

## HONITON TOWN COUNCIL

### Minutes of the Meeting of the Town Council held at the Town Council offices, The Beehive, Dowell Street, Honiton on Monday 13<sup>th</sup> March 2017

#### Present

##### St Michael's Ward

Cllr Ashley Delasalle  
 Cllr Sheila Edwards  
 Cllr Luke Harvey-Ingram  
 Cllr Ken Hopkins  
 Cllr Jill McNally  
 Cllr David Perkins  
 Cllr John Taylor  
 Cllr Jackie Wadsworth  
 Cllr John Zarczyński

##### St Paul's Ward

Cllr Henry Brown  
 Cllr Terry Darrant  
 Cllr Peter Halse  
 Cllr Vera Howard  
 Cllr Michael Jones  
 Cllr Caroline Kolek (Chairperson)  
 Cllr Duncan Sheridan-Shaw  
 Cllr Graham Smith

#### In Attendance

Cllr Sara Randall-Johnson – Devon County Council  
 Cllr Paul Diviani – Devon County Council  
 Cllr Jenny Brown – East Devon District Council  
 Cllr Phil Twiss – East Devon District Council  
 3 members of the public  
 Mr Dan Green – Midweek Herald  
 Sarah Jenkins – Deputy Town Clerk

Prior to the start of the meeting, students from Honiton Community College were presented with awards for outstanding achievement.

Prayers before the start of the meeting were led by Father Gerald Wilson.

The Mayor welcomed and congratulated the newly elected Members – Cllr Terry Darrant, Cllr Michael Jones and Cllr Duncan Sheridan-Shaw.

#### 17/321 To receive apologies for absence

Apologies were received from Cllr Roy Coombs (P), Cllr Dean Barrow (EDDC).

#### 17/322 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda

Cllr Delasalle – Honiton Street Market trader - personal  
 Cllr Brown – Finance Review Working Group member – personal  
 Cllr Perkins – Director of Honiton Community Complex Ltd -personal  
 Cllr Smith – undertakes maintenance work for the Beehive - personal

#### 17/323 To receive and resolve as a correct record the minutes of the Town Council meetings held on 13<sup>th</sup> February 2017 and 1<sup>st</sup> March 2017

Cllr Smith proposed that the minutes of the meeting held on 13<sup>th</sup> February 2017 be approved as a correct record of the meeting. This was seconded by Cllr Delasalle and **WAS RESOLVED.**

Cllr Taylor advised that the minutes of the meeting held on 1<sup>st</sup> March 2017 (minute 17/319 on page 916) should be amended as he had not proposed that Cllr Sheila Edwards be appointed to assist (unpaid) the temporary Responsible Financial Officer with entering of financial data until the backlog of work for the current financial year had been addressed. It was agreed that Cllr Kolek had made the proposal and that the minutes be amended accordingly. Cllr Harvey-Ingram proposed that the minutes, as amended, be approved as a correct record of the meeting. This was seconded by Cllr Edwards and **WAS RESOLVED.**

**17/324 The Council resolved the following:**

That under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting for agenda item 17. (To receive the minutes of the meeting of the Employment Sub-Committee held on 10<sup>th</sup> March 2017 and to agree the recommendations contained therein). Exempt information relating to an employee is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B)”

*The Chairperson declared the meeting out of session*

**17/325 To receive the Police Report**

No report had been received. A report would be requested and circulated.

**17/326 To receive reports from District and County Ward Members**

Cllr Sara Randall-Johnson – Devon County Council

Cllr Randall-Johnson expressed concern that education funding per student is still below the national average.

With effect from 1 April, the Honiton Children’s Centre will be managed by Action for Children.

Cllr Paul Diviani – Devon County Council

Cllr Diviani reported that the grit bin at Northcote Hill would be installed in April.

Skanska has taken on the contract for highways maintenance, replacing South West Highways.

Cllr Jenny Brown – East Devon District Council

Cllr Brown reported on progress with the setting up of the Friends of Honiton Station group. The group is looking for volunteers.

Cllr Phil Twiss – East Devon District Council

Cllr Twiss welcomed and congratulated the three newly elected Town Councillors.

Cllr Twiss reported that EDDC Cabinet has approved the setting up of a local housing company to address the issue of affordable housing, in particular the shortage of 1 and 2 bedroom homes.

Cllr Twiss advised that he would be meeting with Church representatives to discuss the condition of the graveyard at St Michael’s Church.

Members were informed that EDDC will be working in partnership to produce the Greater Exeter Strategic Plan which is in the early stages.

*The Chairperson thanked Ward Members for their reports. Ward Members left the meeting.*

**17/327 Public Question Time on items on the agenda**

The Chairperson reported that several letters had been received regarding the recovery of costs following the Judicial Review and that a member of the public wished to address the meeting and raise questions.

The member of the public expressed concerns, called for the resignation of Cllr Taylor and raised questions regarding the following:

- That the Town Council should seek to recover the full costs due to it following the Judicial Review Judgment
- Whether the Town Council would re-visit the matter of a censure motion to censure Cllr Taylor in line with the recommendation from the East Devon District Council Standards Sub-Committee
- What publicity the Town Council would provide in the interests of transparency

In response to the questions, the Chairperson advised that:

- The recovery of costs is in hand and no further comment would be made at this stage for legal reasons
- Regarding censure, the Town Council is working hard to move on and bring the matter to a close
- The Mayor had written to the press with a brief factual statement which had not been published. Once the matter has been brought to a close, the public will be fully informed.

The member of the public expressed disappointment with the Town Council's response.

*The member of the public left the meeting.*

*The Chairperson declared the meeting back in session.*

## **PART A**

### **17/328 To note the election of three Town Councillors for St Paul's Ward and to receive confirmation that the declarations of acceptance of office have been signed**

The Chairperson confirmed that the three newly elected Councillors had signed their Declarations of Acceptance of Office.

### **17/329 Mayor's Announcements and Questions for the Mayor**

The Mayor advised that there would be an article in Pulmans regarding the Railway Station project and the need for volunteers. The Mayor thanked the Honiton Tesco Store as the proceeds from its March book sale would be donated to the project. In response to a question, the Mayor confirmed that the South West Trains Partnership is responsible for the insurance for the project.

There were no further questions for the Mayor.

### **17/330 To receive the minutes of the meeting of the Employment Sub-Committee, working with Cllr Perkins, the Town Clerk and the Deputy Town Clerk, held on 10<sup>th</sup> March 2017 and to agree the recommendations contained therein**

A copy of the minutes had been tabled prior to the start of the meeting. The minutes were received and noted. The letter dated 8<sup>th</sup> March 2017 from the Monitoring Officer was noted.

Cllr Smith proposed that the offer of mediation made by East Devon District Council be accepted to help the Town Council move forward so that the public can have confidence in what it is doing. This was seconded by Cllr Hopkins and **WAS RESOLVED** unanimously.

Cllr Smith proposed that the Monitoring Officer's advice to undertake training to reinforce the roles of the Council and the Councillors as well as detail on the decision-making process together with aspects of the legal framework be accepted and that the training be arranged through the Devon Association of Local Councils. This was seconded by Cllr Edwards.

It was noted that training will be of little value unless attended by all Town Councillors. The Chairperson advised that all Councillors would be expected to attend the training in order for Members to serve the electorate effectively.

The motion was put to the vote and **WAS RESOLVED** unanimously.

### **17/331 To appoint two Councillors to the Finance Review Working Group to assist Cllr Brown, Cllr Perkins and Cllr Zarczynski (minute ref 17/309 and 17/319)**

The Chairperson outlined the background to the setting up of the Working Group. Cllr Brown advised that a lot of work had already been done and that progress was being made towards a preparatory report. **IT WAS RESOLVED** unanimously that Cllr Kolek, Cllr Coombs and Cllr Halse would be appointed to the Finance Review Working Group.

**17/332 To receive and approve the minutes of the Policy Committee meeting held on 27<sup>th</sup> February 2017**

A copy of the minutes had been circulated in advance. Cllr Delasalle proposed that the minutes be received and approved as a correct record. This was seconded by Cllr Perkins and **WAS RESOLVED** by those present at the meeting.

**17/333 To note the minutes of the Neighbourhood Plan Steering Group dated 25<sup>th</sup> January 2017**

A copy of the minutes had been circulated in advance. The minutes were noted.

**17/334 To appoint Cllr Ken Hopkins to the Policy Committee**

Cllr Brown proposed that Cllr Hopkins be appointed as a member of the Policy Committee. This was seconded by Cllr Delasalle and **WAS RESOLVED**.

**17/335 To receive reports from Members with special responsibilities**

Cllr Smith

An informative meeting of the Honiton Community Complex Safety Committee had been held.

The proposed hospital bed closures had been discussed at the recent meeting of the Dementia Action Alliance Steering Group.

Cllr Perkins

Due to the increased usage of the Beehive, a Deputy Operations Manager is to be employed. Three sell-out concerts have been held recently.

Cllr Harvey-Ingram

The Youth Club Board is looking to appoint an additional member. The Youth Club will be taking part in this year's Honiton Community Festival.

Cllr Brown

Cllr Brown thanked Cllr Perkins and Cllr Zarczynski for their work on the Finance Review Working Group.

Cllr Zarczynski

Cllr Zarczynski reported that he had advised the LAG as to the shortage of staff at the Town Council offices and that the Town Council would be unable to produce a report during this time.

Cllr McNally

Cllr McNally advised that three cherry trees had been planted at Jerrard Park.

**17/336 To note correspondence received and to resolve any matters arising (late correspondence to be tabled at the meeting)**

The list of correspondence received from 14<sup>th</sup> February to 7<sup>th</sup> March 2017 had been circulated in advance.

*\* Item requires a response from the meeting*

Devon County Council

1. Consultation on Carers Specification – draft contract specification published
2. Consultation on Exeter Plan – exhibition on Wednesday 8<sup>th</sup> March 2-8pm at Mackarness Hall

East Devon District Council

3. The Knowledge – issues 38, 39
4. EDDC Council meeting 22 February – report on Council Tax Resolution 2017/18
5. Minute of Strategic Planning Committee 20 February – Honiton Sports Pitch Strategy
6. Information relating to Sutton Barton Recycling Centre

Other

7. *Letter from local resident and questions for public question time regarding the cost implications of the Judicial Review* \*
8. *Letter from local resident regarding Judicial Review* \*
9. *Email from the Royal British Legion Honiton Branch* \*
10. Police and Crime Commissioner's February Report
11. DALC newsletter – 23 February and 2 March
12. Email from Cllr Paul Diviani regarding Save our Hospital Services
13. Transforming your NHS and care services across Devon
14. NHS New Devon CCG's newsletter – February and March
15. NHS New Devon letter 2 March regarding decision on Your Future Care consultation
16. NALC – advice on 2017/18 appropriate sum for the purpose of S.137 of the Local Government Act 1972
17. NALC bulletin 6 & 7
18. Details of proposal from the Dorset Association of Local Councils for the NALC Larger Councils Committee regarding splitting the role of Chairman and Mayor for town councils
19. Devon Senior Voice – Spring newsletter
20. Local Councils Update March
21. Clerks and Councils Direct March 2017

Late correspondence

Late correspondence received from 8<sup>th</sup> to 13<sup>th</sup> March 2017 was tabled at the meeting.

*\*Items requiring a response from the meeting*

East Devon District Council

- a. Letter from the Monitoring Officer regarding an Offer of Mediation
- b. The Knowledge – issue 40, 41
- c. Email regarding Hackney carriage and private hire licensing policy review

Other

- d. *Letter from a local resident regarding the Judicial Review Costs Judgment* \*
- e. *Letter from a local resident regarding the Judicial Review* \*
- f. Email from the Parish Clerk at Axmouth regarding Parishes Together proposal
- g. TravelWatch SouthWest – report from General Meeting held on 4<sup>th</sup> March 2017
- h. Blackdown Hills AONB – spring newsletter
- i. NALC bulletin 8 – 3<sup>rd</sup> March 2017 & bulletin 9 – 10 March 2017
- j. Healthwatch Devon Consultation on Carers Specification

Items 8, d and e were read out by the Deputy Town Clerk.

The Chairperson thanked the members of the public and the press for attending.

*The public and the press left the meeting*

**PART B**

**17/337 To receive the minutes of the meeting of the Employment Sub-Committee held on 10<sup>th</sup> March 2017 and to agree the recommendations contained therein**

**Reason for consideration in Part B:**

- A. Information relating to this item involves the business affairs of particular persons as employees, disclosure of which would breach the obligations of the Town Council under the Data Protection Act 1988**
- B. The minutes of the Employment Sub-Committee meeting held on 10<sup>th</sup> March 2017 contain confidential contractual information.**

The minutes of the meeting had been tabled prior to the start of this meeting.

Cllr Wadsworth proposed that a stress risk assessment for all staff be undertaken and that a full job evaluation of all posts be undertaken in order to make better use of staff resources and skills. This was seconded by Cllr Delasalle and **WAS RESOLVED** unanimously.

**Signed Chair**

**10<sup>th</sup> April 2017**

Cllr Delasalle proposed that the Deputy Town Clerk/Deputy RFO's hours be increased from 25 to 37 hours per week permanently with effect from 1<sup>st</sup> April 2017 and that the Deputy Town Clerk/Deputy RFO's pay scale be changed as recommended by the Employment Sub-Committee with effect from 1<sup>st</sup> April 2017 in recognition of the increased responsibility following the appointment as Deputy Responsible Financial Officer. This was seconded by Cllr Edwards and **WAS RESOLVED** unanimously.

Cllr Harvey-Ingram proposed that the Clerk's Assistant be paid for 14 hours' additional work per month to cover the Planning Committee and that the additional hours be reviewed as appropriate following the Town Clerk's return to work. This was seconded by Cllr Hopkins and **WAS RESOLVED** unanimously.

Cllr Hopkins proposed that an additional 1 hour per week overtime be agreed for the Town Clerk's Assistants to cover any extra hours due to the Town Clerk's absence. This was seconded by Cllr Smith and **WAS RESOLVED** unanimously.

Cllr Smith proposed that, to manage the Town Council's bank accounts and online payments system, the status of delegate access be extended to the temporary Responsible Financial Officer and the Deputy Responsible Financial Officer. This was seconded by Cllr Hopkins and **WAS RESOLVED** unanimously.

Cllr Harvey-Ingram proposed that the contractual pay increases payable from 1<sup>st</sup> April 2017 be approved. This was seconded by Cllr Kolek and **WAS RESOLVED** unanimously.

Cllr Wadsworth proposed that the NJC model contract pay scales to be applied from 1<sup>st</sup> April 2017 for all staff be approved. This was seconded by Cllr Edwards and **WAS RESOLVED** unanimously.

Cllr Wadsworth proposed that two non-councillor members, without voting rights, be co-opted to the Employment Sub-Committee to increase the level of skills and expertise in employment matters, bearing in mind the Town Council's responsibilities as an employer, subject to all national employment laws. This was seconded by Cllr Harvey-Ingram.

Cllr Harvey-Ingram as Chairman of the Employment Sub-Committee advised that additional expertise is required. Measures would be put in place to ensure confidentiality.

Due to concerns raised by Councillors, Cllr Harvey-Ingram proposed that the motion be amended as follows:

*That two non-councillor members, without voting rights, be co-opted to the Employment Sub-Committee to increase the level of skills and expertise in employment matters, bearing in mind the Town Council's responsibilities as an employer, subject to all national employment laws and to the non-councillor members signing a confidentiality agreement.*

This was seconded by Cllr Delasalle.

The Chairperson requested a recorded vote.

		FOR	AGAINST	ABSTAIN
1	Cllr Brown		X	
2	Cllr Coombs	Not present		
3	Cllr Darrant	X		
4	Cllr Delasalle	X		
5	Cllr Edwards	X		
6	Cllr Halse		X	
7	Cllr Harvey-Ingram	X		
8	Cllr Hopkins	X		
9	Cllr Howard		X	
10	Cllr Jones		X	
11	Cllr Kolek	X		
12	Cllr McNally		X	
13	Cllr Perkins	X		
14	Cllr Sheridan-Shaw	X		
15	Cllr G Smith	X		
16	Cllr Taylor		X	
17	Cllr Wadsworth	X		
18	Cllr Zarczynski		X	

This was **RESOLVED** (For 10; Against 7).

Cllr Hopkins proposed that the Employment Sub-Committee be given delegated authority to co-opt two non-councillor members. This was seconded by Cllr Edwards. The motion was not carried.

**17/338 To close the meeting**

The meeting was closed at 8.55pm.