



# Ottery St Mary Town Council

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 **TUESDAY, 1<sup>ST</sup> NOVEMBER 2022 at 5pm**

**PRESENT:** The Chairman (Cllr Grainger), Cllrs Green and Stewart, Christine McIntyre Project Support Officer (‘PSO’) and Kerry Kennell CEO and four members of the public (‘MOP’)

*PL22/11/01*

**TO RECEIVE APOLOGIES**

Cllrs Johns and Lucas

*PL22/11/02*

**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

*PL22/11/03*

**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**

Part of Item 6 (Skatepark re legal advice) and Part of Item 8 (Quotes for the Allotments) to be discussed in Confidential Session

*PL22/11/04*

**TO APPROVE AND SIGN THE MINUTES OF THE PROPERTY AND LAND COMMITTEE MEETING OF 29<sup>th</sup> SEPTEMBER 2022**

The Minutes of the Property and Land Committee Meeting of 29<sup>th</sup> September 2022 were approved and signed by the Chairman

*PL22/11/05*

**TO CONSIDER AND MAKE RECOMMENDATIONS (AS APPROPRIATE) REGARDING ANY OUTSTANDING MATTERS TO THE DRAFT HEADS OF TERM FOR A LEASE RE THE MUSEUM (TAKING INTO ACCOUNT ANY FURTHER REQUIREMENTS OF THE HERITAGE SOCIETY) AND TO MAKE RECOMMENDATIONS (AS APPROPRIATE) REGARDING ANY OTHER MUSEUM RELATED MATTERS**

It was heartening that at long last progress appeared to have been made in respect of the proposed lease to the Heritage Society (HS). It was **RECOMMENDED** that an additional clause be inserted in the HOTS whereby the Society could request to purchase the freehold of the building (but only with the Council’s consent). In addition it was **RECOMMENDED** that:-

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- I. The PSO to establish from the Council's insurers, the premium for the building and inform the HS
- II. The PSO to obtain three quotes for the casement window. It was noted that planning permission would be required even if the window was replaced on a 'like for like' basis (the PSO had received confirmation from EDDC). It was noted that The HS had agreed that they would pay the planning application fee of £234 and the Council would make the application

PL22/11/06

**TO NOTE I.THE COUNCIL`S LEGAL RESPONSIBILITIES RE THE SKATEPARK IN ACCORDANCE WITH THE LEASE GRANTED BY DEVON COUNTY COUNCIL (DCC`) AND II. TO CONSIDER ANY OTHER MATTERS PERTAINING TO THE SKATEPARK AND TO MAKE RECOMMENDATIONS (AS APPROPRIATE)**

- I. Jon Williams from DCC - SCF Group Deputy Lead who was involved with the planning application re proposed new school and dwellings at Ottery advised on 28<sup>th</sup> October that he would be dealing with the matter of the access. He would need to seek some internal guidance and should be able to revert back to the Council in approx 1-2 weeks`
- II. The Council`s Property solicitor had listed the Council`s legal responsibilities as contained in a lease in respect of the skatepark. The PSO had forwarded the information to all members of the Ctte, which was noted
- III. The Council`s litigation solicitor has advised that Companies House had responded to the Council`s objection for the Company not to be wound up (the Trust had made a winding up application recently) and the dissolution of the company has been suspended to 11<sup>th</sup> April 2023
- IV. Repairs were not carried out as the school would not allow the Council`s contractor to go on site unaccompanied. A further `accompanied visit` (by a school caretaker) needed to be arranged. It was **AGREED** that a meeting with school representatives regarding the restricted access, should take place following the meeting with Jon Williams. A risk assessment would need to be actioned. A MOP questioned whether the skatepark was now open (as he understood a gate had been left open recently). Cllr Green confirmed the skatepark was closed and there were site notices in situ to confirm this. The gate security would be investigated. After further discussion it was agreed that an unencumbered access was critical to making the skatepark more viable.

*The meeting then went into Confidential Session*

- V. The letter sent on behalf of the Station Trustees had been circulated. It was **AGREED** that as part of the contents were construed to be inflammatory, that the request of Ms Chapman (to have the letter read out in a public meeting) be refused. Advice and courses of action available to the Council had been provided by the Council`s litigation solicitor regarding the situation, were also considered. It was **RECOMMENDED** that at this stage, the Council`s solicitor be asked to contact Ms Chapman to ascertain where the

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monies in the bank account had gone to, and to also provide evidence of this by producing bank statements

*The meeting went back into Public Session*

*PL22/11/07*

### **STRATEGIC PROPERTY REVIEW AND TO LIST DESIRABLE IMPROVEMENTS TO THE COUNCIL'S PROPERTY PORTFOLIO**

The PSO had provided each member with a copy of the Council's Property Portfolio Information booklet. It was **AGREED** that as key members of the Ctte had been unable to attend today's meeting, that a further date be arranged in order that all members could consider this important issue. It was further agreed that this item be discussed at a Finance Ctte meeting

*PL22/11/08*

### **MISCELLANEOUS PROPERTY MATTERS**

*PL22/11/09*

#### **Strawberry Lane**

##### Cricket Club

The PSO was currently waiting to hear from Rob Johns as to whether he was happy with the terms proposed for the Letter of Understanding (LOU) in respect of the Permissive Path which both the Council and the Cricket Club could then sign. The draft LOU had been circulated to all Ctte members. There was much discussion and it was agreed that guidance should be sought regarding the benefits/burdens of a permissive path, maintenance responsibilities etc; before the Council progressed this matter further

##### Bowling Club

The CEO advised that a plan was required showing the land that the Bowling Club was prepared to release to the Council which would then enable a Deed of Surrender to be drafted. However the surrendered land would then be factored into a plan (together with other land) which David Hemstock would prepare, in respect of a planning application in respect of the Muga. The Bowling Club would need to supply details of the numbers of trees/species they were seeking to plant on their leased land.

##### The Petanque Club

The Club had enquired about the progress of the Muga and whether the rental holiday would continue. After some discussion, It was agreed, that it was unlikely that any part of the Petanque piste may now need to be relocated. Any works which may cause disturbance to the Club would likely be lighting works only. However it was agreed that David Hemstock should be consulted in the first instance to advise whether any relocation by the Petanque court would be necessary before submitting a final decision to the Club. It was **RECOMMENDED** that a rent increase of 10% should be applied, as the Club's lease provided for a rent review on 28<sup>th</sup> January 2023

*PL22/11/10*

#### **Council Offices (Inc Lettings)**

The PSO advised that there had been some interest by an individual in renting an

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office which unfortunately had not transferred into any formal letting agreement. It was suggested that the Council meeting room/chamber be redecorated asap

PL22/11/11

### **Cemetery**

The PSO had gone out to tender re the repairs to the memorial stones. She had approached four memorial masons but to date only two had responded and they had declined due to pressure of work.

PL22/11/12

### **Car Park – Albert Close**

All the signed agreements/payments had been received. Keys to the fold down bollards had been issued to the majority of Victoria Terrace residents. However the PSO reported that there were a few residents who she was chasing up, to collect their keys. The Council's handy person (Bill) will install the lockable fold-down bollards on Tuesday 8<sup>th</sup> November (9.30am). The PSO asked that if at all possible the Chairman accompany Bill initially re the installation, in case there were any issues that arose

*The meeting then went into Confidential Session*

PL22/11/13

### **Allotments**

Three quotes had been received for work to the allotments. It was **RECOMMENDED** that the quote from Connor Down be accepted

*The meeting went back into Public Session*

PL22/11/14

### **The Station Charity**

The Station Charity was in the process of being wound up as confirmed on the Charity Commission's ('CC') website. The PSO was currently waiting to hear from the CC regarding her e-mail, requesting that it consider the Council's request for the funds the Station holds, to be distributed to the Council (which funds could be used towards the cost of youth provision). To date the PSO was still waiting a response from the CC

PL22/11/15

### **The Station Hub**

The Station Hub Cttee (the SHC) made various recommendations at its last meeting. The Cttee considered the recommendations of the SHC and accordingly made the following recommendations.

It was **RECOMMENDED** that the timber cladding is repainted to protect the exterior of the building and the Platform1 floor revarnished, to protect the floor, in Spring 2023

It was noted that most of the guttering at the Station had now been cleaned out by the Council's Handyperson

It was **RECOMMENDED** that the following matters be considered at a Finance Cttee Meeting

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a. that the budget for 2023/24 should include funding for SPACE; consideration of a financial contribution being provided towards developing the building in becoming energy self-sufficient and further that the costs of the re-painting of the timber cladding and the revarnishing of Platform 1 floor be taken into account when formalising the 2023/24 budget

b. that once the new EPC is received, solar panels, EVC charging point and updated heating system are considered with the aim of making the building energy self-efficient

PL22/11/16

**Tenders**

The PSO advised that the Council would need to go out to tender with regards to the cemetery maintenance and grounds maintenance contracts. Currently the three year contracts for both, expired on 31<sup>st</sup> March 2023. She stated that both tenders needed to be advertised in December (Gazette, Herald, Council's website; social media etc) so that a decision as to who to award the contracts to could be made in Jan/Feb. It was likely that costs would have increased significantly. It was **RECOMMENDED** that the planting up of the planters, dotted around the town should not be incorporated as a chargeable task within the grounds maintenance tender as it was hoped volunteers would be available to take on this task. The PSO also advised that one of the Christmas decoration contracts finished next year (Jan 2023) and the other contract in January 2024. The Council would need to plan as to their decoration requirements for 2023 and beyond

PL22/11/17

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

Mention was made of the urgent requirement for a caretaker

PL22/11/18

**DATE OF NEXT PROPERTY AND LAND COMMITTEE MEETING**

TBA

**The meeting concluded at 18.35 PM**

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

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