

MINUTES OF THE ORDINARY MEETING OF THE OTTERY ST MARY TOWN COUNCIL HELD ON MONDAY 4TH MARCH 2019 AT 7.00PM THE COUNCIL CHAMBER, THE OLD CONVENT, 8 BROAD STREET, OTTERY ST MARY

PRESENT:- Mayor **Councillor Bartlett** (North Ward)
 Deputy Mayor **Councillor Carter** (Town Ward)
 Councillors **Dobson, Edwards, Giles, Holmes, Pang and Faithfull** (Town Ward)
Harding (Tipton St John Ward)

OTHER PERSONS PRESENT:- EDDC Leader Cllr Ian Thomas, County Councillor Claire Wright, one member of the Press, six members of the Public and the Clerk

Cllr Ian Thomas, Leader of EDDC gave an informative talk which included details of EDDC's relocation to Honiton and the enormous energy savings of the new building; the development of the Knowle site by Pegasus; EDDC having 4200 council houses within its portfolio; dealing with homelessness as figures in the region were rising; 10,000 new jobs being created in the new Enterprise Zone (Sky Park, Science Park, Airport Business Park; Cranbrook); service delivery; environmental issues (70,000 people have weekly waste collections); no waste whatsoever was going to landfill but instead going to an incinerator in Exeter which was used to generate power; council tax and the many achievements of EDDC. A Q&A session then followed, which included a discussion about promised S106 monies for Ottery which to date had yet to materialise

PRAYER

The Clerk read the Council Prayer

19/03/01

TO RECEIVE APOLOGIES FOR ABSENCE

Cllr Pratt

19/03/02

DECLARATIONS OF INTEREST FOR ITEMS ON THE AGENDA AND RECEIPT OF REQUESTS FOR NEW DISCLOSABLE PECUNIARY INTERESTS (DPIS) DISPENSATIONS FOR ITEMS ON THE AGENDA

The following declarations of interest were made:-

Cllr Giles	Items 16 (Heritage Society and Silver Band) Trustee of the Heritage Society
Cllr Pang	Item 12 – (Ottery Hospital) Personal Interest only as Chair of the OSM & District Health & Care Forum Item 14 – (OSM & District Skate & BMX Trust) Trustee of the Ottery and District Skate and BMX Trust
The Deputy Mayor (Cllr Carter)	Item 12 (Ottery Hospital) as member of the OSM & District Health & Care Forum
Cllr Edwards	Item 12 (Ottery Hospital) She stated she had no interest to declare but her spouse had set up a company in relation to Ottery Hospital which was currently dormant. In addition she was the Council's representative on the OSM & District Health and Care Forum
Cllr Faithfull	Items 12 (Ottery Hospital) as a member of the OSM & District Health & Care Forum and the OSM & District Hospital League of Friends

19/03/03

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

It was agreed that Item 16 (*Consideration and approval (if appropriate) of the Police's rent review proposals*) be discussed in Confidential Session due to commercial sensitivity. The Mayor also advised that Item 8 (*Approval of the recommendations of the HR Ctte*) may also have to be discussed in Confidential Session dependent on how the matter progressed

19/03/04

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

Cllr Holmes read out a letter on behalf of Josefina Gori in which she expressed her thanks to the Regeneration Working Group and noted that great progress had been made due to the hard work of all the members ie John White, Dave Moss, Jeff Abbott, John Campion and Andy Wade who had produced such a magnificent result. She wished to thank the Council; the past and present Mayor; Cllrs Holmes, Pang and Edwards and also the Clerk and her assistants for all the administrative support they had provided. She also wished to express special thanks to Cllr Dobson for latterly chairing the meetings. She concluded that a great job had been done by all those involved

19/03/05

TO RECEIVE THE MINUTES OF THE FULL COUNCIL MEETING OF 4TH FEBRUARY 2019 (MINUTE REFS 19/02/01 – 19/02/25), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the Full Council Meeting of 4th February 2019 (*MINUTE REFS 19/02/01– 19/02/25*) were presented, approved and signed by the Mayor as a correct record

19/03/06

TO RECEIVE THE MINUTES OF THE PLANNING COMMITTEE MEETING OF 18TH FEBRUARY 2019 (MINUTE REFS P19/02/01 – P19/02/07), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the Planning Committee Meeting of 18th February 2019 (*MINUTE REFS P19/02/01 – P19/02/07*) were presented, approved and signed by the Mayor as a correct record. Cllr Holmes advised that a Planning Ctte Meeting would be taking place next Monday

19/03/07

TO RECEIVE THE MINUTES OF THE HUMAN RESOURCES MANAGEMENT COMMITTEE COUNCIL MEETING OF 29TH JANUARY 2019 (MINUTE REFS HR19/01/01- HR19/01/12) AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the Human Resources Management Committee Meeting of 29th January 2019 (*MINUTE REFS P19/01/01 – P19/01/12*) were presented, approved and signed by the Mayor as a correct record. The Chair of HR questioned why those members of the Council who were not members of the HR Ctte were provided with copies of the Confidential Minutes. The Clerk advised that all councillors were entitled to see the minutes which related to their employees

19/03/08

TO APPROVE THE RECOMMENDATIONS OF THE HUMAN RESOURCES MANAGEMENT COMMITTEE

It was **RESOLVED** to approve all the recommendations

19/03/09

WEBSITE WORKING GROUP UPDATE

The Website Working Group had met on 25th February to consider the various tenders received. All councillors had been e-mailed the report. The Group would be meeting again on 11th March 2019 to make their final recommendations as to their preferred company to provide a new website, which it was hoped would be up and running within 2-3 months. Cllr Giles requested that any new website should be able to engage fully with the public and he was assured that this would be taken into account by the Group at its meeting next week. Cllr Giles commended Liz Graveney, for preparing such a comprehensive report

19/03/10

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

DCC Cllr Claire Wright

Cllr Wright spoke about the proposed Carers Spotlight Review which would be taking place in July, which she would be chairing. If anyone wished to get involved with the Review who had caring responsibilities then they should contact her direct. Devon County Council councillors voted on a historic budget at DCC's full meeting on 21st February -the final budget to include the revenue support grant - the government's core funding. The Conservative government's austerity programme has meant its core funding to Devon had plummeted to just over half a million pounds this year, a drop of over £100m to the council since 2010 when austerity began. To try and raise extra revenue, council tax was set to increase again by 3.99 per cent, some of which would be ring fenced to help finance a totally inadequate adult social care situation. Since 2010, council tax across public services in Devon had rocketed by well over 20 per cent, while each year services had been progressively and significantly eroded. Cllr Wright reported that Brexit was having an impact on home carers and registered nurses in nursing homes

EDDC Cllr Roger Giles

At the last Town Council meeting Cllr Giles spoke about the improvements at LED but had omitted to mention substantial changes to the car parking arrangements, whereby extra car spaces had been created and tarmacking works had been carried out. However more importantly there was the separation of vehicles and pedestrians which meant a much safer environment. He mentioned the excessive heat in EDDC's new chamber. He advised that at EDDC's meeting on 12th December 2018 he had tabled a question querying EDDC's failure to designate Ottery St Mary Hospital as an Asset of Community Value. He also moved an amendment to the EDDC Cabinet (minute 160 of 6 February), at the EDDC meeting on 27 February. The amendment was drafted with the help of Cllr Geoff Pratt, and was intended to introduce safeguards to the EDDC CIF (borrowing £20 million to purchase properties; with the Deputy Chief Executive having delegated authority to spend £5 million, and just 4 cllrs being authorised to spend £20 million). However the amendment was unanimously rejected by the Conservative group

EDDC Cllr Peter Faithfull

Cllr Faithfull advised that at Cabinet on 6th February it was recommended that an investment of £49,995 to support the formation of South West Mutual ('SWM') be agreed. He thought SWM may provide Ottery with a satellite office in due course. He advised that the chamber in the new EDDC offices was causing problems for people with hearing difficulties

EDDC Cllr Paul Carter

Cllr Carter thanked Cllr Thomas for attending the meeting and providing such an excellent summary of matters pertaining to EDDC. Cllr Carter mentioned the office move; that nomination packs were now available for candidates in the forthcoming local elections (he provided details of when the completed forms had to be returned to EDDC). He was appreciative of Mark Williams, Chief Executive and Henry Gordon Lennox -Strategic Lead - Governance and Licensing from EDDC for manning a stall at the February Community Market to promote the local elections

19/03/11

POLICE MATTERS (INCLUDING CRIME FIGURES)

There were no recent crime figures available. The police website was still showing December's figures. Cllr Holmes explained that it was time consuming to extract figures for each parish but it was hoped that this difficulty would be resolved shortly. Cllr Giles spoke about Ottery being in a poor state with the lack of policing which he considered had greatly deteriorated since the departure of PCSO Maria Clapp.

19/03/12

OTTERY HOSPITAL UPDATE

It was noted that a Health and Well-being Event was to be held on 12th April 2019. Further details and a full programme would follow shortly

19/03/13

OSM REGENERATION PROJECT WORKING GROUP – UPDATE/REPORT BY THE CHAIRMAN AND CONSIDERATION AND APPROVAL (IF APPROPRIATE) OF ANY RECOMMENDATIONS MADE BY THE GROUP AND TO NOTE THAT IN ACCORDANCE WITH THE CURRENT GROUP'S TERMS OF REFERENCE, THAT THE CURRENT GROUP WOULD WIND UP ON 31ST MARCH 2019

The following had been e-mailed to all councillors:- 1. The Town Centre Traffic Working Group Report; 2.the Heritage/Conservation Working Group Report; 3. Traffic Parking and Related Issues in OSM (March 2019) and 4. Notes of the Regeneration Working Group dated 27th February 2018. It was **RESOLVED** that all the recommendations contained in the Traffic, Parking and Related Issues together with those contained in the Heritage/Conservation Working Group be approved. Cllr Dobson had been impressed by all the hard work and effort of all parties involved in the project. The Group and Sub Group had conducted a survey, which had yielded a very good response, following which the information from the survey results had to be extracted in order to prepare a very impressive 86 page report. In addition the Group had been proactive in meeting with representatives from DCC and EDDC. The Group would effectively wind up on 31st March and it was intended to start again in May when the new Council would be in place and it was hoped current members of the Group would be invited to join

19/03/14

OTTERY ST MARY AND DISTRICT SKATE AND BMX TRUST – UPDATE AND TO MAKE ANY DECISIONS AS APPROPRIATE

It was understood that the Station Charity was actively investigating the transfer of the skate park, following a meeting on 8th February of all interested parties. It was understood that currently no trustees had resigned as they were waiting to see how matters developed with the Station. A video was shown as to the setting up of the skate park and current use. The consent of DCC would be required, to allow the Council to sublet to a new third party. It was understood that DCC was 'sympathetic' to the Council's request in this respect, however, the appropriate persons from DCC's Legal Department were currently on leave so there would be some delay in progressing the matter. There would be substantial legal work involved (Deed of Variation, Surrender of existing Sub-Lease plus new Sub-Lease). It was **RESOLVED** that the Council obtain quotes for its own legal costs. In addition it was **RESOLVED** that it would pay the Station's legal costs. Cllr Giles questioned the number of users of the skate park but this was not known. Mac Dick advised he had visited the skate park recently and had been pleasantly surprised by its good standard. He advised that none of the trustees at the Station wished to become directors of the skate park but would be interested in the skate park coming under the wing of the Station, as potentially it was considered to be 'a good marriage'. He advised that he was waiting to hear further from the Charity Commission. He was also in the process of obtaining insurance quotes. He concluded that in principle the Station would be happy to be involved, as long as everything was done properly and legally. He questioned whether the annual funding from the Council would continue. He was also considering approaching a sporting organisation for assistance. The Deputy Mayor stated that special thanks should be given to Cllr Pang for all her work with the skate park. The matter to be included on the April agenda

19/03/15

PROPOSED OPEN AIR CINEMA EVENTS ORGANISED BY POP UP EVENTS ON FRIDAY 5TH APRIL, THURSDAY 2ND MAY AND THURSDAY 26TH SEPTEMBER AT THE LAND OF CANAAN – THE SUPPORT OF THE COUNCIL BY THE ORGANISERS IS SOUGHT

The Council was fully supportive of these events

19/03/16

PROPERTY MATTERS

- **TO CONSIDER AND (IF APPROPRIATE) APPROVE THE REQUEST FROM THE HERITAGE SOCIETY FOR THE COUNCIL AT ITS OWN COST EITHER TO REPLACE/REFURBISH THREE INTERNAL DOORS IN THE MUSEUM TO ENSURE THAT THEY WERE FIRE SAFETY COMPLIANT**

Following a Fire Risk Assessment of the premises, the Assessor, Hedley Richie had advised of the requirement for three fireproof doors. Two quotes from companies specialised to do the work had been received – one for three complete new doors and the other to refurbish the existing doors; the latter quote being considerably cheaper. The Clerk was waiting to hear back from Mr Richie as to

whether the specification for the refurbished doors would be satisfactory for H&S purposes. Cllr Giles left the room whilst this item was discussed. It was agreed that the matter be further considered at the next council meeting

- **CONSIDERATION AND APPROVAL (IF APPROPRIATE) OF THE POLICE RENT REVIEW PROPOSALS**

This item would be considered in Confidential Session

- **UPDATE ON THE SILVER BAND'S LEASE**

The Clerk advised that the new lease was being progressed after further amendments had been made to the draft. She was presently waiting to hear from the Silver Band. A Schedule of Condition would need to be prepared. Cllr Giles left the room whilst this item was discussed

- **UPDATE ON THE STATION'S LEASE**

The Clerk had recently sent the agreed Heads of Terms to the Council's solicitor (Katie Stewart) to progress the lease. Katie was currently away on annual leave but should be able to draft the lease upon her return on 20th March.

- **FURTHER CONSIDERATION AND TO MAKE RECOMMENDATIONS (IF APPROPRIATE) REGARDING THE SCRAP VEHICLES AT ALANSWAY**

The Council was unhappy with EDDC's explanation as to why they considered it unnecessary to take any action requiring the site owner to tidy up the site. It was **AGREED** that the Clerk should write again to EDDC advising of the Council's views and requesting a site meeting take place. Cllr Edwards requested to be present at the site meeting

- **UPDATE ON REPLACEMENT FOOTBRIDGE OVER THE LEAT AT THE LAND OF CANAAN**

Cllr Dobson advised that a very constructive meeting had taken place on 28th February attended by himself, Cllrs Faithfull, Giles and Holmes and Andrew Hancock and David Turner of EDDC. Cllr Dobson advised that the financing of the bridge would not be a problem; however the main issue was the responsibility for the ongoing maintenance of the bridge once it was in situ. Cllr Dobson was of the view that EDDC should maintain the bridge once it was in situ. EDDC would consider this matter further and come back to the Council shortly with a decision. However a number of other outstanding maintenance matters in and around Ottery which had been reported to Messrs Hancock and Turner at the meeting were now being progressed which was pleasing to Cllr Dobson who was impressed by the immediate attention that these matters were receiving. Cllr Thomas expressed his thanks for the Council's positive comments. Cllr Faithfull raised the matter of the Council going out to tender when the bridge specification had been received (which specification would have to be approved by EDDC). Cllr Dobson replied that any tenders received would need to be discussed in a Confidential Session at a future Council meeting. Karen Arnett Technical Officer

- **UPDATE ON THE PROPOSED WORKS AT THE BOWLING CLUB BY THE ENVIRONMENT AGENCY AND TO APPROVE REVISED PROPOSED HEADS OF TERMS SUBMITTED BY THE ENVIRONMENT AGENCY**

The Bowling Club had changed their mind about having the borehole on land which was within their demise. Therefore revised Heads of Terms ('HOTS') had been submitted by the Environment Agency. The proposed site of the borehole was now on land still within the Council's ownership and outside of the demise of either the Petanque or the Bowling Club. The consideration of £1000 would be payable to the Council by the Agency. It was **RESOLVED** to accept the revised HOTS

19/03/17

16A DOG FOULING ISSUES

Cllr Giles advised that there were dog fouling issues around the town but more particularly near the OSM Primary School. There was a lack of dog wardens due to budget constraints. Cllr Harding also advised that there were similar issues at Tipton St John Primary School. It was suggested that Karen Arnett EDDC's technical Officer should attend the Annual Parish Meeting to provide advice and answer questions about the issue. Streetscene would be happy to go out and stencil dog poo areas and 'Pick it up' stickers could also be provided for lamp posts. Cllr Edwards advised that the dog fouling bins in and around the town were always full and did not appear to be regularly emptied. Cllr Thomas advised that there was now an on-line facility to report the issue. A reference number would

be allocated to enable complainants to track the matter. Martin Nancekivell commented that dogs in the countryside should be kept under control and all dog excrement taken home. Cllr Giles advised that people should be community minded and pick up after their animals and for the Council to work with EDDC and to get the community working together. Cllr Dobson suggested the provision of easily available bags for dog excrement be put in situ, should dog owners have forgotten their bags; volunteer dog wardens should be encouraged. It was agreed that the item be placed on a future agenda

19/03/18

FINANCIAL MATTERS - TO APPROVE THE FEBRUARY 2019 COUNCIL SCHEDULE OF PAYMENTS

The February 2019 Council Schedule was presented by the Mayor, showing **£ £10,115.80** (incl. VAT) for Council expenditure. It was **RESOLVED** that the schedule be approved (which was duly signed by the Mayor).

19/03/19

ANY MATTERS OF URGENCY BROUGHT FORWARD BY THE MAYOR

- i. The Annual Parish Meeting would take place on Tuesday, 23rd April at 7.00pm at the Institute
- ii. The Annual Town Council Meeting would take place on Monday 13th May which would be the first meeting following the elections
- iii. Pixie Day would take place on 22nd June
- iv. The Mayor advised that he had been reported to the Monitoring Officer by Cllr Giles for breaching the Council's Code of Conduct, in that he had failed to treat Cllr Giles with courtesy and respect, contrary to paragraph 4(a) of the Council's Code of Conduct, whereby on 6th November in relation to item 21 on the agenda (Report by the Mayor) he had read out in public session an anonymous letter which was critical of Cllr Giles and other district councillors. The Mayor advised that since this date the Council had put in place a policy to deal with matters of this nature. The Mayor then publicly apologised to Cllr Giles. Cllr Giles accepted the Mayor's apology. The Mayor then sought an apology from Cllr Giles for arriving late at the January Council meeting and failing to apologise, contrary to Para 4a of the Code of Conduct. However no response was forthcoming to this request from Cllr Giles.

19/03/20

REPORT BY THE MAYOR

There was nothing to report

19/03/21

REPORT BY THE CLERK

- i. A letter had been received from Sloan Walker, the Council's accountants/tenants advising as to the reasons for its merger with Griffin Accountants. Sloans had given a month's notice to vacate Offices 1 and 4 in the Council Offices which would expire on 31st March. However they had already vacated their premises.
- ii. The Clerk reminded councillors that she had nomination forms available for both the Town and District elections
- iii. The Clerk advised of the ward boundary changes in that previously Ottery Rural and Town combined, minus Aylesbeare and West Hill which were now combined to form the West Hill and Aylesbeare district ward

19/03/22

TO RECEIVE CORRESPONDENCE FOR INFORMATION AND ANY LATE CORRESPONDENCE (Correspondence was tabled)

Date	Letter Details
Claire Wright/Mike Brown	Refusal for the installation of a zebra crossing near Batts Lane
Mr McDonald	Letter of apology for conduct at the February TC meeting
EDDC	Speed Dating reminder at Kings School on 11 th March
Devon Contract Waste	Notification of price increases
British Weights & Measures	Information about Pedestrian Distance Signs

19/03/23

TO RECEIVE REPORTS BY COUNCILLORS OF MEETINGS ATTENDED AS COUNCIL REPRESENTATIVES

Mayor's Meetings Tabled (February)

Date	Meeting details
4 th	Full Council Meeting
8 th	Skate park Meeting
18 th	Planning Committee Meeting
25 th	Website Working Group meeting
27 th	Regeneration Meeting
28 th	Visit to new EDDC headquarters

Councillors Meetings (February)

Councillor	Meeting details
Cllr Holmes	PCC Meeting
Cllr Dobson	Meeting with Andrew Hancock (EDDC)

19/03/24

TO RECEIVE COUNCILLORS' QUESTIONS

Cllr Faithfull advised that any councillor interested in EDDC`s Speed Dating Event on 11th March should contact EDDC asap. To date there had been a poor response and lack of numbers could mean the event may have to be cancelled.

The Meeting ended at 20. 43pm

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

DATE OF THE NEXT MEETING: MONDAY 1ST APRIL 2019 AT 7PM IN THE COUNCIL CHAMBER, THE OLD CONVENT, 8 BROAD STREET, OTTERY ST MARY

19/03/25

CONFIDENTIAL SESSION - POLICE RENTAL

The police still required to occupy their premises in the Council Offices. A rent had been proposed by the Council. The Council **RESOLVED** to accept the proposed amount of the rent, but if necessary was agreeable to this amount being reduced by the figure discussed (but no lower) if requested by the Police. The Police would be considering the matter at their Resources Board Meeting on 5th March and would then report back with its decision.