



Ottery St Mary Town Council

Minutes of the **ORDINARY MEETING OF OTTERY ST MARY TOWN COUNCIL** held on **MONDAY 7TH FEBRUARY 2022** at **7.00pm**. The meeting was held at the Station Community Hub, Mill Street, Ottery St Mary EX11 1AH

PRESENT: - Cllr Johns (**Mayor**), Cllrs Green, Faithfull, Copus, Stewart, Giles, Martin, DCC Cllr Bailey, Christine McIntyre, CEO, Kerry Kennell, Deputy CEO and two members of the public

22/02/01

TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr Lucas (**Deputy Mayor**), Cllrs Pang, Grainger and Shaw, and EDDC Cllr Pratt

22/02/02

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 Peter Faithfull	Item 11 - Personal interest as he has been having private conversations in relation to Tipton St John School.
Cllr Roger Giles	Item 9 – Heritage Society Trustee

22/02/03

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

No items are to be discussed in confidential session.

22/02/04

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

A member of the public raised concerns about an item in the Property and Land Minutes relating to the Council not renewing a sub-contract with Idverde regarding grass cutting. Cllr Stewart and the CEO provided an explanation, clarifying the Council's proposed decision

Mayor's Initials.....

22/02/05

TO RECEIVE THE MINUTES OF THE ORDINARY MEETING OF THE TOWN COUNCIL OF 10 JANUARY 2022 (MINUTE REFS 22/01/01 – 22/01/28), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The minutes of 10 January 2022 (minute refs 22/01/01 – 22/01/28) were presented and approved. The minutes were then signed by the Mayor as a true record of the meeting.

Agenda Item 9 was brought forward.

22/01/06

TO NOTE THE MINUTES OF THE PROPERTY AND LAND COMMITTEE MEETING OF 20TH JANUARY 2022 (MINUTE REFS PL22/01/01 – P22/01/19)

The minutes of 20th January 2022 (minute refs PL22/01/01 – P22/01/19) were noted.

9B) TO APPROVE (IF APPROPRIATE) THE RECOMMENDATIONS FROM THE PROPERTY AND LAND COMMITTEE

It was **RESOLVED** to approve the following recommendations from that meeting:

The Council Offices:

- For Rock Compliance to carry out a Legionnaires Risk assessment at a cost of £295
- For vacant offices to be re-advertised with Redferns and on Facebook
- For Rob Johns to assess the exterior of the building as to what works are required. (*Cllr Johns abstained*)
- For a security light to be fitted at the rear of the building
- For the Council to switch to a two-year fixed deal with Octopus
- For quotes to be obtained for a contractor to carry out works to the cellar
- For the sapling that is starting to establish itself outside to be removed

Strawberry Lane:

- For the Petanque Club to be approached to undertake fire safety checks in the Pavilion and its members being adequately trained to do so. Any fire warden training that was required, to be paid for by the Council.
- For Rock Compliance to carry out a Legionnaires Risk assessment at a cost of £295
- For the key codes (on the gate and the building) be changed and a steering lock placed on the mower

Tennis Courts:

- For the Pixie Day Committee to be approached to remove the freezer from the shed

Allotments:

- For the proposed re-siting of the shed on Plot 57 to be referred to the Allotment Association Management for their decision/views.

Cemetery:

- For the Council to decide in August 2022 how those gravestones (which have been laid down as they are unsafe) will be dealt with in regard to their repair

Museum:

- For a meeting to be arranged between councillors and trustees to deal with the recommendations contained in the Fire Risk Assessment.

Mayor`s Initials.....

- To accept Delve's quote in the sum of £7659 plus VAT for additional electric work
- To accept Delve's quote in the sum of £221 plus VAT to provide a fan to improve ventilation in the Silver band room
- That the Council representative on The Heritage Society will be an observer.
- That Cllrs Stewart, Grainger and Lucas will act as the Council representative on a rotating basis

Cllr Giles abstained from voting on any of the aforementioned recommendations due to being a Trustee of the Heritage Society

The Station:

- For Rock Compliance to carry out a Legionnaires Risk assessment at a cost of £295

The Library and Library Toilets:

- That the CEO will ask for a copy of the Library Risk Assessment in relation to the toilets and their legionella inspection. If necessary, it was **RESOLVED** that Rock Compliance to carry out a Legionnaires Risk assessment at a cost of £295

Car Parking Spaces – Factory Site:

- That the CEO seeks legal advice regarding any ramifications there might be if the Council was to rescind the contract with the developer. The CEO will also arrange a zoom meeting with EDDC to discuss further

Grounds Maintenance:

There was a discussion regarding ground maintenance. Idverde have responded in a positive manner to the issues raised with them and have confirmed that they were severely impacted by Covid last year. They have committed to providing a better level of service this year. The CEO had contacted Idverde to set up a meeting to discuss previous concerns. However due to their assurances it was felt that this was no longer necessary. The main three-year contract with Idverde will expire in 2024. In addition, the Council usually enters into an annual contract with DCC which is sub-contracted out to Idverde for cutting verges at T-junctions etc. It was **RESOLVED** that the Council will not enter into a sub-contract with Idverde for 2022-23 due to it not being financially viable and that DCC will take back this responsibility. The three-year contract will continue and will be subject to review if there were any issues of concern. Cllr Stewart and Cllr Green are meeting with Ottery in Bloom representatives to work together to improve the appearance of the town.

Development of a Strategic Plan:

The contract will be rescinded

Contractors:

That the Council will go out to tender again for an approved contractors list

22/02/07

PLANNING COMMITTEE ISSUES:

- a) **TO NOTE THE MINUTES OF THE PLANNING COMMITTEE MEETING OF 5TH JANUARY 2022 (MINUTE REFS P22/12/01 – P22/12/09)**

The Minutes of the Planning Committee Meeting of 5th January 2022 (P22/01/01 – P22/01/09) were noted.

- b) **TO NOTE THE MINUTES OF THE PLANNING COMMITTEE MEETING OF 24TH JANUARY 2022 (MINUTE REFS P22/01/10 - P22/01/20)**

Mayor's Initials.....

The minutes of the Planning Committee Meeting of 24th January 2022 (PL22/01/10-PL22/01/20) were noted.

c)

Reference	Applicant	Details
22/0096/FUL	Nick and Liz Partridge 70 Slade Close Ottery St Mary EX11 1SY	Construction of two storey side extension and porch.
It was RESOLVED that the Council support this application. <i>Cllrs Stewart, Faithfull and Martin abstained.</i>		
21/2812/FUL	Mr & Dr Kieran & Josie Hollywood 5 Thorne Cottages Exeter Road Ottery St Mary EX11 1RB	Erection of two storey side extension and single storey rear extension, and alterations to parking provision
It was RESOLVED that the Council support this application subject to provision of an integrated swift brick on the east elevation and a bat box on the south gable. <i>Cllrs Stewart, Faithfull and Martin abstained.</i>		

Agenda Item 14 was brought forward.

22/02/08

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

DCC Cllr Bailey gave a verbal update. It is good news that the Department for Education will now be considering flood risk when considering funding. The Council would like to record their gratitude to Claire Wright (former DCC Cllr) and DCC Cllr Jess Bailey for successfully campaigning for this change of policy which is a substantial achievement. It was asked that the Council's Tipton St John School Working Group is kept updated with all developments in relation to the school. The application form for 20mph schemes in Devon is now available – the deadline is 31st March. The budget is £100,000 and it was noted that each scheme costs between £10,000 - £25,000. The budget is being discussed at DCC later this month.

EDDC Cllr Pratt sent a written report which proposed expanding the AONB. The Council **AGREED** to support this. See 22/02/15 for further reports.

22/02/09

TO NOTE THE MINUTES OF THE STATION COMMUNITY HUB COMMITTEE MEETING OF 31 JANUARY 2022 (MINUTE REFS OH22/01/10 – OH22/01/20)

The Minutes of the Ottery Hub Committee Meeting of 31 January 2022 (OH22/01/10 – OH22/01/20) were noted.

a) TO APPROVE ANY RECOMMENDATIONS OR PERTINENT MATTERS RE THE AFOREMENTIONED OTTERY HUB MEETING

It was **RESOLVED** to approve the following recommendations from that meeting:

- That the Minutes of the Ottery Hub Committee Meeting of 31 January 2022 (OH22/01/10 – OH22/01/20) were signed as a true record of the meeting
- To purchase a tablet/iPad up to the value of £300 to enable the office staff to manage the remote access to The Station
- To accept in principle the agreement with SPACE subject to final details being confirmed

Mayor's Initials.....

- To use Green Window Company for the replacement door subject to them being able to meet the required timescale

Cllr Martin passed on her thanks to Cllr Green for everything he has done to move projects at the Station forward.

22/02/10

REGENERATION AND CLIMATE ACTION COMMITTEE - UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS (*to be a regular agenda item*)

A meeting with a potential regeneration consultant is being held later this week. A £10,000 grant from the Welcome Back Fund has been secured for a new bench at Tip Hill and for new wooden planters around the town. The next meeting of the committee is at 6pm on Thursday 17th February. A meeting is being held with Ottery in Bloom to discuss working together as part of the regeneration strategy.

22/02/11

ADDITIONAL PROPERTY MATTERS IN ADDITION TO THE ABOVE-MENTIONED RECOMMENDATIONS

- a) ALLOTMENTS AGREEMENTS – TO CONSIDER (AND APPROVE IF APPROPRIATE) THE REVISED TENANCY AGREEMENT FOR NEW TENANTS AND TO CONSIDER (AND APPROVE IF APPROPRIATE) THE DEEDS OF VARIATION FOR CURRENT TENANTS AND TO APPROVE A THREE-MONTH RENT-FREE PERIOD FOR CURRENT TENANTS**

It was **RESOLVED** that the revised tenancy agreement will be sent to new tenants. It was **RESOLVED** the deeds of variation will be sent out to current tenants. It was **RESOLVED** that there will be a three-month rent-free period from 1 January 2023 until 23 March 2023 for current tenants.

- b) THE STATION - AN UPDATE ON THE HELP SCHEME`S ROOM REQUIREMENTS**

The Help Scheme are currently reviewing their options regarding the office space. It was **RESOLVED** that the Help Scheme will be asked to confirm by 31st March 2022 whether they intend to remain at the Station and if so then their current tenancy agreements will be reviewed by the Council

- c) THE MUSEUM – UPDATE ON OTHER REPAIRS; APPROVAL OF PAYING AN INVOICE IN ADVANCE OF WORKS BEING CARRIED OUT; TO APPROVE ROCK`S QUOTE RE RISK ASSESSMENT FEE RE LEGIONELLA**

It was ***RESOLVED** to pay the Western Power invoice in advance of the work being completed. It was ***RESOLVED** for Rock Compliance to carry out a Legionnaires Risk assessment at a cost of £295 *In both instances Cllr Giles abstained from voting due to being a Trustee of the Heritage Society.

- d) STRAWBERRY LANE TO AGREE ELECTRICITY FIXED TERM FOR THE PAVILION AT STRAWBERRY LANE**

It was **RESOLVED** that the Council will opt for a 24-month fixed deal with Octopus.

- e) CAR PARKING AT THE COUNCIL OFFICES - AN UPDATE**

The Council thanked the CEO for her efforts in clarifying the parking situation. There are two spaces at the back of the building owned outright by the Council. In addition, as the land at the front of the Council Offices is not in the ownership of the Council (its boundary finishes at the front steps), the Council merely has the right to park up

Mayor`s Initials.....

to 5 vehicles in front of the Council offices (as per the 2009 transfer to the Council) although it is believed that this is not an exclusive right. In 2019 the Council introduced a Car Parking Policy which provided parking for councillors at the Council Offices on Council business only and that tenants and room hirers were not permitted the right to park

22/02/12

TIPTON ST JOHN PRIMARY SCHOOL WORKING GROUP - UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS

A letter has been received from Simon Niles at DCC. Written correspondence has also been received from Cllr Pang expressing her view that the Council should pay for an independent survey. However, there is concern as to how much this would cost and whether DCC would take the survey findings into account in any event. It was noted that it is not the role of the Council to provide educational facilities– that lies with DCC. Cllr Green re-iterated that the Tipton St John School Working Group has been driven by the community of Tipton St John. Cllr Faithfull felt that the Working Group had been created to help remove rubbish from the ditches and to get the Road Warden Scheme going but Cllr Green pointed out that is not mentioned in its Terms of Reference. A meeting of the Working Group will be arranged.

22/02/13

SECTION 106 – UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS (to be a regular agenda item)

The focus continues to be on appointing a project manager to drive the Strawberry Lane MUGA project forward. An online meeting has been held with a potential candidate and two more will be held shortly to decide on a suitable project manager.

22/02/14

RIDGEWAY LEAT:

a) TO CONSIDER AND APPROVE (IF APPROPRIATE) RESCISSION OF MOTION 21/11/13 TO FORM A LEAT WORKING GROUP

A rescission notice was accepted. There was a discussion regarding the Leat Working Group. It was felt that this is not the Council's responsibility, and any issues should be highlighted to DCC and EDDC. It was proposed by Cllr Stewart that there should not be working group. This was seconded by Cllr Johns. All voted in favour except Cllr Faithfull who was against. It was **RESOLVED** that the Council will not form a Leat Working Group.

b) TO REVIEW AND APPROVE (IF APPROPRIATE) TERMS OF REFERENCE

Due to the above resolution this was not required.

22/02/15

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS (CONTINUED FROM EARLIER IN THE MEETING)

EDDC Cllr Johns has attended a meeting regarding the Local Plan and has had various discussions regarding the proposed sites.

EDDC Cllr Faithfull has attended Strategic Planning Meetings where proposed sites are being discussed. EDDC are currently carrying out a Code of Conduct consultation – this will be on the March agenda. EDDC are spending £10,000 to plant 70 oak trees within East Devon to commemorate the Queen's Platinum Jubilee.

Mayor's Initials.....

22/02/16

POLICE MATTERS

No report was received.

22/02/17

CONFIRMATION OF DECISIONS MADE UNDER THE SCHEME OF DELEGATION

The following decisions were made under the scheme of delegation:

- The CEO authorised urgent works to the rotting window frame at the Museum as it was presenting a security issue. The CEO has sole delegated authority
- Cllrs Stewart, Grainger and Johns approved the Western Power quote in the sum of £752.56 plus VAT for electrical works to the Museum
- Cllrs Johns, Lucas and Johns approved the sum of £306.00 plus VAT to enable staff to access Rialtas remotely.

22/02/18

FINANCIAL MATTERS:

a) **TO APPROVE THE JANUARY 2022 COUNCIL SCHEDULE OF PAYMENTS**

It was **RESOLVED** to approve the January 2022 Council Schedule of Payments in the sum of £15,617.35.

b) **TO APPROVE THE QUARTER 3 ACCOUNTS (OCTOBER – DECEMBER)**

It was **RESOLVED** to approve the Quarter 3 Accounts

c) Online meetings have been held with grant applicants to discuss their applications. The applications will be considered at the March meeting which will allow in the interim for all grant information to be circulated to councillors.

22/02/19

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

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

22/02/20

CONSIDERATION OF INSURANCE AMOUNTS IN RESPECT OF THE COUNCIL'S CONTRACTORS

It was **RESOLVED** that people carrying out small domestic jobs should have £1 million public liability and those carrying out larger jobs in public areas should have £5 million public liability. All voted in favour. *Cllr Johns and Cllr Faithfull abstained.*

22/02/21

TO CONSIDER AND FORMALLY APPROVE (IF APPROPRIATE) THE JOINT LOCAL PLAN LETTER (WEST HILL PARISH COUNCIL AND OTTERY ST MARY TOWN COUNCIL) TO BE SUBMITTED TO EDDC

It was **RESOLVED** that the joint Local Plan letter (West Hill Parish Council and Ottery St Mary Town Council) will be submitted to EDDC. It was **RESOLVED** that Ottery St Mary Town Council will work closely with West Hill Parish Council on matters relating to the Local Plan. A meeting of the Council's East Devon Local Plan Working Group will be arranged shortly.

22/02/22

Mayor's Initials.....

OTTERY COMMUNITY VOLUNTEERS – UPDATE REGARDING THEIR PROGRESS IN FINDING A PERMANENT HOME FOR THE COMMUNITY LARDER *(to be a regular agenda item)*

The Ottery Larder has moved into a new permanent home at The Old Boys School, Yonder Street. The building will also be available to the community to hire.

22/02/23

REPORT FROM THE MAYOR

The Mayor reiterated that councillors should be mindful when sending out emails (using their councillor e-mail addresses) as to content and the mentioning of individual names.

22/02/24

REPORT FROM THE CEO & DEPUTY CEO

The CEO & Deputy CEO had nothing to report.

22/02/25

CONSIDERATION OF PROPOSED 2022 TOWN COUNCIL EVENTS (IN THE LIGHT OF ON-GOING COVID CONCERNS) AND TO MAKE DECISIONS ACCORDINGLY

It was **RESOLVED** that due to the current high levels of Covid in East Devon that no dates could be set for forthcoming Council events including the Annual Parish Meeting. This will be reviewed monthly. All voted in favour.

22/02/26

TO DISCUSS CONCERNS RAISED BY PARISHIONER OF THE STREET LIGHTING PROVISION IN THE SQUARE

The lighting in the square was discussed. It was **AGREED** that the Council will ask DCC whether the LED in the lamps can be increased. It was **AGREED** that this will be passed to the Regeneration and Climate Action Committee to consider further. All voted in favour.

22/02/27

FOOTPATHS UPDATE AND DECISIONS TO BE MADE (IF APPROPRIATE) RELATING TO: -

a) FOOTPATHS 26 AND 46

A meeting is being held shortly with Ros Davies from DCC regarding FP 26 to consider drainage works which Cllr Giles considers are necessary. Cllr Giles would be present at the meeting. FP46 has been closed for some time on the east side of the River Otter. Cllr Giles felt strongly that DCC has a duty to keep the footpath open and to realign the Right of Way.

b) A REQUEST FOR THE ROUTE (FROM MILL STREET TO THE RIVER OTTER BETWEEN THE FORMER OTTERMILL SWITCHGEAR BUILDING AND THE OLD CORNMILL) TO BECOME A PUBLIC RIGHT OF WAY

It was **RESOLVED** that the Council request that the route adjacent to the new development on the former factory site be made a right of way as part of the definitive map review. All voted in favour. *Cllr Martin abstained.*

c) APPROVAL OF THE DCC FOOTPATHS EXPENSE FORM FOR 21/22

It was **RESOLVED** that the DCC Footpaths Expense Form for 21/22 was approved. All voted in favour.

Mayor`s Initials.....

22/02/28

REVIEW OF THE FOLLOWING POLICIES: MAYORAL POLICY, APPRAISAL POLICY, CCTV POLICY, GRANT POLICIES

It was **RESOLVED** that the Mayoral Policy be amended as per the revised drafting

to remove the 2018 historical reference (when the arrangements should come into effect) and that the maximum term is extended from 2 years to 4 years. It was noted that the requirement for a Mayor to be voted in at the Annual Town Council meeting would still remain. *All voted in favour except Cllr Johns who abstained and Cllrs Giles and Faithfull who were against.*

It was **RESOLVED** that the Appraisal Policy be amended as per the revised drafting which would include 360 feedback from colleagues and councillors.

It was **RESOLVED** that the CCTV Policy and both Grant Policies be amended as per the revised drafting.

22/02/29

TO APPOINT COUNCIL REPRESENTATIVE(S) ON THE HERITAGE SOCIETY

This was covered earlier in the meeting - see 22/01/06.

22/02/30

QUEEN'S PLATINUM JUBILEE WORKING GROUP – UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINANT MATTERS

EDDC are offering an 8ft oak tree to each parish. It was **RESOLVED** that the Council will accept the tree and that it will be planted in the Land of Canaan in early March. It was understood that for the Diamond Jubilee, children in the parish were presented with commemorative mugs. However it was **AGREED** that in the 21st century, trees should be planted instead. *(The Mayor and Cllr Faithfull abstained).* The Council will contact the schools in the Parish to discuss encouraging pupils to plant trees.

22/02/31

TO RECEIVE AN UPDATE REGARDING THE OTTERY TWINNING ASSOCIATION

Cllr Copus provided an update. It was **AGREED** that Cllr Copus will contact The King's School to arrange a meeting with children and their parents. It is recognised that to keep the twinning going between the communities of Ottery and Ilfeld, will require input from young people in the parish.

22/02/32

TO CONSIDER AND APPROVE (IF APPROPRIATE) AN ADDITIONAL WASTE/DOG BIN AT TIPTON ST JOHN

It was confirmed that currently there is one general rubbish bin and one dog bin in Tipton St John. The Tipton Residents Association have been asked to confirm where they feel an additional bin would be best sited.

22/02/33

TO NOTE ANY SPECIFIC CORRESPONDENCE RECEIVED

It was noted that a letter has been circulated to councillors regarding a vacancy on

Mayor's Initials.....

the Standards Committee at EDDC. Cllr Giles advised that he had applied for the position
 A letter has been circulated providing an update regarding the play area at Kings Reach.

22/02/34

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

None.

22/02/35

COUNCILLOR'S QUESTIONS ON COUNCILLORS' BUSINESS

No questions were raised.

The meeting ended at 9.40pm

SIGNATURE OF THE MAYOR	
DATE OF SIGNATURE	
DATE/VENUE OF NEXT MEETING	Monday 7 th March 2022 – Station Community Hub, Ottery St Mary

Mayor's Initials.....