



Ottery St Mary Town Council

Minutes of the **ORDINARY MEETING OF OTTERY ST MARY TOWN COUNCIL** held at the **COUNCIL CHAMBER, THE OLD CONVENT, 8 BROAD STREET, OTTERY ST MARY** on **MONDAY, 6th JANUARY 2020** at 7.00pm

PRESENT:- Councillor Giles (**Mayor**), Cllr Pratt (**Deputy Mayor**) Cllrs Faithfull, Lucas, Stewart, Dobson, Grainger, Johns, Harding and Pang, Sgt Richard Stonecliffe, PCSO Jon Sims of Devon and Cornwall Police, together with a member of the Press and Christine McIntyre CEO

PRESENTATION BY NEIGHBOURHOOD SERGEANT RICHARD STONECLIFFE

Sgt Stonecliffe advised that he was the Neighbourhood Sergeant for Exmouth and Ottery St Mary and the areas in between. His patch covered four towns. He was pleased to report that on comparing the 2019 figures with the 2018 figures, that Ottery had had a 6.6% reduction in crime. In addition there had been a reduction of 25% across the board in phone calls made to the police. Calls received in respect of anti social behaviour were down by 59%. These figures were even more heartening in the light of the population increasing in Cranbrook and Ottery. Criminal behaviour was being robustly dealt with which appeared to have impacted on the figures. 20,000 new officers had been promised nationally. He did not know the percentage allocation for Devon. He explained that there were now different routes available to enter the police force. A new additional Neighbourhood PC was now working from the Ottery office. He didn't think any monies would be allocated to police support staff. PCSO Jon Sims was running three community Speed Watches in Ottery, Alfington and West Hill. Sgt Stonecliffe explained about the 101 telephone service and realised that there were issues on occasions whereby callers had had to wait an inordinate amount of time before their calls were responded to, due to the sheer volume of calls. There followed a Q & A. He responded to the following questions:-

- i. He didn't think at the moment that a new police station would be built at Cranbrook
- ii. He acknowledged that members of the public required a more visible police force but manpower was limited to provide this
- iii. He provided information about crime numbers and categories

PRAYER:- The CEO read the Council Prayer

20/01/01

POLICE MATTERS

It was agreed to bring this item forward

Cllr Dobson reported that it appeared a car may have been abandoned in the town. However he was advised by Sgt Stonecliffe that the police did not deal with this issue and he would need to refer it to EDDC. The Mayor and Cllr Lucas expressed concern about the absence of police, regularly attending council meetings to provide reports. Sgt Stonecliffe advised that due to staff levels and the different methods of policing the town, it was not possible at the present time for the police to regularly attend council meetings. He wouldn't rule out the possibility in the future but in the interim he was prepared to attend council meetings half yearly and PCSO Jon Sims would attend the Annual Parish Meeting in April

20/01/02

TO RECEIVE APOLOGIES FOR ABSENCE

Cllr Copus and County Councillor Claire Wright tended their apologies

Mayor's Initials.....

20/01/03

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 Faithfull	Item 13 (Ottery Hospital) Member of the Ottery Member of the Ottery St Mary & District Hospital League of Friends Item 15 (VE Day) Member of the Ottery Royal British Legion
Cllr Johns	Item 19 – (Sponsorship) knew both boys through Ottery Cricket Club
Cllr Giles	Item 9 (Museum) Trustee of the Heritage Society

20/01/04

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

It was agreed that the following items be discussed in Confidential Session with the public and press excluded - Item 16 (Tree Survey Contractor) - Commercial sensitivity, Item 18 (Vexatious Correspondence Policy) personal and HR information to be discussed and Item 21 (Allotment Hedge Quote) – Commercial Sensitivity

20/01/05

SPONSORSHIP

It was agreed to bring this item forward

i. TO CONSIDER FURTHER, THE SPONSORSHIP OF TWO LOCAL BOYS TO PLAY IN THE UNDER 15S CRICKET TOUR OF SOUTH AFRICA

Steve Walker, Lawrence`s father provided background information about the boys and the proposed cricket tour. Cllr Stewart was concerned that if the Council was to go outside its normal grant process and agree to the sponsorship request, that this could open the floodgates to more sponsorship requests in the future. Cllr Lucas was of the opinion that as the Council had agreed in principle at a previous council meeting to support the boys, that this should be honoured. He concluded that any other sponsorship requests should be considered on merit. After much discussion it was **RESOLVED** to sponsor Lawrence Walker and Matt Jeacock, the two local youngsters in the sum of £500 each

ii. THE SPONSORSHIP OF TWO LOCAL BUSINESS PERSONS CARRYING OUT A CHARITY CLIMB OF MOUNT KILIMANJARO

It was **RESOLVED** to sponsor JP Williams and Stuart Phillips in the sum of £50 each

20/01/06

TO CONSIDER THE RESULTS OF A SURVEY CARRIED OUT (WHETHER OR DOGS SHOULD BE ALLOWED ONTO THE ALLOTMENTS) AND TO MAKE A DECISION ACCORDINGLY

It was agreed to bring this item forward

The CEO reported that 28 allotment holders had voted against allowing dogs onto the allotments and 26 allotment holders had voted in favour. It was **RESOLVED** that the Council adhere to the survey results and that its current policy on not allowing dogs onto the allotments remain unchanged. The CEO reported that co-incidentally it had recently been reported that dog faeces had been left on an allotment plot and the aggrieved and very upset allotment holder had reported this to the Council.

20/01/07

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

No matters were raised

Mayor`s Initials.....

20/01/08

TO RECEIVE THE MINUTES OF THE FULL COUNCIL MEETING OF 2ND DECEMBER 2019 (MINUTE REFS 19/12/01 – P19/12/30) AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the FULL COUNCIL MEETING of 2ND December 2019 (minute refs 19/12/01 – 19/12/30) were presented, approved and signed by the Mayor as a correct record subject to the following amendments:-

In Minute Number 19/12/05 there were references to `7th October 2019` which required to be amended to `4th November 2019`

20/01/09

TO NOTE AND CONFIRM THE MINUTES OF THE PLANNING COMMITTEE MEETING OF 10TH DECEMBER 2019 (MINUTE REF P19/12/01 – P19/12/09)

The Minutes of the PLANNING COMMITTEE MEETING of 10th December 2019 were noted and confirmed

20/01/10

TO NOTE AND CONFIRM THE MINUTES OF THE PROPERTY AND LAND COMMITTEE OF 20TH DECEMBER 2019 (MINUTE REF PL19/12/01 – PL19/12/13)

The Minutes of the PROPERTY AND LAND COMMITTEE MEETING of 20th December 2020 were noted and confirmed

20/01/11

TO NOTE AND CONFIRM THE MINUTES OF THE FINANCE COMMITTEE OF 20TH DECEMBER 2019 (MINUTE REF F19/12/01 – F19/12/24)

The Minutes of the FINANCE COMMITTEE of 20th December 2020 were noted and confirmed

20/01/12

TO APPROVE THE RECOMMENDATIONS OF THE PROPERTY AND LAND COMMITTEE MEETING OF 20TH DECEMBER 2019 NOT CONSIDERED ELSEWHERE ON THE AGENDA THE STATION

THE STATION

It was **RESOLVED** that another quote from Dave Hastings be obtained re the roof repairs and then the matter could be considered further

PAT TESTING

It was **RESOLVED** that despite the advice of the Council's insurers (that it was not a legal requirement for the Council to arrange for PAT testing to be carried out) that it should be carried out in any event, at the Council Offices (to include the upstairs kitchen) and the Strawberry Lane Pavilion, to minimise risk to the Council.

STRAWBERRY LANE

i. It was **RESOLVED** that the Council agree to the Bowling Club using some of the car parking spaces adjoining the pavilion as an overspill car park on the day of the proposed plant and car boot sale. The Bowling Club to liaise with the Petanque Club directly to ensure that the Bowling Club's requirements fitted in with the Petanque Club's match fixtures and requirements for the car park.

ii. It was **RESOLVED** to increase the Petanque Club's rental amount by double their current amount wef 1st January 2020 for a period of three years

WINTERS LANE TENNIS COURTS

CONSIDERATION OF REQUEST FOR SHELTER/SEATING AND ALSO THE CURRENT STRIMMING ARRANGEMENTS

i. It was **RESOLVED** that the CEO write to the Pixie Committee asking them to remove their items from the shed at the tennis courts (and to advise them that they were storing items at their own risk). Once a response had been received then the Property & Land Committee to consider the matter further with regards to the requirements of the users of the tennis courts.

ii. It was **RESOLVED** that the Council provide a seat at this location.

iii. In addition it was **AGREED** that the CEO thank the parishioner who had been spraying weeds and cutting back shrubs etc in and around the courts but to advise him that in the future due to health and

Mayor`s Initials.....

safety and insurance requirements the Council would attend to this with its contracted grounds maintenance team

LIBRARY AND INFORMATION CENTRE

i. It was **RESOLVED** that the Council enter into a Wayleave Agreement with BT

ii. It was **RESOLVED** that there was no necessity to instal heating in the public toilets in the library. It was understood that most public toilets did not have the provision of heating

THE MUSEUM

Cllr Giles left the room whilst this item was discussed

It was **RESOLVED** to carry out the following courses of action:-

i. To arrange for a roof inspection by a specialist Company to be carried out to ascertain what the specific issues were with the roof - Timber and Damp Preservation was recommended as a company to approach

ii. To identify the root cause of the dry rot problem and the potential costs to address the issue

iii. To consider a pro rata allowance in terms of the price charged for the property against the Society`s own contribution for the repairs in connection with any future transfer of the property (*this provision/resolution amended the original recommendation made at the meeting on 20th December*)

iv. The Society to provide the CEO with their latest accounts

v. That a Tenancy at Will be entered into by the Council and the Society prior to the current lease expiring, as a temporary arrangement, to allow for further discussions to take place to determine and reach a final decision as to the future of the building and agreed transfer mode (either a leasehold or freehold transfer) (*this provision/resolution amended the original recommendation made at the meeting on 20th December*)

vi. that a viable plan be needed which would work for both the Council and the Society in respect of the Museum.

vii that the Council enter into a Wayleave Agreement with BT

viii that the Heritage Society provide a report in respect of the Fire Risk Assessor's recommendations, for the Council's consideration

xi that the blocked up access way between the Silver Band's room and the Museum be unblocked and a new lockable door inserted and that this be a job for the Council's handy person to carry out. The Council to incur the costs of the work. The CEO to advise the Silver Band and the Museum of the proposed work

x That the Council consent to the Society's proposed cabling works, details of which the Society had provided

20/01/13

TO APPROVE THE RECOMMENDATIONS OF THE FINANCE COMMITTEE MEETING OF 20TH DECEMBER 2019 NOT CONSIDERED ELSEWHERE ON THE AGENDA

It was **RESOLVED** to carry out the following courses of action:-

GRANTS

To permit the late grant applications in respect of the Tennis Club and the Food Bank. It was noted that Angie Phillips would not now be submitting a late application

TO CONSIDER PROPOSED DALC INCREASE IN FEES – BY 2.5%

To accept the 2.5% increase of the DALC fees

TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING FUTURE ACCOUNTANCY PROVISION AND BOOK-KEEPING SERVICES, AND THE COUNCIL USING QUICK BOOKS FOR INVOICING

Two quotes had been received. The CEO to speak to the local practitioner who had submitted a quote, to see whether there was any flexibility with her quote. The Council was keen to use a local practitioner and subject to her fee being reduced to a more reasonable sum, that she be appointed to carry out this work at the revised rate (*the CEO would liaise with the Chair of Finance about this matter*)

The Council to use the QuickBooks system to assist with the invoicing system which would incur a monthly fee of approx £12

Mayor`s Initials.....

TO CONSIDER THE COUNCIL'S CURRENT INSURANCE PROVISION AND TO MAKE RECOMMENDATIONS

The Council to accept the quote from Came & Co for a three year term. The CEO confirmed that the excess amounts were no different to those of its current insurer

TO CONSIDER RECOMMENDING APPROVAL OF: A REVIEW OF THE EFFECTIVENESS OF INTERNAL AUDIT, STATEMENT OF INTERNAL CONTROL, INVESTMENT STRATEGY AND INTERNAL AUDIT PLAN FOR 2019/20 AUDIT

To accept the updated documents

TO CONSIDER AND MAKE RECOMMENDATIONS RE ROOM HIRE CHARGES FOR THE COUNCIL MEETING ROOM/CHAMBER AND FOR THE COUNCIL OFFICE ACCOMMODATION

i. That there should now be two types of room hiring rates only – one rate for commercial and the other rate for charity/voluntary organisations with the current charging rates to remain - £20 plus Vat per hour and £5 plus Vat per hour respectively. The CEO to have discretion, as to whether to charge a hire fee for a charity/voluntary organisation depending on the individual circumstances of the organisation. In addition, that it was clearly advertised on the website and on notices, that all room hirers must have public liability insurance.

ii. The meeting room to be upgraded with better IT facilities to make it more of a conference facility. Al Findley to be approached to provide costings/advice re the equipment required. Cllrs Stewart and Cllr Lucas to be points of contact with Al

iii. The rental amounts charged for the office accommodation in the Council Offices not to be increased

TO CONSIDER A REVISED TRAINING AND LEGAL COSTS BUDGET AND TO MAKE RECOMMENDATIONS

That there should be a training budget of £1500 for 2020-21.

TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING UPGRADING THE CURRENT OFFICE PHOTOCOPIER

That the Council shall retain its present photocopier and not to upgrade at this stage

TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING MEMBERS ALLOWANCES 2020-21 (IF APPROPRIATE)

That the amounts of the allowances remain unchanged

TO CONSIDER STAFF SALARIES 2020/21 AND TO MAKE RECOMMENDATIONS

That any proposed pay rises should not be less than 2% for 2020 whether or not NALC awards a pay rise

TO CONSIDER AN INCREASE IN ALLOTMENT FEES FOR 2020/21 AND TO MAKE RECOMMENDATIONS

That the allotment rents be frozen for five years. The rents would next be considered in 2025/26.

TO CONSIDER AN INCREASE IN CEMETERY FEES AND OTHER ASSOCIATED CEMETERY COSTS AND MAKE RECOMMENDATIONS

That cemetery fees be increased by 3% (the figures to be rounded up)

TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING THE EARMARKED RESERVES AND THE `S CURRENT POLICY DOCUMENT RELATING THERETO

The earmarked reserves and the policy document to be considered at a subsequent meeting

TO CONSIDER THE COUNCIL'S PUBLIC WORKS LOAN USED TO PURCHASE THE COUNCIL OFFICES AND TO MAKE RECOMMENDATIONS (IF APPROPRIATE)

That no changes to be made to the loan arrangements

TO CONSIDER MAKING A CHARGE FOR THE USE OF WINTERS LANE TENNIS COURTS

Not to pursue this matter further

Mayor's Initials.....

TO CONSIDER THE COUNCIL FUNDING THE COST OF A 2020 CHRISTMAS PARTY FOR SENIOR CITIZENS

For this to be a Council event (previously Cllr Dobson organised the event in his private capacity) with a budget of £500 (however if donations were received then this would effectively decrease the budget figure). The event to be organised by Cllr Dobson

TO CONSIDER THE COUNCIL'S REVISED FINANCIAL REGULATIONS

To approve the revised Financial Regulations

OTHER FINANCIAL MATTERS

i. The CEO advised that there was no necessity to organise a group webinar with regards to financial security, as Leigh Clark, Barclays Bank Business Manager would shortly be providing a link which would allow councillors to then log onto Barclays web site individually 'as and when' it was convenient for them

ii. It was understood that there were a number of ASOS tablets in the Council Offices which were not being used. It was recommended that they be gifted to the local youth organisation. The CEO would pass the tablets to Cllr Stewart

iii. Cllr Lucas had suggested at the Finance Committee meeting that fund should be set aside to improve the town centre (Mill Street) of approx £10,000 and to obtain match funding, (although he accepted that this would fit more appropriately into a regeneration issue rather than a finance issue)

20/01/14

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

The written reports were noted from Cllrs Johns and Pratt which had been circulated to all councillors previously. Cllr Faithfull provided a verbal report

20/01/15

OTTERY HOSPITAL – UPDATE AND REPORTS OF MEETINGS ATTENDED

Cllr Lucas advised that a number of conversations had taken place. He had met with Emily Lezzeri of the Help Scheme and local GP Simon Kerr from the Coleridge Medical Practice. There had been correspondence from the Ottery St Mary & District Health & Care Forum and he was awaiting return correspondence from the CCG and the RD&E in regards to their participation in the Council led Working Group in which Emily and Dr Kerr had agreed to participate. He was still awaiting responses from two councillors as to whether they were intending to join the Group. However there were enough participants to progress with a meeting which was intended to take place before the end of January. Dr Kerr may have some proposals regarding the Coleridge Practice working in conjunction with the hospital but hopefully there should be more information about this at the meeting

20/01/16

CLIMATE CHANGE – UPDATE

Cllr Stewart advised that Greener Ottery would be making a presentation at the March Council meeting

Cllr Johns advised about the Community Orchard at the Land of Canaan and the tree planting on 11th January at 10.00am and encouraged as many councillors as possible to be present

20/01/17

VE DAY CELEBRATIONS – UPDATE ON THE CELEBRATIONS AND TO CONSIDER AND APPROVE (IF APPROPRIATE) THE DRAFT TERMS OF REFERENCE FOR THE COUNCIL WORKING PARTY

Cllr Johns advised that she had been in contact with a variety of groups – the Veterans Society; the WI, the British Legion etc to progress the event. She was hoping to speak to the Brownies and Scouts and the Church. West Hill parish would be organising its own street party. Cllr Faithfull advised that if a street party was to take place in Ottery then a road closure order would need to be obtained before the end of the month. He also suggested that Alfington and Tipton should be included. Cllr Johns advised that as she was co-ordinating the event single-handedly, she would do as much as she could in the time available with regard to the requirements of the parish, however the various groups would be organising their own individual events. Another meeting had been arranged this month with the groups. She advised that all the shop owners she had spoken to were keen to participate in dressing up their shops as to how they would have looked 75 years ago. Cllr Johns confirmed that the Council would be the 'umbrella' organisation for all the various groups. There was

Mayor's Initials.....

much debate and it was ultimately **RESOLVED** that Cllr Johns would now effectively chair the Events Working Group and would draft up the Terms of Reference for consideration by the Council at a future meeting

20/01/18

TO PROPOSE A CONTRACTOR TO CARRY OUT THE COUNCIL'S TREE SURVEY

This was discussed in Confidential Session

20/01/19

TO NOTE THE CEO'S RECENT ACTIONS IN IMPLEMENTING THE COUNCIL'S VEXATIOUS CORRESPONDENCE POLICY AND FOR THE COUNCIL TO AGREE ADDITIONAL MEASURES, IF NECESSARY

This was discussed in Confidential Session

20/01/20

TO CONSIDER THE SUSPENSION OF ONE OF THE CEMETERY RULES IN RELATION TO A MEMORIAL STONE

It was **RESOLVED** to agree a suspension of one of the cemetery rules on this occasion to allow for an upright memorial headstone to be erected on the grave of cremated remains

20/01/21

TO CONSIDER QUOTES FOR WORKS TO THE ALLOTMENT HEDGE AND TO APPOINT A CONTRACTOR

This was discussed in Confidential Session

20/01/22

NOTIFICATION OF POLITICAL SPEED DATING ON 2ND AND 4TH MARCH AT THE KING'S SCHOOL

District Councillors and the County Councillor had been initially invited by EDDC to participate in Political Speed Dating on the 2nd and 4th March. They would need to liaise with Jo Elliott of the King's School as to their availability. After 20th January, EDDC would open up the event to other councillors

20/01/23

SUGGESTED TARMACKING SCHEME FOR THE PAVEMENTS OF TIP HILL AND JESU STREET

The following was **RESOLVED**:-

Jesu Street– to liaise with Mike Brown – DCC Highway Officer and request for the street to be resurfaced in a material other than tarmacadam as a number of heavy vehicles often ended up driving on the pavements and the weight of the vehicles would severely damage any tarmacadam surface laid.

Tip Hill - to request of Mike Brown that Tip Hill be resurfaced in tarmacadam. Cllr Faithfull declared an interest as he lived in the vicinity

20/01/24

OSM REGENERATION PROJECT WORKING GROUP – UPDATE

Cllr Hall of West Hill Parish Council had enquired as to what level of support/involvement the Council's Regeneration Working Group was seeking from the Parish Council. Cllr Lucas advised that at this stage WH's participation and input be part of the process going forward

20/01/25

CONSIDERATION OF THE COUNCIL'S SOCIAL MEDIA POLICY AND TO DETERMINE IF AMENDMENTS ARE REQUIRED

It was agreed that at the present time no changes were required to the Council's Social Media Policy

20/01/26

CONSIDERATION OF THE TOWN'S CHRISTMAS LIGHTS AND PROPOSED PLANS FOR FUTURE YEARS

After much discussion it was **RESOLVED** that a Working Group be set up consisting of Cllrs Stewart, Lucas, Dobson and Grainger (and any other interested persons) to consider the purchase of Christmas lights for 2020. The CEO advised that the Deputy CEO had reported to Torbay Lighting that the lights attached to the Museum were not working but she had not received a response and that Torbay Lighting had not effected any repairs. She was therefore seeking a reduction in the Council's final invoice. It was understood that part of the lights in Mill Street had not been switched

Mayor's Initials.....

on. It was noted that many parishioners had commented favourably on how decorative the Christmas lighting had been this year

20/01/27

FINANCIAL MATTERS -

i.TO APPROVE THE DECEMBER 2019 COUNCIL SCHEDULE OF PAYMENTS

It was **RESOLVED** to approve the December 2019 Council Schedule of Payments in the sum of £10,614.09, other than the payment to NTS Platforms for £250 which was deleted from the Schedule as the Council was not liable for this payment

ii.TO CONSIDER AND APPROVE THE COUNCIL`S BUDGET AND THE PROPOSED PRECEPT FOR 2020-2021

Cllr Stewart had provided supporting financial information which had been e-mailed to all councillors. He provided further background information as to the Council`s proposed projects and the costings thereof, ie the salary of a volunteer co-ordinator, the purchase of Christmas lights etc. Part of the reserves to be used to upgrade the meeting room (not only to use it for meetings but as a potential conference facility (£5,000); the regeneration of the town (£50,000); clean up fund for the town £10,000 (plus match funding); a replacement footbridge (£20,000); the ongoing maintenance costs of the Council`s property portfolio £50,000 and the Community Infrastructure Levy £8,000. Cllr Stewart provided the following figures for reference:- Sidmouth about £70, Broadclyst £190, Cranbrook £100. The Council would still be one of the cheapest charging authorities in East Devon. It was accepted that the Council had to be transparent and fully justify its reasons for the increase, with details of its proposed projects etc. After much discussion it was unanimously **RESOLVED that the 2020-21 Precept would be £156,000.**

20/01/28

ANY MATTERS OF URGENCY BROUGHT FORWARD BY THE MAYOR

i.A tree had fallen across the river which was upstream of St Saviour`s Bridge and close to the pedestrian bridge. The CEO reported that a member of the public had reported the situation to the Environment Agency and to Lord Coleridge`s agent in view of his concerns of the potential of flooding to adjoining land. It was agreed that the CEO contact the Devon Wildlife Trust to ascertain whether they considered there were any potential flooding issues and if so then the Council would inform the relevant agencies

ii.It was agreed that Cllr Dobson`s name be submitted to DALC for consideration for the Annual Royal Garden Party

20/01/29

REPORT BY THE MAYOR

There was no report from the Mayor

20/01/30

REPORT BY THE CEO

The CEO advised that Cllr Margaret Hall from West Hill PC had enquired as to whether any councillor previously involved in the joint Neighbourhood Plan, was interested in participating in the survey commissioned by the Ministry of Housing, Communities and Local Government as this would be used as an important research tool. The survey required completion by 15th January 2020. If any councillor was interested they were to let the CEO know by 16th January in order that she could pass this information to Cllr Hall

The CEO enquired whether the Council was still keen to run the Citizen and Businesses of the Year Awards for 2020. The Council confirmed it wished to do so

20/01/31

TO RECEIVE CORRESPONDENCE FOR INFORMATION AND ANY LATE CORRESPONDENCE

(All correspondence had been tabled)

From	Details
EDDC	Otterton Neighbourhood Plan
EDDC	Membury Neighbourhood Plan
Chris Sleep Lynton & Lynmouth Town Mayor	Fire Service Cuts
Devon Contract Waste	Notification of price increases

20/01/32

Mayor`s Initials.....

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

Cllr Johns advised that a member of the public had come forward indicating they had land available for a play park at Alfington. The CEO advised that any solicitors/legal fees would be covered by S106 funds subject to the acquisition meeting S106 criteria. Cllr Johns suggested that the CEO accompany her to the next meeting on this matter. The CEO confirmed her agreement

20/01/33

COUNCILLORS QUESTIONS (COUNCILLORS TO DIRECT QUESTIONS TO THE MAYOR ON ANY MATTERS IN RELATION TO WHICH THE COUNCIL HAS POWERS OR DUTIES, OR WHICH AFFECT THE PARISH. THE MAYOR TO PROVIDE A RESPONSE BUT WITH DISCRETION TO RE-DIRECT A QUESTION TO ANOTHER COUNCILLOR(S) WHO MAY BE BETTER PLACED TO ANSWER THE SAME)

i.Cllr Harding advised that the new play park in Tipton was now in situ and an official opening would take place in the Spring

ii.Cllr Stewart mentioned the Fire Service Review and understood that both Topsham and Budleigh fire stations would be closing and that there would be restrictive cover at Exmouth. It was agreed that the Council would take its previous stance re the closures, and continue to express concern as to the reduced level of service which would result from the closures

iii.In response to Cllr Faithfull’s query,(regarding the possible relocation of the beacon (re the flight path) Cllr Stewart advised that if housing/a new school was to be built off Cadhay Lane, that it could result in the beacon being moved. However it may be to residents advantage for the flight path to be moved away from Ottery instead

The meeting ended at 9.45pm

SIGNATURE OF MAYOR	
DATE OF SIGNATURE	
DATE/VENUE OF NEXT MEETING	Monday 3 rd February 2020 at 7pm in the Council Chamber, The Old Convent, 8 Broad Street, Ottery St Mary

Mayor`s Initials.....

CONFIDENTIAL SESSION

20/01/34

TO NOTE THE CEO'S RECENT ACTIONS IN IMPLEMENTING THE COUNCIL'S VEXATIOUS CORRESPONDENCE POLICY AND FOR THE COUNCIL TO AGREE ADDITIONAL MEASURES, IF NECESSARY

The CEO advised in accordance with the Council's Vexatious Complaints Policy (that had been agreed and effectively implemented at the October 2019 Meeting) that the policy had recently had to be used, in respect of a parishioner's conduct. This course of action was noted by the Council. To date, the parishioner had not sent any further communications. The CEO advised that the parishioner's conduct had impacted on her health and had caused her undue stress as well as increasing her workload. A number of councillors were also unhappy with the contents of e-mails received from this parishioner. The CEO reminded the Council of its legal duty of care towards its employees with regards to their health and well being and that if the behaviour of a parishioner was impacting on the health and well being of employees then the Council had an obligation to take all appropriate steps to deal with the issue. Cllr Lucas also advised that if the Council was in breach of its employer obligations then it could have legal consequences for the Council. Prior to the meeting Cllr Pang had circulated a message to all councillors in which she expressed concern that the policy did not include an arbitration process. However it was stated by some councillors present, that if this was to be included in the Policy the whole process of dealing with complainants would be lengthy and problematic and likely cause even more stress for employees/councillors. There was no recommendation made at this time that the Policy should be amended. After further discussion it was **RESOLVED** that in the future, (should a complainant ignore the Vexatious Complaints Policy and/or use Social Media as a means of targeting councillors/employees), that the Mayor, Deputy Mayor and the CEO decide between themselves whether or not to seek legal advice and, if appropriate, to instruct a solicitor to send the complainant a letter advising them of the courses of action available to the Council. The CEO advised that the Policy already stated that the Council 'may' seek legal advice but the confirmation of the Council at tonight's meeting, ensured clarity that the provision of seeking legal advice and the sending of a solicitor's letter could be implemented 'as and when' it was considered necessary

**Since the meeting, the CEO had sought advice from the Society of Local Council Clerks and EDDC's lawyers who have both confirmed that as far as they are aware, there is no legal requirement for the Council's policy to have to contain a process for the complainant to appeal or have recourse to arbitration*

20/01/35

TO PROPOSE A CONTRACTOR TO CARRY OUT THE COUNCIL'S TREE SURVEY

Five tenders had been received and the tender opening had taken place on 23rd December at the Council Offices in the presence of Cllr Stewart, the CEO and Deputy CEO. Details of the tenders had been e-mailed to all councillors. After some discussion it was **RESOLVED** to award the contract to East Devon Tree Care

20/01/36

TO CONSIDER QUOTES FOR WORKS TO THE ALLOTMENT HEDGE AND TO APPOINT A CONTRACTOR

Two quotes had been received re the hedge cutting at the allotments, details of which had been e-mailed to all councillors. It was **RESOLVED** to award the contract to Connor Down

Mayor's Initials.....