



Ottery St Mary Town Council

Minutes of the **ORDINARY MEETING OF OTTERY ST MARY TOWN COUNCIL** held on **MONDAY 6TH JUNE 2022** at **7.00pm**. The meeting was held at the Station Community Hub, Mill Street, Ottery St Mary EX11 1AH

PRESENT: - Cllr Johns (**Mayor**), Cllr Lucas (**Deputy Mayor**), Cllrs Green, Faithfull, Grainger, Stewart, Giles, Copus, Johnston, DCC Cllr Bailey (from 8.45pm), Christine McIntyre-CEO, Kerry Kennell-Deputy CEO and 1 member of the public

The Mayor welcomed Cllr Johnston to the Council.

22/06/01

TO RECEIVE APOLOGIES FOR ABSENCE

Cllrs Martin, Pang and EDDC Cllr Pratt

22/06/02

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

Name of Councillor	Agenda Item and Interest
Cllr Giles	Agenda Item 8b – Cllr Giles is a trustee of the Heritage Society
Cllr Faithfull	Agenda Item 25 – Cllr Faithfull has a personal interest as he is Acting Chair of the Ottery Refugee Response Group. Cllr Faithfull advised this is an informal group with no constitution which is not profit making.
Cllr Johns	Agenda Item 8b – Cllr Johns` husband, Rob Johns is giving advice and carrying out work for the Property and Land Committee in relation to the museum. Agenda Item 11a – Cllr Johns` husband, Rob Johns is Chair of the OSM Cricket Club.

22/06/03

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 **RESOLVED** that the following items be discussed in Confidential Session:

Mayor`s Initials.....

Agenda Item 9a -To note the minutes of the Human Resources Committee Meeting of 27th May 2022 (minute refs *HR22/05/01 - HR22/05/07*) and 9b - To approve (if appropriate) any recommendations from the Human Resources Committee

22/06/04

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.

22/06/05

TO RECEIVE THE MINUTES OF THE ANNUAL MEETING OF THE TOWN COUNCIL OF 9TH MAY 2022 (MINUTE REFS 22/05/01 – 22/05/49), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The minutes of 9th May 2022 (minute refs 22/05/01 – 22/05/49) were presented and Cllr Giles proposed that Minute 22/05/37 is deleted and replaced with: Devon County Council Public Rights of Way Definitive Map Review Consultation

It was agreed to forward the following comments to Devon County Council

- Bridleway 9 Lanscore Lane proposal to change status from Bridleway to Byways Open To All Traffic - very strongly object
- Bridleway 62 near Claypitts Farm
- Proposal to change status from Bridleway to Byways Open To All Traffic - very strongly object
- Claimed Footpath near FP64/Hollow Head Cross - support
- Claimed Footpath near Rill Farm - support
- Claimed Restricted Bridleway near Metcombe - support
- Claimed Footpath near former Ottermill Switchgear building, from Mill Street to the Tumbling Weir Hotel – support

It was **RESOLVED** this change should be made. The minutes were then signed by the Mayor as a true record of the meeting.

It was agreed to defer Agenda Item 6 until Cllr Bailey arrives.

22/06/06

TO NOTE THE MINUTES OF THE PLANNING COMMITTEE MEETING OF 28TH APRIL 2022 (MINUTE REFS P22/04/010 – P22/04/19), 16TH MAY 2022 (MINUTE REFS P22/05/01 - P22/05/09) AND 31ST MAY 2022 (MINUTE REFS P22/05/10 - P22/05/18)

The minutes of the Planning Committee Meeting of 28th April 2022 (minute refs P22/04/10 – P22/04/19), 16th May 2022 (minute refs P22/05/01 – P22/05/09) AND 31st May 2022 (minute refs P22/05/10 – P22/05/18) were noted. Cllr Copus advised that following the Planning Committee Meeting on 31st May he has spoken to the agent working on behalf of Sainsburys to confirm that the application will still enable overnight parking for residents which has been in existence through the social contract that has been in place since Sainsburys opened in the town. There is limited on street parking in the town and allowing evening parking will help keep the town alive and vibrant. The agent has confirmed that parking will be allowed from 7pm until

Mayor`s Initials.....

7am Monday – Sunday and that the visuals will be updated accordingly. Cllr Copus reiterated how the town values Sainsburys but that this is a great result for local democracy. The Council thanked Cllr Copus for his actions to resolve this situation. Cllr Copus asked the Councillors whether any of them would consider joining the Planning Committee. It was noted that the Planning Committee can only comment on an actual planning application whereas the Council can go further and comment on the impact to the whole town.

22/06/07

PROPERTY AND LAND COMMITTEE:

a. TO NOTE THE MINUTES OF THE PROPERTY AND LAND COMMITTEE MEETING OF 26TH MAY 2022 (MINUTE REFS PL22/05/01 - PL22/05/16)

The minutes of the Property and Land Committee meeting of 26th May 2022 (minute refs PL22/05/01 - PL22/05/16) were noted.

b. TO APPROVE (IF APPROPRIATE) ANY RECOMMENDATIONS FROM THE PROPERTY AND LAND COMMITTEE MEETING

COUNCIL OFFICES:

It was **RESOLVED** to accept Heritage`s quote to carry out the works to the cellar at a cost of £11,900 plus VAT. A 5% discount is available if 75% of the payment is received in advance. It was also **RESOLVED** that the CEO will seek confirmation from the internal auditor whether there is any problem with the Council doing this if they have considered the risk level and checked the accounts at Companies House. The Council has dealt with this company since 2011.

It was further **RESOLVED** that the works included in the quote (but listed separately for plaster lining, a skim coat be deleted with the joints filled and taped on the internal stud wall and costed at £780 plus Vat) be proceeded with.

Damp in the Council Offices

It **RESOLVED** that any damp patches be repainted with antifungal paint, heaters be installed in the toilets and to ensure all rooms in the Council Offices were well ventilated and aired.

Fire Risk Assessment - Police

It was **RESOLVED** that the Council should have a procedure in place for evacuating the Council Offices and that a meeting be arranged with the Police in order to progress this.

Safety Checks

It was **RECOMMENDED** that a regular inspection of the Council`s properties be carried out and that maintenance/inspection logs be kept of each property. Argos had quoted for works revealed in the safety check. It was **RECOMMENDED** that two further quotes be obtained.

Office Update

It was **RECOMMENDED** that a security camera be obtained for the downstairs office to enhance the Administrator`s safety if she had to see visitors downstairs.

Tenants

It was **RESOLVED** that the tenancy for Office 7 be offered to TreatsRYummy who were prepared to pay the full asking rent.

Use of the Council Offices Accommodation

It was **RESOLVED** that a Working Group be set up to investigate the best use of the rooms in the Council Offices – whether this was to be community use at reduced rates/FOC, or to operate and use the rooms to generate a revenue stream.

Planting Trees

Mayor`s Initials.....

It was **RESOLVED** that the CEO set up a meeting with members of the Bowling Club asap re the proposed siting of trees as requested by the Bowling Club.

Cllr Giles left the meeting.

THE MUSEUM - Legals - The Proposed 20+ years lease and an agreement for lease

It was **RESOLVED** that the matter should now progress to a full repairing lease. However the Heads of Terms (HOTs) needed to be agreed by both parties in the first instance. It was **RESOLVED** that a further meeting with the Heritage Society be arranged to agree the terms of the HOTs and then solicitors could be instructed to prepare a lease.

Windows

It was **RESOLVED** that quotes be obtained for the cost of the windows in PVC and timber.

The Mayor left the meeting.

It was **RESOLVED** that Rob Johns carry out the repair to the museum window in the sum of £355 as per his August 2021 quote.

Cllr Giles and the Mayor re-joined the meeting once the Museum had been discussed.

Bowling Club ('BC') Access

It was **RESOLVED** that a Deed of Grant between Western Power and the Town Council be progressed (to allow the Council a right of way over WP's accessway)

Skate Park

It was **RESOLVED** the Council's solicitor be advised that in view of the limitation on the operational hours of the skatepark (re the safeguarding measures) and as a consequence, the provisions of the lease could not be exercised fully (there was now a limitation on the times the skatepark could be used), it would be unreasonable for the Council to have to pay DCC's legal costs of £500. It was further **RESOLVED** to progress the Deed of Variation and advise the Council's solicitor accordingly

Miscellaneous Property Matters

It was **RESOLVED** that the maintenance/safety checks of properties be considered by the CEO and Deputy CEO and for them to prepare a paper to ascertain the work involved to enable whether or not staffing needs to be increased

To consider on which basis the 12 car parking spaces at Victoria Terrace are to be let to residents – this was covered in minute 22/06/26.

22/06/08

STATION COMMUNITY HUB MANAGEMENT COMMITTEE - TO RECEIVE AN UPDATE

Cllr Green gave an update that SPACE have successfully concluded their recruitment process and the first session should start on 23rd June with two sessions planned from September. There will also be summer holiday activities offered. The contract has been signed by SPACE and returned to the Council. SPACE will be advertising the sessions using their social media platforms.

22/06/09

S106:

- a. **UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS (TO BE A REGULAR AGENDA ITEM)**

Mayor's Initials.....

An initial meeting has been held with David Hemstock who is working on a more detailed plan. A meeting will be arranged shortly between ALL stakeholders. The tennis and netball clubs intend to use the MUGA for league matches and will also investigate whether they can apply for any grant funding to support this.

b. TO CONSIDER (AND APPROVE IF APPROPRIATE) THE REPRIORITISATION OF CURRENT SECTION 106 PROJECTS TAKING INTO CONSIDERATION THAT NO SUITABLE SITE FOR PLAY AREA IN ALFINGTON HAS BEEN IDENTIFIED

It was **RESOLVED** to put the play area for Alfington on hold until a suitable site can be located. It was confirmed that the provision of facilities in Alfington continues to be a priority for the Council.

22/06/10

REGENERATION AND CLIMATE ACTION COMMITTEE – TO RECEIVE AN UPDATE

Cllr Lucas advised that two consultants have visited the parish and both have sent formal summaries of their visits which were very positive. A third consultant was unable to offer their services due to their workload. A Regeneration and Climate Action Committee meeting will be arranged shortly.

22/06/11

POLICE MATTERS

No report was received.

22/06/12

CONFIRMATION OF DECISIONS MADE UNDER THE SCHEME OF DELEGATION

The Mayor, Cllrs Lucas and Stewart agreed for the Council handyman to clear a gully at Strawberry Lane. The Mayor, Cllrs Lucas and Stewart agreed to purchase plants from the Hospiscare plant stall.

22/06/13

FINANCIAL MATTERS:

a. TO CONSIDER AND APPROVE THE MAY 2022 COUNCIL SCHEDULE OF PAYMENTS

It was **RESOLVED** to approve the May 2022 Council Schedule of Payment in the sum of £22,141.12.

b. TO APPROVE THE Q4 2021/22 QUARTERLY ACCOUNTS

These were not circulated to Councillors as are included in agenda item 22/06/04.

22/06/14

TO APPROVE THE ACCOUNTS FOR THE YEAR ENDING 31ST MARCH 2022

It was **RESOLVED** to approve the accounts for year ending 31st March 2022.

22/06/15

TO APPROVE THE ANNUAL GOVERNANCE STATEMENT – SECTION 1 ANNUAL GOVERNANCE STATEMENT 2021/22

It was **RESOLVED** to approve the Annual Governance Statement – Section 1 for year ending 31st March 2022.

Mayor`s Initials.....

22/06/16

TO CONSIDER AND APPROVE ACCOUNTING STATEMENTS 2021/22 – SECTION 2

It was **RESOLVED** to approve the Accounting Statements – Section 2 for year ending 31st March 2022.

22/06/17

TO RECEIVE AND APPROVE THE REPORT OF THE INTERNAL AUDITOR (ALISON MARSHALL) AND TO APPROVE (IF APPROPRIATE) TO REAPPOINT HER AS THE INTERNAL AUDITOR FOR THE 2022/23 INTERNAL AUDIT

It was **RESOLVED** to approve the report of the Internal Auditor. It was further **RESOLVED** to reappoint Alison Marshall as the Internal Auditor for the 2022/23 internal audit. The Council thanked the Office staff for their work on the audit.

22/06/18

TO CONSIDER EDDC`S CODE OF CONDUCT AND WHETHER THE COUNCIL WISHES TO ADOPT IT

Cllr Stewart expressed disappointment that the new Code of Conduct does not include the NOLAN principles. It was **RESOLVED** to adopt EDDC's new code of conduct. Clarification will be sought on the training available from EDDC.

22/06/19

TO CONSIDER AND APPROVE (IF APPROPRIATE) TO CONTINUE TO INCUR THE ANNUAL SERVICING COSTS OF THE DEVON AIR AMBULANCE LANDING SITE

It was **RESOLVED** to continue to incur the annual servicing costs of £89.95 plus VAT for the Devon Air Ambulance Landing site.

22/06/20

GRANT APPLICATION - TO CONSIDER (AND APPROVE IF APPROPRIATE) A COMMUNITY GRANT REQUEST FROM THE OTTERY LITERARY FESTIVAL

The grant application was discussed. It will tie in with the 250th anniversary of the birth of Samuel Taylor Coleridge. The Council will act as a guarantor if the remaining funds cannot be raised. It was **RESOLVED** to pay the following annual grant:

Ottery Literary Festival	£1560
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22/06/21

TOURISM WORKING GROUP: UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS

The Council is currently waiting for a decision from EDDC on the grant application.

22/06/22

TO CONSIDER WHETHER THE COUNCIL WISHES TO RUN HYBRID MEETINGS AND TO CONSIDER A QUOTATION FOR EQUIPMENT TO ENABLE HYBRID MEETINGS (AND TO APPROVE IF APPROPRIATE)

There was a lengthy discussion regarding this. Current legislation states that a Council can hold hybrid meetings but that those accessing the meeting remotely cannot take part in any voting and are there as an observer who can only speak during public participation. Cllr Faithfull proposed deferring this item until next month but there was no seconder. It was proposed by Cllr Lucas and seconded by Cllr

Mayor`s Initials.....

Grainger that the Council set up a Working Group to investigate the best use of the rooms in the Council Offices – whether this was to be community use at reduced rates/FOC, or to operate and use the rooms to generate a revenue stream. The Working Group will also investigate the equipment that is required. It was **RESOLVED** that a Working Group will be set up to look at the use of the Council Offices including the use of digital equipment.

22/06/23

TO CONSIDER REQUESTS FROM CLLR FAITHFULL FOR UKRAINIAN REFUGEES TO I. HAVE THE USE OF THE COUNCIL MEETING ROOM/CHAMBER FOR ENGLISH LESSONS AND II. FOR THE COUNCIL TO PROVIDE GAZEBOS AT PRIVATE DWELLINGS FOR UKRAINIANS TO MEET

The Council **AGREED** in principle to the Council Meeting Room/Chamber being used to provide English lessons. Cllr Faithfull will complete a hire form which will provide the Office staff with all necessary information. *Cllr Faithfull abstained.* It was **RESOLVED** that the Ottery Refugee Group can use the Council gazebos subject to Cllr Faithfull completing a hire form. *Cllr Faithfull abstained.*

EDDC Cllr Bailey joined the meeting.

22/06/24

THE UNVEILING OF THE STATUE OF SAMUEL TAYLOR COLERIDGE ON 21ST OCTOBER – TO DECIDE COUNCIL REPRESENTATION

The CEO advised that the Mayor and all Councillors were invited to attend the unveiling of the statue of Samuel Taylor Coleridge at 11am on 21st October. The CEO will circulate the invitation to all Councillors.

22/06/25

TO APPOINT AN ADDITIONAL COUNCIL MEMBER ON THE PROPERTY AND LAND AND HUMAN RESOURCES COMMITTEES IN VIEW OF CLLR FAITHFULL'S RESIGNATION FROM THE SAID COMMITTEES

It was **RESOLVED** that Cllr Grainger will join the Human Resources Committee. All councillors were asked to consider whether they could join the Property and Land Committee meeting. This could be held at a different time of day if required.

22/06/26

TO CONSIDER ON WHICH BASIS THE 12 CAR PARKING SPACES AT VICTORIA TERRACE ARE TO BE LET TO RESIDENTS

It was proposed by Cllr Lucas, seconded by Cllr Johns and **RESOLVED** that a residents meeting be arranged to ask the residents for their input.

22/06/27

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

DCC Cllr Bailey advised that an appeal had been submitted against the Straitgate Quarry application which was refused on 1 December 2021. Cllr Bailey hopes that DCC will robustly defend their decision. The Council has always consistently opposed the sand and gravel quarry at Straitgate and is disappointed to learn that an appeal has been submitted at such a late date. Over 100 communities have applied for a 20mph scheme but it is thought only 4 will be selected which will be confirmed in early July. The huge uptake demonstrates the public support to reduced speed

Mayor's Initials.....

limits. Cllr Bailey was disappointed that she was voted down for supporting the ban of Neonics.

EDDC Cllr Johns has been approached by a resident regarding wheelchair access to Millennium Green and Winters Lane. Cllr Faithfull advised that FP97 and FP98 are the responsibility of DCC. Cllr Faithfull will go back to the resident regarding this.

EDDC Cllr Faithfull reminded the Council that the Strategic Planning Meeting was taking place on 7th June.

EDDC Cllr Pratt – no report received.

22/06/28

REPORT FROM THE MAYOR

The Mayor reported that the beacon was lit on 2nd June and on 3rd June there was a Picnic in the Park at the Land of Canaan. The Mayor visited the Kings Reach Nursing Home. A vintage dance planned for the 4th June had to be cancelled to a lack of ticket sales. The commemorative events finished on 5th June with a Vintage Cricket Match. Thanks were given to the Mayor for her work in ensuring the events were a success. The Mayor passed on her thanks to the Jubilee Working Group, the Councillors who helped with the events and the Office Staff.

22/06/29

REPORT FROM THE CEO/DEPUTY CEO

The CEO and Deputy CEO had nothing to report.

22/06/30

THE QUEEN'S PLATINUM JUBILEE WORKING GROUP – TO RECEIVE AN UPDATE OF THE EVENT

This was covered in 22/06/28. Cllr Johnston thanked the Council for their grant towards the Tipton St John commemorations.

22/06/31

BLOOM IN OTTERY – TO RECEIVE AN UPDATE

Cllr Lucas passed on his thanks to Nick Sneller and Rupert Banks who have achieved a significant amount of planting using pollinators and edibles. There is a planned approach to the planting which will use more perennials. The group may look at purchasing a portable water bowser to make watering easier.

22/06/32

TO NOTE ANY SPECIFIC CORRESPONDENCE RECEIVED

None received.

22/06/33

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

There were none.

22/06/34

COUNCILLORS QUESTIONS ON COUNCILLORS' BUSINESS

Cllr Copus showed the Council the bowl that the Twinning Association will be taking to present to the long-standing Mayor (Burgermeister) of Ilsfeld, Thomas Knoedler when they visit later this month,.

Mayor`s Initials.....

Several councillors have been approached by residents who are concerned by the difficulties that they are experiencing accessing the medical facilities including the doctors and the pharmacies. It was AGREED that the Council should reach out and offer support to these organisations and the best route would be through the Local Care Forum. Cllr Lucas will speak to Cllr Pang regarding this.

Disappointment was noted that Simon Jupp, MP, did not inform the Mayor, the Council, our EDDC Councillors or DCC Councillor of his recent visit to Ottery St Mary. It was AGREED that a letter will be sent to Mr Jupp reiterating the Council's disappointment at this.

CONFIDENTIAL SESSION:

22/06/35

HUMAN RESOURCES COMMITTEE:

a. TO NOTE THE MINUTES OF THE HUMAN RESOURCES COMMITTEE MEETING OF 27TH MAY 2022 (MINUTE REFS HR22/05/01 - HR22/05/07)

The minutes of the Human Resources Committee meeting of 27th May 2022 (minute refs HR/22/05/01 – HR/22/05/07) were noted.

b. TO APPROVE (IF APPROPRIATE) ANY RECOMMENDATIONS FROM THE HUMAN RESOURCES COMMITTEE

It was **RESOLVED** to approve the recommendations from the meeting.

The meeting ended at 9.33pm

SIGNATURE OF THE MAYOR	
DATE OF SIGNATURE	
DATE/VENUE OF NEXT MEETING	Monday 4 th July 2022 – Location to be confirmed

Mayor's Initials.....