

MINUTES of a **MEETING** of the **COUNCIL** held on 29 October 2025 at 6.00 pm

**Present
Councillors**

G Czapiewski, C Adcock, M D Binks,
N Bradshaw, E Buczkowski, J Buczkowski,
J Cairney, S J Clist, L J Cruwys, G Cochran,
C Connor, F J Colthorpe, A Cuddy,
G Duchesne, J M Downes, B Fish,
M Fletcher, A Glover, C Harrower,
B Holdman, M Jenkins, S Keable, L Knight,
J Lock, J Poynton, R Roberts, S Robinson,
T Stanford, A Stirling, M Stratton, L Taylor,
N Woollatt, G Westcott, A White, J Wright
and D Wulff

**Apologies
Councillor(s)**

D Broom, S Chenore, M Farrell, L G J Kennedy, N Letch
and H Tuffin

**Also Present
Officer(s):**

Stephen Walford (Chief Executive), Maria De Leburne
(Director of Legal, People & Governance (Monitoring
Officer)) and Laura Woon (Democratic Services Manager)

Officers Online

Dean Emery (Head of Revenue and Benefits) and Andrew
Jarrett (Deputy Chief Executive (S151) Officer)

41 **APOLOGIES**

Apologies were received from Councillors: D Broom, S Chenore (online), M Farrell, L Kennedy (online), N Letch and H Tuffin.

42 **PUBLIC QUESTION TIME**

Barry Warren

My contribution to this section of the meeting is concerned with the work of the Council and the way some of it affects members of the public and the potential standing of the Council.

On the 6 of February 2024, I asked questions at Cabinet which had been submitted in advance.

One question asked was if the Cabinet Member was satisfied that a complete independent structural survey has been carried out and report prepared before the purchase of St. George's Court. Councillor Clist replied - "yes."

I also asked if he had a complete survey report prepared, with costings, which detailed all the necessary alterations and adaptations required to make the properties suitable for HRA use? He replied – *"The Operations Manager for Building Services has surveyed the property and provided a conservative estimate of costings to undertake the required adaptations."* This did not answer the question.

He further responded to another question – *"It's not our intention to make these documents publicly available."*

Subsequent Freedom of Information (FOI) requests and intervention by the Information Commission Office (ICO) have revealed no independent structural survey was commissioned and an officer responded that when Councillor Clist answered "yes" he was referring to the legal document provided. That legal document was dated the 21 of March 2024 – 6 weeks after Councillor Clist had said "yes". That document also recommended a structural survey be carried out.

At Cabinet on the 8 of July 2025 I listed seven payments which had been paid to Zed Pods in May 2025 and asked – *"What is the detail of each of these payments please?"* The written answer from Councillor Lock was *"It is not possible to disclose the detail of individual amounts as itemised within specific invoices as these are commercially sensitive,"*

I also asked who had 'signed off the payments and got the answer from Councillor Lock – *"The Council constitution sets out the financial approval limits for approval of orders and payments by different officers."*

Subsequent FOI requests had resulted in the release of all the relevant invoices and named the officer who issued the orders and authorised the payments – the Head of Housing and Health.

These are just a couple of examples of where Cabinet Members or Chairs have put their names to responses which have been found to be incorrect or at least trying to avoid the issue. Are elected Members aware of this as in some cases there are clear breaches of the Nolan Principles or a potential to place the Members in jeopardy of legal action?

M Warren advised the Chair that the question was to Members to consider and would not need a response.

Paul Elstone

Question 1:

At the Full Council Meeting of the 24 September 2025, I asked about the sales marketing being stopped at Haddon Heights in July of this year. Within a very few days of asking that question a couple of Fox & Sons sale boards appeared randomly on site. On examining the Fox & Sons website it shows no details for these properties being marketed. Additionally, nothing is posted on Rightmove or Zoopla etc.

What is really happening, why are these properties not being visibly and aggressively marketed and given the major financial losses being incurred by this Council?

Question 2:

When I advised both Ashford Council and this Council that the energy certificates published for their individual ZED PODS developments failed to comply with statutory requirements I received two very different responses.

Ashford Council thanked me and addressed the concerns by having their certificates reissued to be compliant.

This Council instead once again showed disdain to the messenger and have not remedied the non-compliant energy certificates. Even worse seriously misrepresenting to Council Members the true facts involving the Ashford Council certificates changes. Misrepresenting facts has become a common theme regarding this Councils housing developments.

Would both the Cabinet Member for Housing and the Scrutiny Committee Chair like to reconsider their written and public responses to my Energy Certificate questions?

Question 3:

I have provided Council Members with an email plus attachments, this in full support of the following question.

At the Scrutiny Committee Meeting of the 29 September 2025 an MDDC Officer told the Committee that 6 out of the 8 Beech Road properties were complete - a statement that was totally untrue.

When saying the delay is due to unmapped utility supply, the officer was attempting to project that the blame for the delay in completing the Beech Road properties sits with the utility provider. A statement it is believed which misrepresents the truth and was intended to once again deflect from ZED PODS and MDDC Officer failings – which some may call professional negligence.

Given the catalogue of untruths and misleading information which has been presented to Council Members, and the public, what will it take to have this administration conduct a full and independent investigation into its modular build social housing program?

Question 4:

Any misrepresentation of the facts brings this Council into disrepute. Does telling proven untruths and knowingly misrepresenting important facts to Council Members and the public constitute gross misconduct?

Question 5:

In the last 4 years how many Council Officers have been dismissed for gross misconduct?

The Chair explained that as the questions had not been provided in writing in the required period in advance of the meeting that a written response would be provided in 10 working days.

43 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

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

None Received.

44 **MINUTES**

The minutes of the meeting held on 24 September 2025 were **AGREED** as a correct record and were signed by the Chair.

45 **CHAIR'S ANNOUNCEMENTS**

The Chair had the following announcements to make:

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- On Remembrance Sunday, 9th November, in the morning, he would be attending Crediton's Remembrance Sunday event and in the afternoon, he would be attending Devon County Remembrance Sunday event at Exeter Cathedral to lay a wreath on behalf of the Council.
- On the same day Cllr C Harrower, the Council's Armed Forces Champion, would be attending the Tiverton Remembrance Sunday to lay a wreath on behalf of the Council.
- He stated that all Members were welcome to attend the Remembrance Sunday event in Cullompton.
- On Armistice Day, 11th November, at 7.45am, he would be passing a wreath onto the Poppy Train heading to Paddington Station in London, along with all other local authorities along the route on behalf of the Council. He would also preside over the Armistice Day Ceremony in Tiverton at 11.00am.
- On the same day the Deputy Leader, Cllr D Wulff, would attend in Cullompton, and the Vice Chair of Council, Cllr S Chenore, would attend in Crediton and both will lay a wreath on behalf of the Council.
- The Council's thoughts were with Cllr D Broom at this time and Council wished him well.

46 **PETITIONS**

None received.

47 **NOTICES OF MOTIONS**

None received.

48 **CABINET- REPORTS OF THE MINUTES OF THE MEETING HELD ON 7 OCTOBER 2025**

The Leader presented the reports of the meetings of the Cabinet held on 7 October 2025.

1. Mid Devon Housing (MDH) Mobility Scooter Policy*

The Leader **MOVED** and seconded by Cllr G Duchesne:

That the recommendation of Cabinet as set out in minute 56 be **APPROVED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

2. Memorial Tree and Seat Policy*

The Leader **MOVED** and seconded by Cllr B Holdman:

That the recommendation of Cabinet as set out in minute 58 be **APPROVED**.

Upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Note: * Report previously circulated.

49 SCRUTINY COMMITTEE- REPORTS OF THE MINUTES OF THE MEETINGS HELD ON THE 8 SEPTEMBER AND 29 SEPTEMBER 2025

The Vice Chair of the Scrutiny Committee presented the reports of the meetings held on 8 and 29 September 2025.

50 AUDIT COMMITTEE- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 30 SEPTEMBER 2025

The Chair of the Audit Committee presented the report of the meeting held on the 30 September 2025.

51 COMMUNITY, PEOPLE AND EQUALITIES POLICY DEVELOPMENT GROUP- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 16 SEPTEMBER 2025

The Chair of the Community, People and Equalities Policy Development Group presented the report of the meeting held on the 16 September 2025.

52 ECONOMY AND ASSET POLICY DEVELOPMENT GROUP- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 18 SEPTEMBER 2025

The Chair of the Economy and Asset Policy Development Group presented the report of the meeting held on 18 September 2025.

53 HOMES POLICY DEVELOPMENT GROUP- REPORT OF THE MINUTES OF THE MEETING HELD ON 9 SEPTEMBER 2025

The Chair of the Homes Policy Development Group presented the report of the meeting held on 9 September 2025.

54 **PLANNING, ENVIRONMENT AND SUSTAINABILITY POLICY DEVELOPMENT GROUP- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 23 SEPTEMBER 2025**

The Chair of the Planning, Environment and Sustainability Policy Development Group presented the report of the meeting held on 23 September 2025.

55 **SERVICE DELIVERY AND CONTINUOUS IMPROVEMENT POLICY DEVELOPMENT GROUP- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 15 SEPTEMBER 2025**

The Chair of the Service Delivery and Continuous Improvement Policy Development Group presented the report of the meeting held on 15 September 2025.

56 **PLANNING COMMITTEE- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 8 OCTOBER 2025**

The Chair of the Planning Committee presented the report of the meeting held on 8 October 2025.

57 **APPOINTMENT OF THE INDEPENDENT REMUNERATION PANEL MEMBERS**

The Council had before it a *report of the Director of Legal, People and Governance (Monitoring Officer) seeking approval of the recommended appointment to the Independent Remuneration Panel for Members' Allowances in Mid Devon.

Consideration was given to:

- Clarification about who were the Members that the Council were asked to appoint to the panel. It was explained that this was within the report which included their experience.
- Questions were raised regarding travel expenses and whether the Panel Members were local residents.
- The report contained a significant amount of information, with additional details provided. It was generally regarded as a comprehensive and well-prepared document.
- The legal requirements were acknowledged, and the extensive experience of the volunteered Panel Members was recognised and appreciated.
- Clarification was sought on how frequently the panel were meeting.
- Concerns were expressed about the recruitment process, particularly regarding the lack of transparency and the absence of opportunities for local residents to apply.
- The lack of advertising on social media platforms and the importance of providing a platform for all to express their interest.

The Chair **MOVED** that:

1. Kelly-Anne Phillips, Graham Russell and David Hindle be appointed to the Mid Devon Independent Remuneration Panel to join John Smith.

2. When necessary, that the members of the Independent Remuneration Panel be paid travelling expenses for attendance at meetings of the Panel at the same rates as those paid to Councillors and officers from time to time, mindful that the majority of meetings would be held online.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Those voting **AGAINST** Councillors: M Binks, J Buckowski and R Roberts.

Those **ABSTAINED** from voting: Councillors F J Colthorpe and A Stirling.

Note: *Report previously circulated.

58 **QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 11**

There were no questions raised which were pursuant to Procedure Rule 11 and which had not already been dealt with during the relevant Committee reports.

59 **SPECIAL URGENCY DECISIONS**

With regard to any decisions taken under Rule 16 (of the Constitution) Special Urgency taken since the last meeting, the Chair informed the meeting that no such decisions had been taken in that period.

60 **QUESTIONS TO CABINET MEMBERS**

Cllr J Cairney asked Cllr J Wright the Cabinet Member for Service Delivery and Continuous Improvement:

- How the collection of pots and pans was going and the percentage of recycling?

Cllr J Wight informed Members, since the 13 October 2025, the equivalent of six wheelie bins of pots and pans had been collected. The recycling rate had reached 57%, still placing the Council among the top five in the country. Members were reminded to continue encouraging the use of food waste caddies and to promote the recycling of pumpkins during this time of year.

61 **MEMBERS BUSINESS**

- Cllr B Holdman highlighted to Members that he attended the “Meet the Funders” event, this was held to connect local community groups, charities, and social enterprises with key funding bodies and grant providers. The event brought together over 50 attendees from across the district, it offered a unique opportunity to engage directly with representatives from national and regional funding organisations.
- Cllr B Fish highlighted to Members he had been approached by a number of Tiverton residents who were deeply concerned about the deteriorating state of pharmaceutical services in this town. While this issue did not fall directly within the remit of this Council and this was a widespread national issue, he wanted residents to know that this Council stood with them. This was important to be raised as a representative of the community. Members would be aware that

following the closure of the Superdrug Pharmacy at Clare House Practice, Jhoots Pharmacy in Market Place had stepped in to fill the gap. This situation had placed immense pressure on the staff at the remaining pharmacies. The teams were doing their utmost to support residents but were stretched to their limits. Many had reached the front of the queue after queueing for some time only to be told that their prescription had not arrived from the GP surgery or that the item was out of stock. This situation was unacceptable and required urgent attention. The local MPs, Richard Foord and Rachel Gilmour, had raised concerns with the Care Minister, Stephen Kinnock. Rachel Gilmour had met with the Devon Integrated Care Board. Tiverton's pharmaceutical provision required immediate action.

- Cllr J Buczkowski raised an issue concerning the construction vehicles passing through Cullompton, heavy lorries thunder past small children that walked to school. Pavements shake, engines roar, and anxious parents try to guide their children safely along roads never designed for such traffic. These huge vehicles line the residential streets, parked nose to tail, leaving no room for pedestrians to cross safely. The treading of mud onto the roads that endanger cyclists and those on two wheels and the possibility of one of these construction vehicles losing control. The Construction Environmental Management Plan was meant to prevent this issue. This was not nimbyism. This was not opposition to housing or growth. It was about ensuring development was safe, responsible, and lawful. It was about holding developers to account for the conditions they agreed to and for the standards they promised to meet. The consideration of this plan was agreed by this Council and the developers continued to ignore it.
- Cllr S Keable highlighted the following:
 - On the 26 September he attended the Devon and Somerset Metro board that discussed the Cullompton and Wellington train station. There was still no formal announcement from Government about the funding. National Rail were keen and had allocated a budget for 2026/27 for the development.
 - On the 3 October he attended Devon County Council Honorary Alderman ceremony where the former Chair of this Council and County Councillor, Frank Letch MBE, received a posthumous award.
 - He attended a North Devon Line Rail Promotion Group Annual General meeting.
 - He thanked Cllr B Holdman and Cllr G DuChesne on organising the 'Meet the Funders' event.
 - He attended the Grand Western Railway Transport forum on the 20 October.
- Cllr S Robinson thanked Cllr N Bradshaw on the work she had done for the Impact Sustainable Tiverton.
- Cllr S Clist attend the Housing Task Force Group and highlighted the statistics for Social rented houses and affordable homes.
- Cllr J Downes highlighted to Members that the barriers were now installed at the Leisure Centre in Crediton?
- Cllr G Cochran highlighted that the Crediton Launderette had reopened after 8 years.

(The meeting ended at 18.58)

CHAIR