

HONITON TOWN COUNCIL

Minutes of the Full Council Meeting of the Town Council held via Zoom on 26th April 2021 at 7.00 pm.

Present

St Michael's Ward

Cllr J Taylor
Cllr J Zarczynski (Chairman)
Cllr J McNally
Cllr L Dolby

St Paul's Ward

Cllr R Coombs
Cllr C Gilson
Cllr P Carrigan

In attendance

Stephen Hill, Town Clerk
Heloise Marlow, Deputy Town Clerk
Cllr P Twiss EDDC/DCC
32 Members of the public

PART A

20/204 The Chairman welcomed Councillors and members of the public who were attending via ZOOM and confirmed that the meeting would be recorded.

20/205 To receive apologies for absence.

Cllr V Howard (personal reasons).

20/206 To receive declarations of interest and receipt of requests for new DPI dispensations on items on the agenda.

None were received.

20/207 To note the grant of dispensations made by the Town Clerk in relation to the business of this meeting.

None were made.

20/208 Public question time on items on the agenda

The following links provide the questions and responses:

1. [Mr J Burgess](#)

2. [Heather Penwarden](#)

3. [Mr D Munge](#)

4. [Mr Pryor](#)

20/209 To confirm the accuracy of the minutes of the Full Council Meeting held on 8th March 2021.

Members **RESOLVED** unanimously to approve the Minutes.

Proposed by Cllr McNally and seconded by Cllr Gilson.

Signed Chair

3rd June 2021

20/210 Minutes of Council Committees

Members **NOTED** minutes of the Planning Committee of [16th March 2021](#) and HR Committee of [22nd March](#) and the draft minutes of the Planning Committee of [30th March 2021](#), Town Management Committee of [24th March 2021](#) and HR Committee of 9th April 2021.

20/211 Reports from District and County Councillors.

Cllr Twiss provided the following report – [click here](#)

20/212 Reports from Honiton Town Council Members with Special Responsibilities.

None received.

20/213 Correspondence – 3rd March – 3rd April 2021

Advice from PKF Littlejohn regarding External Audit 2020/21

Open letter from Honiton Forward

Letter from Honiton Forward.

Cllr Jill McNally read out her [response](#) to the correspondence received from Honiton Forward.

Members **NOTED** the correspondence.

20/214 Co-option

The Town Clerk advised that there had been no applications for the vacant St Michael's Ward seat via the co-option procedure publicised.

This was **NOTED** by Members.

20/215 Town Management Committee 24 March 2021

The Town Clerk confirmed that the resolutions had been paraphrased on the agenda and the full resolutions could be found in the draft minutes attached.

Cllr Taylor advised that Cllr Coombs had located an email dating from October 2019 between the then Town Clerk and the Council's insurers regarding the damaged bus shelter in New Street.

If Gate to Place is allowed to proceed under the Council's Market Charter, this must not result in HTC insuring the event against cancellation for e.g., another lockdown. He had raised this with the Town Clerk who had confirmed that allowing the event to proceed under the market charter did not result in HTC insuring the event against cancellation. He proposed a block vote in respect of all the resolutions set out in the draft Minutes.

Cllr Coombs requested that HTC Visit Honiton Facebook page as well as Visit Honiton website be reviewed also, and that each resolution be considered separately.

Cllr Zarczynski advised that Cllr Taylor's proposal would be considered first and if that failed then he would revert to Cllr Coombs' proposal.

Cllr Gilson seconded Cllr Taylor's proposal

Members **RESOLVED** by 4 votes for, 2 against, 1 abstention to agree, by way of a block vote, the resolutions proposed by the Town Management Committee at their meeting on the 24 March 2021.

20/216 Rainbow Benches

Members **RESOLVED** unanimously to work jointly with the League of Friends in relation to the provision of Rainbow Benches.

Proposed by Cllr Zarczynski and seconded by Cllr Taylor.

20/217 Town Events

Members **NOTED** the events planned for the Town in 2021.

20/218 Community Asset Transfer (CAT) – DRAFT PROCEDURE: Town and Parish Council CONSULTATION.

The Town Clerk explained that Members had been provided with a copy of the EDDC draft procedure for Community Asset Transfers and that Members were being asked for any comments they might have in relation to that draft procedure.

Cllr Taylor noted that if the draft procedure was adopted and assets such as footpaths and trees transferred to HTC, HTC would be taking on the liabilities for those assets and therefore EDDC would need to advise HTC as to those liabilities before HTC agreed to take the assets on

Members unanimously **RESOLVED** no comments on the draft procedure for Community Asset Transfer issued by EDDC.

Proposed by Cllr McNally and seconded by Cllr Gilson.

20/219 Market Open to Non-essential Traders

Members **NOTED** that the Honiton Street Market had been opened to non-essential traders from Tuesday 13 April 2021 in line with the Government's Roadmap.

20/220 Market Risk Assessment

Members unanimously **RESOLVED** to approve the Market Covid-19 Risk Assessment dated 7th April 2021.

Proposed by Cllr McNally and seconded by Cllr Dolby.

20/221 Honiton Street Market Health & Safety (H&S)

Cllr Zarczynski explained that this would allow an independent company to review the matter as Members are not experts in Health and Safety and an honest professional opinion was required.

Members **RESOLVED** to appoint a H&S or other consultant(s), with an unallocated budget up to £3,000, with the brief to review the Council's policies and revenue during those 7 years for the purpose only of identifying any current liabilities and mitigating actions and report to Council.

Proposed by Cllr McNally and seconded by Cllr Gilson.

For 6, Against 0, Abstain 1

20/222 Charging for Market Stalls

Members discussed the following:

- Re-introducing charging but at a reduced rate initially of £7.00 for a period of 2-4 months.
- During this time HTC would consult with the traders regarding future charges and what implications these would have on the market.
- Continuing with the free market for those who have not been able to trade during lockdown.
- Making arrangements for traders to pay in cash and by non-cash methods.

Members **RESOLVED** to re-introduce charging for market pitches at a rate of £7.00 per pitch.

Proposed by Cllr Gilson and seconded by Cllr Dolby

For 5, Against 0, Abstain 2

Members **RESOLVED** to re-introduce the charges from 1st June 2021 onwards.

Proposed by Cllr Zarczynski and seconded by Cllr Carrigan.

For 5, Against 0, Abstain 2

Members **RESOLVED** to charge as above for a period of 3 months with a review at the end of August 2021.

Proposed by Cllr Zarczynski and seconded by Cllr Carrigan.

For 5, Against 0, Abstain 2

20/223 Allotment Management

The Chairman agreed that Mr T Darrant, Chair of the Working Group be allowed to speak on the item.

Mr Darrant accepted that the decision rested with Members. As a previous Councillor and now a member of the public he had been on the working group for the allotments for some time and had understood that the consensus on the Council was for the

allotments to be managed in house, as HTC is the allotment authority which gives HTC certain powers if they manage the allotments. He understood the arguments for the allotments to be managed by an allotment association and had reviewed the minutes dating back to when Mrs Lynn Hargood (Town Clerk) and Mrs Sarah Jenkins (Deputy Clerk) started the project. They had recommended that the management of the allotments be undertaken by the Honiton Allotments Association. However, that association no longer exists. HTC holds a waiting list for those wanting an allotment and that information cannot be handed over to a third party under data protection laws. As such he would suggest that HTC manage the allocation of the plots initially. HTC could then invite the plot holders to form a new allotment association, to whom HTC could then hand over the management of the allotments. He suggested that there be HTC representation on the allotment's association management committee.

Cllr Zarczynski advised that he was in favour of the allotment holders forming an association with an HTC representative on the Committee.

Cllr Taylor agreed subject to the Allotment Association agreeing to using the HTC waiting list to fill any vacant plots rather than creating their own waiting list.

Members **RESOLVED** that the allotments holders be allowed to form an allotment association to manage the allotments at Battishorne Way with an HTC appointed representative on the committee as the liaison between the committee and HTC.

Proposed by Cllr Zarczynski and seconded by Cllr Taylor.
For 6, Against 1, Abstain 0

Members **RESOLVED** unanimously to delegate authority to the Town Clerk to incur additional expenditure if needed up to £5,000 which delegation is additional to the Financial Regulations.

Proposed by Cllr Zarczynski and seconded by Cllr Taylor.

20/224 EDDC Standards hearing

Members **NOTED** the conclusion from the EDDC Standards Hearing sub-committee 12 March 2021 and the possible implications for Honiton Town Council arising from any Appeal.

20/225 Delegation and Internal Control

- a) Members **RESOLVED** unanimously to approve the temporary Scheme of Delegation, which would be supplemental to the existing delegations and where in conflict this latest delegation takes precedence (see attached Proposed Honiton Town Council Covid-19 Temporary Scheme of Delegation April 2021) and in doing so give delegated authority to the Town Clerk should Council meetings not be possible.

Proposed by Cllr Taylor and seconded by Cllr Zarczynski.

- b) Honiton Statement of internal control

Cllr McNally was of the view that the statement of internal control needed to be reviewed as for e.g., the name of the Council's internal auditor as given was incorrect.

The Town Clerk confirmed that changes to the statement were needed and suggested that Members resolved to approve the statement subject to bringing it up to date.

Cllr Coombs suggested that the statement of internal control dated back to 2015 and was a radical change to those which had preceded it. He suggested that Members should also look back at those statements of internal control.

Members **RESOLVED** unanimously to approve the Honiton Town Council statement of internal control subject to a review to be carried out by the next meeting of the Finance and Policy Committee.

Proposed by Cllr Zarczynski and seconded by Cllr Taylor.

- c) If preferred and /or in light of any new information that may or may not be forthcoming Council is asked to **RESOLVE** to determine or confirm the date/time and location/method of the Annual Council 2021 meeting: *Note: This Resolution would initially require a Vote to temporarily suspend (in line with Standing Order 26) Standing Order 7 thereby enabling Council to reconsider Council Decision 20/187, 8 March 2021.*

Cllr Zarczynski confirmed that no new information had been received.

Members **RESOLVED** unanimously to maintain the date of the Annual Meeting as the 4 May 2021.

Proposed by Cllr McNally and seconded by Cllr Carrigan.

20/226 Q3 2020/21 Financial Report and AGAR

Members **NOTED** the Q3 2020/21 Financial Report, the reconciliation of accounts to end of December 2020 and the proposed timescale for the preparation, approval and submission of the AGAR.

20/227 Earmarked Reserves (EMR)

Members **RESOLVED** unanimously to approve the provisional schedule of Earmarked Reserves.

Proposed by Cllr Taylor and seconded by Cllr Carrigan.

.24/228 Accounts

Members **RESOLVED** unanimously to approve the schedule of payments attached.

Proposed by Cllr Taylor and seconded by Cllr Carrigan.

Members **RESOLVED** unanimously to take the following items into Part B.

Proposed by Cllr Carrigan and seconded by Cllr Gilson.

PART B

20/229 Hanging Baskets

Members unanimously **RESOLVED** to appoint J Hewitt as installation and maintenance contractor and for other associated work and Mousehole Nursery for the planting of hanging baskets.

Proposed by Cllr Taylor and seconded by Cllr Carrigan.

20/230 Appointment of Staff

Members unanimously **RESOLVED** to confirm the appointment of Mrs Dawn Reed as Town Clerk's Assistant.

Proposed by Cllr Taylor and seconded by Cllr Carrigan.

Members **NOTED** that no applications had been received for the Market Manager role and that the HR Committee had instructed the Town Clerk to prepare a Market Superintendent job description and take HR advice.

20/231 Town Clerk's Assistant Salaries

Members unanimously **RESOLVED** to appoint to and allocation of Town Clerk's Assistant role/s at LC1 substantive range.

Proposed by Cllr Taylor and seconded by Cllr Zarczynski,

20/232 Probationary Period of Town Clerk

Members unanimously **RESOLVED** to confirm the Town Clerk's permanent appointment.

Proposed by Cllr Zarczynski and seconded by Cllr McNally.

20/233 Current Staffing Matters

The Town Clerk confirmed that this item related to a letter from HRSP on behalf of HTC who heard the appeal against dismissal by a member of staff. That letter has been and is available for Members to view at the Council offices.

20/234 ACAS

Members **RESOLVED** regarding conciliation with ACAS in respect of two cases.

Proposed by Cllr Carrigan and seconded by Cllr Gilson.

Proposed by Cllr Zarczynski and seconded by Cllr Carrigan.

For 6, Against 0, Abstain 1

20/235 Legal Advice

Members **RESOLVED** actions relating to Legal Advice.

Proposed by Cllr Zarczynski and seconded by Cllr Gilson.
For 5, Against 0, Abstain 2

20/236 To close the meeting.

The meeting was closed at 21.10pm.