

**Lowestoft Town Council**  
**Meeting of the Assets, Inclusion and Development Committee**  
**First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE**  
**18:00 on 7 March 2022**

**MINUTES**

**Present:** Cllrs Robert Breakspear (Chair), Wendy Brooks, Colin Butler, Christian Newsome, Andy Pearce, John Pitts and Elise Youngman

**In attendance:** Shona Bendix (Clerk), Lauren Elliott (Project and Committee Clerk) and Ann Clampett (Committee Clerk)

**Public:** There were no members of the public in attendance, either in person or via Zoom webinar

**174. Welcome**

To explain the fire evacuation procedure, welcome the meeting, and remind councillors and members of the public of the right to report.

**175. Approval of apologies for absence**

Cllr Page had given his apologies but had not given a reason. There is an item on the Finance and Governance Committee agenda to review the process of approval of apologies. Cllr Pearce proposed approval of the apologies given; seconded by Cllr Breakspear; all in favour.

**176. Declarations of Interests and dispensations**

Cllr Brooks declared a local non-pecuniary interest in item 180.6 and 186. Cllr Pearce declared a local non-pecuniary interest in any matters relating to the Gunton Ward and to Fen Park. Cllr Breakspear declared a local non-pecuniary interest in any matters relating to Kensington Gardens.

**177. The draft minutes of the meeting on 7 February 2022**

Regarding item 151.9, the supplier of at least one of these pieces of equipment is the same supplier who will be providing the new equipment for the Sparrows Nest play area. It was requested that the supplier is asked to give an opinion as to whether the equipment they supplied in Fen Park can be refurbished rather than replaced. Regarding item 155.4, this Committee recommended the purchase of six stalls but four have been ordered. Officers will check the reason for this. Cllr Brooks proposed approval of the minutes; seconded by Cllr Pearce; all in favour.

**178. Public forum**

A member of the public had submitted a comment regarding item 180.9, expressing concern regarding the condition of the entrance and asking the Council to make improvements to it. It was agreed that consideration would be given to the request at the relevant agenda item.

**179. Expenditure by this Committee and its Sub-Committees from their delegated budgets**

The budget monitoring spreadsheet was displayed at the meeting. It was noted that the total expenditure for festive lights exceeded the budget. The budget and reserve were therefore used in conjunction with one another. The play area reserve contained funds for Whitton Green, which had been carried forward due to the project being delayed by the pandemic. Outdoor fitness equipment was also being purchased using funds from this reserve. Expenditure from the horticultural budget included annual planting and tree watering costs. Expenditure from the parks development budget included the purchase of bins and benches, with the cost of the plinths coming from the reserve.

**180. Parks and Open Spaces:**

180.1. Receipt of any comments and noting the draft minutes of the Parks and Open Spaces Sub-Committee meeting on 15 February 2022 – The draft minutes were received and noted.

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180.2. Recommendations from the Parks and Open Spaces Sub-Committee:

180.2a. Delegating authority to officers in conjunction with Parks and Open Spaces Sub-Committee members to progress the installation of swift boxes – Cllr Brooks and the Project and Committee Clerk met with a representative from the Save Our Swifts Group. Gunton Residents' Meeting Hall, Whitton Residents' Hall and Jesters Diner had been identified as potential locations. Cllr Brooks proposed approving the recommendation from the Parks and Open Spaces Sub-Committee; seconded by Cllr Pearce. It was noted that major renovation works will be taking place at one of the sites, so the installation of the swift boxes there would need to happen after this work is complete. The vote was taken and all Councillors voted in favour. Cllr Brooks suggested that in the Gunton area particularly there are groups of houses which may make suitable nesting sites for swifts. It was agreed that information should be shared to the website, Facebook page and the Lowestoft Journal column to see if any residents would be interested.

180.2b. A condition survey of the Drying Racks and information signage to affix to the surrounding fence, in liaison with local historians – A site visit took place recently. It was suggested that signage or a faceplate with historical images of the drying racks and information about them could be progressed, with a QR code added to link to further information. Cllr Pearce suggested local historians who may be able to assist with the signage. Officers will seek a suitable contractor to carry out the condition survey. Surveys of other sites are also being progressed, including the tennis courts. Cllr Pearce proposed progressing both the condition survey and signage, and delegating authority to officers, in conjunction with members of this Committee, to decide when to progress the signage. Previously The Ness Steering Group decided that no work should be carried out on the drying racks. This decision was however made some time ago, and the Council as landowner can decide what work to carry out on its assets. Cllr Brooks seconded the proposal and all Councillors voted in favour.

180.3. Progress with items relating to the Kensington Gardens centenary – The Project and Committee Clerk had circulated a paper of options for the Holocaust memorial bench, which was also displayed at the meeting. Cllr Pearce proposed progressing options two and three as identified in the meeting paper. With regard to option three, the Community Rail Partnership had expressed reservations about the installation of artwork at the train station, due to the vandalism risk. If so, it may be possible to install the art in Kensington Gardens or another site instead. It is also understood that works are due to be carried out at the train station which would delay the installation of any artwork, if agreed. Cllr Youngman seconded the proposal and all Councillors voted in favour.

Regarding the Peter Pan statue, Cllr Breakspear has so far received one quotation, within the previously agreed maximum budget of £3,000. The Friends of Kensington Gardens have funding to contribute to this project. Cllr Breakspear will circulate the proposed design. Cllr Pearce proposed delegating authority to officers, in conjunction with members of this Committee and the Friends of Kensington Gardens, to approve the design and progress the installation of the statue; seconded by Cllr Breakspear; all in favour.

180.4. An offer from a private individual to install a water fountain in the Kensington Gardens fish pond – Cllr Breakspear reported that a water feature is being incorporated into the design of the Peter Pan statue.

180.5. Quotations for work to remove access to the Great Eastern Linear Park 'Nature Walk', and re-wilding of that area - One quotation has been received of almost £16,000 plus VAT, to remove the timber boardwalk, break up and remove tarmac at the junction with

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the walkway/cycleway and to break up and remove the steps. Work is anticipated to last for two weeks, and Heras fencing will remain in place to allow the vegetation to establish. Blackthorn hedging has been suggested to infill the gaps, but this has not been included in the quotation. The hedging would need to be considered but should be mature where possible. Additional quotations need to be obtained. If they are not received in time for March's Full Council meeting a delegation can be considered.

- 180.6. Whether to progress an order for additional noticeboards and to identify locations - Residents in the Gunton Ward would like to see another noticeboard installed. Squires Walk had been suggested but the Town Council does not own land there. Gunton Cliff (near the Jubilee Bridge) and St Margaret's Plain were suggested. It should be more cost effective to progress a bulk order. At the last meeting Fen Park and Stoven Close were identified as potential locations, though there had been a concern that Stoven Close may not have the footfall to benefit from a noticeboard. Normanston Park (near Jesters Diner) was suggested also. It was agreed to carry this item forward to the next agenda and in the interim any further suggestions should be sent to the Project and Committee Clerk. With additional key holders, the Community Wardens and the Communications Officer, the Council should have the capacity to update its noticeboards more regularly and with interesting content. In the south of the town, Cllr Pitts and the Project and Committee Clerk have been trying to liaise with a landowner regarding the installation of a noticeboard on Shelton Road.

*Cllr Brooks temporarily left the meeting 18:49*

- 180.7. An update on the repair/replacement of damaged matting at Fen Park – The annual play inspection report highlighted some issues with the red and black wet pour matting.

*Cllr Brooks returned 18:52*

Further to discussions at item 177, Norse have advised that the seesaw and cycle roundabout are reaching end of life and although they could quote for refurbishment work, it is unlikely that this would prolong the lifespan of the equipment. In terms of the surfacing, with the roundabout the option would be to redo the wet pour surfacing inside and outside the running track, at an approximate cost of £3,000. For the seesaw, new wet pour or Matta surfacing would be approximately £1,200. The toddler swings are not thought to be approaching end of life. The cost of a wet pour strip across the middle of the surface would be approximately £900, or £2,600 to install Matta surfacing across the whole footprint of the toddler swings. There were concerns that the existing matting could be a health and safety issue if it were not addressed until the play area is refurbished. It was reported that the green surfacing is starting to come away from the grass boundary, which may need to be addressed. Cllr Pearce proposed delegating authority to officers, in conjunction with members of this Committee and the Friends of Fen Park to decide how to proceed in light of the potential health and safety issues; seconded by Cllr Brooks; all in favour.

- 180.8. An update on the installation of gates in the gaps in the fencing surrounding the Fen Park play area – A quotation had been provided which would involve removal of the dog grids. This Committee had previously spoken of the importance of keeping dogs out of fenced play areas so the Project and Committee Clerk had requested a solution which would mean the dog grids could be retained. It is understood that the gates could be installed in front of or behind the dog grids, which would also be a more cost effective option. The quotation including removal of the dog grids is approximately £3,000 per gap, for three gaps, whereas this would reduce by approximately £500 per gap to retain the dog grids. A formal quotation has been requested for this option. Cllr Pearce proposed a recommendation to the Finance and Governance Committee to delegate authority to officers, in conjunction with members of this Committee, to progress the installation of the gates, with the dog grids to be retained, within a maximum budget of £8,000, seconded by Cllr Breakspear; all in favour.

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- 180.9. A request from a member of the public to make improvements to Sparrows Nest entrance from Yarmouth Road – The comment from the member of the public was displayed at the meeting. It is understood that the structure is within the Heritage Action Zone but it is not known whether it is a listed structure. It does not appear that a condition survey has been carried out. Cllr Breakspear is undertaking a site visit with someone who may be able to advise on improvement work. The Community Warden is also carrying out an assessment. It was agreed to carry this item forward to the next agenda to receive feedback.
- 180.10. A request from Norse to install two additional litter bins in Sparrows Nest – Cllr Brooks proposed approval of this request; seconded by Cllr Pearce; all in favour.
- 180.11. A revised plan and any costs implications regarding the Sparrows Nest play area – Details of the cost difference are still pending. At one of the site visits, Norse had suggested effectively rotating the play area by ninety degrees, and extending the width of the footprint of the play area. There would be an additional cost for the extra fencing needed. Norse also suggested installing a maintenance gate to allow lawn mower access. The ‘teacup spinner’ equipment may need to be replaced with another piece of equipment, due to the gradient of the land. The two benches within the play area are reaching end of life and the contractor has offered to replace them, which would be at an additional cost. The Council has had an enquiry about sponsorship of one of the benches. The contractor had supplied images of different options, which were displayed at the meeting. The green bench was favoured by the Committee. Any agreed changes to the plan should not cause a delay to installation, which is currently scheduled to start at the end of April. The Committee would like details of the warranty covering the benches and the materials, and the availability of the benches. Cllr Pearce proposed approval in principle, subject to confirmation of the final cost. An item will be added to the Full Council agenda in anticipation of receiving this. Cllr Breakspear seconded the proposal and all Councillors voted in favour.
- 180.12. An update on the purchase of additional litter bins for the Great Eastern Linear Park – The purchase of ten bins was approved. When the Council agreed a bulk purchase of benches, Norse advised that it would struggle to deliver installation of the benches on a timescale it felt would be acceptable to the Council. Norse have been asked to confirm whether this would be the case with the bins as well. With the benches, Norse could ask a sub-contractor to do the work on their behalf, which would likely be a higher cost. If Norse are able to take delivery of the benches and bins and store them for a short time, it was suggested that officers should seek quotations from other contractors for the installation of them.
- 180.13. Grounds maintenance resourcing at Normanston Park (confidential) – To be discussed during the confidential session.
- 180.14. Capital works to a building in Normanston Park (confidential) – To be discussed during the confidential session.

### 181. Events and Communications:

- 181.1. Receipt of any comments and note the draft minutes of the Events and Communications Sub-Committee meeting on 23 February 2022 – It was commented that the sums requested by applicants for grant funding can vary greatly and this is something which may need to be reviewed as part of the Grant Awarding Policy. It was requested that an item is added to the agenda for the Standing Orders and Policies Sub-Committee to consider this.

### 182. Allotments:

- 182.1. Receipt of any comments and noting the draft minutes of the Allotments Sub-Committee meeting on 3 March 2022 – It was felt this was a productive meeting, with

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the Chair of the Lowestoft and District Allotments Association in attendance. Cllr Youngman had been appointed as the Chair.

182.2. Recommendations on budget, lease and site development works (some aspects may be confidential) – As of the new financial year, the Council has committed to providing capital support to develop the allotments (£10,000 for the first year). The current £1,000 per year management fee would not be sufficient to support capital development. The Sub-Committee would like to work more closely with the Lowestoft and District Allotments Association, particularly to establish the priorities of the Association. The Sub-Committee meetings will take place quarterly or as required, and the Chair of the Association will attend. A representative from the Council has also been invited to attend meetings of the Association.

182.3. Granting permission for the Lowestoft and District Allotments Association to erect a fence on land at the Nightingale Road play area – Cllrs Breakspear and Pitts attended a site visit with the Chair of the Lowestoft and District Allotment Association. A hedge has been removed by the Association. If the Association were to erect a fence on the former fence line it would create a small strip of land between the new fence and the boundary fence of the play area. Cllr Pitts proposed that any fence erected by the Association is permitted to be installed as close as possible to the Nightingale Road play area boundary fence. This had been discussed by the Sub-Committee and there may be a land use issue preventing this. There is already a delegation to officers to make the final decision, in consultation with members of this Committee. This should be informed by discussions held during the Sub-Committee meeting. The Allotment Act 1922 had been referenced but this may have been superseded by the Allotment Act 1950, which the Chair of the Association had had sight of.

### **183. Reviewing the Town Council's Asset Register**

This will also be considered by the Finance and Governance Committee. It was commented that the Asset Register should include recent acquisitions, including the Marina Theatre projector, benches and bins and the storage containers at Normanston Park and the Denes Oval. The civic artefacts should be individually listed and those which went missing in the custody of another authority should be identified as such.

### **184. Identifying Town Council assets currently used by Norse**

Norse have advised that all containers and sheds, etc, belong to the Council, plus any sports equipment associated with certain sites, such as goal posts and tennis nets. The recently purchased containers at Normanston Park and the Denes Oval are in the ownership of the Town Council, though they are currently used by Norse. Certain aspects may be subject to contractual and/or legal considerations.

### **185. Receipt of the notes from the Toilet Strategy Working Group meeting on 28 January 2022**

This item had been carried forward from the last meeting as the notes had not been available. The notes from the meeting were received and noted.

### **186. The Sails and Triangle Market:**

186.1. Improvements required to support the intended use of the Sails – The Town Council has received some funding from East Suffolk Council to support its work in improving the Triangle Market and Sails area. The Town Council has now received the funding for much of the work which has been approved. The work on the paving beneath the Sails will coincide with the removal of the green struts. The Clerk has requested a response to the request of funding for £1,700 for this. Planning permission for the market stalls will need to be sought.

186.2. Licensing the area beneath the Sails for market trading – East Suffolk Council has

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claimed that it owns the market franchise, which may or may not be different to the Charter Market. It was queried how East Suffolk Council could own a market franchise relating to the Sails site if the Charter Market on the adjacent Triangle forbids markets within a six mile radius. Lowestoft Town Council subsequently made a decision not to exercise the exclusivity provisions on the Charter, allowing markets to be held elsewhere. Cllr Pearce proposed that there should be no joint ventures with East Suffolk Council at least until the issue with the market franchise and the Charter Market, and what they do and do not control, has been resolved. It was clarified that the proposal relates to the Sails site, if the market franchise relates specifically to the Sails, and does not mean no markets should take place, but aims to avoid a situation where there is confusion as to who needs to provide the permission for the land to be used, either under the market franchise or the Charter Market. Clarity is needed prior to major investment or amendments to the licensing arrangements for the Sails. This would not affect works already being progressed via funding available from East Suffolk Council. Some clarity is required over how the market franchise works in conjunction with the Charter Market.

- 186.3. Triangle Market capital investment, including the public conveniences – A Project Manager is in place for the Sparrows Nest and Fen Park toilet refurbishments, which will be funded from the toilets budget, and the Triangle Market toilets, which will be funded from the Triangle Market earmarked reserve. This is subject to quotations being sought. The Office Assistant is making arrangements for the Toilet Strategy Working Group to meet. The Project Manager will be in attendance to provide an update. The Clerk has asked for the funding remaining for toilets and the residual amount allocated to the Triangle to be put towards the cost of the toilet refurbishments, which will be considerable. This is on the basis that having suitable toilets is complementary to the development and use of that site.
- 186.4. Terms and conditions for market trading – The Deputy Clerk is looking to put together a standard set of terms and conditions for traders. These may vary for traders who require connections to utility supplies. The new application form is a one page document and once the insurance confirmation has been received this is valid for a year and does not have to be provided separately for every market.

### 187. The Denes Oval:

- 187.1. Progressing a licence for the Lowestoft Town Tennis Club (some aspects may be confidential) – To be discussed during the confidential session.
- 187.2. A request from the Lowestoft Town Tennis Club to submit an application for funding for electronic gate access to the tennis courts at the Denes Oval, including completion of the planning application and phasing document – There were concerns as to how public access would be enabled with electronic gate access. The Council were supportive of the Club's proposals, but this was on the basis that there would be increased public access. Officers will seek clarification from the Club. The Council will not be funding the gates but will be submitting the application. Cllr Pearce proposed an in principle agreement to grant landowner permission, subject to the Club's response regarding public access; seconded by Cllr Brooks; all in favour.
- 187.3. The quotation for works to improve the surface for vehicular access to the Denes Oval, as identified by the Cricket Club – The Community Warden had suggested an alternative approach to that initially put forward by the Cricket Club, which should offer more longevity, and had sought a quotation for this. Cllr Pearce proposed a recommendation to Full Council to approve the approach suggested by the Community Warden; seconded by Cllr Brooks; all in favour.

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At 19:55 a five minute comfort break was taken. Cllr Pearce proposed suspending Standing Order 3y to allow the meeting to continue for additional twenty minutes from 20:00; seconded by Cllr Brooks; all in favour.

**188. Measures at the Marina Theatre to prevent kittiwake nesting, within a maximum budget of £4,500 plus VAT**

Cllr Pearce declared a local non-pecuniary interest in this item, as the Town Council's appointed representative to the Lowestoft Kittiwake Partnership. Kittiwake nesting deterrent measures were previously considered and approved by Full Council in July 2020, within a maximum budget of £7,800. It has been reported that the measures were only partially successful. The scientific advice from Suffolk Wildlife Trust and the RSPB is that nesting deterrent measures should only be used as a last resort. The Lowestoft Kittiwake Partnership is proposing the appointment of a Lowestoft Kittiwake Partnership Officer for one to two years. A grant application has been received by the Town Council to part fund this post. The RSPB representative on the Partnership has offered to advise and assist. Cllr Pearce proposed deferring this item to next month's meeting to allow the RSPB officer to liaise with the Marina Theatre Trust and members of this Committee and the Climate Emergency and Ecological Committee. Cllr Brooks seconded the proposal. The Clerk advised that the kittiwakes are due to arrive shortly, so deferring a decision to the next meeting may be too late. The request had been received at short notice from the Theatre. Cllr Pearce will forward the RSPB officer's contact details to officers. The Council previously approved non-lethal measures to prevent kittiwakes nesting at the Theatre, but has since been advised that kittiwakes tend to return to nesting sites they have used previously and therefore those kittiwakes would have been displaced by those measures. The town received criticism by measures taken by other businesses to prevent kittiwakes nesting. Cllr Brooks expressed her disappointment at receiving this request from the Theatre. The company which put the measures in place have advised they have been mainly successful. Cllr Pearce amended his proposal to delegate authority to officers, in conjunction with members of this Committee, to liaise with the RSPB officer and make a decision as to how to proceed; seconded by Cllr Breakspear; all in favour. It is understood the previous round of measures was agreed by Full Council but this is not a revisiting of the decision previously made.

**189. Relevant aspects from the Second Interim Internal Audit Report**

A councillor raised concerns that the audit report reflected published minutes which he said were inaccurate. It was noted that Council had reported the missing artefacts to the Police. The Clerk noted that the auditor was competent and independent and the accuracy of the minutes was a matter for Council to address.

**190. Progress the Full Council decision to appoint a Project Manager for pond dredging**

Cllr Pearce proposed deferring items 190 – 194 to the next meeting and suspending Standing Order 3y for an additional five minutes to allow the meeting to continue; seconded by Cllr Butler; all in favour.

**191. The ownership of the sea wall near The Ness, and to consider any additional provision of street furniture which may be required along it**

**192. Progressing the delegation from Full Council to consider a suitable recipient of the Councillor tablets which will be surplus to requirements**

**193. The decision of Full Council to display adverse weather signage and to further consider gritting (some aspects may be confidential)**

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**194. A progress update on approved capital projects which are awaiting implementation (confidential)**

**195. Arrangements including for staff remuneration to provide cover for room hire outside of office hours (confidential)**

Cllr Pearce advised that the Environment and Waste Working Group is an external body but is supported by the Town Council, which has appointed representatives to it. Other authorities in the town are also represented on the Group. The Group would like to meet at Hamilton House on 14 March. Cllr Pearce proposed that for external bodies which the Council recognises and has appointed representatives to, a room hire fee at Hamilton House should not be charged. Cllr Brooks seconded the proposal; six Councillors voted in favour; one Councillor voted against. The Group has requested to meet in the evening. An officer is not required to support the meeting, but is required to provide access outside of office hours. With meetings of the Town Council which take place in the evening, officers can claim time off in lieu. If this were the case for external meetings and officers were not being paid overtime, officers would instead claim time off in lieu during business hours. It was suggested that the Group may wish to meet via Zoom. Officers will check whether Full Council has formally appointed Town Council representatives to this Group. Cllr Pearce proposed that if the meetings cannot take place during business hours, and a member of staff is willing and available to cover the room hire, that overtime should be paid, using funds from the Climate Emergency Reserve. Cllr Brooks seconded the proposal; six Councillors voted in favour; one Councillor voted against.

Cllr Pearce proposed a second and final suspension of Standing Order 3y, to allow the meeting to continue for an additional ten minutes; seconded by Cllr Brooks; all in favour.

**196. Date of the next meeting**

4 April 2022 18:00

**197. Items for the next agenda and close**

There were no requests for items to be added to the next agenda. The Chair advised that any requests for agenda items should be sent to the Committee Clerk.

**198. Resolution to close the meeting to the public:**

198.1. Any legal issues, including those above as required:

180.13. Grounds maintenance resourcing at Normanston Park (confidential) – Cllr Pearce made a proposal in response to a suggestion from Norse regarding grounds maintenance resourcing at Normanston Park; seconded by Cllr Brooks; all in favour.

180.14. Capital works to a building in Normanston Park (confidential) – It was confirmed that there is a delegation in place for the Clerk to progress the works.

Signed: ..........

4 April 2022