

Lowestoft Town Council
Meeting of the Marina Theatre Project Committee
First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
14:00 on Thursday 11 July 2024

MINUTES

Present: Cllrs Nasima Begum (Chair), Wendy Brooks and Andy Pearce. Non-Councillor members Emma Bellward (Project Manager) and Darren Newman (East Suffolk Council), Hazel Clover, Norman Cullingford, Robin Townley and Sam Vallerius (Marina Theatre Trust).

In Attendance: Sarah Foote (Acting Town Clerk) and Taylor Williams (Committee Clerk)

Also in Attendance: 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 with reasons provided. Cllr Pearce proposed acceptance of apologies received; seconded by Cllr Brooks; all in favour.

Cllrs Coleby and Moore were 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 members of the Committee 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 and confidential note of the meeting on 9th May 2024

Cllr Pearce proposed approval; seconded by Cllr Brooks; 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 – There were no advanced comments. The Procurement Consultant (Henry Swan) was in attendance via zoom to discuss item 9.

As the number of non-Councillor members in attendance exceeded the number of elected Councillors, and per the Terms of Reference a quorate meeting required at least 50% of the voting body to be elected Councillors, it was agreed for the non-Councillor members to decide who would maintain their voting rights and who would withdraw from voting. Darren Newman, Norman Cullingford and Sam Vallerius opted to withdraw from voting.

Cllr Brooks requested it be recorded that Lowestoft Town Council (LTC) Councillors needed to attend the meetings to ensure there was no need for non-Councillor members to withdraw from voting.

6. To review and adopt Committee arrangements:

6.1. To note the membership of the Marina Theatre Project Committee – Membership of the Marina Theatre Project Committee consisted of Cllrs Sonia Barker, Nasima Begum (Chair), Wendy Brooks, Neil Coleby, Christine Moore and Andy Pearce. Non-Councillor members included Emma Bellward (Project Manager) and Darrent Newman, officers of East Suffolk Council, and four representatives of the Marina Theatre Trust.

6.2. To appoint the Deputy Chair of the Marina Theatre Project Committee – Cllr Brooks nominated Robin Townley; seconded by Cllr Pearce; all in favour.

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- 6.3. To note the Terms of Reference – The Terms of Reference were noted.
- 6.4. To agree the meeting schedule – The current schedule was set for the second Thursday of the month at 14:00. Cllr Pearce proposed to maintain the schedule; seconded by Cllr Brooks; all in favour.
- 6.5. To review the delegations of this Committee – Cllr Pearce proposed to continue with the delegations provided to the Committee; seconded by Robin Townley; all in favour.
- 6.6. To consider the register of interests of non-Councillor members – Members of the Marina Theatre Trust needed to complete their register of interests, which would be uploaded to a separate area on the LTC website.

7. To receive a report from the Project Manager, including:

- 7.1. The notes from the Design Team and Construction Coordination meeting on 26th April and 20th June 2024 – The Committee agreed approval of the notes as an accurate record of the meetings.
- 7.2. The Highlight Report update from the Project Manager (some aspects may be confidential) – The project was on-track with work being progressed on the technical design, which was being checked by Building Control, and the review of the cost plan, for which a mid-point review meeting had been held, followed by meetings with the theatre staff to review the fixtures and fittings.

The grant agreement had been approved and LTC could receive its first drawdown of money.

Quotes had been received and approved for the UK Power Networks work.

The structural survey has been completed and the unexploded ordnance did not raise any concerns.

The Committee approved the report and the works being progressed. A further update would be provided in confidential session.

- 7.3. The risk register (some aspects may be confidential) – The Project Manager requested this update be provided in confidential.

8. To consider the RIBA Stage 3 + Cost Plan

The Project Manager requested this item be discussed in confidential session.

9. To approve the final tender documents and note the update procurement plan and timescales

The Procurement Consultant reported the publishing of the tender would be delayed for two weeks, as the Quantity Surveyor needed to build in their cost document, and the Committee would need to consider the impact this would have on the project timescale. The Project Manager noted even with the time delay, the appointment of the main contact should be completed by October.

It was confirmed the tender would not commit the Town Council to the completion of the procurement exercise and there would still be the review stage to consider whether the break clause should be implemented.

The Procurement Consultant suggested the main contract evaluation ratio be split 70/30 for price and quality as it would ensure the bidders focus on providing the best price whilst the quality of the tender would be demonstrated in their responses to quality questions.

The Project Manager suggested the quality question on resource be amended with a line to

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emphasise delivering the project on time. Furthermore, this Committee would have overall control of the communications per the Communication Plan, rather than a contractor leading on communications.

Cllr Pearce proposed to approve the quality questions and tender documents, subject to the Project Manager's comments for adjustments being taken into consideration and with the price to quality ratio to be determined in confidential session. The proposal was not seconded and it was agreed for the discussions on price and quality ratios to be concluded and voted on in confidential session.

10. To receive an update on the drawing up of a new lease for the Marina Theatre Trust and consider any licence for alterations that may be required (some aspects may be confidential)

To be discussed in confidential session.

11. To discuss the need for coordination between the two project teams for the Marina Theatre and Cultural Quarter (confidential)

To be discussed in confidential session.

12. To consider implementation of the Communications Plan

The Lowestoft Town Council Communications Officer has reviewed the plan and will work on the plan with the Project Manager. It was noted that the Communications Officer would take the lead in implementing the Communications Plan from the Lowestoft Town Council side.

Cllr Pearce proposed once Lowestoft Town Council, the Project Manager and Marina Theatre Trust are in agreement on the contents of the Communications Plan, it be delegated to the three parties to implement the plan; seconded by Cllr Begum; all in favour.

13. To consider any recommendations to Full Council

There were no recommendations to Full Council.

14. Date of the next meeting

Thursday 8th August 2024 - 14:00

15. Items for the next agenda and close

No items were requested.

16. 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:

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

The Chair closed the meeting to the public and moved into confidential session at 14:45

7.2. The Highlight Report update from the Project Manager (some aspects may be confidential)
Report update – A confidential update was provided by the Project Manager.

7.3. The risk register (some aspects may be confidential) – No new risks had been added since the previous meeting and the register was reviewed.

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8. To consider the RIBA Stage 3 + Cost Plan

This was covered in the update provided under item 7.1.

9. To approve the final tender documents and note the update procurement plan and timescales

The quality questions and tender documents were reviewed.

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

Cllr Pearce proposed, subject to the suggested amendments being integrated, to approve the quality questions for inclusion in the tender; seconded by Robin Townley; all in favour.

Cllr Brooks made a confidential proposal; seconded by Cllr Begum; two votes in favour, three votes against and one abstention.

Robin Townley made a confidential proposal; seconded by Cllr Pearce; five votes in favour and one vote against.

10. To receive an update on the drawing up of a new lease for the Marina Theatre Trust and consider any licence for alterations that may be required (some aspects may be confidential)

This item was covered under the risk management.

11. To discuss the need for coordination between the two project teams for the Marina Theatre and Cultural Quarter (confidential)

The Project Manager confirmed arrangements were in place to ensure there would be no conflicts between the two projects.

The Chair closed the meeting at 15:55

Signed:

8 August 2024