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MINUTES OF AN ORDINARY MEETING OF CULLOMPTON TOWN COUNCIL
DATED THURSDAY, 28 SEPTEMBER 2023 AT 7:00PM
AT CULLOMPTON TOWN HALL

PRESENT:

Councillors: E Buczkowski, J Buczkowski, R Dietrich, P James, J Johns, P Regardsoe, J Stanford, T Spring, C Snow, M Thompson (Chair).

Officers: The Town Clerk, Deputy Town Clerk, Administrative Assistant.

Others Present: MDDC Councillors M Fletcher, S Robinson and 15 members of the Public.

C23/090 Election of Vice-Chair.

RESOLVED that Councillor T Spring is elected Vice-Chair of the Council for the remainder of the Municipal Year 2023-2024.

C23/091 Apologies for Absences. Apologies for Absence were received and accepted from Councillor M Dale, MDDC Councillor L Knight, DCC Councillor J Berry.

C23/092 Declaration of Interest and Dispensations. The following Declarations of Interests were made:

1. Councillor J Buczkowski declared interests in Agenda item 7.3 (Minute C23/096.2) as he is a member of Mid Devon District Council and Cabinet Member for Finance, Agenda item 10.2 (Minute C23/099) as he has children who attend Cullompton Community College and Agenda item 12 (Minute C23/101) as the consultation is proposed to cover services provided by MDDC.
2. Councillor E Buczkowski declared interests in Agenda item 7.3 (Minute C23/096.2) as she is a member of Mid Devon District Council, Agenda item 10.2 (Minute C23/099) as she has children who attend Cullompton Community College and Agenda item 12 (Minute C23/101) as the consultation is proposed to cover services provided by MDDC.

C23/093 Public Question Time. The following matters were raised at Public Question Time:

Knightswood residents gave their experiences of the recent flooding event in Knightswood. Comments and questions included:

- There were a large number of overflowing drains.
- Uncleared drainage ditch behind Knightswood. Last cleared in 1997 and were unaware of the need for landowners to clear the ditch under riparian ownership.

- Unavailability of flood defence measures in the container and, had they had the key to access sandbags, it may have mitigated some of the flooding that occurred.
- There was lots of self-help evident and the flooding was thought to have been under control until a torrent fell onto Knightswood from Colebrooke Lane and Swallow Way.
- Clearance of the ditch behind Knightswood requires maintenance by landowners; MDDC are chasing it and the TC and DTC will keep Members appraised.
- *The Mayor responded that that he and Councillor C Snow raked out enough debris from the ditch that runs between Meadow Lane and Knightswood. He accepted that he had not done enough on that particular day. The Emergency Plan will be looked at and reviewed but it was disappointing that there was no response from either DCC or MDDC. He did make contact with the Deputy Clerk and things started happening but at that time, there was only an awareness of flooding from Meadow Lane; it was only later that the torrent came down Swallow Way and into the Knightswood estate. There will be consultations between all interested parties to determine what needs to be done and to review the Emergency Plan. On Monday, MDDC were contacted and some remedial work was conducted at the Meadow Lane ditch but it is accepted that there is work that needs to be done.*
- District Councillor S Robinson reported that the farmer who uses that field to graze his animals rents the land from the owner of the land.
- Councillor J Buczkowski reported that he was also on site. The flood container contained only sandbags and, probably, not enough of them. He considers that the Town, District and County Councils failed the residents of Knightswood and, although these Councils are not blue light responders, better communication is required to inform residents what the Councils can do. A report is required from the Environment Agency to determine exactly where the water that flooded Knightswood came from; thereafter, those people that are responsible for clearing drains and drainage channels, be they Council or private landowners, are absolutely held to that. A review of Emergency Plans at Town and District level to establish exactly what equipment is available and how it is deployed but there will be need for communities to help themselves.
- Suggestion that a consultation with residents is carried out in terms of what equipment is available and how it should be deployed.
- It was stated that residents are being let down by the Environment Agency in not making more robust objections to proposed residential developments that are undoubtedly exacerbating the flooding situation in Cullompton; discharge of water from the northwest of Cullompton flowing into Cole Brook and will have had a significant effect on discharge of water to Knightswood.
- The Town Clerk reported that there are now 3 tons of sandbags available for distribution at Knightswood. He also reported that there is a DCC administered grant scheme to allow residents at risk of flooding to have flood defence measures taken at their properties including flood boards across doors, non-return valves in wastewater systems and the covering of air bricks. Whilst the Council has emailed the link to the DCC website to some key individuals at Knightswood, it will arrange a leaflet drop with this information to all residents of Knightswood. He noted, however, that many of the Agencies involved do rely on individuals and community self-reliance in the main. There was confirmation that, if a flood defence grant is applied for, there is no

commitment to it until the money is paid after which the money will be required to be spent on flood defence measures.

- There was concern about the lack of assistance from MDDC for Council tenants.

C23/094 Member Questions. The following matters were raised at Member Questions:

Councillor P James – Nobody picked up the telephone at the Council on the day of the recent flood event. Why? *The Town Clerk reported that he was not contactable he was ill but that when his Deputy was contacted, some action was taken. The Emergency Plan caters for predicted flooding but has no provision for flash flooding events and noted that the responsibility for these events fall more to the higher tiers of local government.*

Councillor P Regardsoe – She noted that the drains aren't cleared often enough and, in some cases, there is vegetation growing out of them.

Councillor J Johns – Need to get DCC to clear the drains more often particularly in Fore Street and High Street. During the recent storm, Exeter Hill and Duke Street were very fast flowing and action needs to be taken to clear the drains.

Councillor J Buczkowski – He stated that the clearance of the drains is clearly the remit of DCC and was disappointed at the absence of the County Councillor for Cullompton this evening. Questions around Clerk's update.

- Firstly, he would like confirmation that the appointment of the internal auditor is a Council, not an Officer one, and that the appointment would be brought before the Council. *The Town Clerk reported that the Internal Auditor was not placed on a 3-year contract and the move has been made due to the Council's unhappiness with the previous Internal Auditor report; in addition, there is a cost saving.*
- That the insurance cover and change in insurance provider will be brought before the Governance, Finance and Resources Committee. *The Town Clerk reported that the insurance was due to expire before it could be brought before Council but that the current provider provides the same cover with a saving of over £2,000.*
- Wished to confirm that plans were in place for Armistice Day/Remembrance Sunday and the Christmas Tree in the Higher Bullring. *The Deputy Clerk reported that plans were in place for Armistice Day and Remembrance Sunday and that the installation of the Christmas Lights has already begun. Some uncertainty remains about the availability of the socket for the Higher Bullring Christmas tree.*

RESOLVED that Standing Orders are suspended in order that Mid Devon District Councillor S Robinson could speak.

She's been verbally assured that the tree socket and electricity will be available for the Christmas tree in the Higher Bullring.

RESOLVED that Standing Orders are resumed.

Councillor C Snow

- He requested information on where the old street furniture removed from the Higher Bullring. *The Town Clerk reported that the bus shelter was disposed of as it was materially unsuitable for relocation. In addition, the bollards have been disposed of as there was nowhere else to put them and the Council has insufficient storage space to store them long-term.*

- He suspects that there's a reported collapsed drain outside the Police Station that requires inspection and, if necessary, repaired. *The Town Clerk reported that the issue has been reported to the Highway Authority.*
- He wishes to have added to the Governance, Finance and Resources Agenda to discuss where the Council is making a loss in the services it provides and if it is content to continue with these losses. *The Town Clerk reported that there are areas of the budgets that are cyclical; for example the Cemetery.*

Councillor P Regardsoe – Couldn't cancelled markets be moved to the Town Hall. *The Mayor responded that it would be considered for the next time it happens although the market in question was cancelled at the last minute due to the weather and there were Town Hall availability questions.*

Councillor E Buczkowski – Upcott Field Working Group. *The Deputy Clerk will arrange at a suitable time in the near future.*

Councillor T Spring – He's concerned that the cost of vandalism at the new WC in Station Road. *The Mayor reported that costs not currently falling to the Council as it does not yet have the lease but that the sanitary ware that is being damaged is being replaced on a ceramic, like-for-like basis. He suggested pressure should be applied to the builder to install stainless steel items.*

C23/095 Minutes.

1. **RESOLVED** that the Minutes of the Extraordinary Meeting of Cullompton Town Council held on 3 August 2023 are adopted as a true and correct record of the meeting; they were signed as such.
2. **RESOLVED** that the Minutes of the Ordinary Meeting of Cullompton Town Council held on 24 August 2023 are deferred to allow amendments to be made.

C23/096 Finance. To consider and not the payments, receipts and invoices. To consider other financial matters including the bank reconciliation. It is **RECOMMENDED** that members:

1. **RESOLVED** to note the Bank Reconciliations up to 31 August 2023.

Councillors E and J Buczkowski departed the meeting having declared an interest.

2. **RESOLVED** to defer payment of the invoice from MDDC in respect of the Higher Bullring works until legal advice is sought on whether it is liable for it.

Councillors E and J Buczkowski rejoined the meeting.

3. **RESOLVED** to note the payments made under delegation, receipts received and approve the Council payment list.
4. **RESOLVED** to note the budget to date and approve any virements between budgets and/or reserves.
5. **RESOLVED** to receive and note the Annual Governance and Accountability Return Section 3 - External Auditor Report and the conclusion of audit for 2022/23. The External Auditor had no matters for concern.
6. **RESOLVED** to nominate Councillor J Stanford becomes an additional bank signatory.

C23/097 Planning Matters. To ratify a **RECOMMENEDATION** from the Planning, Licensing and Strategic Growth Committee as follows:

“RECOMMENDED that Full Council to reassert the position that it will actively oppose any residential development at East Cullompton until the Town Centre Relief Road is delivered and that the capacity of J28 is increased including safe pedestrian crossings over the M5, railway and River Culm.”

RESOLVED that Full Council to reassert the position that it will actively oppose any residential development at East Cullompton until the Town Centre Relief Road is delivered and that the capacity of J28 is increased including safe pedestrian crossings over the M5, railway and River Culm.

C23/098 Governance. To decide the following Governance matters:

1. To approve the Terms of Reference for the following Committees:
 - 1.1. **RESOLVED** that the Terms of Reference for the Governance, Finance and Resources Committee are approved.
 - 1.2. **RESOLVED** that the Terms of Reference for the Services, Property and Outdoor Spaces are approved.
 - 1.3. **RESOLVED** that the Terms of Reference for the Community, Economy and Tourism Committee are approved.
 - 1.4. **RESOLVED** that the Terms of Reference for the Planning, Licensing and Strategic Growth Committee are approved.
 - 1.5. **RESOLVED** that the Terms of Reference for the Appeals Committee are approved.

2. To appoint Councillors to Committees and to select Chairs of relevant Committees, if required, as follows: (note that the Town Mayor and Deputy Town Mayor are both Ex-Officio members of all Committees except Appeals and Governance, Finance & Resources):
 - 2.1. **RESOLVED** that Councillor J Stanford join the Governance, Finance and Resources Committee. That Councillor JB is nominated as Chair of GFR.
 - 2.2. **RESOLVED** that Councillor P Regardsoe joins the Services, Property and Outdoor Spaces Committee. Councillor M Thompson is nominated as Chair of SPOS.
 - 2.3. **RESOLVED** that Councillors J Buczkowski E Buczkowski, J Johns and P James join the Community, Economy and Tourism Committee. Councillor E Buczkowski is Chair.
 - 2.4. **RESOLVED** that Councillor R Dietrich joins the Planning, Licensing and Strategic Growth Committee. Councillor R Dietrich is Chair.

3. To appoint to the following Committees and outside bodies following the resignation of former Councillor S Holvey:
 - 3.1. **RESOLVED** that Councillor M Thompson is appointed to Cullompton United Charities.
 - 3.2. **RESOLVED** that Councillor M Thompson is appointed to the Larger Local Councils.
 - 3.3. **RESOLVED** that Councillors T Spring and E Buczkowski are appointed to the Gift of A Burrows Committees.

C23/099 Grant Applications. To consider grant applications from

1. **RESOLVED** that the grant application for the Cullompton Ace Majorettes is approved in the amount of £500.00 once confirmation that the remainder of the money required for this project has been raised.
2. **RESOLVED** that the grant application for the Cullompton Community College for 10 Tors purposes is approved in the amount of £1,500.00.

C23/100 Forward Plan.

The forward plan was noted.

Councillors E and J Buczkowski departed the meeting having declared an interest.

C23/101 Community Consultation. To consider the draft Community Consultation.

RESOLVE that the Community Consultation is approved.

Meeting closed at 21:04