



# Ottery St Mary Town Council

Minutes of the **PROPERTY AND LAND COMMITTEE MEETING** of **OTTERY ST MARY TOWN COUNCIL** held in the Council Chamber, the Old Convent, 8 Broad Street, Ottery St Mary on Thursday , **31<sup>ST</sup> OCTOBER 2019** at **3.00PM**

**PRESENT:** Councillor Dobson (**Chairman**), Cllr Faithfull (**Vice- Chairman**), Cllrs Giles, Grainger, Pratt, Stewart and Lucas together with the CEO

PL19/10/01

## **TO RECEIVE APOLOGIES**

There were none

PL19/10/02

## **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**

Cllr Giles	(Item 7 – the Museum) Cllr Giles was a trustee of the Heritage Society and left the room whilst the item was being discussed (Item 16 -Ottery in Bloom)
Cllr Stewart	(Item 16 – Ottery in Bloom) as Chair of Greener Ottery and had involvement with Ottery in Bloom
Cllr Lucas	(Item 8 – the Skate Park) as Town Council Representative
Cllr Dobson	(Item 16 – the Station ) as Town Council Representative
Cllr Pratt	(Item 7 – the Museum) Cllr Pratt was a former trustee of the Heritage Society and the Regeneration Group

PL19/10/03

## **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**

There were none

PL19/10/04

## **THE STATION**

### **i.Update on the gate post and to decide the way forward**

The Council had accepted a quote from a local contractor several months ago. However despite repeated attempts by the CEO to get the contractor to carry out the work, he had failed to do so. The CEO had obtained two other quotes previously and it was **RECOMMENDED** that Richard Gomm`s quote be accepted

### **ii.Consideration of Heads of Terms for the Station lease and to make any recommendations accordingly**

The draft Heads of Terms (`HOTS`) were considered and recommendations were made to make amendments accordingly. It was further **RECOMMENDED** that the HOTS then be put on hold until a survey of the premises had been carried out (to be discussed later in the meeting- Item 12 ) which would report on any necessary maintenance/repairs for the building and which may have implications for any proposed lease granted

### **iii.Update on Urinals Leak in the Gents toilet and potential damp issue**

Cllr Dobson advised that he was arranging for some investigative work to be carried out re the damp issue. Cllr Lucas reported that the whole of the Station building smelt damp. It was **RECOMMENDED** that Heritage Preservation South West Ltd be contacted by the CEO to investigate the damp problems and carry out any necessary works under the terms of the Council`s warranty If NPS was instructed to carry out a survey of the building (to be discussed later in the meeting – Item 12) then the CEO to make them aware of the damp problem in the first instance

Chair`s Initials.....

PL19/10/05

## **STRAWBERRY LANE ISSUES**

### **I. Update on grass cutting re Petanque Club**

The grass cutting had now been carried out

### **ii. Update re water meter leak**

The water leak had been repaired and the CEO had issued an invoice to the Bowling Club to pay half the cost in accordance with the terms of the 2013 Deed of Variation

### **iii. Update on OSM Cricket Club lease**

There had been no word from the Cricket Club following a meeting with the relevant parties in September and until the CEO had the information to submit, to the instructed surveyor to prepare a plan, she was unable to progress. It was **RECOMMENDED** that the CEO be asked to chase Rob Johns for the required information

### **iv. Consideration of fire risk assessment results re the Pavilion and to recommend action (as appropriate)**

The Fire Risk Assessment carried out recently, advised that an emergency light required attention (this had now been actioned) and electrical appliances required PAT Testing. The CEO advised of the HSE recommendations and the legal requirements. It was **RECOMMENDED** that the CEO check with the Council's insurers to ascertain whether they were of the view that PAT Testing was a requirement under the terms of the Council's insurance policy. If so, then it would be a matter of ensuring all the Council's tenants were made aware of this requirement and, if there was no provision in their leases to this effect, that they be amended to this effect. The CEO to also ensure that the Council's electrical appliances were PAT tested

### **v. Update on Tree Works**

The trimming back of trees along the car park had now been carried out

PL19/10/06

## **THE COUNCIL'S OFFICES**

### **I. Consideration of progress being made re car parking arrangements and the revised line marking of bays**

All councillors had been furnished with background information regarding the parking. No progress has been made with the re-marking of the parking bays and there were now issues with the tenant of the flat above Feniton Park's offices who has advised that the Council should not park in the space behind the offices (Mr Cutler had previously advised that parking was permitted to councillors/staff in the spaces when there was a Council meeting). Court action was likely to prove expensive and may not provide the necessary result. After some discussion it was **RECOMMENDED** that no further action be taken at the present time

### **ii. Update on the trimming back of branches overhanging the side access**

The CEO reported that the contractor was being chased to carry out this work

### **iii. Update on the survey of the CEO's Office**

A survey has been carried out and a report has been e-mailed to all Committee Councillors. Basically the surveyor did not consider there was a problem in the office despite the fact there is a slight dip in the floor in the middle of the room. It was suggested that wedges be placed on under the filing cabinets to make them more stable.

### **iv. Consideration of quote for electrical work to provide for additional computer connections in the Council Offices and to make recommendations accordingly**

The computer installer had agreed to instal the new office computers by mid November. One of the current office computers would be installed in Room 5 (the Archives Room) and the other office computer would replace the current computer in the chamber. The chamber computer would also be set up to access office data. The office staff no longer used the chamber computer to show members of the public planning applications. because of health and safety issues (the remoteness of the room etc)

The quote from the cabling installer was to provide cabling to ensure Room 5 and the Chamber were connected up to provided access to the Council's data. This would enable members of staff to work in either location if they required a `Quiet Room` with the intention of Room 5 being available as an occasional office for the new Volunteer Co-ordinator once she was in post. In July the Council at its meeting agreed a cost of £1430 towards the cost of the computers and for the installation costs to be agreed at a subsequent meeting. It was only now that the other figures had been received from the cabling installer - £435 plus Vat, and the computer installer - £294. The computers had come in at a price much lower than budgeted for (£900). Therefore there was a surplus of £530 from this budget towards the costs of the cabling and installation of £729. It was **RECOMMENDED** that the aforementioned costs (£435 plus vat and £294 respectively) be approved

PL19/10/07

Chair's Initials.....

## **\*THE MUSEUM**

### **Consideration of the revised Heads of Terms ('HOTS') re the proposed new lease to the Heritage Society and other matters relating to water meters within the building and to make recommendations accordingly**

Some of the HOTS were considered (but not all) and it was clear that the proposal by the Heritage Society to pay a peppercorn rent with the landlord having the building maintenance responsibilities, were not matters that the Committee could recommend for approval. Some councillors were of the view that the freehold of the building should be transferred over to the Heritage Society. Another councillor suggested that the Council apply for lottery funding to restore the building. It was **RECOMMENDED** that a meeting of the Committee be set up specifically to discuss the Museum's land holding with the CEO providing relevant information prior to the meeting. Further that it be arranged for members of the Committee to have a tour of the building subject to the consent of the Heritage Society (as tenant) being obtained beforehand. There had been a recent issue with an invoice for water charged to the Town Council. It was in respect of a water meter in the Silver band Room which was for water used by the Heritage Society. The Heritage Society had re-imbursed the Council the cost and was now seeking to have a meter in a more accessible place. The CEO had advised the Society that they needed to approach SWW about this and if SWW was agreeable, for the Society to seek the written consent of the Council to the provision of the meter, in accordance with the terms of their lease

*\*Cllr Giles left the room whilst the item was being discussed*

PL19/10/08

## **THE SKATE PARK**

### **I. Update on the transfer of lease to the Station Charity**

This was progressing very slowly due to DCC delaying matters

### **ii. Update on the access issues**

The CEO together with the Council's solicitor had provided advice about the accessway and the fact that DCC/Kings School were in breach of the lease by not providing unrestricted access. Both the Council's and the Station's solicitors had picked up on this point and were considering the situation

### **iii. Consideration of pertinent financial matters**

Cllr Stewart had previously raised the issue of the items that the Council was paying for, under the annual grant payment to the Trust and had questioned the term 'Maintenance' when clearly other items which were being funded did not fall under this heading. He also wished to have it noted that the King's School had failed to pay its 50% contribution towards the maintenance costs as per the arrangement which had been set up

### **iv. Consideration of the Annual Report 2018 -2019**

This had been circulated to all councillors and was noted

### **v. Other Matters**

Cllr Lucas reported that two of the directors of the private limited company were very anxious to resign. It was believed that the two resignations would not preclude the Company from continuing to operate. It was also suggested that if necessary the Council may be mindful for two of its councillors to replace the two directors albeit on a temporary basis. It was **RECOMMENDED** that the CEO check out the legal position and advise the current directors of the position (once known) recommending that they verify the information with Companies House

PL19/10/09

## **THE LIBRARY**

### **I. Consideration of a possible use(s) for the vacant land at the rear of the library (the land is outside of the demise to Libraries Unlimited)**

Xanthe Waite, librarian had raised this issue. It was **RECOMMENDED** that any reasonable use proposed by the library, subject to them entering into a licence agreement, would be considered

### **ii. Consideration of a request for a Sleep Over**

This had been requested by Steve Turner – Head of Commercial and Innovation at Libraries Unlimited. Mr Turner had advised that LU was exploring new concepts to encourage even more people to develop a love of reading, and they wish to trial the concept of a library sleepover. Museums and galleries had done 'night at' type experiences for groups and individuals for many years. It could range from guides, scouts etc sleeping over, to potentially families, to experience the library in a different way, but all to help promote what libraries do, and hopefully support the local visitor economy as well. The CEO had asked Mr Turner for further information but to date this had not been received. The Committee was of the view that the proposed use fitted into 'ancillary uses' as stated in the LU's lease and, subject to the CEO receiving satisfactory replies to her enquiries from Mr Turner, it **RECOMMENDED** that it would have no objections to the proposed use

Chair's Initials.....

**iii. Consideration for scaffolding to be erected by adjoining land owner**

The adjoining land owner had requested this. The CEO had submitted a form to the land owner for completion and signature to confirm the dates of when the scaffolding would be erected/removed and that any liability for any negligence acts on the Council's land resulting from the erection/removal of the scaffolding would be the responsibility of the land owner/scaffolding company. It was **RECOMMENDED** that consent be given subject to the land owner signing and returning the form.

PL19/10/10

**UPDATE ON CEMETERY MATTERS**

The benches were in the process of being repainted.

PL19/10/11

**UPDATE RE THE INSPECTION/SURVEY OF TREES ON THE COUNCIL'S PROPERTIES AND TO DETERMINE THE WAY FORWARD**

EDDC was now unable to carry out this work due to other commitments. It was **RECOMMENDED** that the Council go out to tender and that the CEO approach specialist companies/individuals with the emphasis on preserving the trees subject to them being compliant with health and safety legislation.

**UPDATE ON PROPOSED OUTSOURCING OF THE MANAGEMENT OF THE COUNCIL'S PROPERTY PORTFOLIO AND TO MAKE RECOMMENDATIONS ACCORDINGLY**

NPS had provided a quote to carry out a defect based survey of all the Council's properties. Whilst undertaking the condition survey, to also develop a 'Mechanical and Electrical Building Services Asset Register' that could be used to determine what servicing and compliance works would be required at the properties going forward. The overarching objective of the surveys would allow the preparation of a planned maintenance programme by identifying items of disrepair or elements that would require replacement within a 5 year period, or items which did not comply with current Health and Safety legislation.

The other surveyors Haarer Goss had not suggested going down that route and instead had advised of their quarterly fee for managing the properties. It was **RECOMMENDED** that NPS be instructed to carry out the surveys.

PL19/10/12

**TO CONSIDER FURTHER THE ACQUISITION OF LAND AT SLADE ROAD AND TO MAKE RECOMMENDATIONS ACCORDINGLY**

The owners of the land had advised of the sale price. It was **RECOMMENDED** that the CEO go back to the sellers and advise that TPOs had now been placed on the trees and therefore the site could not be developed. The CEO to request of the owners that they should ensure that the area was maintained and kept tidy in view of its location.

PL19/10/13

**TO CONSIDER THE REMOVAL OF THE HOSPITAL NOTICE BOARD AND FOR THE PURCHASE OF FURTHER NOTICE BOARDS TO BE SITED AROUND THE PARISH**

The siting of the hospital notice board was on hospital land and was practically in a hedge making it difficult for the person responsible for placing/removing notices to access the board. In addition, the location of the lock to open the noticeboard was underneath, which was also difficult to access. The question of where the noticeboard could be re-sited was discussed but it was likely to be on private land where consent would have to be obtained. It was **RECOMMENDED** that the noticeboard remain in situ but Men's Shed be asked if it could be renovated/improved. It was also **RECOMMENDED** that no additional noticeboards be acquired at this time. The CEO to enquire of Wallart as to how much it would cost to update the town maps, as some of the information they contained was now out of date.

PL19/10/14

**UPDATE ON THE PROPOSED RELOCATION OF THE OTARI BELL AND TO MAKE RECOMMENDATIONS (AS APPROPRIATE)**

Suggestions had ranged for the bell to be re-sited at the Kings School, the new community orchard, near the museum and in the churchyard. After much discussion it was **RECOMMENDED** that it remain in situ (in Sainsbury's car park).

Chair's Initials.....

PL19/10/15

**OTTERY IN BLOOM - CONSIDERATION OF REQUEST FOR `SUPPORT` RE THE SOUTH WEST IN BLOOM COMPETITION AND PUBLIC LIABILITY INSURANCE REQUIREMENTS**

Ottery in Bloom was considering entering the competition. It required the Council's support in ensuring that areas of the town were well maintained etc. It was **RECOMMENDED** that the Council provide this support by the CEO informing its contractors in advance of the competition and asking that special attention was given to the grounds maintenance of the town, prior to the judging taking place. Ottery in Bloom had now taken out public liability insurance which was noted.

PL19/10/16

**REVIEW OF THE COUNCIL'S GROUNDS MAINTENANCE CONTRACT**

The grounds maintenance contract according to the Chairman was being performed most effectively.

PL19/10/17

**UPDATE ON THE TELEPHONE BOX AT SPRING GARDENS AND TO MAKE RECOMMENDATIONS FOR PROPOSED USE (AS APPROPRIATE)**

It was understood that Men's Shed were able to restore the telephone box at minimal cost. One parishioner was seeking to have the telephone box converted to a library. Otter Garden Centre had made an offer to remove the telephone box and transport it to its garden centre. It was **RECOMMENDED** that Men's Shed go ahead with the restoration project to include the provision of shelving for a library.

PL19/10/18

**UPDATE ON THE TRANSFER TO THE COUNCIL OF CAR PARKING SPACES AT THE FORMER FACTORY SITE**

The matter was now in the hands of solicitors to progress.

PL19/10/19

**UPDATE ON THE PROGRESS OF THE PROPOSED FOOTBRIDGE AT THE LAND OF CANAAN**

No progress had been made, as the funding from a third party was no longer available. It was **RECOMMENDED** that the Council progress the installation of a replacement bridge as a matter of urgency.

PL19/10/20

**CONSIDERATION OF WEED GROWTH ON PAVEMENTS IN OTTERY ST MARY AND TO PROPOSE A PLAN OF ACTION**

It was **RECOMMENDED** that Idverde carry out this work as their contract provided for them to carry out additional work on behalf of the Council `as and when` but the CEO to obtain a quote from them in the first instance.

PL19/10/21

**REMINDER RE THE COUNCIL'S FINANCIAL REGS IN CONNECTION WITH CONTRACTS**

The CEO reminded councillors that the following provision must be adhered to when considering any works to the Council's properties, which she had extracted from the Financial Regs in respect of all contracts for works/services etc:-

*`A member may not issue an official order or make any contract on behalf of the council. (This will apply to written and verbal contracts). Therefore unless it is an emergency situation then all contracts should be made through the CEO`*

PL19/10/22

**UPDATE ON ANY OTHER MISCELLANEOUS PROPERTY AND LAND ISSUES**

Allotment boundary hedge

The boundary hedges required either cutting back or layering (with layering being the most expensive option). It was noted that the eastern side had been layered and an excellent job had been carried out by the contractor who had undertaken the work. It was **RECOMMENDED** that quotes be obtained by the CEO.

Handy Person

Cllr Dobson advised that a local handy man had expressed an interest in taking on the Council's maintenance work, once he had retired from his full time job at the end of the year. Both he and the CEO would be speaking to him shortly. They both knew him and were aware of his capabilities. Cllr Stewart also advised that he may have somebody who was interested in the work and again it would be necessary for the CEO and Cllr Dobson to speak to him to assess his skills/capabilities. It may be possible for both of them to carry out the Council's maintenance work.

Future Expenditure of the Committee

The CEO advised that the Committee needed to ensure that any proposed major expenditure needed to be submitted to the Finance Cttee in November.

Chair's Initials.....

PL19/10/23

**TO RECEIVE COUNCILLORS' QUESTIONS RELATING TO PROPERTY AND LAND**

Cllr Stewart suggested that a number of town centre properties were in need of some cosmetic attention ie repainting. It was **RECOMMENDED** that this be an item for the Regeneration Group to progress

**Meeting Closed at 5.05pm**

<b>Chairman`s Signature</b>	
<b>Date</b>	

Chair`s Initials.....