



# Ottery St Mary Town Council

Minutes of the **ORDINARY MEETING OF OTTERY ST MARY TOWN COUNCIL** held on **MONDAY, 1<sup>st</sup> MARCH 2021** at **7.00pm**. The meeting was conducted virtually in accordance with Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020

**PRESENT:-**Cllr Johns (**Mayor**), Cllr Lucas (**Deputy Mayor**), Cllrs Faithfull, Green, Giles, Copus, Shaw, Stewart, Dr Martin, Grainger, and Pang, Cllr Wright\*, 5 members of the public (Martin Nancekivill, Ian Holmes, Jo Elliott, Dr Claire Sheridan and Kirby James) and Christine McIntyre CEO

\*Cllr Wright had to leave early due to attending another meeting

Jo Elliott from the Kings School together with assistance from Dr Claire Sheridan gave a very interesting presentation about the Otter Trail Cycle Path. She had in advance of the meeting provided an update (which the CEO had circulated to councillors) as to how the Otter Trail Group, Sidmouth Links Group and the Vision Group for Sidmouth had been working together to establish a multi-use trail between Feniton, Ottery St Mary, Tipton St John and Sidmouth. Funding from the Rural Development Fund for England had been sought but had been unsuccessful which had been a serious blow. They were not a registered charity as it was understood the process for registering as such was extremely difficult. They were now concentrating on getting the first section of the trail established from the Bowd to Tipton St John as they had the landowners consent. The Climate Action and Regeneration Ctees were interested in getting involved. After some discussion it was **RESOLVED** that the Council would write to DCC to reaffirm its support for the creation of a cycleway on the proposed route, stressing the great value of such a cycleway to local residents and to the local economy as a result of its use by visitors and to call upon DCC to recognise the value of the proposed cycleway, which meets sustainable transport and other objectives, and to initiate action towards delivery of the scheme – Feniton and Sidmouth councils and Cllr Claire Wright to be copied in to the communication

21/03/01

## **TO RECEIVE APOLOGIES FOR ABSENCE**

No apologies were received

21/03/02

## **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**

<b>Name of Councillor</b>	<b>Agenda Item and Interest</b>
Cllr Giles	Item 18B – the Museum – he was a trustee of the Heritage Society Item 24 – Community Grants – He has had involvement with Ottery in Bloom
Cllr Lucas	Item 23 – Community Action Fund – he is a director of Ottery Community Volunteers
Cllr Johns	Item 18D – the Cricket Club – she is married to the Chairman Item 23 – Community Action Fund – she is a director of Ottery

Mayor's Initials.....

	Community Volunteers Item 24 – Community Grants –she is a Council representative of the Thomas Axe Charity
Cllr Grainger	Item 24 – Community Grants –he is a Council representative of the Thomas Axe Charity
Cllr Stewart	Item 23 – Community Action Fund – he is a director of Ottery Community Volunteers Item 24 – Community Grants –He is on the Food and Families Ctte
Cllr Green	Item 24 – Community Grants –he was formerly a member of the Ottery St Mary Scouts Group
Cllr Dr Martin	Item 18c – The Station – she is a trustee of Ottery Station charity

21/03/03

**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 **RESOLVED** that the following items be discussed in Confidential Session:- Items 18b The Museum, due to commercial sensitivity; 18C The Station due to commercial sensitivity; 18F Allotments part to be discussed in Confidential Session due to commercial sensitivity and 18G The Cemetery due to commercial sensitivity and potential legal issues  
Item 2

21/03/04

**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

21/03/05

**TO RECEIVE THE MINUTES OF THE ORDINARY TOWN COUNCIL MEETING OF 1<sup>ST</sup> FEBRUARY 2021 (MINUTE REFS 20/02/01 – 21/02/33), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD**

The Minutes of the FULL COUNCIL MEETING of 1<sup>st</sup> February 2021 (minute refs 21/02/01 – 21/02/33 ) were presented, approved and confirmed as a correct record. They would be signed by the Mayor shortly.

21/03/06

**TO NOTE AND CONFIRM THE MINUTES OF THE PLANNING COMMITTEE MEETINGS OF 2<sup>ND</sup> FEBRUARY 2021 (P21/02/01 – P21/02/09) AND 22<sup>ND</sup> FEBRUARY 2021**

The Minutes of the Planning Ctte Meetings of 2<sup>nd</sup> February (P21/02/01 – P21/02/09) and 22<sup>nd</sup> February 2021 were noted and confirmed

21/03/07

**TO NOTE AND CONFIRM THE MINUTES OF THE CLIMATE ACTION COMMITTEE MEETING OF 11<sup>TH</sup> FEBRUARY 2021 (CA21/02/01 – CA21/02/07)**

The Minutes of the Climate Action Ctte Meeting of 11<sup>th</sup> February 2021 (CA21/02/01 – CA21/02/07) were noted and confirmed

21/03/08

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

Devon CC Cllr Wright

A report had been received from Cllr Wright and e-mailed to councillors for consideration. No comments were made.

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EDDC Cllr Faithfull

Cllr Faithfull advised the S106 monies were `in the bank`. He did not know the exact amount.

EDDC Cllr Johns

Cllr Johns advised that she had nothing to report, however she would report back information from EDDC meetings she would be attending in the next few weeks, at the April Council meeting

21/03/09

**POLICE MATTERS**

No report had been received.

21/03/10

**S106 UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS (TO BE A REGULAR AGENDA ITEM)**

Cllr Stewart was delighted to report that following submitting a FOI request to EDDC, the S106 monies had now materialised. He would check to ensure that interest on the delayed S106 payment was also paid. Plans could now proceed with equipment for Winters Lane and bridge/structures at the Land of Canaan. There had been consultation with the King's School and Ottery Primary School regarding equipment etc preference. Other projects which it was intending to progress were a Muga and a new Alfington play park. Cllr Lucas raised the issue of whether the proposed projects had been `signed off` by Full Council. Cllr Stewart advised that the Council on several occasions had actioned this. The CEO confirmed she would check and confirm. Cllr Stewart concluded it had been a positive month. He was thanked for his tenacity and hard work.

21/03/11

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

Cllr Lucas advised that a couple of informal meetings had taken place and a formal committee meeting was being arranged for mid-March to progress matters

21/03/12

**CLIMATE CHANGE UPDATE AND APPROVAL OF ANY RECOMMENDATIONS OR PERTINENT MATTERS (TO BE A REGULAR AGENDA ITEM)**

Cllr Stewart advised that a Climate Action Ctte meeting had recently taken place and the attendees had been split into four groups – transport; Food; Land Use and Energy. The transport group had already met and had made recommendations and the three other groups would meet shortly.

21/03/13

**APPROVAL OF TERMS OF REFERENCE FOR QUEEN'S PLATINUM WORKING GROUP**

It was **RESOLVED** to approve the Terms of Reference subject to providing for additional persons (including councillors) to become members of the Group and the Group having an initial budget of up to £3,000

21/03/14

**UPDATE ON CHRISTMAS LIGHTS AND APPROVAL OF ANY RECOMMENDATIONS RELATING THERETO**

The Mayor advised that a leaflet drop would be taking place to see which businesses wished to participate in the 2021 Christmas lighting scheme. Costings would be acquired in due course.

Mayor's Initials.....

21/03/15

**CONSIDERATION AND APPROVAL (IF APPROPRIATE) OF THE FOLLOWING REVISED COUNCIL POLICIES:-**

- A. FINANCE –DUE DILIGENCE**
- B. FINANCE RISK MANAGEMENT**
- C. FINANCE – EXPENSES**
- D. FINANCE DEBIT/CREDIT CARD**
- E. COMMUNITY ENGAGEMENT**
- F. RECORDING OF MEETINGS**

It was **RESOLVED** to approve all the amended Policies as drafted. Cllr Dr Martin suggested with regards to the Community Engagement Policy that the Mayor should have her own Facebook page. However although the Mayor considered this to be a good idea she thought it unnecessary in view of the Town Council already having its own Facebook page

21/03/16

**TO AGREE A DATE FOR THE ANNUAL PARISH MEETING**

There was much discussion. It was **RESOLVED** that the Annual Parish Meeting be delayed until September, when it was hoped that a physical meeting could take place subject to it being safe to do so and that it was legally compliant to hold the meeting in September (normally this meeting has to take place between 1st March and 1<sup>st</sup> June)

21/03/17

**DELEGATED CONSENT – TO CONFIRM AN URGENT DECISION TAKEN UNDER THE SCHEME OF DELEGATION AS ACTIONED BY THE CEO, MAYOR DEPUTY MAYOR RE TERMS OF REFERENCE FOR WORKING GROUP RE TIPTON SCHOOL**

It was noted that the Terms of Reference for the Tipton St John School Working Group had been approved by the Mayor, Deputy Mayor and CEO under the Council's Scheme of Delegation

21/03/18

**SKATEPARK**

It was **RESOLVED** that the Council would pay the following amounts towards the Skatepark's costs:- 2019/20 £525.24 and 2020/21 £2500. The Council wished to record its dissatisfaction that it had over the years incurred expenses which did not come under the heading of 'maintenance'. It was agreed that an item be included on the April agenda to determine the Council's financial liability for the skate park once and for all, which could then be embodied in a new agreement. The Council's lawyer had requested of DCC that consideration be given to a new lease being drafted between DCC and the Station or alternatively DCC transferring the land to the Station for nominal consideration, which would then result in the Council not being a party to any legal document. The CEO was waiting to hear from the Council's solicitor, as to DCC's response.

21/03/19

**MUSEUM**

Currently the CEO was waiting to hear from the Trustees as to the Council's request to their relinquishing their leases; entering into a licence for the premises and an Agreement for Lease etc) The 'Permissions' (list of proposed works) which had been approved and signed off at the November Meeting 2020 had since been revised. However the revisions would have no cost implications. The revisions had been e-mailed to all councillors. It was **RESOLVED** to approve the revised 'Permissions'. The remainder of this item would be discussed in Confidential Session

Mayor's Initials.....

21/03/20

**THE STATION**

This item would be discussed in Confidential Session

21/03/21

**THE CRICKET CLUB**

The CEO advised that all documentation re the proposed lease (Heads of Terms etc had been sent to the Club on 4<sup>th</sup> January. The Club had not been meeting, hence this was the reason for a lack of response

21/03/22

**CAR PARKING SPACES AT VICTORIA TERRACE**

The Council's solicitor had been in contact with the CEO with regards to the Transferor's requirements. It was **RESOLVED** that as there was no obligation in the S106 agreement for the Council to provide parking bollards, that the Transferor provide them at his own cost, if he was now requiring them. It was also **RESOLVED** that the solicitor's stance (that as the Council only benefitted from the estate road and should have no further financial responsibilities) be maintained

21/32/23

**ALLOTMENTS**

The new Chairman of the Allotments Management Cttee had submitted a number of requests. There was much discussion. It was subsequently **RESOLVED** to carry out the following:-

- a. Not to pay the costs of skip hire for the removal of items from the allotments as it was considered too expensive
- b. To extend the car parking area at the end of Plot 2 to provide better access/egress on the tight corner (hardcore/skelplings base and gravel required). A budget not exceeding £250 was agreed. Cllr Grainger would source quotes
- c. Not to pay for the weeds to be treated in the common areas. Chemical treatments would not be allowed in any event. Strimming was suggested.

The CEO had advised that an issue had arisen with a plot holder, starting to erect a shed on his plot made out of pallets. This had caused concern to the Management Cttee, a number of allotment holders and the Council, as it was clearly in breach of the Allotment Rules and Regulations. The CEO was also concerned with regards to potential insurance issues. The allotment holder had been contacted in writing to remove the structure. She advised that the Chairman had asked if a shed on Plot 57 could be made over to a meeting/gathering area. However the CEO advised that in the first instance ownership of the plot and the shed needed to be established. She also advised that the allotment agreements needed to be revised and amended and that was something that was now being considered. The remainder of this item was discussed in Confidential Session

21/03/24

**THE CEMETERY**

This item would be discussed in Confidential Session

21/03/25

**THE BOWLING CLUB**

The CEO reported that there was a minor water leak at the site. The Club wished to ascertain responsibility for the repair and had asked for a site inspection but the CEO has advised that until the Covid restrictions were lifted this was not possible. Cllr Stewart advised that the Property and Land Cttee would also like to set up a meeting with the Club to introduce themselves and to discuss various issues

Mayor's Initials.....

21/03/26

**PORTACABINS**

Currently the Council was awaiting the decision of EDDC re the Council’s planning application . It appeared that the portacabins had not been firmly secured (the previous 2016 planning application supporting documents, advised that this would be carried out). However until the Council had obtained planning permission for the portacabins to remain, then the matter could not be considered further at this stage

21/03/27

**CONSIDERATION OF A TREE WARDEN FOR THE PARISH**

Will Jones, Engagement and Participation Officer from Wild East Devon had provided information regarding the need for a volunteer Tree Warden for the Parish which information had been e-mailed to all councillors. It was **RESOLVED** that the position be advertised on Social Media and in the Gazette.

21/03/28

**COMMUNITY CLEAN-UP**

Cllr Stewart advised that this was a volunteer activity and he would come back to the Council if required

21/03/29

**CONSIDERATION OF RESPONSES RECEIVED FROM THE LOCAL PLAN WORKING GROUP RE NEW LOCAL PLAN (TO REPLACE THE CURRENT LOCAL PLAN 2013-2031) AND TO APPROVE THE SAME FOR SUBMISSION TO EDDC**

It was **RESOLVED** that the responses drafted by the Local Plan Working Group (as attached to these Minutes) be approved and submitted to EDDC with a copy to West Hill PC

21/03/30

**APPROVAL OF TERMS OF REFERENCE OF THE LOCAL PLAN WORKING GROUP**

It was **RESOLVED** to approve the Terms of Reference of the Local Plan Working Group including EDDC Cllr Geoff Pratt becoming included as a member of the Group and that Cllr Giles chaired the meetings

21/03/31

**EMERGENCY PLAN – CONSIDERATION OF TIPTON ST JOHN LOCAL GROUP FORMULATING THEIR OWN EMERGENCY PLAN**

There was much discussion. It was **RESOLVED** that the Tipton St John Working Group should have its first formal meeting and the Council to do a lot more information gathering before the Council was in a position to make a decision.. *Cllr Giles voted against the proposal but it was carried by a majority vote*

21/03/32

**CONSIDERATION AND APPROVAL (IF APPROPRIATE) OF REQUESTS FROM OTTERY PRIMARY SCHOOL AND OTTERY COMMUNITY VOLUNTEERS FOR FUNDING FROM THE COMMUNITY ACTION FUND**

It was **RESOLVED** to award The Ottery Primary School PTA £1500 and the Community Volunteers £ 988.23. from the Community Action Fund which would leave a balance in the fund of £491.06. *The Mayor, Cllrs Stewart and Lucas did not participate in the discussion or vote in respect of the request from the Community Action Fund. Cllr Stewart answered questions in respect of the application*

21/03/33

**TO APPROVE THE PAYMENT OF ANNUAL COMMUNITY GRANTS**

It was **RESOLVED** to pay the following annual grants

Men’s Shed Ottery	£1,000.00
OSM Joint Scout & Guide Committee (Pixie Day) <i>Cllr Green took no part in the vote</i>	£500.00

Mayor’s Initials.....

Ottery In Bloom <i>Cllr Giles took no part in the vote</i>	£700.00
Ottery St Mary Food & Families Festival <i>Cllr Stewart took no part in the vote. Cllr Faithfull abstained from voting</i>	£750.00
Ottery St Mary Scouts <i>Cllr Faithfull abstained from voting</i>	£4,000.00
Tale Valley Trust	£200.00
Tipton Times	£468.00

**TOTAL £7618**

Other Matters relating to the annual grants

The Ottery Help Scheme - The Scheme had submitted a revised scheme which had yet to be considered.

The Thomas Axe Charity -. It was understood that Cllr Stewart had been unable to make any contact with the organisation *The Mayor and Cllr Grainger took no part in the discussion as they are both Council representatives on the Charity*

Ottery St Mary Later Life Forum – The Forum had not submitted any project details

The Institute – The application had been referred to the Community Action fund and a grant agreed

21/03/34

**CONSIDERATION OF REQUEST FOR ADDITIONAL OFFICE FURNITURE IT AND TELEPHONE EQUIPMENT**

A report had been circulated as to the CEO`s office IT/telephone requirements. A budget of £5,000 had been set aside some time ago. Part of the fund had been spent on carpets and decorating and IT equipment. However she believed that the remaining expenditure would not exceed the budget. It was **RESOLVED** that she progressed her office requirements with the assistance of Cllrs Stewart and Lucas who would liaise with Al Findlay, the Council`s IT specialist

21/03/35

**TO APPROVE THE FEBRUARY 2021 COUNCIL SCHEDULE OF PAYMENTS**

These had been e-mailed to all councillors. It was **RESOLVED** to approve the February 2021 Council Schedule of Payments in the sum of £12,033.75

21/03/36

**TO APPROVE NEW MEMBERS OF STAFF JOINING THE SOCIETY OF LOCAL COUNCIL CLERKS AND THE COUNCIL PAYING THE MEMBERSHIP FEES**

It was **RESOLVED** to pay the annual subscription fees not exceeding £400

21/03/37

**REPORT FROM THE MAYOR**

The Mayor had nothing report

21/03/38

**REPORT FROM THE CEO**

The CEO had nothing to report

21/03/39

**TO NOTE ANY SPECIFIC CORRESPONDENCE RECEIVED**

1. Empty Homes Week info from EDDC
2. Letter of thanks for Community Action Grant from the Kings School
3. A request to site a burger van on Council owned land had been submitted to the Mayor who had advised that due to local trading conditions and insurance implications it could not be permitted. The decision of the Mayor was endorsed by the Council.

Mayor`s Initials.....

21/03/40

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

There were none other than those that had already been disclosed at the meeting

21/03/41

**COUNCILLORS QUESTIONS ON COUNCILLORS BUSINESS**

Cllr Stewart asked the CEO to chase up the Road Warden Scheme

**CONFIDENTIAL SESSION**

*Cllr Pang left the meeting at this point and gave her apologies and was not present for any part of the Confidential Session*

21/03/42

**THE ALLOTMENTS**

Richard Gomm had provided quotes for the making of new tool boxes for a small number of allotment holders who did not have a box on their plots. However after much discussion it was **RESOLVED** not to accept Richard's quote as there was no obligation for the Council to provide tool boxes to allotment holders (Redrow had provided boxes as a gesture of goodwill) and if so required, then allotment holders should provide their own. It was however **RESOLVED** to accept Mr Gomm's quote to produce a two shelf unit to be placed near the notice board which would be used for allotment holders to place surplus produce for people to help themselves. Cllr Stewart advised that the Community Larder would welcome any surplus produce

21/03/43

**THE STATION**

The terms for a proposed lease between the Council and the Ottery Station trustees had been the subject of discussion for a number of years. However agreement could not be reached with the trustees despite repeated attempts and there was an impasse. It was concluded that enough time had been spent on this matter and it was unlikely that any further negotiations would resolve matters. A report regarding proposals for the Station building had been e-mailed to all councillors with various suggestions as to the way forward. Taking into account the present situation and the suggestions contained in the report, it was **RESOLVED** that the Council serve notice on Ottery Station trustees, effectively terminating the Council's permission (Tenancy at Will) that authorised their occupancy of the premises. This would allow for the Council to take back control of the premises and to explore developing community services to benefit as many sectors of the community as possible. It would also be necessary for a Working Group to be set up to take forward the plans for the Station as a community building

*Cllr Faithfull abstained from voting. Cllr Dr Martin did not vote*

21/03/44

**THE CEMETERY**

After much discussion it was **RESOLVED** to take no further action regarding the land issue (boundary between the Cemetery and Abbott Close) in view of the potential costs to the Council if it was to progress the matter further. *The Mayor, Cllrs Green and Cllr Dr Martin abstained from voting*

21/03/45

**THE MUSEUM**

One of the trustees had resigned with immediate effect. It was **RESOLVED** that the CEO arrange for flowers to be sent to him and his wife in recognition of his work on progressing

Mayor's Initials.....



the Museum project. It was suggested that a Project Manager may be required to progress the project to its conclusion and it was agreed that this be an item for the April agenda  
*Cllr Giles was not present when this item was discussed*

**The meeting ended at 10.30pm**

<b>SIGNATURE OF MAYOR</b>	
<b>DATE OF SIGNATURE</b>	
<b>DATE/VENUE OF NEXT MEETING</b>	Tuesday 6 <sup>th</sup> April 2021 by Zoom or in the Council Offices if public meetings are resumed

DRAFT

Mayor's Initials.....