**Ottery St Mary Town Council**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Minutes of the **PROPERTY AND LAND COMMITTEE MEETING** of **OTTERY ST MARY TOWN COUNCIL** held in thein the Council Offices, the Old Convent, 8 Broad Street, Ottery St Maryon **THURSDAY, 26TH MAY 2022 at 2.00pm** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Chairman (Cllr Grainger); Cllrs Lucas\*, Stewart and Faithfull; Christine McIntyre (CEO) and Kerry Kennell (Deputy CEO)

*\*Cllr Lucas had to leave the meeting five minutes prior to it ending, due to an urgent appointment*

*PL22/05/01*

**TO RECEIVE APOLOGIES**

Cllr Johns

*PL22/05/02*

**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**

There were none

*PL22/05/03*

**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**

The quotes for works to the cellar in the Council Offices and the repainting of the museum would be discussed in Confidential Session

*PL22/05/04*

**TO APPROVE AND SIGN THE MINUTES OF THE PROPERTY AND LAND COMMITTEE MEETING OF 20TH JANUARY 2022**

The Minutes of the Property and Land Committee Meeting of 20th January 2022 were approved and signed by the Chair

*PL22/05/05*

**TO CONSIDER THE COUNCIL`S PROPERTY PORTFOLIO UPDATE PREPARED BY THE CEO AND TO MAKE RECOMMENDATIONS (IF APPLICABLE)**

*PL22/05/06*

**The Council Offices**

Damp proof quotes re the cellar - **This item was discussed in Confidential Session**

Quotes had been received from Heritage, Premier and Exeter Prokil. It was **RECOMMENDED** to appoint Heritage to carry out the works to the cellar and to factor in a contingency sum in case of an increase in costs and clarity to be sought by the CEO in respect of Item 6 of the quote Heritage had provided **Public Session then resumed**

Damp in the Council Offices

It was **RECOMMENDED** that any damp patches be repainted with antifungal paint and heaters be installed in the toilets and to ensure all rooms in the Council Offices were well ventilated and aired

Update on purchasing the car parking spaces and green area (with `For Sale` sign erected) at the front of the building.

The CEO had written to the Official Receiver involved with Feniton Park. He advised that he was only dealing with the Manse property and that the CEO should contact David Cutler direct about the land. The CEO subsequently wrote to David Cutler`s solicitor and Feniton Park`s registered office address but has not received responses. It was **AGREED**  that the CEO try and make contact with other persons who may be able to assist in this matter. The CEO to also request that Idverde remove the weeds from around the Council building and to trim the green area at the front of the building etc. Rupert and Nick to be contacted to deal with overgrowth at the library

Fire Risk Assessment - Police

The police had provided a fire risk assessment for the police building which the Ctte had requested previously. It was **RECOMMENDED** that the Council should have a procedure in place for evacuating the Council Offices and that a meeting be arranged with the Police in order to progress this

Safety Checks

It was **RECOMMENDED** that a regular inspection of the Council`s properties be carried out and that maintenance/inspection logs be kept of each property. It was necessary to be proactive rather then reactive when it came to managing the Council` property portfolio. Argos had quoted for works revealed in the safety check. It was **RECOMMENDED** that two further quotes be obtained.

Office Update

All three members of office staff should be moved into Office 3 shortly. It was **RECOMMENDED** that a security camera be obtained for the downstairs office to enhance the Administrator`s safety if she had to see visitors downstairs

Tenants

Hostcomm was renting Office 2 for storage but their staff no longer worked in the office. Two offers had been made to rent Office 7. One offer had been made, whereby the proposed tenants were willing to pay the full rental that had been advertised. They required the office for the storage and the packing of sweets and soft drinks. The other proposed tenant required Office 7 (and also Office 6 for confidentiality reasons) for counselling purposes but was only willing to pay a substantially reduced amount for both rooms

It was **RECOMMENDED** that the tenancy for Office 7 be offered to TreatsRYummy who were prepared to pay the full asking rent.

Guides/Brownies pending occupancy

It was noted that the Guides/Brownies were continuing to use the Station Hub on a Tuesday at the present time. It was uncertain if this arrangement could continue indefinitely. If the arrangements at the Station could not be continued, the intention was that the Guides/Brownies would have the use of the Council Offices. It was **RECOMMENDED** that a Working Group be set up to investigate the best use of the rooms in the Council Offices – whether this was to be community use at reduced rates/FOC, or to operate and use the rooms to generate a revenue stream. It was requested of the CEO to check the Police`s lease for the break clause provisions

Security Lights

The installation of lights at the rear and side of the building had now been competed

*PL22/05/07*

**Strawberry Lane**

Bowling Club (`BC`)

Access

The Council`s Solicitor had advised that the cost of negotiating and drafting a deed of grant between Western Power (`WP`) and the Council (to allow the Council, its tenants and others authorised by it to have rights of way to access its land) over WP`s land would be approx. £1250 - £1750. It was **RECOMMENDED** that the deed of grant be progressed and to also investigate whether the legal costs could be covered by the S106 funding

Planting Trees

The CEO had contacted the BC regarding their request to plant trees, advising that their request was refused for the reasons raised at the last Town Council meeting. She had suggested a meeting to explore other options. To date the CEO had heard nothing further. It was **RECOMMENDED** that the CEO make a further attempt to set up a meeting with members of the BC and the Chair and Cllr Lucas asap

Surrender of Land

The CEO advised that with regards to the Council requiring the BC to surrender land from its leased land re the Muga project; this could only be done with the consent of the BC and would require a Deed of Surrender to be entered into by both parties. The BC had a 99 year secure lease with no break clause. The CEO had advised that originally the BC leased nearly the whole of the Strawberry Lane site from the Council. It had agreed in 2009 to surrender half the area that it leased, back to the Council. A deed of surrender was entered into by both parties.

MUGA

The Chairman was of the view that the MUGA needed further discussion, as the clubhouse may well need extending. He mentioned the need for various surveys eg ecological surveys to support the planning application etc that needed to be carried out asap

*PL22/05/08*

**Tennis Courts**

Shed

The Chairman would check with Richard Coley to check whether the shed had been cleared

Fence

The Administrator would check if the repair to the chain link fence had yet been carried out

*PL22/05/09*

**Allotments**

Revised Rules and Regulations had been sent out to all allotment tenants. The Administrator had advised that at the moment the condition/appearance of the allotments were looking good and there seems to be more co-operation between Ctte members etc resulting in there being a more proactive Ctte

*PL22/05/10*

**The Museum**

Legals

The Proposed 20+ years lease and an agreement for lease

It was **RECOMMENDED** that the matter should now progress to a full repairing lease. However the Heads of Terms (`HOTS`) needed to be agreed by both parties in the first instance. The main issues were the rent and who would be responsible for the repairs. However the Chairman advised that the tenants had indicated that they would be agreeable to a full repairing lease. It was **RECOMMENDED** that a further meeting with the Heritage Society be arranged to agree the terms of the HOTS and then solicitors could be instructed to prepare a lease. It was understood that the Museum was going to have a `soft` opening shortly.

Works

A Fire Risk Assessment had been carried out and the Assessment forwarded to Committee members.

Western Power and Delve have completed the electrical works

**This item was discussed in Confidential Session**

Painting Works to the Museum

Two quotes had been received and one contractor was unable to give a quote – It was **RECOMMENDED** that the quote from J H H Property Construction & Maintenance be accepted

**The Public Session then resumed**

It was **RECOMMENDED** that Rob Johns carry out the repair to the museum window

Windows

If the windows in the Museum were to be replaced then the appropriate replacement windows would need to be costed and a planning application (as confirmed by EDDC`s planning Conservation Officer) would be required together with the full elevation drawing of window(s) and sections through casements, frames and glazing bars at 1: 2/1:5 scale with scale bar

Full elevation photographs or full elevation drawings clearly annotating windows to be replaced W1, W2, W3 etc.

The person who was tasked with drafting a Design and Access Statement (including a Heritage Statement) for a replacement window at Rosey`s Chippy was David Wilkins, MSC Architectural Conservation & Design Alfington. The Chairman also suggested Phil Palfrey. It was **RECOMMENDED** that quotes be obtained for the cost of the windows in PVC and timber. Woodleys to be approached and Otter Windows and the CEO to speak to the proprietor of the Volunteer to establish which contractor they used for their windows.

*PL22/05/11*

**The Station Hub**

Fire Risk

The Fire Risk Assessment and Pat Testing had been carried out. The Deputy CEO had advised that all the actions in the Fire Risk Assessment had been completed

Inventory

An inventory of the contents of the Station Hub was required for insurance purposes. It was understood that Cllr Green was dealing with this

Designated Use of Building in accordance with the legal transfer

The transfer to the Council (when the Council purchased the building in 2015) states that the Property `*cannot be used for any purpose other than for the benefit of the community of the Parish of OSM in accordance with the OSMTC Constitution or in accordance with the constitution of a successor in function`*

Space

The agreement with Space would shortly be completed

Previous and current tenants

The Silver Band had vacated the Station Hub as they had secured alternative accommodation. The Guides and Brownies were still using the Station Hub as their base on a temporary basis. The CEO had received no update recently from the Help Scheme re their proposed relocation

Portacabins x 2

Cllr Lucas was keen that at least one portacabin should be retained for the Hub`s use

*PL22/05/12*

**Skate Park**

Tim Walmsley the Council`s solicitor has asked whether the Council would pay DCC`s costs on account, for the drafting of the Deed of Variation in the sum of £500. It was **RECOMMENDED** the Council`s solicitor be advised that in view of the limitation on the operational hours of the skatepark (re the safeguarding measures) and as a consequence, the provisions of the lease could not be exercised fully, it would be unreasonable for the Council to have to pay DCC`s legal costs. It was further **RECOMMENDED** to progress the Deed of Variation and advise the Council`s solicitor accordingly

*PL22/05/13*

**Car Parking Spaces – Victoria Terrace**

The transfer to the Council of the twelve spaces was completed on 25th May and therefore the freehold of them was now vested in the Council. The Council`s solicitor had suggested that the use of the parking spaces by residents of Victoria Terrace, be formalised by way of  licence or lease. It was **RECOMMENDED** that the matter be referred to Full Council for consideration

PL22/05/14

**Misc Matters**

Legionnaires disease and water checks information/requirements

Testing has been carried out in all the Council`s properties and a report had been prepared by the Deputy CEO which had been considered by the Ctte.

*PL22/05/15*

**MISCELLANEOUS PROPERTY MATTERS**

It was **RECOMMENDED** that the maintenance/safety checks of properties be considered by the CEO and Deputy CEO and for them to prepare a paper to ascertain the work involved to enable whether or not staffing needs to be increased

*PL22/05/16*

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

There were none

The meeting concluded at 15.50pm

|  |  |
| --- | --- |
| **SIGNATURE OF CHAIRMAN** |  |
| **DATE OF SIGNATURE** |  |