

STOWMARKET TOWN COUNCIL

Minutes of the extraordinary meeting of **STOWMARKET TOWN COUNCIL** held in the John Milton Room, Milton House, Milton Road South on Wednesday, 4th March, 2015 at 8.45pm.

Present: Councillor G M Brewster (Town Mayor)

Councillors: N G K Gowrley
G Green
G P Harris
B Humphreys
Mrs L M Mayes
N J Rozier
B J Salmon (Deputy Town Mayor)
K E Scarff
Mrs V I Waspe
Mrs A E J Whybrow
D S Whybrow

In attendance: Mr D G Blackburn (Town Clerk)

346. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ms S L Britton, D J MacPherson and Mrs P J E Robinson.

347. DECLARATIONS OF PECUNIARY OR NON PECUNIARY INTERESTS

Non-pecuniary interests were declared by Councillors D S Whybrow, Mrs A E J Whybrow, N G K Gowrley and Mrs L M Mayes, all by reason of them being acquainted with a third party who had submitted a proposal to the Council regarding the project.

348. DISPENSATIONS IN RESPECT OF PECUNIARY INTERESTS

There were none.

349. MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting held on 4th February, 2015 be approved and signed as a correct record.

350. PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

RESOLVED: That by virtue of the provision of section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 the public be excluded from the rest of the meeting on the grounds that publicity would be prejudicial to the public interest by virtue of the confidential nature.

351. REGAL THEATRE IMPROVEMENT PROJECT

The Town Clerk submitted an update on the project relating to the re-development of the Regal Theatre, (C/25/1415, copy on report file). A series of meetings had been conducted with various parties over the scope and delivery of the project. The next stage would require a site options appraisal to be undertaken and business case to be prepared in identifying one or more partners and accessing investment funding to deliver the project.

The Town Clerk recommended that the advice of the District Council, the internal auditor and external auditor should be taken into account in determining the best way forward regarding procurement by the Town Council. It was noted that single tender negotiation could be used if, this provided the best opportunity to access public or private funding from partners and deliver the project in a timely and effective manner (Financial Regulation 11.1b refers). This could be done in accordance with Financial Regulations (Financial Regulation 11.1a ii) as it related to a contract for a specialist service. However, for the avoidance of doubt, it was recommended that Financial Regulations should be waived in respect of the contract for the site options appraisal and business case to ensure that the most appropriate course of action could be pursued. This should be recorded in the Council's minutes to provide a clear audit trail of the approval for this course of action.

Members of the Town Council received the report and recognised that the Town Council had both an opportunity and responsibility to ensure that the Regal Theatre achieved its full potential in providing an entertainment venue near to the town centre with adjacent car parking and eateries and other places providing refreshments situated nearby.

The Town Council noted that the proposed courses of action provided adequate safeguards to ensure that there was:

- a. Regular reporting back to the full Council;
- b. Joint working between the Town Clerk and Members at each stage of the project;
- c. Liaison between the Town Clerk and the External and Internal Auditors, as appropriate, over governance arrangements;
- d. Advice obtained from the District Council about procurement procedures; and
- e. Final approvals required from Council about the use of the site before any work could commence.

RESOLVED:

- a. That the actions taken by the Town Clerk, so far, in exploring options for the future of the Regal Theatre, be ratified;
- b. That Council confirms that the preferred outcome for the project, subject to evaluation, is the provision of a combined theatre and multi-screen cinema complex on site with the use of any residual land to be determined;
- c. That the Town Clerk be authorised in consultation with Councillors B J Salmon and N G K Gowrley:
 - i. to engage specialist professional services that will enable site options to be evaluated and a business case to be prepared;
 - ii. to report to the Town Council on the appraisal undertaken at (i) above; and

- iii. to continue liaising with third parties about options for the development of the Regal Theatre site.
- d. That, the Financial Regulations with regard to the procurement of services in respect of recommendation (c) be waived if, in the opinion of the Town Clerk, in consultation with Councillors B J Salmon and N G K Gowrley, this is essential to:
 - i. Provide the best opportunity to access public or private funding from partners;
 - ii. Deliver the project in a timely manner.
- e. That following the receipt of the site options report and business case, the Town Council determines what further actions should be taken; and
- f. That the Regal Committee shall await a decision by the full Council on what future direction the project should take before undertaking any further work.

The meeting ended at 9.35pm.

CHAIRMAN