

MINUTES of a MEETING of the CABINET held on 13 January 2026 at 5.15 pm

**Present
Councillors**

D Wulff (Deputy Leader), N Bradshaw,
J M Downes, G Duchesne, M Fletcher,
S Keable, J Lock and J Wright

**Apology
Councillor**

L Taylor

**Also Present
Councillors**

S Robinson

**Also Present
Officers:**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Dean Emery (Head of Revenues, Benefits & Leisure), Paul Deal (Head of Finance, Property & Climate Resilience), Andy Mackie (Leisure Services Manager), Jason Ball (Climate and Sustainability Specialist), Adrian Welsh (Strategic Manager for Growth, Economy and Delivery), Laura Woon (Democratic Services Manager) and Tia Carmichael (Democratic Services Officer)

**Councillors
Online**

C Adcock, E Buczkowski, J Buczkowski, L Cruwys, J Cairney, G Cochran and L Kennedy.

Officers Online

Kelly Lee (Leisure Business Manager), Kayleigh Murphy (Leisure Centre Manager), Ben Snow (Leisure Centre Manager) and Haley Walker (Service Delivery Manager)

90. APOLOGIES

Apologies were received from Councillor L Taylor.

91. PUBLIC QUESTION TIME

Barry Warren

My questions relate to item 5 on the agenda and in particular comments from the Deputy Chief Executive (S151 Officer) in his report at Paragraph 2.4 – the first bullet point where it states:

Pressure, REF 17, reduced maintenance costs through the transfer of assets or increased financial contributions from Town or Parish Councils – looking unlikely this will be achieved given the limited conversations – moving the £50k pressure from Amber to Green. However, conversations continue with several Town and Parish Councils on the potential transfer of assets or increased financial contributions.

This last sentence is a problem for me and our Parish Council.

At the end of last year, our Clerk wrote to the Deputy Chief Executive with an enquiry about the Parish taking over complete ownership of two of the main sites located in Willand. But no response, not even an acknowledgement, was forthcoming from the Deputy Chief Executive - even after the Clerk sent him a reminder.

Our Parish Council lease six of the nine Mid Devon District Council (MDDC) play/open space areas within the village. Historically we would have taken over ownership of them, but officers would only agree 25-year leases. They are maintained more frequently and better than the MDDC areas. Over the past 12 months the Parish has spent about £35,800 + VAT on these areas which have been a saving to MDDC.

It is very disappointing to see the generalised, almost critical comments, of the Deputy Chief Executive when our Parish has done as much as we have, at some cost to our Parish, without much recognition.

Question 1:

Is it recognised that Willand Parish Council has been positive in their response?

Question 2:

What are the alleged conversations which have taken place with our Parish?

Question 3:

Is MDDC going to engage with the Parish Council in relation to the latest approach?

Question 4:

Alternatively does this lack of response indicate that the Parish Council should consider a hand back of the leases?

Question 5:

Under REF 17 is there an error in moving from Amber to Green? Should this be Amber to Red or removed completely?

The Deputy Leader stated that Mr Warren would receive a written response to his questions in 10 working days.

Paul Elstone

Question 1:

The Phoenix Lane multi story car park is in a prime location, having very close access to shops and other facilities not least public transport.

Several Local Authorities have or are currently progressing cost-effective conversions of redundant multi story car park space into accommodation units.

Has this Council commissioned a fully independent technical and cost feasibility study in respect of making use of the redundant upper levels for the purpose of providing either a Category 1 or 2 MMC social housing development?

Question 2:

If a feasibility study has been done, will you make it available for public examination?

Question 3:

Failure to investigate this option would indicate that social housing in Mid Devon is not the high priority currently being projected.

That a Phoenix Lane solar panel project costing £640,000 and with a near 10-year payback period takes priority over the real potential of being able to house many families in need. This at a lower cost and in a less contentious location than its present plans.

If this Council has not conducted a feasibility study, will they do so before Cabinet agrees this officer recommendation to approve the Phoenix Lane multi story car park solar panel project?

Question 4:

Much is being made of the Governments fair funding cuts causing financial distress to this Council. A Council which charges well above the County and Country average Band D District Council Tax amounts.

It is noted that after many expenditures cuts the Draft 2026/27 General Fund Budget still shows a shortfall of over £1 million.

This Council purchased five properties at Haddon Heights Bampton at a top market price of £3.15 million in March 2024

After being subject to an over £200,000 plus price reduction, these five properties have not been openly marketed since July 2025.

The estimated loss to date is around £600,000 this inclusive of price reduction, lost investment income and double Council Tax.

Time prevents from commenting on the reasons for these properties being taken off the market other than to say after speaking to the existing residents, it is believed that yet again members and the public have been knowingly misled.

Will this Cabinet and this Administration look at its own gross financial failings even it is believed maladministration before always blaming others for the state of its finances?

The Deputy Leader stated that Mr Elstone would receive a written response to his questions in 10 working days.

Nick Quinn

Agenda Item 11 – The Leisure Pricing Strategy

Firstly, I commend the Cabinet for considering this report in open session, instead of excluding the public and press as they have done in previous years.

Question 1:

This is another case where officers have put forward, for approval, a price rise report that contains errors.

At paragraph 3.5, the report states that there is a concessionary discount of "25% off 'Pay as You Go' sessions".

But at paragraph 3.10, in the Price Table which you are being asked to approve, the new concession prices have not been discounted by 25%.

For example: The proposed Fitness Studio price is £8.65 and the proposed concession price is £7.00. A discount of 25% would mean concessions should only pay £6.49.

All of the concession prices shown in this table are wrong.

Will Cabinet please refuse to consider this Leisure Pricing report and ask that a revised, and accurate, report be submitted to their next meeting?

Question 2:

In this report, officers are making a 3% increase on the previous leisure session prices and then rounding-up to the next 5p, for the new price.

This rounding-up is overcharging.

An example can be seen in the table: For a junior swim session, a 3% increase would put the current price up to £3.81 - but this is then rounded-up to a proposed price of £3.85.

That is an extra 1%.

I know that price rounding is often done to 'simplify' cash payments. But all Leisure Service payments are electronic (no cash accepted), so percentage increase can be applied directly to session prices without any problem.

The proposed prices increase charges by more than the stated percentage. If Cabinet are minded to approve a percentage increase to Leisure rises, will they ask that the rise on current prices is properly calculated and only increased to the nearest penny?

The Deputy Leader stated that Mr Quinn would receive a written response to his questions in 10 working days.

Andrew Moore**Question 1:**

The Council is proposing to spend a significant capital sum on the solar scheme in meeting its 'climate action' and 'carbon reduction' objectives. However, these objectives could readily be achieved without any capital cost and associated risks simply by switching to a provider using only sustainable electricity sources. Has such

an option been fully researched in developing proposed options for consideration, and if not why not? Or, in fact, is the Council using such a supplier already to meet its strategy? If it is, of course, then there are reduced CO2 savings to be made.

Question 2:

Agenda Item 6. The benefit claimed is a possible 215 tCO2e by year 5 of the project. The methodology used is not explained. Has the whole-scheme carbon budget been presented to Cabinet properly to understand the actual carbon reduction? For example, has the significant CO2 'capital cost' associated with all materials sourcing, manufacture, supply, transportation, installation, and all associated project works (eg surface preparation, construction, etc) been assessed? What is the 'break-even' point (using Discounted Returns Flow techniques) where the CO2 'capital cost' has been amortised by annual CO2 savings? Without this, how can Cabinet properly understand what carbon reduction will be achieved in the lifetime of the scheme?

Question 3: Agenda Item 6

The BESS installations are known to be a significant fire hazard due to thermal runaway, although this is not identified in the risks. Is Cabinet fully aware of the hazards associated with BESS and has a full fire safety analysis been undertaken for what must be a high-risk location atop a car park, next to a hotel, in the heart of Tiverton?

Question 4: Agenda Item 8

The General Fund Budget shortfall for FY 26/27 is predicted to be over £1 million. The proposed grant sum of £20 k is only the headline for this item. What is the administrative cost of the scheme, and why has the Council not been clear about the total cost of the scheme to Council Tax payers? The carbon benefit, in line with previous years, is forecast to be 1 and 10 tCO2e. Is Cabinet aware that this is less than just one person's annual CO2 footprint? Given the severe financial challenges the Council faces, the fact that the cost is actually much greater than the simple grant amount, and that there is near negligible carbon-saving benefit, why does the Council consider such expenditure a high priority compared with cash-strapped services, even charity grants, that would be of more immediate benefit to the local community?

The Deputy Leader stated that Mr Moore would receive a written response to his questions in 10 working days

92. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

Members were reminded of the need to make declarations of interest where appropriate.

Cllr J Downes referred to item 7 and confirmed that he was a patient of the Crediton General Practice (GP) Surgery.

Councillors J Downes, M Fletcher and J Wright referred to item 11 and confirmed that they held memberships for Active Mid Devon.

93. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 2 December 2025 were **APPROVED** as a correct record and **SIGNED** by the Deputy Leader.

94. DRAFT BUDGET REPORT 2026/27

The Cabinet had before it a report * from the Deputy Chief Executive (S151) on providing a further update on the progress towards balancing the budget for 2026/27 and future years.

The Cabinet Member for Governance, Finance and Risk outlined the contents of the report with particular reference to the following:

- The report gave the latest position on the 2026/27 budget. By way of a reminder, at the outset the Council had set out three possible scenarios for the budget, depending on what would happen to funding nationally.
- Through the Policy Statement issued by Ministry of Housing, Communities and Local Government (MHCLG) (in full), the Council had confirmation that the worst-case scenario was not happening; the growth achieved in business rates over the last dozen years had been retained within the Councils funding settlement.
- To balance the budget for 2026/27, budget options were identified using a RAG (Red/Amber/Green) traffic light system. In October the Green budget options were agreed but these added up to a new additional pressure of nearly £1m, almost doubling the Councils forecasted shortfall.
- Several Amber budget options were considered and would be brought into the budget if necessary, following the settlement. In many instances, these had now crystallised, for example, greater clarity was available on maintenance costs, projected fuel costs, business rates on the Councils properties etc. In addition, the indicative Extended Producer Responsibility Funding had increased, and the outcome of the Tri-Annual Pension Review had been confirmed, which had resulted in a reduction in contribution rate. These items brought the remaining shortfall back to broadly £1m (c6% of £15m base budget), in line with the initial projection.
- The last fundamental part of the process was then to bring in the outcomes of the funding settlement, announced on 17 December 2025. This work was to continue and would be included in the next report to Cabinet in February 2026, although the headlines were included within Appendix 1.
- The report also provided an update on the Housing Revenue Account (HRA) budget position for 2026/27. Again, several items had crystallised, and the budget position became clearer. As listed within the report, there were some additional costs that needed to be offset, and how this could be achieved was also outlined. This left a small shortfall to be addressed. This could be offset if the Government approved the rent convergence which was yet to be announced.

RESOLVED that:

1. The updated General Fund budgetary position included within Section 2 was **NOTED**.
2. The headline update from the recently announced Local Government Finance Settlement within Section 3, and that work continues to understand the implications for the Council be **NOTED**.

3. The updated Housing Revenue Account (HRA) budgetary position included within Section 5 was **NOTED**, and the specific savings proposals contained within paragraph 5.4 were **AGREED**.

(Proposed by Cllr J Downes and seconded by Cllr J Lock)

Reason for decision:

By undertaking regular reviews of the MTFP the Council could ensure that its Corporate Plan priorities were affordable. The implications of the budget gap were set out within the paper. Many areas required greater clarity, particularly around national funding and possible changes to Government policy. Therefore, several key assumptions underpinned the reported position, which would be refined as greater clarity was received through the budget setting process.

Note: *Report previously circulated

95. MULTI- STOREY SOLAR PROJECT

The Cabinet had before it a report * from the Deputy Chief Executive (S151) to consider the Phoenix Lane Solar and Battery Energy Storage System.

The Cabinet Member for Finance, Governance and Risk outlined the contents of the report with particular reference to the following:

- The Phoenix Lane Solar and Battery Energy Storage System would achieve:
 - Leadership and engagement- a demonstration of green investment. Payback was expected within 10 years.
 - Carbon savings - up to 215 tonnes of carbon dioxide equivalent (tCO₂e) annually.
 - Energy cost savings and avoidance of cost volatility. By year 5 the Council expect to save around £67,500 in electricity costs.
 - Resilience- improved self-sufficiency. Solar power would supply the majority of Phoenix House power needs.
- Currently solar panels provided 10%-12% of Phoenix House electricity each year.
- By storing surplus power in a smart battery system, the Council would achieve best value and use it on site.
- The project would add value to this asset, as the top levels of the multi-storey car park were unused.
- Protection of the roof was vital. The Council would install security barriers to prevent access. The barriers were already justified to deal with Anti-Social Behaviour (ASB) and safety issues on site.

The Cabinet Member for Environment and Climate Change highlighted the following:

- The proposal was considered valuable in helping Mid Devon meet its net-zero targets. Significant effort had already been invested in achieving net zero through actions within the Council's control, both corporately and across the community. This proposal represented an action fully within the Council's gift as a corporate contribution to net zero.
- She had been very supportive of the proposal and believed the public would be supportive, given the need to install renewable energy infrastructure on

existing assets for example, on new housing, which central government had been considering making mandatory. It was seen as entirely appropriate to maximise the use of existing infrastructure, including Council buildings, to generate renewable electricity.

- The public had wanted to see the Council take this action, and the proximity of electricity users strengthened the proposal's appropriateness. As with much of the Council's wider activity, it demonstrated the right course of action in response to the climate crisis.
- It was also noted that the Council had been doing a great deal to support social housing, including delivering net-zero homes. This meant the Council had been acting both to supply social housing and to contribute to net zero through that work.

Discussion took place with regards to:

- The proposal was not just about generating energy but about whole-life carbon, safety, asset management and effective use of the estate. Most of the electricity had come from the grid, with green contracts providing only limited direct generation. Producing renewable energy at the point of use would have reduced carbon impact, eased pressure on the local network, and improved resilience and price stability.
- It was noted as one of the few direct actions available to the Council to deliver its climate strategy, and essential if the Council wished to lead on its public commitments.
- Whether the Council had been purchasing electricity under renewable or green tariffs, and what the carbon difference had been between buying renewable electricity from the grid and generating it directly on the Council's estate. It was explained that the Council were on a green tariff and all of the Council's electricity was renewable. In carbon terms, both buying green-tariff electricity and generating renewable energy on site had been forms of offsetting electricity use. The Council had paid extra for its green tariff and had remained exposed to price fluctuations, meaning that although the arrangement had been positive environmentally, it had still carried value-for-money risks.
- Whether Devon and Somerset Fire and Rescue Service had been consulted on the design and layout of the battery storage system. It was explained that as the Council had a risk assessment they would be consulted in the process.
- How the scheme would have been protected from vandalism, given recent issues at the multi-storey car park and the adjacent bus station. This included whether barriers preventing pedestrian access would still have allowed for ongoing maintenance and whether preventative maintenance would have been carried out before installation. It was explained that robust measures would be put in place and the top three levels of the car park would be sealed off to pedestrians and vehicle access.
- Whether an assessment had been carried out on the number of electrical vehicles that could be charged using the battery storage system? It was confirmed an estimate of 20,000 - 30,000 units of electricity was used last year for recharging the vehicles at Phoenix House.
- Whether surplus electricity would be sold back to the grid, given the scheme's capacity to over-generate and store excess energy, and whether this could create a net income. Any excess generation would be small, and the price

received for exporting it would be very low, circa 5p per unit. The system would be designed to operate on this principle.

- Would the battery capacity be sufficient to run the building during periods of low sunlight, such as after several cloudy days when preceded by good generation days. It was explained that the battery storage system would meet the specification for the needs of the Council.
- How long the solar panels were expected to remain usable, noting the 10-year payback period and whether the investment could have delivered benefits over 20–30 years despite some efficiency loss. It was noted that the solar panels typically had a 25-year lifespan based on gradual efficiency loss. This did not mean they became unusable after 25 years, only that performance declined. After that point, the Council would review whether upgrading the system was worthwhile, but the panels would still have generated power beyond the 25-year period.
- Would the Council increase electrical vehicle charging points.
- A discussion was had around the maintenance of the current solar panel.
- Were the electric vehicles that the Council used leased or purchased? It was explained that they were leased.
- Would the Council ensure that the Phoenix Lane Solar and Battery Energy Storage System be included on the Risk Register to be managed appropriately. It was confirmed that assets were already included in the Risk Register.

RESOLVED that:

1. The Phoenix Lane Solar and Battery Energy Storage System project as outlined within Option 3 be **APPROVED**.
2. That delegated authority be granted to the Cabinet Member for Governance, Finance and Risk - in consultation with the Deputy Chief Executive s151 and the Head of Finance, Property and Climate Resilience - to deliver the Phoenix Lane Solar and Battery Energy Storage System project.

(Proposed by Cllr J Downes and seconded by Cllr J Wright)

Reason for decision:

The appropriate consents would need to be obtained and in place, such as the District Network Operator (supply agreements, system compliance) and Planning Permission if required. There were no legal implications associated with this proposal.

Note: *Report previously circulated

96. CREDITON GP SURGERY- ADDITIONAL LOAN

The Cabinet had before it a report * from the Deputy Chief Executive (S151) considering an additional long-term loan to the Redlands Primary Care in Crediton.

The Cabinet Member for Parish and Community Engagement outlined the contents of the report with particular reference to the following:

- The report set out plans to make an additional loan to the Redlands General Practice (GP) in Crediton. This was split into two parts, one relending the amount the surgery had repaid to date out of the original loan, c£70k. The second element was an increase to the overall loan balance of £150k, taking the total to £2.325m.
- The original loan of £2.175m was lent for the development of a new GP surgery in partnership with the practice and the National Health Service (NHS) back in 2021. An additional loan, again topping back up the balance repaid, was lent in June 2024 to support the build of a new pharmacy at the site. The latest loan was to help the surgery as the costs of the pharmacy were higher than expected.
- These were commercial loans attracting an interest rate higher than the Council could attract with normal temporary investments. The Council had security of first call against the pharmacy but was ultimately backed by NHS funding. The terms and conditions would be very similar to those applied to the first loan, with external legal support drafting the loan agreement.
- The support given to the local community through both the surgery and pharmacy was considerable, therefore the Council believed it was appropriate to help in this situation.

The Cabinet Member for Governance, Finance and Risk provided Members with information in regard to the background, noting involvement in the original loan and participation in the Patient Participation Group. The merge of the two Crediton surgeries had led to senior partners retiring, leaving the remaining partners with legacy debt. The practice had sought to consolidate this debt and move to a modern model where new GPs could join without having to buy into the partnership financially. This approach aimed to stabilise finances, attract more GPs, and support the co-located pharmacy, enabling the practice to operate as a single, strengthened service for Crediton.

Discussion took place with regards to:

- Was the original loan fully supported by the NHS, which protected the Council interest at the time and was this the case for the additional loan. It was confirmed that it was.
- It was highlighted that the report was not presented by the Cabinet Member for Finance, Governance and Risk as the report was clear that it was a Treasury Management matter.
- Why were the interest rates being withheld from Members under the banner of commercial sensitivity. It was explained that the matter had been commercially sensitive as the loan had been made to an external commercial body rather than a bank or similar institution and this had justified the need for confidentiality.
- What was the interest earned to date on the existing loan arrangement? and had that interest been paid in full; and what was the total principle that had been repaid to date?
- Approximately £70,000 of the additional lending would enable the repayment of personal loans from retiring GP partners. How would funding the retirement arrangements of Individual practitioners meet the test of being in the best interest of the Council's residents across the whole district, and in particular how would the Council justify the use of the capital and what precedent did it set for the future requests of the similar nature? It was explained that

assurance was given that the GP surgery had remained fully up to date with all repayments since the loan was issued in 2021, paying the correct amounts on time. In total, the surgery had repaid approximately £70,000, the balance they now sought to top up alongside an additional £125,000 from a top-up loan in 2024. Overall, they had paid close to £200,000 since taking out the loan, which would have been refinanced and extended by the proposed new lending.

- How common it had been nationally for councils to provide financial support to GP surgeries, and whether this had been the only surgery in Mid Devon to receive such support. It was explained that this was unknown.
- Why the Council, rather than another body, had been providing this support, given financial pressures across the NHS and local authorities. It was confirmed that the Council's loans had been fully backed by NHS England through the GP surgery.
- Whether other models existed such as private-sector loan arrangements for GP surgeries seeking financial assistance. It was explained that any future request would have been considered on its own merits and assessed against its individual business case. In this instance, the business case had been judged as sound both as a treasury investment and because the original loan had enabled the construction of a new surgery that benefited the community.
- What was the rationale for using Council funds to help cover payments related to retiring partners, noting concern about why the loan had been needed for that purpose after reviewing the report? It was explained that the issue related to the retirement of former partners and the consolidation of existing debt. When the original loan had been agreed, the Council had stepped in to support the surgery while awaiting delayed NHS funding, which later arrived. The intention had been to consolidate the debt into a single, manageable arrangement, not to fund individual retirements.

RESOLVED that:

1. Delegated authority be granted to the Deputy Chief Executive (S151) to top-up c£70k of the original loan taking the outstanding balance back to the original £2.175m.
2. An additional loan to the GP Practice of £150k be APPROVED.
3. Both loans are repaid by June 2048 on an annuity basis at a commercially fixed interest rate, subject to the completion of legal due diligence and documentation be APPROVED.

(Proposed by Cllr G DuChesne and seconded by Cllr S Keable)

Reason for Decision:

The proposed loan was to be undertaken on a commercial basis with the Council due to earn a higher return than if this sum was lent on the market. All costs incurred, although minimal due to the existing relationship, would be met by the Surgery.

Note: (i) Report previously circulated
(ii) Cllr N Bradshaw abstained from voting.

97. GREEN ENTERPRISE GRANTS

The Cabinet had before it a report * from the Head of Finance, Property and Climate Resilience and Climate and Sustainability Specialist proposing to continue and improve the current scheme, to build on the success whilst learning from experience thus far.

The Cabinet Member for Environment and Climate Change outlined the contents of the report with particular reference to the following:

- The proposal for Cabinet was to continue to run the Green Enterprise Grants scheme until December 2028.
- The following changes had been made:
 - A target annual budget of £20k seemed realistic (£30k was allocated).
 - To enable more bids – to allow applicants more time to develop a project and plan ahead.
 - Community benefit - to make it easier for community halls (village halls, parish halls and church halls) to apply for funding.
 - To sharpen the focus on enabling transition to a greener economy (favour low carbon tech).
- The scheme was modest in scale and performed well:
 - Dealing with 20% more enquiries in 2025, the Economic Development Team had excelled on administering the scheme.
 - The Decision Panel approved five grants in 2025, over £17k total, expecting to save nine tonnes of emissions.
 - Bids were subject to robust agreements and due diligence checks.

RESOLVED that:

1. The Green Enterprise Grant scheme to continue to run for a new phase April 2026 to December 2028 inclusive be **APPROVED**.
2. That delegated authority be granted to the Cabinet Member for Environment and Climate Change, in consultation with the Head of Finance, Property and Climate Resilience, to deliver the Green Enterprise Grant Scheme.
3. An interim performance review report after the 2026- 2027 financial year and a final review report when the scheme ends to be presented to Cabinet.

(Proposed by Cllr N Bradshaw and seconded by Cllr G DuChesne)

Reason for decision:

The grants would be funded by existing approved budgets. External funding would also be sought, in order to support or extend the grant scheme.

Note: *Report previously circulated

98. NORTHERN DEVON RAILWAY DEVELOPMENT ALLIANCE

The Cabinet had before it a report * from the Strategic Manager Growth, Economy and Delivery introducing the work of the Northern Devon Railway Development Alliance (NDRDA) to develop a strategic outline business case for significant capital investment in the North Devon Line between Exeter and Barnstaple.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report with particular reference to the following:

- The report was received and supported by the Planning, Environment and Sustainable Policy Development Group.
- Proposals for investment into North Devon (Tarka) Line had been brought about by unprecedent change and growth in passenger demand which in 2025 amounted to one million passenger journeys between Barnstaple and Exeter. At the turn of the millennium passenger numbers were 200,000 per annum. The graph showed that passenger numbers doubled over the next 10-years to 400,000 in 2009/10, with moderate growth until the pandemic period, and then rapid annual growth to 850,000 in 2024/25.
- To the nearest hundred, a record 917,400 journeys were undertaken on the line last year, 8.3% up on 2024 and 37.5% up on the pre-pandemic in 2019, and before the opening of the New Dartmoor Line. Passenger numbers on the Okehampton journey were now approaching 0.5 million. Between these two lines 1.5 million passengers moved through Crediton. The North Devon Line had the fastest growth on the GWR network.
- The downside was that increased demand was not being satisfied by capacity because there were insufficient seats at peak commuter travel times. The Grand Western Railway (GWR) were responding with plans to introduce larger Class 175's carriages later this year.
- However, this was a short-term measure to cope with the immediate lack of capacity issues, where passengers were being left behind and greater reliance needed to be built into the line.
- The report introduced to the Council the work of the Northern Devon Railway Development Alliance (NDRDA), its goals, and the development of a Strategic Outline Business Case (SOBC) for modernising the North Devon (Tarka) Line between Exeter and Barnstaple.
- The report highlighted the development of the SOBC, including objectives such as increasing capacity, reducing journey times, enhancing green travel, improving reliability, and supporting economic growth. Publication of the SOBC was expected within the next month.
- The business case objective included the increased capacity and doubled hourly frequency to two trains per hour; reduced Exeter- Barnstaple journey times from 75 minutes down to 60 minutes; enhanced green travel and journey time competitiveness with roads; boosted line reliability, resilience and reduced disruption; supported economy, jobs, tourism, housing and unlocked development; improved active travel and connectivity corridors of the Taw Torridge Estuary, Okehampton, Exeter city region, Cullompton, Tiverton, Exmouth, Newton Abbott and beyond.

Discussion took place with regard to:

- Whether there had been any indication of when either project (the re signalling work or the extension of the passing) would be completed, noting that both would have required signalling renewal? It was explained that this would be outlined in the Strategic Outline Business Case.
- The financial cost of expanding the service should have been weighed against the carbon savings it delivered. It was requested that future reports presented to Committee meetings include both financial and carbon impacts.

RESOLVED that:

1. Mid Devon District Council supports the Northern Devon Railway Development Alliance (NDRDA) by officially joining the Alliance to achieve delivery of a modernisation programme for the North Devon (Tarka) Line passenger rail services between Exeter and Barnstaple, to achieve the associated economic, social and environmental benefits for local communities and businesses.
2. A financial contribution of £1,000 to support the third annual convention of the NDRDA scheduled for March 2026 at a location in Mid Devon be **APPROVED**.

(Proposed by Cllr S Keable and Cllr J Downes)

Reason for decision:

The Council becoming a member of this Alliance (NDRDA), and for Cabinet to consider a financial contribution towards the cost of the next NDRDA Annual Convention to be held in Mid Devon.

Note: *Report previously circulated

99. REGULATION OF INVESTIGATORY POWERS ACT (RIPA) ANNUAL REPORT

The Cabinet had before it a report * from the Director of Legal, People and Governance (Monitoring Offer) providing an update to Cabinet Members on the Regulation of Investigatory Powers Act (RIPA).

The Cabinet Member for Quality of Living, Equalities and Public Health outlined the contents of the report with particular reference to the following:

- The Regulation of Investigatory Powers Act 2000 (RIPA) was one such law that permitted interference – it detailed ways in which public bodies could lawfully carry out investigations when there was a wish to use surveillance techniques. It enabled:
 - Directed surveillance (covert surveillance of individuals outside of residential premises and vehicles);
 - Covert Human Intelligence Sources (CHIS) (such as the deployment of undercover officers); and
 - The acquisition and disclosure of communications data (such as telephone billing information or subscriber details).
- The powers were only ever used if the Council had 1- obtained approval from the Magistrate's Court, and 2- that it was only for offences where the sentence would attract six months or more or related to the underage sale of alcohol or tobacco.
- In August 2024, the Investigatory Powers Commissioner's Office (IPCO) conducted its three-year review/inspection of the Council. The inspector appointed by the IPCO conducted a "remote" inspection. This was reported to the Community, People and Equalities PDG in December 2024, where it had recommended no amendments to the policy.
- On 24 February 2025, the Council arranged RIPA training for officers, and in particular for front-line practitioners. The training was provided by an experienced external trainer in RIPA and was well attended. The training included social media surveillance, and this has been cascaded down to their

teams. Training was appropriate to avoid inadvertently carrying out directed or other form of covert surveillance in breach of the procedures in place.

- The powers available to the Council had not been used since 2014.
- Investigatory Powers Commissioner's Office (IPCO), who were the Council auditors required this policy to be presented annually.

Discussion took place with regards to:

- Whether parking enforcement officers used body cameras, whether this counted as direct surveillance and fell within these powers? It was explained that the parking enforcement formed part of the Council's CCTV arrangements, which included body-worn cameras and was covered by the existing CCTV policy.
- Direct surveillance required targeted monitoring of specific individuals that were carrying out their normal duties. For that reason, RIPA powers had not been used.
- The RIPA training for officers was electronic and not training in covert surveillance. It was confirmed that no officers had been training in covert surveillance.
- As the powers of RIPA had not been used since 2014 and given the recent training that had taken place, would there be regular training for officers even though the powers had not been used. It was explained that regular training had been a requirement. Much of the training had focused on ensuring officers understood the correct procedures, with the first step always involving liaison with Legal Services to ensure compliance.

RESOLVED that:

- a) The Council's policy for ensuring compliance with Regulation of Investigatory Powers Act 2000 (RIPA) was appropriate and shall remain as currently drafted;
- b) That the Council had not used its powers under RIPA since March 2014 be **NOTED**.

As recommended by the Community, People and Equality PDG.

(Proposed by the Deputy Leader)

Reason for decision:

The use of Regulation of Investigatory Powers Act 2000 (RIPA) powers was heavily regulated and scrutinised by the Investigatory Powers Commissioner's Office ("IPCO"). The legislation, combined with Codes of Conduct, sets the framework for the use of RIPA powers. Statutory guidance required the Council to review the use of RIPA and the RIPA policy annually.

Note: * Report previously circulated.

100. LEISURE PRICING STRATEGY

The Cabinet had before it a report * from the Deputy Chief Executive (S151) presenting the proposal on the Leisure Pricing Strategy.

The Cabinet Member for Service Delivery and Continuous Improvement outlined the contents of the report with particular reference to the following:

- Active Mid Devon's Leisure Pricing Strategy for 2026 focused on protecting accessibility, affordability, and community engagement. The proposal recommended a freeze of all membership fees for 2026/27, ensuring that Leisure Services remained inclusive and cost-effective for residents. This decision reflected the Council's commitment to supporting participation during a period of economic pressure.
- A modest 3% increase to pay-as-you-go fees was proposed to offset inflation, carefully balanced to avoid discouraging casual users. By holding membership prices steady, Leisure Services reinforced their position as a trusted, community focused provider and ensured that price did not become a barrier to participation.
- Retention was central to Leisure's growth strategy. The service was already working hard to keep members for longer periods of time, targeting an increase in average length of stay and reducing attrition through improved engagement and streamlined customer support. These efforts would deliver measurable financial benefits without relying on price increases, while strengthening their reputation for value and service quality.
- This approach balanced financial sustainability with social responsibility, safeguarding participation levels and ensuring Active Mid Devon continued to play a vital role in improving health and wellbeing across the district. Approving this strategy was not just a pricing decision—it was an investment in the health and wellbeing of Mid Devon's community for the year ahead.
- It was confirmed that in section 3.5 concessionary discounts should read as '*We are pleased to confirm that we will continue offering concessionary discounts to make our services more accessible for individuals on lower incomes. This includes 25% off memberships and 20% off pay as you go sessions, ensuring that everyone can enjoy and benefit from what we provide. Our aim is to keep our facilities and activities open to as many people as possible, supporting affordability and inclusivity within our community.*'
- It was confirmed that the table in section 3.10 was correct and rounded up to the nearest 5 and 10 pence, which was the formula that the Council had used for some time and column four was also correct as the 20% had been applied.

Discussion took place with regards to:

- Clarification was provided around the unpaid pilot for Devon Carers and when this would be embedded in a Council Policy. It was confirmed that leaving care was not a pilot, however for those within Devon with caring responsibilities, it was currently being piloted. It was noted that Members had already agreed support for care leavers and had previously approved a pilot scheme, which had run for 18 months. The evaluation report for that pilot scheme had not yet been received. Once presented, Cabinet Members would consider the findings and decide whether to extend the scheme permanently. The pilot scheme had been due to end in May 2026, and the report was expected

before then. If there were a gap, the scheme would have continued until Cabinet had considered the paper.

- What was the rationale behind using the rounding up to the 5 or 10 pence? It was explained that the approach had largely been historic. Many customers had once paid in cash, although most no longer did, similar to charges in car-parking payments. It was noted that membership and rate charges for members had historically been rounded up to 5p or 10p, a long-standing decision. It was acknowledged that past practice did not necessarily have to determine future choices.
- Some further questions were asked around the balancing of the Councils budget, the protection of the Leisure Services and how the Council were presenting budget decisions.

RESOLVED that:

- a) A freeze on membership prices for the forthcoming year to support affordability and encourage sustained participation, while increasing pay as you go tariffs in line with inflation and market rates be **APPROVED**. The charges proposed were in section 3.10 of this report.

This report had previously been **NOTED** by the Service Delivery and Continuous Improvement PDG

(Proposed by Cllr J Wright and seconded by Cllr N Bradshaw)

Reason for decision:

The details of this report and the delivery of the Active Mid Devon service directly contribute to Corporate Plan objectives: “2.3: We will support the health, wellbeing, and safety of our residents”; “We will maintain our leisure services and ensure they are fit for the future.”

Note:

*Report previously circulated
Cllr M Fletcher **ABSTAINED** from voting.

101. ACCESS TO INFORMATION- EXCLUSION OF PRESS & PUBLIC

The Deputy Leader indicated that discussion with regard to the following item, may require the Cabinet to pass the following resolution to exclude the press and public having reflected on Article 12 12.02 (d) (a presumption in favour of openness) of the Constitution. This decision was required because consideration of this matter in public would disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972.

Having reflected on this, the Cabinet **RESOLVED** that the meeting remain in Part 1

102. PADEL BUSINESS CASE

The Cabinet had before it a report * from the Deputy Chief Executive (S151) on the infrastructure list inviting Cabinet to approve the updated Infrastructure List for

publication on the Council's website as part of the Statutory Annual Infrastructure Funding Statement.

The Cabinet Member for Service Delivery and Continuous Improvement outlined the contents of the report with particular reference to the following:

- The Council had an opportunity to transform their leisure offer by introducing one of the fastest growing sports in Europe - Padel alongside Pickleball. This proposal converted underused tennis courts at Active Tiverton and Active Crediton into modern, inclusive facilities, while relocating and improving tennis provision at Amory Park.
- The project would rejuvenate disused land, create a vibrant multi-sport hub, and deliver significant social and financial benefits.
- Padel was a sociable, accessible sport attracting players of all ages and abilities. Its rapid growth in the UK and global popularity make it a compelling addition to the health and wellbeing offer, encouraging active lifestyles and community engagement. By partnering with a third party operator under a full repairing and insuring lease, the Council would secure guaranteed income, avoiding resurfacing costs, and reducing reliance on subsidy which supported long-term financial sustainability.
- Amory Park's regeneration would breathe life into an under-utilised site, creating a high-quality tennis facility and unlocking potential for additional revenue streams. This investment aligned with the Corporate Plan objectives of promoting innovation, improving community wellbeing, and maximising returns from Council assets. It also mitigated risks associated with maintaining low-use tennis courts, while positioning Mid Devon as a leader in modern leisure provision.
- The Council had held constructive and positive discussions with the Lawn Tennis Association (LTA) and representatives from the two local tennis clubs regarding this proposal. Both parties had expressed support for the project, recognising the potential to broaden participation and enhance the overall offer for racquet sports in the area. The Leisure Service would work closely with them to ensure the best outcome for all.
- This proposal delivered a win-win situation: a broader, more inclusive sporting offer, revitalised public spaces, and a stronger financial footing for the Council's Leisure Service.

Discussion took place with regards to:

- Whether there had been any reputational risks if the operator's performance had fallen below expectations. It was explained that there had always been some risk when working with a third party operator. However, officers reported that a strong working relationship had been established and that due diligence had been carried out.
- The project had not been presented the Service Delivery & Continuous Improvement Policy Development Group before reaching Cabinet. Given its scale, capital implications, long-term disposal and lease arrangements the Chair of the Group expressed his disappointment. It was explained that the report had been brought directly to Cabinet due to time pressures.
- Clarification of whether £300,000 in capital investment for Amory Park had been included in the approved budget. It confirmed that the 2026/27 draft budget had included a capital sum for the Amory Park project and the

indicative capital programme for future years had been shared with Cabinet in November and would be further refined before returning to Cabinet in February 2026.

- A Cullompton Member highlighted that the proposal represented a major investment in Tiverton's leisure facilities and associated public realm improvements, and requested clarity on what equivalent, Council funded leisure investment was planned for Cullompton excluding speculative developments, developer contributions or relocating pitches outside the town.
- Whether any formal or informal discussions had taken place with Tiverton Town Council regarding a future transfer of Amory Park or the new facilities.
- Had there been any discussions with Tiverton Town Council regarding the asset transfers? It was explained that these were the three largest Town Councils.

RESOLVED that Cabinet **APPROVED**:

1. All three tennis courts at Active Tiverton be converted to Padel courts.
2. One tennis court at Active Crediton be converted to one Padel court and one Pickleball court.
3. The relocation of the tennis courts to Amory Park.
4. To finalise any due diligence/obtaining of references deemed necessary before the legal agreement was finalised.
5. That Delegated Authority be granted to the Deputy Chief Executive (S151) officer and Director of Legal, People and Governance (Monitoring Officer) to sign and approve the legal agreement.

(Proposed by Cllr J Wright and seconded by Cllr M Fletcher)

Reason for decision:

The full up-front costs of court conversion would be met by the lessee, with the annual lease being agreed as part of the proposal that would see a significant revenue amount being returned to the Council each year.

Creating padel courts in Mid Devon could align strongly with several themes and objectives in the Council's Corporate Plan 2024–2028, particularly around innovation, economic growth, community wellbeing, and sustainable development.

Note: *Report previously circulated

103. NOTIFICATION OF KEY DECISIONS

The Clerk identified the changes that had been made to the list since it was published with the agenda.

This included the following:

- Modernisation Contract 2026-2030 had been added to the meeting on 1 February 2026.
- Draft Vision and Spatial Options had been removed from the forward plan for March 2026 awaiting regulations for the preparation of local plans in a reformed plan making system.

Note: * Key Decisions Report previously circulated.

(The meeting ended at 19:16)

DEPUTY LEADER