

LEISURE AND RECREATION COMMITTEE OF THE WITNEY COUNCIL

**Held on Monday 3 March 2014
at 6.00pm in the Council Chamber, Town Hall**

Present

Councillor: Cllr C K Woodward (Chair)

Councillors: Mrs J C Baker Ms C Curry
 Mrs B J Churchill P J Dorward

Non-Committee Members: D S Enright

Officers: Town Clerk Democratic Services Officer
 Works Contracts Supervisor

Also present: 3 members of the public.

L098 APOLOGIES FOR ABSENCE

Apologies for their absence was received from A K Beames, R F N Curry and J S King.

L099 DECLARATIONS OF INTEREST

There were no declarations of interest in matters to be discussed at the meeting.

L100 MINUTES

RESOLVED: The minutes of the meeting held on 13 January and 3 February 2014 be agreed as a correct record and signed by the Chairman.

L101 MATTERS ARISING FROM THE MINUTES

Meeting of 3rd February 2014 – Minute L064 Cllr Churchill asked what was happening with the graffiti walls. Cllr M J C Curry said that she was still in discussion with the college and the Facilities Manager and that everything was still very much on track. She added that the local police had been included in the discussions.

L102 PUBLIC PARTICIPATION

No members of the public present wished to address the Committee. However, Mr James Mills said that he would be happy to take any questions that the Committee might have for him in relation to St. Mary's Churchyard.

Cllr Enright wondered if the Church was still "on the same page" as the Council in relation to the legal status. Mr Mills replied that if the question was whether the churchyard was closed and transferred then both parties agreed, although there was a query over the extent of the Council's responsibility.

Cllr Enright asked if the Committee felt this was what it understood too. The Town Clerk pointed out that the previous committee minutes confirmed that this was what had been accepted.

Cllr Churchill referred to the fact that Mr Mills had previously invited a member to attend the Church's building committee meetings and she put herself forward as a volunteer. Cllr Churchill stated that according to the previous meeting's minutes, Mr Mills had said that there were factual inaccuracies in Peter Mitchell's report, and asked if he had seen a copy.

Mr Mills replied that he had asked to see it but had not been permitted to do so. Cllr Churchill asked how he knew that there were factual inaccuracies if he had not seen the report. Mr Mills replied that the committee minutes had shown that there were inaccuracies. The Town Clerk pointed out that the minutes recorded what had been said at the meeting, and did not record what was in Peter Mitchell's report.

Cllr Churchill commented that Peter Mitchell's requirements were that the report remained confidential and reiterated that she would be happy to attend the Church's building's committee as a Council representative.

Mr Mills explained that he had thought that the Mayor had invited him to attend this committee instead of a member attending the Church's buildings committee. He was now confused about what was happening and was surprised that it had taken this long for the Town Council to accept its statutory duty. He had only had sight of the meeting's agenda and report that afternoon.

Cllr M J C Curry asked for clarification on what was happening. Mr Mills said that a council member was welcome to attend the next Church building committee meeting but this would be concerned with the consideration of electrical tenders.

Cllr Dorward confirmed that he had invited Mr Mills to attend the current meeting as he was an expert on the subject in question and had clearly taken a great interest and spent great time on it. He had not had any further discussion with Mr Mills.

The Town Clerk explained that she had invited Mr Mills to the meeting as requested but had not had an acknowledgement or reply. If she had, she could have sent papers if they had been required.

Cllr M J Curry was still unsure as to what the exact situation was as Cllr Churchill seemed to have a different recollection of the meeting to other members. The Town Clerk said that she had clarified what had been said. The report by Peter Mitchell had been requested by the Committee. The Committee had wanted the Facilities Manager to make an inspection of the Churchyard but as she was on sick leave, the Works Contracts Supervisor had done so instead.

Cllr Baker felt that the situation of the Town Council on one side and the Church on the other was unproductive and that they needed to work together.

L103 TOWER HILL CEMETERY ACCESS

a) Outcome of Trial Period of Limited Access

The Committee received and considered the report of the Facilities Manager as circulated with the agenda. The Chair asked the Town Clerk to summarise the reports for the benefit of the members of the public in attendance.

The Town Clerk reported that in response to the trial period of the revised access to the cemetery there had been 8 written responses, 1 under public participation and 2 verbal comments addressed to officers. She read out the summary of the comments received, which included those from the public, and Town Council staff and contractors. The Chair thanked the public for listening to the responses and stated that he felt it was important that they should hear these.

The Works Contracts Supervisor commented that since the report had been written a couple of noteworthy incidents had occurred. The first was that a family limousine in a funeral cortege had hit one of the bollards which was largely down to the driver not following staff instructions on which way to exit the cemetery. The second incident involved damage to grassed areas when the bollards had been taken down over the Christmas period. Pictures of this were shown to members.

Cllr Dorward thought that it was clear the roads needed more than patching up and he therefore felt that traffic needed to be kept to a minimum. He felt that all the evidence was pointing to a return of the appointment system. The cemetery gates should otherwise stay shut – this was a valuable area that needed to be protected.

Cllr Baker felt that the responses had been very mixed, and it had not been a huge response considering the number of visitors to the cemetery. If people wanted to take cars further in the bollards could be lowered under an appointment system. She felt it would also be prudent to have wider parking spaces or in fact no marked spaces.

Cllr M J C Curry thought that a mixture of Cllrs Dorward and Baker's views would be appropriate. The Town Council had a duty of care to the disabled but also needed to protect the cemetery. She had seen cars parked on the grass adjacent to the parking area and asked if kerb stones could be put in. The Works Contracts Supervisor confirmed this was possible. Cllr M J C Curry felt that Cllr Baker's idea of a mixture of two systems was ideal.

Cllr Enright thought that there had been less damage reported than previously. The trial period had raised awareness of the issues. He agreed that suggestions of amendments to the car parking were sensible. He had been interested to hear that people had mentioned the appointment system and that they had liked the fact that this meant Council staff were present in the cemetery whilst they visited.

Cllr Enright suggested that small posts could be installed to stop cars driving onto the grass. Regarding the open access to the cemetery, he wondered if the Council could predict busy periods such as Mothers' Day, Easter and Christmas and there could then be free access.

The Town Clerk asked if members meant that the gates should remain unlocked but an appointment system for lowering the bollards should be introduced.

Cllr Dorward asked that as low level barriers were effective, could they be extended. The Works/Contracts Manager felt this could be very tight for hearses and would have to be looked at very carefully. He pointed out that the road at the entrance had last been resurfaced during the 1990's. Cllr Baker commented that all roads were in bad condition due to the weather. The Works Contracts Supervisor said that in the cemetery it was due to tree roots.

Cllr Enright proposed that the bollards should come down at weekends. The Town Clerk said that there were no staff to open and shut the cemetery at weekends. There would be financial implications if this was what members wanted. Cllr M J C Curry said that to take the bollards down at weekends would be negating the whole idea.

Melanie Jones who was present as a member of the public pointed out that often special occasions e.g. Mothers' Day were Sundays. The Town Clerk said that she had understood the Committee to mean that the bollards would be down for a whole weekend on a "special occasion" and not just the Sunday. Cllr Baker suggested the erection of a sign listing the dates when the bollards would be down.

Cllr Churchill proposed that the cemetery should be open six days a week and also on public holidays.

RECOMMENDED: that the Cemetery gates be unlocked and the bollards could be lowered by appointment during the week and would be down between 9am and 1pm on Saturdays including the provision that on "special days" the bollards would also be lowered.

The Town Clerk reminded members that this would have to be ratified by Council and therefore would not commence until April 2014. The Committee requested that the bollards be lowered for Mothers' Day 2014 at the end of March.

The Chair wanted to thank all who had taken part in the survey and also those who had attended meetings.

b) Condition of Roadways

The Works Contracts Supervisor had received four contractors' quotes with varying prices. Now that the Committee had taken the decision to increase traffic via more open access, the work would now have to be done.

Cllr M J C Curry was concerned that this could add up to a lot of money and she highlighted the Cemetery Lodge, an asset which maybe the Council could capitalise on. The Town Clerk updated the Committee on the lease situation with the Co-op.

The Works Contracts Supervisor informed the Committee that the first burial in the cemetery was in 1857. The road conditions at the bottom of the cemetery were now really bad. There were trip hazards everywhere despite repairs and it was also very slippery when wet despite regular cleaning. The area highlighted in pink on the plan circulated to the Committee was still in quite good condition but in the red area previous concrete repairs were now coming up and causing trip hazards. The blue area (the entrance road) was repaired in the 1990's but was now in bad condition. The car park was delaminating. The green area, which was now bollarded off, had big problems. The existing surface had been built over a pathway in 1938 and this had been changed into a roadway in c. 1970. There was only 4" of hard core and 2" of tarmac which was part of the problem. Dips were occurring where cars passed over as the roadway was set on clay. The footpaths were crumbling away.

Cllr Dorward suggested prioritisation of damage and then there could be a decision on how much to spend and what should be done. The Works Contracts Supervisor said that his report had suggested that some paths were removed and this area turned into graves. This would provide an income.

The Chair felt that bearing in mind the decision to open the cemetery, perhaps the top loop should be done first. The Works Contracts Supervisor said that the concreted area was in desperate need of attention. Cllr Dorward asked if the Council could afford the work. The Town Clerk replied that the money could come out of rolling capital but once it was spent there was no more. Cllr Enright asked if there was an ordinary budget for this. The Town Clerk said there was not.

Cllr Baker asked if an area was turned into additional burial spaces, how quickly could the Council capitalise on this. The Works Contracts Supervisor said that it would not take much to turn the area suggested into graves. The Democratic Services Officer said that she thought the graves would sell quickly as reserved spaces. Cllr Baker said that the return should be able to be monitored quickly.

Cllr Dorward asked how people would access graves if the paths were removed. The Works Contracts Supervisor explained that people only drove up to the paths and then they walked to the graves. Cllr Baker saw the project as three parts: to repair the access loop, to put graves into the pathed area and then go back and repair the main access by the entrance.

Cllr M J C Curry felt that the priority was to repair the roads and car park first before thinking about the creation of new graves. Cllr Baker replied that the point was that more graves would increase revenue.

Cllr Dorward asked if the Committee still intended to negotiate the lease on the lodge. The Town Clerk said it could be worth getting a valuation as there might not be much value attached.

Cllr Baker proposed that in the worst areas work should be carried out to release grave spaces in phases as recommended by the Works Contracts Supervisor and that the area between the lodge and the kissing gate should be done. The green loop road should be repaired and the footpaths should be removed in order of the worst condition in area 4.

It was noted that area 3 would cost between £12, 884 and £7, 730 depending on the contractor selected. The contractors had quoted for the entire road in area one which would obviously be less if the section just going uphill was done. The Works Contracts Supervisor would obtain revised quotations for areas 1 and 3.

RECOMMENDED:

1. that the Finance and General Purposes Committee be informed that revised costings for repairs were being obtained.
2. that the suggested pathways be removed to provide additional grave spaces.
3. that the kerb works be noted for members' information only.

4. that the Town Clerk investigates putting the Cemetery Lodge up for sale on a leasehold basis.

Cllr Churchill left the meeting at 6.50pm and Cllr Enright substituted for her from this point in the meeting.

L104 ST MARY'S CLOSED CHURCHYARD

The Committee received and considered the report of the Works Contracts Supervisor. He explained that he had carried out a walk around and his report was based on what he had seen. The Diocese had confirmed that a faculty was not required to repair the wall and O G Stonemasonry had been instructed. The revised cost was £4,000.

The bridleway/footpath was in bad condition – there had been bad repairs and there were dips and hollows due to traffic. The pillar holding up a metal arch at the gate had apparently moved on its' foundations and required attention.

Some of the paths were covered in moss and were very slippery. Pointing around manhole covers and drains was very bad too and water was running back towards the church. One downpipe was blocked on the east side and a drain was also blocked.

The Chair invited Mr Mills to participate in the discussion if he had any genuine questions.

The Works Contracts Supervisor also commented that there was ivy covering the walls and that he had asked the Church which areas of the boundary walls it owned. Cllr M J C Curry asked if in fact the ivy was holding the Wall up and the Works/Contracts Manager said that it probably was.

Mr Mills explained that the question of the boundary wall was a complex issue as the wall was owned by several people, including the Town Charity and the Henry Box School. It would need further discussion and research to resolve.

The Chair said that in his capacity as caretaker at Henry Box School, he knew that Mr Mills had made an appointment with the business manager to discuss the issue. He would be acting on behalf of the business manager at the meeting on behalf of the school and not the Council.

The Works Contracts Supervisor also explained that there would be a requirement to access land owned by others to obtain a full assessment of the wall. There were areas of significant holes that required filling in. Cllr Dorward commended the Works Contracts Supervisor's work but said the Committee would need to see costs before agreeing to anything.

Mr Mills offered to take the issue of the blocked drain and the realignment of the waste water outlet to discharge to the drainage system to the next meeting of the Church's building committee.

RECOMMENDED:

1. that the Works Contract Supervisor obtains a quote from the contractor repairing the wall for repair of the damaged pillar.

2. that the Works Contract Supervisor obtains quotes for resurfacing of the footpath through the Churchyard.
3. that the removal of ivy and tree suckers on the wall be put on hold until ownership of the wall was established.
4. that the assessment of the works required to the wall be put on hold until the ownership of the wall is established and similarly to hold the seeking of quotations for the work.
5. that the Council staff clear the moss from the footpath until repairs are carried out to the tarmac.
6. that the Council staff look into unblocking the drain at the front entrance of the Church.
7. that vehicle access to the front of the church is kept to a minimum and that the Council and the Church work collaboratively to discourage vehicular access to prevent further damage to the pillars, stone edgings to the grass, sunken surfacing and potholes at the entrance to the churchyard.
8. that the Council staff carry out redecoration work to the fence to the rear of the church when work load and weather permit.

Cllr M J C Curry asked if the Diocese had been approached in respect of a financial contribution yet. The Town Clerk said that she hoped this was a question that would be asked. Cllr M J C Curry thought that the Diocese should definitely be asked as the work would be very expensive, but St. Mary's Church was the jewel in the crown of Witney. Cllr Enright wondered if the school, church and council could raise funds together.

Mr Mills commented that the Diocese was unlikely to help financially. However, as it seemed that the District Council had been at the root of the problem regarding ownership at the time when local government had been reorganised, perhaps it should be approached. Mr Mills also added that he did not think it would be impossible to trace the large families of Witney (e.g. the Earlys and the Marriots) who had family buried in the churchyard. He added that the Oxford Family History Society had done a survey of all transcribable tombs. St Mary's was one of the few grade I listed churches in the country.

The Town Clerk advised the Committee that there had been a new development regarding memorial stability testing at St Mary's. Despite having been told by e-mail that English heritage did not wish to be consulted, further to a meeting with the WODC conservation officer it now appeared that both he and English Heritage required a conservation assessment to be carried out before any other work began. This would need to be discussed with the Church as well.

L105 LEYS TENNIS COURTS AND SKATE PARK LIGHTING SCHEME

The Committee received and considered further information as requested on the lighting for the tennis courts and the skate park at The Leys. Cllr Dorward noted that the costs did not

seem to include connecting to the electricity supply. The Works Contracts Supervisor said that this was to keep costs to a minimum.

Cllr M J C Curry commented that at 10m the lighting masts seemed very tall and Cllr Dorward thought that 8m would be sufficient. Cllr Enright approved of the scheme as presented but would like to see the wording of the signage as more user friendly. He offered to e-mail suggestions through to the officers.

Cllr Baker thought that one of the quotations seemed to be more comprehensive than the other and asked if the brief given was the same. The Works Contracts Supervisor explained that the brief had been given by the Facilities Manager, but he assumed that it had been the same.

Cllr Dorward noted that on the second quotation there were nine items that were assumed to have been “costed in”. The Chair said that the quotes needed to be on a like for like basis in order to ascertain what the actual costs would be – the quotations could have hidden costs.

Cllr Dorward asked what money had been set aside for the work and the Town Clerk replied that there was nothing budgeted and the money would have to come out of the rolling capital fund. There may be the possibility of grant funding. She added that this scheme had come out of the West Witney Sports Ground project and that perhaps as the nights were becoming lighter, it could be put on hold and the work done as part of The Leys redevelopment. Cllr Baker said if this was the case the contractors would need to hold their prices for six months.

The Works Contracts Supervisor explained that the quotations had arrived with additional information (about twenty extra pages) but he had not presented this to the Committee.

RECOMMENDED:

1. that the wording for the signage be approved in principle and that Cllr Enright would send through suggestions for changes to the Works Contracts Supervisor and the Town Clerk.
2. that the company submitting the first quotation should be asked to re tender on the same brief as company two.

L106 REQUEST TO PURCHASE LAND AT MANOR ROAD, COGGES

This request had been considered at the previous Committee meeting. However, the resident had been unhappy with the Committee’s decision so she had written back with further information to support her request.

The Town Clerk reminded members that the Council’s policy was to consider each request on a case by case basis. She added that if the Council chose to sell the land, a covenant could be put on it to prevent building. She noted that the resident wanted the trees on the land removed, and the Works Contracts Supervisor agreed to check on the tree survey whether any work had been recommended.

The Committee voted on whether to sell the land: 3 members were against and two members abstained.

RECOMMENDED:

1. that the land be retained by the Council, with the proviso that it would be better maintained in future.
2. that the health of the trees be checked on the Tree Survey, and that the trees be felled if necessary.

L107 **COMMEMORATIVE TREE PLANTING**

The Committee received a request from Churches Together in Witney to plant a few trees in public areas of the town in commemoration of the outbreak of World War I. The representative had met with the Works Contracts Supervisor and the Committee congratulated him on the compliments paid to him in the following e-mail.

Cllr M J C Curry liked this idea and thought it would be a good idea to discuss it with the Twinning Association.

RECOMMENDED: that the tree planting at The Leys be agreed in principle and that the idea be discussed at the World War I Working Party.

L108 **FINANCIAL REPORT**

The Committee considered the report of the Town Clerk/RFO as circulated with the agenda.

Cllrs Dorward and M J C Curry thanked the Town Clerk for a clear and easy to understand report.

RECOMMENDED: that the report be noted.

L109 **HEALTH AND SAFETY**

The Works Contracts Supervisor advised that all of the works and halls staff had now completed a course on risk assessments.

RECOMMENDED: that the verbal report be noted.

L110 **WITNEY IN BLOOM AND WORLD WAR I WORKING PARTY**

- a) Minutes of the Meeting of the Witney In Bloom Working Party held on 5 February 2014

The Committee received and considered the minutes of the Witney In Bloom Working Party.

RECOMMENDED: that the minutes be noted.

- b) World War I Working Party

RECOMMENDED: that the extension of the Working Party be agreed to include Cllr M J C Curry who had not been present at Council when the Working Party had been established.

L111 **ALLOTMENTS**

The Town Clerk gave a verbal update on the search for more allotment land. She advised that a potential site had been identified close to the Lakeside Allotments and the Council's agent was in the process of approaching the owners about it.

The Town Clerk reported that she had asked the Allotment Association for an update on how things were going and also on the financial situation, given that the management arrangements had been in place for 2 years now.

RECOMMENDED: that the verbal update be noted.

The meeting closed at 8.32pm.

Chair.