

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 15th July 2021 commencing at 7.00pm** to transact the following business.

This meeting will be physical face to face, which since early June 2021 has been reinstigated. 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 July 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. **Reports from District and County Councillors**

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

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

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

7. **Correspondence: 19th June – 8th July 2021**

Council is asked to **NOTE** that there have been no matters of correspondence (on matters not otherwise included on this Agenda) received by the Council since last Full Council (copies are available at the Council offices).

8. **Minutes of the Full Council Meetings held on [17th June 2021](#) (after adjournment) and [24th June 2021](#)**

Council is asked to **RESOLVE** to approve for accuracy the minutes of the Full Council Meeting held on 17th June 2021 (after adjournment) and 24th June 2021 as published and circulated with this agenda.

9. **Allotments Working Group**

Meetings of the Allotments Working Group took place on 5 March 2021, 21 May 2021, [2 July 2021](#) and 8 July 2021. At its meeting on 17 June 2021 Council decided upon revised Members of the Working Group. Council is asked to **RESOLVE** to approve the revised [Terms of Reference](#); if available, the draft Tenancy Agreement; the charge per plot per annum; to apply for variation of the Planning Conditions; and to approve the variation to the contract for the works at an estimated £7,000 to be paid from the S106 funding contribution: drainage ditch, water storage and additional fencing; this is in addition to the £5,000 previously agreed by Council 26 April 2021.

10. **Planning Appeal (Honiton Cattle Market, Silver Street): Appeal 3270077**
Council is asked to **RESOLVE** to nominate, if preferred, Councillor/s to attend the virtual Appeal Hearing on 19 July 2021.

<https://planning.eastdevon.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QJ6HYHGHH TD00>

11. **Welcome Back Fund**

Following EDDC letter 1 July 2021, Council is asked to **RESOLVE** to approve the initial list of ideas of projects to apply for Welcome Back Funding.

12. **Motions**

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

- a. Council is asked to **RESOLVE** under the provisions in Standing Order 26, that Standing Order 7a is suspended for a period of 3 months or otherwise subject to the adoption of new Standing Orders following the current review.

Motion moved by: Councillor Sexton

Seconders: Councillors Hurford, Keene, Proszowska, Cloke and Bonetta

Date of submission: 5 July 2021

- b. At its meeting on 3rd June, 2021, the Council resolved a vote of no confidence in the Chairmanship of Cllr Zarczynski and called for his resignation. The Council notes that he has so far refused to implement this resolution. The Council also notes the many Chairmanship failures that occur at Town Council meetings, which are prejudicial to good governance, including:

- i. Failure to manage meetings within the allotted time for the meeting, necessitating additional meetings
- ii. Failure to call on proposers of motions to set out their motion
- iii. Failure to observe confidentiality in HR matters
- iv. Extended monologues from the Chair, sometimes unrelated to the business under discussion
- v. Permitting Councillors to make irrelevant speeches
- vi. Failure to ensure that meetings proceed in a respectful atmosphere, focused on the business on the agenda
- vii. Failure to refer points of law and procedure to the Clerk

The Council therefore **RESOLVES** to confirm that it has no confidence in Cllr Zarczynski as Chairman of the Council and calls on him to implement the resolution of 3rd June, 2021, and resign as Chairman. In the event that he continues to refuse to do so the Council will consider and is asked to resolve the following measures to improve governance in the Council.

Motion moved by: Councillor Munge

Seconders: Councillor Bonetta, Sexton, Hurford, Proszowska, Keene and Cloke

Date of submission: 5 July 2021

b1. Council is asked to **RESOLVE** under the provisions of Standing Order 26, that Standing Order 26d is suspended pending the adoption of new Standing Orders following the current review.

Motion moved by: Councillor Hurford

Seconders: Councillor Bonetta, Sexton, Keene, Cloke and Proszowska

Date of submission: 5 July 2021

b2. Until further notice the Council is asked to **RESOLVE** to delegate to the Town Clerk the responsibility to advise the Council on all matters of law, procedure and standing orders. The Chairman and all members are directed to refer all such matters to the Town Clerk and to act on his advice, unless a majority of the Council resolves to take other action.

Motion moved by: Councillor Hurford

Seconders: Councillors Bonetta, Sexton, Proszowska, Cloke and Keene

Date of submission: 5 July 2021

b3. The Council is asked to **RESOLVE** under the provisions of Standing Order 26 that Standing Order 3y is suspended pending the adoption of new Standing Orders following the current review.

Motion moved by: Councillor Hurford

Seconders: Councillors Bonetta, Keene, Sexton, Cloke and Proszowska

Date of submission: 5 July 2021

c. The Council is asked to **RESOLVE** that pending the review of the Scheme of Delegations the Chairman and Deputy Chairman of the Council will only attend committees, sub committees (as Councillors) and working groups of the Council if they are appointed as members by a majority of the Council and will not attend as ex-officio Members of such groups.

Motion moved by: Councillor Sexton

Seconders: Councillors Proszowska, Hurford, Cloke, Keene and Bonetta

Date of submission: 5 July 2021

d. The Council **NOTES** that the Councillor's code of conduct requires that Members act selflessly, with integrity, honesty, objectivity, accountability, openness, personal judgement, respect for others, stewardship, leadership and with a duty to uphold the law.

It further **NOTES** that there currently exist a number of code of conduct complaints and employment tribunal claims against the council, and that the Council has a duty to observe both the letter and the spirit of the code of conduct in responding to these matters. Failure to do so could invite further action against the Council.

The Council **NOTES** that Members who are implicated in legal proceedings, employment tribunals and investigations by the Monitoring Officer should exclude themselves from the management of those cases in full council or elsewhere as appropriate.

Motion moved by: Councillors Serena Sexton

Secunder: Councillor Steve Keene

Date of submission: 5 July 2021

e. **Recording of Meetings**

This Council notes that live streaming of Full Honiton Town Council meetings in the past has not only been beneficial in allowing all residents to watch our meetings but has also allowed access to our meetings for residents that may have otherwise struggled to attend. This Council also notes the importance of keeping an accurate, archived recording of meetings to aide officers with minute taking, as well as to ensure our Council processes are as open and transparent as possible. Therefore, this Council **RESOLVES** to:

- I. Direct the Town Clerk/Deputy Town Clerk (in consultation with the Chairman and Vice Chairman) to acquire the necessary equipment to allow meetings to be livestreamed and recorded. This equipment may include microphones, tripods, and any other equipment necessary to livestream and record the meeting up to £2,000 of unallocated revenue budget;
- II. Livestream all Full Council meetings through its Facebook Page. This supersedes other previous resolutions relating to social media that may affect this;
- III. Record and archive all Council meetings, either on a public YouTube channel or through the Council's website. Exempt business and private meetings should still be archived, however not accessible to the public.

Motion moved by: Councillor Bonetta

Date of submission: 5 July 2021

- f. Council is asked to **RESOLVE** to agree in principle to appoint a contractor to clear all the weeds/ grass cutting main artery routes.

Motion moved by Councillor John Zarczynski

Date of submission: 4 July 2021

- g. In recent times, there has been seismic changes in our World, caused by many influences, not least the pandemic. Honiton is not sheltered from these massive changes. Just like all other parts of the UK, Climate change, zero carbon emissions, electric vehicles, on-line shopping, pandemics, are already confronting Honiton. Therefore, Council is asked to **NOTE**, that it shall start to review a document entitled "Vision of Honiton 2030" a Community Strategic Plan. The work which produced this document was started in 2000. This Council will ascertain which parts of that plan, are still relevant, and use those parts to build strategic plans for Honiton to cover the next five and ten years. I propose this motion to the Council.

Motion moved by Councillor David Munge

Date of submission: 5 July 2021

13. **Bank Mandates**

Council is asked to **RESOLVE** which 3 additional Councillors (in addition to Councillor Zarczynski) be authorised as a Unity Trust bank signatory, to authorise payments.

14. [Accounts](#)

Council is asked to **RESOLVE** to approve the schedule of payments.

15. 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.

16. Vacation of office by failure to attend meetings

Council is asked to **RESOLVE** to approve the reasons for failure of a specific Councillor to attend meetings beyond six consecutive months, and if approved the Councillor will not cease to be a member of the Council.

17. 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**