



Ottery St Mary Town Council

Minutes of the **PROPERTY AND LAND COMMITTEE MEETING** of **OTTERY ST MARY TOWN COUNCIL** on **Monday , 27th July 2020 at 10.05am**

The meeting was conducted virtually in accordance with Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020

PRESENT: Councillor Grainger (**Chairman**), Cllrs Stewart, Johns, Dobson and Lucas, and Laurence Evans – Kings School, John Champion, Roger Chambers and Mac Dick representatives of the Station Charity (‘the Station’) and Ottery and District Skate and BMX Trust (‘the Trust’) and the CEO

PL20/07/01

TO RECEIVE APOLOGIES

There were none received

PL20/07/02

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

Cllr Dobson	Personal Interest (Town Council representative at the Station)
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PL20/07/03

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

There were no items to be discussed in Confidential Session

PL20/07/04

TO APPROVE AND SIGN THE MINUTES OF THE PROPERTY AND LAND COMMITTEE MEETING OF 1st JULY 2020

The Minutes of the Property and Land Committee Meeting of 1st July 2020 were approved and would be signed at a later date

PL20/07/05

TO CONSIDER MATTERS APPERTAINING TO THE OTTERY AND DISTRICT SKATE AND BMX TRUST (TO INCLUDE ACCESS PROBLEMS, FUNDING, INSURANCE AND MAINTENANCE MATTERS) AND TO MAKE RECOMMENDATIONS ACCORDINGLY.

The issues with the access way were discussed. Laurence Evans advised that there had always been agreement with the Trust and the School, that the skate park could only be used outside of school hours in view of safeguarding issues. He was aware that the sublease did not contain such provisions and could only conclude that this was an omission. He had had conversations with Devon County Council (‘DCC’) and there could be other possibilities for alternative access but suggested that the issue could be resolved should the proposed school and housing development go ahead. However the CEO questioned that if the development didn’t go ahead then the access problem would remain. Cllr Johns advised that the planning application was an outline application and the final location of the school

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may not be as shown as in the initial plans and again this was likely not to resolve the access problems. The CEO advised that despite any informal arrangements with the school, that the lease clearly provided for unrestricted access and it was a derogation of grant on the part of DCC not to adhere to the terms of the lease. She was of the view that it would be a matter for DCC to fund an alternative access

A list of expenses had been provided by the Trust and Cllr Stewart raised a number of queries and sought assurance that there was no duplication of payments. He also raised questions as to what the actual maintenance of the skate ramps entailed. Roger provided the relevant information. Roger was unable to provide answers to some of the queries raised by Cllr Stewart in relation to the finances as much was historical and had occurred before he became involved in the Trust. John Campion advised that he would examine the 2019/20 accounts to try and provide some answers.. The CEO advised of the necessity for any contractor working on the skate park to have a minimum of £5,000,000 of public liability insurance, as failure to have this would likely negate any insurance claim raised against a contractor by the Trust. The safety report provided by the Trust had also been e-mailed to all councilors for consideration. Roger advised that the repairs required were not expensive or onerous and they were in the process of being dealt with. The NPS survey/report had also been e-mailed to all councillors. However the recommendations referred to the paving areas and not the ramps. The Trust would consider this report also

The annual maintenance grant was then discussed. As far as the CEO was aware there was no specific provision in the sublease for the Council to pay an annual grant. The Trust was unable to pay the single premium for insurance cover this year and it was **RECOMMENDED** that the Council pay the insurance premium. Cllr Lucas advised that the Council needed to re-visit the `maintenance costs` at some point.

Cllr Johns raised various queries including the lack of lighting. Roger advised that the Trust was investigating solar lighting and the means of how to fund it

The CEO advised that Jenny Bryant NPS Surveyor had recommended that the Council and the Station should progress the legal documentation and for the lease to be completed. The CEO advised that the transfer/lease was in the hands of solicitors. Jenny's advice was to deal with the access as a separate issue. However the CEO was of the view that to follow this advice was likely to result in the access issue not being resolved.

There was then an exchange of views as to usage. Cllr Lucas questioned why nothing had been done to consider altering the security gating to provide more flexibility as to access for users but Laurence advised that it would not be possible due to safeguarding issues and costs. He also advised that there had been concerns as to the types of persons using the skate park. Laurence's preference would be for a separate access. Cllr Stewart concluded that it appeared the community was are getting little value for money in view of the restricted use. However Roger Chambers disagreed and was of the view that an improved access would have a minimal effect on numbers. Roger was of the view that the skate park was well used despite the restriction in hours. However Cllr Lucas questioned this as he believed due to various factors – location of the site, restricted access, poor signage etc that it was not well used. There was no evidence of actual usage figures. Mac Dick advised that the Station (once the skate park had been transferred over to it) wished to heavily promote the skate park which he believed would result in increased usage. However Cllr Lucas advised that this would then create even more issues with the access. Roger and Laurence agreed as a priority they would work on improving the signage for the skate park . It was suggested that the school should pay 50% of the costs of this. However Laurence made no firm commitment. It was concluded that DCC should provide at its own expense an alternative route or take other steps which would allow users to have

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unrestricted access. After further discussion it was **RECOMMENDED** that County Cllr Claire Wright be enlisted to try and resolve the access issue

Cllr Johns made it clear that the Council had absolutely no intention of closing the skate park as the Council wanted it to be the best it could be. As far as she was aware the council was fully supportive of the transfer of the skate park from the Trust to the Station. However the Council had a duty to the council tax payers of the Parish to ensure they were getting good value for money and at the same time the Council was protecting the public purse. It was noted that Peter Findlay was a new trustee of the Trust.

PL20/07/06

TO CONSIDER MATTERS APPERTAINING TO THE STATION (TO INCLUDE CONSIDERATION OF THE TERMS FOR A PROPOSED LEASE, FUNDING AND MAINTENANCE MATTERS) AND TO MAKE RECOMMENDATIONS ACCORDINGLY

The NPS Survey report was referred to, which made reference to essential repairs. It was agreed that the Trustees be provided with a copy of the same and they could then refer back to the Council with their comments. Roger advised that the Building Risk Assessment should be available to the Council by the end of September. Roger would also provide the Covid 19 Risk assessment as soon as it was completed

It was **RECOMMENDED** that repairs should be carried out to the roof and the contractor would be appointed at the next Full Council meeting. It was **RECOMMENDED** that the agreed Heads of Terms in respect of the lease be submitted to the Station in September, as this would give the Property and Land Cttee time to finalise the terms for submission to the Station, in the interim. Mac advised that the Station would welcome a 20-25 year term lease as they wished to have a long term plan for the Station and its facilities and to make it more relevant to the 21st century. The intention was to apply for grants hence the necessity for having a long term lease to meet the grants criteria.

The Station`s accounts had been e-mailed to councillors for consideration. It was agreed that the long term funding of the building needed to be considered. It was agreed that the Council had a responsibility to tax payers that they received value for money. Cllr Stewart was of the view that the Council should be responsible for the fabric and structure of the building but the Council needed to look at the amount of rent being paid. In conclusion Cllr Stewart welcomed a long term working partnership between the Council and the Station trustees which would be of mutual benefit

Mac advised that the Christian organisation Genesis, would be providing the same facility (youth club) at the Station as they provided at Cranbrook. He advised that from his observations it would be an excellent facility. The annual costs would be for equipment and consumables each year and they would be shared equally between Genesis and the Station. It was confirmed by Mac that although Genesis was a Christian organization it would be providing a secular youth club (not a church youth club). The question had been raised as it was understood that town councils were not permitted to support any religious denomination

PL20/07/07

TO RECEIVE COUNCILLORS' QUESTIONS RELATING TO PROPERTY AND LAND

There were none

The meeting concluded at 12 noon

SIGNATURE OF CHAIRMAN	
DATE OF SIGNATURE	

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