

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 26th April 2021 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?pwd=NkRNbGtmWGdkM1JFM1E3Sz1Wdzk5QT09>

Meeting ID: 977 6117 7033

Password: 083074

Date: 21st April 2021

Stephen Hill

Stephen Hill
Town Clerk

AGENDA

This meeting will be recorded and recordings will be held for the purposes of preparing the Minutes 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 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 apologies and reasons for absence.

2. Declarations of Interests

To **RECEIVE** any declarations of interest.

Members are reminded that if they have a Disclosable Pecuniary Interest (DPI) (on their register of interest or otherwise) 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 DPI 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, leave and not Vote on the item and register the DPI within 28 days. Similarly, other Personal Interests should be declared at this meeting.

3. Dispensations

To **NOTE** the grant of dispensations made by the 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 and normally up to a total of 15 minutes will be permitted. 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 should 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. Minutes of the Full Council Meeting held on [8 March 2021](#)

Council is asked to **RESOLVE** to approve for accuracy the minutes of the Full Council Meeting held on 8 March 2021, as published, and circulated with this agenda.

6. Minutes of Council Committees

Council is asked to **NOTE** the minutes of the Planning Committee of [16th March 2021](#) and HR Committee of [22nd March](#) and the draft minutes of the Planning Committee of [30th March 2021](#), Town Management Committee of [24th March 2021](#) and HR Committee of 9th April 2021.

7. Reports from District and County Councillors

Council is asked to **NOTE** (and may ask questions on) the report/s from District and County Councillors.

8. Reports from Honiton Town Council Members with Special Responsibilities

Council is asked to **NOTE** the report/s from Town Councillors with special responsibilities.

9. Correspondence – 3rd March-3rd April 2021

Council is asked to **NOTE** correspondence (on matters not otherwise included on this Agenda) received by the Council since last Full Council.

[Advice from PKF Littlejohn regarding External Audit 2020/21](#)
[Open Letter from Honiton Forward](#)
[Letter from Honiton Forward](#)

PART A MATTERS FOR DECISION

10. Co-option

Council is asked to **NOTE** an update on the appointment of a Councillor for the vacant seat in St Michael's Ward.

11. [Town Management Committee 24 March 2021](#)

Council is asked to **RESOLVE** to agree the recommendations from the Town Management Committee 24 March 2021:

- Visit Honiton website
- Bus shelters
- Feasibility study for replacement pipe at High Street/ Pottery Close
- Ownership of water channels
- Telephone box at Joslin Road
- VR Mailbox at Congregational Church
- Enable Gate to Plate event to operate under the Market Charter

12. Rainbow Benches

Council is asked to **CONSIDER** and as necessary **RESOLVE** actions to work jointly with the League of Friends; there is evidence that if promoted positively, rainbow/friendship benches can actively help a community to overcome loneliness and social isolation.

13. [Town Events](#)

Council is asked to **NOTE** the Events that are planned for the Town in 2021.

14. Community Asset Transfer (CAT) – DRAFT PROCEDURE: Town and Parish Council **CONSULTATION** – [background papers](#)

The Council is asked to **RESOLVE** its comments on the EDDC consultation on its draft procedure for Community Asset Transfer by 25 April 2021 deadline.

15. Market Open to Non-essential Traders

Council is asked to **NOTE** that the Honiton Street Market has been opened to non-essential traders from Tuesday 13 April 2021 in line with the Government's Roadmap.

16. [Market Risk Assessment](#)

Council is asked to **RESOLVE** to approve the Market Covid-19 V4 Risk Assessment which has been prepared for opening the market to non-essential stallholders.

17. Honiton Street Market Health & Safety (H&S)

A Honiton Town Councillor has raised concerns about Health and Safety at Honiton Street Market being in breach of legislation between 2013 and June 2020 and implications of payments made to a third party, in particular during 2019-2020 and 2020-2021. Council is asked to **RESOLVE** to appoint a H&S or other consultant(s), with an unallocated revenue budget up to £3,000, with the brief to review the Council's policies and procedures during those 7 years for the purpose only of identifying any current liabilities and mitigating actions and report to Council.

18. Charging for Market Stalls

Council is asked to consider the re-introduction of charges for market stalls and to **RESOLVE** whether or not and when to re-apply charges for stallholders at the Honiton Street Market.

19. Allotment Management

Council is asked to **RESOLVE** to decide the preferred option for management of the proposed Council allotments being constructed at Battishorne Way noting the preference from the Allotment Working Group 5 March 2021 and to **RESOLVE** to delegate authority to the Town Clerk to incur additional expenditure if needed up to £5,000, which delegation is additional to the Financial Regulations.

20. EDDC Standards hearing

Council is asked to **NOTE** the conclusion from the EDDC Standards Hearing sub-committee 12 March 2021 and the possible implications for Honiton Town Council arising from any Appeal e.g. if there is a judicial review could Honiton Town Council be called as witness therefore incurring further costs.

[Councillor complaint decisions - East Devon](#)

21. Delegation and Internal Control

Council is asked to:

- a) **RESOLVE** to approve the temporary Scheme of Delegation, which would be supplemental to the existing delegations and where in conflict this latest delegation takes precedence (see attached Proposed Honiton Town Council Covid-19 Temporary Scheme of Delegation April 2021) and in doing so give delegated authority to the Town Clerk should Council meetings not be possible.
- b) **RESOLVE** to review and approve the Honiton Town Council statement internal control.
- c) If preferred and /or in light of any new information that may or may not be forthcoming Council is asked to **RESOLVE** to determine or confirm the date/time and location/method of the Annual Council 2021 meeting: *Note: This Resolution would initially require a Vote to temporarily suspend (in line with Standing Order 26) Standing Order 7 thereby enabling Council to reconsider Council Decision 20/187, 8 March 2021.*

22. Q3 2020/21 Financial Report and AGAR

Council is asked to **NOTE** the:

- (a) Q3 2020/21 financial report, which was considered by Finance & Policy Committee, 22 February 2021;
- (b) reconciliation of accounts to end December 2020; and
- (c) proposed timescale for preparation, approval and submission of the AGAR 2020/21.

In addition, Council is asked to **RESOLVE** to comment on and approve the provisional schedule of Earmarked Reserves (EMR).

23. Earmarked Reserves (EMR)

On the Decision of Full Council 8 March 2021 Council is asked to **RESOLVE** to prepare the schedule of EMR.

24. Accounts

Council is asked to **RESOLVE** to approve the schedule of payments.

25. Exempt Business

*Council is asked to **RESOLVE** 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 items 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 section 1 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

26. Hanging Baskets

Council is asked to **RESOLVE** to appoint a maintenance contractor and a nursery for planting, installation and maintenance of hanging baskets and other associated work.

27. Appointment of Staff

In line with Council Decision 8 March 2021 and HR Committee Decision 22 March 2021 the posts of Market Manager and Town Clerk's Assistant were internally advertised 29 March 2021.

- a) Following Interview 7 April 2021 and the Recommendation from HR Committee Full 9 April 2021 Council is asked to **RESOLVE** to confirm the appointment to the Town Clerk's Assistant role.
- b) Council is asked to **NOTE** that no Applications were received for the Market Manager role and that HR Committee has instructed the Town Clerk to prepare a job description and take HR advice.

28. Town Clerk's Assistant Salaries

Following the recommendation of HR Committee 22 March 2021 Council is asked to **RESOLVE** to appoint to and allocation of Town Clerk's Assistant role/s at LC1 substantive range.

29. Probationary Period of Town Clerk

Following HR Committee 22 March 2021 a Probationary assessment was undertaken with the Town Clerk; Council is asked to **RESOLVE** the recommendation from HR Committee 9 April 2021 to confirm the Town Clerk's permanent appointment.

30. Current Staffing Matters

Council to **RECEIVE** an update on current staffing matters including a decision on behalf of the Town Council on an Appeal against Dismissal.

31. ACAS

Council is asked to **RESOLVE** whether or not to engage in conciliation via ACAS with respect to two cases following confidential discussion and recommendations from HR Committee 9 April 2021.

32. Legal Advice

Council is asked to **NOTE** legal advice and to **RESOLVE** any actions following confidential discussion and recommendations from HR Committee 9 April 2021.

33. 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**