

IN ACCORDANCE WITH THE STATUTORY REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1972 SCHEDULE 12
PARAGRAPH 26(2) [A] (ADMISSIONS TO MEETINGS) SECTION 1(4)

NOTICE IS GIVEN THAT AN ORDINARY MEETING OF THE SERVICES, PROPERTY AND OUTDOOR SPACES COMMITTEE
WILL BE HELD AT TOWN HALL, CULLOMPTON
ON TUESDAY, 12 SEPTEMBER 2023 AT 7:00PM

MEMBERS OF THE PUBLIC HAVE THE RIGHT TO ATTEND UNLESS A SPECIFIC DECISION HAS BEEN
TAKEN TO PROHIBIT THEM

TO THE CHAIR AND COUNCILLORS OF CULLOMPTON TOWN COUNCIL

**YOU ARE HEREBY SUMMONED TO ATTEND AN ORDINARY MEETING OF CULLOMPTON TOWN
COUNCIL**

6 SEPTEMBER 2023

AGENDA

1. **Election of Chair.** To elect a Chair of the Services, Property and Outdoor Spaces Committee for the Municipal Year 2023-2024.
2. **Apologies for Absences.** Council to receive apologies for absence and consider the reasons given. ([LGA 1972 s85\(1\)](#)).
3. **Declaration of Interest and Dispensations.** Members to declare any interests, including Disclosable Pecuniary Interests, they may have in agenda items that accord with the requirements of the Parish Council's Code of Conduct and to consider any prior requests from members for Dispensations that accord with [Localism Act 2011 s33\(b-e\)](#) (this does not preclude any later declarations).
4. **Public Question Time.** Members of the public are invited to question the Council on local issues etc. Questions will be answered by The Chair, The Chairs of the Standing Committees or Clerk. These persons will reserve the right to postpone making an answer until the following meeting in order to take advice or undertake research.

During this time, outstanding answers from previous meetings will be delivered.
5. **Tree Surveys.** To receive the results of the tree and hedge surveys and resolve what further action is required.
6. **Devolution of Services.** To consider proposals for more partnership working with and devolution of services from Mid Devon District Council.
7. **Public Spaces Protection Order.** To consider the placing of signage for spaces protected by the Spaces Protection Order by Mid Devon District Council on such spaces controlled by Cullompton Town Council.
8. **Town Hall.**
 - 8.1. To consider the current Schedule of Fees for the hire of the Town Hall.
 - 8.2. To consider the viability of the Window Replacement Project.

8.3. To note that the stair lift will be removed to enable the upper floor of the Town Hall to be safely utilised.

9. Cemetery.

9.1. To consider the installation of a Memorial Garden.

9.2. To consider storage options for maintenance equipment.

9.3. To consider the installation of an electrical supply to the Cemetery Chapel.

9.4. To consider necessary repairs to the Cemetery Chapel and Mortuary.

9.5. To consider the installation of renewed paths in the old Cemetery.

9.6. To consider the Cemetery Policy.

10. Winter Hanging Baskets. To consider the procurement and supply of Winter Hanging Baskets.

11. Play Areas.

11.1. To consider whether the Council maintains the lease on the MDDC play areas.

11.2. To consider replacement of the chain link fence with hoop top fencing at those play areas without it.

11.3. To consider installation of sports netting along the western boundary of Headweir Road play area.

11.4. To note that play area defects noted in the most recent RoSPA inspection have been rectified.

12. Top Field/Hayman's Allotments.

12.1. To note that the grant from the solar farm at Langford can be used for environmental projects at the allotment fields.

12.2. To consider the Schedule of Fees for 2024-2025 and the collection of deposits for new allotment holders.

13. St Andrew's Car Park.

13.1. To consider the Schedule of Fees for 2024-2025.

13.2. To consider the agreement for the partial and full closure of St Andrew's car park to facilitate the ZPod development at St Andrew's Estate.

14. Public Toilet. To consider the installation of a CCTV camera at the entrance of the public toilet to deter vandalism and anti-social behaviour.

15. War Memorial. To budget for cleaning of the War Memorial in Quarter 1 of 2024 once Higher Bullring Works are completed.



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CULLOMPTON TOWN COUNCIL (‘the Council’)	
Date of report	August 2023
Item of business	Tree Survey Report
Details	To update the Council on actions required as a result of a Tree Survey.
Recommendations	<p>It is RECOMMENDED that:</p> <p>1.1 That Ivy is removed from the main stem of the Veteran Oak tree at Headweir Road play area.</p> <p>1.2 That a detailed decay mapping survey is conducted on the Veteran Oak tree at Headweir Road play area.</p> <p>1.3 That A M Lane Limited is contracted to produce a detailed management plan of the Veteran Oak tree at Headweir Road play area.</p> <p>1.4 The Whitebeam tree at Headweir Road is properly tied to its stake using an appropriate tie instead of a cable tie.</p>

TREE SURVEYS

1. Tree surveys have been completed for all trees and hedges that the Council is responsible for. They are attached and the following actions are **RECOMMENDED**:
 - 1.1. That Ivy is removed from the main stem of the Veteran Oak tree at Headweir Road play area.
 - 1.2. That the presence of Oak Bracket Fungus indicates the presence of decay in the main stem of the Veteran Oak tree at Headweir Road play area and a detailed inspection is recommended as the last was done 5 years ago.
 - 1.3. That AM Lane Limited is contracted to produce a detailed management plan of the Veteran Oak Tree at Headweir Road play area that will include crown thinning and limb removal over time to preserve the health of the tree.
 - 1.4. That the unconventional stake and tie fixed to the relatively newly planted Whitebeam tree at Headweir Road play area is made fit for purpose. Currently, it is staked too high and using a cable tie (rather than a proper tree tie) and this cable tie is now starting to damage the tree.

CULLOMPTON TOWN COUNCIL (‘the Council’)	
Date of report	August 2023
Item of business	Town Hall Report
Details	Update Report
Recommendations	It is RECOMMENDED that: 5.3 That hall rental prices remain, largely, unchanged from current levels until availability for community usage becomes embedded but that the structure of fees is modified to have a fixed hourly rate rather than a session rate to make publicity and billing simpler.

TOWN HALL

1. The overhead lights in the main hall have been repaired by replacing the LED drivers as required. A number of spare drivers are now held so that they can be replaced more readily should they fail.
2. A thorough clear out of the Committee Room has taken place and a significant quantity of confidential waste will be professionally disposed of. The Committee Room is now fit to be used as such should the Council wish to. The Town Clerk’s office and downstairs offices are next to be cleared followed by the second-floor spaces.
3. Asbestos has been discovered at a recent survey and, whilst most of it is safe if left in situ, there are some broken asbestos boards in the void under the staircase (and accessed via a removable panel in the gent’s toilet) that has been removed and safely disposed of by a contractor.
4. Estimates have been received for the replacement of the windows in the Town Hall. A separate report has been produced.
5. **Hall Rental:**
 - 5.1. The Town Hall is, once again, open for rentals and has had some bookings for bingo, coffee mornings and jumble sales on behalf of various charities. In addition, Ward Members for Mid Devon District Council hold monthly Surgeries on the first Saturday to coincide with a Farmers’ Market.
 - 5.2. It should be noted that opportunities to rent the hall will be more limited with Committee meetings recommencing, although not to the extent that was the case previously. It should be noted that, when conflicts do arise, the Committee Room could be used as such if necessary.

- 5.3. It is **RECOMMENDED** that prices remain largely unchanged from current levels until availability and community usage becomes embedded but that the structure of fees is modified to have a fixed hourly rate rather than a session rate to make publicity and billing simpler.

CULLOMPTON TOWN COUNCIL (‘the Council’)	
Date of report	August 2023
Item of business	Town Hall Window Replacement
Details	To consider whether replacement of the windows in the Town Hall is viable.
Recommendations	It is RECOMMENDED that: <ol style="list-style-type: none"> 1. The project to replace the windows in the Town Hall is progressed and that pre-planning advice is sought followed by a full planning application should this advice be favourable. 2. A preferred contractor is identified.

TOWN HALL WINDOW REPLACEMENT

1. The Town Hall windows are of a similar vintage as the Town Hall building and are constructed of softwood casements housing single glazed windows. They were redecorated some years ago and it was assessed that they were reaching the end of their useful life; it is considered that this point has been reached.
2. There are several issues with the windows throughout the building:
 - 2.1. Whilst they are watertight and, largely, keep the weather out, they are not draught free and the building is cold during the winter months even though secondary glazing is present at the front of the building.
 - 2.2. As they are single glazed, the energy required to keep the building at a reasonable temperature during the winter months is excessive; the windows could be far more energy efficient.
 - 2.3. At the same time as being thermally inefficient, they are also inefficient at reducing traffic noise at the front of the building.
 - 2.4. They are not as aesthetically pleasing as they could be.
3. Estimates have been received to replace the windows and doors on the following basis:
 - 3.1. Replacement hardwood casements containing slimline double-glazed units to the front of the building constructed and painted to mimic the existing casements.
 - 3.2. Replacement PVCu casements containing double-glazed units to the rear of the building. These will:
 - 3.2.1. Be finished in white with faux wood grain.

- 3.2.2. Have flush mounted openings.
- 3.2.3. Mimic, as closely as possible, the existing windows.
- 3.3. Doors will mimic the existing doors; those at the front will have automatic actuators to assist with access for disabled users.
- 3.4. Four estimates have been received (using the Contracts Finder website) and costs range from £45,000-£90,000 excluding scaffolding. Informal advice has been sought from a local estate agent who advises that, whilst the full cost of the windows will not be recovered in an increase in building value, c£50% should be recoverable (at the lower end of the estimates provided). Additionally, grant funding may be available from the HAZ Project for works to the front of the building that could substantially reduce the financial impact to the Council.
- 4. There will be some work to do with the Conservation and Planning Departments at Mid Devon District Council. Although a previous incumbent of the Conservation Officer role would not entertain the idea of PVCu at the front of the building due to its importance in the street scene (and neither will the current incumbent), he was prepared to consider such materials at the rear of the building given that it is unseen from the High Street and the Town Hall is unlisted. Early engagement with the Conservation Department more recently indicates there should be no heritage objection to PVCu products at the rear although they recommend that formal pre-application advice is sought before proceeding with a comparison on the longevity of wood vs PVCu products in the very long term.
- 5. It is considered by the Conservation Department that, with proper and regular maintenance, wooden casements would outlive PVCu products and, over the very long-term, would have less of an impact on the public purse. It is considered by Officers that, whilst this might be the case, the additional cost of manufacture and installation and the cost of ongoing maintenance (including scaffolding to access windows for repair and decoration) over that period together with replacement of PVCu products every 20 years or so would make this saving over the very long-term marginal. It should be noted that there are environmental as well as financial impacts to be considered.
- 6. Contractors that supplied estimates are as follows:
 - 6.1. Company A - £30,320 **incl** VAT (Front), £14,250.00 **incl** VAT (Rear). Total £44,570.00.
 - 6.2. Company B - £83.281 **incl** VAT¹.
 - 6.3. Company C - £64,595.36 **incl** VAT.
 - 6.4. Company D - £87,940.80 **incl** VAT².

¹ This estimate is for all wooden casements as the company does not work with PVCu.

² This estimate is for all wooden casements as the company does not work with PVCu.

CULLOMPTON TOWN COUNCIL (‘the Council’)	
Date of report	August 2023
Item of business	Cemetery Report
Details	Update Report
Recommendations	<p>It is RECOMMENDED that:</p> <p>5.4 That electrical work is conducted to supply electricity to the Chapel and that these works are delegated to the Town Clerk.</p> <p>6.2.6 That sufficient funding is moved from the appropriate EMR to the Cemetery Maintenance Budget Line to have resurfacing works carried out.</p>

CEMETERY

1. Work in the Cemetery continues and most of the defects reported at the visit of Councillors Thompson and Snow in July have been resolved. The matter of ant hills around the Cemetery remains and these will be cleared and either filled or levelled as routine maintenance work takes place.
2. Topple testing of headstones is planned to take place in the Autumn.
3. **Memorial Garden:**
 - 3.1. It is envisaged that a Memorial Garden is established in the SW corner of the Cemetery where the spoil heap was removed and the dilapidated shed disposed of; this area has been levelled and would make an ideal location for a Memorial Garden.
 - 3.2. What this garden is comprised of, however, is yet to be decided and guidance is required. Suggestions might include:
 - 3.2.1. a Memorial Tree (a manufactured tree comprising of a fabricated steel trunk with fabricated steel branches); these branches have embedded hooks onto which fabricated metal (brass, copper or steel) and engraved leaves are hung.
 - 3.2.2. A gazebo or shelter of some sort.
 - 3.2.3. Seating of some sort.
 - 3.2.4. Wildflower planting: these could be either ground level or raised beds constructed of, for example, repurposed hardwood railway sleepers. Another alternative could include the tiered planters as seen in the Higher and Lower Bullrings.

- 3.2.5. A solid base on which to site these items. It is suggested that a compacted hardcore base is installed for solidity and topped with 20-30mm of bark chippings. Appropriate weed suppressing membranes would be installed below the compacted base and below the bark chippings.

4. Chapel Repairs:

- 4.1. Estimates are being gathered to repair the interior of the Chapel using lime render and plaster and to spot repoint the exterior walls of the Chapel and Mortuary using lime mortar; for aesthetic purposes, a complete exterior repoint is recommended. One estimate has been received and a formal Tender Specification will be required to be drawn up and a formal Tender process undertaken as the cost is likely to be above the threshold.

5. Chapel Electricity Supply:

- 5.1. It has been the intention for some time to install an electricity supply into the Cemetery Chapel to provide lighting and an outlet for a music player during services. It is envisaged that the equipment that will be using this supply will be low wattage (such as LED) lights (either wall or ceiling mounted or even free standing to avoid fixing them to the fabric of the building) plus a small music player of some sort. Heating will continue to be provided, if necessary, using the existing portable LNG heaters. The draw on this electricity supply will be relatively low. Guidance is required on other types of equipment that might be used in order that the correct gauge of cable is channelled from the Cemetery toilet block to the Chapel.
- 5.2. Listed Building Consent will be required prior to internal works commencing as the Chapel is Grade II Listed; the Conservation Officer advises that this should not be a barrier provided that the fabric of the building is modified as little as possible and that any fixtures and fittings are sympathetic.
- 5.3. The armoured cable will be channelled from the Cemetery toilet block to the Chapel at a recommended depth of 450mm; it may mean that the cable run will be longer than "as the crow flies" as it will have to be channelled around existing grave spaces; an estimate is a cable run of 200-250m. It's location, once channelled, will be mapped for future reference. A cable of 2.5mm has been recommended but it is intended to lay a 3.5mm cable to allow for some future proofing.
- 5.4. Once the cable has been laid, a qualified electrician will be contracted to make the required connections and supply and install the required electrical infrastructure (light fittings, sockets and appropriate cabling) in a manner that is sympathetic to Chapel's Grade II Listing. The electrical installation will comprise of wall or ceiling mounted lighting, a domestic RCD fuse board and 4-6 double electrical outlets.
- 5.5. As the total cost is likely to be less than £1,500, it **RECOMMENDED** that electrical works are conducted to supply electricity to the Chapel and that these works are delegated to the Town Clerk.

6. Cemetery Pathway Planned Maintenance:

- 6.1. The drain cover that had partially collapsed has been repaired.
- 6.2. The next phase of resurfacing works (which has already been agreed at Full Council) will include:
- 6.2.1. The pathway between the Mortuary and the proposed location of the Memorial Garden.

- 6.2.2. The Western path that runs northwards through the two early Cemetery extensions.
- 6.2.3. Quotations for 11.2.1 and 11.2.2 will be obtained and a further report will be produced, if necessary, once these quotations have been secured.
- 6.2.4. It is intended to leave the grassed path between the Cemetery gate and the proposed location of the Memorial Garden as it is; it is solid, doesn't become boggy in wet weather and, regardless of the surface material, is unsuitable for motor vehicles but is suitable for mobility scooters and other mobility devices; it is also more aesthetically pleasing than another ribbon of tarmac.
- 6.2.5. Other pathways will remain as they are until funding/resources is in place to resurface them in the same manner.
- 6.2.6. **RECOMMENDED** that sufficient funding is moved from the appropriate EMR to the Cemetery Maintenance Budget Line to have as much resurfacing works carried out as possible in this Financial Year.

CULLOMPTON TOWN COUNCIL (‘the Council’)	
Date of report	August 2023
Item of business	Play Areas
Details	Update Report

PLAY AREAS

1. The Council, in c2015, took a long lease on and refurbished 4 play areas owned by Mid Devon District Council and that had been placed into a state of managed decline. Once the lease documents had been signed, each of these play areas were renewed, largely funded by Viridor Environmental Credits Limited. These play areas are:
 - 1.1. Tufty Park.
 - 1.2. Headweir Road Play Area.
 - 1.3. Rivermead Play Area.
 - 1.4. River Drive/Culm Lea Play Area.
2. Of the 4, Headweir is, by far, the most problematic in terms of:
 - 2.1. Management of the Veteran Oak tree.
 - 2.2. Complaints from residents adjacent to the play area.
3. In terms of 2.1, a detailed survey has been recommended by the contractor who conducted a visual inspection of all trees that the Council is responsible for; whilst the tree is in moderately good condition, there have been a number of works recommended in order to maintain the long-term health of the tree.
4. In terms of 2.2, a neighbour to the play area has reported that:
 - 4.1. Children are riding bicycles around the park.
 - 4.2. Children are climbing the Veteran Oak tree.
 - 4.3. Children are playing ball games during which it is claimed that there has been damage caused to the property owned as a result of balls being kicked over the boundary fence.
5. Following a recent s106 Working Group meeting that concentrated on play areas and their sustainability, it was recommended that all the play areas are taken into an overarching charitable Trust for their day-to-day management as it was considered that such an organisation will have greater success in securing grant funding than will the Council. Having

taken some legal advice on the mechanics of this arrangement and, subject to a thorough appraisal of the Upcott Field Indenture, it would be possible. How the Trust is governed will need to be considered in terms of whether it is a Trust with the Council as Sole Trustee or a stand-alone Trust with the Upcott Field play area leased to it on a long lease. In the latter case, an Articles of Association will need to be adopted by the Trust and a lease document drawn up by the Council to lease the Upcott Play Area to them.

6. Several decisions are required:
 - 6.1. Whether the Council retains the leases on all or some of the play areas currently leased from them.
 - 6.2. To consider fencing options:
 - 6.2.1. The industry standard for play areas is now hoop topped fencing; metal fencing topped with semi-circular hoops; this is the case at Rivermead and River Drive/Culm Lea.
 - 6.2.2. Headweir Road and Upcott Field are surrounded by chain link fence.
 - 6.2.3. Tufty is bounded by a mixture of chain link fence and hedge.
 - 6.3. To consider the installation of sports netting along the northern boundary of Headweir Road play area to mitigate balls impacting on neighbouring properties. This will be relatively expensive to procure and install and will be subject to vandalism. Other options include raising the height of the fence with a more robust material (such as is found around Multi-Use Games Areas) but this will be more expensive than sports netting.
7. It should be noted that defected reported in the recent RoSPA play area inspections have been rectified; several others have presented during routine inspections by Council staff and spare parts required for repairs have been ordered.



OFFICER REPORT

COMMITTEE:	FULL COUNCIL
DATE OF MEETING:	
AGENDA ITEM:	ADDITIONAL STORAGE FOR OUTDOOR TEAM
LEGAL AUTHORITY:	
FINANCIAL IMPLICATION:	<p>Consolidating storage and making better use of existing containers at the cemetery will avoid the additional cost of renting commercial storage off-site.</p> <p>Renting containers away from the work base involves extra cost and travel time, it does not make best use of resources.</p> <p>Purchase of a dedicated timber building for storage which will function as a workshop and for storage. Design options range from £7,432 (sale item) to £10,567 (sale item) – prices are approximate.</p> <p>Garage rental (MDDC) at Knightswood £55.68/month, £668.15 p.a.</p> <p>Ground rent for flood defence trailer – no charge.</p>
IMPACT ASSESSMENT:	<p>Selling a large container (20') and investing the proceeds in a smaller container (10') will mean tools and materials are close to where they are needed, which is efficient, saves time and money.</p> <p>Investing in additional storage and workshop facilities will consolidate operations for the Outdoor team at the cemetery.</p>
BACKGROUND:	<p>Previously Councillors tasked staff with researching other potential locations for storage of materials, equipment and machinery.</p> <p>A review of storage of tools and machinery was carried out to ensure the Outdoor Team is adequately equipped to do their work, and that valuable kit is safely stored.</p>



Current storage situation:

Cemetery - Tools and equipment are stored at the cemetery in two timber-clad twenty-foot containers, side by side. Some materials are stored in the open space behind the containers.

St Andrews Car Park - A large trailer is housed in a 20' container at St Andrews car park. The container covers several parking spaces which is inconvenient for the public and car parking revenue is lost.

Knightswood - Flood defence equipment is stored in a 20' container at Knightswood.

Knightswood - CTC rents a garage at Knightswood to house a 10' wide trailer.

Available commercial storage - A desktop exercise was undertaken to find commercial storage facilities within a reasonable radius of Cullompton. Given the relatively small amount of long-term storage distance is a critical factor. Cost is an important consideration.

An internet search revealed a dearth of affordable storage facilities in and around Cullompton. Refer to attached sheet listing local supply, cost and location at APPENDIX A.

Options:

1. Storage to remain as is and rent or buy additional commercial storage.
2. Sell the large (20') container currently in St Andrews car park and use the proceeds to buy a smaller (10') container. Commission a contractor to 'open' the back of a (20') container at the cemetery and join the large and small containers (N.B. both are the same width) to create a larger storage area. The large trailer (currently in the car park) can be stored, with other machinery/equipment, in this unit. N.B. surplus from the sale of the large container will cover some of the cost of consolidating storage arrangements.
3. Clear the area behind the containers at the cemetery. Build a covered storage area.
4. The container at Knightswood is in the flood area and holds equipment to deal with a flood event. It is logical for it to remain in this location.



	<p>5. A large trailer is stored in a rented garage at Knightswood because it is too wide to fit in a container. There is no benefit in moving to other premises. Rental cost of the garage is £55.68/month, £668.15/year.</p> <p>6. Purchase new timber building for additional storage and as a workshop in the cemetery car park, where the team is based. This would take up two disabled parking bays adjacent the toilet, which would be replaced on the opposite side of the car park. The team would assemble and fit out the new building. Detailed specification to be agreed but optimum size for the location is 6m x 8m. See: Wooden Garages UK Timber Car Garage Kits for Sale (quick-garden.co.uk) See last page.</p> <p>7. Inspect tools and equipment, ensure all is in safe working order.</p>
SUMMARY:	<p>Having established that there is scope to rearrange storage at the Cemetery, which is efficient and cost effective, the Committee is invited to consider the options and recommendations below.</p>
RECOMMENDATION:	<p>Option 1 is expensive, inconvenient, and time-consuming.</p> <p>Options 2 & 3 will provide adequate safe storage at the cemetery, the team's work base, at no additional cost, save for the cost of joining two containers, building a covered area and staff time to rearrange equipment and machinery.</p> <p>Options 4 & 5 no benefit to relocate. Status quo is the best option financially and practically.</p> <p>Option 6 Purchase and install new timber building for storage and workshop in cemetery car park.</p> <p>Option 7: Inspect and review tools and equipment, dispose of anything broken or unsafe, repair anything repairable, continue to maintain plant and equipment in good order and update the asset register accordingly.</p> <p>Recommendations: Reject option 1 Accept option 2&3 Accept option 4&5 Accept option 6 Accept option 7</p>



[Double Wooden Garage CLASSIC DUO \(44 mm\), 6x8 m \(20'x26'\), 48 m² \(quick-garden.co.uk\)](http://quick-garden.co.uk)



[Double Wooden Garage TWIN DUO \(44 mm\), 8x6 m \(26'x20'\), 48 m² \(quick-garden.co.uk\)](http://quick-garden.co.uk)

DRAFT AGREEMENT: MANAGEMENT OF CONSTRUCTION ADJACENT ST ANDREW'S CAR PARK, CULLOMPTON

PARTIES TO AGREEMENT: CULLOMPTON TOWN COUNCIL & MID DEVON DISTRICT COUNCIL/THE CONTRACTOR

DATE: 00/00/2023

1. PURPOSE OF CLOSURE: To manage construction activity within defined areas of St Andrew's car park, Cullompton.

2. BACKGROUND: St Andrew's car park belongs to Cullompton Town Council (CTC). The development land (northwest of the car park) belongs to Mid Devon District Council (MDDC).

2.1 Part of the car park will be closed to allow Mid Devon to undertake construction work on adjacent land. The purpose of this agreement is to clarify responsibilities for managing the car park during the construction period to minimize inconvenience and the risk of harm to the public.

3. THE AGREEMENT: The original agreement was ratified by Full Council in January 2023 but work was delayed and Mid Devon District Council have asked for the following changes to be agreed for a September start. This agreement will be ratified by CTC Full Council in January 2023.

3.1. Cullompton Town Council agrees to ~~the first eight~~three parking bays on the left side of the entrance to the car park being closed to the public for the duration of construction to accommodate deliveries and removal of waste material, see dates below. Closure will be ad hoc, and outside school pick up and drop off times. Site notices are in place to inform the public and, although it is early days, there does not appear to have been any conflict.

3.2 The original agreement was Cullompton Town Council agrees to close the entire car park ~~being closed to the public~~ for two full days (dates to be advised) to facilitate heavy plant maneuvering module(s) into place. Mid Devon is now requesting complete closure of the car park between 25th and 29th September to allow the Zpod modules to be craned into place.

Items 3.3 and 3.4 below reflect recent discussions with Mid Devon and their contractor i.e. that a crane cannot operate in high winds. If this is the case, a further closure will need to be agreed.

The Council will need to put its mind to how it will manage uncertainty if there is adverse weather, and inconvenience to the public during the full closure (25th to 29th). Permit holders will need to be reimbursed. There will be pressure on other parking in the town during the period of full closure, and parents whose children attend St Andrews School would benefit from early notice of the closure and advice re alternative safe parking options.

THE REST OF THE AGREEMENT IS UNCHANGED

3.3 CTC, MDDC (and its contractor) will liaise closely regarding the timing and duration of closures. It is accepted that construction is weather dependent and could be delayed by unforeseen events.

3.4 A degree of flexibility is necessary but once a timetable is agreed all parties will do their best to ensure it is adhered to and avoid unnecessary delays.

3.5 CTC will provide advisory public notices regarding updates and progress of the work. The site agent will display them in prominent locations so residents are kept informed. MDDC and/or the site agent will liaise with CTC and provide accurate and up to date information for these notices, which will also be displayed on CTC's website and social media.

3.6 MDDC is solely responsible for the work and the site, and activity within those areas of the car park to which this agreement applies.

3.7 MDDC and/or the contractor will inform CTC immediately if a problem arises that impacts the car park.

3.8 MDDC and/or the contractor will ensure there is no overspill of building materials, debris, mud, etc from the site. Construction materials must not be stored outside the designated areas.

3.9 Construction vehicles in the car park must display either a parking permit or a valid ticket and adhere to the rules displayed.

3.10 MDDC and/or the contractor will repair any incidental damage to the car park and all materials and vehicles will be removed within one day of the work being completed, unless an extension is agreed.

3.11 MDDC will reimburse CTC for financial losses, which will be calculated by MDDC via a tracker log.

3.12 MDDC and the contractor will include the designated areas of the car park in the risk assessment and method statement (RAMS); copies to be share with CTC.

3.13 CTC accepts the need for a degree of flexibility with this arrangement to account for the weather and unforeseen events, but all parties will endeavor to adhere to an agreed timetable.

3.14 All parties to nominate contacts to be responsible for dissemination of information for the duration of the project.

~~4. Insert draft schedules, including nature of the work and target start/finish dates.~~

~~The schedule should allow a degree of flexibility and it is accepted that unforeseen events may cause delay, but it is expected that all parties will aim to return the car park to public use as soon as possible.~~

~~5. Penalties for delay/failure to adhere to this agreement/etc?~~

SIGNED BY

Name on behalf of Mid Devon District Council

Signed

Date

Name on behalf of the contractor

Signed

Date

Name on behalf of Cullompton Town Council

Signed

Date