

HONITON TOWN COUNCIL

**Minutes of the Meeting of the Town Council held at the Town Council Offices,
The Beehive, Dowell Street, Honiton on Monday 10th June 2019 at 7.00 pm**

Present

St Michael's Ward

Cllr Jill McNally
Cllr N Macve
Cllr John Zarczynski (Chairman)
Cllr Duncan Sheridan-Shaw
Cllr John Taylor

St Paul's Ward

Cllr Terry Darrant
Cllr Vera Howard
Cllr Roy Coombs
Cllr P Carrigan
Cllr C Hattle-Spence
Cllr C Kolek

In attendance

Cllr Dean Barrow EDDC
Cllr T McCollum EDDC
Mark Tredwin, Honiton Town Clerk
Heloise Marlow, Deputy Town Clerk
12 members of the public

PART A

19/865 To receive apologies for absence

Cllr P Twiss DCC/EDDC

19/866 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda

There were no declarations of interest

19/867 To note the grant of dispensations made by the Town Clerk in relation to the business of this meeting.

None were made.

19/868 Public question time on items on the agenda

Mrs Lindsey Skinner spoke as one of the co-option candidates. 5 members of the public had attended the meeting to put themselves forward for co-option. However, they had received an email from the Town Clerk advising that he would be recommending that the item be deferred to the next meeting as procedure had not been followed correctly. A closing date for the applications had been set for the 3rd June and this deadline should not be extended and other candidates accepted.

Cllr Zarczynski advised that as procedure has not been followed, it was in the best interests of the Council to defer the co-option item to the next meeting. Concerns had been raised about the procedure used and advice taken that the item should be deferred. This was not personal to the candidates. The correct procedure was to ask the candidates to provide CV's before the meeting next month. This would allow Councillors to make an informed decision.

Cllr Kolek challenged the statement that previous co-optees had been asked to provide a CV. When she was co-opted to the Council in 2014, she was not asked for a CV. She gave a short speech at the meeting and was duly co-opted onto the Council.

Cllr Zarczynski responded by saying that this would have been under a different Mayor and Town Clerk. Clearly the incorrect procedure had been followed in 2014 and it was important not to repeat the same mistake.

A general discussion followed and the following points were raised:

- The recent elections had not been contested as only 12 stood instead of 18
- The resignation of Cllr Mike Jones has meant that there is a casual vacancy which must be advertised and for which there will be an election.
- The other 5 vacancies can be dealt with by co-option.
- Co-opted Councillors are not eligible for Cllrs allowances.
- In 2017 both Cllr Macve and former Cllr Hanratty submitted short statements (CVs) before they were co-opted.

Mr Richard Pryor raised a question regarding item 13. Why are there still signs advertising a Tourist Information Centre in Honiton when there is no longer one?

Cllr Zarczynski confirmed that the TIC in the Lace Walk car park was closed a few years ago. The Council were looking at various options for a new TIC with the Chamber of Commerce. Devon County Council had been asked to remove the signs but have not yet done so.

Cllr Taylor suggested that the signs should just be covered up as otherwise there will be a cost to put up new signs when there is a new TIC.

19/869 Mayor's announcements

A list for June will be provided to the office prior to the next meeting.

19/870 To confirm the accuracy of the minutes of the Full Council meeting held on 13th May 2019

A copy of the minutes of the meeting had been circulated in advance. The minutes were approved by majority with two abstentions and signed as a correct record.

18/871 Reports from District and County Councillors

Cllr McCollum reported that he was currently undergoing training at EDDC. He attended the first Committee meeting and confirmed his membership of EDDC Committees as follows:

Cllr Zarczynski queried whether there were electric charging points for cars in EDDC car parks?

Cllr Barrow advised that there are some and that EDDC are rolling out a programme to install more. However, it is very expensive and every location is different. There are 4 or 6 at EDDC's Blackdown House which he believes are open to the public.

Cllr D Barrow left the meeting at 7.25pm

19/872 Reports from the Police (recorded crimes and logs)

Cllr Zarczynski advised that with only 1 PCSO in Honiton, attendance at Council meetings was not possible. However, LAG, of which he is the Chair, receive a detailed policy report. Cllr Zarczynski suggested that in future, the police report sent to LAG could be forwarded to Councillors and the police report item could then be removed from the Council's Agenda. The LAG report has more information which would allow Councillors queries regarding crimes reported to be addressed.

Cllr Taylor pointed out that the crimes reported were accusations not yet proven.

Cllr Zarczynski confirmed that the item regarding the police report would be removed from the July Agenda and the LAG report circulated instead.

19/873 Reports from Councillors with Special Responsibilities

Cllr Coombs queried the 2009 year given in Cllr Darrant's report as the year that HTC took over the maintenance of Roundball Wood. He believed that this in fact occurred in 2002.

Cllr Darrant apologised for any error – this was the year he thought HTC had taken over but it should be checked.

Both reports were noted.

18/874 Update Report

The report was noted.

PART A MATTERS FOR DECISION

19/875 Planning Committee

Signed Chair

8th July 2019

Members **RESOLVED** by 10 votes in favour with 1 abstention to approve the Minutes of the planning committee meetings held on the 14th and 28th May.

Proposed by Cllr McNally and seconded by Cllr Howard.

19/876 Co-option of new councillors onto Honiton Town Council

Cllr Zarczynski proposed that this item be deferred to the July Full Council meeting to allow the Town Clerk to request from all candidates a short CV and details of their skills to allow Councillors to make an informed decision. This was seconded by Cllr Howard.

Cllr Kolek advised that she was deeply concerned by the U-turn of the Council regarding the co-option of Councillors. The request for CVs is not in the Council's Standing Orders and contrary to Schedule 12 The deadline for candidates to put themselves forward was the 3rd June and this should not be negotiable. No one should be allowed to put themselves forward and be accepted for co-option after the deadline. To delay the vote on the candidates could be seen as creating a wedge between the Council and the town and lead to a by-election and the costs involved.

The Town Clerk advised that he had not followed procedure which required candidates to provide CVs and apologised.

Cllr Coombs advised that on the Town Council website there was a page advertising 2 vacancies in St Michael's Ward and 1 vacancy in St Paul's Ward. The co-option of candidates should be deferred to July and advertised on the town notice boards as not everyone has access to the internet. The contradictory information on the website was unsatisfactory.

The Town Clerk advised that the page on the website was historical and would be removed.

Cllr Taylor queried whether the casual vacancy should be filled before co-option of Councillors.

Cllr Kolek reiterated that she was concerned that the delay would be misinterpreted by the public. There is no legal reason why the candidates attending could not be co-opted at the meeting.

Cllr Kolek proposed that the co-option take place but was advised that there was already a proposal on the table.

Members **RESOLVED** by 7 votes in favour with 2 votes against and 1 abstention to defer the item to the July Full Council meeting.

It was confirmed that only the 6 candidates who had put themselves forward for co-option by the 3rd June would be considered for co-option at the July Full Council meeting.

19/877 Budget Report

The report was received and the accounting statements approved.

19/878 Annual Governance and Accountability Return for the Year ended 31st March 2019

The Town Clerk confirmed that he had received the report from IAC and all items had been given the green pass. The asset register does need to be reviewed and Rialtus have advised that they have software which would make the asset register part of the accounting system. This will be considered by Cllr Carrigan and the Town Clerk.

Annual Governance Statement 2018/19

1 We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr Taylor and seconded by Cllr Sheridan-Shaw

2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr Zarczynski and seconded by Cllr Darrant.

3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr McNally and seconded by Cllr Zarczynski.

4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr Sheridan-Shaw and seconded by Cllr Howard.

5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr Zarczynski and seconded by Cllr Sheridan-Shaw.

6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr Taylor and seconded by Cllr McNally.

7. We took appropriate action on all matters raised in reports from internal and external audit.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr Zarczynski and seconded by Cllr Coombs.

8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.

Members **RESOLVED** unanimously that this was agreed.
Proposed by Cllr Taylor and seconded by Cllr McNally.

9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.

Members **RESOLVED** unanimously that this was not applicable.
Proposed by Cllr Sheridan-Shaw and seconded by Cllr McNally.

Members **RESOLVED** unanimously that the Mayor and the Town Clerk be authorised to sign the AGS on behalf of HTC.

19/879 Honiton Town Signs

The Town Clerk presented the report.

Cllr Coombs queried the flower shown on the town crest as this looked like a daisy when the correct flower is either a honeysuckle or a lily.

Members **RESOLVED** by 10 votes in favour with 1 abstention to use the town crest as shown on Appendix 13A.

19/880 Merchant Navy Day 3 September 2019

The Town Clerk presented the report.

Members **RESOLVED** unanimously to support the Merchant Navy day on 3rd September 2019.

19/881 Part B items

It was proposed to take items 15 and 16 into Part B of the meeting that deals with exempt business. This was **RESOLVED** unanimously.

Proposed by Cllr Coombs and seconded by Cllr Sheridan-Shaw.

The meeting went into confidential session at 8.20 p.m.

PART B

19/882 Lease Dispute with Honiton Community Complex

The Town Clerk presented his report and the following was discussed:

- The Town Clerk will be discussing with solicitors the appointment of a mediator.
- The outcome of the mediation process will cover the next 5 years.
- The Town Clerk is still trying to resolve the issue of the outstanding insurance payment.
- The Town Clerk advised that HTC would have to continue to insure the building in any event.
- Should the outstanding insurance payment be deducted from any service charge owed?
- Could HTC take HCC to the small claims court re the outstanding payment?
- Is HCC in breach of the lease by not paying the insurance due?

Members noted the report.

19/883 Bailey Partnership dispute

The Town Clerk presented the report and the following was discussed:

- The need for an additional meeting to discuss the options available with solicitors in attendance.
- When that additional meeting could take place, in view of the number of meetings already scheduled for June and July.
- Could the matter be added to the Agenda for the Finance Meeting?

Members noted the report.

19/884 To close the meeting

The meeting was closed at 8.50pm.

Signed Chair

8th July 2019