

## HONITON TOWN COUNCIL

### Minutes of the Meeting of the Town Council held at the Town Council offices, The Beehive, Dowell Street, Honiton on Monday 11<sup>th</sup> July 2016

#### Present

##### St Michael's Ward

Cllr A Alder  
Cllr S Edwards  
Cllr L Harvey-Ingram  
Cllr J McNally  
Cllr D Perkins  
Cllr J Taylor

##### St Paul's Ward

Cllr H Brown  
Cllr Coombs  
Cllr Halse  
Cllr Howard  
Cllr C Kolek (Chairman)  
Cllr J Lake  
Cllr A Mountjoy  
Cllr G Smith

#### In Attendance

Cllr S Randall-Johnson – Devon County Council  
Cllr P Twiss - East Devon District Council  
Cllr M Allen - East Devon District Council

5 members of the public

Members of the press – Mr Callum Lawton (Midweek Herald), Mr Peter Hodges (Pulmans)

Mr Barry Simmonds – Chairman of Board of Directors of Honiton Community Complex

Mr Graeme Thompson – Planning Policy Officer at East Devon District Council

Chetna Jones – Town Clerk

#### 16/157 To receive apologies for absence

Apologies were received from Cllr Hopkins (P), Cllr C Melbourne (P), Cllr J Wadsworth (P) and Cllr K Smith (P).

Apologies were also received from Cllr Diviani (Devon County Council), Cllr O'Leary (East Devon District Council).

#### 16/158 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda

Cllr Perkins – Director of the Beehive Companies – personal

Cllr Taylor – Advice received from Counsel – DPI – Cllr advised he will leave the meeting

#### 16/159 To receive and resolve as a correct record the minutes of the Town Council meeting held on 13<sup>th</sup> June and Extra Ordinary Town Council meeting held on 27<sup>th</sup> June 2016

The minutes of the Town Council meeting held on 13<sup>th</sup> June 2016 and Extra Ordinary meeting held on 27<sup>th</sup> June 2016 were approved by the Town Council and signed by the Mayor as a correct record.

#### 16/160 Confidential items

It was agreed that there were two items which should be dealt with under Part B.

*The Chairperson declared the meeting out of session*

#### 16/161 To receive the Police Report

A report was unavailable at the time. The Mayor confirmed that when received it will be circulated to all councillors.

#### 16/162 A short presentation from Honiton Community Complex on progress for the year 2015/16

Mr Simmonds introduced himself and confirmed that that he was the Chairman of the Board of Directors for Honiton Community Complex. Mr Simmonds confirmed that preliminary results for the year ending 2015/16 and a Business Plan for the next two years had now been developed for Honiton Community Complex (HCC).

A presentation was given by Mr Simmonds. A brief outline was as follows:

A reminder of Honiton Community Complex's mission statement was provided.

To enable the people of Honiton and District to enjoy and participate in community, cultural, civic, business and social activities which will provide opportunities for personal development and foster a communal investment in the Town's current and future identity.

The Business Plan will take into consideration the development in the following areas:

- HCC Board, employees and volunteers
- Funders
- Partners and shareholders

The Executive Summary Results were identified as:

- HCC having a positive reputation
- High Usage – approximately 56,000 footfall
- Good Revenue (60% events and bar, 40% room rental)
- Room utilisation – reported at an average of 46% and increasing
- Assets – the highest were the building was leased rent free and use of volunteers, followed by using capable people from the community and location
- Risks for consideration were volunteer fatigue and increase in event demand

Net profit figures:

	2014/15	2015/16	2016/17
	Actual	Preliminary	Forecast
	£26,000	£39,000	£9,000

Mr Simmonds explained that there will be a drop in profit for 2016/17 as HCC will be responsible for all maintenance and servicing costs as warranties expire. The need to maintain the building as a public building to the high standard expected will increase costs dramatically. In addition employment costs will increase as more staff will be required as the use of the building increases.

Mr Simmonds added that users want village/church hall prices but at theatre/office/meeting accommodation standard. He confirmed that The Beehive offers an above average experience and the price reflects this.

It was also confirmed that room rental provided almost 40% of the total income and the first rent review since the building opened will take place in the third quarter of 2016 and it was expected this would be in the region of 10%.

Funds raised through donations, grants and general fundraising during 2015/16 equated to £15,000 enabling HCC to improve the services offered at the Beehive.

The number of current staff equated to 1 full time member of staff and 3 part time staff. A budget for an additional 1.5 employees over the next two years has been included in the Business Plan.

To date the Beehive has enabled many young people to obtain their Duke of Edinburgh Award, various Arts Awards and complete their BTEC qualifications.

Within the Business Plan consideration has been given to the need to implement:

**Signed Chair**

**8<sup>th</sup> August 2016**

- A motorised seating system in the Auditorium
- Improvements to the access from the rear car park
- Storage facilities
- Further office space
- Reduction in energy costs (Solar Panels)

Finally Mr Simmonds confirmed that the building was only viable as a Community and Arts Centre and if run as a Community Centre alone it would have difficulty in being self-funded.

Various questions were asked including:

1. Within the maintenance schedule will consideration be given to the external rear wall cladding as it was beginning to look as if it required some attention? It was confirmed that a schedule of work was being prepared.
2. Who were the current directors? Mr Simmonds confirmed there was himself as the Chairman of the Board of Directors, 2 Charity Members nominated Directors, 2 Council appointed Directors and 3 Board appointed Directors and that the Town Council through their appointed Directors had a total of just below 20% of the vote.
3. These directors were not currently listed in Companies House. It was confirmed that following the grace period these will be listed.
4. Directors resigning should be registered straight away for liability purposes as their resignation would be with immediate effect. In addition the details should also be updated with regards to Beehive Hospitality Ltd. This was noted by the Mr Simmonds who confirmed he will take this back to the board.
5. Profits made by HCC prior to obtaining Charity Status had remained with the HCC and when had the Council approved this? When HCC approved the Charity Status for HCC, HCC remained in existence with all its assets including any profits remaining.
6. There was concern that comparison for "like for like" was not being made. Running the Community Centre was just one scenario and there were other combinations.
7. Were there any other Beehive related companies? It was confirmed by Mr Simmonds that there were no other Beehive companies.

*Some of the questions were addressed after Ward members provided their reports as they needed to leave.*

Cllr Kolek thanks Mr Simmonds, the Directors, employees and volunteers for all their work in making the Beehive such a success.

### **16/163 To receive reports from District and County Ward Members**

#### Devon County Council

Cllr Diviani had provided a detailed report which had been circulated through the late correspondence list.

Cllr Randall-Johnson confirmed that new contracts were being issued as Devon County Council had agreed to fund driving time for carers travelling from one client to another as part of the "Living Well and Care At Home" remit.

#### East Devon District Council

Cllr Twiss confirmed that the Planning team were dealing with an application for a large distribution centre near Exeter Airport and it was anticipated that this would create 500 jobs and would have an impact on Honiton.

Cllr Twiss also confirmed that the District Council was involved in an initiative called Business Boost which was a new business support service offering a great range of fully funded advice and guidance for new or existing businesses up to three years old. A range of funded business skills workshops were available and details were available on their website.

Cllr Twiss thanked Mr Thompson for his work on the draft play pitch strategy which highlighted that sports facilities were deliverable within the centre of the Town.

Cllr Allen thanked the Town Council for erecting signs in the Car Park outside the Beehive making it clear that parking was available to all members of the public.

Cllr Allen confirmed that as Business Development Champion for East Devon District Council he was involved in delivering advice to small businesses with co-operation from Exeter and Teignbridge Council.

*Cllr Lake joined the meeting.*

Cllr Allen suggested that the Town Council consider s106 agreements to help deliver the much needed sports pitch facilities.

Cllr Allen also suggested that consideration for business needs be considered as part of the Neighbourhood plan.

When asked if there was any funding available from East Devon District Council towards delivering play pitches ward members confirmed that Mr Thompson will provide the answer.

Cllr Twiss when asked if the proposed changes to Street Trading/Market was a “money grabbing exercise” confirmed that the proposed changes will not alter the Honiton Market Charter and nowhere in Honiton would be affected.

Cllr Kolek thanked the Ward Members for their reports.

*Cllr Randall-Johnson and Cllr Twiss left the meeting.  
Cllr Brown left the room.*

#### **16/164 Public Question Time on items on the agenda**

The Town Clerk reported that no questions had been received.

*The Chairman declared the meeting back in session.*

*Cllr Brown returned to the room.*

#### **16/165 Mayor’s Announcements and Questions for the Mayor**

The Mayor informed the Council that she had attended the following:

- Opening of Nostalgic sweet shop in Honiton Manor Nursing home
- Abbeyfield Nursing home anniversary celebrations
- Concert by Sheldon Singers. Cllr Kolek confirmed she was “blown away” by their talent
- Opening of new Hospiscare Warehouse jointly with Neil Parish MP
- War memorial clean up with the Scouts and Cllr G Smith
- Devon and Cornwall Police Awards
- Honiton primary School summer Fair
- Street Style party in commemoration of the Queen’s 90<sup>th</sup> Birthday
- Civic dinner with Tiverton Town Council

There were no questions for the Mayor.

#### **16/166 Presentation of EDDC’s draft Honiton Play Pitch Strategy**

Mr Graeme Thompson, Planning Policy Officer at East Devon District Council gave a presentation on the draft strategy including how sites were identified, assessed and evaluated prior to being included in the report.

Mr Thompson confirmed that his role was to identify suitable sites and it would be for members of the District Council to decide how to proceed further as the District Council's role was not yet defined.

The Town Council may wish to consider ownership and on-going maintenance responsibilities and whether it was in a position to take an active role in providing the play pitches.

Concern was raised that sites have been made publicly known as being suitable without determining whether they were available with the landowners. Compulsory Purchase Orders were not a preferred way of obtaining land as they could only be purchased at full market/commercial value and this could be very high especially if the land were to be suitable for development. The draft report suggested that the land at St Rita's was a preferred site but the current landowners of St Rita's had confirmed that they were not interested in doing anything with their land as the land was part of their retreat centre.

Concern was also raised that green space had not been taken into account and that the plans of enabling more sports at Allhallows would not meet with the Town council's approval.

Further concerns were that other sites were still available and even though the Town Council had requested that they take part in the work to develop the strategy this had not taken place and so the plan had many issues.

Senior members of the Town Council raised concerns regarding the proposed site plans as some of the sites identified had already been assessed several years ago and the outcome from these former assessments have not been considered.

It was agreed by the Town Council that consultation with the Town Council should have taken place sooner as they could have provided the historical and local knowledge.

It was agreed that the deadline to respond to the EDDC consultation be extended to Friday 15<sup>th</sup> July and that Councillors provide their responses to the Town Clerk no later than Noon on Wednesday 13<sup>th</sup> July.

Mr Thompson was thanked for attending and giving the presentation to the Town Council.

It was agreed that the report on the Community Use building be provided next as Cllr Brown needed to leave for work purposes.

### **16/167 Community Use Building Update**

Cllr Brown confirmed that since Young Devon had announced their departure as tenants of the Community Use Building there had been great concern for the future of the building without further funding support. Cllr Brown was pleased to report that an alternative tenant had been found and so the building's future was secured for the short term.

Honiton Community College has confirmed that it would ultimately like to relinquish this responsibility to another interested community organisation and this would need to take place in approximately 18 month time. The building would be best protected and have a stronger case for being granted a lease from DCC if the Town Council were to act as the caretakers for this rather than the youth club individually. The ultimate aim of the youth club is to inherit the building as a freehold but the timeline for doing that may not be acceptable in such a short period.

Furthermore Honiton Youth Club will consider listing the building as a building with Community Value with the District Council.

It was agreed that the Town Council will give this further consideration.

*Cllr Brown and Mr Hodges left the meeting.*

**16/168 Approval of the minutes of the Policy Committee held on 27<sup>th</sup> June 2016**

Cllr Edwards proposed that the minutes of the Policy Committee held on 27<sup>th</sup> June 2016 be approved. This was seconded by Cllr Lake and **IT WAS RESOLVED** to approve the minutes.

**16/169 Approval of recommendations from the Policy Committee:**

The Town Clerk confirmed that some members of the TIC working group had provided further details and these included that the website was only part of the on-going and future work was needed. There would also be the need to respond to enquiries and promote the town and activities through social media regularly, as well as write a brief about what the new website should do in order to obtain the quotes as specified by the Policy Committee's recommendations. In addition there will be costs associated with managing the work as identified in the feasibility report. The Council needs to consider whether it still wants to honour its prior decision to deliver a tourism service fit for the 21<sup>st</sup> century to the town.

Cllr Edwards as Chair of Policy Committee added that the important question was does the Council want to pay all the costs of delivering tourism for the Town. It was agreed that the recommendations were a stop gap until the Town Council finances were known and a decision on delivering a full service could not be determined until an outcome from the Judicial Review was obtained.

- a) Cllr Edwards proposed that quotes be obtained from companies such as Cosmic to deliver and maintain a new website as per the feasibility study recommendations and as a short term solution the Town Council consider employing current Town Council reception staff to maintain the existing website at a cost of no more than £33.90 per week up to Christmas 2016 (total cost to be approximately £848). This was seconded by Cllr Perkins and **WAS RESOLVED** unanimously. Furthermore Cllr Howard proposed that the existing website [visithoniton.com](http://visithoniton.com) platform be renewed for a further 6 months at a cost of £56. This was seconded by Cllr Kolek and **WAS RESOLVED** unanimously.
- b) Cllr Coombs proposed that the Policy Committee re-visit and confirm whether advice obtained from a local Association of Local Councils such as DALC can be relied upon as stated on page 54 of the Good Councillor guide. This was seconded by Cllr G Smith and **WAS RESOLVED** (4 against).
- c) Cllr Howard proposed that the Town Council receives and accepts the 4<sup>th</sup> Edition [Good Councillor Guide](#). This was seconded by Cllr Alder and **WAS RESOLVED** unanimously.

*Some member of the public and press left the meeting.*

**16/170 To note the Neighbourhood Plan Steering Group meeting held on 29<sup>th</sup> June 2016.**

Cllr Kolek confirmed that she will endeavour to invite Cllr Allen to future discussions.

The minutes of the Neighbourhood Plan Steering Group meeting held on 29<sup>th</sup> June 2016 were received and noted.

*Cllr Allen left the meeting.*

**16/171 Approval of the minutes of the [Street Market Overview](#) meeting held on 30<sup>th</sup> June 2016**

Cllr G Smith proposed that the minutes of the Street Market Overview Committee meeting held on 30<sup>th</sup> June 2016 be approved and signed. This was seconded by Cllr Alder and **WAS RESOLVED** unanimously by those present at the meeting.

In addition Cllr Kolek proposed that a letter be written to Cllr Twiss with a copy to the Chairman of EDDC informing him that the Council noted that he had confirmed there will be nowhere in Honiton that Street trading/market will take place and that the Honiton Market Charter will remain unaffected. This was seconded by Cllr G Smith and **WAS RESOLVED** unanimously.

*Cllr Mountjoy left the meeting.*

**16/172 Agreement of the response for the [Street Trading consultation](#) by East Devon District Council**

Cllr Alder proposed that the responses as recommended by the Street Market Overview Committee to the Street Trading/Market consultation be submitted to East Devon District Council. This was seconded by Cllr Perkins and **WAS RESOLVED** unanimously.

**16/173 Reports from Members with special responsibilities**

Cllr Kolek confirmed that she had attended a meeting of the Clinical Commissioning Group as part of her role as Health Champion.

Cllr Howard confirmed that there will be a Twinning Association meeting on Thursday 21<sup>st</sup> July at the Beehive and that she had attended a BBQ arranged by the Twinning Association.

Cllr G Smith confirmed that plans were in place for the Charter Day Celebration on 23<sup>rd</sup> July and asked that councillors helped with bunting the night before.

It was unanimously agreed to suspend Standing Orders in order that the meeting can be extended beyond 3 hours.

Cllr Alder informed the Council that Tesco's had recently helped with the clearing of War Graves in St Michael's and wondered if any councillors were personally keen to help with maintaining the graves.

**16/174 To note Correspondence receive and to resolved any matters arising. The list may be viewed at the Council Office (late correspondence to be tabled)**

The list of correspondence received between 14 June 2016 and 5 July 2016 had been circulated in advance.

**East Devon District Council**

1. Questionnaire for Town and Parish Councils on EDDC's services
2. The Knowledge – issues 5, 6 and 7

**Other**

3. Letter from local resident regarding Members with Special Responsibilities
4. Letter of thanks from Acorns Befriending and Support
5. NALC – bulletin on national developments and meetings – 24 June
6. NALC – bulletin on national developments and meetings – 1 July
7. NALC Newsletter 13 June
8. DALC Committee meetings calendar 2016
9. East Devon AONB – summer news 2016
10. Letter from 1064 Sqn Air Training Corps based in Honiton regarding trip to Normandy
11. Honiton & Axe Valley Children's Centre – Partners' Bulletin July 2016
12. DALC newsletter July 2016
13. Clerks & Councils Direct July 2016

Items 12 - Cllr Coombs asked if a Commonwealth Flag could be displayed on Commonwealth Day. The Clerk confirmed that volunteers were needed to erect a flag pole and various flags purchased in order to do this.

Item 3 – Cllr Howard requested details of the letter. The Town Clerk confirmed that the correspondence related to how a non-member of the Council assigned with special responsibilities would have the ability to provide a report to the Town Council. It was agreed that the Town Clerk will speak with the correspondent directly to address this matter.

Late correspondence between 5<sup>th</sup> July and 10<sup>th</sup> July was tabled for Councillors attention.

Late Correspondence

**Devon County Council**

- a) DCC – Update from Cllr Diviani
- b) Update on progress with Devolution

**East Devon District Council**

- c) The Knowledge issue 8

**Other**

- d) LCR – National Association of Local Councils magazine – Summer 2016
- e) Letter from Post Office – decision to move to new premises & branch modernisation
- f) Local Council Update Issue 197 July 2016
- g) Letter from resident (Tremaine Close) regarding the enormous sum towards legal costs which would have enabled many local organisations to use effectively for the good of the community.
- h) Blackdown Hills Newsletter – July 2016
- i) NALC e newsletter

Item e – The Crown Post Office’s decision to relocate to new premises (W H Smith) and improve the facilities was noted.

Item g – The Town Clerk confirmed that the correspondent had requested that councillors bear in mind the cost associated with the Judicial Review and what benefit this will be to the community.

The meeting was adjourned for a 2 minutes comfort break and reconvened at 10.10pm.

The remainder of the public left the meeting.

**16/175 Exclusion of the Press and the Public**

Cllr Kolek proposed that the press and the public be excluded from the meeting. This **WAS RESOLVED** unanimously.

It was unanimously agreed that the matter relating to solar panels be discussed prior to the Judicial Review.

**16/176 Approval of the minutes of the Solar Panels Working Group meeting dated 29<sup>th</sup> June 2016 and draft Terms of Agreement from the Town Council’s solicitor with regards to Solar Panels on the roof of the Beehive.**

Cllr Kolek proposed that the minutes of the Solar Panels Working Group meeting dated 29<sup>th</sup> June 2016 be approved. This was seconded by Cllr Alder and **WAS RESOLVED** unanimously by those present at the meeting.

Cllr Taylor presented a list of questions regarding his concerns in relation to the draft lease.

*Cllr Alder left the meeting.*



The concerns ranged from obtaining best value, liabilities and insurance, potential pecuniary interests in the future, devalue in the current property, a missing year with no lease arrangement in place, Town Council address being incorrect and that there were no Directors for a Town Council.

Councillors were reminded that the Town Council should rely on the professional advice rather than that of an individual councillor.

*Cllr Lake left the meeting.*

The Town Clerk confirmed that the Council were being asked to agree the Heads of Terms within the Lease rather than the lease document itself and that the corrections relating to date, address and signing and sealing will be dealt with before a final version is produced. As the other party require the Solar Panels to be in place for 20 years the Town Council needs to put in place an arrangement for the remaining years following the expiry of Honiton Community Complex's lease arrangement as tenant of the Beehive.

The Town Clerk confirmed that the professional advice was that this was not a standard commercial arrangement and the other party was a "not for profit" community led organisation wanting to install green energy. If the Council was keen to promote green energy then as per the legal advice given to the working group it had to be prepared to accept some of the risks and liabilities. The minutes of the Working Group meeting confirmed the risks to be low.

One of the main concerns had been the length time the roof was unusable for Solar Panels because of maintenance or repair work before the other party needed to be compensated. Currently the Heads of Terms identified this as being 12 months but the Working Group had been informed by the other party that this would not be sustainable and would need to be reduced to 3 months. It was agreed by the Working Group had requested that the other party accepted that any work carried out was completed in line with the Terms and Conditions of the Warranty which covered the roof for 25 years and that they also agreed to any liabilities if in breach of this arrangement. If this was agreed by the other party then a 3 month arrangement would be acceptable.

The Town Clerk also confirmed that if any Heads of Terms changed (as we had not yet had confirmation from the other party that they had approved them) with the exclusion of the matters discussed above then the amended Heads of Terms will be presented to the Town Council.

Cllr Coombs confirmed that he was a supporter of green energy but under the current circumstances where the Town Council finances were unknown he was reluctant to commit to any arrangement that could make the situation financially worse for the Town Council.

Cllr Coombs requested a recorded vote.

		FOR	AGAINST	ABSTAIN
1	Cllr Alder	Not present		
2	Cllr Brown	Not present		
3	Cllr Coombs		X	
4	Cllr Edwards	X		
5	Cllr Harvey-Ingram	X		
6	Cllr Halse	X		
7	Cllr Hopkin	Not present		
8	Cllr Howard		X	
9	Cllr Kolek	X		
10	Cllr Lake	Not present		
11	Cllr Melbourne	Not present		
12	Cllr McNally		X	
13	Cllr Mountjoy	Not present		
14	Cllr Perkins	X		

15	Cllr G Smith			X
16	Cllr K Smith	Not present		
17	Cllr Taylor		X	
18	Cllr Wadsworth	Not present		

Cllr Kolek proposed that the Heads of as discussed above be approved by the Town Council. This was seconded by Cllr Edwards and RESOLVED (4 against).

*Cllr Taylor left the meeting.*

### **16/177 Review of Advice from The Town Council's appointed Counsel**

#### **a) Ratify correspondence**

Correspondence:

- i. Letter from High Court dated 9<sup>th</sup> June 2016
- ii. Letter to Pardoes dated 28<sup>th</sup> June 2016 and consent order

had been available for Councillors to view in advance of the meeting.

Cllr Kolek proposed that these be ratified. This was seconded by Cllr Harvey-Ingram and RESOLVED (1 abstention).

In addition the Town Clerk provided of brief summary of further correspondence and advice from the Town Council's legal Team relating to this matter confirming that this matter was now about costs and their advice was that this was privileged information and should not be discussed in detail.

#### **b) Agreement on next steps in line with the legal team's recommendations**

The Town Clerk provided a brief summary of the advice as follows:

The legal team are working hard on the Council's behalf to protect the Council as much as possible and so their advice should be paramount. The Town Council's Solicitor and Counsel are clear in that priority for the Council must be to make this go away as cost effective as possible without there being the ability to raise the same issues in the future. According to the Claimant this litigation seemed to be about costs only and if this was the case an offer towards costs should be made to the Claimant. An extension of time was being sought to enable this to happen. The agreement of an amount may require negotiating and Foot Anstey ask that the Council provide their Proper Officer with the help of the Deputy Town Clerk, Employment Committee and Cllr Perkins with the appropriate delegated authority to instruct the Legal team in making an offer and negotiating on behalf of the Town Council without the need to divulge any privileged information at Council meetings. An amount towards legal costs has already been approved by the Council and this could be the basis of the negotiations. To be clear a conservative approach will be applied when agreeing use of public funds. Should the negotiation fail then the Council will have no choice but to continue proceeding as was previously ordered.

Ultimately, it is for the Town Council to resolve how it wishes to proceed but the most important factor for Councillors to consider is that the Town Council is accountable to the public and it is public funds that is at risk. An adverse reaction from the Electorate questioning the quantifiable benefit to them will put the Town Council's reputation into disrepute.

Concern was raised that as this was about costs and it would appear that public funds will be given for personal gain.

Cllr McNally confirmed that she would not be voting on this matter.

Cllr Coombs confirmed that whilst he agreed that the sensible approach was to settle he will be abstaining from the vote.

Cllr Coombs requested a recorded vote.

		FOR	AGAINST	ABSTAIN
1	Cllr Alder	Not present		
2	Cllr Brown	Not present		
3	Cllr Coombs			X
4	Cllr Edwards	X		
5	Cllr Harvey-Ingram	X		
6	Cllr Halse	X		
7	Cllr Hopkin	Not present		
8	Cllr Howard			X
9	Cllr Kolek	X		
10	Cllr Lake	Not present		
11	Cllr Melbourne	Not present		
12	Cllr McNally			X
13	Cllr Mountjoy	Not present		
14	Cllr Perkins	X		
15	Cllr G Smith	X		
16	Cllr K Smith	X		
17	Cllr Taylor	Not present		
18	Cllr Wadsworth	Not present		

Cllr Kolek proposed that the Town Council proceed on the basis of the legal team's advice which was to deal with this matter as cost effectively as possible without any restrictions being imposed taking into account that public funds were at risk and enable the Proper Officer with the help of the Deputy Town Clerk, Employment Committee and Cllr Perkins to have the delegated authority to instruct the Legal team in making an offer and negotiating on behalf of the Town Council without the need to divulge any privileged information at Council meetings. An amount towards legal costs has already been approved by the Council and this could be the basis of the negotiations. This was seconded by Cllr Harvey-Ingram and **WAS RESOLVED** (3 abstentions).

It was confirmed that if negotiating could not result in an agreement by all the parties then the Council will have no choice but to proceed as per the Court Order.

#### **16/178 Close Meeting**

The meeting was closed at 10.43pm.