



Ottery St Mary Town Council

Minutes of the **ORDINARY MEETING OF OTTERY ST MARY TOWN COUNCIL** held on **MONDAY, 11TH JANUARY 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 Dr Martin, Faithfull, Green, Giles, Copus, Shaw, Stewart, Grainger, and Pang, 1 member of the public (Martin Nancekivill) and Christine McIntyre CEO

21/01/01

TO RECEIVE APOLOGIES FOR ABSENCE

County Councillor Claire Wright. Cllr Dr Martin, due to IT issues would be joining the meeting later

21/01/02

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	Item 19d – the Museum – Cllr Giles is a trustee of the Heritage Society
Cllr Faithfull	Item 14 - Planning Application – Cllr Faithfull is known to the applicant
Cllr Stewart	Item 8 – Recommendations re room hire charges – Cllr Stewart is a director of Ottery Community Volunteers who use a room in the Council Offices
Cllr Dr Martin	Item 19a - Report on the Station Meeting – Cllr Dr Martin is a trustee of the Station Charity Item 14 - Planning Application – Cllr Dr Martin is a neighbour of the applicant
Cllr Johns	Item 8 – Recommendations re room hire charges – The Mayor is a director of Ottery Community Volunteers who use a room in the Council Offices
Cllr Grainger	Item 19b – the allotments – Cllr Grainger is an allotment holder and the Council representative

21/01/03

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

It was **RESOLVED** that the following items be discussed in Confidential Session:-
Item 15 (Tenders), Item 16 (Grounds Maintenance Contract with DCC) Item 19C Request for rent reduction by Petanque Club – all due to commercial sensitivity and Item 17 Personal Injury Claim due to potential legal issues

Mayor's Initials.....

21/01/04

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

There were no questions raised. It was agreed that Mr Nancekivill be permitted to speak later in the meeting when his planning application would be considered

21/01/05

TO RECEIVE THE MINUTES OF THE ORDINARY TOWN COUNCIL MEETING OF 7TH DECEMBER 2020 (MINUTE REFS 20/12/01 – 20/12/30), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the FULL COUNCIL MEETING of 7th December 2020 (minute refs 20/12/01 – 20/12/30) were approved subject to the following amendment:-

Minute 20/12/29 – Councillors Questions

To replace `Cllr` preceding `Nancekivill`, with `Mr`

21/01/06

TO NOTE AND CONFIRM THE MINUTES OF THE PLANNING COMMITTEE MEETINGS OF 14TH DECEMBER 2020 (P20/12/01 – P20/12/09) AND 5TH JANUARY 2021

The Minutes of the PLANNING COMMITTEE MEETING of 14th December 2020 (MINUTE REFS P20/12/01 – P20/12/09) and the 5th January 2010 (MINUTE REFS P21/01/01 – P21/01/08) were noted and confirmed

21/01/07

TO NOTE AND CONFIRM THE MINUTES OF THE FINANCE COMMITTEE MEETING OF 15TH DECEMBER 2020 (F20/12/01 – FG20/12/21)

The Minutes of the FINANCE COMMITTEE MEETING of 15th December 2020 (MINUTE REFS F20/12/01 – F20/12/21) were noted and confirmed

21/01/08

TO APPROVE THE RECOMMENDATIONS OF THE FINANCE COMMITTEE MEETING OF 15TH DECEMBER 2020 NOT CONSIDERED ELSEWHERE ON THE AGENDA

It was **RESOLVED** to approve the following recommendations:-

21/01/09

UPDATE AND RECOMMENDATIONS RE THE ANNUAL GRANTS TO BE AWARDED

It was **RESOLVED** that the same process as last year be adopted (a number of councillors would meet with the applicants in the New Year to determine which applicants should be awarded grants). Cllr Stewart would welcome additional councillors becoming involved with the grants process and requested they contact him accordingly

21/01/10

CONSIDERATION OF PROPOSED POLICY (RULES AND REGULATIONS) FOR THE COUNCIL'S LARGE ORGANISATION GRANT SCHEME

It was **RESOLVED** to accept the Proposed Policy

21/01/11

CONSIDERATION OF FINANCIAL REQUIREMENTS OF COMMITTEE CHAIRS

It was understood that the following requests had been made:- £50,000 for Regeneration and £5,000 (Consultancy Fees) for the Policies and Compliance Working Group* It was **RESOLVED** that these two sums be approved. Cllr Pang abstained from voting as she had concerns regarding the amount proposed for Regeneration

21/01/12

TO RECOMMEND APPROVAL OF THE REVISED ACCOUNTANCY FEES FOR 2021/22

It was **RESOLVED** that Otter Accountants remain as the Council's accountants with no increase in fees, subject to a potential small increase for payroll fees applying

Mayor's Initials.....

21/01/13

TO CONSIDER STEPHENS SCOWN REMAINING AS THE COUNCIL'S LEGAL ADVISORS

It was **RESOLVED** that Stephens Scown remain as the Council's legal services providers with no increase in fees

21/01/14

TO CONSIDER RECOMMENDING APPROVAL OF: A REVIEW OF THE EFFECTIVENESS OF INTERNAL AUDIT, STATEMENT OF INTERNAL CONTROL, INVESTMENT STRATEGY AND INTERNAL AUDIT PLAN FOR THE 2020/21 AUDIT

It was **RESOLVED** that the documents (other than the Investment Strategy document which had been approved at an earlier Council meeting) be approved as drafted

21/01/15

TO CONSIDER AND MAKE RECOMMENDATIONS RE ROOM HIRE CHARGES FOR THE COUNCIL MEETING ROOM/CHAMBER

It was **RESOLVED** that there should be no increase for room hire charges (currently the Council Chamber was the only available room for hire, as the meeting room was being utilised by Ottery Community Volunteers) and consideration be given at some point as to the best means of generating an income stream for the accommodation within the building. **The Mayor and Cllr Stewart did not vote due to their declared interests**

21/01/16

TO CONSIDER AND MAKE RECOMMENDATIONS RE TENANTS RENTALS

It was **RESOLVED** that there should be no increase

21/01/17

TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING MEMBERS ALLOWANCES 2021-22

It was **RESOLVED** that the CEO seek advice as to the current allowances scheme, with a view to it being revised/replaced to include co-opted councillors (currently allowances could only be paid to elected councillors and not to those co-opted onto the Council) and that the allowance amount paid to each councillor should reflect their involvement with the Council through out the year. It was **RESOLVED** that the current Scheme be retained for the interim

The CEO advised that she had already followed this matter up and had been advised by DALC that the only lawful scheme re councillors allowances was the scheme referred to in the Local Authorities (Members Allowances) Regs 2003. There was no provision for any 'stand alone' scheme. Therefore co-opted members would be unable to receive the allowance and eligible councillors would receive a set amount, if they opted to receive it. It was further **RESOLVED** that the CEO request DALC to take appropriate action to progress an improved and fairer scheme, as the Council considered the present scheme to be unfair and discriminatory.

21/01/18

TO CONSIDER STAFF SALARIES 2021/22 AND TO MAKE RECOMMENDATIONS

It was noted and **RESOLVED** that the salaries be increased in line with employees contract terms and the NALC annual pay awards

21/01/19

TO NOTE AND CONFIRM THE CURRENT RENT FREEZE RE ALLOTMENTS RENTALS

It was **RESOLVED** that the rentals remain frozen up to 25/26 with allotments costing 0.35p a metre. It was also **RESOLVED** that Caren Flicker be thanked for all her work as Chair on the Allotment Management Cttee and be wished a speedy recovery. The CEO confirmed that

Mayor's Initials.....

flowers had already been sent to Caren on behalf of the Council. Cllr Grainger did not vote due to his declared interest.

21/01/20

TO CONSIDER AN INCREASE IN CEMETERY FEES AND OTHER ASSOCIATED CEMETERY COSTS AND MAKE RECOMMENDATIONS

It was **RESOLVED** that there should be a 3% increase

21/01/21

TO CONSIDER AND MAKE RECOMMENDATIONS REGARDING THE EARMARKED RESERVES AND THE COUNCIL'S CURRENT POLICY DOCUMENT RELATING THERETO

It was **RESOLVED** that the Policy remain un-amended

21/01/22

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

County Councillor Clare Wright

Cllr Wright had submitted a report which had been e-mailed to all councillors, (annexed to these Minutes)

Councillor Johns

Cllr Johns spoke about the refusal of the planning application in respect of the relocation of Tipton Primary School and the erection of 150 dwellings. Mention was made by Cllr Giles of his dismay and concern as to the apparent disregard shown to the West Hill and Ottery St Mary Neighbourhood Plan, when the application was being considered, which was a document created over several months, involving much hard work and dedication by Jo Talbot; Martin Thurgood and Glyn Dobson. He considered the document was integral to the planning process

Cllr Faithfull

At Cllr Faithfull's request, it was agreed to include Tipton School as an item on the February agenda

21/01/23

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

Cllr Stewart reported that a consultation exercise had been carried out by EDDC with the local primary school and believed the tendering process, for the provision of play equipment at Winter's Lane, should now be underway. It was agreed that Jamie Buckley at EDDC be contacted for a progress report.

21/01/24

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

The Deputy Mayor was intending to hold an informal meeting in the next few weeks, with a formal meeting being arranged for mid February

21/01/25

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

Cllr Stewart was keen to set up a meeting as soon as possible, with councillors, parishioners and any other interested parties to consider pertinent issues ie tree planting; electricity car charging points; cycle paths etc.

Mayor's Initials.....

21/01/26

CHRISTMAS LIGHTS - UPDATE ON CHRISTMAS LIGHTS AND ANY COSTINGS TO CONSIDER/APPROVE

The Mayor had received much positive response regarding the Christmas lights. Many parishioners had commented on their preference for the new 'traditional look of the lights'. However one resident had advised that he did not wish to have the lights outside his property in future, which was an issue which would have to be worked around. The Mayor advised that at the request of a number of business owners and other individuals, the lighting scheme would be extended to include other areas of the town. It would be a matter of building on from the previous year's scheme. The Mayor had no costings to submit at this stage but confirmed that a meeting would be taking place in March to progress the matter.

21/01/27

CONSIDERATION OF PLANNING APPLICATION APP NO 20/2858/AGR – ERECTION OF STEEL FRAMED AGRICULTURAL SHED – APPLICANT - MR M NANCEKIVELL

Mr Nancekivell provided background information to his application and answered questions raised by a number of councillors. After some discussion, in which the issue of flooding was raised, it was **RESOLVED** to support the application subject to approval from the Environment Agency. *Cllr Faithfull voted against the application and Cllr Martin did not vote in view of her declared interest*

21/01/28

CONSIDERATION OF TENDERS RECEIVED FOR GROUNDS MAINTENANCE WORKS AND MEMORIAL INSPECTIONS

The matter would be discussed in Confidential Session

21/01/29

CONSIDERATION OF THE COUNCIL ENTERING INTO A CONTRACT WITH DEVON COUNTY COUNCIL FOR GROUNDS MAINTENANCE WORKS WITH POTENTIAL SUBCONTRACT ARRANGEMENT

The matter would be discussed in Confidential Session

21/01/30

PERSONAL INJURY CLAIM UPDATE

The matter would be discussed in Confidential Session

21/01/31

STREET LIGHTING

Cllr Copus reported that there was to be a large roll-over of light emitting diode ('LED') lighting in the County. The colour of the latest lights being installed were an improvement on previous versions (more whiter in colour than lights used in domestic premises).. However a complaint had been raised as to the new lamp stand opposite Little Close in Winter's lane, whereby the light was 'too bright'. In addition the light was being switched off at 9.15pm and not 12.30am. It was agreed that the CEO contact DCC and request a 'softer' light and the light to be turned off in line with all other lights in the vicinity. In addition, as the new lights were being placed in situ, around the Parish, that councillors kept an eye on the new installations, to ensure that they were satisfactory.

PROPERTY MATTERS

21/01/32

THE STATION

REPORT ON STATION MEETING OF 17TH DECEMBER BY CLLR DR SARAH MARTIN

Cllr Dr Martin, a Trustee at the Station had provided a copy of the Minutes of the Station's last meeting to all councillors. It was understood that Mac Dick was resigning at the end of the month 'due to personal reasons'. No other questions were raised.

Mayor's Initials.....

21/01/33

UPDATE ON PORTA CABINS AND CONSIDERATION OF REQUESTS BY ORGANISATIONS TO OCCUPY VACATED PORTA CABINS

The CEO and Cllr Faithfull provided background information as to the porta cabins (originally owned by DCC and sited at St Saviours (now Dodds Undertakers) and transferred to the Council and re-sited to the Station site in 2016, with the intention that they be used whilst works were being undertaken at the Station). Both portacabins had not been used for the original purpose and instead had been rented out to tenants for several years. However both tenants had now vacated the porta cabins and the Council had had the locks changed. Legal proceedings were being taken against the tenant who had left owing rent arrears. The planning consent for both porta cabins would run out in July 2021. Interest in both porta cabins had been shown by four local organisations. After much discussion it was **RESOLVED** to submit a planning application to EDDC with the intention of hiring out the porta cabins to local organisations. The CEO advised that if it was necessary to sell the portacabins, there was no clawback of any part of the sale proceeds applicable. Cllr Giles abstained from voting

21/01/34

REQUEST FOR INSTALLATION OF BATTERY CONDITIONING UNIT/OUTSIDE SOCKET BY THE HELP SCHEME

The Help Scheme had approached the Council to request the installation of an outside socket at the rear of the Station to plug in their minibus (as they were unable to do this at the hospital where the bus was normally parked). The CEO raised the issues of potential electricity costs; the recharging of costs to the Help Scheme by the Station, compliancy with H&S regulations, questioning whether the electrical circuits would support the load that the socket may add etc. However Cllr Grainger was of the view that the electricity costs would be negligible and the other concerns of the CEO were not relevant to this issue.. After much discussion it was **RESOLVED** to allow a socket to be installed and that the CEO inform both the Help Scheme and the Station charity

21/01/35

ALLOTMENTS - UPDATE ON SPATE OF VANDALISM

Vandalism had been reported on the allotment with one shed having a smashed window and broken door. The CEO had asked her assistant Jane Bushby to send a round robin e-mail to all allotment holders asking that any vandalism be reported to the police direct, by contacting 101 or completing an on-line form so that a crime number could be issued. The CEO also advised that the Council's standard allotment agreement, clearly stated that the Council could not be held responsible for any damage/theft etc to structures on the allotments (including sheds). The CEO had also asked Jane to report the matter to PCSO Jon Sims. Allotment holders had been advised to contact Cllr Grainger (the Council's representative on the allotments) if any further issues arose. Cllr Stewart advised that the Minutes from the last Local Action Group (LAG) meeting, showed that the police were operating drug patrols along Ridgeway

21/01/36

THE PETANQUE CLUB – REQUEST FOR RENT REDUCTION

The matter would be discussed in Confidential Session

21/01/37

THE MUSEUM – CONSIDERATION OF RECOMMENDATIONS MADE AT THE WORKING GROUP MEETING HELD IN DECEMBER

A note of the Museum Working Group Meeting attended by Cllr Grainger and the Deputy Mayor together with Dr Michael Patrick and Quentin Beddall had been received from Cllr Grainger today and circulated to all councillors. Cllr Grainger confirmed that all the works outlined in the notes had previously been agreed to, in the `Permissions` which had been

Mayor's Initials.....

signed off at the November Council Full Council Meeting and that there were no works in addition to those contained in the `Permissions` which had been discussed/agreed at the Working Group Meeting. Cllr Grainger also referred to the previous concerns of potential costs of repairs to the roof and the asbestos in the switchgear cupboard which concerns had now been negated. The CEO advised that all works to be carried out to the Museum would need to be in the name of the Council and invoiced in the name of the Council. Concern had been expressed by the Heritage Society as to the store room which was held on licence by EDDC and which had no provision for fire detection despite housing heating, ventilation and air conditioning (`HVAC`) controls and possibly flammable materials. Cllr Grainger would contact EDDC to ensure that any flammable materials that EDDC may be storing, were secured in a fire proof cabinet and were in accordance with all H&S legislation

21/01/38

WORKING GROUP MEETINGS - TO ARRANGE DATES/TIMES FOR ZOOM MEETINGS RE THE STATION AND THE SKATE PARK

It was agreed that Working Group meetings be arranged as follows:-

Station Working Group Meeting

Wednesday 20th January 2021 at 10.30am to be attended by the Deputy Mayor and Cllr Grainger (and the CEO if available)

Skate Park Working Group Meeting

Thursday 28th January 2021 at 6.30pm to be attended by the Deputy Mayor and Cllr Grainger (and the CEO if available)

The CEO advised that a recent communication from John Campion indicated that the Trust was working hard to deal with the numerous issues raised in the Safety Consultant's report. It was also noted that there were some alcohol related problems at the skate park as disclosed by the LAG report

21/01/39

TO APPROVE EXPENDITURE FOR ALL EMPLOYEES TO PARTICIPATE IN ZOOM CEMETERY TRAINING COURSES

It was **RESOLVED** to approve the expenditure

FINANCIAL MATTERS

21/01/40

TO APPROVE THE DECEMBER 2020 COUNCIL SCHEDULE OF PAYMENTS

These had been e-mailed to all councillors. It was **RESOLVED** to approve the December 2020 Council Schedule of Payments in the sum of £8455.96

21/01/41

TO APPROVE THE QUARTERLY ACCOUNTS

Cllr Stewart advised that the accounts up to the end of December were in the process of being completed by the accountant and therefore the approval of the quarterly accounts would need to be deferred until next month's meeting

21/01/42

TO CONSIDER AND APPROVE THE COUNCIL'S BUDGET AND THE PROPOSED PRECEPT FOR 2021-2022

At the Finance Cttee Meeting of 15th December it was recommended that the draft budget be approved and the precept remain as at the same figure for last year - £156,000. Cllr Stewart advised that the Council's budget was very low in comparison to other smaller councils who were spending considerably more. He indicated that the Council had adopted a stringent and prudent approach to its financial management and to this end had a year's worth of budget in the bank. It was **RESOLVED** that the proposed precept figure of £156,000 be approved.

Cllr Shaw did not vote as she had had internet problems and had `dropped out` of the discussion

Mayor's Initials.....

21/01/43

REPORT FROM THE MAYOR

The Mayor wished to thank everyone for all their support, help and simply pulling together in these difficult times. Covid had united the community.

21/01/44

REPORT FROM THE CEO

The CEO advised of:-

1. the need for members to submit apologies to either herself or Jane in advance of meetings (emergencies accepted) as this would indicate whether or not a meeting was going to be quorate. If it was likely to be inquorate then it should allow time for them to try and either cancel the meeting or rally up other councillors to attend
2. confirmation from the Heritage Society that the unincorporated charity (no 10870860) registered with the Charity Commission had now been removed from the register. Only the incorporated charity should now show on the register
3. not yet having heard from Jo Elliott (Kings School) as to whether she wished to attend a future meeting to talk about cycleways. She would chase her up
4. Dacks being able to start the roofing works at the station in April
5. a water pipe leak at Strawberry Lane (the water pipe served the Bowling Club and the Petanque Club). She had provided the relevant parties with copies of the legal documents relating to the water pipe and the responsibilities for it. It was unlikely due to covid that a site meeting could be arranged at the moment.
6. a survey having been carried out of the proposed site for lease to the Cricket Club (re the General Consent) at Strawberry Lane; following which she had now sent the Cricket Club, Heads of Terms and a plan for a lease with the Council. The CEO was waiting to hear back from the Club
7. the replacement Vehicle Activated Sign ('VAS') having now been erected at Tip Hill
8. the new Ottery St Mary place name sign having been re-sited near Gerway Close (following complaints from parishioners as to its original siting)

21/01/45

TO NOTE ANY SPECIFIC CORRESPONDENCE RECEIVED

There was none

21/01/46

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

All reports received were noted

21/01/47

COUNCILLORS QUESTIONS ON COUNCILLORS BUSINESS

1. Cllr Green advised that a Tipton parishioner had raised the issue of the provision of dog bins. Cllr Green was advised to refer the parishioner to EDDC
2. Cllr Giles requested that a letter be sent to DCC for the re-opening of Footpath 46 in view of the re-alignment of the river becoming permanent. Cllr Giles offered to draft the letter to be sent to DCC via the CEO. Cllr Copus also offered his assistance in the matter.

Mayor's Initials.....

CONFIDENTIAL SESSION

21/01/48

CONSIDERATION OF TENDERS RECEIVED FOR GROUNDS MAINTENANCE WORKS AND MEMORIAL INSPECTIONS

It was **RESOLVED** that the grounds maintenance contract be awarded to Idverde and the cemetery maintenance contract be awarded to Shaun Davey. No tenders had been received in respect of the memorial inspections

21/01/49

CONSIDERATION OF THE COUNCIL ENTERING INTO A CONTRACT WITH DEVON COUNTY COUNCIL FOR GROUNDS MAINTENANCE WORKS WITH POTENTIAL SUBCONTRACT ARRANGEMENT

It was **RESOLVED** that the Council enter into a contract with DCC and then sub-contract the works out to Idverde (as had been the case in previous years) subject to the Council not being out of pocket by entering into a contract and sub-contract

21/01/50

PERSONAL INJURY CLAIM UPDATE

The CEO, at the request of the Council's insurers, had recently submitted a statement advising of her knowledge of the incident and the condition of the manhole cover etc

21/01/51

THE PETANQUE CLUB – REQUEST FOR RENT REDUCTION

The Club had requested a small reduction in the amount of rental it was required to pay, as it had not been able to use the facilities for part of last year due to Covid, (despite continuing to maintain the site on behalf of the Council). It was **RESOLVED** that the rental reduction to the amount as requested by the Club, be approved

The meeting ended at 9.45pm

SIGNATURE OF MAYOR	
DATE OF SIGNATURE	
DATE/VENUE OF NEXT MEETING	Monday 1 st February 2021 by Zoom or in the Council Offices if public meetings are resumed

Mayor's Initials.....

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Mayor's Initials.....

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