

A MEETING of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Wednesday, 18 December 2024 at 6.00 pm

ALL MEMBERS of the **COUNCIL** are summoned to attend for the purposes of transacting the business specified in the Agenda which is set out below:

[The next meeting is scheduled to be held in Tiverton on Wednesday, 19 February 2025 at 6.00 pm]

Please Note: this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Teams. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

The meeting will be Hybrid and an audio recording made and published on the website after the meeting.

[To join the meeting online, click here](#)

Meeting ID: 381 423 807 861
Passcode: MENeBW

STEPHEN WALFORD
Chief Executive

10 December 2024

AGENDA

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

1 Apologies

To receive any apologies for absence.

2 Public Question Time

To receive any questions and or statements relating to any items of the Council powers/ duties or which otherwise affects the District and items on the agenda from members of the public.

3 Declarations of Interest under the Code of Conduct

To record any interests on agenda matters.

(All Members of the Council had been granted a dispensation to allow them to speak and vote in any debate on this matter by virtue of being in receipt of or affected by any changes to the motions:- Women on State Pension Inequality)

4 Minutes (Pages 11 - 36)

To consider whether to approve the minutes as a correct record of the meeting held on 30 October 2024.

5 Chair's Announcements

To receive any announcements which the Chair of the Council may wish to make.

6 Petitions

To receive any petitions from members of the public.

7 Notices of Motions

1. Motion 605 (Cllr Martin Binks)

The following motion had been referred to the Planning, Environment and Sustainability Policy Development Group for consideration and report:

a) Mid Devon District Council recognises and notes the huge

contribution made by our farmers, growers and the drink industry to the local economy, environment, and rural economies.

- b) Mid Devon District Council commits to further enhancing our partnerships alongside our arable, livestock and dairy farmers to enhance our beautiful countryside.
- c) Mid Devon District Council also commits to supporting our local farmers and growers and the food and drink sector by, where possible, ensuring that all food and drinks provided at council organised events is sourced from local suppliers, to always include meat and dairy as well as plant-based produce.
- d) As part of tackling the environmental priorities for Mid Devon District Council; the Council will consider ways to encourage our residents, where possible, to shop locally, taking full advantage of home-grown. Affordable and nutritious produce, including meat, dairy and plant-based options, thus reducing food miles to our tables and boosting the economy.

The Planning, Environment and Sustainability Policy Development Group at its meeting on 26 November 2024 considered the Motion and following discussion, Councillor M Binks in accordance with Procedure Rule 13.7 agreed that the Motion be amended to read:

- a) Mid Devon District Council recognises and notes the huge contribution made by our farmers, growers and the food and drink industry to the local economy and environment.
- b) Mid Devon District Council commits to further developing our partnerships with key organisations alongside our arable, livestock and dairy farmers to enhance our beautiful countryside.
- c) Mid Devon District Council also commits to supporting our local farmers, growers and the food and drink sector by, where possible, ensuring that all food and drink provided at Council organised events is sourced from local suppliers, to include meat and dairy as well as plant based produce. Efforts will also be made to promote locally sourced or produced organic items.
- d) That the Council encourages and promotes local suppliers and locally produced products in other events hosted within Mid Devon.
- e) As part of tackling the environmental priorities for Mid Devon District Council and fulfilling our biodiversity duty, the Council will consider ways to encourage our residents to shop locally, taking full advantage of home-grown, affordable and nutritious produce, including meat, dairy and plant based options, thus reducing food miles to our tables and boosting the local economy.

2. Motion 606 (Cllr S Robinson)

The following motion had been referred to the Community, People and Equalities Policy Development Group for consideration and report:

Motion: Women against State Pension Inequality (WASPI)

Council is asked to note that:

In the 1995 Pensions Act, the Government increased State Pension age for women from 60 to 65, with a further increase to 66 in the 2011 Pensions Act.

- The change was not properly communicated to 3.8m women born in the 1950s until 2012, giving some only one year's notice of a six year increase in their anticipated retirement age. 14,350 of the affected women live in our own authority area.
- The Parliamentary and Health Service Ombudsman (PHSO) has found the Department for Work and Pensions (DWP) to have committed maladministration through its failure to adequately communicate State Pension age increases to women born in the 1950s.
- The PHSO has concluded the DWP should apologise to women affected and pay compensation as a result.
- The DWP has refused to accept the findings of the PHSO, which has now led the independent watchdog to lay its findings before Parliament, encouraging MPs to intervene to deliver a remedy to affected women.
- The All Party Parliamentary Group on State Pension Inequality for Women has concluded that "the impact of DWP maladministration on 1950s-born women has been as devastating as it is widespread. The APPG believes that the case for category 6 injustice (£10,000) is overwhelming and clear. Women have had their emotional, physical, and mental circumstances totally obliterated by a lack of reasonable notice."
- As of April 2024, more than 275,000 have died waiting for justice since the WASPI campaign began in 2015.

Council is asked to consider that this injustice has not only had a profound effect on the individuals involved, but on the wider community in Mid Devon and on local government, not least because:

- Women who would have looked after older relatives or partners are unable to afford to do so, with a knock-on impact on local social care.
- Women who would have retired and engaged in caring responsibilities for grandchildren are having to continue working, increasing the childcare burden on the state locally.
- Women who have been left in poverty are struggling to meet their housing costs, with a knock-on impact on local housing stock.
- There is a broader impact on voluntary services of all kinds locally, which are missing out on able, active volunteers who

would otherwise have been able to retire from full-time work as planned.

- Our local economy is negatively affected by the reduced spending power and disposable income that the uncommunicated State Pension Age changes have brought about among women born in the 1950s.
- Local tourism has suffered as a result, with affected women unable to travel to the area for holidays.

Council is asked to support:

- A swift resolution to this ongoing injustice before more and more women die waiting for compensation.
- The conclusion of the All Party Parliamentary Group on State Pension Inequality that women born in the 1950s have suffered a gross injustice, affecting their emotional, physical and mental circumstances in addition to causing financial hardship.
- The WASPI campaign and All Party Parliamentary Group's calls for an immediate one-off compensation payment at category 6 injustice on the PHSO's financial remedy scale (£10,000) to those affected.
- The PHSO's recommendation for the DWP to issue a formal apology to those affected and provide an opportunity for MPs to urgently debate the APPG's recommendations, and any others, in Parliament.

We therefore ask:

The Leader of the Council to write to the 3 local Members of Parliament, the Secretary of State for Work and Pensions and the Leader of the House of Commons to outline the effects of the injustice on a significant number of women born in the 1950s in Mid Devon and to seek the following:

- Urgent delivery of proposals from the DWP, outlining how they will deliver compensation for affected women, to include the value of compensation and a timeline for the delivery of said compensation.
- For all MPs to be given an opportunity to debate and vote on these proposals.

The Community, People and Equalities Policy Development Group at its meeting on 3 December 2024 considered the Motion and following discussion, Councillor S Robinson in accordance with Procedure Rule 13.7 agreed that the Motion be amended to read:

In the 1995 Pensions Act, the Government increased State Pension age for women from 60 to 65, with a further increase to 66 in the 2011 Pensions Act.

It is believed that c11,800 woman were affected by this change within

the area of Mid Devon of which c800 have since died.

Council believes:

This injustice has not only had a profound effect on the individuals involved but on the wider community in Mid Devon and on local government, not least because:

- Some women who would have looked after older relatives or partners are unable to afford to do so, with a knock-on impact on local social care.
- Some women who would have retired and chosen to engage in caring responsibilities for grandchildren, are having to continue working, increasing the childcare burden on the state locally.
- Some women have been left in poverty, are struggling to meet their housing costs, with a knock-on impact on local housing stock.
- The cut to the Winter Fuel Allowance will only amplify problems for many of these women.
- There is a broader impact on voluntary services of all kinds locally, which are missing out on able, active volunteers who would otherwise have been able to retire from full-time work as planned.
- Our local economy is negatively affected by the reduced spending power and disposable income the uncommunicated State Pension Age changes have brought about among women born in the 1950s.

Council supports:

- A swift resolution to this ongoing injustice before more and more women die waiting for compensation.
- The conclusion of the All-Party Parliamentary Group on State Pension Inequality that women born in the 1950s have suffered a gross injustice, affecting their emotional, physical and mental circumstances in addition to causing financial hardship.
- The PHSO's recommendation for the DWP to issue a formal apology to those affected and provide an opportunity for MPs to urgently debate the APPG's recommendations, and any others, in Parliament.

Council asks the Leader of the Council to write to:

1. Local Members of Parliament to raise awareness also referring to the 'PHSO' investigation and recommendations.
2. The Secretary of State for Work and Pensions to request urgent proposals from the DWP outlining how they will deliver compensation for affected women.
3. The Leader of the House of Commons to outline the effects of the injustice on 1950s women in Mid Devon and to request that MPs be given an opportunity to debate and vote on these proposals."

8 **Reports of the Minutes of the meetings held between the 15 October 2024 to 10 December 2024**

To receive and consider the reports, minutes and recommendations of the recent meetings as follows:

Cabinet- Reports of the Minutes of the meetings held on 12 November 2024 and 10 December 2024 (Pages 37 - 286)

12 November 2024
(Recommendation to Full Council)

1. The Grand Western Canal Conservation Area Appraisal and Management Plan.

Cabinet **RECOMMENDS TO FULL COUNCIL**

The Grand Western Canal Conservation Area Appraisal and Management Plan (Appendix 1 to this report), including proposed amendments to the extent of the Grand Western Canal Conservation Area made through Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), and used to assist in the process of determining planning applications and for implementing management proposals be formally **ADOPTED**.

2. 2024/2025 Quarter 2 Treasury Management Report

Cabinet **RECOMMENDS TO FULL COUNCIL**

A continuation of the current policy outlined at paragraphs 4.0 – 4.5 be **AGREED**.

The changes to the Capital Financing Requirement, Operational Boundaries and Authorised Limits for the current financial year at paragraphs 5.4 – 5.5 be **APPROVED**.

3. Tax Base Calculations

Cabinet **RECOMMENDS TO FULL COUNCIL**

That the calculation of the Council's Tax Base for 2025/26 in accordance with The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 at 30,732.91 an increase of circa 510.81 Band D equivalent properties from the previous financial year be **APPROVED**.

That the current collection rate of 97.5% remain the same detailed in Section 2 be **APPROVED**.

The premium charges in 3.7 & 3.8. The premium element of 3.7 will be used to support additional housing activity/projects to be **NOTED**.

10 December 2024

Scrutiny Committee- Reports of the Minutes of the meetings held on 28 October and 25 November 2024 *(Pages 287 - 308)*

28 October 2024

25 November 2024

Audit Committee- Reports of the Minutes of the meetings held on 3 December 2024 *(Pages 309 - 316)*

3 December 2024

Economy & Assets Policy Development Group- Reports of the Minutes of the meetings held on 28 November 2024 *(Pages 317 - 322)*

28 November 2024

Home Policy Development Group- Reports of the Minutes of the meetings held on 19 November 2024 *(Pages 323 - 338)*

19 November 2024

(Recommendation to Full Council)

1. Appointment of Co-Opted Tenant Members.

Cabinet **RECOMMENDS TO FULL COUNCIL**

a) The appointment of three Co-Opted Tenant Members to sit on the Homes Policy Development Group until April 2027 be **APPROVED**;

b) Delegated authority be given to the Head of Housing and Health in conjunction with the Cabinet Member for Housing Assets and Property for the appointment of each Co-Opted Tenant Member.

c) Delegated authority be given to the Director of Legal, People & Governance (Monitoring Officer) to make the necessary amendments to the constitution, including the amendment to the scheme of Members Allowances to include a special responsibility allowance for this position(s).

Community, People and Equalities- Reports of the Minutes of the meetings held on 3 December 2024 *(Pages 339 - 348)*

3 December 2024

Planning, Environment and Sustainability Policy Development Group- Reports of the Minutes of the meetings held on 26 November 2024 (Pages 349 - 358)

26 November 2024

Service Delivery and Continuous Improvement Policy Development Group- Reports of the Minutes of the meetings held on 3 December 2024 (Pages 359 - 368)

3 December 2024

Planning Committee- Reports of the Minutes of the meetings held on 4 December 2024 (Pages 369 - 374)

4 December 2024

Standards Minutes- Reports from the minutes of the meeting on 11 December 2024. (Pages 375 - 402)

11 December 2024

(Recommendation to Full Council (subject to approval from Standards Committee))

1. DBS Checks for Members

Standards Committee **RECOMMENDS TO FULL COUNCIL**

- (a) DBS checks are mandatory for all Members from May 2027 onwards;
- (b) That any member can voluntarily have a DBS check from January 2025 until May 2027 when they become mandatory;
- (c) The Head of Housing & Health is delegated to make any necessary changes to the Corporate Safeguarding Policy and related DBS policy in conjunction with the Cabinet member for Quality of Living, Equalities and Public Health;

2. Government Consultation – Enabling remote attendance and proxy voting at Council meetings.

Standards Committee **RECOMMENDS TO FULL COUNCIL**

- (a) That the Council notes the Government Consultation; and
- (b) The Director of Legal, People & Governance (Monitoring Officer) be delegated to respond to the Government with the Councils response.

9 Schedule of Meeting for 2025/2026 (Pages 403 - 404)

To receive a report on Schedule of meeting 2025/2026 from the Director of Legal, People and Governance (Monitoring Officer).

10 **Member Allowances- Independent Remuneration Panel Report**
(Pages 405 - 438)

To receive a report on Member Allowances report of the Independent Remuneration Panel from the Director of Legal, People and Governance (Monitoring Officer).

11 **Team Devon Local Government Joint Committee**

That Council note the background report and agrees to the creation and formulation of the Team Devon Joint Committee as proposed in the [Devon County Council Report](#)

To agree the nomination of the Leader of the Council to be the council's representative on the Team Devon Joint Committee.

12 **Questions in accordance with Procedure Rule 11**

To deal with any questions raised pursuant to Procedure Rule 11 not already dealt with during the relevant Committee reports.

13 **Special Urgency Decisions**

To note any decisions taken under Rule 16 (of the Constitution) Special Urgency.

14 **Questions to Cabinet Members**

To receive answers from the Cabinet Members to questions on their portfolios from other Members.

15 **Members Business**

To receive any statements made and notice of future questions by Members.

Note: the time allowed for this item is limited to 15 minutes.

Guidance notes for meetings of Mid Devon District Council

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Teams.

If the Council experience technology difficulties at a committee meeting the Chairman may make the decision to continue the meeting 'in-person' only to conclude the business on the agenda.

1. Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at Committee@middevon.gov.uk

They can also be accessed via the council's website [Click Here](#)

Printed agendas can also be viewed in reception at the Council offices at Phoenix House, Phoenix Lane, Tiverton, EX16 6PP.

2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership.

The Code of Conduct can be [viewed here](#):

3. Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting. Minutes of meetings are not verbatim.

4. Public Question Time

Residents, electors or business rate payers of the District wishing to raise a question and/or statement under public question time are asked to provide their written questions to the Democratic Services team by 5pm three clear working days before the meeting to ensure that a response can be provided at the meeting. You will be invited to ask your question and or statement at the meeting and will receive the answer prior to, or as part of, the debate on that item. Alternatively, if you are content to receive an answer after the item has been debated, you can register to speak by emailing your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. You will be invited to speak at the meeting and will receive a written response within 10 clear working days following the meeting. Notification in this way will ensure the meeting runs as smoothly as possible

5. Meeting Etiquette for participants

- Only speak when invited to do so by the Chair.
- If you're referring to a specific page, mention the page number.

For those joining the meeting virtually:

- Mute your microphone when you are not talking.
- Switch off your camera if you are not speaking.

- Speak clearly (if you are not using camera then please state your name)
- Switch off your camera and microphone after you have spoken.
- There is a facility in Microsoft Teams under the ellipsis button called “turn on live captions” which provides subtitles on the screen.

6. Exclusion of Press & Public

When considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act. If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed. They will be invited to return as soon as the meeting returns to open session.

7. Recording of meetings

All media, including radio and TV journalists, and members of the public may attend Council, Cabinet, PDG and Committee meetings (apart from items Media and Social Media Policy - 2023 page 22 where the public is excluded) you can view our Media and Social Media Policy [here](#). They may record, film or use social media before, during or after the meeting, so long as this does not distract from or interfere unduly with the smooth running of the meeting. Anyone proposing to film during the meeting is requested to make this known to the Chairman in advance. The Council also makes audio recordings of meetings which are published on our website [Browse Meetings, 2024 - MIDDEVON.GOV.UK](#).

8. Fire Drill Procedure

If you hear the fire alarm you should leave the building by the marked fire exits, follow the direction signs and assemble at the master point outside the entrance. Do not use the lifts or the main staircase. You must wait there until directed otherwise by a senior officer. If anybody present is likely to need assistance in exiting the building in the event of an emergency, please ensure you have let a member of Democratic Services know before the meeting begins and arrangements will be made should an emergency occur.

9. WIFI

An open, publicly available Wi-Fi network is normally available for meetings held in the Phoenix Chambers at Phoenix House.