

MINUTES OF THE ORDINARY MEETING OF THE OTTERY ST MARY TOWN COUNCIL HELD ON MONDAY 4TH FEBRUARY 2019 AT 7.00PM THE COUNCIL CHAMBER, THE OLD CONVENT, 8 BROAD STREET, OTTERY ST MARY

PRESENT:- Mayor **Councillor Bartlett** (North Ward)
 Deputy Mayor **Councillor Carter** (Town Ward)
 Councillors **Dobson, Edwards, Giles, Holmes, Pang and Faithfull** (Town Ward)
Pratt and Harding (Tipton St John Ward)
 Together with the Clerk

OTHER PERSONS PRESENT:- County Councillor Claire Wright, one member of the Press and eight members of the Public

PRAYER

The Clerk read the Council Prayer

19/02/01

TO RECEIVE APOLOGIES FOR ABSENCE

There were none

19/02/02

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

The following declaration of interests were made:-

Cllr Pang * See Below	Item 11 – (Ottery Hospital) Personal Interest only as Chair of the OSM & District Health & Care Forum Item 18 – (OSM & District Skate & BMX Trust) Trustee of the Ottery and District Skate and BMX Trust
Cllr Pratt	Item 13 (Footbridge) He was a past member of Rotary but not of the branch which had submitted proposals for discussion
Cllr Carter	Item 11 (Ottery Hospital) as member of the OSM & District Health & Care Forum
Cllr Edwards** See below	Item 11 (Ottery Hospital) She stated she had no interest to declare but her spouse had set up a company in relation to Ottery Hospital which was currently dormant. In addition she was the Council's representative on the OSM& District Health and Care Forum
Cllr Faithfull	Items 11 (Ottery Hospital) and 12 (Rescission Notice) as a member of the OSM & District Health & Care Forum and the Ottery St Mary & District Hospital League of Friends

****Cllr Pang provided each member of the council with a full written explanation of the interests she would and would not be declaring at the meeting. In particular she would not be declaring a pecuniary interest in Item 11 (Hospital)**

****Cllr Edwards declared a further interest later in the meeting (see 19/02/25)**

19/02/03

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

There were none

19/02/04

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

There were none

Mayor's Initials.....

19/02/05

TO RECEIVE THE MINUTES OF THE EXTRA-ORDINARY FULL COUNCIL MEETING OF 21ST JANUARY 2019 (MINUTE REFS 19/01/23 – 19/01/37), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the Extra-Ordinary Full Council Meeting of 21st January 2019 (MINUTE REFS 19/01/23 – 19/01/37) were presented, approved and signed by the Mayor as a correct record

19/02/06

TO RECEIVE THE MINUTES OF THE PLANNING COMMITTEE MEETING OF 28TH JANUARY 2019 (MINUTE REFS P19/01/08 – P19/01/14), AND TO APPROVE THE SIGNING OF THE MINUTES BY THE MAYOR AS A CORRECT RECORD

The Minutes of the Planning Committee Meeting of 28th January 2019 (MINUTE REFS P19/01/08 – P19/01/14) were presented, approved and signed by the Mayor as a correct record. Cllr Holmes advised that due to the relocation of EDDC, no scanning or printing of planning documents would be carried out at EDDC for at least a week which could impact on when the next Council's Planning Committee Meeting took place but likely to be 18th February

19/02/07

TO RECEIVE REPORTS FROM EDDC AND DCC COUNCILLORS

EDDC Cllr Paul Carter

Cllr Carter spoke about the relocation of EDDC to its new headquarters, Blackdown House at Honiton on 11th February. The Knowle would close its door on Friday 8th February 2019. He stated it would be an historic moment. He was of the view that disability access in and around the new building was much improved. He advised that EDDC was a leading council in recycling and was doing an excellent job and the whole team at EDDC should receive a pat on the back and also all the participants of the scheme

EDDC Cllr Peter Faithfull

The meeting on 31st January with South West Mutual (EDDC's Overview Cttee) was cancelled. He advised that 55000 houses were proposed to be built under the Greater Exeter Strategic Plan, with East Devon getting the worse elements of the Plan

EDDC Cllr Pratt

Cllr Pratt attended the viewing of the new EDDC offices. The new offices were open plan which would include the Chief Executive's accommodation. He attended EDDC's Asset Management Forum on 17th January where property acquisitions were discussed. He advised that £20,000,000 would have to be borrowed by EDDC to purchase properties which it was hoped in the long term, would increase in value and prove to be a good investment for the Council. The proposals would be considered by Cabinet this week.

EDDC Cllr Roger Giles

Cllr Giles stated it was an appalling idea for EDDC to consider investing borrowed money on properties when councils were struggling to provide their core services. It appeared to him that EDDC was attempting to set itself up as a third rate estate agency. He was of the opinion that there may be parking issues at the new EDDC offices. The last meeting at the Knowle would be held on Thursday evening at 5.30pm. Cllr Giles as Chairman of LED advised that substantial work had been carried out at the LED Centre in Ottery. The synthetic pitch had been re-laid; the flood lights had been replaced and the leaking roof over the main building had also been replaced. He advised that considerable effort had gone into achieving these improvements for users of the leisure centre

DCC Cllr Claire Wright

Cllr Wright spoke about the Carers Spotlight Review with the idea of looking at how unpaid carers were coping. However there would be a delay of almost a year as the issue would not now be considered until June. She advised that last year's Spotlight Review of NHS paid carers ('Rapid Response') that nothing had happened and the NHS was struggling to get carers to look after people. The matter would come back to committee in June to further consider. She advised of the Performance Report and the figures pertaining to bed blocking. There had been a significant increase in bed blocking at the RD&E since August. There appeared to be some discrepancy in the figures, which were being examined. She also spoke about allocated packages of care and reported that

Mayor's Initials.....

since September 2018 there had been a significant increase in people going home without any care package which was extremely worrying. Finally she advised that there were recruitment issues particularly in nursing homes and that Brexit was a big risk as EU Nationals (many who were employed in this sector) would be leaving the UK.

19/02/08

POLICE MATTERS (INCLUDING CRIME FIGURES)

The crime figures had been e-mailed out to all councillors.

19/02/09

COMMUNITIES TOGETHER – UPDATE

The bid for funding for a Dementia Initiative had now been submitted to EDDC by the Help Scheme and was awaiting a decision. The notes of the last Communities Together meeting held at the Council Offices had been e-mailed to all councillors for information purposes. Cllr Giles thanked everyone who was involved in putting the bid together. EDDC would be having a meeting shortly to consider the bids

19/02/10

OSM REGENERATION PROJECT WORKING GROUP – UPDATE

Cllr Dobson advised that a meeting of the Transport Sub Group had recently taken place. The Group had worked extremely hard in considering survey responses and were currently writing up a substantial report which it was hoped would be presented and approved at the next Full Council meeting. The final Transport Sub Group meeting would take place next week and the final Regeneration Project Working Group meeting would take place next month. A new working group would be formed in May

19/02/11

OTTERY HOSPITAL – UPDATE AND CONSIDERATION OF ANY MATTERS ARISING

There was nothing to report

19/02/12

TO CONSIDER AND APPROVE (IF APPROPRIATE) THE FOLLOWING:-

- to withdraw a Rescission Motion Notice received by the Town Clerk on 14th November 2018, which states:-
`to re-examine the decision 18/11/09 taken at the full council meeting on 6th November 2018 (to form a hospital working group) and to make a decision to either support or rescind the motion`
as one of the signatories to the Rescission Motion Notice is no longer a serving councillor and the Notice is no longer compliant to the Council's Standing Orders

It was **RESOLVED** to withdraw the Rescission Motion Notice received by the Clerk on 14th November 2018 (7 for and 2 abstentions)

- to consider a further Rescission Motion Notice (signed by Cllrs Dobson, Harding, Holmes and Edwards in accordance with the Council's Standing Orders) received by the Town Clerk on 24th January 2019, of the following matters to be considered and voted upon
`to re-examine the decision 18/11/09 taken at the full council meeting on 6th November 2018 (to form a hospital working group) and to make a decision to either support or rescind the motion`

Cllr Carter considered that as no further information had been forthcoming from the Hospital Working Group ('the Group') that he couldn't see the necessity of it continuing. Cllr Dobson was of the view that the Ottery St Mary & District Health and Care Forum ('the Forum') was doing an excellent job. Cllr Faithful was of the view that Ottery Health Matters Ltd ('Ottery Health') (which had been set up recently) required the technical knowledge and expertise of the Ottery St Mary and District Hospital League of Friends ('the League') as it was made up of current and retired GPs and others with relevant knowledge. He also understood that the League did not wish to get involved because of the financial implications. He concluded that the situation was becoming drawn out and the longer the

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matter dragged on, the more likely it was that the hospital would be 'lost' to the community. Cllr Giles advised that the purpose of the Group was to bring organisations and individuals together with a common aim. He also questioned as to why Ottery Health had been set up by two current members of the Forum, if the Forum was already achieving its purposes. Cllr Edwards advised that the Forum was working extremely hard and a major achievement had been, that it had persuaded the Minister for Health to come to Ottery resulting in him stating that 'Ottery had a future'. She believed that the League was not interested in working with the Forum. Cllr Pratt advised that the purpose of setting up a Group was to enter into negotiations with NHS Property Services and with other relevant bodies and that Cllr Pang had come to him and Margaret Hall (retired GP) for help. Cllr Harding disputed this, advising that Cllr Pang had merely asked for help, not for Cllr Pratt to set up a working group. Cllr Pang said she had been unable to get responses to e-mails she had sent out to try and progress matters. Cllr Holmes was of the view that all the different organisations and individuals should work together. Adrian Rutter on behalf of the League advised that he thought the best way of saving the hospital was to have the hospital full of different services (currently it was 40% empty). The League now had a partnership with Hospice Care and a centre for learning. He advised that the League were not against the Forum but that it didn't share its methods of what it was working towards. Mr Rutter advised that he would be attending a meeting shortly at which amongst other matters, the question would be raised, as to why the RD&E was not using the whole hospital. It was agreed that following this meeting, he would then meet with the Clerk, Mayor, Deputy Mayor and representatives from the Forum at the Council Offices in March, at which Mr Rutter would provide full information from that meeting. This could then be presented at the April Full Council meeting.

Following a heated debate, a vote was taken (5 in favour, 3 against) and It was **RESOLVED** to rescind the motion to form a hospital working group as requested in the Rescission Motion Notice received by the Clerk on 24th January 2019. Therefore the Hospital Working Group was now defunct. Cllr Carter suggested that to ensure a sustainable future for the hospital that all parties should work together. However this provoked a further heated debate and the Chairman curtailed any further discussion on the subject

19/02/13

TO FURTHER CONSIDER THE PROPOSAL FOR A REPLACEMENT FOOTBRIDGE OVER THE LEAT AT THE LAND OF CANAAN (INCLUDING THE OFFER MADE BY THE ROTARY CLUB TO CARRY OUT THE WORK) AND TO APPROVE AN APPROPRIATE COURSE OF ACTION

The Rotary Club was keen to enlist the help of Men's Sheds in constructing a replacement footbridge. However the Council was of the view that as the bridge would have to be made to a specification recommended and approved by the Environment Agency ('the Agency') and that the bridge would be under the control of the local authority, that the Council should progress the matter. The Council was grateful for Rotary's kind offer. However, the Council would welcome Rotary's proposal to get the Leat cleared out by the developers and for Rotary to seek consent from the various agencies to effect this. The Clerk would write to Rotary accordingly. Cllr Dobson (the Chair of the Property and Land Committee) ('the Committee') advised that a site meeting had taken place with Tom Walling of the Agency to seek his assistance and advice as to the type of replacement footbridge which would be suitable. Following this, a drawing of a replacement bridge with measurements had been submitted to the Agency for approval. An approximate cost for a replacement bridge would be in the region of £5000 which was substantially cheaper than the figure quoted by EDDC (£55,000). Cllr Giles advised that as there was no longer a flood risk in the vicinity that a lower bridge would be appropriate which would be a cheaper option. It was agreed that once the drawing has been approved by the Agency and final costings obtained, that the Council's part of the project would be complete and that it would then be for EDDC to take responsibility for the bridge. Cllr Giles was aggrieved that both himself and Cllr Faithfull as district councillors, were not informed or invited to attend the meeting with Mr Walling despite them both carrying out a lot of work behind the scenes with regards to getting the footbridge reinstated. Cllr Holmes considered that he and Cllr Dobson had simply taken the initiative in progressing a replacement bridge. Cllr Giles also stated that EDDC Officers were unhappy with the situation. Cllrs Holmes and Dobson were still waiting to hear from Cllr Faithfull as to when a meeting with Andrew Hancock (EDDC Streetscene) would be taking place and which they would be willing to attend. Cllr Faithfull would revert back shortly.

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19/02/14

CONSIDERATION OF THE `FUTURE HIGH STREETS FUND`

The information from EDDC had been e-mailed to all councillors and was noted

19/02/15

TO CONSIDER (AND APPROVE IF APPROPRIATE) THE PROPOSED WORKS AT THE BOWLING CLUB, STRAWBERRY LANE, TO BE CARRIED OUT BY THE ENVIRONMENT AGENCY AND TO FURTHER APPROVE THE PROPOSED HEADS OF TERMS SUBMITTED BY THE ENVIRONMENT AGENCY

The Council had received Heads of Terms from the Environment Agency (`the Agency`) in respect of proposed works at the Bowling Club, (which consisted of drilling an observation borehole and to construct a cabinet on a concrete plinth, to enclose a standpipe on the site). After some discussion it was **RESOLVED** to agree to the proposed works; to accept consideration in the sum of £1000 from the Agency and to instruct Prydis Legal (Katie Stewart) to act on behalf of the Council in the transaction. It was noted that the Agency would pay the Council`s legal costs up to £500. The Council was clear that it would not be prepared to pay any additional costs in the transaction

19/02/16

TO CONSIDER AND APPROVE (IF APPROPRIATE) THE NEW RULES AND REGULATIONS FOR THE BUSINESS AND CITIZEN OF THE YEAR

The new Rules and regulations had been e-mailed to all councillors. It was **RESOLVED** That they be accepted

19/02/17

TO CONSIDER A REQUEST FOR A ZEBRA CROSSING NEAR MCCOLLS AT OTTERY ST MARY

Hugo Swire MP had contacted the Council advising that a parishioner had contacted him requesting that a zebra crossing be installed outside of McColls. It was agreed that the matter be referred to Cllr Wright for appropriate action

19/02/18

OTTERY ST MARY AND DISTRICT SKATE AND BMX TRUST – UPDATE AND CONSIDERATION OF ANY MATTERS ARISING AND TO MAKE ANY DECISIONS AS APPROPRIATE

A meeting to progress the matter further had been arranged for 8th February. An update would be provided at the next Council meeting

19/02/19

TO APPOINT A REPLACEMENT TOWN COUNCIL REPRESENTATIVE ON THE EXETER AIRPORT CONSULTATIVE GROUP

It was **RESOLVED** that the Mayor be the Council`s replacement representative

19/02/20

FINANCIAL MATTERS -

- **TO APPROVE THE JANUARY 2019 COUNCIL SCHEDULE OF PAYMENTS**
- **TO APPROVE THE PAYMENT OF THE COUNCIL`S ANNUAL SUBSCRIPTIONS/MEMBERSHIP FEES**
- **THE CLERK TO REPORT ON THE INTERIM REVIEW OF THE COUNCIL`S ACCOUNTS CARRIED OUT BY THE INTERNAL AUDITOR – D HINCHLIFFE**
- **TO NOTE THE CONTRIBUTION BY LOCAL BUSINESSES TOWARDS THE COSTS OF THE 2018 CHRISTMAS LIGHTS**

The January 2019 Council Schedule was presented by the Mayor, showing **£9459.59** (incl. VAT) for Council expenditure. It was **RESOLVED** that the schedule be approved (which was duly signed by the Mayor).

It was **RESOLVED** to approve the payment of all the Council`s annual subscriptions/members fees (in the approx. sum of £1800) to:-

Devon Association of Local Councils)

Society of Local Council Clerks)

South West Councils

Devon Communities Together

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The National Allotment Society
 Institute of Cemetery & Crematorium Management

The Clerk advised that David Hinchliffe, Internal Auditor had examined the Council's books last week and confirmed that he had not encountered any problems and that they were all in good order. Cllr Homes congratulated the Clerk on keeping everything in good order

It was noted that local businesses had contributed £901, towards the costs of the Christmas lights. It was agreed that a letter of thanks be sent to donor who had made a large contribution*

**The Clerk subsequently discovered that a letter of thanks had been sent to the donor by her assistant in November*

19/02/21

ANY MATTERS OF URGENCY BROUGHT FORWARD BY THE MAYOR

i. A letter had been e-mailed to all councillors from Robin Salter of the Food and Families Festival ('the Festival') expressing disappointment as to the amount of grant which the Council had awarded the Festival and also questioning as to why some traders in the town considered that the Festival provided them with no benefit. Cllr Giles advised that he had in his possession a Rescission Motion Notice to rescind the Council's decision (to award the Festival £250) which he hoped another two councillors would sign to overturn the decision, as he considered that £250 was a derisory sum

ii. A parishioner had e-mailed a complaint about the traffic issues along North Street which had been forwarded to all councillors. Cllr Claire Wright and Mike Brown DCC's Highway officer, were involved with the matter but Cllr Wright admitted that it would be a difficult problem to resolve

iii. Simon Fenwick (Victoria Terrace) had e-mailed several agencies and the Council about noise and vibration issues that were affecting all the residents at Victoria Terrace. Cllrs Giles and Wright were actively involved in trying to deal with the issue on behalf of the residents. Cllr Giles believed that the source of the vibration was a void under the road surface which reacted when vehicles drove over it

iv. The Council agreed that the response from EDDC, advising that it did not consider that the piling up of scrap vehicles at Alansway was an issue, be an item for the March agenda to reconsider

19/02/22

REPORT BY THE MAYOR

There was no report this month from the Mayor

19/02/23

TO RECEIVE CORRESPONDENCE FOR INFORMATION AND ANY LATE CORRESPONDENCE

The Mayor reminded Councillors that wef 11th February t EDDC would be in situ in their new premises in Honiton and that all telephone numbers and bank details would remain the same

The Mayor also advised that Mark Williams (EDDC's Chief Executive and Returning Officer) would be present at the next Community Market at the Institute on 23rd Feb from 9.30am – 12.30am to promote standing as a local councillor

Date	Letter Details
Jan 2019	Letter of thanks from Joy Richardson for Christmas meal
EDDC	Street Trading Licence from Robin Salter for the Food Festival

19/02/24

TO RECEIVE REPORTS BY COUNCILLORS OF MEETINGS ATTENDED AS COUNCIL REPRESENTATIVES

Mayor's Meetings Tabled (January)

Date	Meeting details
7th	Full Council Meeting
8th	Attendance at Hospicecare's New Service Planning Committee Meeting
9th	Attendance at Tipton St John Social Evening at Community Hall
14th	Website Steering Group Meeting
16th	Property & Land Committee Meeting Finance Committee Meeting
17th	Feoffees Charity Meeting

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21st	Extraordinary Council Meeting
29th	HR Meeting

Councillors Meetings (January)

Councillor	Meeting details
Cllr Pang	Lag and the Institute
Holmes	LAG
Edwards	Ottery in Bloom,

19/02/25

TO RECEIVE COUNCILLORS' QUESTIONS

i. Cllr Giles enquired as to what action the Council was proposing to take in respect of the letter sent by Leigh Edwards dated 4th January in which he had been very critical of the competence of the Clerk. The letter had been circulated to all councillors and was not marked 'Confidential'. Cllr Giles suggested that Mr Edwards' comments could be verging on being libellous. The Clerk had sought an apology from Mr Edwards, which to date she had not received. Cllr Giles enquired as to whether the Council would agree to seek a written apology from Mr Edwards on behalf of the Clerk. Cllr Pratt was of the opinion that an apology should be sought from Mr Edwards, as the Clerk was the employee of the Council and to receive an letter in that tone was 'unhelpful'. He also stated that the Council should be supportive of the Clerk. After further discussion it was proposed that the matter continue to be discussed in Confidential Session. A vote was taken (5 in favour, 1 against and 4 abstentions). Cllr Edwards declared an interest and left the room whilst the matter was being discussed

ii. Cllr Faithfull wished to make it clear that earlier in the meeting (when the hospital was being discussed), he had not accused Leigh Edwards of 'not doing anything' (with regards to making progress with saving the hospital building), but he (Cllr Faithfull) was simply trying to draw attention to the slow progress of getting the hospital fully operational with various services.

The Meeting ended at 20. 30pm

Mayor's signature: Date:.....

DATE OF THE NEXT MEETING: MONDAY 4th MARCH 2019 AT 7PM IN THE COUNCIL CHAMBER, THE OLD CONVENT, 8 BROAD STREET, OTTERY ST MARY

CONFIDENTIAL SESSION

It was agreed that a letter of support should be drafted by Cllr Pratt to be approved by all councillors in the first instance which would then be sent to the Clerk

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