

Lowestoft Town Council
Meeting of the Finance and Governance Committee
First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
15:00 on 10 February 2025

MINUTES

Present: Cllrs Connor Blowers, Wendy Brooks, Neil Coleby (Deputy Chair), Graham Parker, Andy Pearce (Chair) and Bernadette Rappensberger

In Attendance: Sarah Foote (Acting Town Clerk), James Cox (Finance Manager) and Taylor Williams (Committee Clerk and Planning Assistant)

Public: Four members of the public were in attendance in person

115. Welcome

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

116. To receive and consider approval of apologies for absence

Apologies were received from Cllr Paul Page with reasons provided. Cllr Parker proposed approval; seconded by Cllr Rappensberger; all in favour.

117. Declarations of Interests and dispensations

117.1. To receive declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable Interests from councillors on items on the Agenda – Cllr Brooks declared an Other Registerable Interest regarding item 122.2, since the previous meeting she has agreed to take minutes for Suffolk Sober Spaces and will leave the room for consideration of item 122.2.

117.2. To consider written requests for dispensations for Disclosable Pecuniary Interests and note dispensations granted – No written requests for dispensations had been received.

118. To consider the confidential note of the meeting on 12 November 2024 and the draft minutes and confidential note of the meeting on 13 January 2025

Cllr Brooks proposed approval of draft minutes and confidential note of the meeting on 13 January 2025; seconded by Cllr Pearce; all in favour.

It was agreed to defer approval of the confidential note of the meeting on 12 November 2024 to the next meeting.

119. 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 – Representatives of Ventura Cottage spoke on item 122.1a and presented their grant application, which would build on their prior projects. It was queried if they had approached other funders and the representatives confirmed only Lowestoft Town Council (LTC) had been approached.

It was agreed to bring items 122.1a and 122.2 forward in the agenda.

122.1. To note receipt of the following grant applications and consider whether it requires urgent consideration:

122.1a. Ventura Cottage - £2,000 – A concern was raised that the bank account listed on the grant application appeared to be a personal account, furthermore, that the Grants budget was under pressure as it was approaching the end of the financial year. A statement was made that the aim of the grants scheme was to help make projects sustainable, however this applicant has had numerous grants awarded in the past few years, with the application brought forward today being a development of a project that has already received grant funding.

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It was confirmed all applications have been made through the Ventura Cottage bank account, which was a business account for a sole trader.

It was explained this was a new project that had drawn on the work of previous projects, but it was acknowledged there was a need to ensure there was no perception that applicants were reliant on grants to earn an income.

A suggestion was made for the Town Hall Heritage Officer to speak with the applicant to discuss the details of the project and provide feedback to this Committee on the viability of funding the project through the Arts and Heritage budget, with LTC and Ventura Cottage collaborating as community partners on a heritage project.

Cllr Brooks proposed to defer consideration of this grant application until officers have arranged for the Town Hall Heritage Office to meet with the applicant and the officer's feedback has been provided to the Committee; seconded by Cllr Pearce; all in favour.

Cllr Brooks temporarily left the chamber at 15:22 for consideration of item 122.2 due to her declared interest

122.2. To review decisions of the meeting of 13 January 2025; sponsorship to Suffolk Sober Spaces and grant to Music Prescription Suffolk Sober Spaces – These two items had been previously considered and approved in at the January 2025 Finance and Governance (F&G) meeting, however, it was found a Councillor in attendance at that meeting had subsequently offered to take the minutes for a steering group meeting of Suffolk Sober Spaces and there had been a query of whether this member was the secretary of the group, as the minutes of the steering group meeting indicated they had been appointed to an official secretary position. As the timing of the first payment of sponsorship would have coincided with this responsibility to the organisation, the Committee needed to reaffirm the decision without the member in attendance or taking part in the vote.

Members were reminded, per the Code of Conduct, Councillors must declare their interests and the office must be notified should any Lowestoft Town Council member or employee join the steering group, the office should be notified as that member would not be able to take part in decisions of funding to the organisation.

The member who offered to take the minutes would have their position clarified and documented at the next Suffolk Sober Spaces steering group meeting to determine if this was an ongoing interest that would require an update on their register of interests.

It was noted when trying to clarify the situation and if the decision needed to be reaffirmed, the information passed to the Acting Town Clerk from Suffolk Sober Spaces was ambiguous and unclear.

Cllr Parker proposed to reaffirm the decision of January 2025 and award a two-year sponsorship to Suffolk Sober Spaces.

Officers noted the concerns on the transparency of information and confirmed conflicting messages had been received from Suffolk Sober Spaces. The Acting Town Clerk queried if an amendment could be made to the proposal to permit a one-year sponsorship arrangement, with a review to take place before the second year. Cllr Parker accepted the amendment and Cllr Coleby seconded the amended proposal, requesting an interim report be provided by Suffolk Sober Spaces at the end of the first year. Cllr Pearce requested a further amendment for the report to be received in January 2026, so a decision on the renewal could be made at the Finance and Governance meeting in January 2026, before the first year of sponsorship ends in March

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2026. The amendment was accepted and a vote was held with all in favour.

The approval of the grant to Music Prescription also had to be reaffirmed as they work closely with Suffolk Sober Spaces, therefore grant would indirectly benefit Suffolk Sober Spaces. Cllr Coleby proposed to reaffirm the awarding of the grant to Music Prescription; seconded by Cllr Rappensberger; all in favour.

Suffolk Sober Spaces apologised for any confusion that may have occurred and thanked the Committee for their time and trust in the organisation. The Acting Town Clerk would notify the organisation when they could openly advertise the sponsorship arrangement.

Cllr Brooks returned to the chamber at 15:44

120. Budget and Loan

120.1. To monitor the budget for 2024-2025, including delegated Committee and Sub-Committee budgets – There were no comments.

120.2. To note any bank reconciliations – October and November 2024 were being reviewed by Cllr Page. January 2025 was passed to Cllr Rappensberger for review.

121. Payments and Receipts:

121.1. To note the income and expenditure reports for January 2025 and February 2025 to date, including payments made under delegated authority (see schedules) – Cllr Pearce proposed accept the report as a true and accurate record; seconded by Cllr Brooks; all in favour.

121.2. To consider any payments for approval (see schedule) – There was one payment for approval from Laser Level Equipment for £652.50 which would assist with building maintenance, landscaping and fencing. Cllr Coleby proposed approval of payment; seconded by Cllr Blowers; all in favour.

121.3. To note receipt of a cheque for £79.49 from Norfolk and Suffolk Woodcarvers as underspend from the £750 grant awarded in January 2024 – The Committee thanked the organisation for the return of the underspend. The £79.49 would be re-credited to the Grants budget.

122. Grants and Sponsorships

122.1. To note receipt of the following grant applications and consider whether it requires urgent consideration:

122.1a. Ventura Cottage - £2,000 – This item had been brought forward in the agenda for consideration.

122.1b. The Hygiene Bank - £1,600 – Cllr Brooks proposed approval of the grant application; seconded by Cllr Pearce who noted it would be funded from the Grants budget; all in favour.

122.2. To review decisions of the meeting of 13 January 2025; sponsorship to Suffolk Sober Spaces and grant to Music Prescription – This item had been brought forward in the agenda for consideration.

123. Other financial and governance matters, including:

123.1. To consider quotations for repair of existing van and options for replacement, if necessary – Issues had been identified with one of the second-hand vans owned by LTC. A repair cost had been received, but the repair was likely to highlight other issues. The van was booked in to a garage to receive a second quote. Once all quotes have been received, the item would be brought back to F&G or sent to Full Council.

123.2. To receive an update from the Youth Forum Working Group on its Terms of Reference – As the Working Group had not yet met to discuss its Terms of Reference, it was agreed to defer this item to next meeting.

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123.3. To review fees and charges from 1 April 2025 – The fees and charges to be reviewed included memorial planting, stall holders, hall hire and all other limited income streams. It was noted some of the fees discussed would cover commercial operations or have sensitive information and would need to be considered in confidential session. Cllr Brooks proposed a zoom call be held to discuss this further before the next meeting of the Committee with a list of current fees to be circulated. Officers suggested the Budget and Loan Working Group be called for a standalone meeting to discuss the fees and charges.

Cllr Pearce proposed the members of the Budget and Loan Working Group be brought in for a one-off meeting to discuss and make recommendations to the next meeting of this Committee; seconded by Cllr Brooks; five votes in favour and one abstention.

123.4. To note signature of Licence to Occupy Denes Oval by Lowestoft Town Tennis and Pickleball Club and consider payment towards flood lighting as per October 2022 resolution – LTC had funded a major portion of the capital development on Denes Oval. Under the terms of this development, Lowestoft Town Tennis and Pickleball Club had pledged the funds to partly cover the capital cost of installing flood lights at Denes Oval. It had been agreed to defer that payment from the club until the licence was in place. Officers confirmed the licence had been signed and an invoice was due to be sent.

In case there was no existing resolution, Cllr Pearce proposed, upon receipt, to credit the funds to the Denes Oval Earmarked Reserve; seconded by Cllr Coleby; all in favour. If there was an existing resolution from Full Council, then that would take precedence.

123.5. To make a recommendation to Full Council on a response to the consultation on Strengthening the Standards and Conduct Framework for Local Authorities in England

Question 2: Do you think the Government should prescribe a mandatory minimum code of conduct for local authorities in England?

Cllr Brooks proposed this be answered 'Yes'; seconded by Cllr Pearce; all in favour.

Question 3: If yes, do you agree there should be scope for local authorities to add a mandatory minimum code of conduct to reflect specific local challenges?

Cllr Brooks proposed this be answered 'Yes – It is important that local authorities have flexibility to add a prescribed code'; seconded by Cllr Coleby; all in favour.

Question 4: Do you think the government should set out a code of conduct requirement for members to cooperate with investigations into code breaches?

Cllr Brooks proposed this be answered 'Yes'; seconded by Cllr Coleby; five votes in favour and one abstention.

Question 5: Does your local authority currently maintain a standards committee?

Cllr Pearce proposed this be answered 'Yes'; seconded by Cllr Parker; all in favour.

Question 6: Should all principal authorities be required to form a standards committee?

Cllr Pearce proposed this be answered 'Yes'; seconded by Cllr Parker; all in favour.

Question 7: In most principal authorities, code of conduct complaints are typically submitted in the first instance to the local authority Monitoring Officer to triage, before referring a case for full investigation. Should all alleged code of conduct breaches which are referred for investigation be heard by the relevant principal authority's standards committee?

Cllr Brooks proposed this be answered 'Yes, decisions should only be heard by standards committees'; seconded by Cllr Parker; all in favour.

Question 8: Do you agree that the Independent Person and co-opted members should be given voting rights?

Cllr Brooks proposed this be answered 'No, only elected members should have voting

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rights'; seconded by Cllr Parker; all in favour.

Question 9: Should standards committees be chaired by the Independent Person?

Cllr Brooks proposed this be answered 'No'; seconded by Cllr Coleby; all in favour.

The Acting Town Clerk temporarily left the chamber at 16:24

Question 10: If you have further views on ensuring fairness and objectivity and reducing incidences of vexatious complaints, please use the free text box below.

It was suggested should individual members have personal experiences regarding complaints, that they submit individual responses.

Cllr Pearce proposed the following response be sent 'If one party of the complaint is a member of the public and not subject to the Code of Conduct, the Monitoring Officer is asked this be taken into account in the handling of the complaint as there is currently an imbalance. The Monitoring Officer should make the call on individual circumstances on whether a series of complaints are vexatious or harassment and deal with them accordingly. Under the current system, both parties should have access to the Independent Person. Furthermore, if the Monitoring Officers does refer to the complaint as vexatious, it is not the decision of the office, it should be the decision of the Committee on the nature of the complaint. Cllr Coleby seconded the proposal and a vote was held with all in favour.

The Acting Town Clerk returned to the chamber at 16:34

Question 11: Should local authorities be required to publish annually a list of allegations of code of conduct breaches, and any investigation outcomes?

Cllr Pearce proposed this be answered 'No – only cases in which a member is found guilty of wrongdoing should be published' and the text box for other views to add that names should not be released unless the principal authority has lifted the confidentiality of the case; seconded by Cllr Brooks; all in favour.

Question 12: Should investigations into the conduct of members who stand down before a decision continue to their conclusion, and the findings be published?

Cllr Brooks proposed this be answered 'Yes'; seconded by Cllr Coleby; all in favour.

Questions 13, 13a, 14, 15, 16 and 17 were non applicable as they related to local authorities.

The Finance Manager temporarily left the chamber at 16:50

Question 18: Do you think local authorities should be given the power to suspend elected members for serious code of conduct breaches?

Cllr Brooks proposed this be answered 'Yes – authorities should be given the power to suspend members'; seconded by Cllr Coleby; all in favour.

Question 19: Do you think that it is appropriate for a standards committee to have the power to suspend members, or should this be the role of the independent body?

Cllr Pearce proposed this be answered 'Yes – the decision to suspend for serious code of conduct breaches should be for the standards committee'; seconded by Cllr Rappensberger; five votes in favour and one abstention.

Question 20: Where it is deemed that suspension is an appropriate response to a code of conduct breach, should local authorities be required to nominate an alternative point of contact for constituents during their absence?

Cllr Pearce proposed this be answered 'No – it should be for individual councils to

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determine their own arrangements for managing constituents' representation during a period of councillor suspension'; seconded by Cllr Rappensberger; all in favour.

The Finance Manager returned to the chamber at 16:54

Question 21: If the government reintroduced the power of suspension, do you think there should be a maximum length of suspension?

There was a discussion on whether option one be selected, or option two with twelve months as the recommended length of suspension.

At 17:00 Cllr Coleby proposed to suspend standing order 3y and extend the meeting for fifteen minutes; seconded by Cllr Parker; all in favour.

Cllr Blowers proposed this be answered 'Unsure'; seconded by Cllr Pearce; four votes in favour; one vote against; one abstention.

Question 22 was not applicable due to the answer provided for question 21.

Question 23: Should local authorities have the power to withhold allowances from suspended councillors in cases where they deem it appropriate?

Cllr Brooks proposed this be answered 'Yes – councils should have the option to withhold allowances from suspended councillors'; seconded by Cllr Pearce; all in favour.

Question 24: Do you think it should be put beyond doubt that local authorities have the power to ban suspended councillors from council premises and to withdraw the use of council facilities in cases where they deem it appropriate?

Cllr Brooks proposed this be answered 'Yes – premises and facilities bans are an important tool in tackling serious conduct issues'; seconded by Cllr Parker; all in favour.

Question 25: Do you agree that the power to withhold members' allowances and to implement premises and facilities bans should also be standalone sanctions in their own right?

Cllr Parker proposed this be answered 'No'; seconded by Cllr Brooks; all in favour.

Question 26: Do you think the power to suspend councillors on an interim basis pending the outcome of an investigation would be an appropriate measure?

Cllr Pearce proposed this be answered 'Yes, powers to suspend on an interim basis would be necessary' and gave an example of this being necessary where safeguarding issue were involved; seconded by Cllr Brooks; all in favour.

Question 27: Do you agree that local authorities should have the power to impose premises and facilities bans on councillors who are suspended on an interim basis?

Cllr Pearce proposed this be answered 'Yes – the option to institute premises and facilities bans whilst serious misconduct cases are investigated is important'; seconded by Cllr Parker; all in favour.

Question 28: Do you think councils should be able to impose an interim suspension for any period of time they deem fit?

Cllr Pearce proposed this be answered 'No' with a comment added to support a proposal for interim suspension to last a maximum of three months, which would be reviewable for extension; seconded by Cllr Rappensberger; all in favour.

Question 29: Do you agree that an interim suspension should initially be for up to a maximum of three months and then subject to review?

Cllr Pearce proposed this be answered 'Yes'; seconded by Cllr Parker; all in favour.

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Question 30: If following a 3-month review of an interim suspension, a standards committee decided to extend, do you think there should be safeguards to ensure a period of interim extension is not allowed to run on unchecked?
Cllr Pearce proposed this be answered 'Yes – there should be safeguards'; seconded by Cllr Rappensberger; all in favour.

Question 30a: If you have answered yes to above question, what safeguards do you think might be needed to ensure that unlimited suspension is not misused?
It was agreed for Committee members to send their individual answers to the office.

At 17:16 Cllr Coleby proposed to suspend standing order 3y and extend the meeting for a further fifteen minutes; seconded by Cllr Rappensberger; all in favour.

Cllr Brooks left the chamber at 17:18

Question 31: Do you think councillors should be disqualified if subject to suspension more than once?
Cllr Pearce proposed this be answered 'No – the power to suspend members whenever they breach codes of conduct is sufficient'; seconded by Cllr Parker; all in favour.

Question 32: Is there a case for immediate disqualification for gross misconduct, for example in instances of theft or physical violence impacting the safety of other members and/or officers, provided there has been an investigation of the incident and the member has had a chance to respond before a decision is made?
Cllr Pearce proposed this be answered in the free text option with the comment 'only in case of criminal conviction'; seconded by Cllr Parker; all in favour.

Question 33: Should members have the right to appeal a decision to suspend them?
Cllr Pearce proposed this be answered 'Yes – it is right that any member issued with a sanction of suspension can appeal the decision'; seconded by Cllr Rappensberger; all in favour.

Cllr Parker left the chamber at 17:22

Question 34: Should suspended members have to make their appeal within a set timeframe?
Cllr Pearce proposed this be answered 'Yes – but within a different length of time, suggesting 15 days'; seconded by Cllr Rappensberger; all in favour.

Question 35: Do you consider that a complaint should have a right of appeal when a decision is taken not to investigate their complaint?
Cllr Pearce proposed this be answered 'Yes'; seconded by Cllr Rappensberger; all in favour.

Question 36: Do you consider that a complainant should have a right of appeal when an allegation of misconduct is not upheld?
Cllr Coleby proposed this be answered 'Yes'; seconded by Cllr Pearce; all in favour.

Question 37: If you answered yes to either of the previous two questions, please use the free text box to share views on what you think is the most suitable route of appeal for either or both situations
Cllr Pearce proposed the following comment be submitted: 'the appeal should be handled by a party who did not handle the initial complaint (i.e. a different body or national appeal body) to ensure the process remains independent; seconded by Cllr

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Coleby; all in favour.

Question 38: Do you think there is a need for an external national body to hear appeals?
Cllr Coleby proposed this be answered 'Yes - an external appeals body would help to uphold impartiality'; seconded by Cllr Pearce; all in favour.

Question 39: If you think there is a need for an external national appeals body, do you think it should:

- Be limited to hearing elected member appeals
- Be limited to hearing claimant appeals
- Both of the above should be in scope

Please explain your answer

Cllr Pearce proposed this be answered 'Both of the above should be in scope' and to provide the explanation that the process should provide equality to the complainant and the person being complained about; seconded by Cllr Rappensberger; all in favour.

Question 40: In your view, would the proposed reforms to the local government standards and conduct framework particularly benefit or disadvantage individuals with protected characteristics, for example those with disabilities or caring responsibilities?

Please choose one of the following:

- It would benefit individuals with protected characteristics
- It would disadvantage individuals with protected characteristics
- Neither

Cllr Pearce proposed this be answered 'Neither' as it would be dependent on the individual cases and the nature of the protected characteristics; seconded by Cllr Rappensberger; all in favour.

At 17:30 Cllr Pearce proposed to suspend standing order 3y and extend the meeting for a further five minutes; seconded by Cllr Rappensberger; all in favour.

124. To receive recommendations from the Standing Orders and Policies Working Group on the following policies:

124.1. Health and Safety:

- 124.1a. Defibrillator
- 124.1b. Health and Safety
- 124.1c. Legionella Control and Water Hygiene
- 124.1d. Councillor Wellbeing
- 124.1e. Pandemic Contingency
- 124.1f. Risk Assessment and Management
- 124.1g. Water Management

Cllr Pearce proposed of those reviewed and recommended for onward adoption, the recommendation be endorsed and the policies be recommended to Full Council; seconded by Cllr Coleby; all in favour.

125. To consider adoption of the following:

- 125.1. Sponsorship Application
- 125.2. Sponsorship Terms document

Cllr Pearce proposed items 125.1 and 125.2 be deferred to the next meeting; seconded by Cllr Blowers; all in favour.

126. Date of the next meeting

10 March 2025 - 15:00

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127. Items for the next agenda and close

No items were requested for the next agenda.

128. To resolve that under the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the meeting on the grounds that publicity would be prejudicial to public interest by reason of the confidential nature of the business to be transacted, namely any employment matters and legal issues relating to the matters on this agenda, including the following:

128.1. Any legal matters, including those above as required – There were no resolutions.

The Chair closed the meeting at 17:32

Signed:

10 March 2025