

Axminster Town Council

Office Hours
Monday to Thursday
9am – 4pm

Mayor: Cllr Jill Farrow
Town Clerk: Paul Hayward

www.axminstertowncouncil.gov.uk



THE GUILDHALL
WEST STREET
AXMINSTER
DEVON
EX13 5NX

Tel. 01297 32088

Email: Clerk@axminstertowncouncil.gov.uk

Minutes of the meeting of the Operations Committee held on Monday,
5th August 2024 at 7.00 p.m. at Axminster Guildhall

Draft minutes – yet to be approved: Part TWO version (Unredacted)

Present: Cllrs. Walden (Presiding Chair) (JW), Dowdeswell (MD), Farrow (JF), Hurren (WH),
Leat (SL), Osborn (RO), Price (JP) and Willey (DW) (8).

Meeting was quorate.

Also in attendance was the Clerk to the Council, Paul Hayward.

No members of the public in attendance.

Meeting began at 7.00pm.

The Presiding Chair of the Committee, JW, welcomed all in attendance and outlined the fire precautions, exits etc and ran through the agenda procedure and protocol, noting the agenda statements as published.

Public Forum:

As there were no members of the public present, Chair asked if any members of the committee would wish to speak at this point of the meeting in public forum. No member wished to speak.

Chair subsequently closed the public forum session at 7.05pm.

OC24/31

To elect a Chair of the committee for the remaining Council calendar year ie. until May 2025
JF nominated JW to remain as Chair of the Committee. Seconded by SL. Nomination accepted by JW. No other nominations received. Resolved.

OC24/32

To elect a Vice-Chair of the committee for the remaining Council calendar year ie. until May 2025

In the absence of Cllr. Brooker, the Chair proposed that the election of the committee vice-chair be deferred until a future meeting. Resolved.

OC24/33

To note members of the committee present:

As detailed above.

OC24/34

To note and, if thought fit, to approve apologies (and reasons for absence):
(LGA 1972 S.85 (1))

Apologies had been received from Cllrs. Bridge, Paice and Steadman.

These were noted (as were the reasons for the absences) and JW proposed that absences be approved (along with the reasons provided). Seconded MD. Resolved.

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OC24/35

To note members of the committee not otherwise in attendance.

The absence of Cllrs. Brooker, Bull, Burrough and Langdon was noted.

OC24/36

To receive any declarations of interest from members of the committee in relation to items of business on this agenda and to note any dispensations previously afforded. This does not preclude the need for members to declare any additional interests that may arise during the meeting.

*At the FULL Council meeting held 10/06/2024, Cllr. Osborn was afforded a dispensation * to discuss and vote upon matters pertaining to allotments. This dispensation applies until May 2027 (unless rescinded prior to that date) and is afforded in respect of Cllr. Osborn's disclosable pecuniary and personal interests as set out in the Register of Members Interests.*

** Localism Act 2011 (s.33)*

Cllrs. Leat and Price both declared an "Affects NRI" in agenda item OC24/43i). Noted.

OC24/37

To consider and, if thought fit, approve the minutes of the Operations Committee meeting held 8th April 2024.

Chair proposed approval of these minutes. Seconded by Cllr. Farrow. Approval of minutes resolved unanimously.

Chair signed the approved minutes accordingly.

OC24/38

To consider any matters arising (not included within this agenda as business to be attended to) from the meeting of the 8th April 2024 and to receive progress report from Clerk:

Clerk outlined those matters outstanding/arising from the previous meeting that had not been included in this meeting agenda.

Summary:

JF asked for an update on the requested removal of the GILL painting from the Guildhall. SL requested that a photo of the new "twinning" gateway signage be forwarded to that organisation.

Noted by Chair with thanks.

OC24/39

To consider any matters listed on this agenda that Councillors consider should be dealt with as confidential business as per the provisions of The Public Bodies (Admission to Meetings) Act 1960.

One matter was already tabled for Part Two consideration - agenda item OC24/50 (IC).

Members recommended that an additional matter of business (OC24/043i) also be discussed in Part Two session due to the confidential nature of the financial information to be discussed.

Agreed.

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Operations Committee business to be considered:

OC24/40

To consider matters pertaining to the Town Cemetery:

i) To consider amendments to the Council's current adopted policy on the term of Exclusive Rights of Burial and the associated matter of rights for the erection and maintenance of grave/plot memorials. Clerk provided a verbal report outlining the present protocol and the recommended variations based on advice received from ICCM and NAMM with regards to memorial inspections (SIAM).

It was proposed by SL, seconded by Chair, that the Council's Exclusive Rights of Burial Deed term should remain unchanged at 99 years, but that a new Deed of Exclusive Rights for Memorial Erection should be created (and issued) from this date onwards with a 10-year term. Resolved unanimously. There is to be no additional charge for this Deed issue at the present time (beyond that already established within the extant Council Cemetery Charges schedule).

Clerk: Please liaise with Deputy Clerk / Admin. Assistant to bring this administrative process into play with immediate effect.

ii) To consider revised proposals for the creation of a temporary "storage compound" at the cemetery on the former 'bonfire field' *

** as a temporary measure pending the creation of a permanent hard standing in the eastern part of the lower cemetery field adjacent to the municipal cemetery.*

It was proposed by JW, seconded by MD, that Clerk be delegated to proceed with the revised proposals using the surplus HERAS fence panels recently acquired and camouflage netting, subject to a maximum spend of £500. Resolved unanimously. Clerk: please action accordingly.

iii) To consider the creation of an access point from the Millwey Rise allotment plot site into the lower cemetery field (orchard) area as a site upgrade / access improvement for GMO workload and user amenity.

It was proposed by JW, seconded by DW, that Clerk be delegated to proceed with access proposals as site conditions allow. Resolved unanimously. Clerk: please action accordingly in conjunction with SJ/KE/GMO team.

iv) To consider proposals for a comprehensive electrical wiring and utility upgrade project in the cemetery chapels.

Clerk was directed to obtain three quotes for the upgrade/compliance works recommended by the building condition surveyor. These quotes to be brought back to OPScomm for further consideration and decision. Noted.

OC24/41

To consider matters pertaining to Town Amenity and services:

i) To consider proposal that Axminster Town Council join NAMBA (National Association of British Market Authorities). Membership proposed by JW, seconded by SL. Resolved unanimously.

Clerk to liaise with EDDC Economy Team to establish whether external funding available to meet this expenditure.

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ii) To consider proposal that GMO staff team undertake basic 'conflict resolution training' to assist with the day-to-day realities of their work activities.

Clerk was directed to seek quotes for this training which members felt would be helpful in the execution of their duties in public areas in light of recent events. DW kindly offered to assist Clerk with establishing contacts for such training provision. Noted.

OC24/42

To consider matters pertaining to Administrative matters within the Town Council.

i) To receive an updated report from the Clerk on matters pertaining to IT infrastructure, IT resilience and operational administration delivery within the Council.

After receiving a report from the Clerk, and considering the pro's and con's of data migration to the 'Cloud' vs retention on servers and hardware, it was agreed that Clerk should be directed to obtain quotes for the "Cloud" option (negating the need for hardware upgrades and asset acquisition) from suitable suppliers, including the Town Council's current supplier, ITEC. The Clerk was also asked to take advantage of peer (Council) advice from both the SLCC and DALC. Noted. **Proposed by WH, seconded by JF. Resolved unanimously.**

Clerk: please obtain quotes as expeditiously as possible and bring this matter back before the committee (or FULL Council) for a decision on procurement and timeframes.

OC24/43

To consider matters pertaining to the Guildhall building and venue.

i) To receive a report from Clerk on the potential requirements for A/V capital investment in the venue.

It was proposed by the Chair that this matter be considered in Part Two (see 039 above). Resolved unanimously.

ii) To receive an update report from Clerk on the outturn of the 2023 Guildhall Solar PV installation and to consider whether the Council wishes to progress an additional application to the forthcoming EDDC Carbon Action Programme (CAP) to assist towards further improvements to the building in terms of CO² reduction, improved user amenity and potential energy cost savings.

It was proposed by the Chair, seconded by SL, that the Clerk should be directed to progress the application to the CAP and that Council should consider that matter further should the application proceed to a point where potential Council match-funding was required. Resolved unanimously.

Clerk: please note and action accordingly. Bring the matter back to OpsComm as developments warrant.

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OC24/44

To consider matters pertaining to the play amenity in the town.

i) To receive a report from the Clerk confirming an additional sum available to the Town Council from previous Section 106 planning contributions in relation to the Millwey Rise Play Extension Project, and to consider approving that these additional funds are fully used in that respect. Confirmation had been received that ATC had an additional £23k available from retained S106 funding for the delivery of the Millwey Rise Play Extension project due to indexation of the original developers contributions; this news was welcomed by all members of Council. Unanimous agreement to utilise these funds as originally resolved on the play-extension project (see below OC24/44iii).

Chair suggested that the TC may be able to enter into a licence agreement with EDDC to provide a better football amenity on the former Millwey Rise FC pitch (between Stewart Court and the lower cemetery field) by way of more regular grass cutting and supply of goalposts etc. Clerk to make appropriate enquiries of EDDC legal team re; potential agreements and utilisation of the HRA land asset. Noted.

ii) To consider the (finalised) draft lease agreement between EDDC and Axminster Town Council and to approve the document for signature in accordance with the Town Council's extant standing orders.

After discussion between members on some of the technical aspects of the proposed draft lease, **it was proposed by Chair, seconded by JF, that the heads of terms be accepted and that the Council proceed to sign the lease with EDDC as set out in the draft document. Resolved unanimously.** Clerk: please notify the Council's legal representatives accordingly and arrange for the final version to be created for member signature and witnessing.

iii) To consider a proposal for the introduction of static CCTV in and around the play area site for the prevention of crime and protection of Council, and tenanted, property (which would be subject to consultation and planning consent).

After a vigorous debate on the benefits of such a system, against the perceived disadvantages, **it was proposed by JF, seconded by MD, that the Clerk be directed to obtain confirmation from EDDC that provision (supply and installation) of CCTV could be included within the auspices of S106 funding agreements between EDDC and ATC. If this were permitted, and subject to community consultation on the provision of such CCTV amenity as a deterrent to ASB, the Council "in principle" supported the installation of CCTV on the site. Resolved 'nem con' (7 votes for, 1 against).** Clerk: Please note and action accordingly. Please prepare another report for committee once further clarification has been received on viability / feasibility.

iv) To ratify the purchase (at a cost of £1860.75 net *) of HERAS fence panels (and associated items) for the protection and safeguarding of the Millwey Rise Play Area extension site (but to be held as a Town Council asset when no longer in use thereat). Purchase was previously approved by the Chair of the Operations Committee as an emergency measure to prevent unauthorised access to the building site on public safety grounds, and to accord to requests from neighbouring residents and homeowners.

* For comparison, cost to hire for 4 weeks would have been circa £2000 and then £400 pw. thereafter. **proposed by Chair. Seconded by SL. Resolved unanimously.**

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OC24/45

To consider matters pertaining to allotment amenity/provision in the town.

i) To consider proposed revisions to the extant Allotment Regulations in conjunction with representations from the Axminster Allotment Association *

** This matter was deferred to this Operations Committee meeting by the FULL Council on 8th July.*

ii) To receive a report from the Chair of Operations Committee (and Clerk) on the recent meeting with the Axminster Allotment Association and to consider their comments, complaints and suggestions for improved amenities and collaborative relationships with the Town Council.

The Chair covered both of these items as one matter of business for consideration.

The recent association/council meeting had gone well with both sides outlining their aims and objectives and expressing a desire to work cooperatively and collegiately and to build a working relationship that benefits all parties, especially the tenants of the allotment sites themselves. There was, however, an understanding and acknowledgement that the Town Council is the final arbiter of the allotment rules and regulations and that the Allotment Association would not be permitted nor empowered to implement any unilateral decisions or actions without recourse to the Council.

With regards to the proposed revision of the allotment regulations, these were discussed by members and approved – with delegated authority afforded to the Clerk (in conjunction with the Deputy Clerk and Admin. Assistant) to create the new extant version of the allotment regulations for publication.

Key points to note:

- a) Rents for plots let mid-term to be charged pro-rata as per Scribe admin. system requirements.
- b) A moratorium of 5 years to be applied to any person previously served a notice of termination of tenancy (ie. no further allotment tenancies permitted until 5 years had elapsed).
- c) If a tenant ceases to be a resident of the parish (or ceases to work in the parish) their tenancy may continue until the date of renewal – if they so request.
- d) Maximum of two allotment tenancies per household in the parish of Axminster.
- e) If tenancy fees not paid/received by 1st December (following October renewal) then a termination notice will be served for non-payment of allotment rent.
- f) Allotment deposits will be continue to be refundable upon cessation as per extant regulations subject to the plot condition being assessed by Council officers.
- g) Tenancies will be subject to an initial 12m probationary period with more regular inspections than an established plot (those 'established' inspections to be 3 times per annum).

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- h) A condition to be added to the regulations allowing the Council to remove chattels and structures if they block access to hedges, paths, water supplies etc – at the Council's discretion.
- i) Broken glazing to be removed from site but condition requiring replacement to be removed.
- j) Revision of shed conditions to allow a lean-to/shelter structure to be included within the established regulations.
- k) Revision of wording regarding structures left on a plot upon cessation of tenancy to assist with enforcement of tenancy regulation breaches and general compliance.
- l) Requirement to remove hosepipes from common areas and a requirement to store them on individual plots.
- m) Additional wording to prohibit the installation of boundary fencing around plots in the interests of open and harmonious tenant relations.
- n) No 'blanket' ban on the use of glyphosates as weedkillers (contact herbicides), but a complete ban on the use of NNI's, neonics or neonicotinoids (systemic pesticides/insecticides) on every allotment site in the parish *
- o) Revision of the extant wording to provide greater clarity on termination procedure/ protocol.

Revisions proposed by Chair, seconded by SL. Resolved unanimously.

* Proposal to ban glyphosate use was not carried (1 for / 4 against / 3 abstentions)

* Proposal to ban neonicotinoid use was carried (3 for / 2 against / 3 abstentions)

The decision on the matter of the prohibition of the importation of domestic food waste onto the allotment sites, regardless of use, was deferred to allow further advice to be sought regarding the use of household food waste for the feeding of poultry on the allotment sites, albeit members indicated that they required the regulations to state that any such food for poultry needed to be stored on-site in 'vermin-proof' containers.

Finally, members considered fees chargeable for allotment plots for the FY2025-26 plot tenancy renewal year. It was proposed by JF that fees for this period should be set at £35 for a half-plot, and £60 for a full plot. Seconded by Chair. Resolved unanimously.

Furthermore, Clerk was directed to liaise with the other Council officers with a view to establishing a series of charges from FY2026-27 onwards based on both the exact square metre area of each plot, and an additional 'per meter' water supply charge to create a more fair and equitable charging protocol for allotment tenants, recognising that the current system penalised smaller plot-holdings and also failed to reimburse the Town Council adequately for water usage across the 3 allotment sites. Noted.

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iii) To consider whether the Town Council wishes (at this stage) to accept the offer of additional allotment site amenity at Cloakham Lawns as per the terms of the 2011 Section 106 legal agreement.

Chair proposed that - subject to the allotment amenity site being prepared and handed over as per the requirements and conditions of the existing S106 legal agreement (in terms of access, layout, water supply, top soil quality etc) – the Town Council should accept the transfer of the land for a ‘peppercorn’ on a 99-year lease. Seconded DW. Resolved unanimously.

Clerk: Please note and liaise with EDDC legal team / planning obligation team accordingly to bring the transfer to fruition as swiftly as possible (mindful of the demand for allotment plots in this area).

DW proposed that the Council’s Standing Orders be suspended to allow the meeting to continue past the 2hr point. Seconded MD. Resolved unanimously.

OC24/46

To consider matters pertaining to Emergency Planning.

i) To receive an updated report from the Clerk on matters pertaining to emergency planning in Axminster Parish.

Report received. Inaugural meeting of the AEPWG (see below) was proposed for 6th August 2024.

ii) Members to consider suggestions/directions to the membership of the nascent Axminster Emergency Planning Working Group (AEPWG) which is due to meet shortly.

Those members of the working group present at the OpsComm meeting agreed to take forward discussion topics and bring a report back to Council as soon as possible, once their meeting had taken place. Future meetings of the AEPWG to include residents affected by the flood events recently.

OC24/47

Chair’s Announcements / Matters of Urgency to be noted:

Clerk raised a matter pertaining to the tenancy of one of the Council’s properties.

JW proposed that delegated authority be afforded to the Clerk to arrange the necessary maintenance and repairs. Seconded JP. Resolved unanimously.

Clerk: Please not and action accordingly.

OC24/48

Date of next scheduled meeting for the committee; 7th October 2024

Future committee meetings: Dates not yet agreed upon.

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OC24/49

The Chair of the Committee proposed that [under the provisions of the Public Bodies (Admission to Meetings) Act 1960, (as amended by the Local Government Act 1972)] the public, (including the press) should be excluded from the meeting as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted. Seconded by Chair. Resolved unanimously.

Matters to be considered in committee session (Part Two):

The items of business listed below and any others from this agenda to be agreed upon by members of the committee if and when appropriate (see OC24/039)

OC24/50 (IC)

To consider matters pertaining to the Town Cemetery deemed commercially sensitive / confidential:

This matter is deemed confidential as it pertains to commercially sensitive supplier information.

It was proposed by Chair, seconded by MD, that Clerk be delegated to seek quotes for the upgrading of electrical fixtures, circuitry, wiring and lighting at the two chapels as per the recommendations of the building condition surveyor. Resolved unanimously.

Clerk: Please note and action accordingly, referring the quotes back to OpsComm once received.

OC24/43

To consider matters pertaining to the Guildhall building and venue.

i) To receive a report from Clerk on the potential requirements for A/V capital investment in the venue.

This matter is deemed confidential as it pertains to commercially sensitive supplier information.

After a lengthy discussion on the capital investment needed in AV equipment at The Guildhall, it was proposed by Chair, seconded by JF, to direct the Clerk to liaise with specialist AV equipment providers to seek a "costed schedule of need" for the venue, for further consideration by the OpsComm. Costs of up to £2000 have been notionally agreed, with Clerk delegated to obtain the advice as cost efficiently as possible. Resolved unanimously.

Clerk: Please note and action accordingly. Please liaise with SL and JP if any specific technical advice is required.

With no further business to attend to, the Chair closed the meeting at 22.05hrs.

Signed Date.....

Minutes of the meeting of the Operations Committee held on Monday,
5th August 2024 at 7.00 p.m. at Axminster Guildhall

Draft minutes – yet to be approved: Part TWO version (Unredacted)