

HONITON TOWN COUNCIL

Minutes of the Meeting of the Town Council held at the Town Council Offices, The Beehive, Dowell Street, Honiton on Monday 14th January 2019 at 7.00pm

Present

St Michael's Ward

Cllr Philip Carrigan
Cllr Jill McNally
Cllr John Taylor
Cllr John Zarczynski
Cllr S Edwards
Cllr N Macve
Cllr R Hanratty

St Paul's Ward

Cllr Henry Brown (Chairman)
Cllr Terry Darrant
Cllr Caroline Kolek
Cllr Roy Coombs
Cllr Mike Jones
Cllr V Howard
Cllr Duncan Sheridan-Shaw

In attendance

Mark Tredwin, Honiton Town Clerk
Heloise Marlow, Deputy Town Clerk
11 members of the public
2 members of the press
Cllr P Twiss DCC/EDDC
Cllr D Barrow EDDC

PART A

19/783 The Chairman welcomed Councillors and members of the public.

19/784 To receive apologies for absence

Cllr D Jefferson (personal reasons)

19/785 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda

Cllr Edwards – Member of the Honiton Community Complex charity.

19/786 To note the grant of dispensations made by the Town Clerk in relation to the business of this meeting.

None were made.

The meeting went out of session at 7.02pm

19/787 Public question time on items on the agenda

Mrs Marjorie-Anne Howe asked a question regarding item 12 on the Agenda.

Whilst she does not dispute the Council's right to introduce car parking charges, free parking over the last 5 years has set a precedence. With EDDC taking 50% of the income generated, has the Town Council prepared a cost benefit analysis? As the

charges will be the same as those in the Lace Walk car park, shoppers will have no incentive to park at Dowell Street.

Will the Town Council agree to review the figures after 1 year as introducing parking charges is unpopular and will lead to ill will for which there may be little income? The volunteers at the Beehive and Beehive users may attend 2/3 times a week. The Beehive is a community centre, but parking will affect these people who are crucial to the Beehive's success.

Will the Town Council when considering granting Beehive user permits agree to use the widest possible interpretation of a "Beehive user"?

The Town Clerk responded to the above as follows:

A cost analysis has been prepared following a detailed study of the car park usage over a 6-week period, 3 times per day. There were only 2 or 3 days when there were few cars in the car park. EDDC brought their report to the January Council meeting and this stated that they expected that the income would be £10,000.00 per year which over 10 years, after all costs are deducted, would equate to £50,000.00 for each party. This was a worst-case scenario.

Within the next 7-10 years, the car park will need to be retarmaced and this could cost between £30,000 and £40,000. Each year the Town Council will pay rate on the car park of approximately £2,500 which would equate to approximately £25,000 over 10 years. Members have considered all the costs involved before making their decision.

Cllr Taylor responded by saying that the costs of maintaining the car park should be borne by the current users and not by the next generation.

Mr Adam Powell raised a question regarding item 14.

He asked the Council why Members were commenting on a hypothetical and speculative allegation?

Cllr McNally suggested that the public would need to wait until Members discussed item 14 for an answer.

Mr Stephen Kolek raised the following regarding item 14.

Councillors should act with honesty and integrity, in the public interest and follow the Nolan principles and EDDC's Code of Conduct. The previous Mayor had encouraged members of the public to ask questions in the interests of transparency. The allegation had been investigated with no action being taken and with the Mayor having nothing to answer for. Will the Councillor who made the allegation stand up? If no-one stands up, they are bringing the Council into disrepute for their own self-interest. The allegation is a fabrication of lies and its aim is to do harm to the current Mayor. In the interests of transparency, the Cllr making the allegation should apologise to the Mayor, resign and leave the room.

Cllr McNally responded by suggesting again that the matter would need to wait until the item is discussed.

Cllr Zarczynski advised that it was not a Councillor who had made the allegation but an officer.

Cllr Taylor advised that he had not been approached with regards to any investigation but would be happy to give a statement on the matter if asked.

Ms Elizabeth Pole raised the following question regarding item 14.

Would the Councillors explain why this item was being debated when the investigation had been concluded?

The Town Clerk advised that there appeared to be a misconception regarding item 14. This was not an opportunity to discuss or comment on the allegation made against the Mayor. The item was to discuss the email which the Mayor sent and not any investigation into the allegation or the Mayor's behaviour.

Cllr Kolek suggested that the email could not be discussed without discussing the allegation which had been made, as had there been no allegation there would have been no email.

The Town Clerk advised that the allegation had been looked into and the matter was resolved. The email was sent afterwards. Item 14 was to discuss the email and not the allegation.

Cllr Kolek made the following announcement:

On Saturday 20th January at Awliscombe Village Hall there will be free training on using public access defibrillators which have been purchased with the assistance of the Honiton League of Friends.

The meeting went back into session at 7.18 pm

19/788 The Mayor's announcements

- 12th December – Presentation at Honiton Community College by "My Pitch" who have donated £10,000 towards sports equipment.
- 12th December – Beviss & Beckinsdale annual dinner.
- 15th December – Air cadets annual dinner
- 25th December – Christmas lunch at the Beehive

19/789 To confirm the accuracy of the minutes of the Full Council meeting held on 10th December 2018.

Copies of the minutes of the meetings had been circulated in advance.

Members **RESOLVED** unanimously to confirm the accuracy of the minutes of the Full Council meeting held on 10th December 2018.

Proposed by Cllr Zarczynski and seconded by Cllr Edwards.

19/790 Reports from District and County Councillors

Cllr Twiss provided the following report:

I am now finally getting back up to speed following the Christmas shutdown at County Hall and as a consequence my report is very brief.

Highways. 1

I am shortly to meet DCC Highways NHO Mike Brown to discuss priorities for pothole repairs, resurfacing, drains and ditch clearance etc. in Honiton for the next financial year where main contractor Skanska is now performing well with repairs under new systems in many cases likely to last longer and as a consequence work needing to be done again over a longer cycle meaning that DCC Highways can eat in to the backlog.

I have a number of priorities I wish to discuss and how we spend money assigned to my County Division and there may be others that the TC wish to let me know about via the Town Clerk in the next couple of weeks, as the budget bids for funding are very much in train now.

Highways. 2

A large part of my DCC workload is trying to marry up the work of the various sections of DCC Highways in a way that makes sense and matters are not helped by use of old software and hardware that does not work together in one platform across the operation. I am pleased that this is now changing. I have offered to be one of the BETA testers for the service when it goes live internally at DCC Highways.

From: John Fewings

Sent: 08 January 2019 16:10

To: Councillor Phil Twiss <phil.twiss@devon.gov.uk>

Cc: Lucy Barrow Paul Downes

Subject:

Good afternoon Councillor,

Lucy has asked me to respond as I am a member of the programme Improvement Task Group that is currently looking at the issue of how we programme our works. This officer group has been set up because we recognise that our works programmes are in various formats, on various systems, and are

Signed Chair

18th March 2019

dealt with by different teams within the County Council and also by external contractors. We are therefore looking at collating our systems so that we have one source that shows all of the work that are being done. This will be really helpful to us, in terms of managing programmes, but we are also intending to have a system that will be able to be viewed by others outside the County Council. This will enable Parish Councils and members of the public to see what is being done in their area and will hopefully avoid any duplication of work of the type that has been experienced by Buckerell Parish Council. (and others)

We have made some significant progress in this and we have constructed a draft system which we will shortly be circulating to our Neighbourhood Teams to test. Once we got this to work reliably and accurately, we will then be looking at how we circulate it more widely.

I am happy to keep you updated on the progress of this group, and please let me know if you require any further information.

Thanks,

John.

John Fewings | Neighbourhood Highways Manager (Teignbridge, South Hams, West Devon & Torridge) | Ryefields, Avery Hill, Rydon Road, Kingsteignton, TQ12 3QG, UK | (when prompted, ask for me by name)

Cllr Twiss responded to the following questions:

Cllr Howard asked about the flooding at Langford Bridge. Cllr Twiss advised that this was due to blocked ditches and drains and he was in discussions with DCC Highways regarding the issue.

Cllr Taylor thanked Cllr Twiss for dealing with the dog bins in Honiton.

Cllr Zarczynski raised an issue regarding parking at Rosemount Lane and asked that yellow lines be provided to prevent what he felt was dangerous parking. Cllr Twiss advised that HATOC had discounted yellow lines as the parked cars were considered to be traffic calming.

Cllr Kolek thanked Cllr Twiss for his support regarding the single use plastics campaign and the Fairtrade initiative. Cllr Twiss confirmed that Devon was a Fairtrade county.

The following report was received from Cllr Barrow:

Cllr Barrow has discussed the single use plastics campaign with the head of Environment at EDDC. EDDC supports the campaign but may not be able to provide consent for the use of their logo although they will provide advice and assistance.

EDDC will be moving into Blackdown House within the next 2 weeks.

Cllrs Twiss and Barrow then left the meeting.

19/791 Reports from the Police (recorded crimes and logs)

No report had been received.

19/792 Reports from Councillors with Special Responsibilities

Cllr Kolek presented her report. She suggested that if the recommendation was adopted that the first two certificates should be awarded to Porky's Butchers and Boston Tea Party.

Cllr McNally asked for details of East Devon for a Fairer World. This was a local organisation.

Cllr Coombs asked when the organisation East Devon for a Fairer World were established – Cllr Kolek advised that she did not have this information.

Members **RESOLVED** unanimously that the Environment and Plastics Working Group pursue the "Certificates for Businesses" in order to actively reduce the use of single use plastics with the Chamber of Commerce, East Devon for a Fairer World and EDDC.

Proposed by Cllr Brown and seconded by Cllr Kolek.

19/793 Update Report

The Town Clerk presented the report which was noted. He advised that he still had no update regarding the rates.

Cllr Coombs asked when the surveys would take place at the CUB. The Town Clerk confirmed that he was still waiting for DCC to issue the required licences.

PART A MATTERS FOR DECISION

19/794 To receive the minutes of the Human Resources Committee meeting held on 7th January 2019.

Members **RESOLVED** unanimously to approve that officers appoint someone to assist with the running of the market and who can carry out general maintenance work on behalf of the council for an initial 6-month contract.

Proposed by Cllr Taylor and seconded by Cllr Zarczynski.

Members **RESOLVED** unanimously that the Market Manager's role be changed to that of Town Development Manager in line with the outline job description provided to members.

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

Members **RESOLVED** by a majority of 13 with one against that the Town Clerk's permanent appointment should be confirmed.

Proposed by Cllr Brown and seconded by Cllr McNally.

Members **RESOLVED** by a majority of 13 with one abstention that the pay increases outlined in the report as per the national pay awards be accepted and to agree to the progression through the pay spines for those staff entitled to move up.

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

19/795 Dowell Street Car Park Report

Cllr McNally asked whether the car park could be named Dowell Street West and the Town Clerk agreed to discuss this with EDDC.

The following points were discussed:

- Should users of the Beehive be treated differently to other members of the public using the car park?
- Would introducing car parking charges deter volunteers at the Beehive?
- Should there have been a public survey re charges?
- Only residents of Honiton should be allowed a permit.
- All Community Centres visited prior to the Beehive being built had fee-paying car parks.
- A fee-paying carpark is a condition of the land transfer.
- Free parking has encouraged use of the Beehive.
- The map attached to the Heads of Terms shows a hatched area which is to be reserved for the use of the Town Council, but this is incorrect.
- Where would the Blood Transfusion Van go?
- How would bad parking after 6pm be dealt with?
- The Council had previously resolved to use income from the car park to pay back the second Public Works Loan Board loan.
- The cost of a Beehive user permit and their number.

The Town Clerk provided the following information in response:

The Council would be able to make arrangements to accommodate the blood transfusion van such as allowing them to park in the coach park area.

Town Councillors would not be provided with free parking but would be able to purchase an annual permit. The proposed cost of an annual permit is £40.00.

There would be no enforcement officers available after 6pm.

The Council cannot use the income from the car park to pay off the PWLB loan, but the income can be used to offset other payments which can then allow other monies to pay the loan.

Arrangements could be made relating to parking needs on Charter Day.

Any permits provided would need to identify a car registration number.

Members **RESOLVED** by a majority of 9 for, 4 against and with 1 abstention to offer the Beehive 5 free permits, Link 2 free permits and to allocate a further free permit for any new business renting premises at the Beehive.

Proposed by Cllr Brown and seconded by Cllr Macve.

19/796 Budget for 2019-20

The Town Clerk presented his report.

Cllr Taylor pointed out that if the budget were to be approved this would mean a 0% increase of the precept.

The Town Clerk indicated that in real terms there could be a reduction as there were now more properties in Honiton.

Cllr Edwards raised concerns that the Budget did not allow for the costs of two contentious litigation matters that the Council were involved in. The potential costs were not known but they were not included in the budget.

The Town Clerk advised that a budget relates to money coming in versus money going out. Any legal costs incurred would come from reserves. The precept should not be increased to pay legal costs.

Cllr Edwards queried the £75k reserves as being available for legal costs as the Council had a duty to have a 3-month contingency fund. The Town Clerk agreed but said that the potential earmarked reserves were approximately £99k.

Cllr Taylor referred to the £60k in the Council's current account. The budget allocates money to allotments but grant funding may be available for these. The budget also allocates £20k to the Neighbourhood Plan – if this does not proceed, that money can be allocated elsewhere.

Cllr McNally suggested that there were sufficient funds in reserves for the Council to be able to proceed.

Cllr Edwards also queried the lack of an up to date risk register. This had not been updated for over 2 years and without one the Council could not approve a budget.

The Town Clerk reminded Councillors that the request for the precept had to be with EDDC by 23rd January 2019.

Cllr Taylor suggested that a risk assessment had been carried out as legal advice had been obtained.

Members **RESOLVED** by a majority of 12 for with 2 against to approve the Budget and fix the Precept for 2019-2020 at £277,637.00.

Proposed by Cllr Darrant and seconded by Cllr Carrigan.

The Deputy Chair took over from the Mayor to chair the following item.

19/797 Email sent to councillors by the Mayor

The Town Clerk presented the report. A lengthy discussion then followed during which the following points were made:

- Why was the item in Part A when the Town Clerk had advised against this?
- Should the Mayor apologise to his fellow Councillors as had previously been requested?
- Whilst the email had not been marked confidential, as it was sent from the Mayor's Council email address, under GDPR was it not assumed to be confidential?
- Attempts had been made by some Councillors by meeting with the Mayor prior to the email being sent to resolve the issue.
- Have the allegations of bullying made by the Mayor been investigated and if so, what was the outcome of that investigation?
- What evidence of bullying did the Mayor have?
- Was the email sent by the Mayor intimidating to other Councillors?
- Was the email a personal attack by the Mayor of all other Councillors?
- Council should pursue serving the community as stated by the Mayor in his email.

The Mayor responded by confirming that he had reported the matter to the Monitoring Officer at EDDC and received advice from him. The Mayor stood by the contents of his email but conceded that he should not have sent it as he did. However, he had felt personally attacked by other members and had reacted to protect himself. He denied receiving any requests to apologise for sending the email.

Cllr Zarczynski challenged the Mayor's allegation of bullying and reiterated the attempts made by him and other councillors to resolve the issue during private meetings. He was disappointed that the Mayor was standing by the contents of the email when there had been 4 independent witnesses to the allegation made and accused the Mayor of political manoeuvring.

The Mayor advised that as he could not talk about the allegation made against him, he could not comment further but was happy to meet with Cllr Zarczynski in private.

Cllr Kolek queried what evidence there was regarding the allegation which had been made against the Mayor and suggested that the Town Council pay for the Mayor's electronic devices to be forensically examined for such evidence. She also asked for the 4 witnesses to the allegation to be identified and suggested that whilst the email had been sent to all Councillors, those Councillors who felt that it did not apply to them merely had to ignore it.

It was then proposed by Cllr Taylor and seconded by Cllr Zarczynski to extend the meeting by 10 minutes to allow the item to be further discussed after 9pm.

This was **RESOLVED** by a majority vote of 13 for with 1 against.

Following a further discussion regarding the email, Cllr McNally proposed that:

Members resolve to support the Mayor now that the matter of his email had been debated.

This was seconded by Cllr Macve and **RESOLVED** unanimously.

19/798 To close the meeting

The meeting was closed at 9.05 pm.