

**Minutes of the Full Council Meeting of the Town Council on Thursday 15th July
2021 at 7.00pm**

Present

St Michael's Ward

Cllr J Bonetta
Cllr L Dolby
Cllr H Hurford
Cllr A McCollum
Cllr J McNally
Cllr D Munge
Cllr A Proszowska
Cllr J Taylor
Cllr J Zarczynski (Chairman)

St Paul's Ward

Cllr P Carrigan
Cllr K Cloke
Cllr R Coombs
Cllr C Gilson
Cllr F Hanratty
Cllr S Keene
Cllr S Sexton

In attendance

Stephen Hill, Town Clerk
Heloise Marlow, Deputy Town Clerk
15 members of the public
1 member of the press

21/95 Apologies for absence

None

21/96 Declarations of Interests

Cllr C Gilson- Personal interest (Item 21/106c)
Cllr J Zarczynski – Personal interest (Item 21/106b&c)

21/97 Dispensations

There were no grants of dispensation made by the Town Clerk in relation to the business of this meeting.

21/98 Public Question Time for items on the agenda

There were no public questions.

21/99 Reports from District and County Councillors

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

In addition, Cllr Twiss advised:

- He had recently had a meeting with the Director of Public Health, who despite the increase in COVID infections locally, was upbeat and hopeful that the majority of the increase which is in young people in

schools would decrease by mid-August. He did however request that the population behave sensibly from Monday onwards.

- He will be sending in details of changes to the lateral flow testing available in Honiton for circulation.
- PCC A Hernandez has agreed to trial the re-opening of the police desk in Honiton 2 days a week and he will report back in due course.
- Cllr Stuart Hughes has requested that the public bear with him re highway maintenance as this has been impacted by the increased cost of materials.

Cllr Taylor queried the recent decision by Malta to refuse entry to Britons who had had a certain type of the Astra Zeneca vaccine. Cllr Twiss confirmed that this decision has now been reversed by Malta.

Cllr Zarczynski queried the hazard to motorists of weeds and overgrown grass bordering the highway. Cllr Twiss confirm that there was no change in DCC policy which was to cut visibility splays for reasons of safety. EDDC have now adopted a policy of re-wilding which means that some overgrown areas will not now be cut. Both DCC and EDDC publish a schedule of works and he suggested that Members contact Mike Brown at DCC for information. He warned against more than one organisation undertaking work which was due to be done by another as this could lead to legal issues.

Cllr Zarczynski raised the issue of yellow lines at Whitebridges. Cllr Twiss confirmed that this whilst this had been delayed due to a lack of resources and adverse weather, the traffic order was now in force and the lines would be installed.

Cllr Munge queried what action had been taken about an accident which had occurred in the High Street the previous week due to the road works. Cllr Twiss advised that road closure notices were sent to HTC and this would provide details of the contractor responsible. He requested that Cllr Munge provide him with further details regarding the accident and he would then investigate the matter.

Cllr Bonetta provided a verbal report as follows:

- He thanked the voters who had elected him and his opponents in the recent by-election.
- His priorities will be his election pledges to include the recent issues with recycling and waste collections and keeping the toilets in King Street open.

These have been closed due to staffing issues and if anyone is interested in the current vacancies, they should contact their EDDC Ward member.

Cllr Zarczynski queried the classification of public toilets and whether the King Street toilets had been put into category C by EDDC Cabinet.

Cllr Bonetta confirmed that the consultation for the matter was still open until 9th August 2021 and until that had concluded no decision had yet been made.

Footnote to report dated 9th August 2021:

The EDDC consultation was open until 1st October 2021.

21/100 Reports from Honiton Town Council Members with Special Responsibilities

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

21/101 Correspondence: 19th June – 8th July 2021

Council **NOTED** that there had been no matters of correspondence (on matters not otherwise included on this Agenda) received by the Council since last Full Council.

21/102 Minutes of the Full Council Meetings held on [17th June 2021](#) (after adjournment) and [24th June 2021](#)

Cllr Taylor requested that minute 21/44 be changed as he was not against co-options.

Cllr Cloke referred to an email she had received from a member of the public querying minute 21/72.

The Clerk confirmed that the minutes were accurate in that they recorded what had been said. He could not confirm that the information provided was accurate but that did not mean the minutes were inaccurate.

Members RESOLVED to approve for accuracy the minutes of the Full Council meetings on the 17th June 2021 and 24th June 2021 as published and circulated.

For 11, Against 0, Abstentions 5.

Proposed by Cllr Gilson and seconded by Cllr Carrigan.

21/103 Allotments Working Group

Cllr Hanratty provided a verbal report as Co-Chair of the Allotments Working Group:

- The new allotments working group had met following a site visit.
- Letters had been sent to those on the waiting list re the availability of plots.

- Construction work was expected to finish over the next few weeks.

Members RESOLVED to approve the revised [Terms of Reference](#), the draft Tenancy Agreement; the charge per plot per annum; to apply for variation of the Planning Conditions; and 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.

For 14, Against 1, Abstentions 1.

Proposed by Cllr Zarczynski and seconded by Cllr Cloke.

21/104 [Planning Appeal](#) (Honiton Cattle Market, Silver Street): Appeal 3270077

Members RESOLVED unanimously to nominate Cllr Proszowksa and Munge to attend the virtual Appeal Hearing on 19 July 2021.

Proposed by Cllr Keene and seconded by Cllr Cloke.

21/105 [Welcome Back Fund](#)

Members RESOLVED to approve the initial list of ideas of projects to apply for Welcome Back Funding.

For 14, Against 0, Abstentions 2.

Proposed by Cllr Hanratty and seconded by Cllr Proszowksa.

Note approved 9th August 2021:

The list of ideas of projects was compiled by Cllr Coombs and Cllr McNally

21/106 Motions

- 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. Cllr Sexton presented the motion advising that this would allow Council to revisit some of the decisions taken before the election should they not be in HTC's best interests.

Cllr Zarczynski spoke against the motion which he viewed as a challenge to the advice provided by the Clerk

Cllrs Coombs and McNally also spoke against the motion.

Members RESOLVED 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.

For: Bonetta, Cloke, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton.

Against: Carrigan, Coombs, Dolby, Gilson, McNally, Taylor, Zarczynski.

For:9, Against 7, Abstentions 0.

Proposed by Cllr Sexton and seconded by Cllr Hurford.

- 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:
- a. Failure to manage meetings within the allotted time for the meeting, necessitating additional meetings
 - b. Failure to call on proposers of motions to set out their motion
 - c. Failure to observe confidentiality in HR matters
 - d. Extended monologues from the Chair, sometimes unrelated to the business under discussion
 - e. Permitting Councillors to make irrelevant speeches
 - f. Failure to ensure that meetings proceed in a respectful atmosphere, focused on the business on the agenda
 - g. 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

Cllr Zarczynski spoke against the motion and responded to points i – vii as follows:

- a. Historically, most HTC meetings have had to be extended past 9pm.
- b. Accepts he occasionally forgets to do this or it is due to time constraints.
- c. No comment was made.
- d. This is disputed as all his comments/statement are relevant.
- e. All Councillors have a right to speak.
- f. Whilst sometimes debate is heated, he has always followed Council procedure.
- g. This is refuted.

Cllr McNally and Taylor spoke against the motion.

Cllr Munge presented the motion

Cllr Bonetta, Hurford and Sexton spoke in favour of the motion.

Cllr Proszowska moved under SO 1r (4) to go to a vote which was seconded by Cllr Hanratty.

Members RESOLVED under SO1r (4) to vote on the motion without further debate.

For: Bonetta, Cloke, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton.

**Against: Carrigan, Coombs, Dolby, Gilson, McNally, Taylor, Zarczynski.
For: 9, Against 7, Abstentions 0.**

Members RESOLVED 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.

For: Bonetta, Cloke, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton.

**Against: Carrigan, Coombs, Dolby, Gilson, McNally, Taylor, Zarczynski.
For: 9, Against 7, Abstentions 0.**

Proposed by Cllr Munge and seconded by Cllr Bonetta.

Cllr Zarczynski confirmed that he would not be resigning.

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.

Cllr Hurford presented the motion with an amendment namely:

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 *with the decision as to the application of Standing Orders at a meeting to be taken by the Clerk or Deputy Clerk.*

Members RESOLVED under the provisions of Standing Order 26 that Standing Order 26d is suspended pending the adoption of new Standing Orders following the current review with the decision as to the application of Standing Orders at a meeting to be taken by the Clerk or Deputy Clerk.

For: For: Bonetta, Cloke, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton.

**Against: Carrigan, Coombs, Dolby, Gilson, McNally, Taylor, Zarczynski.
For: 9, Against 7, Abstentions 0.**

Proposed by Cllr Hurford and seconded by Cllr Cloke.

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.

Cllr Hurford presented the motion: In the past incorrect reference had been made to the law and its application. No Councillor was a legal expert and the model standing orders had recently been updated.

Cllr McNally, Zarczynski, Taylor, Coombs spoke against the motion.
Cllrs Sexton and Bonetta spoke in favour of the motion.

Members RESOLVED 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.

For: Bonetta, Cloke, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton.

Against: Carrigan, Coombs, Dolby, Gilson, McNally, Taylor, Zarczynski.

For: 9, Against 7, Abstentions 0.

Proposed by Cllr Hurford and seconded by Cllr Proszowska.

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.

Cllr Hurford presented the motion advising that Standing Order 3y was not in the NALC model standing orders.

The Clerk confirmed that as it stood SO 3y should be amended as the word "agree" should not be included – Agendas are drafted by the Clerk.

Members RESOLVED under the provisions of Standing Order 26 that Standing Order 3y is suspended pending the adoption of new Standing Orders following the current review.

For: Bonetta, Carrigan, Cloke, Coombs, Dolby, Gilson, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton, Taylor, Zarczynski.

Abstentions: McNally

For:15, Against 0, Abstentions 1.

Proposed by Cllr Hurford and seconded by Cllr Hanratty.

- 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.

Cllr Sexton presented the motion.

Cllr Zarczynski, Carrigan, McNally and Taylor spoke against the motion.

Members RESOLVED 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.

For: Bonetta, Cloke, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton.

Against: Carrigan, Coombs, Dolby, Gilson, McNally, Taylor, Zarczynski.

For 9, Against 7, Abstentions 0

Proposed by Cllr Sexton and seconded by Cllr Proszowska.

d. Members **NOTED** 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 **NOTED** 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 **NOTED** 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.

e. 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.

Cllr Bonetta presented an amendment to the e.I as follows: " Direct the Town Clerk/Deputy Town Clerk 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".

Members RESOLVED to accept the amendment above.

For: Bonetta, Carrigan, Cloke, Dolby, Gilson, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton, Taylor.

Against: Coombs, McNally.

Abstentions: Zarczynski

For 13. Against 2. Abstentions 1.

Proposed by Cllr Keene and seconded by Cllr Proszowska.

- I. **Members RESOLVED to Direct the Town Clerk/Deputy Town Clerk 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.**

For: Bonetta, Carrigan, Cloke, Coombs, Dolby, Gilson, Hanratty, Hurford, Keene, McCollum, Munge, Proszowska, Sexton, Taylor.

Against: McNally.

Abstentions: Zarczynski

For 14. Against 1. Abstentions 1.

Proposed by Cllr Bonetta and seconded by Cllr Sexton.

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

Cllr Zarczynski presented the motion.

Council is asked to **RESOLVE** to agree in principle to appoint a contractor to clear all the weed/grass cutting on main arterial routes *subject to consultation with Devon County Council, EDDC, and Highways England and to determine cost.*

Members RESOLVED 10 votes for, and 6 votes against to accept the above amendment to the motion.

For 10, Against 6, Abstentions 0.

Proposed by Cllr Keene and seconded by Cllr Hanratty.

Members RESOLVED by 11 votes for and 5 against to agree in principle to appoint a contractor to clear all the weed/grass cutting on main arterial routes subject to consultation with Devon County Council, EDDC and Highways England and to determine cost.

For 11, Against 5, Abstentions 0.

Proposed by Cllr Keene and seconded by Cllr Cloke.

- g. Members **NOTED** 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.

21/107 Bank Mandates

Members RESOLVED unanimously to appoint Cllrs Bonetta, Sexton and Hurford (in addition to Cllr Zarczynski) to be authorised as Unity Trust bank signatories to authorise payments.

Proposed by Cllr McCollum and seconded by Cllr Proszowska.

21/108 Accounts

Members RESOLVED unanimously to approve the schedule of payments.

Proposed by Cllr Proszowska and seconded by Cllr Taylor.

21/109 Members RESOLVED unanimously to extend the meeting by 30 minutes

Proposed by Cllr Keene and seconded by Cllr Bonetta

21/110 Members RESOLVED unanimously to take the following item into exempt business

Proposed by Cllr Bonetta and seconded by Cllr Keene.

21/111 Vacation of office by failure to attend meetings.

Cllr Hanratty proposed an amendment to the motion as follows:

"Council is asked to resolve, in the interests of the effective operation of the council, that following a period of 6 months absence the council will approve the reasons for failure of any councillor to attend for not more than a further six months following which they will cease to be a member"

The Town Clerk advised that this was not an amendment to the motion but a new motion which could not be tabled at the meeting, because the new motion is not included on the agenda and was not tabled before the meeting as required by Standing Orders.

Members RESOLVED to approve Cllr Howard's reasons for failing to attend meetings within the last 6 months.

For: Carrigan, Coombs, Dolby, Gilson, McNally, McCollum, Taylor, Zarczynski.

Against: Bonetta, Cloke, Hurford, Keene, Munge, Proszowska, Sexton.

Abstentions: Hanratty

For 8, Against 7, Abstentions 1.

Proposed by Cllr McNally and seconded by Cllr Dolby.

Amendment agreed on 9th August 2021:

This resolution will be reviewed in 6 months' time.

21/112 To close the meeting.

The meeting was closed at 9.50pm.