

**MINUTES OF THE ORDINARY MEETING OF THE OTTERY ST MARY TOWN COUNCIL HELD ON MONDAY 7<sup>TH</sup> JANUARY 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\*, Pang and Faithfull** (Town Ward)  
**Pratt** (Tipton St John Ward)  
 Together with the Clerk

**OTHER PERSONS PRESENT:-** One member of the Press and three members of the Public

\*Cllr Giles arrived two minutes after the meeting had commenced without giving apologies

**PRAYER**

The Clerk read the Council Prayer

19/01/01

**TO RECEIVE APOLOGIES FOR ABSENCE**

Cllrs Holmes and Harding and County Councillor Claire Wright

19/01/02

**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 declaration of interests were made:-

Cllr Pang	Item 9 as Chair of the OSM & District Health & Care Forum Item 11 as Chair of the OSM & District Health & Care Forum Item 12 as trustee of the Ottery and District Skate and BMX Trust Item 13 as trustee of S the Ottery and District Skate and BMX Trust
Cllr Giles	Item 11 (Ottery in Bloom) He would leave the room whilst the Ottery in Bloom application was being discussed
Cllr Carter	Item 9 as member of the OSM & District Health & Care Forum
Cllr Edwards	Item 9 as a member of the OSM & District Health & Care Forum and Council Rep
Cllr Faithfull	Item 9 as a member of the OSM & District Health & Care Forum and the Ottery St Mary & District Hospital League of Friends

19/01/03

**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

19/01/04

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

Mr John White Hon. Secretary of the Regeneration Working Group and Chair of its Traffic Sub-Committee (which were tasked to progress a number of projects within Ottery, as mentioned in the Neighbourhood Plan to:- improve the safety of the area; have free-er movement of traffic and the promotion of the town) advised that a meeting had taken place with officers from EDDC and DCC. A

Mayor`s Initials.....

Report of the meeting and other matters had been e-mailed to all councillors. He advised about traffic, and signage issues and parking bays etc. The recommendations made by the Working Group in the Report would be further considered later in the meeting

Mrs J Gori (formerly Cllr Gori) wished everyone a happy New Year and wished to personally thank the Council, especially the Mayor, Cllrs Dobson, Holmes, Carter, Harding, Pang and Edwards for their support in the various projects she had undertaken whilst a serving councillor. Mrs Gori then respectfully requested that the Mayor authorise the Town Clerk to register in the Minutes that she (Mrs Gori) did not endorse the terms of the Clerk's letter of thanks sent to Cllr Wright and published on Cllr Wright's blog on 7<sup>th</sup> December. She then provided reasons for her request. Cllr Giles raised concerns about Mrs Gori's request to change the Minutes but was advised that this was not her intention. The Mayor acknowledged that at the meeting on 3<sup>rd</sup> December (when it was proposed and agreed that the Clerk be requested to write the letter), that he should not have accepted the proposal (as it was not an item on the agenda) and that it should not have agreed. Following this statement there was no further discussion on the matter

19/01/05

**TO RECEIVE THE MINUTES OF THE FULL COUNCIL MEETING OF 3<sup>RD</sup> DECEMBER 2018 (MINUTE REFS 18/012/01 – 18/12/29), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD**

The Minutes of the Ordinary Council Meeting of 3<sup>rd</sup> December 2018 (*MINUTE REFS 18/12/01 – 18/12/29*) were presented, approved and signed by the Mayor as a correct record

19/01/06

**TO ELECT A DEPUTY MAYOR FOLLOWING THE RESIGNATION OF CLLR GORI**

Cllr Bartlett proposed Cllr Carter as the replacement Deputy Mayor. His proposal was seconded by Cllr Edwards. The motion was carried. It was noted that although Cllr Holmes was absent from the meeting he had conveyed in writing, his support of Cllr Carter

19/01/07

**TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS**

DCC Cllr Claire Wright

Cllr Wright had sent apologies

EDDC Cllr Pratt

Cllr Pratt advised that EDDC were considering investing in commercial property and that the Scrutiny and Overview Committees would be holding a joint meeting to question officers on the various aspects of such a venture

EDDC Cllr Peter Faithfull

Cllr Faithfull in conjunction with Cllr Giles advised that at EDDC's Cabinet Meeting on 2nd January 2019 the recommendations made by the Capital Strategy & Allocation Group (5 December 2018) were considered. A recommendation to reject the replacement footbridge at the Land Of Canaan had been made. The initial estimated cost of the footbridge by EDDC of £18,000 had significantly increased to approx £55,000. It was noted that 30 applications had been received by EDDC of which two had been rejected including the footbridge. It was understood that Cabinet's indicative decision to reject the footbridge would be forwarded to the Overview Joint Overview and Scrutiny Committee Meeting on 16th January for consideration. Cllr Faithfull had obtained quotes from other companies for a replacement bridge and had obtained one quote at a cost of approx. of £3,000 for a bridge in kit form with all other costs (delivery, installation etc) being extra. Cllr Edwards suggested that if the Council purchased the kit bridge, that Mens Shed may be willing to install it. It was suggested that the Clerk write to EDDC on behalf of the Council advising of the importance of the bridge (needed to access the Tumbling Weir hotel and the River Otter) and to be provided with an explanation as to why the bridge costs have risen significantly.

EDDC Cllr Roger Giles

Cllr Giles raised the issue as to why EDDC did not consider Ottery hospitals (together with Axminster, Seaton etc) as appropriate for the listing as community assets despite other hospitals (Bovey Tracey and Ilfracombe etc) attaining this status. He advised that NHS Property Services automatically objected to such requests and commissioned lawyers to draft appropriate letters of refusal using

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public money in legal costs. EDDC had given NHS Property Services as owners, more weight to their views than the views of the community. Cllr Pang was of the view that the legislation did not include healthcare, however Cllr Giles advised that reference to hospitals was in the legislation but it was discretionary. Cllr Giles would fight on, in this matter!

EDDC Cllr Paul Carter

Cllr Carter was delighted and honoured to be the new Deputy Mayor. He advised that it was EDDC's Development Management Cttee meeting on 8<sup>th</sup> January, with many planning applications to consider. EDDC were intending to move into their new office accommodation shortly, with the first full council meeting taking place in February

19/01/08

**POLICE MATTERS (INCLUDING CRIME FIGURES)**

The crime figures had been e-mailed out to all councillors. Cllr Giles expressed his concern as to the increase in figures in certain categories of crime reported

19/01/09

**OTTERY HOSPITAL UPDATE INCLUDING CONSIDERATION OF REPORT RECEIVED FROM ADRIAN RUTTER CHAIR OF OTTERY ST MARY LEAGUE OF FRIENDS**

Reports from Adrian Rutter and Leigh Edwards had been e-mailed out to all councillors. No comments were made.

Cllr Giles advised that he wished to raise an issue of great concern in that he had discovered that a company (Ottery Health Matters Ltd) had been set up by a town councillor, and in addition, that another town councillor was the spouse of one of the directors. He advised that despite the Company having been formed before 29<sup>th</sup> November, the interests of both councillors had not been declared at the Extraordinary Council Meeting of 29<sup>th</sup> November. Cllr Giles was of the view that this was a serious matter and that action should be taken. The Clerk thought it was a Code of Conduct issue although she would seek advice and report back. Cllr Edwards was of the view that a spouse (and councillor) of a director/partner in the company may not necessarily have knowledge of the partner's business interests and therefore would be unable to disclose an unknown interest

19/01/10

**OSM REGENERATION PROJECT WORKING GROUP – UPDATE AND CONSIDERATION OF REPORT DATED 14<sup>TH</sup> DECEMBER 2018 AND ELECTION OF CHAIR (FROM THE COUNCIL) FOLLOWING RESIGNATION OF CLLR GORI**

Three proposals for a new replacement Chairman for the Regeneration Working Group were received, namely Cllrs Pratt, Giles, and Dobson. All were seconded. A vote was taken and Cllr Dobson received the majority vote.

The new Chair- Cllr Dobson agreed that Cllr Gori could remain on the group in accordance with the Terms of Reference of the Working Group, if she so wished

The Regeneration Working Group had made recommendations in its Report discussed earlier. It was therefore **RESOLVED** that the Council approve a formal request to DCC and EDDC for costings, and for an indication as to their contributions to the projects

19/01/11

**APPROVAL OF PROPOSED GRANTS AS RECOMMENDED BY THE FINANCE COMMITTEE AT ITS MEETING ON 14<sup>TH</sup> NOVEMBER 2018 AND TO CONSIDER AND AGREE (IF APPLICABLE) THE AMOUNT OF GRANT TO BE AWARDED TO THE OSM NETBALL CLUB**

It was **RESOLVED** to approve the following grants, subject to certain provisions (as indicated)

ORGANISATION	REASONING	AMOUNT REQUIRED FOR THE EVENT/PROJECT	AMOUNT REQUESTED FROM TC	AMOUNT APPROVED BY FULL COUNCIL
OSM Joint Guide & Scout Committee	To fund the cost of entertainment on Pixie day (Bands and an entertainer)	Not known	300	300
Men's Shed Ottery	Towards the cost of relocating to the Football Club to include the cost of a planning application to EDDC. Men's	31000	1000	1000

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	Shed provides a lifeline to many men who have experienced life changing experiences			
Ottery St Mary Health and Care Forum	To continue to hold events to inform the public about health and social care matters and allow them to give feedback to all service providers and to improve or support the health and well being of the community	1200	600.00	450
OSM Food & Families Festival	To work with Mill Street businesses to promote festival activities in Mill Street and enhance with signage, artwork, decoration & greenery. To provide a visitor shuttle service from the Football Club to and from Finnemore Estate; more diverse children's activities; infrastructure costs	9500	1000	250
Ottery Community Theatre	A replacement backdrop to act as scenery as the current one is old and beyond economical repair	337.50	330	330
Ottery Help Scheme	To expand and improve the bereavement support service to include more specialist training for the volunteers involved in delivering the service	900	900	900
Ottery In Bloom	To provide plants, compost & fertilizer for stands and tubs in OSM. To make provision for new/replacement tubs in Ottery St Mary.	500	500	500
Ottery Station Youth Club	To take youth club members on visits as many members would be unlikely to have trips away during the summer	1000	1000	750**** See Below for decision
Ottery St Mary Twinning Association	To run a membership campaign in 2018 aiming to attract younger people, particularly aiming at those in the new housing developments in the parish.	500	500	500
Tale Valley Trust (TVT)	Money needed for protective clothing for volunteers and fuel to transport volunteers. Walkers, residents, focus groups and wildlife all benefit from the group's active involvement in maintaining a healthy river.	600	100	100
Tipton St John Community Hall Trust	A replacement floor in the hall	30000	1500	750* see below
Tipton Times	A replacement PC computer that will handle the Tipton Times software as current computer is not capable. It is important that local news is delivered to the parishioners of Tipton	600	£600	300**see below
Tipton St John Playing Field Association	Replace existing play equipment to safeguard the play facility for future generations	29000	4000	4000**see below
Citizens Advice East Devon	Increase in demand for CA's services. The grant will be used towards the salary costs of specialist advisor to ensure the outreach surgery remains open	3,500	2000	1000
OSM Netball Club	To provide an all year round facility for netball at the Kings school. The funding will be used towards the costs of providing lighting which will enable all year round usage and will encourage more people to take up the sport	30,000	As much as the TC is willing to give	***See Below for decision
OSM Silver Band	To purchase new music stands for the main band and brass class (they need replacing as many are rusty due to the damp condition of the room prior to the damp proof work) and mutes for the brass class	2235	1750	*****See below for decision
			<b>TOTAL</b>	<b>£12,130**note reserves money below</b>

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**The grants were subject to the following provisions (refer to relevant asterisks above):-**

\*Payment will be made on receipt on an invoice confirming completion of the works

\*\*The money (£4,000) is already in reserves

\*\*\*The Netball Club`s application would be discussed under the Neighbourhood Plan item

\*\*\*\*The Station`s request for funding to be left in abeyance until such time as the youth club was operational (currently it was closed). Cllr Giles was of the view that in view of the closure it was more important than ever for the grant to be provided, to enable holiday provision for some of the town`s youngsters to be made. However after some discussion it was agreed that the funding provisos remain. It was noted that Cllr Dobson had recently stood down as a StationTrustee.

\*\*\*\*\*The Silver Band`s application would need to be reconsidered by the Council, as the grant figure previously proposed by the Council had been omitted by the Clerk in the paperwork and would need to be submitted to the Council before a decision could be made. She would e-mail councillors, the figure once it was known.

Cllr Giles left the room whilst the Ottery in Bloom application was discussed.

The Ottery Food and Families Festival proposed grant amount (£250) was queried by Cllr Giles as he thought the figure was derisory and requested £500 be granted. A discussion ensued and it was understood that many local traders did not benefit from this event and also the Council, in addition to providing grant funding, provided gazebos free of charge. Notwithstanding the aforementioned, Cllr Giles proposed a motion of a revised a revised amount of £500, which proposal was seconded by Cllr Pratt. The motion failed.

19/01/12

**NEIGHBOURHOOD PLAN UPDATE RE S106 AND CIL PROVISIONS**

It was understood, following a meeting with Sulina Tullack of EDDC, that the Council`s S106 monies should be available shortly to enable the Council to progress its plans for additional recreational facilities at Strawberry Lane. It was also understood that if reference had been made to the proposed improvements in the Neighbourhood Plan, that this would negate the need to go out to public consultation. Cllr Faithfull asked about extending the building at the cricket club to provide for disabled facilities and changing rooms for female cricketers. He enquired whether s106 monies and Communities Together money would be available for these projects. The Mayor said the Council would have to consider this request when looking at the finances. It was agreed that a decision to be made about the Netball Club`s application for grant funding, be left in abeyance until the S106/CIL Monies had been received, as this would have a bearing on the decision. However if there was a delay/issue with receiving the S106/CIL monies then the Netball Club`s grant application would be reconsidered.

19/01/13

**TO FURTHER CONSIDER DEVELOPMENTS IN RESPECT OF THE OTTERY ST MARY AND DISTRICT SKATE AND BMX TRUST**

Cllr Pang advised that updated information had now been provided to Companies House to reflect those directors who had resigned. Steps had been taken to advertise for new trustees on Facebook and in a newspaper article. Cllr Pang indicated that to date, she had not been overwhelmed by offers. It was requested that this be an item for the February agenda.

19/01/14

**CITIZEN OF THE YEAR AWARD – TO CONSIDER AND AGREE (IF APPLICABLE) WHETHER A SEPARATE AWARD SHOULD BE MADE TO BUSINESSES**

It was **RESOLVED** that a separate award be set up for businesses, commencing this year

19/01/15

**CONSIDERATION OF A NEW POLICY TO DEAL WITH THE RECEIPT OF ANONYMOUS COMMUNICATIONS**

It was **RESOLVED** to approve the Policy

Mayor`s Initials.....

19/01/16

**FINANCIAL MATTERS - TO APPROVE THE DECEMBER 2018 COUNCIL SCHEDULE OF PAYMENTS**

The December 2018 Council Schedule was presented by the Mayor, showing **£9,328.97** (incl. VAT) for Council expenditure. It was **RESOLVED** that the schedule be approved (which was duly signed by the Mayor).

19/01/17

**ANY MATTERS OF URGENCY BROUGHT FORWARD BY THE MAYOR (TO INCLUDE INFORMATION RELATING TO FORTHCOMING COUNCIL MEETINGS)**

i. It was agreed that the Mayor and his wife be nominated for the Buckingham Palace Garden Party on 29<sup>th</sup> May 2019

ii. EDDC had confirmed that it would be investigating the complaint made by the Council regarding the appearance of the scrap vehicles piled up at Alansway

19/01/18

**REPORT BY THE MAYOR**

The Mayor had nothing to report

19/01/19

**REPORT BY THE CLERK TO INCLUDE DETAILS OF A DATA PROTECTION BREACH**

The Clerk advised that a data breach had occurred in the Council Offices. She had taken appropriate steps in accordance with the General Data Protection Regulation 2018 and had reported it to the Information Commissioners Office ('ICO'). However the ICO had advised that this was not a reportable breach and that no further action was required.

The Clerk raised the matter of having an EDDC presence at the next Community Market in the town to encourage parishioners to stand as candidates at the 2019 elections. Cllr Dobson welcomed this and suggested it should be EDDC's Chief Executive Mark Williams who should attend and that the event should be publicized in the Gazette etc. The Clerk was waiting to hear from Mr Williams to confirm availability and any EDDC Officer cost implications (as the event would not be on a working day)

19/01/20

**TO RECEIVE CORRESPONDENCE FOR INFORMATION AND ANY LATE CORRESPONDENCE**

There was no correspondence

19/01/21

**TO RECEIVE REPORTS BY COUNCILLORS OF MEETINGS ATTENDED AS COUNCIL REPRESENTATIVES**

**Mayor's Meetings Tabled (December)**

Date	Meeting details
1 <sup>st</sup>	Charitable concert at Parish Church
3 <sup>rd</sup>	Full Council Meeting
5 <sup>th</sup>	Feoffees
14 <sup>th</sup>	Meeting re S106 money
17 <sup>th</sup>	King's School Carol Service
19 <sup>th</sup>	Old people's meal
20 <sup>th</sup>	Christmas meal with Councillors
21 <sup>st</sup>	Breakfast with the staff

**Councillors Meetings (December)**

Councillor	Meeting details
Cllr Pang	Feoffees

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19/01/22

**TO RECEIVE COUNCILLORS' QUESTIONS**

i. The Deputy Mayor repeated how delighted he was to be appointed to the position as Deputy Mayor. However he also wished to thank former councillor, Josefina Gori for the great job she had done as DM and that it would be hard to fill her shoes

ii. Cllr Edwards wished to express her thanks for the very enjoyable Christmas meal

iii. Cllr Pang advised that no progress appeared to have been made with the dilapidated property on the corner of Batts Lane. The Clerk would chase up

iv. Cllr Giles questioned the reasons for holding the Extraordinary Meeting on 21<sup>st</sup> January at 2.00pm and in the interests of democracy he thought it should be an evening meeting as this would be more convenient to parishioners. He had received complaints previously regarding the timing of the November Extraordinary Meeting (2.00pm). In response Cllr Dobson advised that some full council meetings had taken place in the day previously, so the timing of the proposed meeting was not unusual

**The Meeting ended at 20.13pm**

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

**DATE OF THE NEXT MEETING: MONDAY 21<sup>st</sup> JANUARY 2019 AT 2PM IN THE COUNCIL CHAMBER, THE OLD CONVENT, 8 BROAD STREET, OTTERY ST MARY**

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