

MINUTES OF THE MEETING OF THE OTTERY ST MARY TOWN COUNCIL HELD ON MONDAY 3rd JULY 2017 AT 7PM AT THE COUNCIL CHAMBER, THE OLD CONVENT, 8 BROAD STREET, OTTERY ST MARY

PRESENT Mayor

Councillor Dobson (Town Ward)

Councillors

Holmes, Pang, Edwards, Giles, Carter and Faithfull (Town Ward)
Gori (North Ward)
Pratt (Tipton St John Ward)
together with the Clerk

Other Persons Present PCSO Maria Clapp, DCC Cllr Claire Wright, one member of the press and 3 members of the public

PRAYER

The Clerk read the Council Prayer

17/07/01

TO RECEIVE APOLOGIES FOR ABSENCE

Cllr Bartlett

17/07/02

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 Pratt declared a conflict of interest Item 27 re Feniton Park Builders

17/07/03

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 none

17/07/04

TO ALLOW MEMBERS OF THE PUBLIC PRESENT TO SUBMIT QUESTIONS/COMMENTS FOR CONSIDERATION

Philip Algar queried in the light of the London tower block fire whether the Council was set up to deal with emergencies. Mr Algar was advised that the Council had an Emergency Plan which was in the process of being updated by John Mabbott. The Council's emergency equipment was kept in the Council offices.

17/07/05

TO RECEIVE THE MINUTES OF THE FULL COUNCIL MEETING OF 5TH JUNE 2017 (MINUTE REFS 17/06/01 – 17/06/29), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the of the **Meeting of 5th June 2017** (*minute refs 17/06/01 – 17/06/29*), were presented, approved and signed by the Mayor as a correct record subject to the following amendments:-

17/6/28 – `Connell` to be amended to `Connor`

17/6/29 – `Cllr Pang advised that she had set up....` to be amended to read `Cllr Pang advised that she intends to set up...`

17/07/06

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TO RECEIVE THE MINUTES OF THE PLANNING COMMITTEE MEETING of 12TH JUNE 2017 (MINUTE REFS 17/06/01 – 17/06/07), AND TO APPROVE THE SIGNING OF THE SAME BY THE MAYOR AS A CORRECT RECORD

The Minutes of the of the **Planning Committee Meeting of 12th June 2017** (minute refs 17/06/01 – 17/06/07) were presented, approved and signed by the Mayor as a correct record
The next Planning Committee meeting will be held on 10th July 2017.

17/07/07

TO CONSIDER AND APPROVE THE RECOMMENDATIONS OF THE PROPERTY AND LAND WORKING GROUP OF 16TH JUNE 2017 NOT COVERED ELSEWHERE ON THE AGENDA

It was agreed that:-

- i. Hedley Richie carry out a fire risk assessment of the pavillion at Strawberry Lane
- ii. Roger Chambers be contacted to show the Clerk how to carry out the testing of the water supply in the Council offices for legionella
- iii. At this time there was no requirement to engage the services of an apprentice in response to EDDC`s request for handy person work, as the Council had already engaged the services of Mick Wolfendale to carry out this work

It was noted that the Wilderness at the back of the council offices had now been cut. The Mayor explained the issues regarding the maintenance of this land and the length of time it had taken for Mr Cutler to address this and other outstanding issues. The Enforcement Officer and Mark Williams Chief Executive at EDDC had advised that they were unable to take any action against Mr Cutler with regards to getting him to regularly maintain the Wilderness.

The Clerk would chase up the clearing of the culvert at Ridgeway.

17/07/08

TO RECEIVE THE POLICE REPORT FOR JUNE 2017

Recorded crimes for June 2017 stands at 21, this compares to 24 for the same month last year. Cumulative crime stands at 72

These incidents include....

6 Assaults. Almost a third of the total crimes for the month.

Article conveying a threatening message.

Wound inflicting grievous bodily harm.

Harassment, put in fear of violence.

Non accounting action fraud. Elderly lady had £219 taken from account, not given permission.

Dog incident, where a group of dogs ran towards the aggrieved, who was terrified.

Dog bite incident, working with the council regarding this. Offending owner is coming in for interview.

Theft of bike. Youths!

Attempted break in at Finnimore Industrial Estate. Alarm set off.

Communication, article of false information.

Theft, non-payment of rent for room & left room in a state.

Harassment & aggressive words after car accident.

Shop lifting at Otter Nurseries, 3 Youths.

Possession with intent to supply. Found after searching for an offensive weapon. Otter Nurseries.

Use threatening & abusive behaviour causing alarm & distress.

Threatening letter received.

PCSO Maria Clapp 30018
Community Support Officer

PCSO Maria Clapp advised that she was unable to provide definite information about the long term future of PCSOs; however she understood the situation was being reviewed and that consideration may be given to the redeployment of PCSOS and natural wastage.

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17/07/09

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

Cllr Claire Wright

Cllr Wright advised that Devon County Council's newly formed Health and Adult Care Scrutiny met for the first time last Monday (19 June) to examine the case for closing 72 community beds across Eastern Devon to see whether it could be justified.

At the last health scrutiny meeting in March before the elections, Cllr Wright had proposed that there were 14 grounds that the committee needed assurances on, or it would refer the decision to the Secretary of State for Health, on the basis that it wasn't in the interests of the health service in the area and that the consultation was flawed. The Northern, Eastern and Western Devon Clinical Commissioning Group had now responded to the proposal Cllr Wright had made. Cllr Wright had read the paperwork and corresponding related papers and didn't believe there to be the slightest justification for the decision to halve the remaining community hospital beds in Eastern Devon. During the time between the March Health Scrutiny meeting and the meeting on 19 June, Richard Westlake had taken the time to instruct the scrutiny officer to draft two letters to the CCG. One, requesting further information and the second, dated 24 April, expressing concern about the availability of end of life care under the new model of care. Points were also made relating to the committee having been told several times previously that the new model of care to be provided in people's homes instead of in a community hospital, was actually cost neutral, despite claims to the contrary. A further meeting had now been booked for Tuesday 25 July at 2.15pm, at County Hall. In addition, the results of a major review of acute services at Devon's main hospitals which began in December 2016 had been published. It looked at hospitals in Exeter, Plymouth, Torquay and Barnstaple. Services such as A&E, stroke, maternity and children's care were included in the first stage of the review. Other services would be reviewed in a later second stage. The wonderful Honiton Maternity Unit was set to be axed, alongside others at Tiverton and Okehampton. Cllr Wright expressed her great sadness as this decision.

On a more positive note Cllr Wright reported good news regarding the broken fence panels at the bridge. One side had now been repaired by EDDC and the other side would be repaired this week. EDDC would provide steps to the gully to enable litter to be collected and she was pleased to note that the Council would be dealing with the removal of the graffiti. Cllr Pang enquired about the local estates strategy proposals which did not appear to be available. Cllr Wright had previously enquired about this and was advised that this was the next piece of work to be undertaken. Cllr Faithfull talked about carers replacing nurses and questioned their possible lack of qualifications. The Mayor asked about the painting of the yellow lines at Slade Road and other locations which was still outstanding. Cllr Wright would chase up the work.

Cllr Roger Giles

Cllr Giles spoke about the new recycling scheme which had now been introduced. Unfortunately there had been some teething problems. He advised that at EDDC's Scrutiny Committee meeting held on 22nd June, Dr Simon Kerr, who currently chaired the Eastern Locality of the NEW Devon CCG and John Finn, Deputy Chief Operating Officer for Planned Care and Programmes, (who was attending on behalf of Rob Sainsbury) were present. He advised that a number of very hard hitting questions had been raised and that on occasions Dr Kerr and John Finn struggled to be able to provide adequate answers. It was understood that the Committee would be writing to DCC's Health and Adult Care Scrutiny Committee, urging it to refer the NEW Devon CCG decision to the Secretary of State for Health, because of a lack of assurances or evidence of the practicality of the proposals and that it was concerned that lack of early submission would result in NEW Devon CCG going ahead with its unpopular, unjustified and damaging proposals.

Cllr Giles expressed congratulations to Cllr Claire Wright on her magnificent achievement in respect of the General Election. Cllr Wright had not won but her share of the vote had increased substantially. In view of the aforementioned Cllr Giles proposed the following:- *‘Ottery St Mary Town Council congratulates Councillor Claire Wright on her campaign to become a Member of Parliament for the East Devon constituency on 8th June 2017 and wishes her well in representing the people of the Ottery St Mary parish and elsewhere in East Devon in the future.’* Although several members congratulated Cllr Wright there was concern

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expressed in relation to political neutrality. There was subsequently a vote but this did not achieve a majority and consequently the motion failed. Cllr Giles stated he was appalled by the quibbling and criticism of the Council concerning this matter. Cllr Giles then referred to the Villages Plan. Its key purpose was to define Built-up Area Boundaries (BUABs) around the villages of Beer, Broadclyst, Clyst St. Mary, East Budleigh, Feniton, Kilmington, Musbury, Newton Poppleford, Sidbury, Uplyme, West Hill, Whimble and Woodbury as well as the town of Colyton. He advised that the existing local plan BUABs, had no weight but the proposed revised BUABs had some weight. Cllr Giles indicated that Cllr Carter had disagreed with him previously about this subject but the information supported what he had previously stated.

Cllr Peter Faithfull

Cllr Faithfull talked about modern day slavery which had also been discussed at EDDC`s Scrutiny Ctte and advised that it was happening in East Devon and that members of the public should be vigilant at all times and report any suspicions. A public meeting was suggested to follow up the topic.

Cllr Paul Carter

Cllr Carter advised that the East Devon Villages Plan had been submitted to the Secretary of State for Communities and Local Government. He indicated that it was hoped to be adopted at the end of 2017 or beginning of 2018.

17/07/10

TO CONSIDER THE CO-OPTION OF A COUNCILLOR ONTO THE TIPTON ST JOHN WARD. THE VACANCY HAS BEEN ADVERTISED IN THE USUAL WAY WITH A CLOSING DATE OF 29TH JUNE 2017.

There had been no applications received to date. It is agreed that the cut-off date for the submission of applications be extended until the end of August. The vacancy had been advertised on the Council notice boards and on the Council website. It had also been mentioned in the previous edition of the Gazette. It had also come to the attention of the Clerk today that one of the vacancy notices she had sent out was not being displayed on the Tipton notice board. With regards to social media it was noted that for the notice to be posted on Facebook that the Council required a page on Facebook which it currently did not have. The Clerk advised that the Council`s Social Media Policy was currently being updated where this and other issues would be considered.

17/07/11

MEN`S SHED AND FURTHER CONSIDERATION OF REPRESENTATIONS IN RESPECT OF THEIR PROPOSED PLANS FOR A WORKSHOP AT STRAWBERRY LANE

Men`s Shed was concerned that it had not had an opportunity to submit further documentation at the June TC Meeting to support its request to have the use of part of the land at Strawberry Lane for the construction of a workshop. The TC had decided at the June meeting that the Strawberry Lane site was unsuitable for the venture as it was intended as sports/games area and therefore it had not been supportive of the idea. John Clarke, Chairman of Men`s Shed requested a rescission of the June motion. The Mayor advised him that this could only be carried out by six councillors signing a rescission notice to this effect to be considered at the following Full Council Meeting. To date this had not been received. Mr Clarke advised that other potential sites had been considered including a site in Tipton. However, he admitted there were parking issues at this site.

17/07/12

TO CONSIDER A PROPOSED THREE YEAR PLAN FOR THE COUNCIL

The Clerk had provided councillors with a three year plan that an `up country` Council had prepared for consideration. The Mayor advised that a three year financial plan was something that the Council should consider formulating in the future and he suggested a working group be set up for that purpose at the appropriate time.

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17/07/13

GROUNDS MAINTENANCE CONTRACT – UPDATE

The Clerk had prepared a contract together with maps and photographs of the areas which required to be maintained, for the period from 1st July - 31st October. Shaun Davey had now signed the contract. Shaun had advised that due to the warm climate that it was likely that there would be continual growth after the contract termination date, and suggested on-going maintenance to keep on top of things during the autumn and winter months. It was agreed that the budget would need to be considered for this additional expense at the end of October.

17/07/14

WALKERS AND THE PAVILION – THE COUNCIL TO CONSIDER IMPLEMENTING A CHARGE FOR USE OF THE FACILITIES

After some discussion it was **RESOLVED** that the Walkers be charged £20 per session for the use of the pavilion with them taking responsibility for the opening and closing of the pavilion and ensuring the premises were kept clean after each session.

17/07/15

TO APPROVE RECOMMENDATIONS TO AMEND THE `POLICY FOR CONSIDERING LARGER OR MORE COMPLEX PLANNING APPLICATIONS` AND FOR THE `POLICY ON PRE-APPLICATION MEETINGS WITH PROSPECTIVE PLANNING APPLICANTS` TO REMAIN UN-AMENDED

The proposed amendments to the Larger Planning Applications were approved. It was noted that no recommendations had been made for the Policy on Pre-Application meetings, to be amended, and would remain as currently drafted.

17/07/16

TO APPROVE THE CLERK ATTENDING A FIRE WARDEN`S COURSE AT A COST OF £85 + VAT AND TO PURCHASE A TWO DRAWER FIRE PROOF FILING CABINET AT A COST NOT EXCEEDING £50

It was **RESOLVED** that the Clerk attend the Fire Warden course at a cost of £85 plus vat and that a two drawer filing cabinet be purchased at a cost not exceeding £50 in order to store confidential staff records and associated information.

17/07/17

TO ALLOW MEMBERS TO CONSIDER A RESCISSION MOTION SIGNED BY SIX COUNCILLORS IN RESPECT OF A RESOLUTION APPROVED BY FULL COUNCIL AT ITS MEETING ON 6TH MARCH 2017 IN RESPECT OF TENANCY AGREEMENTS USED FOR COUNCIL ACCOMMODATION

Councillors had been e-mailed a letter from the Internal Auditor David Hinchliffe in which he had expressed concern as to the type of tenancy agreements currently being used by the Council`s tenants for their occupancy of the Council offices. A notice of rescission had now been received signed by six councillors to rescind the earlier motion in which it had been recommended that the Council continue to use their existing tenancy agreements. It was therefore **RESOLVED** that the motion be rescinded. It was understood that the Clerk had sourced a new form of tenancy agreement which would not give tenants security of tenure and which could be used for the Council`s lettings.

17/07/18

TO CONSIDER A REQUEST BY A COUNCILLOR TO BE A REPRESENTATIVE OF THE COUNCIL ON DALC LARGER COUNCIL SUB - COMMITTEE

It was agreed that Cllr Pang be the Council`s representative.

17/07/19

OTTERY HOSPITAL – UPDATE

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A recent meeting had taken place at Coleridge Medical Centre attended by Cllrs Holmes, Pang and Edwards. Also in attendance were Sue Stokes the Practice Manager, Drs Kerr and Dilley and Adrian Rutter, Chair of the League of Friends. Cllr Mrs Pang advised that sufficient income would need to be generated from users such as community groups etc to prevent the hospital from being sold off for development. She thought progress of sorts had been made at the meeting. Cllr Holmes advised that the surgery did not need larger accommodation (such as the vacant hospital site) in view of the reduced numbers of patients coming through the door. It was agreed that the Clerk obtain the notes taken at the meeting from the Practice Manager.

17/07/20

LIBRARY/TOILET - UPDATE

The defects liability period was running and would expire in mid August. The retention monies could be released at this point subject to no outstanding repairs being required. The Clerk had circulated to the Property and Land Working Group the costs to date of the works to the library. The Mayor confirmed that once final invoices had been paid the details of the cost would be in the public domain.

The work to the toilets was complete. A Certificate of Practical Completion had been issued which would expire on 25th December 2017. The retention monies could be released in December subject to no outstanding repairs being required. The opening hours of the toilet were still to be agreed and a timer lock needed to be fitted which it was understood would be carried out on Friday.

17/07/21

TO CONSIDER THE PROVISION OF VOLUNTEERS FOR PARISH PROJECTS THROUGH SKANSKA

DCC's new term maintenance contractor, Skanska was seeking projects for some of its employees to undertake on a voluntary basis. To date, Cllr Pang had submitted to Mike Brown, DCC's Highways officer, details of works which were required to the Skateboard Park in anticipation that Skanska would deem this to be a worthy project. It was understood that she was now liaising direct with Skanska to progress the project further.

17/07/22

BUSINESS FORUM AND TOURISM WEBSITE UPDATE

A letter had been received criticising the content of the TIC website which was owned by a resident in town and operated by Phyllis Baxter. It was understood that the Council had no interest in the website. There was a meeting on 4th July with members of the Business Forum to consider the website and other matters.

17/07/23

ELECTORAL REVIEW OF EAST DEVON – UPDATE

Details had been e-mailed to councillors. Currently there were two EDDC district councillors for Ottery town and two for the rural areas. In the future there would be one district councillor for West Hill and Aylesbeare and three district councillors for Ottery and the surrounding areas.

17/07/24

NEIGHBOURHOOD PLAN - UPDATE AND CONSIDERATION OF REQUEST BY A COUNCILLOR TO BECOME A MEMBER OF THE WORKING GROUP

The Neighbourhood Plan had been submitted to EDDC and Claire Rodway, EDDC's Senior Planning Officer had now raised numerous points about the Plan. Jo Talbot has suggested that

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following the closure of the consultation period (30th June) a small group would be set up to work through the comments. A number of objections had been received from developers.

17/07/25

REGENERATION PROJECT - UPDATE

Cllr Pratt advised that a recent meeting of the Town Centre Action Group (a sub group) of the Regeneration Group had been well attended. Matters discussed were traffic flow; pedestrian safety; parking and signage. Minutes were taken at the meeting and were in the process of being prepared. It was hoped that the main group would meet again on 7th July in the Council Offices. The Heritage Society had held a meeting with the Silver Band and their solicitor. Silver Band occupied a basement in the old town hall under a lease. The room was badly affected by damp. The Society had advised that restoration work would need to be carried out in order to provide a Heritage Centre. Whilst works were being undertaken the Band would not be able to use the premises. However, once the work was completed the Band could return. It was understood that they would be content to enter into a licence/tenancy agreement with the Heritage Society once the Society had a lease in place with the Council. The Band would be prepared to renew their current lease with the Council in the interim. Cllr Pratt advised that he had had a meeting with Susan Derriford of Exeter Museum. He also advised that plans of the renovation works were being prepared. Progress was being made with the project, albeit slowly. Cllr Giles declared an interest as he was a trustee of the Heritage Society.

17/07/26

ST SAVIOURS – UPDATE ON THE FUTURE PROPOSED DISPOSAL OF THE SITE BY THE COUNCIL

The Clerk had approached several valuers. Savills had advised that it had reviewed the development potential of the area some years ago and was aware it was subject to flooding and had restricted access and was subject to various rights. Savills suggested that the marketing of the land should be with an agent with strong local connections such as Halls or Redferns. Redferns were duly contacted and they kindly carried out a free valuation of the land. Figures which Redferns had quoted were mentioned but Cllr Giles advised that they should not be discussed unless in private session. It was **RESOLVED** that the Council instruct Redferns to put the property on the market for the figure as contained in their e-mail.

17/07/27

TO APPROVE THE JUNE 2017 COUNCIL SCHEDULE OF PAYMENTS AS TABLED

The June 2017 Council Schedule was presented by Cllr Gori and showed £8627.95 (incl. VAT) for Council expenditure. It was **RESOLVED** that the schedule be approved and it was duly signed by the Mayor.

17/07/28

ANY MATTERS OF URGENCY BROUGHT FORWARD BY THE MAYOR (FOR INFORMATION ONLY)

David Cutler called in the Council Offices on 28th June asking that a form (which had arrived in the council office some 30 minutes beforehand) be signed by the Council confirming that the Council had no objections to Feniton Park taking over the covenants (that ran with the land), from Sea Valley Developments who had now sold its interests in the site to Feniton Park. Mr Cutler had advised that the form had to be signed and returned by the Council as a matter of urgency in order that it could then be submitted to the Land Registry. The Clerk had examined the paper work including the Deed of Covenant already signed by Mr Cutler and she was happy with the same. The signing of the form could be carried out without a resolution of the Council as it was not a Deed and it was agreed to effect this as soon as practicable.

17/07/29

REPORTS BY MAYOR AND CLERK

Clerk`s Report

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The office staff together with Cllr Anne Edwards attended a half day website training session, at the Council offices which was extremely useful, The training provided by Maggie White of Vision ICT has enabled the Council's website to be given a `make over` and all the information displayed should now be up to date. The Mayor commented on how improved the website was.

The Clerk had attended a taster session at Chard explaining the main points of the pending amendments to the Data Protection Act which would be coming into effect in May 2018. This would result in major implications for the Council with regards to the data it stores and the length of time it could be retained.

Liz Graveney, Assistant to the Clerk, had attended a first aid course on Friday 30th June. All three members of staff had now received first aid training.

17/07/30

TO RECEIVE CORRESPONDENCE FOR INFORMATION AND ANY LATE CORRESPONDENCE

The correspondence was tabled

FROM	DETAILS
EDDC	Events Licence Application form at Land of Canaan on 27 th August

17/07/31

TO RECEIVE REPORTS BY COUNCILLORS OF MEETINGS ATTENDED AS COUNCIL REPRESENTATIVES IN JUNE

The Mayor's meetings

Date	Meeting details
05	Full Council Meeting
07	Cycling Meeting
08	Colin Bray - Libraries Unlimited
09	Photo - Otter Nurseries
12	Planning Committee Meeting
13	John Thatcher/Sean Gunn (Western Power)
14	Silver Band Lease
16	Prop & Land Working Group meeting Clarissa - toilets at library
24	Rob Wickham - OSM Carnival
26	Station Trustees

Councillors meetings

Holmes	LAG, (minutes had been tabled), Coleridge Medical Centre, Property & Land Working Group
Gori	Fool, Active Life, Phyllis Baxter, Website, Hill climb, Policies & Compliance WG, Property & Land Working Group
Pratt	Regeneration
Faithfull	Men's Shed
Edwards	Coleridge Medical Centre, Policies & Compliance WG
Pang	Coleridge Medical Centre, LAG, Policies & Compliance WG, Property & Land Working Group, Regeneration

17/07/32

TO RECEIVE COUNCILLORS' QUESTIONS

Cllr Carter was updated as to the progress being made at the former Salston Manor Hotel. He was advised that a number of people were working on the site and the rebuilding of the chimneys was being carried out. It was understood that funding was now in place to ensure the progress of the project.

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Meeting ended at 9.12pm

Mayor's signature: Date:.....

Date of the next meeting: Monday 7th August 2017 at 7pm in the Council Chamber, The Old Convent, 8 Broad Street, Ottery St Mary

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