

Lowestoft Town Council
Extraordinary Full Council Meeting
First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
18:30 on 17 January 2024

MINUTES

Present: Cllrs Sonia Barker (Mayor), Wendy Brooks, Janet Craig, Neil Coleby, Graham Parker, Andy Pearce, John Pitts, Bernadette Rappensberger, Deborah Ray, Nick Webb and Elise Youngman

In attendance: Sarah Foote (Deputy Town Clerk), James Cox (Finance and Information Officer) and Lauren Elliott (Project and Committee Clerk)

Public: There were no members of the public in attendance

176. Welcome

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

The Deputy Clerk temporarily left the meeting 18:31 and returned 18:32

177. Approval of apologies for absence

Apologies were received from Cllrs Nasima Begum, Jen Jones, Christian Newsome and Keith Patience, with reasons provided. Cllrs Robert Breakspear, Paul Page and Jack Smith had not provided apologies and were absent. Cllr Pearce proposed approval of the apologies received; seconded by Cllr Brooks; all in favour.

178. Declarations and dispensations

178.1. Declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable interests from councillors on items on the agenda – Cllrs Craig and Parker declared they are East Suffolk Councillors.

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

179. The confidential note of the Full Council meeting on 28 November 2023, and the draft minutes and confidential note of the Full Council meeting on 19 December 2023

Cllr Brooks proposed approval of the minutes and confidential notes as listed; seconded by Cllr Barker; all in favour.

180. Public forum

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

181. Interim staffing arrangements (confidential), including the following:

The Deputy Clerk clarified this item was required to be considered in confidential session but needed to be done at this point in the meeting to ensure compliance with other business to be conducted at this meeting. Cllr Pearce proposed to move the meeting into confidential session; seconded by Cllr Brooks; all in favour.

The members of staff in attendance temporarily left the meeting 18:37 for the consideration of this item

181.1. Confirming interim staffing appointments – It was agreed to appoint Sarah Foote as the Acting Town Clerk and Responsible Financial Officer. Proposed by Cllr Pearce; seconded by Cllr Brooks; all in favour.

181.2. Temporary staffing arrangements and approving the cost – There were confidential discussions regarding staff terms and conditions and confidential decisions made regarding this.

The members of staff returned 19:14 and the meeting returned to public session

Lowestoft Town Council
Extraordinary Full Council Meeting
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18:30 on 17 January 2024

182. The 2024 – 2025 budget and precept (some aspects may be confidential)

The Budget and Loan Sub-Committee had been meeting almost every week since the beginning of September, and had reviewed every budget stream and reserve. All resolutions which included financial liabilities going into next year and beyond had been taken account of, and contingency had also been made for matters ongoing. There was contingency and flexibility around staffing, particularly given the ongoing grounds maintenance transitioning. Budget provision had been made to maintain the current rate of play area and public conveniences refurbishments, with Council having already agreed to prioritise the Normanston Park public conveniences and changing rooms, and the Lowestoft Cemetery public conveniences. The draft budget included scope for capital works, such as the refurbishment of the Sparrows Nest public conveniences and replacement windows for the Sparrows Nest building complex. Of the three budget proposals created, the Budget and Loan Sub-Committee recommended the middle option, of a 4.93% increase on the precept, which would result in a £7.53 increase over the year on a Band D property, for the Town Council's portion of the Council Tax, and a £5.86 increase on Band B. This would keep the precept increase below the prevailing rate of inflation, which the Town Council has done since 2019, and one year reduced its precept. The inflation indices particularly affecting the Town Council are construction and utilities. The recommendation of the Budget and Loan Sub-Committee had been endorsed by the Finance and Governance Committee. With regard to the other two proposals which were prepared, one would be for a 1% increase on the precept option, which would amount to approximately £20,000. If Full Council were minded to approve this option, it would be proposed to allocate the funds to general reserves initially, with expenditure to be determined during the year. The other proposal prepared would be for -1%. If Council were minded to approve this option, it would be proposed for £20,000 from the rental income from the caravan site (which is currently allocated to general reserves) be taken to offset against other expenditure, with the balance then being allocated to general reserves. Cllr Brooks seconded the proposal and considered that 4.93% increase would still enable the Council to do the work it would like to do during the year. Cllr Parker offered his thanks Cllr Pearce and the Finance and Information Officer, and Cllr Barker extended her thanks to the Budget and Loan Sub-Committee also. Comments from members of the public on social media seemed to indicate a misunderstanding as to what proportion of the overall Council Tax bill was for the Town Council. For a Band D property this was currently £152.85. The vote was taken and all Councillors voted in favour.

The Finance and Information Officer left the meeting 19:27

183. Feedback from the Marina Theatre feasibility meeting on 11 January 2024 and any actions for the Town Council to progress (some aspects may be confidential)

Cllr Barker considered the meeting to have been positive. SB – positive meeting. Cllr Pearce reported that the meeting had taken place between the Town Council's representatives, eight Marina Theatre Trustees and two representatives from East Suffolk Council. The Trust had advised it could not afford for the Theatre to be closed for construction during pantomime season, as this was commercially vital for them. The RIBA Stage 3 financials had been prepared by a consultant appointed by the Marina Theatre and the Town Council therefore needed to understand the contingency and inflation provisions. It had been agreed at the meeting to recommend commissioning RIBA Stages 4 – 7, with a break clause after Stage 4, to assess the viability and whether there is sufficient time to complete the project by 31 March 2026. Cllr Pearce proposed to proceed with the procurement of RIBA Stages 4 – 7, with a break clause and review after Stage 4. East Suffolk Council can provide project management at no cost, but both parties will need to approve a Memorandum of Understanding. This should be provided by East Suffolk Council in time for January's Full Council meeting, but if not, Full Council could decide to approve an appropriate delegation to agree its content. Cllr Barker seconded Cllr Pearce's proposal. Cllr Brooks agreed it had been a positive meeting and noted East Suffolk Council's understanding of the Town Council's need to review the financial viability

Lowestoft Town Council

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18:30 on 17 January 2024

of the project, and whether it could be delivered within the necessary timescale. The vote was taken and all Councillors voted in favour. It was noted that the Memorandum of Understanding and the scope of the Project Management role would be considered at the next Full Council meeting.

184. A maximum budget of £10,170 plus VAT to install an electrical supply to all units at the Triangle Market

Cllr Pearce explained there is an electricity supply to the existing static stalls; this expenditure would be for providing a supply to the four new kiosks, which had been delivered and were being prepared at the workshop. Cllr Pearce proposed to approve this expenditure, to come from the Triangle Market earmarked reserve. Should this expenditure be approved, the anticipated year end balance within the reserve would be £21,164. It had also previously been proposed the 2024 – 2025 Triangle Market repairs and maintenance budget and anticipated utility costs be offset rather than precepted for. This would leave £10,808 uncommitted funds in the reserve. Cllr Brooks seconded the proposal and all Councillors voted in favour.

185. The following legal matters (some aspects may be confidential):

A Zoom meeting had taken place with the lawyer regarding item 185.1, and a draft letter to send to the tenant had been prepared. This item would be further considered during the confidential session. Legal assistance was being provided with regard to items 185.2 and 185.3, and the Deputy Clerk would provide an update during the confidential session. The Deputy Clerk had provided an update on items 185.4, 185.5 and 185.6 to December's Full Council meeting, but it had been agreed that a list of all the outstanding legal matters would be provided to the next Finance and Governance or Full Council meeting, as there were some which were time sensitive.

185.1. The Lowestoft War Memorial Museum lease (confidential)

185.2. The Heads of Terms and lease for Unit 2 (some aspects may be confidential)

185.3. To understand the legal position and risks of a tenancy at will situation (some aspects may be confidential)

185.4. London Road South land transfer (partial) to East Suffolk Council (confidential)

185.5. Northern coastal and sea wall transfers from East Suffolk Council (confidential)

185.6. Kirkley Community Sports and Social Club land from East Suffolk Council (confidential)

186. Date of next meeting

23 January 2024 at 18:30

187. Items for the next agenda and close

Any items not considered at this meeting would be carried forward to the next meeting. Cllr Coleby proposed to move the meeting into confidential session; seconded by Cllr Pearce; all in favour.

188. Resolution to close the meeting to the public:

188.1. Any matters, including those above as required:

185.1. The Lowestoft War Memorial Museum lease (confidential) – A Zoom meeting had taken place with the Town Council's lawyer, who had produced a letter as a result. Cllr Pearce proposed to approve the lawyer's letter, with a requested amendment; seconded by Cllr Barker; all in favour.

Lowestoft Town Council

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18:30 on 17 January 2024

185.2. The Heads of Terms and lease for Unit 2 (some aspects may be confidential) – Cllr Barker reminded Councillors of a site visit to the workshop that week. A follow-up site visit would be arranged in February for any Councillor who could not make it. A Zoom meeting had been held with the lawyer where the Heads of Terms had been discussed. Cllr Brooks made a proposal following discussions held at the meeting; seconded by Cllr Coleby. Cllr Pearce requested an amendment regarding the budget allocation, which was accepted by Cllr Brooks. All Councillors voted in favour.

The meeting was closed at 20:02.

Signed:

23 January 2024