker also reminded Councillors that the Annual Assembly of the Town was taking place on 30 April at 18:00 and the agenda would be issued shortly. Cllr Barker had attended the funeral of former Councillor Colin Butler on behalf of the Town Council, and passed on Mr Butler's family's thanks.

271. Apologies for absence

Apologies were received from Cllrs Nasima Begum, Robert Breakspear, Neil Coleby, Janet Craig, Christine Moore, Christian Newsome, Paul Page, Graham Parker and Keith Patience, all with reasons provided. Cllr Pearce proposed approval of the apologies received; seconded by Cllr Rappensberger; all in favour.

272. Declarations and dispensations

272.1. Declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable interests from councillors on items on the agenda – Regarding item 280.2a, Cllr Ray declared she is a member of a group which has already supported the Bill. Regarding item 282.1a, Cllr Ray declared she is a member of Use Your Voice.

272.2. Written requests for dispensations for interests and note dispensations granted – There were none.

273. The draft minutes and confidential note of the Extraordinary Full Council meeting on 9 April 2024

The minutes had not been completed and would be deferred to the next meeting.

274. Public forum

No advance comments had been received. Mr Allan Gray from Zero Hour was in attendance via Zoom webinar regarding item 280.2a.

275. Finance and Governance

275.1. The draft minutes of the Finance and Governance Committee meeting on 22 April 2024 – The draft minutes were received and noted.

275.2. Any recommendations from the Finance and Governance Committee on the following:

275.2a. The Reserves Policy – The policy had been updated. Previously each reserve had its own appendix, but detail which is contained within the budget document had been removed, leaving the appendices as the required statement of purpose for each reserve. Repeated text in each appendix relating to expenditure from reserves had been moved into the main body of the policy. Cllr Pearce proposed approval of the recommendation from the Finance and Governance Committee to adopt the Reserves Policy as amended. Cllr Brooks had not had the chance to review the document and requested deferral of this item, as all policies would be

Lowestoft Town Council

Full Council Meeting

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18:30 on 23 April 2024

reviewed and adopted at the Annual Meeting in May. Cllr Rappensberger seconded Cllr Pearce's proposal. Seven Councillors voted in favour; two Councillors abstained from the vote.

- 275.2b. The year-end earmarked reserves positions and any transfers required – Work had been taking place to identify any overspends or underspends from each reserve. A few reserves with overspends to carry forward had been identified. The Finance and Information Officer had recommended transfers of funds between reserves so that none would carry forward a negative balance. This would not affect the balance of the budget overall. The Finance and Governance Committee had recommended to approve the advice of the Finance and Information Officer, and Cllr Pearce proposed to endorse the recommendation of the Finance and Governance Committee; seconded by Cllr Brooks; all in favour.
- 275.3. Receipt and consideration of the following:
- 275.3a. 2024 – 2025 budget and reserves – The latest version of the budget and reserves position had been received, which Cllr Pearce proposed to accept as a true and accurate record of the current position; seconded by Cllr Barker; all in favour.
- 275.3b. Any bank reconciliations – It was noted that February's bank reconciliation was with Cllr Page to check and sign-off, and March's was to be completed.
- 275.3c. Payments and income for the month ending 31 March 2024 and April 2024 to date (see schedules) – The income and expenditure reports had been provided, which Cllr Pearce proposed to accept as a true and accurate record of the current position; seconded by Cllr Youngman; all in favour.
- 275.3d. Payments for approval – Each year the Town Council was required to pay for a street furniture licence from Suffolk Highways, to install its Christmas lights on street light columns on the High Street, Bevan Street East and London Road South. This had previously been charged at £150 per street but had since increased to £160 per street. Cllr Pearce proposed approval of the three payments of £160, with expenditure to come from the Christmas light budget and reserve. If insufficient funds were available there, Cllr Pearce proposed for the Finance and Governance Committee to decide the budget allocation; seconded by Cllr Youngman; all in favour.
- 275.4. The Asset Register – The overall value of the Town Council's assets had increased to £1,575,384.35, and this figure would be added to the Annual Return. The Acting Town Clerk explained the difference between the asset value for the purposes of the Asset Register and for the purposes of insurance. Following refurbishment of a play area, the value of the equipment is updated. Cllr Pearce proposed to accept the Asset Register as a true and accurate record of the current position, and requested that legal advice be sought on whether any assets which have controls over disposal should be annotated; seconded by Cllr Barker; all in favour.
- 275.5. Officer delegations and any recommendations from officers on existing delegations – This had been considered by the Finance and Governance Committee, which had recommended to endorse the following recommendations from officers:
- Any 'ad hoc' or 'one-off' delegations to progress or conclude an action remain in place until completion of that action.
 - All standing delegations to officers remain in place for a further next twelve months, until the next review date.
 - For any delegations to staff where an entire budget is delegated (the legal budget and staff contingency budget), a budget update is given to the responsible Committee on a monthly basis for review. For the legal budget this would be the Finance and Governance Committee and for the staff contingency budget this would be the Personnel Committee.
- Cllr Pearce proposed to endorse the recommendations of the Finance and Governance Committee as detailed in the bullet points above; seconded by Cllr Brooks; all in favour.

Lowestoft Town Council

Full Council Meeting

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

18:30 on 23 April 2024

276. Town Hall Project

276.1. The draft minutes of the Town Hall Project Committee meeting on 11 April 2024 – The draft minutes were received and noted.

276.2. The delivery stage of the redevelopment of the Town Hall:

276.2a. A progress report from the Project Manager –

The Town Hall Project Manager joined the meeting via Zoom 18:59

Development of the procurement for the main contractor was working to schedule. A Procurement Consultant was supporting the process. An open day at the Town Hall had been held for contractors considering submitting a tender. Contractors would have the opportunity to see the building in more detail as part of the process. A Heritage Manager had been appointed as part of the Town Hall team and would be due to start the following week. The Project Manager was compiling the first reclaim to the Heritage Lottery Fund, for approximately £180,000. Cllr Barker offered her thanks to everyone involved in the appointment of the Heritage Manager. East Suffolk Council were supportive of providing space for the substation for the Town Hall, and was considering leasing the land to the Town Council to sub-lease to UK Power Networks. This had been discussed with the Town Council's lawyer during a meeting earlier that day. A stone lion for the courtyard was under consideration. The activity plan would be reviewed with the Heritage Manager, particularly as planned archaeological digs with the public were no longer going ahead.

The Town Hall Project Manager left the meeting 19:10

277. Marina Theatre

277.1. The draft minutes of the Marina Theatre Project Committee meeting on 11 April 2024 – The draft minutes were received and noted.

277.2. The Marina Theatre Redevelopment Project:

277.2a. A progress report from the Project Manager –

The Marina Theatre Project Manager joined the meeting via Zoom 19:10

The first meeting with the Design Team had taken place. The contract had been issued by the Town Council, and signed by the Design Team and the Town Council. The Design Team had been working to provide a range of quotes for the required survey works. The quote from UK Power Networks for the power supply beneath the building was being updated. An Access Consultant and Procurement Consultant had been appointed. The Project Manager considered it beneficial for the Design Team to meet with the Battery Green Project Design Team, to look at where the projects could be synchronised to minimise disruption. The programme was currently two weeks behind schedule, but the Project Manager did not consider this a significant concern, as surveys for any external works would not be commissioned without the Town Council having received the draw-down funding. An updated programme had been provided. Progress was being made on the grant agreement and the contract for the Project Manager role. It was confirmed that a member of the Town Council's facilities team would be attending Design Team meetings. The role of the Access Consultant was explained and it was confirmed the role would be funded by the external funding.

The Marina Theatre Project Manager left the meeting 19:18

277.2b. The final draft of the Towns Fund funding agreement and confirm signing arrangements – The Project Manager, Acting Town Clerk and their respective legal representatives had met the previous week. A meeting paper with the amendments to the grant agreement had been made available to Councillors. The Acting Town Clerk recommended that Council accepts the final draft, which would enable access to funding for the first stage of works. Cllr Pearce proposed to approve the Towns Fund funding agreement, to be signed by the usual signatories; seconded by Cllr Webb; all in favour.

Lowestoft Town Council

Full Council Meeting

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

18:30 on 23 April 2024

- 277.2c. Noting the contract for Project Management services with East Suffolk Council has been signed – It was noted that the contract had been accepted and signed.
- 277.3. The legal position on the lease to the Marina Theatre Trust (confidential) – To be considered during the confidential session.
- 277.4. The party wall survey report regarding the East Suffolk Council Marina Centre/Marina Theatre Box Office building – The report had not yet been received. It was agreed to defer this item to the next meeting.

278. Assets, Inclusion and Development

- 278.1. The draft minutes of the Assets, Inclusion and Development Committee meeting on 8 April 2024 – The draft minutes were received and noted.
- 278.2. Recommendations from the Assets, Inclusion and Development Committee:
- 278.2a. The approval of quotations for the Britten Road and Pakefield Green play areas (some aspects may be confidential) – The quotations had been reviewed in detail by the Parks and Open Spaces Sub-Committee and Assets, Inclusion and Development (AID) Committee. Cllr Brooks proposed to approve the recommendation of the AID Committee regarding the appointment of a contractor for the Britten Road and Pakefield Green play area refurbishments; seconded by Cllr Pearce; all in favour.

279. Planning

- 279.1. The draft minutes of the Planning Committee meetings on 28 March and 11 April 2024 – The draft minutes were received and noted.
- 279.2. A request from Cllr Rappensberger to join the Planning Committee – Cllr Pearce proposed approval of this request; seconded by Cllr Ray; all in favour.

280. Climate and Ecological Emergency

- 280.1. The draft minutes of the Climate and Ecological Emergency Committee meeting on 15 April 2024 – The draft minutes were received and noted.
- 280.2. Recommendations from the Climate and Ecological Emergency Committee:
- 280.2a. Supporting the Climate and Ecology Bill – Cllr Ray was a member of a group which had already supported the Bill and asked whether she was required to leave the room for the consideration of this item. The Acting Town Clerk advised she could remain in the meeting and vote if she did not consider herself to be biased or pre-determined.

Mr Allan Gray from Zero Hour joined the meeting via Zoom 19:27

Mr Gray had previously provided a presentation to the Climate and Ecological Emergency Committee and was in attendance to answer any questions. It was confirmed it was a private members' bill at stage one, which had co-sponsors from across the main political parties and was due for a second reading in May. Cllr Ray proposed to endorse the recommendation of the Climate and Ecological Emergency Committee to support the Bill; seconded by Cllr Pearce; all in favour.

Mr Gray left the meeting 19:32

281. Personnel

- 281.1. The draft minutes of the Personnel Committee meeting on 16 April 2024 – The draft minutes were received and noted.
- 281.2. A request from Cllr Rappensberger to join the Personnel Committee – Cllr Pearce proposed approval of this request; seconded by Cllr Webb; all in favour.
- 281.3. Recommendations from the Personnel Committee:
- 281.3a. Adopting a permanent Essential Car User Allowance Scheme, with retrospective effect from 1 April 2024 for existing staff identified as essential car users – The Standing Orders Working Group had also considered this in detail. It was noted there was still a reliance for some staff to use their vehicles for work purposes,

Lowestoft Town Council

Full Council Meeting

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

18:30 on 23 April 2024

alongside the Town Council's work vehicles. Since the close of trial period, terms had been agreed to effectively align the scheme with the Green Book. Cllr Brooks proposed approve this recommendation from the Personnel Committee; seconded by Cllr Pearce; all in favour.

- 281.3b. Adopting the Essential Car User Policy – The policy defined how the scheme would work, and allowed for an annual eligibility review. Cllr Pearce proposed to endorse the recommendation to adopt the policy; seconded by Cllr Youngman; all in favour.
- 281.4. Any interim staffing arrangements (confidential) – To be considered during the confidential session.
- 281.5. Staff terms and conditions for 2024/25 (confidential) – To be considered during the confidential session.
- 281.6. The policy position on pension payments – To be considered during the confidential session.

282. Outside bodies

- 282.1a. Appointing a representative to attend the meeting between Use Your Voice Lowestoft and Peter Aldous MP at Westminster on 25 April 2024 – The Acting Town Clerk advised Cllr Ray she should leave the room for the consideration of this item, being a member of this group.

Cllr Ray temporarily left the meeting 19:37

Cllr Brooks explained the purpose of the meeting and proposed the Town Council appoints at least one representative to attend. Cllr Murray had received an invitation and had already made arrangements to attend. Cllr Brooks proposed to appoint Cllr Murray to attend as the Town Council's representative. Cllr Ray would be attending the meeting as a member of Use Your Voice and would not therefore be representing the Town Council. Cllr Pearce seconded the proposal and all Councillors voted in favour.

Cllr Ray returned 19:43

Cllr Pearce proposed to allow reimbursement of Cllr Murray's travel expenses; seconded by Cllr Webb; all in favour.

283. Legal matters (some aspects may be confidential):

- 283.1. Renewal of an existing tenant's lease (confidential) – To be considered during the confidential session.
- 283.2. Signing of the lease for Unit 2 (confidential) – To be considered during the confidential session.
- 283.3. An update report on legal matters (confidential) – To be considered during the confidential session.

284. Date of next meeting

Annual Assembly of the Town – 30 April at 18:00

Annual Meeting of Lowestoft Town Council - 21 May 2024 at 18:30

Full Council Meeting – 28 May 2024 at 18:30 (TBC – subject to consideration of the meeting schedule at the Annual Meeting)

285. Items for the next agenda and close

It was noted some items had been deferred.

Cllr Pearce proposed to move the meeting into confidential session; seconded by Cllr Youngman; all in favour.

Cllr Pitts left the meeting 19:46

286. Resolution to close the meeting to the public:

- 286.1. Any matters, including those above as required:

277.3. The legal position on the lease to the Marina Theatre Trust (confidential) – The

Lowestoft Town Council

Full Council Meeting

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

18:30 on 23 April 2024

Acting Town Clerk and the Town Council's solicitor had met with the Project Manager. Cllr Pearce proposed to follow the solicitor's advice, and seek the approval of the Marina Theatre Trust. It had previously been agreed that the project would only proceed with the support of all parties. Cllr Brooks seconded the proposal and all Councillors voted in favour.

281.6. The policy position on pension payments – It was agreed to amend the order of the agenda items as the Project and Committee Clerk would be required to leave the room for the consideration of the remaining items under the Personnel heading. The Town Council was not required to offer a pension for non-permanent roles, such as seasonal workers and the Town Hall internships. The Acting Town Clerk had met with the Town Council's HR consultant, who could write a policy on pension payments for the Personnel Committee to consider. Cllr Pearce made a proposal relating to non-permanent staff members seconded by Cllr Barker. Cllr Brooks requested more information before making a decision. Seven Councillors voted in favour; one Councillor abstained from the vote.

283.1. Renewal of an existing tenant's lease (confidential) – The Town Council's solicitor had not received an update from the solicitor representing the tenants. The Acting Town Clerk would discuss this further with the solicitor later in the week.

283.2. Signing of the lease for Unit 2 (confidential) – Comments from the previous Full Council meeting had been fed back but there was no update to report.

283.3. An update report on legal matters (confidential) – The Project and Committee Clerk and a consultant appointed by the Town Council had had a lengthy meeting with one of the solicitors that morning, to progress outstanding legal matters. The solicitors would provide a legal tracker for the May and June Full Council meetings, with an update on the outstanding matters and timescale to completion. A further meeting had been scheduled for the following week to continue this work. Cllr Barker offered her thanks to the staff for their work on this. Cllr Brooks still had concerns regarding one tenant. The Acting Town Clerk had included the issues relating to this tenant on her monthly legal update, and had been granted delegated authority to deal with the outstanding legal issues in priority order.

The Project and Committee Clerk left the meeting 20:16 for consideration of the remainder of the agenda items

Signed: