

To all Members of Honiton Town Council
A meeting of Honiton Town Council to which you are summoned, will be held via
ZOOM on

Monday 14th December 2020 commencing at 7.00pm to transact the following business

In accordance with the provisions of *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020,* this meeting will be held remotely and Members of the Town Council and members of the public can access the meeting by taking the following steps:

Download this: https://zoom.us/j/97755953188

Meeting ID: 977 5595 3188

Password: 842053

Dated this 9th December 2020

Heloise Marlow

Heloise Marlow

Deputy Town Clerk

AGENDA

This meeting will be recorded and recordings will be held for one year by the Town Council. If members of the public make a representation to the meeting, they will be deemed to have consented to being audio recorded.

If you wish to speak, please raise your hand and you will be invited to speak by the Deputy Clerk, at which point your microphone will be unmuted.

Voting will also take place by a show of hands and the Deputy Clerk will indicate that the votes have been noted.

If technical issues occur, the meeting may be paused to re-establish a connection. If a technological failure prevents the public from accessing the meeting or the meeting is no longer quorate, the Chairman may adjourn the meeting.

1. Apologies for absence

To receive and record any apologies and reasons for absence

2. Disclosable Pecuniary Interests

Members are reminded that if they have a Disclosable Pecuniary Interest on their register of interest relating to any item on the agenda they are prevented from participating in any discussion or voting on that matter at the meeting as to do so would amount to a criminal offence. Similarly, if you are or become aware of a Disclosable Pecuniary Interest in a matter under consideration at this meeting which is not on your register of interests or is in the process of being added to your register you must disclose such interest at this meeting and register it within 28 days.

3. To note the grant of dispensations made by the Deputy Town Clerk in relation to the business of this meeting.

4 Public Question Time for items on the agenda

Questions relating to items on the agenda may be asked at the meeting at the discretion of the Mayor or meeting chairman. No more than 3 minutes will be allowed for any person speaking. The council may respond verbally at the meeting or subsequently in writing.

Members of the public will be allowed to speak at the beginning of the meeting in the usual way. To ensure the smooth running of the meeting, members of the public must provide their questions in writing prior to midday on the day of the meeting. Questions received after midday will not be tabled at the meeting.

- 5. To confirm the accuracy of the minutes of the Full Council Meeting held 9th November 2020, and the Extra-ordinary Full Council Meetings held on the 19th November 2020 and 2nd December 2020
- 6. Reports from District and County Councillors.
- 7. Reports from Members with Special Responsibilities

PART A MATTERS FOR DECISION

8. HTC Grants Procedure 2020/21

To provide Members with an update relating to the grant process for 2020/21.

9. Budget Planning Report

For Members to consider the budget planning requirements for the Financial Year 2021-2022

10. Honiton Town Council's Facebook Page

For Members to receive a report from the Chairman of the Council with regards to the Town Council's Facebook page.

11. HR and current staffing matters

For Members to discuss the current and ongoing staffing issues at Honiton Town Council.

12. Exempt Business

To move that under section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business in view of the likely disclosure of confidential matters about information relating to an individual, and information relating to the financial or business affairs of any particular person, within the meaning of paragraph 1 and 8 of schedule 12A to the Local Government Act 1972 (see section1 and part 1 of schedule 1 to the Local Government (Access to Information) Act 1985, as amended by the Local Government (Access to Information) (Variation)Order 2006.

PART B

13. Agenda Item 11 – HR and current staffing matters

For Members to discuss the current and ongoing staffing issues at Honiton Town Council.

That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded while members consider this item in accordance with the Public Bodies (Admission to Meetings) Act 1960.

14. To close the meeting

Reminder for Members

- You must declare the nature of any disclosable pecuniary interests. (Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners). You must also disclose any personal interest.
- You must disclose your interest in an item whenever it becomes apparent that you
 have an interest in the business being considered.
- Make sure you say what your interest is as this has to be included in the minutes.
 (For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.)
- If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Clerk or Deputy Clerk.

 Confidential information can be viewed at the Town Council Office during public opening hours of 10am – 1pm or by pre-arranged appointment for outside office hours.

PLEASE NOTE THAT MEMBERS OF THE PUBLIC ARE WELCOME TO ATTEND THIS MEETING AS OBSERVERS

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful to let the office know of any plans to film or record so that any necessary arrangements can be made to provide reasonable facilities to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. All recording and photography equipment should be taken away if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Members of the public exercising their right to speak during Public Question Time may be recorded.

Copies of this document are available in large print on request COPIES OF ALL RELEVANT PAPERS MAY BE ACCESSED AT www.honiton.gov.uk
OR VIA THE TOWN COUNCIL OFFICE

HONITON TOWN COUNCIL

Minutes of the Meeting of the Town Council held via Zoom on Monday 9th November 2020 at 7.00 pm

Present St Michael's Ward

St Paul's Ward

Cllr J Taylor Cllr J Zarczynski (Chairman) Cllr J McNally Cllr L Dolby

Cllr R Coombs Cllr C Gilson Cllr P Carrigan

In attendance

Heloise Marlow, Deputy Town Clerk 20+ Members of the public Cllr P Twiss DCC/EDDC

PART A

20/73 The Chairman welcomed Councillors and members of the public who were attending via ZOOM and confirmed that the meeting would be recorded.

20/74 To receive apologies for absence

None were received

20/75 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda

None received.

20/76 To note the grant of dispensations made by the Town Clerk in relation to the business of this meeting.

None were made.

20/77 To confirm the accuracy of the minutes of the Full Council Meeting held on the 12th October 2020.

Members **RESOLVED** unanimously to take this item prior to item 6 Public Questions.

Proposed by Cllr Zarczynski and seconded by Cllr Carrigan.

Members RESOLVED unanimously to approve the minutes.

20/78 Public question time on items on the agenda

Cllr Zarczynski confirmed that several questions had been received in relation to the Honiton Town Council Facebook page. He had discussed this with the Deputy Clerk and it had been agreed that in view of the number of questions received and the nature of the questions, that the matter would be an agenda item at the next Full Council meeting. As such Cllr Zarczynski would not be taking these public questions at tonight's meeting. This will allow members of the public to submit further questions if they so wish and will allow the matter to be fully debated.

Mr Middleton asked the following question:

Can you explain to me, why HTC is considering moving the HCC item from part A, to part B? As I feel the people of Honiton have a right to know what's being decided, in their name and also the HCC items have been discussed at previous council meetings. (HCC Item 14 on 12/10/20 & item 9 on 14/09/20).

The Deputy Clerk confirmed that she had received a very similar question from Mr and Mrs Jackson, which she read out in their absence.

It has been recommended by the Deputy Clerk that the agenda item with regards to HCC should be moved to Part B.

Can you please explain the reasons behind this? Along with the legal advice sought.

If it is because someone trolled the last meeting, do you feel it's appropriate to punish the public as a whole because the Chair couldn't control the meeting?

It seems Part B is heavily abused by the council and is now becoming undemocratic.

The council works on behalf of the people of Honiton, but it seems to work to its own agenda and rules which is an abuse of its elected power.

Cllr Zarczynski advised that Part B was used to discuss contractual matters or legal matters which cannot be discussed in public. Members follow the advice provided by either legal advisers, NALC or DALC or officers in this respect. He discussed the recommendation from the Deputy Clerk that the item regarding HCC be taken in Part B and confirmed that he would be following that advice.

The Deputy Clerk confirmed that the item relating to HCC was currently in Part A but that she was recommending that the item be discussed in Part B although this will be for Members to decide. The reason she had recommended that the item be taken into Part B was because Members needed to discuss the contractual relationship between HTC and HCC and what proposals they wished to put to HCC in relation to that contractual relationship. Those discussions are confidential although any agreement subsequently reached will be publicised. Any resolution made by Members will be publicised also.

The Deputy Clerk confirmed that a question had been received from Mr S Kolek who was listed as attending the meeting. However, the Deputy Clerk was unable to obtain a response via Zoom and therefore read the following question on Mr Kolek's behalf which was addressed to Cllr Carrigan.

"Question for the Cllr Carrigan Chair of Finance only, to answer-Answer to be given verbally to the Public (as this question was submitted before 1200 on 09.11.20) and based on his last "reply in writing" taking over 2 weeks. This question is Against Agenda item 8.Receipts & Payments.

The Chair of Council has claimed many times that he has a mandate for transparency of public finances

We are now in the 2nd lockdown for COVID 19. What financial help has HTC given to local voluntary help groups, clubs, charities or businesses through the period Aug to Nov 20 to support and help them during these difficult times?

During this same period Aug to Nov20 how much has HTC spent or is committed to spend on all the External costs associated with disputes with External parties or with HTC staff - costs for litigation, External HR facilities etc.?

Cllr Carrigan confirmed that he would respond to the question in writing.

Mr David Perkins asked the following question:

1 Mr.Mayor at the council meeting on 28th September 2020 you confirmed that my Beehive Construction Report had been submitted to Foot Anstey the council's lawyers, as part of the evidence in support of initiating a legal claim against Baileys. Foot Anstey have subsequently confirmed that they were never given this report. Would you now like to confirm that this report was withheld from them?

Cllr Zarczynski advised that he was aware that Foot Anstey had advised that they had not seen Mr Perkins' report. However, this was incorrect as he had provided them with the office copy of the report when he attended the meeting at their offices. He could not therefore explain why Foot Anstey were claiming that they had not seen the report.

Mr Perkins advised that the previous Town Clerk, who recently resigned, had advised him that he attended that meeting with Foot Anstey and that the report in question was not provided to Foot Anstey as claimed.

Cllr Zarczynski maintained that the report was provided to Foot Anstey and stated that the previous Town Clerk has made numerous statements recently which are disputed.

Mr Perkins asked the following question:

2 Mr.Mayor could you provide me with the date of the council meeting that my evidence based Beehive Construction Report was discussed by council. You will recall this report was given to all councillors on 28th July 2017 and all subsequent councillors when appointed and was highly critical of the council's oversight of this project.

If the report was never discussed at a council meeting can you explain why this evidence was not considered before you embarked on the legal claim against Baileys which has cost the local taxpayer at least £60,000?

Cllr Zarczynski advised that he did not believe the report was discussed at Full Council although it was discussed by the Premises and Finance Committee, of which Mr Perkins was a member until he was removed from the Committee by a vote of no confidence when Council discovered that he was having unauthorised discussions with Bailey Partnership.

Mr Perkins was not mandated by the Council to write such a report nor was he mandated by Council to enter into discussions with Bailey Partnership.

Mr Perkins responded by saying that at the time he was the temporary Responsible Finance Officer and as such he was entitled to arrange meetings with both Bailey Partnership and Midas to try and reach a compromise on outstanding fees. The meeting which was held was with the Deputy Town Clerk at that time and was prefaced by confirming to Bailey Partnership and Midas that they could only make recommendations to Council and could not agree anything at the meeting which is what happened. At the meeting they came away with a compromise proposal whereby instead of paying Midas £30,000.00, HTC would pay £15,000.00 and instead of paying Bailey Partnership £17,000.00, HTC would pay £5,000. These recommendations went to Full Council. The proposal relating to Midas was accepted by Full Council but the proposal relating to Bailey Partnership was rejected on advice received by Cllr Zarczynski.

Cllr Zarczynski maintained that Mr Perkins was appointed temporary RFO with a limited mandate to prepare the Council's accounts for the external auditor. He did not have a mandate to have meetings with Midas and Bailey Partnership. Any proposed meetings should have been discussed in advance with the Premises and Finance Committee. Full Council agreed to make the payment to Midas as their fees were overdue, and Council had been advised by Bailey Partnership that if they authorised payment the Council were legally bound to make that payment and then Bailey Partnership would claim any overspend back on behalf of the Council at the end of the project. As such the overspend issue was not with Midas as Midas only did work which was authorised by Bailey Partnership. Had the Council paid Bailey Partnership the monies proposed, then HTC would not have been able to pursue Bailey Partnership for the overspend.

Mr Perkins responded by saying that ultimately the Council could have settled the matter with Bailey Partnership at a cost of £5,000 but instead pursued a claim which has cost HTC £60,000.00. He also disputed that as temporary RFO the Council could limit his responsibilities to the Council. An RFO has statutory duties which cannot be limited by the Council.

Cllr Zarczynski referred Mr Perkins to the internal auditor's report for the year ending 31st March 2014 in which the internal auditor recommended that the Council pursue the overspend from the project management team. He actioned this advice just before the 2015 election by having a meeting with Bailey Partnership when they agreed that they would go to Midas to sort out the unauthorised payments. However, Cllr Zarczynski was not re-elected at the 2015 election and thereafter the matter was not pursued. Once he re-joined the Council in 2017, he resumed the claim. All action then taken by Council was based on reports produced by the former Town Clerk following meetings with Bailey Partnership and himself, and further to legal advice received.

20/79 Reports from District and County Councillors

Cllr Twiss provided the following report:

DCC Social care

As we go in to winter and a second COVID-19 lockdown DCC Social care teams have been planning and preparing for dealing with the fallout of the second wave, armed with a lot more knowledge and understanding than in the spring of 2020 and the first lockdown, with a focus on vulnerable people and unpaid carers

Designated Care Home

This Department of Health and Social Care has written to all local authorities setting out requirements to designate care settings for COVID-19 positive people who are not quite well enough to return straight home from an acute hospital. These settings will be inspected by the CQC for assurance of infection control measures. Whilst the settings could be existing care homes, the beds would need to be on separate wings or floors in order to avoid the risk of infecting other residents, and would require a separate staff group to support these residents.

No care home will be required to accept someone with a positive test result, and we are in the process of agreeing with local NHS providers how we can ensure we have suitable accommodation available to meet this need.

Supporting carers

Unpaid carers across Devon do an incredible amount work and this has only increased during the COVID-19 period, with recent research suggesting that nearly two-thirds of unpaid carers have not been able to take any breaks at all in the last six months. In response to this, alongside NHS Devon CCG we have made grants of between £1,000 and £15,000 available to care providers, personal assistants, and carers themselves who can develop and provide innovative opportunities that will give other carers a break, during COVID-19. See https://www.devonnewscentre.info/new-funds-available-to-help-carers-take-a-break/ for how to apply

Waste and recycling

The regulations and guidance for the second lockdown have been tweaked a little to widen what is and isn't classified as being to open and operate. I have received enquiries from members of the public about the Household Waste Recycling Centres (HWRC's), where I can reassure you that DCC sites will **not** be closing. There may be occasions where there are staff shortages and some temporary closure may be necessary but DCC will put out media communications about any situation that arises due to staff sickness/isolation

COVID-19 funding for individuals, organisations and business

DCC Devon County Council allocated £192,100 from Government grants and an additional DEFRA one using EDDC to set up a hardship fund (with qualifying criteria) and process applications during the COVID-19 crisis. This fund is still very much open for business and applications and further details can be found at https://eastdevon.gov.uk/coronavirus-covid-19/benefits-and-council-tax/financial-hardship-fund-information

Community use Building

I have been lobbying for some time with senior colleagues and Officers at DCC to transfer the ownership of the Community use building (i.e. the former Youth centre) to Honiton Community Spaces Charitable Incorporated Organisation for the nominal sum of £1. Following a 'meeting' I had with John Hart Leader of Devon County Council on the 6th of October 2020 he agreed that this project is a very worthwhile one for Honiton and all the organisations who depend on it being available for their use. He instructed the Assets team at the Council to proceed with the transfer, which has now been completed.

Street lighting in urban and applicable rural settings

Devon County Council has recently announced that all of its 79,000 streetlights will be converted to LED lights within the next two years – reducing carbon emissions by 75%.

It comes as part of a working partnership with SSE Contracting who will be carrying out maintenance of streetlights in Devon and Torbay over the next ten years – with the aim of the contract being carbon neutral by 2030.

The company will be building on the work it has undertaken for the County Council for more than 25 years, which has already seen around 34,000 street lights converted to low energy LED technology since 2015, as well as the replacement of more than 5,400 street lighting columns. It will also look to improve the county's Central Management System to remotely monitor and operate lighting more flexibly

and efficiently and will eventually allow us to cease night scouting saving further costs.

This street lighting contract is extremely important as DCC continues to reduce carbon emissions. Street lights account for a significant amount of the Council's carbon emissions and the conversion to LEDs alone will reduce carbon emissions by more than 15,000 tonnes each year, the equivalent of taking 8,000 cars off the roads of Devon.

Local Flood Risk Management Strategy Newsletter

Please find attached the latest DCC <u>Local Flood Risk Management Strategy</u>
<u>newsletter</u> is now, giving an update to the ongoing work and activities as part of
Devon's Local Flood Risk Management Strategy and Lead Local Flood Authority role
over the last 6 months.

Lace Walk toilets

Whilst not in my DCC remit as a member of EDDC my mailbox has received significant correspondence about Lace Walk toilets which have been closed during the pandemic.

Following a recent site visit an updated risk assessment has been carried out. The current layout and need for renovation work throughout make it very difficult to reopen the block safely during the pandemic. EDDC has tried to be consistent with its approach across the district, only opening toilets that could enable them to comply with the guidelines set out by government. It is evident that the toilets are in need of major renovation work to bring them up to current standards.

The demand to open Lace Walk toilets is high from local residents, despite King street toilets being a short walk away. EDDC has identified that the disabled toilet could be re-opened safely as a unisex facility and made Covid secure, so we will be re-opening that toilet after the 28th of October with enhanced cleaning, a hand sanitiser dispenser and signage. That combined with King street facilities should give enough provision in the intermediate before the longer-term options are put forward later this winter.

Clir Zarczynski asked Clir Twiss to clarify the position regarding the Lace Walk toilets as members of the public had raised this issue with HTC even though HTC are not responsible for the toilets in Lace Walk.

Cllr Twiss confirmed that toilet block in Lace Walk is not suitable to be made COVID safe as it needs a major overhaul. Over the winter EDDC will be looking at all the toilets in East Devon to assess the work required. In the interim EDDC will open up the disabled toilet in Lace Walk as a unisex toilet. It was due to be opened on the

29th October but there has been a delay. Cllr Twiss will make enquiries as to when this will occur.

Cllr Zarczynski asked Cllr Twiss to confirm the date on which the decision to open up the disabled toilet was made. Cllr Twiss advised that decision was made by the Street scene Deputy Operations Manager Tom Wood on the 23rd October 2020.

Cllr Taylor asked Cllr Twiss to confirm that the Lace Walk toilets were not closed due to vandalism. Cllr Twiss confirmed that the toilets were closed due to safety concerns relating to COVID 19.

20/80 Reports from Members with Special Responsibilities

Cllr Zarczynski explained that this item was being re-introduced to address the criticism received from members of the public that HTC was not keeping the public informed of what it was doing.

He invited Cllrs to provide a short verbal report to confirm actions undertaken:

Cllr Taylor confirmed that he had been working on the market which was opening for food stalls and plant sales only due to the current restrictions. He was also taking part in the footpath inspections.

Cllr Dolby confirmed that he was administrating the HTC Facebook page. He was aware of the questions which had been raised regarding the page which he would address at the next Council meeting.

Clir Coombs confirmed that work had been carried out to deal with the extensive damage caused to HTC's cherry tree in Lower Brand Lane. Later in the month Devon County Council's Rights of Way Committee will be making a decision regarding the Sidmouth Road to Whitmore Way public footpath claim which is one of 8 claims being pursued by HTC. A report will be issued shortly regarding the other 7. Inspections of Wadmore Lane carried out over the last year have identified that it is being flooded to a greater extent than before but the ditching work which is going to take place will hopefully resolve this issue.

Cllr Zarczynski confirmed that he had been chasing Cllr Twiss regarding weeds on roads and would continue to follow this up. He is also working on securing a piece of land opposite Lace Walk with a view to providing a public park and a river walk and is in discussions with EDDC in relation to this.

Cllr Carrigan confirmed that he has been dealing with HTC HR matters and attended Honiton Hospital's League of Friends meeting in the week. Earlier that day, himself, Cllr Zarczynski, Cllr Taylor and Cllr Dolby attended the PAT testing of the Christmas lights, and advised that it was disappointing to note that some of these were not working.

Cllr Zarczynski confirmed that there were about 12 lights which had not been working for about 3-4 years which the Council was unaware of and should have been either

replaced or repaired. This would now be done although not in time for Christmas 2020. He also confirmed that the Council was addressing the current staffing issues at HTC and this was taking up a significant amount of time. HTC were currently advertising for a new Town Clerk which had generated a response.

Cllr McNally advised that she had had to step back from matters which involved physical input due to health issues. However, she is continuing as trustee to two charities. She had recently stepped down from the Local Action Group and from the public footpath inspections. She is the Deputy Chair of the Planning Committee and this does involve considering planning applications submitted. HTC is a consultee for most planning applications but does make the decisions relating to advertisement consents.

Cllr Zarczynski thanked Cllr Gilson for her charity work and for attending the Remembrance Sunday Service with him. Cllr Gilson confirmed that she was also involved in supporting the elderly with food deliveries and support services.

Cllr Zarczynski advised that he had asked the Deputy Clerk to reinstate the list of public correspondence received and for this list to be provided to Members with the agenda for Full Council meetings so that Members could if they wished to do so either address any correspondence before the meeting or discuss it at the meeting.

20/81 Payments and Receipts Report - July, August and September 2020

The Deputy Clerk presented her report and confirmed that having asked Members to contact her in advance of the meeting should they have any queries regarding the payments or receipts made, she had not received any such queries.

Members **RESOLVED** unanimously to approve the payments for July, August and September 2020.

Proposed by Cllr Zarczynski and seconded by Cllr Dolby.

20/82 Members Allowances

Members **RESOLVED** unanimously that officers make arrangements for Members' Allowances to be paid with the November wages.

Proposed by Cllr Zarczynski and seconded by Cllr Carrigan.

20/83 HTC Grants Procedure 2020/21

The Deputy Clerk presented the report. She confirmed that enquiries regarding grants had been received from several groups and therefore Members were being asked to agree the timetable proposed in the report. The timetable proposed provided for a shorter timescale than usual for applications to be received and for Members to consider the applications. However, as the process has been delayed this year and

as Members were already aware of the applications submitted by several groups, the Deputy Clerk suggested that this was appropriate in the circumstances.

Cllr Zarczynski referred to the grant already agreed in respect of the group who were taking over the CUB building in Honiton. Whilst he had not had the opportunity to discuss this with the Deputy Clerk, as yet the grant had not been paid out as the previous Town Clerk had requested additional documentation/information from the group. Cllr Zarczynski has been discussing the grant with the group and had been advised that all documentation/information had now been provided and as such the group was seeking payment of the grant. Members agreed that on the basis the group had now provided the documentation/information required that the grant should be paid out.

Members RESOLVED unanimously to approve the grant process for 2020/21.

Proposed by Cllr Taylor and seconded by Cllr Zarczynski.

Members **RESOLVED** unanimously that the grant previously approved for the CUB building be paid.

Proposed by Cllr Zarczynski and seconded by Cllr McNally.

20/84 Honiton Town Sculpture - Lace Walk, Honiton

The Deputy Clerk confirmed that correspondence had now been received in respect of the ongoing maintenance costs but that she had not yet had the opportunity to consider that correspondence. As such whilst Members may wish to agree to the costs specified in the report, Members should defer their discussion in respect of the ongoing maintenance cost contribution to the next Full Council meeting.

Members **RESOLVED** unanimously to contribute the sum of £892.50 plus VAT towards the cost of the works to the housing, and £275 plus VAT towards Rubicon West Plc's professional fees relating to the project management of the works and drafting the specification.

Members **RESOLVED** unanimously to enter into further discussions with Clem Dobson Associates as to their request that Honiton Town Council agree to contributing 50% of all ongoing maintenance costs.

Proposed by Clir McNally and seconded by Clir Taylor

20/85 HTC Health and Safety Policy

Cllr Zarczynski advised that EDDC have provided HTC with a copy of their health and safety policy and that he was proposing that HTC adopt the EDDC policy and then amend it accordingly.

The Deputy Clerk advised that she had understood that the Finance and Policy Committee would consider the EDDC health and safety policy and use this as a template to produce a

health and safety policy for HTC. The Finance and Policy Committee would then recommend to Full Council that HTC adopt the new Health and Safety policy.

Cllr Carrigan confirmed that this has also his understanding of the item. The Deputy Clerk advised that she had put the item on the agenda so that Members were made aware that HTC's Finance and Policy Committee would be reviewing HTC's Health and Safety policy. Once the Committee had done so, the new policy would be brought back to Full Council to be approved and adopted.

20/86 Members RESOLVED unanimously to take item 13 into Part B

Proposed by Cllr Zarczynski and seconded by Cllr Carrigan

Part B

20/87 Honiton Community Complex

Members discussed the proposed offer to be made to HCC following the meeting on 5th October 2020.

Members RESOLVED unanimously to extend the meeting by 15 minutes

Proposed by Clir McNally and seconded by Clir Taylor

Members **RESOLVED** by 4 votes in favour with 3 votes against to put forward the following offer to HCC:

- HTC would provide HCC with an annual fixed payment of £10,000.00 to replace the calculation contained in the SLA.
- HTC would provide HCC with an emergency COVID 19 grant for 2020/21 of £15,000.00.
- HCC would need to re-apply annually for further grants as part of the HTC grant process.
- HTC would waive the insurance contribution for 2019/2020.
- HTC to invoice the insurance contribution for 2020/2021.
- The waiving of the 2019/20 insurance contribution was not dependent on HCC accepting the offer regarding the fixed annual payment and the 2020/21 grant.

Proposed by Cllr Carrigan and seconded by Cllr Gilson.

20/88 To close the meeting

The meeting was closed at 10.15pm.

HONITON TOWN COUNCIL

Minutes of the Extra-ordinary Meeting of the Town Council held via Zoom on Thursday 19th November 2020 at 7.00 pm

Present St Michael's Ward

St Paul's Ward

Cllr J Taylor Cllr J Zarczynski (Chairman) Cllr J McNally Cllr L Dolby Cllr R Coombs Cllr C Gilson Cllr P Carrigan

In attendance

Heloise Marlow, Deputy Town Clerk 11 Members of the public

PART A

20/89 The Chairman welcomed Councillors and members of the public who were attending via ZOOM and confirmed that the meeting would be recorded.

20/90 To receive apologies for absence

None were received

20/91 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda

None received.

20/92To note the grant of dispensations made by the Town Clerk in relation to the business of this meeting.

None were made.

20/93 Public question time on items on the agenda

Mr Burgess confirmed that he has sent in an email with comments relating to the risk assessments to be considered by Members and these were:

- 1. Names of employees are mentioned in the risk assessment for Honiton Market. The names should be replaced by employees, or market staff or some other general designation.
- 2. In the paragraph below, the first highlighted section, the virus **is airborne** and there should be no ambiguity about it.

In his document detailing info about the virus, Mr Taylor has written "The virus is assumed to be transmitted by respiratory droplets* but there has been no direct evidence for the hypothesis". Mr Taylor is incorrect on this otherwise why are we all wearing masks? Also, he

14th December 2020

Signed Chair

then goes onto to list where the droplets can land so contradicting himself. The sentence should read "the virus is transmitted by airborne droplets".

3. The second highlight should simply read "people" as anyone can be asymptomatic

The most significant variation since the original Risk Assessment in May (attached) is that it is possible that SARS-CoV-2 may be airborne in some circumstances. The May Assessment advised that windows were to be open at all times (i.e. continuous ventilation) and thereby exposure to concentrations of airborne virus needed for infection was considered possible and was mitigated. Another but unforeseen circumstance was the potential for under fifties and especially children to be asymptomatic. Again, this must be mitigated by appropriated social distancing, ventilation, frequent hand washing and using sterilising fluids on communal surfaces.

4. I also think this section has no place in a guidance document:

HTC has already identified members of staff at risk due to apparent presentations such as obesity and have not required them to work interactively with the public however such however such assessments are subject to GDPR and are not available to this document

Clir Taylor responded on behalf of the Council and confirmed that any reference by name to any employee would be removed from the documents. The ambiguity regarding whether the virus is airborne is historical. As regards the reference the under fifties being asymptomatic, he clarified that more people under 50 were likely to be asymptomatic.

Cllr Zarczynski confirmed that the highlighted paragraph above would be removed from the risk assessment. He thanked Mr Burgess for bringing these matters to the attention of the Town Council. The policies would be reviewed again at the next Finance and Policy Committee meeting and the policies can be amended as they evolve.

The Deputy Clerk read out the following question on behalf of Mr Jason Hannay:

Health and Safety.

I have looked over your appendix 3 office Risk assessments and noted that

- Heat recovery ventilation system hasn't been assessed, what percentage of fresh air is being brought in mixed with stale and also how many air changes
- I noted extra radiant heat and more ventilation, however it doesn't mention the government code of practice for working temperatures. No mention of cold stress and thermal comfort

It also states that "HTC has already identified members of staff at risk due to apparent presentations such as obesity and have not required them to work interactively with the public" Is this something that should be put in a public domain? Is this a medical fact stated in a public domain without a member of staffs consent?

Appendix 4 street market

- this has been taken from an eddc gate to plate. "Evaluation is detailed in eddc gate to plate documentation"

This is not site specific and huge differences in the two operations.

For example

- the road is closed in the gate to plate where as the market isn't.

- with the road closed there's a better opportunity for social distancing, with the market, footpaths are used by all and create greater risk
- with the market and the way vehicles are parked there is also a risk of blind spots for crossing, vehicles pulling etc
- also states a member of staff has signed himself off sick, again is this something that should be on the public domain?

My question is to all councillors.

In your policy it states over all health and safety is the responsibility of the Clerk. If this is the case and HR committee is assisting the new documentation.

1. What qualifications does the current HR Committee have And could you evident them to the public 2. Will the council sign this off knowing from examples given the risk assessments potentially has a need for a Third party to look over as it is the Clerk who would be at risk?

The Deputy Clerk confirmed that it was her understanding that the policies and risk assessments to be considered by Members were in draft form and have yet to be approved and as such can be amended by Members either at tonight's meeting or at a later meeting. In particular Members have already advised the Deputy Clerk to remove from the risk assessment relating to COVID the paragraph referring to a member of staff being identified as being at risk.

Cllr Zarczynski responded to the question regarding the expertise of Members stating that Councillors came from all walks of life and were of all ages, so brought their own relevant expertise to the Council. The risk assessments were prepared by referencing those of EDDC and it was right to do so, but the policies and the risk assessments would be continually reviewed.

Cllr Taylor confirmed that he had not referred to heat recovery ventilation systems as instead he had recommended opening windows and using heating. If the weather became extremely cold, staff will not be able to work from the office. Ventilation is important and the avoidance of recycled air. Radiant heat will be needed and not the use of air conditioning or air transport systems to heat.

Apparent presentations is the wording used to assess a person but he did not identify anyone and personal questions are avoided. Weight is a risk factor. The EDDC Gate to Place risk assessment was considered especially as the street market was part of the event. He advised that the street market could ensure social distancing better than the Gate of Plate event as the road was closed and there are measures using barrier tape to deal with the issue of blind spots. As regards any risk relating to breaches of health and safety laws, this lies with the Chairman rather than the Clerk.

The Deputy Clerk read out the second question which was addressed to Cllr Carrigan

Cllr Carrigan in an email dated 14th November you stated "HR advisors were appointed at the last HR committee meeting"

Can you confirm that the HR committee has delegated powers to make a financial decision, without going to full council and against its own financial policy of 3 quotations required?

You also stated that "HR agendas and minutes of meetings have never been posted on our website due to confidentiality of issues discussed"

Could you clarify that it is NOT a legal requirement to post agendas and minutes of the HR committee regardless weather it is or not just title headings?

Cllr Carrigan advised that he should have said that the appointment of HR advisors were approved and confirmed that all financial decisions do have to go to Full Council. As such the HR Committee recommended the appointment of HR advisors to Full Council. The HR Committee was given delegated powers to incur financial cost in relation to HR advice but as there have been queries raised as to what was resolved by Full Council, this will be clarified by Members later in the meeting. HR Services have been appointed as HR advisors to the Council and the HR Committee do have delegated powers to incur those costs as it is not possible for the HR Committee to obtain Full Council's agreement each time costs are incurred.

HR Committee Agendas have been posted on the Council's website since August 2019 but prior to this they were not posted on the website. HR Minutes have never been posted on the Council's website but he agreed that they should be and the HR Part A minutes for the meeting on the 28th October have been attached to tonight's agenda for approval. As regards Part B minutes, the Council will need to obtain advice as to whether additional information regarding the issues discussed can be provided, as Council cannot disclose confidential information regarding employees.

Cllr Zarczynski referred to the advice received from DALC who confirmed the HR Committee's terms of reference. He had never ever known for Part B HR Committee minutes which are confidential being made public as this would be a breach of data protection. Only non confidential HR matters can be made public.

20/94 HR Committee

Members received the draft minutes of the HR Committee meeting held on the 28th October 2020 and considered the following resolution:

HR20 NALC Anti-Harassment and Bullying Policy

Members had been circulated with a copy of this document which, if adopted would become the Honiton Town Council Anti-harassment and bullying policy. It was agreed that this was a very good policy. **Resolved to recommend to Full Council the adoption of this policy.** This was proposed by Cllr J Zarczynski and seconded by Cllr C Gilson; with all being in favour.

Members **RESOLVED** by 5 votes in favour with 1 abstention to adopt the NALC Anti-Harassment and Bullying policy.

Proposed by Cllr Carrigan and seconded by Cllr Zarczynski.

20/95 To review Honiton Town Council's Health and Safety Policy

Cllr Taylor confirmed that he would amend the draft Health and Safety policy in respect of the amendments discussed above.

Members **RESOLVED** unanimously to approve the attached Health and Safety Policy with the amendments discussed above.

Proposed by Cllr Carrigan and seconded by Cllr Zarczynski.

20/96 To consider a new Data Protection policy for Honiton Town Council

Clir McNally queried whether the reference to not transferring HR related personal data to countries outside the EEA still applied? It was noted that this may need to be amended after the 1st January 2021.

Cllr Taylor queried how within the Council do Members debate potential inappropriate behaviour and how is this kept confidential without using protected data? He suggested that data protection should be external to the Council and its committees.

Cllr Zarczynski advised that data protection did not apply to debate between Councillors only to minutes published.

Cllr Taylor queried whether Part B protected Councillors in respect of data protection issues.

Cllr McNally suggested that the proposed Privacy Notice to be discussed provided the answer.

Members **RESOLVED** unanimously to approve the attached Data Protection Policy.

Proposed by Cllr Zarczynski and seconded by Cllr Carrigan.

Cllr Coombs joined the meeting at 19h50. He had not been able to do so previously due to technical issues.

The Deputy Clerk provided Cllr Coombs with a summary of the above.

Cllr Coombs confirmed that he would have voted in favour of adopting the NALC Antiharassment and Bullying Policy, the draft Health and Safety Policy, and the draft Data Protection policy.

20/97 To consider a new Privacy Notice for Honiton Town Council

Members RESOLVED unanimously to approve the attached Privacy Policy.

Proposed by Cllr McNally and seconded by Cllr Gilson

20/98 To reconfirm approval of Honiton Town Council's HR policies

Members **RESOLVED** unanimously to re-confirm their approval of the attached HR policies.

Proposed by Clir Carrigan and seconded by Clir Taylor.

20/99 Members RESOLVED unanimously to take item 10 into Part B

Proposed by Cllr Coombs and seconded by Cllr Gilson.

Part B

20/100 HR and current staffing matters

Members **RESOLVED** unanimously that HR Services be appointed as per the contract dated 6th September 2020 to provide HR advice to Honiton Town Council with the HR Committee authorised to correspond with HR Services on HTC"s behalf and incur the subsequent costs.

Proposed by Cllr Carrigan and seconded by Cllr Zarczynski

Members **RESOLVED** unanimously that the HR Committee be authorised to amend the existing advertisement for a Town Clerk and to retain the services of a recruitment agency and the Job Centre if required, to enable the scope of the advertisement to be expanded.

Proposed by Cllr Carrigan and seconded by Cllr Zarczynski.

Members **RESOLVED** unanimously that the HR Committee obtain advice from HR Services regarding the return to work of those employees who were currently not at work and that the HR Committee be authorised to contact the Job Centre to find temporary part time administrative assistance for the Deputy Clerk.

Proposed by Cllr Carrigan and seconded by Cllr Zarczynski.

20/101 To close the meeting

The meeting was closed at 9pm.

HONITON TOWN COUNCIL

Minutes of the Extra-ordinary Meeting of the Town Council held via Zoom on 2nd December 2020 at 7.00 pm

Present St Michael's Ward

St Paul's Ward

Cllr J Taylor Cllr J Zarczynski (Chairman) Cllr J McNally Cllr L Dolby Cllr R Coombs (joined at 19h20) Cllr C Gilson Cllr P Carrigan

In attendance

Heloise Marlow, Deputy Town Clerk 5 Members of the public

PART A

20/102 The Chairman welcomed Councillors and members of the public who were attending via ZOOM and confirmed that the meeting would be recorded.

The Deputy Clerk confirmed that item 6 on the Agenda had been withdrawn.

20/103 To receive apologies for absence

None were received

20/104 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda None received.

20/105 To note the grant of dispensations made by the Town Clerk in relation to the business of this meeting.

None were made.

20/106 Public question time on items on the agenda

The Deputy Clerk confirmed that a question had been received from a member of the public relating to item 6. However, that item had now been withdrawn from the agenda and the Deputy Clerk had advised the member of the public of this. As such there were no public questions.

20/107 Appointment of new Town Clerk

Cllr Zarczynski confirmed that the HR Committee had interviewed Mr Stephen Hill for the vacant position of Town Clerk and were recommending to Full Council that he be offered the position of Honiton Town Clerk.

Signed Chair

14th December 2020

Members **RESOLVED** unanimously to offer the position of Honiton Town Clerk to Mr Stephen Hill.

Proposed by Cllr Carrigan and seconded by Cllr Gilson

20/108 Members RESOLVED unanimously to take item 7 into Part B

Proposed by Cllr Carrigan and seconded by Cllr Gilson.

Part B

20/109 HR and current staffing matters

Members **RESOLVED** unanimously to appoint Hope and May to deal with SARs received on behalf of Honiton Town Council

Proposed by Cllr Carrigan and seconded by Cllr Taylor

Members **RESOLVED** by 4 votes in favour with 3 votes against to accept ACAS' offer of pre-conciliation discussions with regards to current employment matters and to seek legal advice and representation from insurer appointed solicitors.

Proposed by Clir Carrigan and seconded by Clir Gilson.

20/110 To close the meeting

The meeting was closed at 20.05pm.

Honiton Parish Paths Partnership Inspections 2020-2021

Summary Report to Honiton Town Council (HTC)

Background

HTC is required to carry out inspections under the terms of the P3 agreement with Devon County Council (DCC).

The aim is to check that members of the public including first time visitors should be able to follow the public footpaths and negotiate structures such as stiles with relative ease.

HTC carries out normal maintenance and receives an allowance based on mileage of the public footpaths and four unsurfaced County Roads.

P3 grants may be available from DCC for larger improvement projects.

Materials

Materials such as signposts were ordered near the end of 2015 and were delivered in 2018. Various circumstances had delayed use however the backlog of work has been reduced during 2020.

The 2020-2021 Inspections

No new problems were encountered and a few of the previous concerns had been dealt with by HTC since the last inspections (Footpaths 4, 9, 12 and 14).

In general, footpath numbers attached to posts thereby enabling problems to be reported more accurately and East Devon District Council (EDDC) dogs on leads notices are not included as recording was carried out by the Deputy Town Clerk during the previous inspections.

Missing signposts where footpaths leave surfaced roads are a requirement and DCC has replaced one at Footpath 19 so the other five missing signposts have been queried with DCC. Once the posts have been erected EDDC notices should be added.

Five signs need to be added to existing metal posts (Footpaths 7, 8, 13 and two at Footpath 26).

One junction post with three public footpath signs has landowner's permission for erection and an additional waymark should be fixed to a nearby post.

EDDC notices could be fixed to the two Footpath 14 stiles at Hutgate Lane so probably reducing the nuisance already mentioned during the inspection.

Hutgate Lane has a DCC concrete channel that is overdue for replacing though the HTC channel crossing the lane is sound. Capital grant could be sought. Unsurfaced road signpost is missing at Hutgate Road and replacement has been discussed with frontage

Turk's Head Lane (P3 section) still has the overflowing sewer problem. It is suggested that a freedom of information request is submitted to the Environment Agency seeking details of the consent that enables South West Water to discharge two sewers (not one) into a stream at certain times. The culvert inlet is sufficient for the stream as originally intended but not for the additional volume from the sewers. Unsurfaced road signpost is missing opposite the Aldi car park, underground services may need to be checked prior to erection.

Handrails and Flights of Steps. Handrails are needed for the flights of steps at Footpath 14 (Hutgate Lane junction) and Footpath 19 and a handrail for the footbridge adjoining the latter (near Langford Bridge). One or two flights of steps and handrails are needed where there is the change of level on Footpath 26 where the route rises to Magpie Hill open space. Funding could be sought as part of the financial return.

Separate Reports

Separate reports will be submitted for the other non P3 routes as well as for Honiton Rights of Way Improvement Plan routes and HTC Boundary Posts.

Roy Coombs December 2020

Committee: Town Council

Date: 14th December 2020

Title: Grant Applications

Purpose of Report

To provide Members with an update in respect of the grant process for 2020/21.

Recommendation:

Councillors to note the report.

Background:

- 1. Grants for the year 2019/20 were decided and allocated in January of this year however, due to Covid-19 and staff shortages it has not been possible to implement the grant process for 2020/21 until now.
- 2. For the year 2020/21 the sum which the Council has budgeted for grants is £18,000.

Report

- 3. The advertising process for the grants begam on 10th November with a closing date for applications being 4th December 2020.
- 4. A summary of all applications Appendix 8A received is attached to this report and Members will note that 19 applications have been received totalling £28,802.56.
- 5. Unfortunately, the Deputy Clerk has not yet had the opportunity to review the applications which have been received and is therefore not in a position to provide Members with the recommendations required for the allocation of grant funding at this meeting.
- 6. Instead, it is recommended that the distribution of the grant funding for 2020/21 be deferred to the next Full Council meeting which is scheduled for the 11th January 2021.
- 7. If Councillors have any queries regarding the grant process could they please contact the office prior to the meeting.

Heloise Marlow Deputy Town Clerk December 2020

To cover printing and admin costs in moving forward with the Honiton Mental Health Friendly vulnerable people across Honiton. Funding for the Clinical Coordination Centre to enable it to New seating for Honiton Parent & Toddler Group and Honiton Youth Club, also to be available photographic printing, minibus hire for trips to explore nature, pay guides who are experts at Town Charter. Resources, Workshops for parents & carers around transition from Primary to available (replace the funds that they used during Covid that were originally for the booklet) Develop a helpline booklet, so people who don't have access to a computer can see what is Provide Disabled Parking & Parent & Toddler Parking places adjacent to the entrance of the Support their work for the most vulnerable people in the Honiton area, especially to work Provide Honiton Community First responder volunteer with a pulse oximeter for younger Purchase technological equipment for the community team who are working to support To buy all items needed to set up the community farm/allotments and ensure they have Various: sessions with a Community artist, scrap books, Resources for artwork, displays, Running costs: Advertising, Road Closure, Town crier fee, First Aid cover, Prizes etc operate for the growing number of people seeking support as a result of Covid enough funds to buy in stock until they start growing. introduce a Sensory Den for the young children To finish paving the garden area, a ¼ left to do. wildlife venues & Open day expenses Secondary School & beyond. with the food banks. site on a flat area for CUB users patients Purpose Amount requested £1000 £2000 £1000 £2500 £3250 £1250 £4000 £1210 £ 500 £ 116 £3000 £ 380 Honiton Parent & Toddler Group Honiton Hot Pennies Ceremony Joint application for: Honiton Honiton Community Spaces South Western Ambulance Citizens Advice East Devon Parent & Toddler Group & Hospiscare Day Hospice Honiton Health Matters Open Arms East Devon The Vegbank Honiton Parental Minds CIC Honiton Youth club Honiton 55+ CIC Organisation Charity (CUB)

GRANT APPLICATIONS RECEIVED December 2020

Honiton Gymnastics Club	As much as	Facilities costs, Flooring, Barriers to enable Covid secure one-way system, Cleaning & Income	
	possible (loss of	Loss	
	£63,200)		
Honiton 729 Club	£800	Theatre Production Pantomime, a pantomime exclusively for special needs	
TRIP Community Transport	£5000	Help to cover service provisions costs, to support coordination and service delivery: Utilities,	
Association		IT, staff cover for phone lines, DBS and volunteer recruitment.	
Honiton Millennium Green	£1000	Maintaining Vernon Corner (wildlife area) and the Public Liability Insurance.	
Honiton Community Advice	£ 418.56	To Pay Professional Indemnity & Public Liability Insurance	
Service			
Honiton Shedders (Mens Shed)	£ 378	To purchase a chop saw, essential for cutting wood & steel	
Trees for Honiton	£1000	Crowd funding appeal is underway (only an email as covering paperwork)	No covering
		d	paperwork
TOTAL	£28,802.56	Not including Honiton Gymnastics who didn't specify an amount	

Committee: Full Council

Date: 14th December 2020

Title: 2021-2022 Budget Planning Report

Purpose of Report

For members to consider the budget planning requirements for the Financial Year 2021-2022

Recommendation:

Members to note the report.

Background:

- 1. At the Full Council meeting on the 13th January 2020 Members resolved to approve the budget presented at that meeting and to increase the precept for 2020- 2021 to £299,660.00.
- 2. Members now need to agree a budget for 2021-2022 and agree the required precept for 2021-2022 as the EDDC return deadline for this is Wednesday 20th January 2021.
- 3. The Deputy Clerk has met with Cllr Zarczynski, Chairman of the Council and Cllr Carrigan, Chair of the Finance and Policy Committee to discuss the budget and precept for 2021-2022.
- 4. Cllr Carrigan will at the meeting on the 14th December 2020 provide Members with details of the proposed budget for 2021-2022.
- 5. When considering the budget Members will need to take into account the income that the Council is likely to receive for 2021-2022 and the expenditure it will be liable for.

Heloise Marlow Deputy Town clerk December 2020

HTC FACEBOOK

Dear Members

Cllr Luke Dolby was appointed by full council as Administrator of HTC Facebook.

The purpose of Honiton Town Council's Facebook page is to keep members of the public better informed regarding projects in progress and generally with regards to what Honiton Town Council is doing for the benefit of the community.

Unfortunately, due to recent comments being posted which are in breach of the Councils Facebook page rules and social media policy, I am proposing that the ability for public comments to be posted be disabled from HTC Facebook page. Any member of the public wishing to comment /express their views are invited to do so via email or written correspondence to the council offices

Cllr John Zarczynski

Chairman Honiton Town Council

December 2020