



# Ottery St Mary Town Council

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Minutes of the **PROPERTY AND LAND COMMITTEE MEETING** of **OTTERY ST MARY TOWN COUNCIL** held in the in the Council Offices, the Old Convent, 8 Broad Street, Ottery St Mary on **THURSDAY, 11<sup>TH</sup> NOVEMBER 2021** at 9.15am.

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**PRESENT:** Councillor Grainger (**Chair**), Cllrs Lucas, Stewart, Johns, \*Faithfull;  
\*\*Rob Johns, Christine McIntyre (CEO) and Kerry Kennell Deputy CEO

\*Cllr Faithfull removed himself from the meeting at 10.15 without explanation  
\*\* Rob Johns attended in his capacity as Project Manager for the Museum

PL21/11/01

**TO RECEIVE APOLOGIES**

There were none

PL21/11/02

**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**

There were none

PL21/11/03

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

No items needed to be discussed in confidential session

PL21/11/04

**TO APPROVE AND SIGN THE MINUTES OF THE PROPERTY AND LAND COMMITTEE MEETING OF 18<sup>th</sup> AUGUST 2021**

The Minutes of the Property and Land Committee Meeting of 18<sup>th</sup> August 2021 were approved and signed by the Chair

PL21/11/05

**TO CONSIDER THE COUNCIL'S PROPERTY PORTFOLIO UPDATE PREPARED BY THE CEO AND TO MAKE RECOMMENDATIONS (IF APPLICABLE)**

## 1.The Council Offices

### Safety Checks

Argos carried out the fire risk, emergency lighting and alarm testing etc back in September. The fire risk assessment has been received but the CEO was still waiting for the paperwork

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for the other items which she would chase up. It was **RECOMMENDED** that the CEO deal with the matters referred to in the report including the altering of the lock on the exterior door leading to the Community Larder room (to a turn lock); arranging for the electrical cupboard to be repaired with a suitable compound; better signage/notices; to obtain a copy of the Police's fire risk assessment and to obtain a survey and quote to rectify the fire door provision. The CEO advised that Jane Bushby was regularly testing the fire alarms and checking the fire extinguishers in the Council Offices and recording dates etc. The CEO was waiting for the paperwork from the electrician that carried out PAT testing and again would chase up. It was **RECOMMENDED** that the CEO instruct the company, that the Deputy CEO had contacted previously, to arrange 6 monthly testing for legionnaires disease.

#### Office Accommodation for Staff

It was noted that all three members of office staff should be moved into Office 3 (formerly Office 2) by the end of the month when the phone system should have been updated. The IT system has been upgraded

#### Tenants

Interest had been expressed by two individuals with regards to the smaller offices. However this had not yet translated into lettings. Office 4 was vacant and as this was the largest of the Council's offices, it was suggested that hot desking be considered along with half day/full day hire rather than long leasehold provision. It was **RECOMMENDED** that Vicky Sargeant who runs 'the Nook' be approached as she organises hot-desking. Cllrs Lucas and Grainger were willing to talk to Vicky about the proposed use

The Community Volunteers now had the use of the Council Chamber until March 2022. They had relinquished their use of the meeting room which was now being used for Council meetings. The CEO would amend their licence agreement to ensure it now referred to the use of the Council Chamber only, by the Volunteers. The CEO mentioned that there were one or two plastic containers outside which required removal by the Volunteers

#### Redecoration

It was **RECOMMENDED** that the CEO obtain quotes for the redecoration of the meeting room and the exterior of the building

#### Cellar

The CEO was still attempting to obtain quotes for works to the cellar. The works required, were to the area to the right which appeared more affected by water and not useable. There had been damage to the walls and only one of the lights worked. It would be useful if the area in front of the door could be used more effectively ie storage of the gazebos as they were so heavy and would prevent people having to duck under the archway to access them.

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## **2.Strawberry Lane**

#### Pavilion

Argos carried out the fire risk, emergency lighting and alarm testing etc back in September. The fire risk assessment had been received but the CEO was still waiting for the paperwork for the other items which she was chasing up. It was **RECOMMENDED** that the CEO deal with the matters referred to in the report. It was **RECOMMENDED** that the CEO arrange for electrical items in the Pavilion to be PAT tested. It was **RECOMMENDED** that the CEO instruct the company, that the Deputy CEO had contacted previously, to arrange 6 monthly testing for legionnaires disease

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## Bowling Club

### Access

Part of the accessway which the Council requires to cross, (to access the site), belongs to Western Power ('WP'). The Bowling Club had granted consent to the TC to use the accessway despite it belonging to WP. However the CEO didn't think legally, the Club could do this. Under the Council's Scheme of Delegation, the Mayor, the Chair of Property and Land; and the Chair of Finance **AGREED** to delegate authority to the CEO to seek legal advice about this matter. It was understood that currently, the accessway was in a very poor state of repair.

### Petanque Club – rental

It was confirmed that the Petanque Club had been given a rental holiday in light of the Petanque court having to be re-sited to accommodate the MUGA. It was confirmed that the Petanque Club would not pay any rental in January 2022, with their next payment date being January 2023. The Petanque Club would be kept in the loop with regards to the Council's planning application for the MUGA, as this development would affect the Club. It was understood that Cllr Green would now take on responsibility for all the Council's S106 projects. Members present, expressed their thanks to Cllr Green and also to Cllr Stewart for all his work to date

### Cricket Club

It was noted that the Cricket Club still intended to pursue entering into a lease with the Council in the future

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## 3. Tennis Courts

### Shed

No progress had been made regarding the emptying of the shed's contents. It was hoped to progress shortly. The chain link fence facing the main road required repairs. It was hoped that the Council's new handy persons would be able to deal with this

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## 4. Allotments

Revised allotment agreements had been drafted and once the Council and the Allotment Mgt Cttee were happy with the revisions then they would be sent out to allotment holders at the same time as terminating their existing agreements.

A quote had been received from a local contractor for the proposed works to the allotments. Jane had attempted to obtain another two quotes but had been unsuccessful. It was **RECOMMENDED** that further quotes should be obtained from East Devon Tree Care; Land Solutions and KM Treeworks, for consideration before a final decision could be made.

Cllr Grainger would speak to members of the Allotment Association shortly regarding the suggested relocation of the Council's shed.

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## 5. Cemetery

The CEO advised that Andrew Real of Real and Son Memorial Masons had expressed concern about the topple testing carried out by Orchard Memorials who the Council had instructed to carry out the work. Mr Real has made various comments/allegations about Orchard Memorials workmanship. The CEO did not know whether the allegations were valid or not. She had contacted BRAMM the regulatory body for memorial masons (which both Mr Real and Orchard Memorials were members of) requesting that BRAMM sort out Mr Real's numerous issues

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## 6. The Museum

Cllr Johns left the meeting at this point. She did not return as she had another engagement – the Remembrance Day Service.

The CEO reminded members that in view of all the issues with the Museum work schedule, that an agreement for lease would protect the Council and would also provide transparency as to how public money was being used for the upgrade of the building. However as yet no schedule for works with costings had been drawn up to enable the CEO to submit the same to the Council's solicitors

Rob Johns spoke at length about the work required at the Museum. His suggestions and comments were taken on board.

Following much debate it was **AGREED** that in view of the urgency of the matter that under the Council's Scheme of Delegation, the Deputy Mayor, the Chair of Property and Land; and the Chair of Finance delegate authority to the CEO to progress a Fire Risk Assessment with Argos.

It was **RECOMMENDED** that Western Power (WP) be requested to carry out the relevant works. It was also **RECOMMENDED** that the electrical upgrade works then be carried out, following the WP works. It was understood that two quotes had been obtained from Delve and Fords of Sidmouth but it was proving to be a struggle to obtain a third quote to be compliant with the Council's Financial Regulations. It was suggested that a local contractor be approached. If unsuccessful to seek advice from DALC as to whether there would be any issues if the Council could not secure a third quote. The situation was also the same with the pointing works in that only one quote to date, had been secured. It was also noted that two quotes for the painting of the exterior of the building had been obtained and again, a third quote was required.

Cllr Lucas would advise Dr Michael Patrick of the Council's plans.

It was **RECOMMENDED** that the Council's Scheme of Delegation be used in circumstances, whereby urgent consent was required for specific works to proceed without delay, in the Museum, (if there was insufficient time to wait for the next Full Council Meeting to consider/approve such expenditure)

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## 7. The Silver Band Room

### Vents

There had been ventilation concerns in the Silver Band Room. It was **RECOMMENDED** that the CEO contact a humidity firm with a view to them supplying an appropriate electrical fan. Fords/Delve were suggested.

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### TC Representative

It was **RECOMMENDED** that the CEO contact the Heritage Society's secretary to ascertain whether the Society would be willing to have a TC representative on board

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## 8. The Station

### Portacabins x 2

The rent arrears from Anne Pearson and the Council's legal costs had been paid in full. Rio did not require the use of a portacabin if it had to remain in its present location (outside the main Station building). However Rio may still be interested in purchasing it. It had been agreed previously that one portacabin was to be used by the Hub. No recommendation was made as to the use of the other portacabin at this meeting, other than the Station/Hub may be able to put it to good use if no other community organisation required it

Both portacabins needed to be anchored either by ground weights or ground anchors. The CEO had attempted to obtain advice/quotes from various national companies over several months, to no avail. Cllr Grainger would now approach a company in Whimple to see whether they could help

### Main Building

Kerry is arranging a fire risk assessment

### Re-decoration

Quotes were required for the interior and exterior of the building

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## 9. Skate Park

Tim Walmsley the Council's solicitor was still waiting to hear if DCC had agreed to the TC's request to surrender its lease and DCC then granting a direct lease to the Skatepark Trust. The CEO would continue to chase up

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## 10. The Library Toilets

Argos carried out the safety checks eg emergency lighting; alarms, etc back in September. However the CEO had not yet received any paperwork/invoice from them so she would chase them up. It was **RECOMMENDED** that the CEO instruct the company, that the Deputy CEO had contacted previously, to arrange 6 monthly testing for legionnaires disease.

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## 11. Car Parking Spaces – Factory Site

The legal docs have been sent out to Ctte members prior to this meeting for consideration. Tim Walmsley, the Council's solicitor had made various suggestions regarding formalising the use of the parking spaces eg lease or licence between the Council and the person using the parking space. There was much debate and it was **RECOMMENDED** that the Council

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reconsider whether to have the freehold interest of the parking spaces transferred to it, in view of the future on-going maintenance responsibilities and potential policing of the spaces. The item to be included on the December Full Council agenda for full consideration. The CEO would prepare a report for the Council Meeting.

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## 12. Misc Matters

### Handy Person

The Council's handy person retired on 31<sup>st</sup> October. Currently the CEO was trying out a handy person firm from Sidmouth 'Janet's Helping Hands' to see how well they worked with the Council's demands re property maintenance and repairs. If it was successful then there would be no need to advertise for a replacement handy person. However the Ctte **RECOMMENDED** that if this arrangement was not successful that the CEO advertise for a handy person on a self employed basis with the pay rate to be negotiated

### Cleaner

The CEO had tried to source a replacement cleaner for the Council's long term cleaner (she currently cleans the Council Offices and the Station) for when she is on holiday or sick. The Council's cleaner had advised that she would be away for a week commencing 6<sup>th</sup> December. No temporary cleaner was in place as yet to cover for this period. Contacts had been provided and followed up but none of these cleaners were available so the CEO had been unable to progress the matter. She advised that the Station should be inspected (and if necessary) cleaned after each hiring session, which was not the case at the moment. It was **RECOMMENDED** that the CEO speak to the Council's cleaner to ascertain her long term work plans re the cleaning. It was possible that one of the Community Volunteers would be willing to take on some of the additional work, on a paid basis if the Council's regular cleaner did not wish to take on any extra hours but he would need to have his own public liability insurance. It was **RECOMMENDED** that a small budget should also be made available to cover him for the costs of overalls/ safety shoes etc

### Grounds Maintenance

In view of concerns with the recent standard of workmanship from the Council's contractor, Idverde, it was **RECOMMENDED** that a meeting be fixed up with a representative from Idverde and from the Council's Property and Land Ctte and the CEO to discuss these issues

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## 13. Development of a Strategic Property Plan - Janine Gardener

At the October TC meeting it was discussed that LCC had been asked to prepare a report to give a strategic overview of the properties owned by the Council and to make suggestions regarding how the assets could be maximised. LCC were waiting for additional information to complete this work which was not forthcoming. At the October meeting it was considered whether to continue with the contract was the most sensible way forward or whether options could be investigated instead. The cost to rescind the contract would be £75. The CEO had prepared a report which had been circulated to all members of the Ctte for consideration with regards to the Council's Property Portfolio and what she saw as the way forward. There was some discussion. However it was considered that there was insufficient time to give the matter full consideration today. Cllr Lucas was willing to work with the CEO and Deputy CEO to consider areas where the work could remain in house, and other areas where possibly a surveying firm/surveyor could be tasked with carrying out specific work. Cllr

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Grainger was of the view that rescinding the contract with LCC should not be progressed at this time.

*PL21/11/06*

**MISCELLANEOUS PROPERTY MATTERS**

There were none

*PL21/11/17*

**TO RECEIVE COUNCILLORS' QUESTIONS RELATING TO PROPERTY AND LAND**

There were none

The meeting concluded at 11.35am

<b>SIGNATURE OF CHAIRMAN</b>	
<b>DATE OF SIGNATURE</b>	

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