

HONITON TOWN COUNCIL

**Minutes of the Extraordinary Meeting of the Town Council held at the at the Liz Tirard Room,
The Beehive, Dowell Street, Honiton
Monday 26 January 2015**

Present

St Michael's Ward

Cllr N Boggon
Cllr N Cornwell
Cllr Gary Elliot
Cllr Peter Halse **
Cllr Sharon Pavey
Cllr John Taylor
Cllr Jackie Wadsworth

St Paul's Ward

Cllr Vivienne Ash
Cllr Les Bayliss
Cllr Henry Brown
Cllr Roy Coombs
Cllr Peter Corke
Cllr Vera Howard
Cllr Caroline Kolek
Cllr Les Lunt
Cllr John Zarczynski

** Also EDDC Councillor

In Attendance

1 member of the public
Press – Jack Dixon (Pullmans)
Richard Bagwell – Legal Advisor (Foot Anstey)
Chetna Jones - Town Clerk

15/18 To receive apologies for absence

No apologies were received.

15/19 To receive declarations of interest

Cllr Ash – Honiton Community Complex Director (DPI) and Friends of Beehive member (P)
Cllr Elliot- Volunteer at The Beehive

Cllr Taylor asked that the meeting remain in public. Both the Town Clerk and the Town Council's legal advisor informed members that as a contractual document was being discussed involving a third party and so it would not be appropriate to discuss the details in public.

The Chairman asked if members agreed that the meeting go into part B session. Cllr Coombs asked for a recorded vote.

St Michaels	For	Against	Abstain	St Pauls	For	Against	Abstain
Cllr Boggon	x			Cllr Ash	x		
Cllr Cornwell	x			Cllr Bayliss	x		
Cllr Elliot	x			Cllr Brown		x	
Cllr Halse	x			Cllr Coombs		x	
Cllr Pavey	x			Cllr Corke	x		
Cllr Taylor		x		Cllr Howard		x	
Cllr Wadsworth		x		Cllr Kolek	x		
				Cllr Lunt		x	
				Cllr Zarczynski	x		

IT WAS AGREED that the meeting goes into Part B session to discuss matters of a contractual nature.

Members of the public and press left the meeting.

Signed Chair

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15/20 To agree to sign and seal the Agreement for lease and Service Level Agreement in accordance with the recommendations in the attached briefing paper.

Richard Bagwell, Legal Advisor for Honiton Town Council explained that the agreement was the best approach to fulfil the resolution made in October to grant a 10 year lease to Honiton Community Complex in light of the fact that a decision will not be made by Charities Commission before the short term lease expires and that this was not a new resolution.

The Clerk reminded councillors of their resolution and that this agenda item was not an opportunity to discuss whether to grant a 10 year lease as this had already been agreed.

Cllr Zarczynski was concerned that East Devon District Council's (EDDC) consent had not been obtained and it would be presumptuous to go ahead with this without obtaining the consent.

The Town Clerk advised the Council that Foot Anstey had reviewed the Legal Charge and Option arrangement imposed by EDDC and had in writing confirmed that permission was not required. However to maintain the good relationship with EDDC she has and will continue to provide the necessary updates.

Various concerns were raised by Cllr Taylor and Cllr Coombs regarding Honiton Community Complex (HCC) and obtaining "Best Value" for The Beehive. The Legal advisor clarified that HCC was a separate entity and was legally obliged to obey company law. The Town Clerk also reminded councillors that a thorough exercise had been completed to ensure "Best Value" and that all councillors had been provided the information before the resolution was made in October for which the majority of councillors had voted in favour.

The Legal Advisor suggested that the resolution be subject to appropriate consent and this was accepted by the Chairman.

Members were asked to vote on the following:

The Town Council agree to sign and seal the Agreement for Lease and Service level Agreement to enable the 10 year lease to be granted to Honiton Community Complex subject to appropriate consent.

Cllr Coombs requested a recorded vote. Cllr Ash informed the Council that she would not be voting.

St Michaels	For	Against	Abstain	St Pauls	For	Against	Abstain
Cllr Boggon	x			Cllr Ash			
Cllr Cornwell	x			Cllr Bayliss	x		
Cllr Elliot	x			Cllr Brown			x
Cllr Halse	x			Cllr Coombs		x	
Cllr Pavey	x			Cllr Corke	x		
Cllr Taylor		x		Cllr Howard		x	
Cllr Wadsworth		x		Cllr Kolek	x		
				Cllr Lunt		x	
				Cllr Zarczynski	x		

This was agreed with 9 votes in favour and 5 against and 1 abstention. **This was RESOLVED.**

The chairman thanked Mr Richard Bagwell of Foot Anstey for attending.

15/21 Close of Meeting

The Chairman closed the meeting at 7.44pm.

Signed Chair

9th February 2015