

Lowestoft Town Council

Full Council Meeting

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

18:30 on 17 December 2024

MINUTES

Present: Cllrs Nasima Begum, Robert Breakspear, Wendy Brooks, Neil Coleby, Janet Craig, Jen Jones, John Murray, Christian Newsome, Graham Parker, Keith Patience, Andy Pearce, Bernadette Rappensberger, Deborah Ray, Elise Youngman and Nick Webb

In Attendance: Lauren Elliott (Senior Committee and Project Clerk) and Taylor Williams (Committee Clerk and Planning Assistant)

Also in Attendance: Sheila MossKing (Project Manager for the Town Hall Project)

188. Welcome

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

189. To receive and consider approval of apologies for absence from any Councillors not in attendance

Apologies were received from Cllrs Sonia Barker, Connor Blowers, Christine Moore, Paul Page and John Pitts with reasons provided. Cllr Pearce proposed approval of apologies received; seconded by Cllr Breakspear; all in favour.

190. Declarations and dispensations

190.1. To receive declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable interests from councillors on items on the agenda – Cllrs Brooks, Ray and Webb declared they were members of Suffolk Wildlife Trust. Cllr Pearce declared he was the Lowestoft Town Council (LTC) representative on the Lowestoft Kittiwake Partnership (LKP).

190.2. To consider written requests for dispensations for interests and note dispensations granted – No written requests for dispensations had been received.

191. To consider the draft minutes and confidential note of the Extraordinary Full Council meeting on 12 November 2024, and the Full Council meeting on 26 November 2024

The minutes for the 26 November were in progress and were deferred to the next meeting. Cllr Brooks proposed approval of the 12 November minutes; seconded by Cllr Pearce who requested a section of the confidential note be clarified in confidential session; all in favour.

192. 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 advance comments had been received and there were no members of the public in attendance.

193. Finance and Governance

193.1. To receive and consider the following:

193.1a. 2024 – 2025 budget and reserves – Cllr Pearce proposed to accept the budget report as a true and accurate record; seconded by Cllr Brooks; all in favour.

193.1b. Any bank reconciliations – October and November reconciliations were ready to be passed to the relevant Councillor signatories. Cllr Patience queried the purchase of storage units for the Marina Theatre Trust for £258.91. It was confirmed these units were not being purchased by LTC, the units were required as the refurbishment works limited the storage capacity of the theatre and had been funded from the project funds.

193.1c. Payments and income for the month ending 30 November 2024 and December

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2024 to date (see schedules) – Cllr Pearce proposed to accept the reports as a true and accurate record of income and expenditure for the period; seconded by Cllr Coleby; all in favour.

- 193.1d. Payments for approval – There were no payments for approval.
- 193.2. To note progress with preparation of the 2025 – 2026 budget and consider associated timescales and communications (some aspects may be confidential) – The Budget and Loan Working Group meetings were ongoing. It was noted an Extraordinary Full Council may need to be arranged to accommodate the precept submission deadline and officers would investigate further.
- 193.3. To receive and note the draft minutes of the Finance and Governance Committee meeting on 9 December 2024 – The minutes were in progress and would be signed off at the next Committee meeting.
- 193.4. To consider the following recommendations from the Finance and Governance Committee:
- 193.4a. A response to the Government consultation on enabling remote attendance and proxy voting at Local Authority meetings, including comments from the Finance and Governance Committee – Cllr Brooks was against proxy voting and felt hybrid meetings could be problematic due to the difficulty in managing attendance. It was important to meet in person in order to break down social isolation.

Cllr Jones temporarily left the chamber at 18:42

Cllr Jones returned to the chamber at 18:44

Cllr Pearce understood that regardless of whether legislation was passed to enable remote attendance, it was still the decision of each individual council on whether remote attendance would be adopted as part of its meeting practice, they would not be compelled. Finance and Governance had discussed the potential advantages of remote attendance including improvements in accessibility for members, reduced cost of travel to meetings. Alternatively, the disadvantages were noted to include the risk of zoom meetings with regards to confidentiality.

It was agreed items 2.4 and 2.5 in the report provided to Full Council was a balanced and fair summary of the potential advantages and risks with remote attendance and it would be to include those points in LTC's response.

Finance and Governance had recommended proxy voting be opposed as it presented the risk of pre-determination by members of the Council. Finance and Governance supported allowing the flexibility in law to allow hybrid meetings in the event of another pandemic or to assist members who struggle with accessibility to meetings such as carer responsibilities.

Cllr Pearce proposed to recommend 2.4 as an assessment of advantages and 2.5 as an assessment of risks to be considered, controlled and mitigated. The comments from Finance and Governance and those made by members will also be included. LTC would also recommend it was not in favour of allowing proxy voting due to the risk of pre-determination.

It was noted even if the flexibility to permit hybrid meetings was introduced to legislation, this Council would still vote on whether to adopt hybrid meetings as part of its own practice. Cllr Rappensberger seconded the proposal and a vote was held with twelve votes in favour the three votes against.

Cllr Pearce proposed a delegation be made to officers to submit the consultee

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response; seconded by Cllr Rappensberger; thirteen votes in favour and two abstentions.

193.4b. A recommendation on the payment of an outstanding legal fee (some aspects may be confidential) – This item would be discussed in confidential session.

193.4c. To lease a projector for the Marina Theatre for two years, with the option to purchase at the end of year two – A query was raised on the age of the current projector, its specifications, when it was last renewed, if it has broken down and if there was a condition report available.

It was stated the projector dated from the late 1980s or early 1990s and whilst currently functional, it was not expected to last beyond 2025/2026. The projector belongs to LTC and was included on a list provided by the Marina Theatre Trust regarding equipment that required an upgrade in 2025/2026. LTC had informed the Trust they were unable to purchase the replacement as, in addition to the usual annual Marina Theatre expenditure, LTC would also need to cover the theatre's operating expenditure during the seventeen-week closure period in 2025/2026. It had been confirmed the equipment could be leased instead of purchased for two years with an option to purchase in the third year.

Cllr Parker proposed this item be deferred to the January meeting and with a condition report to be received; seconded by Cllr Patience. It was noted the Marina Theatre had only submitted one set of indicative costs and as the purchase exceeded the £10,000 threshold, three quotes would be required, therefore the item could not be considered at this meeting. A vote was held with all in favour. It was requested the Facilities and Contracts Manager visit the theatre in January and undertake an independent assessment on behalf of the landlord.

194. Town Hall Project

194.1. To receive and note the draft minutes of the Town Hall Project Committee meeting on 12 December 2024 – The minutes of the meeting were in progress and would be signed off at the next meeting of the Committee.

194.2. To consider the following regarding the delivery stage of the redevelopment of the Town Hall:

194.2a. To note funding awards received – The Project Manager confirmed LTC had been awarded additional funding from The National Lottery Heritage Fund and the application to the Public Works Loan Board to borrow up to £5million rather than £4million had also been successful, on the condition that servicing the loan would not trigger an increase in precept. East Suffolk Council (ESC) were due to decide on what they could contribute for a grant uplift at their Cabinet meeting in early January.

194.2b. To receive and note a progress report from the Project Manager (some aspects may be confidential) – Barnes Construction had been awarded the main construction contract and the Project Manager had met with their team to work through clarifications on the contract process. They had also met with the Design Team and Quality Surveyor to work on detailed planning and to review the contract issues. This had been a positive meeting and Barnes Construction were projected to start onsite in mid-March 2025. It was noted Barnes Construction were based in Ipswich and so money was being spent within the county.

194.2c. To consider any matters relating to the award of the main build contract and associated professional services (some aspects may be confidential) – The Project Manager requested this item be discussed in confidential session.

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195. Marina Theatre

- 195.1. To receive and note the draft minutes of the Marina Theatre Project Committee meeting on 12 December 2024 – The minutes of the meeting were in progress and would be signed off at the next meeting.
- 195.2. To consider the following in relation to the Marina Theatre Redevelopment Project:
 - 195.2a. To receive and note a progress report from the Project Manager – The Project Manager’s report was provided to the Council and there were no comments.
- 195.3. To consider a compensatory offer relating to nesting deterrent measures (some aspects may be confidential) – A comment was made that whilst the offer seemed reasonable, clarification was required on the rationale of the offer, and as third parties and related incidents would be discussed it was requested this item be discussed in confidential session. The Council agreed to put this item in confidential session.

196. Assets, Inclusion and Development

- 196.1. To receive and note the draft minutes of the Assets, Inclusion and Development Committee meeting on 2 December 2024 – A request was made for the Chair of the Assets, Inclusion and Development Committee to provide the rationale for the number of mowers requested for purchase. The Council agreed this would be discussed under 196.4.
- 196.2. To consider the following recommendations from the Assets, Inclusion and Development Committee:
 - 196.2a. Approval of recommendations regarding the impact of the Terrorism (Protection of Premises) Bill (Martyn’s Law) – Cllr Pearce proposed to approve the recommendations; seconded by Cllr Rappensberger; all in favour.
 - 196.2b. To progress a pump track for Normanston Park in principle, asking officers to seek further advice regarding the process and funding options, to inform the project timetable – It was noted there was no proposal to precept anything towards this purchase in 2025/2026 and this in principle approval would allow officers to source further information on costs and funding options, including if LTC would be required to match fund.

The Council were notified that a new pump track was due to be developed at the Woods Meadow Estate and it was queried if the two pump tracks would be too close together.

Cllr Pearce proposed to in principle approve the progression of a pump track and ask officers to find information on suppliers, leading times (including whether it would be deliverable in 2025/2026 or 2026/2027), if grant funding would be available and if match funding was required and how much, information would also be sought on the nearby pump track development; seconded by Cllr Brooks; fourteen votes in favour and one abstention.

- 196.3. To note the purchase of a £700 trailer (replacement item) – The purchase was noted.
- 196.4. To approve the purchase of a replacement ride-on lawnmower at £15,000 plus VAT – There were queries on the need to purchase another mower and the purchase history of mowers was summarised.

The Council had previously received four mowers from Norse and were informed these mowers would not survive in operational capability beyond 2025/2026 and were expected to need replacement in next year’s budget.

Earlier in 2024, it had been agreed to purchase two new mowers, which would bring the full complement to six mowers, with four mowers to be replaced next year.

A one-off purchase had previously been approved of a grillo-mower for embankments and uneven surfaces, as this was specialised kit to manage assets with difficult terrain. This brought the full complement to seven mowers.

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Then, a report had been received on the theft of a mower from Sparrows Nest, so it had been proposed to replace the stolen mower and get a new one, one would be for Sparrows Nest and the other would be for Normanston Park, with the latter to also help maintain the tennis courts. This would bring the final count to eight mowers. The Grounds Maintenance Team assured that they would not seek to replace the four mowers next year, instead the new mowers purchased this year would be used and the older ones would be reserves that would be used for as long as they last and then be disposed. The working complement would be four mowers, plus the grillo-mower and the four inherited mowers would be kept as reserves.

This proposed mower would also be used for cleaning the tennis courts, for which there was a pre-existing reserve which must be maintained and used for the tennis courts.

Cllr Pearce proposed to approve the purchase, with half the budget allocated from the 2024/2025 Parks Capital and half from the £25,000 reserve for tennis court maintenance; seconded by Cllr Brooks; fourteen votes in favour and one abstention.

196.5. To consider matters relating to the Euroscope at Ness Point (some aspects may be confidential) – This item would be discussed in confidential session.

197. Planning

197.1. To receive and note the draft minutes of the Planning Committee meeting on 28 November 2024 – The minutes of the meeting were in progress and would be signed off at the next Committee meeting.

198. Personnel

198.1. To receive and note the draft minutes of the Personnel Committee meeting on 5 December 2024 – There were no comments on the draft minutes.

198.2. To consider the following from the Personnel Committee:

198.2a. A recommendation regarding the grounds maintenance staffing structure (confidential) – This item would be discussed in confidential session.

198.2b. A recommendation regarding staff terms and conditions (confidential) – This item would be discussed in confidential session.

199. Climate and Ecological Emergency

199.1. To receive and note the draft minutes of the Climate and Ecological Emergency Committee meeting on 16 December 2024 – The minutes of the meeting were in progress and would be signed off at the next meeting.

200. Outside bodies

200.1. To receive and note Cllr Pearce's report of the Lowestoft Kittiwake Partnership meeting on 16 October 2024 (confidential) – The report which summarised the current status of the LKP. A query was raised on ESC's role, as they seemed to be taking the lead on the partnership, and if this has led to a shift in the goal being the cleanliness of the town as opposed to care for the kittiwakes.

Cllr Pearce responded and confirmed he had raised similar concerns, and reassured the Council there was no change in the intention of the Partnership. ESC's role was to be the accountable body for the funding pledged to the LKP and hold those funds in a ring-fenced account. However, all decisions on funding were made by the LKP and it was not a Committee of ESC and ESC did not control the decisions of the LKP. The funding was to be used for education and outreach, extra cleaning for areas affected by the nests and potentially funding for areas where deterrents were unavoidable, but to ensure the deterrent has less capacity to be lethal.

It was decided to hold two regular meetings a year, prior to and after the breeding

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seasons, with other meetings to be called as needed for particular issues. The role of Chair had been previously held by Peter Aldous, not in his capacity as MP, who had stood down from the position. The LKP had resolved to appoint Jess Asato MP as the new Chair, however, it was not in the constitution of LKP that the MP of the day would automatically be appointed the Chair of the LKP.

200.2. To receive and note Cllr Barker's report of the First Light Festival Steering Group meeting on 21 November 2024 – The report was noted.

201. To consider the following legal matters (confidential):

201.1. To consider matters relating land ownership and coastal defence (confidential) – This item would be discussed in confidential session.

201.2. To consider any land transfers or lease arrangements – This item would be discussed in confidential session.

202. Date of next meeting

28 January 2025 at 18:30

203. Items for the next agenda and close

An item was requested to receive an update on the Lowestoft Youth Forum.

204. 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 and employment issues relating to the matters on this agenda, including the following:

204.1. Any matters, including those above as required – Cllr Rappensberger proposed the meeting be moved into confidential session; seconded by Cllr Webb; all in favour.

The Chair closed the meeting to the public and moved into confidential session at 19:41

Cllrs Parker and Patience left the chamber at 19:41

191. To consider the draft minutes and confidential note of the Extraordinary Full Council meeting on 12 November 2024, and the Full Council meeting on 26 November 2024

The clarifications needed on the confidential note were explained.

Cllr Youngman temporarily left the chamber at 19:42

Cllr Pearce proposed to accept the confidential note, subject to the amendment as raised; seconded by Cllr Brooks; all in favour.

194.2c. To consider any matters relating to the award of the main build contract and associated professional services (some aspects may be confidential) – An update was provided by the Project Manager on matters relating to the award of the main build contract.

Cllr Youngman returned to the chamber at 19:45

Cllr Pearce made a confidential proposal; seconded by Cllr Coleby; all in favour.

193.4b. A recommendation on the payment of an outstanding legal fee (some aspects may be confidential) – There was a discussion regarding the payment of an outstanding legal fee.

Cllr Pearce made a confidential proposal; seconded by Cllr Brooks; all in favour.

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195.3 To consider a compensatory offer relating to nesting deterrent measures (some aspects may be confidential) – There was a discussion on the compensatory offer and the rationale on which the offer was made.

Cllr Pearce made a confidential proposal; seconded by Cllr Brooks; all in favour.

196.5 To consider matters relating to the Euroscope at Ness Point (some aspects may be confidential) – An update was provided on repairs to the Euroscope at Ness Point.

Cllr Pearce made a confidential proposal.

Cllr Craig left the chamber at 20:05

Cllr Newsome seconded the proposal and a vote was held with all in favour.

198.2a A recommendation regarding the grounds maintenance staffing structure (confidential) – A recommendation regarding the grounds maintenance staffing structure had been received from the Personnel Committee.

Cllr Pearce made a confidential proposal; seconded by Cllr Webb; all in favour.

201. To consider the following legal matters (confidential):

201.1. To consider matters relating land ownership and coastal defence (confidential)

201.2. To consider any land transfers or lease arrangements

It was agreed to defer the legal matters to the next Full Council meeting.

198.2b. A recommendation regarding staff terms and conditions (confidential)

Both officers left the chamber at 20:10 due to the confidential nature of the item to be discussed

The Chair closed the meeting at 20:45

Signed:

4 February 2025

