

Lowestoft Town Council
Extraordinary Meeting of the Town Hall Project Committee
First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
10:00 on 5 June 2024

MINUTES

Present: Cllrs Nasima Begum (Chair), Wendy Brooks, Andy Pearce, Bernadette Rappensberger and Elise Youngman. Non-Councillor member Ben Porter (East Suffolk Council Officer)

In Attendance: Sarah Foote (Acting Town Clerk), Kate Reeder (Heritage Manager), Christopher Meek (Events and Administration Officer) and Taylor Williams (Committee Clerk). Henry Swan (HS Procurement Consultant)

1. Welcome

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

2. To receive and consider approval of apologies for absence

Apologies were received from Cllr Barker and Helen Johnson with reasons provided. Cllr Pearce proposed approval; seconded by Cllr Youngman; all in favour. Cllr Coleby was absent with no apologies received.

3. Declarations of Interests and dispensations

- 3.1. To receive declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable interests from Councillors and members on items on the agenda – There were no declarations.
- 3.2. To consider written requests for dispensations for interests and note dispensations granted – No written requests for dispensations had been received.

4. To consider the draft minutes of the meeting on 9 May 2024

Cllr Pearce proposed approval of the minutes and confidential note; seconded by Cllr Rappensberger; all in favour.

5. 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 – No advanced comments had been received. Henry Swan, HS Procurement Consultant was in attendance via the webinar to provide advice to the Committee.

6. To review and adopt Committee arrangements:

- 6.1. To note the membership of the Town Hall Project Committee – Members of the Committee included Cllrs Sonia Barker, Nasima Begum, Wendy Brooks, Neil Coleby, Andy Pearce, Bernadette Rappensberger and Elise Youngman. Ben Porter and Helen Johnson were two non-Councillor members representing East Suffolk Council.
- 6.2. To appoint the Deputy Chair of the Town Hall Project Committee – Per the Terms of Reference there would be no Deputy Chair and in the absence of the Chair the Committee would elect a member to preside over the meeting.
- 6.3. To note the Terms of Reference – No queries were raised.
- 6.4. To agree the meeting schedule – It was agreed to continue with the current schedule of the second Thursday of the month at 10:00.
- 6.5. To review the delegations of this Committee – Cllr Pearce proposed to renew the delegations per the renewal of the Terms of Reference; seconded by Cllr Youngman; all in favour.

7. Tow Hall Project Tender Evaluation Sub-Committee

- 7.1. To review and adopt Town Hall Project Tender Evaluation Sub-Committee arrangements,

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including the following:

7.1a. To consider composition

7.1b. To review and consider adoption of the Terms of Reference

7.1c. To agree the meeting schedule

7.1d. To review the delegations of the Sub-Committee

It was noted that this was not a standing Sub-Committee, but rather a temporary Sub-Committee convened when required and would be dissolved once the tender evaluation has been completed.

8. To receive and approve the main construction contract tender including scoring mechanisms and the recommended price/quality ratio.

Henry Swan (HS Procurement Consultant) was invited to speak on this item and provide advice to the Committee in relation to the tender quality questions.

To ensure a quality evaluation of the bids, the questions needed to be clear on what was being sought, how the contractor would deliver the project and inform the applicant how their tender would be evaluated.

Concerns were raised on the low quality to price rating in the ratio due to slippage on the project delivery timescale and the possible impact on the budget.

The quality questions were reviewed and any expansion to the questions would be discussed between the Project Manager and the Consultant. Question 8 on the Local Supply Chain was discussed and it was suggested to clarify the radius that the local chain applies to.

Cllr Pearce proposed to set the boundary for the local supply chain as the boundary of the constituency of Lowestoft, where practicable; seconded by Cllr Brooks; all in favour.

It was queried if the contents of the specification could be prescribed in the tender and if there had been consideration in the recommendation of the cost to quality ratio to keep the capital costs in budget.

Cllr Pearce proposed approval of the contents of the tender package, subject to the requested amendments; seconded by Cllr Brooks; all in favour.

For the tender evaluation criteria, it was suggested that any scores less than half the quality rating would not be considered further.

If the Committee receives an abnormally low bid (more than 10% lower compared to the next bid above) then the applicant can be asked to explain this difference and if the reasoning is not deemed to be adequate, then they can be eliminated as an abnormally low bid.

The Events and Administration Officer temporarily left the chamber at 11:04

The Project Manager suggested a price to quality ratio of 70/30 for the bids.

The Events and Administration Officer returned to the chamber at 11:12

Cllr Brooks proposed to accept a price to quality ratio of 70/30 for the bids; seconded by Cllr Youngman; five votes in favour and one vote against.

Cllr Brooks proposed to accept the suggestion of the Project Manager that an applicant would need to score 50% in quality to be considered; seconded by Cllr Pearce; all in favour.

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The Project Manager suggested the Committee consider approving the requirement for tenders to have an annual turnover of 1.5 times the annual contract spend (£6.9 million) to ensure they can manage a project of this size. Cllr Pearce this suggestion be approved; seconded by Cllr Brooks; all in favour.

A five-minute comfort break was taken at 11:23

The meeting was resumed at 11:28

9. To receive an update report from the Project Manager, including the following:

- 9.1. The boundary agreement and process of registering with the Land Registry – The Design Team have drawn up the development site over the title deeds using the land registry polygons. One title deed was due to be transferred in its entirety and up to 70% of the other title deed was due to be transferred. The Project Manager had suggested East Suffolk Council consider transferring the entirety of the latter site.
- 9.2. The siting of a compound on East Suffolk owned land at the rear of the Town Hall – There were no updates and an officer was due to speak to the Chief Executive Officer of East Suffolk Council on a reciprocal arrangement that would allow Lowestoft Town Council to use the site for a storage compound and not be charged a license fee.
- 9.3. The risk register – The key items were the impact of delivery of the project overrunning the set timetable and its impact on professional fees. The Project Manager clarified many professional fees, such as the Design Team, were linked to set portions of work such as the completion of RIBA Stages 4 to 7, therefore unless additional design work was required outside of the project scope then those fees would not change. Any excess on professional fees caused by the delay of project delivery would likely be required by the Project Manager, Contract Administration and the Quantity Surveyor. The cost risk of delays to issuing of the main construction contract tender had been amended as a higher risk. The Quantity Surveyor had advised the Project Manager that inflation was currently running at 2% in the construction sector.
- 9.4. Any planned actions to be authorised for progression – The tender was due to be issued on 24th June 2024.

10. Finance, budget monitoring and payments (see report):

- 10.1. To note and consider income and expenditure, including:
 - 10.1a. To monitor the budget – Details of recent expenditure had been provided and there was no further expenditure to raise with the Committee.
 - 10.1b. To consider any payments for approval – There were no payments for approval.

11. To note legal advice received regarding the contract for Contract Administration (confidential)

To be discussed in confidential session.

12. To receive an update on the Heads of Terms for the Registrars, including consideration of the rent appraisal (some aspects may be confidential)

There was no update.

13. To consider the recruitment of the Heritage Trainee

The V&A were unable to support the trainee programme and an alternative training provider had been identified: Westminster Adult Education Service. The Heritage Manager had suggested to recruit an individual to the Level 3 Cultural Learning and Participation Officer and if recruited through the scheme then the role would be titled as an apprenticeship. Cllr Pearce proposed approval of the recruitment, subject to the role qualifying to be called an

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apprenticeship and being referred to as such in all literature, and to approve the travel costs for the apprentice being covered in the budget; seconded by Cllr Brooks; all in favour.

14. To consider any recommendations to Full Council

The tender documents would be published, subject to any amendments discussed in this meeting, and the next decision required by Full Council would be the appointment of the contract.

15. To note the date of the next NLHF review meeting as 29th July 2024

This was noted.

16. Date of the next meeting

Thursday 11th July 2024 10:00

17. Items for the next agenda and close

No items were requested.

18. 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 legal issues relating to the matters on this agenda:

18.1. To consider any legal issues, including those above as required – Cllr Pearce proposed the meeting be moved to confidential session; seconded by Cllr Rappensberger; all in favour.

The Chair closed the meeting to the public and moved into confidential session at 11:41

11. To note legal advice received regarding the contract for Contract Administration (confidential)

The Events and Administration Officer left the chamber at 11:42

A confidential updated was provided on the advice received regarding the contract for Contract Administration. The

The Chair closed the meeting at 11:45

Signed:

11 July 2024