

HONITON TOWN COUNCIL

Minutes of the Extraordinary Meeting of the Town Council held at The Beehive, Dowell Street, Honiton on Tuesday 23rd February 2016 at 7.00pm

Present

St Michael's Ward

Cllr S Edwards
Cllr L Harvey-Ingram
Cllr K Hopkins
Cllr J McNally
Cllr C Melbourne
Cllr D Perkins

St Paul's Ward

Cllr H Brown
Cllr R Coombs
Cllr V Howard
Cllr C Kolek (Chairperson)
Cllr A Mountjoy
Cllr G Smith
Cllr K Smith

In Attendance

Clerk in attendance – Chetna Jones (Town Clerk)
Clerk in attendance – Sarah Jenkins (Deputy Town Clerk)

16/37 To receive apologies for absence

Apologies were received from Cllr Alder (P); Cllr Halse (A/L); Cllr Lake (P); Cllr Taylor (P); Cllr Wadsworth (P)

16/38 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda

None received.

16/39 Exclusion of the public including the press

Cllr Harvey-Ingram proposed that under Section 100 (A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out in the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B). This was seconded by Cllr K Smith and **WAS RESOLVED**.

16/40 In the matter of a potential judicial review of the decision of the Hearing Sub-Committee dated 30th November and sanctions imposed by Honiton Town Council following the resolution to accept the decision notice from that hearing:

- 1. To appoint Counsel to the Town Council**
- 2. To approve terms and conditions as per Counsel's letter**
- 3. To delegate authority to the Town Clerk, Deputy Clerk and Employment Committee working together to progress this matter**

Counsel's letter dated 18th February 2016 setting out the terms and conditions of appointment was tabled at the meeting and sufficient reading time allowed prior to discussion.

The Chairperson read the advice received from the National Association of Local Councils which stated that it is important that Honiton Town Council provides a full written reply which addresses the legal points and issues raised.

1 To appoint Counsel to the Town Council

Cllr Hopkins proposed that Counsel as recommended by NALC be appointed to the Town Council. This was seconded by Cllr Perkins. A recorded vote was requested.

		FOR	AGAINST	ABSTAIN
1	Cllr Brown	X		
2	Cllr Coombs	X		
3	Cllr Edwards	X		
4	Cllr Harvey-Ingram	X		
5	Cllr Hopkins	X		
6	Cllr Howard		X	
7	Cllr Kolek	X		
8	Cllr McNally		X	
9	Cllr Melbourne	X		
10	Cllr Mountjoy	X		
11	Cllr Perkins	X		
12	Cllr G Smith	X		
13	Cllr K Smith	X		

This **WAS RESOLVED**.

2 To approve terms and conditions as per Counsel's letter

Cllr Perkins proposed that the terms and conditions as set out in Counsel's letter dated 18th February 2016 be accepted and that an agreed budget be set for this work. This was seconded by Cllr Hopkins. A recorded vote was requested.

		FOR	AGAINST	ABSTAIN
1	Cllr Brown	X		
2	Cllr Coombs		X	
3	Cllr Edwards	X		
4	Cllr Harvey-Ingram	X		
5	Cllr Hopkins	X		
6	Cllr Howard		X	
7	Cllr Kolek	X		
8	Cllr McNally		X	
9	Cllr Melbourne	X		
10	Cllr Mountjoy	X		
11	Cllr Perkins	X		
12	Cllr G Smith	X		
13	Cllr K Smith	X		

This **WAS RESOLVED**.

It was agreed to request regular reporting of costs incurred by Counsel.

3 To delegate authority to the Town Clerk, Deputy Clerk and Employment Committee working together to progress this matter

The Chairperson advised that Counsel expected to work with a small working group and that the Employment Committee had previously been approved by the Town Council to handle letters from solicitors.

The Chairperson proposed that authority be delegated to the Town Clerk, the Deputy Clerk and the Employment Committee working together to progress this matter. This was seconded by Cllr Hopkins.

Cllr Kolek asked if an amendment to include Cllr Perkins could be considered.

Cllr Brown proposed that the motion be amended and that authority be delegated to the Town Clerk, the Deputy Clerk, the Employment Committee and Cllr Perkins working together to progress this matter. This was seconded by Cllr G Smith. A recorded vote was requested.

		FOR	AGAINST	ABSTAIN
1	Cllr Brown	X		
2	Cllr Coombs		X	
3	Cllr Edwards	X		
4	Cllr Harvey-Ingram	X		
5	Cllr Hopkins	X		
6	Cllr Howard		X	
7	Cllr Kolek	X		
8	Cllr McNally		X	
9	Cllr Melbourne	X		
10	Cllr Mountjoy	X		
11	Cllr Perkins	X		
12	Cllr G Smith	X		
13	Cllr K Smith	X		

The motion, as amended, **WAS RESOLVED.**

The Chairperson reminded Cllrs of their duty at all times to maintain confidentiality in respect of the matters under discussion at the meeting. All tabled copies of Counsel's letter were returned to the Town Clerk.

16/41 To close the meeting

The meeting was closed at 7.58pm.