

**MINUTES OF THE EXTRAORDINARY MEETING OF THE OTTERY ST MARY TOWN COUNCIL  
HELD ON WEDNESDAY 16 OCTOBER 2019 AT 7.00PM THE COUNCIL CHAMBER, THE OLD  
CONVENT, 8 BROAD STREET, OTTERY ST MARY**

**PRESENT:-** Mayor **Councillor Giles** (Town Ward)  
Deputy Mayor **Councillor Pratt** (Tipton St John Ward)  
Councillors **Copus, Dobson, Lucas, Stewart & Faithfull**  
(Town Ward) **Harding** (Tipton St John Ward), **Johns**  
& **Grainger** (North Ward) **Claire Wright** (Devon County  
Councillor)

**OTHER PERSONS PRESENT:-**

**Colin Butler:** HT Executive Head of the Otter Valley  
Federation which is Feniton & Tipton St John  
Primary Schools  
**John Sherwood** One of the governors of the Otter  
Valley federation  
**Richard Power** Diocesan representative  
**Pam Whitrow** - Norfolk Property Services Ltd (NPS)  
consultant  
**Simon Niles** Devon County Council (DCC) involved  
from school planning point of view  
**John Williams** works in DCC property & estates -  
involved in this project for 18 months  
**Christina Davey** - Works with Simon Niles in school  
planning  
**Sue Ginman** (minute taker - Executive Officer)  
About 26 members of the public

**PRAYER**

Councillor Johns read the Council Prayer. It was agreed to express condolences to the family of the young child who died on Tuesday 15 October 2019 in Sidmouth.

19/10/01

**TO RECEIVE APOLOGIES FOR ABSENCE**

Cllr Pang

19/10/02

**DECLARATIONS OF INTEREST FOR ITEMS ON THE AGENDA AND RECEIPT OF REQUESTS  
FOR NEW DISCLOSABLE PECUNIARY INTERESTS (DPIS) DISPENSATIONS FOR ITEMS ON  
THE AGENDA**

There were none.

19/10/03

**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 TRREPLYACTED): TO AGREE ANY ITEMS  
TO BE DEALT WITH AFTER THE PUBLIC AND PRESS HAVE BEEN EXCLUDED**

There were none

19/10/04

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

**Sarah Davidson:** Resident of Tipton St John - All efforts from the school have so far been to keep the school on the existing site. Hopes that in order to make informed decisions the results of architectural or condition surveys would be made available re keeping the school in the existing place, making more weather-resistant buildings and so on. Sarah spoke in glowing terms of the staff at the school, the higher than average results and the good number on roll which would normally go against relocating a school. It was queried how the plReply can be called 're-location' and whether this might be to simplify closure of the present school building. The impact on the village and the children when re-locating over two miles away, was voiced. Re flooding issues which are put forward as a main reason for re-locating - the buildings have not flooded since 2008 although grassed areas have been

water-logged. The Environment Agency (EA) did work in 2017 and Metcombe Brook has not flooded since and their work has enabled more water to flow back into the brook and away from the school.

**Andy Wiltshire:** Raised concerns that if the school was re-located to Ottery St Mary (OSM) the children from Tipton might be at a disadvantage re a place at the school because of the distance they live from the proposed new school.

19/10/05

**TO CONSIDER PROPOSALS FROM REPRESENTATIVES OF NORFOLK PROPERTYSERVICES LTD (NPS) FOR THE RELOCATION OF THE TIPTON ST JOHN CHURCH OF ENGLAND SCHOOL TO OTTERY ST MARY AND FOR COUNCILLORS TO RAISE ANY QUESTIONS ACCORDINGLY REGARDING THE PROPOSALS**

Cllr Giles explained that the meeting is for Councillors to look and listen and ask questions only. Cllr Harding queried why the agenda stated that the presentation would be by NPS. John Williams explained that this was a DCC project, supported by NPS who put together some of the presentation and involved in some of the design work. Questions were encouraged as the presentation went along.

Opportunities for community presentations were noted as Thursday from 2:30pm at Tipton St John School, for people picking up children, then 5pm - 7 pm in the village hall. There will also be a public consultation at OSM Football Club on 28 October 2019 from 12 noon - 7pm. In addition, presentation packs will be put in the library for viewing.

John Williams started the presentation explaining the concern about being able to evacuate children safely in a flooding situation.

**Question: Cllr Stewart** asked why, as TSJ was a Church of England (C of E school, why was it that the C of E, was not contributing to this venture. **Reply:** Over a 3 year period the diocese has contributed a 6 figure sum.

**Question:** How many days has the school had to close because of flooding? **Reply: Colin Butler** last year no days were missed but the school has had 20 flood warnings, including during the recent heavy storms. The point is that the school is regularly on heightened alert. Some years it has been closed 4 times.

**Question: Cllr Faithfull** asked if there was a breakdown of exactly where children attending TSJ Primary School come from. **Reply: Colin Butler** of the 89 pupils 24% are from TSJ, 43% OSM, 10% West Hill, 8% Sidbury, 7% Newton Poppleford, 6% Sidmouth 2% (one child) from elsewhere.

**Question: Cllr Lucas** was of the opinion greater analysis was needed on the flooding situation as when the EA did work in 2017 they reverted the Metcombe Brook situation to as it had been prior to 2011. Before 2011 there was no flooding, so by that token the river should not be flooding now. **Reply:** The EA still has work they want to do on this. They still have concerns. The work on Metcombe Brook was only ever to reduce the risk of flooding. It would never totally sort the problem. **Cllr Lucas** said there were always risks of major flooding but this is one of the major points put forward as a reason to move the school, but it has not been flooded since the EA work on Metcombe Brook was undertaken. Research needs to be done to establish the risks now.

The only suitable site available for the new school is Thorne Farm. There are 3 fields comprising 25 acres of grass. The plan is to site a new school on 5 acres on the most level part. There is a funding shortfall of £5M and as no other funding source is available the remaining 20 acres or so would be donated to building 150 new homes including some affordable housing. This sum was queried by **Cllr Giles** who said the figures did not add up

as we were told the Government had contributed £750,000; the school would cost £5.2M and there is a shortfall of £5M. **Reply:** The increased costs were due to the need to provide infrastructure like access road from Exeter Road to the site, drainage, sewerage, footings for buildings and new flood issues.

**Question: Cllr Lucas** asked to explain why the proposal is moving TSJ School because of flooding issues into a new area which also has flooding issues. **Reply:** It is a very small part of the infrastructure cost to produce swales to ensure no additional water will flow from the small stream back into the River Otter.

Following the power point slide of a map of the proposed area it was pointed out that CB in the top left corner actually stands for Cadhay Bog. **Reply:** John Williams replied it is at the very top of the second field and it is not a bog. **Cllr Giles** pointed out that Cadhay Bog is ancient woodland and as such has very strong protections. **Reply:** John Williams confirmed they were not going to build anywhere near Cadhay Bog. There is no designated protection on the site; it is just a field.

**Cllr Giles** referred to page 73 of the neighbourhood plan where it speaks of land to the west of King's School. The final point states, 'Development of the site will not compromise the ability of the Kings School to expand in the future.' So planning applications will not be approved if this area, designated for community and education use, compromises this aim. **Reply: John Williams** replied that DCC were preserving 0.5 acres of land on the site for the expansion of the Kings School. **Cllr Giles** continued that the whole of the land is for community and educational use, not for building 150 new houses, so where was DCC creating additional land for Kings School expansion? **Reply:** of the three fields, only one is covered by the neighbourhood Plan. **Cllr Lucas** questioned whether room for an 8 classroom block was sufficient, due to the growth in Ottery St Mary.

**Question: Cllr Faithfull** asked if DCC had any evidence of landowners, particularly in the TSJ area, who have refused to sell any of their land in order to build a new school. **Reply:** DCC has had discussions about other sites but in none of them would they be able to secure the funding shortfall.

**Cllr Giles** sought clarification on the fact that there was no prospect of a significant capital receipt from TSJ. **Reply:** This is all factored in to the potential cost for buying land. The Diocese has contributed about £1M made up of accumulating funds over a period of time. The lower site of the school, within the flood plain, belongs to the Village Hall and will return to them.

**Cllr Dobson** asked whether Ottery Primary School have been involved at all in the planning. He understands that this school is at capacity. **Reply:** DCC have been communicating with local learning communities for some time. **Cllr Dobson** asked as the TSJ issue is being addressed, should it not be addressed in OSM too? **Reply:** The new school is planned on a site with a footprint that could be expanded to accommodate 420 pupils later.

**Cllr Copus** asked if DCC had carried out a formal valuation of the TSJ site. **Reply:** Yes. It was for £250,000 .

**Cllr Lucas** spoke again about the size of the proposed school in pupil numbers and stated that it would need more accurate working out so that it could expand in the future. **Simon Niles** said their calculations show that 210 places will be enough in the new school.

**Cllr Johns** asked if there would be stipulations that noise from construction traffic would be limited to suitable hours, in respect of homeowners nearby. **Reply** In several planning applications now there is a requirement that they comply with the 'considerate constructors' scheme'.

Referring to the Power Point slide 'Roads, cycleways and footways' the main entrance to the site would be from Exeter Road and there will be a Give Way sign as this road meets Cadhay Lane.

**Question: Cllr Lucas** asked if, while the new road is being built, necessary work has been done to ensure the safety of children. **Reply:** Construction traffic would be absolutely prohibited from going down Cadhay Lane. Safety of children from Kings school is paramount.

**Question: Cllr Giles** asked if there was any plan for a roundabout as the new road meets Exeter Road where people would need to turn right toward Daisy Mount and has DCC obtained approval from Devon Highways for this junction? **Reply:** There are no fundamental concerns for traffic safety at this junction. A traffic survey is currently under way. The plan is to make Cadhay Lane access only for residents, people from Kings School, or visiting the Skate Park or the Sport's Centre.

A question was raised about where the agricultural traffic from Cadhay Lane would go. **Reply:** It would go down the new road, turning on to Exeter Road. In response to amusement as to how they would keep the new road clean, DCC reps said that such traffic has to keep roads clean from excess mud at the moment so it would not be an issue.

**Cllr Giles** pointed out that from its inception off the Exeter Road, the new road leading eventually to Cadhay Lane would slope quite steeply downwards. The building of houses along this road would change what is now permeable land to impermeable. This could cause a potentially large volume of water coursing down toward the houses, existing sports and leisure facilities and the Kings School causing flooding such as we sometimes experience in OSM. **Reply:** The scheme will require full water attenuation on site which may require swales, underground crates, or infiltration soakaways.

**Question: Cllr Lucas** asked for clarification about access on to the Skate Park. **Reply:** The project would be designed so that access can be provided. DCC, as the free-holders, would work with the leaseholders.

**Question: Cllr Stewart** asked about the £1.3M that the neighbourhood Plan says has been secured toward development of Kings School. **Reply:** Section 106 monies have been negotiated. Some has been paid and some of it is supporting new projects such as additional parking facilities.

**Question: Cllr Johns** asked how the new piece of land set aside for expansion of the Kings School could be secured. **Reply:** This depends on how the expansion happens. There is no detail yet.

**Question: Cllr Faithfull** asked about the social housing being built in the proposed development and **Cllr Johns** asked about the types of affordable housing. **Reply:** Plans for these are not yet set in stone and would be in line with EDCC's local plan.

There is no intention to move any trees but some hedges may need to be removed in places. Cllr Giles referred to section 6.3 on page 25 of the Neighbourhood Plan which

mentions the beauty of the landscape and states, 'It is of utmost importance that these characteristics are protected for current and future generations.' **Reply:** *We should just have to accept that there will need to be some departure from that policy in order to secure the site.*

When John Williams and Simon Niles showed pictures of the proposed skyline of the new housing development **Cllr Giles** *challenged their view that as it would lie below the sky line the visual impact would not be significant.* Asked whether a Landscape Consultant had been called upon to assess the impact, the **Reply** was that this would be done if EDCC required it for the planning application. Field levels would not be lowered significantly at any point although **Cllr Lucas** could see no other way the sky line could be as shown.

**Cllr Johns** *sought clarification about the proposed footway and cycle path on Exeter Road.* **Reply:** There will be a new footway and cycle path behind the hedge, away from the road. The intention is for the pavement from the site to cross over Exeter Road and then direct it over the wide verge on the south side of Exeter Road. **Cllr Giles** thought it unacceptable not to have a pavement on the north side of the road where the houses are. **Reply:** There is no land on the north side of the road that DCC have access to. Council members explained that there was no crossing over the entrance to Kings Reach. **Cllr Johns** *explained that at the junction of Kings Reach and Barrack Road the only access for the residents of Kings Reach toward the town is to turn right. So there is a great deal of traffic using that bit of road where DCC are talking of a crossing. She also mentioned that the reason the Kings School put their crossing lower down is because of the speed of traffic travelling towards town.* **Reply:** DCC will try to find room for a footway on the north side of the road by the houses. Part of the consultation process will be to assess concerns such as those raised.

**Question: Cllr Giles** *asked where the 20mph zone would be.* **Reply:** From the entry point on to the site from Exeter Road until a distance past the new school.

**Question: Cllr Stewart** *asked if there would be a turning point for buses .* **Reply:** There is provision for a turning point outside the school.

Discussion moved to catchment area for the new school. **Cllr Harding** *voiced that she had heard no child from TSJ would have the right to attend the new school after the first year.* **Reply:** That is incorrect. The usual admission criteria would be used and the school catchment area would be the same as that for the present TSJ School. **Cllr Johns** *asked about children from Kings Reach who would be within the 2 mile distance from the new school.* **Reply:** As TSJ cannot fill the new school, catchment lines will have to be drawn. In response to a question from **Cllr Giles** it was explained that Ottery St Mary Primary School and the new school will have different catchment areas.

Regarding finance, and a question on the contribution from DCC, the reply was that DCCs contribution was providing development land for the project. Councillors made it clear it was **not** development land and a member of the public present said it was farm land.

**Question: Cllr Stewart** *Asked whether the land was being sold for £4.5M or DCC are making a profit of £4.5M.* **Reply:** No profit is being made. The number of houses proposed, are calculated solely to meet the funding shortfall. If there is overage the money would be shared equally between DCC and EDCC. **Cllr Giles** *expressed his shock at this. He asked if the value of the land has been assessed by the District Valuer.* **Reply:** Not at this stage. An Independent Viability Report has been obtained from NPS. If there is a shortfall the risk is on DCC.

**Question:** Cllr Stewart Asked why, if the land was being sold for £5M and 150 houses minus 37 for affordable housing were being built costing about £30M to build, are we not passing on the infrastructure work to the developer. **Reply:** John Williams said they would go in ahead of the Developer to begin building the new Primary School. It is a matter of speed. When the school is finished the housing developers will either not be on site or will not have done much so DCC will have to forward fund the project for up to 2 years before they get a receipt back from it.

**Question: Cllr Giles** expressed concern that in late January 2020 the aim is to submit an 'outline planning application' and said that as there was clearly so much work yet to be done, surely it should, by this time, be a full application. **Reply:** It is acknowledge there is still work to do. If a full planning application went in straight away it would involve additional cost.

**Question: Cllr Pratt** asked that if the land proposed for development is not sold, the school could not be built? **Reply:** If planning permission is not granted and there is a risk that a developer cannot be found etc, that will be a DCC risk and it may be that they will have put in £5M that may not be recoverable.

The earliest the school will be completed is summer 2022.

**Cllr Johns** said that in February 2015 TSJ governors sent out a letter stating that their long term aim was to re-site the present school in TSJ away from the floodplain. A possible site had been identified but funding could not be secured. An application to a Priority School Building programme, which was Government led, in 2015 was not successful as it did not include flood risk in its criteria. She is concerned that closure of the school would take the heart out of TSJ. **Reply:** Representation was made to the Minister at the time and it was admitted that flood risk was initially included in the criteria but when it came out, it did not appear.

**Cllr Wright** summed up the meeting by expressing her belief that there is no doubt of the need to move TSJ primary School. Details about the housing dismays her as OSM has grown so much in the last few years. If funding had been found before, we would now be looking at a new school in TSJ. **Colin Butler** told the meeting that all their funds have been used in recent years to keep the fabric of the school going. **Cllr Wright** praised the excellence of the TSJ school, its staff and pupils. She also commented on the hard work of DCC, and all the other parties involved in this process. This view was endorsed by Cllr Giles.

Cllr Giles thanked all present for their contributions and declared the meeting closed at 9.33pm