



Ottery St Mary Town Council

Minutes of the **ORDINARY MEETING OF OTTERY ST MARY TOWN COUNCIL** held on **MONDAY 6TH FEBRUARY 2023** at **7.00pm**. The meeting was held at the Council Offices, 8 Broad Street, OSM, EX11 1BZ

PRESENT: - Cllrs Johns (**Mayor**), Lucas (**Deputy Mayor**), Johnston, Green, Faithfull, Stewart, Grainger, Copus (until 8.22pm), DCC Cllr Bailey, Kerry Kennell (CEO), Christine McIntyre (Support Officer) and five members of the public.

23/02/01

TO RECEIVE APOLOGIES FOR ABSENCE

Cllr Pang and EDDC Cllr Geoff Pratt.

23/02/02

TO RECEIVE DECLARATIONS OF INTEREST FOR ITEMS ON THE AGENDA AND RECEIPT OF REQUESTS FOR NEW DISCLOSABLE PECUNIARY INTERESTS (DPIS) DISPENSATIONS FOR ITEMS ON THE AGENDA

Name of Councillor	Agenda Item and Interest
Cllr Johns	Agenda item 12 – personal interest as Cllr Johns is a Director of Community Volunteers.
Cllr Lucas	Agenda item 12 – personal interest as Cllr Lucas is a Director of Community Volunteers. Agenda item 12 –pecuniary interest in relation to potential hiring of an office at the Council Offices.
Cllr Johnston	Agenda item 22 - personal interest declared as a friend of the parishioner.
Cllr Green	No interests declared.
Cllr Faithfull	No interests declared.
Cllr Copus	Agenda item 26 – personal interest as Cllr Copus is the Council representative on the Twinning Association.
Cllr Grainger	No interests declared.
Cllr Stewart	Agenda item 12 – personal interest as Cllr Stewart is a Director of Community Volunteers.

23/02/03

IN CONSIDERATION OF THE PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960 (PUBLICITY WOULD BE PREJUDICIAL TO THE PUBLIC INTEREST BY REASON OF THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE

TRANSACTIONED): TO AGREE ANY ITEMS TO BE DEALT WITH AFTER THE PUBLIC AND PRESS HAVE BEEN EXCLUDED

It was **RESOLVED** that the following items be discussed in Confidential Session: Agenda item 13 which relates to staffing matters and Agenda item 27 which relates to an individual's rate of pay.

23/02/04

ALAN BURROWS FROM SOUTH WEST WATER TO DISCUSS SEWAGE DISCHARGES INTO THE RIVER OTTER

Alan answered multiple questions from Councillors and members of the public. He advised that the Information Commissioner's Office (ICO) has ruled that South West Water (SWW) do not need to release information requested under a Freedom of Information request (FOI) relating to discharges into the River Otter. The reason for this decision is that it could prejudice the potential criminal investigation that is being carried out in relation to whether SWW are meeting the permit conditions required to be met before a sewage discharge. The information will need to be released once the investigation is completed. Alan advised that SWW will be launching a customer engagement campaign. It was stated that the perception of the public is that the situation has got worse since privatisation took place. SWW could comment on planning applications but are not a statutory consultee. The WaterFit plan aims to reduce pollution. It was **AGREED** that the Council will request to be included as part of the stakeholder and community engagement that is being set up. The Upstream Thinking project was discussed briefly which looks at natural based solutions.

23/02/05

TO ALLOW MEMBERS OF THE PUBLIC PRESENT TO SUBMIT QUESTIONS/COMMENTS FOR CONSIDERATION *INDIVIDUAL CONTRIBUTIONS WILL BE LIMITED TO 3 MINUTES*

No items were raised.

23/02/06

REPORT FROM VISITING POLICE AND OPPORTUNITY FOR COUNCILLORS TO RAISE QUESTIONS

No members of the police were present and no report was sent.

23/02/07

TO RECEIVE THE MINUTES OF THE MEETINGS OF THE TOWN COUNCIL OF 9TH JANUARY 2023 (MINUTE REFS 23/01/01 – 23/01/28) AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The minutes of 9th January 2023 (minute refs 23/01/01 – 23/01/28) were reviewed and signed by the Mayor as a true record of the meeting.

*It was **AGREED** to bring agenda item 26 forward to follow Agenda item 9. Cllr Bailey will give her report first as she has another meeting to attend.*

23/02/08

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

DCC Cllr Bailey gave a verbal report that the budget at DCC has not yet been confirmed. Cllr Bailey met with representatives from DCC, The King's School and Cllr Lucas as she was concerned about pedestrian and children's safety following

the fatal incident in Cadhay Lane. Plans are being drawn up by DCC for a build out and zebra crossing. The school are also working on securing vehicle activated signs. Cllr Bailey has also held meetings at Ottery St Mary Primary School and is pushing for parking enforcement outside of school. This item is continued in Minute 23/02/11.

23/02/09

PLANNING COMMITTEE:

TO NOTE THE MINUTES OF THE PLANNING COMMITTEE MEETING OF 16TH JANUARY 2023 (MINUTE REFS P23/01/01 - P23/01/10)

The minutes of the Planning Committee meeting of 16th January 2023 (minute refs P23/01/01 – P23/01/10) were noted.

23/02/10

TO RECEIVE FEEDBACK REGARDING SPECIAL MEETING OF THE TWINNING ASSOCIATION AND TO CONSIDER AND APPROVE (IF APPROPRIATE) NEXT STEPS

Cllr Copus advised that at the Special Meeting of the Twinning Association the decision had been made to hand everything back to the Council except for the remaining funds. The Twinning Association would like the Council to either rescind the charter or form a new Twinning Association. The suggestion was that any administration tasks of a new association would need to be carried out by the Council office staff. The Twinning Association has over £5,000 funds in their bank account received from various grants. It was suggested that a £750 grant from the Council for a new website should be returned as a new website was never created. There was some confusion as the Twinning Association had voted to dissolve but were holding a subsequent meeting. It was noted that the Association cannot dissolve and then decide how to spend their funds – this should be done before the Association dissolves. It was **RESOLVED** that this will be put on the agenda for the March Council meeting.

Cllr Copus left the meeting.

23/02/11

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

EDDC Cllr Johns had sent a written report.

EDDC Cllr Faithfull gave a verbal update on the Scrutiny Meeting he had attended virtually. It was noted that there will be further public consultations as the Local Plan progresses.

EDDC Cllr Pratt did not send a report.

23/02/12

STATION HUB COMMITTEE

a. TO NOTE THE MINUTES OF THE STATION HUB COMMITTEE MEETING OF 16TH JANUARY 2023 (MINUTE REFS SH23/01/01 – SH23/01/14)

The minutes of the Station Hub Committee meeting of 16th January 2023 (minute refs SH23/01/01 – SH23/01/14) were noted.

b. TO CONSIDER (AND APPROVE IF APPROPRIATE) RECOMMENDATIONS FROM THE COMMITTEE

A recommendation had been put forward by the committee to revarnish the Platform 1 floor during half term. A contractor could not be found to carry out the work at such short notice. Following discussion with Nash Partnership who have been engaged by EDDC it was AGREED to hold fire on revarnishing the floor until their report is produced at the end of March.

23/02/13

S106: UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS (TO BE A REGULAR AGENDA ITEM)

The planning application for the MUGA is currently being validated by EDDC. It has been identified that a Flood Risk Assessment is required and this has been commissioned. Once the application is validated a decision should be made by EDDC within 8 weeks.

23/02/14

PROPERTY AND LAND COMMITTEE

a. TO NOTE THE MINUTES OF THE PROPERTY AND LAND COMMITTEE OF 26TH JANUARY 2023 (MINUTE REFS PL23/01/01 - PL23/01/15)

The minutes of the Property and Land Committee meeting of 26th January 2023 (minute refs PL23/01/01 – PL23/01/15) were noted. Cllr Faithfull expressed concern that the Confidential Session had not been held at the very end of the meeting but there is no legal requirement when a Confidential Session should be held. It is a decision at the discretion of the Chair of the meeting.

b. TO CONSIDER (AND APPROVE IF APPROPRIATE) RECOMMENDATIONS FROM THE COMMITTEE

It was **RESOLVED** to approve the following recommendations:

Museum:

- that the quote submitted by JTP Joinery for the making, installation and glazing of the replacement window for the Museum be accepted and that the PSO prepare and submit a planning application to EDDC using the specification provided by JTP Joinery.
- That the proposed lease should contain a provision whereby in the event of the HS wishing to purchase the freehold during the term of the lease that the Council would consider the request, (but would be under no obligation to progress the same) and in the event of a sale being progressed to the HS (or any party) during the term of the lease that the provisions contained in S127 of The Local Government Act 1972 (and if applicable S128 of the said Act) are complied with
- that a side letter is entered into by both parties which incorporates the requirements in respect of the proposed works re repointing
- that the HS have the use of the cupboard with immediate effect, and at no cost as a gesture of goodwill in view of the lighting issue.

Cemetery:

- that the Council accept the findings contained in the Arborist's Report regarding the condition of the trees on the northern boundary of the cemetery and the PSO to inform the landowner, who had raised concerns of the findings, accordingly If necessary the report to be released to the landowner should he request a copy of the same.

Station Hub:

- that a meeting be set up with Mr Harry to establish whether he wishes to renew his tenancy of Office 2.
- that the Council accepts the quote to supply and fit a new Jet 50 litre expansion vessel which was needed in respect of the heating system.

Miscellaneous Matters:

- that an expression of interest is submitted to EDDC regarding the Land of Canaan and the Windrush/Millcroft land .
- that the Council arrange for Connor Down to carry out a crown lift of the silver birch at the tennis courts, Winters Lane and to also put Western Power on notice re the branches near the electricity cables
- that notices be placed at the front of the Council Offices advising that parking was for staff/councillors and visitors of the Council. This was unanimously supported. There was a discussion regarding the lockable bollards. The Mayor expressed concern about putting bollards on land not owned by the Council. It was **RESOLVED** that the Council has the capability to install bollards but that signs will be put up in the first instance. *Cllr Johns and Cllr Faithfull voted against the installation of bollards.*
- that the PSO consider the items requiring attention following recent fire risk assessments carried out at the Museum, Council Offices and Pavilion and deal with them accordingly and any matters she was unable to deal with to be brought to the attention of the next P&L meeting.
- that the PSO query with John Godfrey (Risk Assessor (who had been instructed by Argos)) as to why in both reports for the museum and the pavilion, that it was stated that powder extinguishers should not be used, when Argos had advised to the contrary.
- that no further action be taken at the present time by the Council regarding the skatepark finances.
- that no further action be taken by the Council regarding Station Charity finances.

Cllr Lucas left the meeting.

- It was **RESOLVED** that Office 1 should be offered to Cllr Lucas and that Cllr Lucas proceed with the change of use enquiry to EDDC and the payment of the fee.

Cllr Lucas re-joined the meeting.

The following recommendations were not approved:

Station:

That an advert be put together advertising the Office space for suitable tenants – it was AGREED that this recommendation will be put on hold until the feasibility study is completed as one consideration could be to install toilets and a kitchen upstairs to avoid sharing facilities.

Council Offices:

Spanish lessons – it was noted that the individual has found alternative premises to conduct lessons.

23/02/15

CONSIDERATION OF REQUIREMENTS IN RESPECT OF A CHILD'S GRAVE

A funeral director has contacted the Council enquiring as to whether there is a specific area for babies/children in the cemetery. This has highlighted that currently

there is no such provision, although the matter was raised some time ago., It was **RESOLVED** that this will be an item for the next agenda of the Property and Land Committee and this, together with associated matters such as size of grave/headstone for children, will be considered.

23/02/16

REGENERATION AND CLIMATE ACTION COMMITTEE

Cllr Lucas advised that traffic data collection took place last month. It had gone well apart from someone vandalising one of the readers. Fortunately this will not impact the data collection. A Regeneration and Climate Action Committee meeting is being held on 21st February.

23/02/17

CONFIRMATION OF DECISIONS MADE UNDER THE SCHEME OF DELEGATION

- Cllrs Johns, Lucas and Stewart for Cllr Pang to attend “Social Isolation and Loneliness from the Local Council Perspective” at a cost of £32.44 plus VAT.
- Cllrs Johns, Lucas and Stewart to spend £460 plus VAT and mileage for DCK Accounting Services to carry out a year end close.
- Cllrs Johns, Lucas and Stewart to spend £1075 on Gazette article.
- Cllrs Johns, Lucas and Stewart to extend required completion date of shop front grant work to 14/3 due to poor weather.
- Cllr Johns, Stewart, Grainger and Green to go ahead with Flood Risk Assessment £ £1,260 – 1,510 + VAT with the range to allow for uncertainty over how long the work takes.

23/02/18

FINANCIAL MATTERS:

a. TO CONSIDER AND APPROVE THE JANUARY 2023 COUNCIL SCHEDULE OF PAYMENTS

It was **RESOLVED** to approve the January 2023 Council Schedule of payments in the sum of **£21,797.44**.

b. TO CONSIDER AND APPROVE THE QUARTER 3 (SEPT-DEC 22) ACCOUNTS

It was **RESOLVED** to approve the Quarter 3 (Sept-Dec 22) accounts.

23/02/19

TOURISM WORKING GROUP: UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS

A virtual meeting has been held with Ignyte who are responsible for running the digital feed for social media and the website for Visit Ottery under the Coast to Country project until October 2023. They are currently contacting businesses within Ottery parish to encourage them to join the Visit Ottery digital platform. A virtual meeting will be arranged with Ignyte for the whole Council to provide a full understanding of the Coast to Country project.

23/02/20

TO CONSIDER AND APPROVE (IF APPROPRIATE) SHOP FRONT GRANT APPLICATIONS RECEIVED

It was **RESOLVED** that the following Shop Front Grants would be awarded:

Business	Amount awarded
InFocus	£500.00
The Ottery Flooring Company	£336.00

23/02/21

TO CONSIDER AND APPROVE (IF APPROPRIATE) IMPROVING SAFETY ROAD MARKINGS OUTSIDE OF THE KING'S SCHOOL

It was **RESOLVED** that the Council support in principle plans to improve safety markings outside of The King's School and would consider providing funding if required.

23/02/22

TO RECEIVE AN UPDATE REGARDING OFFERING A WARM SPACE DURING THE WINTER TO MEMBERS OF THE PARISH AND MAKE ANY DECISIONS RELATING TO THIS (IF APPROPRIATE)

There was no update. A session was held at the Council offices on 26th January as there was an alternative event taking place at the Library. If anyone is interested in running a warm space from the Council offices they should contact the Council.

23/02/22

TO CONSIDER REQUEST FROM A PARISHIONER REGARDING THE INSTALLATION OF A NEW HISTORICAL INFORMATION SIGN IN TIPTON ST JOHN

There was a lengthy discussion regarding the sign. It was **RESOLVED** that the Council will request that the downward North arrow is removed from the sign and that the `Visit Ottery` logo is added to the sign. *Cllr Stewart voted against this.*

23/02/23

TO APPROVE DATE FOR ANNUAL MEETING OF OTTERY ST MARY TOWN COUNCIL

It was **RESOLVED** that the Annual Meeting of Ottery St Mary Town Council will be held on Monday 15th May 2023.

23/02/24

TO APPROVE DATE AND LOCATION FOR ANNUAL PARISH MEETING

It was **RESOLVED** that the Annual Parish Meeting will be held week commencing 17th April 2023 depending on availability of The Institute.

23/02/25

TO CONSIDER AND APPROVE (IF APPROPRIATE) RESPONSE TO LEVELLING UP AND REGENERATION BILL CONSULTATION

This has been circulated to Councillors and no questions or comments were made.

23/02/26

TO CONSIDER REPORT FROM THE MAYOR

The Mayor had nothing to report.

23/02/27

REPORT FROM THE CEO

The CEO had nothing to report.

23/02/28

TO NOTE ANY SPECIFIC CORRESPONDENCE RECEIVED

It was noted that correspondence regarding Street Trading Consultation and Nominations for Garden Party have been circulated to the Council.

23/02/29

TO NOTE ANY REPORTS PREVIOUSLY E-MAILED BY COUNCILLORS OF MEETINGS ATTENDED

A report from Cllr Green regarding a meeting with Leisure East Devon and a report from Cllr Green and Cllr Stewart regarding a meeting with DCC at the skatepark were noted.

23/02/30

COUNCILLORS QUESTIONS ON COUNCILLORS' BUSINESS

There were none.

Under s.1 (2) of the Public Bodies (Admission to Meetings) Act 1960, the council resolved to exclude the press and public from the meeting since publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

23/02/31

HUMAN RESOURCES COMMITTEE

a. TO NOTE THE MINUTES OF THE HUMAN RESOURCES COMMITTEE OF 30TH JANUARY 2023 (MINUTE REFS HR23/01/01 – HR23/01/07)

The minutes of the Human Resources Committee meeting of 30th January 2023 (minute refs HR23/01/01 – HR23/01/07) were noted.

b. TO CONSIDER (AND APPROVE IF APPROPRIATE) RECOMMENDATIONS FROM THE COMMITTEE

It was **RESOLVED** that the following staff are recruited from 1 April 2023:

- Administrator/Cemetery Officer – 0.8FTE (30 hours per week)
- Communications Officer – 0.4FTE (15 hours per week)
- that a caretaker will be required once the MUGA is built. This would be 0.5 FTE and will be reviewed once the detailed information regarding the work that will be required is received.

23/02/32

TO CONSIDER AND APPROVE (IF APPROPRIATE) ITEM RELATING TO THE CLEANER

It was **RESOLVED** to accept an increase of £1.00 per hour to the cleaners hourly with effect from 1st April 2023.

The meeting ended at 9.49pm.

SIGNATURE OF THE MAYOR	
DATE OF SIGNATURE	

DATE/VENUE OF NEXT MEETING	Monday 6 th March 2023 – Council Offices, 8 Broad Street

Draft