

To all Members of Honiton Town Council

A meeting of **Honiton Town Council** to which you are summoned, will be held at The Beehive, Dowell Street, Honiton on **Thursday 17th June 2021 commencing at 7.00pm** to transact the following business – this meeting is for the completion of business from the adjourned meeting held on 3rd June 2021 (shaded areas on the agenda have already been resolved)

This meeting will be first physical face to face for some months, which since March 2020 have been held remotely. Council meetings must be face to face and in public. The Beehive venue is available and suitable precautions will be taken to maintain social distancing and hygiene. The capacity of the venue will be limited to approximately 30 individual members of public and therefore may not accommodate safely all members of the public who wish to attend. Please arrive at 6:00pm; seats will be provided once registered and on a first come, first seated basis.

Date: 9th June 2021

Stephen Hill

Stephen Hill
Town Clerk

AGENDA

If members of the public make a representation to the meeting or simply attend, they will be deemed to have consented to being audio recorded. Voting will also take place by a show of hands and the Clerk will indicate that the votes have been counted.

- 1. Apologies for absence**
To **RECEIVE** and record apologies and reasons for absence.
- 2. Declarations of Interests**
To **RECEIVE** any declarations of interest.

Members are reminded that if they have a Disclosable Pecuniary Interest (DPI) (on their register of interest or otherwise) relating to any item on the agenda they are prevented from participating in any discussion or voting on that matter at the meeting as to do so would amount to a criminal offence. Similarly, if you are or become aware of a DPI in a matter under consideration at this meeting which is not on your register of interests or is in the process of being added to your register you must disclose such interest at this meeting, leave and not Vote on the item and register the DPI within 28 days. Similarly, other Personal Interests should be declared at this meeting.

3. **Dispensations**

To **NOTE** the grant of dispensations made by the Town Clerk in relation to the business of this meeting.

4. **Public Question Time for items on the agenda**

Questions relating to items on the agenda may be asked at the meeting, at the discretion of the Mayor or meeting chairman. No more than 3 minutes will be allowed for any person speaking and normally up to a total of 15 minutes will be permitted. The council may respond verbally at the meeting or subsequently in writing.

Members of the public will be allowed to speak at the beginning of the meeting in the usual way. **To ensure the smooth running of the meeting, members of the public should provide their questions in writing prior to midday on the day of the meeting. Questions received after midday will not be tabled at the meeting.**

5. **Declarations of Acceptance of Office and Registers of Interest**

Council is asked to **NOTE** that several newly Elected Town Councillors have now signed their Declarations of Acceptance of Office and are in the process of or have completed their Registers of Interest.

6. **Training and Induction Briefing**

Council is asked to **NOTE** that an internal training and induction briefing will be available for all Councillors to attend starting early June 2021.

7. **Minutes of Council Committees**

Council is asked to **NOTE** the draft minutes of the Planning Committee of [27th April 2021](#) and HR Committee of [28th April 2021](#).

8. **Reports from District and County Councillors**

Council is asked to **NOTE** (and may ask questions on) the report/s from District and County Councillors.

9. **Reports from Honiton Town Council Members with Special Responsibilities**

Council is asked to **NOTE** the report/s from Town Councillors with special responsibilities.

10. **Correspondence: 28th April – 26th May 2021**

Council is asked to **NOTE** correspondence (on matters not otherwise included on this Agenda) received by the Council since last Full Council (copies are available at the Council offices).

1. Royal British Legion Honiton – Honiton Remembrance Day Parade

2. Letters from a member of the public regarding rooms in the Beehive, requirement for a Tourist Information Centre and the format of Council agendas and minutes.

3. Information Commissioners Office – freedom of information act

11. Minutes of the Full Council Meetings held on [26th April 2021](#) and Annual Council [4th May 2021](#)

Council is asked to **RESOLVE** to approve for accuracy the minutes of the Full Council Meetings held on 26th April 2021 and 4th May 2021, as published, and circulated with this agenda.

12. Motions

The following Motions have been submitted in accordance with Standing Orders 9 (a to h) for debate.

a. Temporary Suspension of the 6 month rule

Council is asked to **RESOLVE** that under the provisions in Standing order 26, Standing Order 7a is suspended for the duration of this meeting.

Motion moved by Councillor Helen Hurford

Date of submission: 10 May 2021

b. Vote of No Confidence in the Mayor

That due to the many difficulties experienced by the Council during his chairmanship in the past two years this council has no confidence in the current Mayor Cllr Zarczynski.

- i. Accordingly, this Council **RESOLVES** that he resign his position as Mayor with immediate effect.
- ii. In the event that he once again refuses to accede to a democratic request the Council **RESOLVES** that the Town Clerk is directed to seek legal advice from NALC as to the Council's options to remove him from office prior to the Annual Town Council meeting in 2022.

Motion moved by Councillor Fiona Hanratty

Date of submission: 10 May 2021

c. Focus on Governance structures

This council notes the large number of issues that have arisen during the past 2 years and the significant dissatisfaction with the council within the community. This includes dissatisfaction with communication, transparency, community engagement and accessibility of the Council, and also with the quality of council decisions and its dealings with employees.

Council is therefore asked to **RESOLVE**:

- i. To undertake a review of Standing Orders, the Council's scheme of delegations, its communications policy and its current work programme;
- ii. To suspend all non-essential activities of the council with the exception of the creation of new allotments and dealing with any essential legal and employment matters, pending the above reviews;
- iii. To suspend all meetings of committees pending the completion of the above reviews and to consider all matters including HR matters, in full

- council, if necessary by holding additional full Council meetings if required;
- iv. To establish a new Working Group to oversee the speedy completion of the much delayed allotments project; members of the Working Group may be decided;
 - v. To delegate to the Town Clerk or Deputy Town Clerk the authority to decide the Council's response to Planning Applications in consultation with the Ward Members. Whenever possible, all Members of the Council will be informed of applications out for consultation and will be invited to submit comments to the Clerk or Deputy Clerk. Consultation comments on all Major applications will be decided by Full Council; previous delegations with respect to Planning consultations are superseded;
 - vi. To direct the Town Clerk to identify any potential impacts arising from the above actions and report the to the council for consideration. To focus council resources as far as possible on undertaking the reviews in a timely but thorough manner; and
 - vii. To establish a Working Group consisting of five councillors to work with the Town Clerk to undertake the review and make recommendations to Full Council in respect of each area; members of the Working Group may be decided.

Motion moved by Councillor Jake Bonetta

Date of submission: 10 May 2021

d. Working with the community

Council is asked to **RESOLVE** to establish a programme of weekly council surgeries in a publicly accessible place in the Town Centre, so that the community is able to engage fully with Councillors; the Clerk is directed to ascertain from Councillors their preferred approach for immediately establishing such surgeries and bring forward recommendations at the next Town Council Meeting.

Motion moved by Councillor Serena Sexton

Date of submission: 10 May 2021

e. Co-option

That this Council notes the unfortunate failure to attract co-option candidates at the Council Meeting of 26th April against a background where elections were taking place for a number of seats. It also notes the missed opportunity to include this seat among those available for election and that a candidate who might have been elected has not had the opportunity to be so. Council is therefore asked to **RESOLVE** to re-advertise the seat for co-option under the Council's co-option process.

Motion moved by Councillor Steve Keene

Date of submission: 10 May 2021

f. Bringing the Council up to strength

That this Council notes the long absence of Councillor Vera Howard whose dedicated service to the Council and to the Town has been so deeply appreciated. Council is therefore asked to **RESOLVE** to direct the Town Clerk to ascertain whether she will return to council meetings in the near future or

whether it might be appropriate for the council to create and seek to fill a vacancy to ensure that the Council returns to full strength as soon as possible.

Motions moved by Councillor David Munge

Date of submission: 10 May 2021

g. Community Asset Transfer (CAT)

EDDC has consulted on its Community Asset Transfer (CAT) policy, which Honiton Town Council considered at its meeting 26 April 2021 and had no comments. Therefore, Council is asked to **RESOLVE** to contribute to the EDDC CAT programme by promoting a number of community assets for transfer from EDDC to Honiton Town Council, in particular that Officers prioritise identifying alternative uses and costs of the transfer of the toilet block at King Street, in addition determining what legal agreement/s and planning consent/s may be needed.

Motion moved by Cllr John Zarczynski

Date submitted: 18 May 2021

13. Membership of Committees

Subject to decision on Motions, deferred from Annual Council meeting, Council is asked to review, revise as necessary and **RESOLVE** to approve the Councillor Membership of each Committee.

14. Committee Terms of Reference

Council is asked to review, revise as necessary and **RESOLVE** to approve the Committee Terms of Reference, which were considered by Annual Council; noting that Terms of Reference are not included for a Scrutiny Committee.

15. To appoint Members to Outside Bodies

Deferred from Annual Council meeting, Council is asked to **RESOLVE** to appoint as necessary Members to outside bodies.

16. To appoint Honiton Town Council Members with Special Responsibilities

Deferred from Annual Council meeting, Council is asked to **RESOLVE** to appoint as necessary Members with special responsibilities.

17. Insurance

Council is asked to **CONFIRM** arrangements for insurance cover with Zurich Municipal. The Council currently has Insurance with Zurich Municipal under a five-year Long-Term Agreement (LTA) which ends 31st June 2021.

18. Asset Register

Council is asked to **RESOLVE** to approve the schedule of assets 2021.

19. Subscriptions

Council is asked to **RESOLVE** to approve the Council's and/or staff subscriptions.

20. Complaints procedure

Council is asked to **REVIEW** the Council's Complaints Procedure.

21. **Freedom of Information and Data Protection**
Council is asked to **REVIEW** the Council's policies, procedures and practices in respect of its obligations under the FOI Act and GDPR.
22. **Press media policy**
Subject to decision on Motions, Council is asked to **REVIEW** its policy and dealing with the Press/media.
23. **Employment Policies and Procedures**
Council is asked to **REVIEW** its employment policies and procedures.
24. **LGA 1972, S137 expenditure**
Council is asked to **REVIEW** expenditure incurred under s137 of the LGA 1972 or GPC.
25. **General Power of Competence (GPC)**
Council is asked to **RESOLVE** to adopt the General Power of Competence following the local Elections 6 May 2021 and more than 1/3rd of Councillors appointed by Election and with a suitably qualified Clerk.
26. **Accounts**
Council is asked to **RESOLVE** to approve the schedule of payments.
27. **Exempt Business**
*Council is asked to **RESOLVE** that under section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for items of business in view of the likely disclosure of confidential matters about information relating to an individual, and information relating to the financial or business affairs of any particular person, within the meaning of paragraph 1 and 8 of schedule 12A to the Local Government Act 1972 (see section 1 and part 1 of schedule 1 to the Local Government (Access to Information) Act 1985, as amended by the Local Government (Access to Information) (Variation) Order 2006.*
28. **Town Clerk Hours of Work**
Council is asked to **RESOLVE** to approve the temporary reduction in Town Clerks hours of work including staff budget and resource implications.
29. **Access to Council's Solicitor and Staff**
EDDC's Monitoring Officer has appointed a solicitor to undertake an investigation into a complaint that it has received citing Honiton Town Councillors; Council is asked to **RESOLVE** approving access to the Town Council's solicitors which are acting in respect of a claim with the Employment Tribunal and also to members of staff, if they agree.
30. **Payments in lieu of Annual Leave 2020/21**
Council is asked to **RESOLVE** making staff salary payments in lieu of annual leave not taken during 2020/21.

31. To close the meeting

Reminder for Members

- You must declare the nature of any disclosable pecuniary interests. (Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners). You must also disclose any personal interest.
- You must disclose your interest in an item whenever it becomes apparent that you have an interest in the business being considered.
- Make sure you say what your interest is as this has to be included in the minutes. (For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.)
- If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Clerk or Deputy Clerk.
- Confidential information can be viewed at the Town Council Office during public opening hours of 10am – 1pm or by pre-arranged appointment for outside office hours.

PLEASE NOTE THAT MEMBERS OF THE PUBLIC ARE WELCOME TO ATTEND THIS MEETING AS OBSERVERS

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful to let the office know of any plans to film or record so that any necessary arrangements can be made to provide reasonable facilities to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. All recording and photography equipment should be taken away if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Members of the public exercising their right to speak during Public Question Time may be recorded.

**Copies of this document are available in large print on request
COPIES OF ALL RELEVANT PAPERS MAY BE ACCESSED AT www.honiton.gov.uk
OR VIA THE TOWN COUNCIL OFFICE**