



**A MEETING** of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Wednesday, 29 October 2025 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, 26 November 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**

[Join the meeting now](#)

Meeting ID: 393 512 081 264

Passcode: Fn2rT3BK

**STEPHEN WALFORD**  
Chief Executive

21 October 2025

## **AGENDA**

### **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.

### **4 Minutes (Pages 7 - 18)**

To consider whether to approve the minutes as a correct record of the meeting held on 24 September 2025.

### **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**

To receive any notices of motions.

### **8 Cabinet- Reports of the minutes held on 7 October 2025 (Pages 19 - 68)**

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

7 October 2025

(Recommendations to Full Council)

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

Cabinet **RECOMMENDS** to Full Council to adopt the Mobility Scooter in Flats Policy and Equality Impact Assessment contained in Annexes A and B.

#### **2. Memorial Tree and Seat Policy**

Cabinet **RECOMMENDS** to Full Council to adopt the Memorial Benches and Memorial Tree Policy.

9      **Scrutiny Committee- Reports of the minutes of the meetings held on the 8 September and 29 September 2025** *(Pages 69 - 86)*

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

8 September 2025

29 September 2025

10     **Audit Committee- Reports of the minutes of the meeting held on the 30 September 2025** *(Pages 87 - 96)*

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

30 September 2025

11     **Community, People and Equalities Policy Development Group- Reports of the minutes of the meeting held on the 16 September 2025** *(Pages 97 - 102)*

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

16 September 2025

12     **Economy and Asset Policy Development Group- Reports of the minutes of the meeting held on the 18 September 2025** *(Pages 103 - 108)*

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

18 September 2025

13     **Homes Policy Development Group- Reports of the minutes of the meeting held on 9 September 2025** *(Pages 109 - 120)*

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

9 September 2025

14     **Planning, Environment and Sustainability Policy Development Group- Report of the minutes of the meeting held on the 23**

**September 2025** *(Pages 121 - 134)*

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

23 September 2025

- 15 **Service Delivery and Continuous Improvement Policy Development Group- Report of the minutes of the meeting held on the 15 September 2025** *(Pages 135 - 146)*

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

15 September 2025

- 16 **Planning Committee- Report of the minutes of the meeting held on the 8 October 2025** *(Pages 147 - 156)*

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

8 October 2025

- 17 **Appointment of the Independent Remuneration Panel Members** *(Pages 157 - 160)*

To consider a report from 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.

- 18 **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.

- 19 **Special Urgency Decisions**

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

- 20 **Questions to Cabinet Members**

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

- 21 **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](mailto: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](mailto: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.

**MINUTES** of a **MEETING** of the **COUNCIL** held on 24 September 2025 at 6.00 pm

**Present  
Councillors**

G Czapiewski (Chair of Council), C Adcock,  
M D Binks, D Broom, 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, M Farrell, B Fish, M Fletcher,  
C Harrower, B Holdman, M Jenkins,  
S Keable, L Knight, N Letch, J Lock,  
J Poynton, R Roberts, S Robinson, T  
Stanford, A Stirling, M Stratton, L Taylor,  
H Tuffin, G Westcott, A White, J Wright and  
D Wulff

**Apologies  
Councillors**

N Bradshaw, S Chenore, A Glover (online), L G J Kennedy  
(online) and N Woollatt

**Also Present  
Officers:**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy  
Chief Executive (S151)) and Laura Woon (Democratic  
Services Officer)

**25 APOLOGIES**

Apologies were received from Councillors: A Glover (online), N Bradshaw, S  
Chenore, L G J Kennedy (online) and N Woollatt.

**26 PUBLIC QUESTION TIME**

**Sarah Coffin**

Yesterday evening at the Planning, Environment and Sustainability Policy  
Development Group meeting the public raised serious questions on Anaerobic  
Digester plant Planning breaches and Climate/Net Zero Policy.

The first question asked the Committee if it would be reconsidering its present  
proactive policies in support of Climate Change/Global warming and Net Zero. The  
question made detailed reference to the growing volume of factual/technical evidence  
and global scientific opinions to the contrary, now openly published globally.

The next three questions related to the serious breaches of Planning Conditions and lack of Enforcement concerning the farm-led Anaerobic Digesters based in Mid-Devon and what action/measures could be taken to reassert Planning balance and compliance; to ensure delivery of the Environmental/Climate/Net Zero benefits claimed now and in the future.

My questions were related to the AD plants and the use of S106 legal agreements but could equally apply to large contentious Residential/livestock farming and green energy projects. Acceptance of S106 by approved Applicants indicate the intention to abide by all material or mitigating conditions attached to Planning Permission. There is an automatic right of Appeal throughout the timeline to delivery; providing evidence is shown that the condition no longer relevant or unnecessary due to changing circumstances. Perhaps the S106 could be used to remove speculative hoarding and hawking of Planning Approvals by including a completion deadline rather than a start deadline?

The questions are to be answered in writing but initial questioning by Councillors seemed to indicate that any inquiry would need to be costed and there was little confidence that the necessary funds or Council staff would be available to respond to Motion 608.

I therefore ask Members is democracy being throttled. If not how do Members prioritise and what constitutes an acceptable cost?

**Paul Elstone**

**Question 1:**

When this Council's Executive Officers made the decision to remove, the Reputation Risk relating to the failure of 3 Rivers from the Corporate Risk Register a commitment was given to provide regular updates to Audit on any remaining reputation risk. This is not happening. Hence the reason for my questions tonight.

More than a year ago, this Council purchased 5 properties at Haddon Heights in Bampton, from 3 Rivers, for £3.15 million – they are still unsold.

Can it be explained why Seddon's Estate Agents stopped marketing these properties in July 2025?

**Question 2:**

Searches of Right move and Estate Agent websites, such as Greenslade Taylor Hunt and after a site visit today, show no evidence that the five unoccupied properties are currently being marketed for sale.

Are the properties currently being marketed and if so who by. If not, why not?

**Question 3:**

I understand that in August the building company Blu Box were hired to install fire block cladding to the ceilings of the car ports in 6 of the 9 properties - at a cost to the Council of £23,000.

Surely the fire risk is the same for all the properties, why were only 6 of the 9 properties fixed?



**Question 4:**

How, and when, was the requirement for the work identified?

**Question 5:**

Calculations based on evidence available shows that since purchasing the Haddon Heights properties this Council has lost at least £520,000 and rising by the day.

Property price reductions, before they were taken off the market, of £230,000.

Loss of investment income 4.8% (simple) over 18 months or circa £227,000.

Council Tax, inclusive of 100% unoccupied premium since April 2025, circa £30,000.

Utilities, management fees and landscaping cost, circa £10,000.

Fire cladding work £23,000.

This substantial financial loss is a risk to the reputation of this Council. Especially so because PDG'S are being asked to approve cost cutting measures. Members of last night's Planning, Environment and Sustainability PDG were seen to be uncomfortable with some officer cost saving proposals.

Why is the status of the assets bought from 3 Rivers not being reported and as promised?

**Question 6:**

A visit to St Georges Court shows that, in places, it still looks like a building site this 18 months on from the development being purchased from 3 Rivers and at around £1 million pounds over valuation.

How many of the 28 flats are occupied today?

**Question 7:**

Unlike Haddon Heights, there is no evidence that that MDDC have ever paid Council Tax on the St Georges Court flats. If Council Tax has not been paid, why not?

**Supplementary Question:**

I am well used to getting responses to questions that are evasive, lack transparency or worse and this after the full 10 days.

My questions tonight are very straight forward and the officers in the room should be able to answer them off the top of their heads.

Based on the fact that a commitment was given to Audit to keep them updated, will officers provide the answers to all members this evening instead?

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

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

Cllr F J Colthorpe referred to item 13 regarding the appointments to Outside Bodies and declared that she was a Trustee of Tiverton Museum of Mid Devon.

## 28 **MINUTES**

The minutes of the meeting held on 23 July 2025 were **AGREED** as a correct record and were signed by the Chair.

## 29 **CHAIR'S ANNOUNCEMENTS**

The Chair had the following announcements to make:

- On the 15 August he attended the V J Day service at the Burma Star memorial, remembering that 80 years ago was the end of hostilities in the Far East. The Service was attended by Una, the daughter of Viscount Slim of Burma.
- In the afternoon of the same day he attended the V J Day children's party in Crediton. This event was well attended and cake and ice cream were shared as it was a hot day.

## 30 **PETITIONS**

None received.

## 31 **NOTICES OF MOTIONS**

None received.

## 32 **CABINET-REPORTS OF THE MINUTES HELD ON THE 5 AUGUST 2025 AND 2 SEPTEMBER 2025**

The Leader of the Council presented the reports of the meetings held on 5 August and 2 September 2025.

## 33 **SCRUTINY COMMITTEE- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 19TH JULY 2025**

The Vice- Chair of the Scrutiny Committee presented the report of the meeting held on the 19 July 2025.

## 34 **PLANNING, ENVIRONMENT AND SUSTAINABILITY POLICY DEVELOPMENT GROUP- REPORT OF THE MINUTES OF THE MEETING HELD ON THE 29 JULY 2025**

The Chair of the Planning, Environment and Sustainability Policy Development Group presented the report of the meeting held on the 29 July 2025.

## 35 **PLANNING COMMITTEE- REPORTS OF THE MINUTES OF THE MEETING HELD ON 30 JULY AND 20 AUGUST 2025**

The Chair of the Planning Committee presented the reports of the meetings held on 30 July and 20 August 2025.

## 36 **APPOINTMENT TO OUTSIDE BODIES**

The following appointment to an Outside Body was **AGREED**.

Cllr G DuChesne to be appointed as the Council's representative on the Tiverton Museum.

Cllr S Robinson **MOVED** seconded by Cllr J Downes:

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

Those **ABSTAINING** from voting were Councillor F J Colthorpe.

### 37 **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.

### 38 **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.

### 39 **QUESTIONS TO CABINET MEMBERS**

Cllr C Harrower asked the Cabinet Member for Service Delivery and Continuous Improvement.

- In regards to why the collection had not taken place for pots and pans in the West-Exe area.

The Cabinet Member for Service Delivery and Continuous Improvement would follow this question up with the relevant officer.

### 40 **MEMBERS BUSINESS**

- Cllr G Czapiewski highlighted to Members that he attended the Councillor Advocate Seminar in Exeter and met with the Police and Crime Commissioner and the Chief Constable who presented their Strategies to address crime and victim support.
- Cllr G Czapiewski highlighted to Members that Tiverton now had Street Marshalls patrolling the area to help tackle Anti-Social Behaviour (ASB).
- Cllr A Stirling highlighted to Members that he had written a letter to South West Water (SWW) about residents' concerns in regards to the sewage smell in the West-Exe area.
- Cllr C Harrower thanked the Specialist Lead for Community Safety and Safeguarding for his work in regards to Anti-Social Behaviour (ASB).
- Cllr G DuChesne thanked all those that had attended the State of District Debate on the 17 September, there were good discussions about Local Government Reorganisation.
- Cllr B Holdman highlighted to Members that there was a 'Meet the Funders' event on Wednesday 22 October, this was for local voluntary, community and

social enterprise organisations to allow them to network and to meet potential investors and funders.

(The meeting ended at 18.35)

**CHAIR**

## Full Council 24<sup>th</sup> September Public Questions and Answers

Name of person submitting	Questions
<p>Sarah Coffin</p> <p>Page 13</p>	<p>Yesterday evening at the Planning, Environment and Sustainability Policy Development Group meeting the public raised serious questions on Anaerobic Digester plant Planning breaches and Climate/Net Zero Policy.</p> <p>The first question asked the Committee if it would be reconsidering its present proactive policies in support of Climate Change/Global warming and Net Zero. The question made detailed reference to the growing volume of factual/technical evidence and global scientific opinions to the contrary, now openly published globally.</p> <p>The next three questions related to the serious breaches of Planning Conditions and lack of Enforcement concerning the farm-led Anaerobic Digesters based in Mid-Devon and what action/measures could be taken to reassert Planning balance and compliance; to ensure delivery of the Environmental/Climate/Net Zero benefits claimed now and in the future.</p> <p>My questions were related to the AD plants and the use of S106 legal agreements but could equally apply to large contentious Residential/livestock farming and green energy projects. Acceptance of S106 by approved Applicants indicate the intention to abide by all material or mitigating conditions attached to Planning Permission. There is an automatic right of Appeal throughout the timeline to delivery; providing evidence is shown that the condition no longer relevant or unnecessary due to changing circumstances. Perhaps the S106 could be used to remove speculative hoarding and hawking of Planning Approvals by including a completion deadline rather than a start deadline?</p> <p>The questions are to be answered in writing but initial questioning by Councillors seemed to indicate that any inquiry would need to be costed and there was little confidence that the necessary funds or Council staff would be available to respond to Motion 608.</p> <p>I therefore ask Members is democracy being throttled. If not how do Members prioritise and what constitutes an acceptable cost?</p>

	<p><b>Response from the Cabinet Member for Planning and Economic Regeneration:</b></p> <p>Thank you for your question. As you will be aware from discussions at the Planning, Environment and Sustainability PDG, there is interest in this matter from Members. I have therefore now instructed officers, as per the PDG recommendation, to engage suitably qualified consultants in discussion to determine what could be contained within an advice/guidance note to inform Council work relating to Anaerobic Digester plants, the cost for the production of such an advice note, and the timetable for completion. An update will then be reported to the PDG for further decision on how to progress work and Members can further reflect upon cost and benefits.</p> <p>I hope that you will therefore see that, under this administration, democracy within Mid Devon is well and thriving.</p>
<p>Paul Elstone</p> <p>Page 12</p>	<p><b>Question 1:</b></p> <p>When this Council's Executive Officers made the decision to remove, the Reputation Risk relating to the failure of 3 Rivers from the Corporate Risk Register a commitment was given to provide regular updates to Audit on any remaining reputation risk. This is not happening. Hence the reason for my questions tonight.</p> <p>More than a year ago, this Council purchased 5 properties at Haddon Heights in Bampton, from 3 Rivers, for £3.15 million – they are still unsold.</p> <p>Can it be explained why Seddon's Estate Agents stopped marketing these properties in July 2025?</p> <p><b>Response from the Chair of Council:</b></p> <p>The Council is currently in the process of changing agents, which is an operational decision, further updates of a material nature will be provided as and when necessary to the relevant Committees.</p> <p><b>Question 2:</b></p> <p>Searches of Right move and Estate Agent websites, such as Greenslade Taylor Hunt and after a site visit today, show no evidence that the five unoccupied properties are currently being marketed for sale.</p> <p>Are the properties currently being marketed and if so who by. If not, why not?</p> <p><b>Response from the Chair of Council:</b></p> <p>See the answer to question 1.</p>

**Question 3:**

I understand that in August the building company Blu Box were hired to install fire block cladding to the ceilings of the car ports in 6 of the 9 properties - at a cost to the Council of £23,000.

Surely the fire risk is the same for all the properties, why were only 6 of the 9 properties fixed?

**Response from the Chair of Council:**

This work was undertaken as part of an ongoing operational snagging exercise and after conversations with the selling agents. We were advised that the garage roofs needed either re-painting or replacement plaster boarding. We decided to provide an enhanced solution by upgrading the boarding to these ceilings.

**Question 4:**

How, and when, was the requirement for the work identified?

**Response from the Chair of Council:**

The new agent recommended a number of minor improvements to the unsold properties prior to re-marketing.

**Question 5:**

Calculations based on evidence available shows that since purchasing the Haddon Heights properties this Council has lost at least £520,000 and rising by the day.

Property price reductions, before they were taken off the market, of £230,000.

Loss of investment income 4.8% (simple) over 18 months or circa £227,000.

Council Tax, inclusive of 100% unoccupied premium since April 2025, circa £30,000.

Utilities, management fees and landscaping cost, circa £10,000.

Fire cladding work £23,000.

This substantial financial loss is a risk to the reputation of this Council. Especially so because PDG'S are being asked to approve cost cutting measures. Members of last night's Planning, Environment and Sustainability PDG were seen to be uncomfortable with some officer cost saving proposals.

Why is the status of the assets bought from 3 Rivers not being reported and as promised?

**Response from the Chair of Council:**

The status of these properties hasn't materially changed since they were acquired after the closure of 3Rivers. Cabinet were last updated at its meeting on the 4/3/25 when it was agreed to reduce the selling prices.

**Question 6:**

A visit to St Georges Court shows that, in places, it still looks like a building site this 18 months on from the development being purchased from 3 Rivers and at around £1 million pounds over valuation.

How many of the 28 flats are occupied today?

**Response from the Chair of Council:**

At the time of the question no flats had been occupied although 6 of the flats have been allocated and the new tenants will start to move in on Friday 3rd October. With the next batch of flats to be advertised this week.

**Question 7:**

Unlike Haddon Heights, there is no evidence that that MDDC have ever paid Council Tax on the St Georges Court flats. If Council Tax has not been paid, why not?

**Response from the Chair of Council:**

Mid Devon Housing have paid Council Tax on the properties at St Georges Council ever since we purchased them. MDH do a monthly listing of all Council Tax bills which are due, and the flats have been included since the purchase date.

**Supplementary Question:**

I am well used to getting responses to questions that are evasive, lack transparency or worse and this after the full 10 days.

My questions tonight are very straight forward and the officers in the room should be able to answer them off the top of their heads.

Based on the fact that a commitment was given to Audit to keep them updated, will officers provide the answers to all members this evening instead?



	<p><b>Response from the Chair of Council:</b></p> <p>As a number of questioners have been repeatedly advised, if questions are submitted in advance of the meeting in compliance with our constitutional arrangements, they will receive a full answer at the meeting. It should also be remembered that as some of the assets being discussed are still being marketed then commercial restrictions may be placed on our ability to provide comprehensive responses to questions raised.</p>
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**MINUTES** of a **MEETING** of the **CABINET** held on 7 October 2025 at 5.15 pm

**Present  
Councillors**

L Taylor, D Wulff, J Downes, G Duchesne,  
M Fletcher, S Keable and J Wright

**Apologies  
Councillors**

J Lock and N Bradshaw (online) and J Lock (online)

**Also Present  
Councillor**

L Knight

**Also Present  
Officer(s):**

Laura Woon (Democratic Services Manager), Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Maria De Leburne (Director of Legal, People & Governance (Monitoring Officer)), Matthew Page (Head of People, Performance & Waste), Simon Newcombe (Head of Housing & Health), Paul Deal (Head of Finance, Property & Climate Resilience), Darren Beer (Operations Manager for Street Scene) and Luke Howard (Environment and Enforcement Manager)

**Councillors  
Online**

J Buczkowski, E Buczkowski, M Farrell and L G J Kennedy

**Officers Online**

Dean Emery, Dr Stephen Carr and Carole Oliphant  
(Housing Policy Officer)

**45. APOLOGIES (5:02)**

Apologies were received from Councillors: N Bradshaw (online) and J Lock (online).

**46. PUBLIC QUESTION TIME (05:11)**

None received.

**47. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (5:21)**

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

**48. MINUTES OF THE PREVIOUS MEETING (5:31)**

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

#### 49. **DRAFT BUDGET REPORT 2026/2027 (6:35)**

The Cabinet had before it a report \* from the Deputy Chief Executive (S151) Officer and the Head of Finance, Property and Climate Resilience on the draft Budget 2026/27.

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

- The report provided an update on the development of the 2026/27 Budget. A funding shortfall of £1m to £3m was projected due to significant uncertainty around future government funding. Unfortunately, no further clarity had been provided, and the delay in the Autumn Budget meant the funding settlement was now expected just before Christmas.
- Despite the uncertainty, the Council agreed to proceed with the budget process using four main principles. Budget options had been developed in collaboration with senior managers and were presented in the following appendices:
  - **Appendix 1:** Avoidable budget pressures.
  - **Appendix 2:** Savings from services reporting to Cabinet.
  - **Appendix 3:** Savings from services under Policy Development Groups (PDGs).
  - **Appendix 4:** Savings for the Housing Revenue Account.
- It was recommended that **Green and Amber** savings options be approved (including “stretched” income increases), although these only offset new pressures and did not reduce the overall shortfall.
- Additional work would still be required to fully balance the 2026/27 budget.

Discussion took place with regard to:

- Members would appreciate that all budget options would require political support and therefore if some suggestions were deemed unacceptable then other savings would need to be proposed.
- The National Government funding changes had significantly impacted the rural areas as the Government were supporting more urban areas.
- The appreciation of the work that had been taken by officers and from the Policy Development Groups in regard to the draft budget.
- If the Green and Amber pressures were accepted by Cabinet this evening there would still be pressures on the budget.
- Any delay in implementing the Amber pressures, particularly the ones that related to revenue streams like ‘parking’ could delay those benefits coming into the Council.
- Did the Council know the current e-billing take-up rate and what level would the Council need to reach to deliver the £25k saving target? It was explained that the current Council Tax e-billing was at the figure of 6,441 that was 15.71% of the Council base. The Business Rates was at the figure of 657 that was 18.77% of the Council base. This Council was the highest in e-billing within Devon.

- How were the Council safeguarding residents who could not switch to e-billing due to digital exclusion? It was explained the Council were looking at different ways that customers could set up e-billing.
- Were there under-used areas in Phoenix House, and what actions were being taken to ensure opportunities for letting or partnerships were not lost? It was confirmed that the Council did have space, however the Housing Revenue Account Team from Old Road had been allocated that space.
- Whether contracts that were agreed, pre the Local Government Reorganisation restructuring, would carry over and what were the risks?
- Given that third-sector partners were facing pressures, could the Council explore reduced-cost office space in lieu of some grant funding to strengthen shared service delivery.
- Were the Council fully applying internal recharges to service areas based at Phoenix House, as the report hinted there was further scope to expand that? It was explained that yes, the Council were recharging all internal areas.
- The pressures list showed a £14k increase for software - could it be confirmed whether this was a one-off upgrade or an ongoing annual cost, and whether it delivered any efficiency or integration that would help achieve the e-billing or other savings within the service? It was explained that the cost increased to enable more self-service where the system would calculate the change and issue and bill without officer interaction, the automation when fully integrated would free up officer time to help collect arrears. The £14k increase for software was an annual fee which may be increased due to the software company increasing the cost.

The Leader of the Council moved an **AMENDMENT** that 'and Amber' be removed from recommendation 1,2,3 and 4 and recommendation 5 be deferred to the next Cabinet meeting.

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

**RESOLVED** that:

1. The Green pressures on the General Fund within Appendix 1 be **AGREED**.
2. The Green savings options for the General Fund for services reporting directly into the Cabinet, as shown within Appendix 2 be **AGREED**.
3. The Green savings options for the General Fund for services reporting into the five Policy Development Groups Cabinet within Appendix 3, taking into account the recommendations from the Policy Development Groups as noted in paragraph 2.11 be **AGREED**.
4. The Green savings options for the Housing Revenue Account within Appendix 4, taking into account the recommendations from the Homes Policy Development Group as noted in paragraph 2.11 be **AGREED**.
5. The pressures / savings options with a Red risk/deliverability rating within Appendices 1 – 4 and if any should be included within the 2026/27 Budget; was **AGREED** to be deferred to the next meeting of the Cabinet.
6. Any additional suggestions to balance the remaining shortfall for both the General Fund and Housing Revenue Account and any further savings identified by the Policy Development Groups are recommended back to Cabinet for approval, be considered.

(Proposed by Cllr J Downes and seconded by Cllr G DuChesne)

**Reason for Decision:**

By undertaking regular reviews of the Medium Term Financial Plan, 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.

Note: \*Report previously circulated

**50. CORPORATE PERFORMANCE REPORT (28:20)**

Cabinet had before it and **NOTED** a report \* from the Corporate Performance and Improvement Manager and the Head of People, Performance & Waste on the Corporate Performance.

The Corporate Performance and Improvement Manager outlined the contents of the report with particular reference to the following:

- The Quarter 1 Performance Report presented performance information relating up to June 2025. The report and the accompanying dashboards were structured according to the five themes of the Corporate Plan.
- The dashboards contained 100 performance measures on how services were performing across the Council, and those indicators that were part of the Corporate Plan were highlighted in yellow text.
- Section 2 of the covering report provided performance analysis on a theme-by-theme basis, with a focus on the Corporate Plan performance indicators.
- The Performance Dashboards had also been reviewed by the relevant Policy Development Groups (PDG).

**Reason for Decision:**

There were no direct financial implications arising from this report. However, if performance was not at the expected or desired level then resources may need to be reviewed or redirected to improve performance. These Dashboards presented performance, finance, and risk information together to enable simultaneous consideration of these related aspects.

Note: \*Report previously circulated

**51. CORPORATE RISK REPORT (30:30)**

Cabinet had before it and **NOTED** a report \* from the Corporate Performance and Improvement Manager and the Head of People, Performance & Waste on the Corporate Risk.

The Corporate Performance and Improvement Manager outlined the contents of the report with particular reference to the following:

- The report presented the Council's current corporate risks with an updated position following the most recent review period. These were the risks which had been identified that were most likely to impact the Council meeting its objectives.

- The report was produced quarterly and presented for comment and feedback.
- Paragraph 2.1 of the report presented a summary table of the 17 corporate risks that the Council was currently managing.
- A risk matrix or heat map was presented at Appendix 1 showing the relative position of the corporate risks.
- Appendix 2 of the report provided further details for each risk in a standard template.
- Any significant changes to the Risk Register since it was last reported to the Cabinet were listed in the covering report, at paragraph 2.3.

**Reason for Decision:**

There were no direct financial implications arising from this report. However, risks which were not mitigated, may have financial implications for the Council. Equally, the treatment of risk may require resources to be (re)allocated.

Note: \*Report previously circulated

**52. PUBLIC SPACE PROTECTION ORDER DOG VARIATION ORDER- SILVERTON (31:32)**

Cabinet had before it a report \* from the Head of People, Performance & Waste and Environment and Enforcement Manager recommending the commencement of statutory procedures (including consultation) to vary by order the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024 and to delegate authority to decide whether to make the order of variation after consultation has taken place.

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

- To recommend granting a general delegation to the Cabinet Member for Service Delivery and Continuous Improvement for all other future variations of the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024.

**RESOLVED** that:

1. On being satisfied that the statutory grounds for varying the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024 ("the Dog Control PSPO") were met, as detailed in the report, to allow officers to commence statutory consultation for the following:
2. The Dog Control PSPO be varied by including the prohibition that dogs were excluded from the area known as the recreation ground Silverton (as shown on the plan at Appendix 1). To grant Delegated Authority to the Director of Legal, People & Governance (Monitoring Officer) to draft the necessary order varying the Dog Control PSPO that could then go out to consultation.
3. Delegated authority be given to the Operations Manager for Street Scene and Open Spaces, in consultation with the Cabinet Member for Service Delivery and Continuous Improvement etc. to:
  - Consider the responses to the necessary consultation, publicity and notification

- Decide whether to refer the matter back to Cabinet for a decision or to decide in the light of the responses received whether to make the Variation Order and to authorise the Director of Legal, People and Governance (Monitoring Officer) to seal the order
  - Authorise, if it is considered appropriate, the Director of Legal, People and Governance (Monitoring Officer) to make any minor amendments to the draft of the variation order prior to sealing the variation order.
4. A general delegation be made to the Cabinet Member for Service Delivery and Continuous Improvement to decide any further future variations to the Dog Control PSPO proposed by the Operations Manager for Street Scene and Open Spaces following the necessary statutory consultation, publicity and notification requirements for future PSPOs.
  5. Delegation be given to the Director of Legal, People and Governance (Monitoring Officer) to make orders of variation, following decisions from the Cabinet Member for Service Delivery and Continuous Improvement.

(Proposed by Cllr J Wright and seconded by Cllr D Wulff)

**Reason for Decision:**

To strengthen community safety and enable enforcement of the relevant issues.

**Notes:**

- (i) \*Report previously circulated
- (ii) Cllr J Wright declared a personal interest as he was a member of Silverton Parish Council.

**53. PUBLIC SPACES PROTECTION ORDER- ALCOHOL PROHIBITION (36:01)**

Cabinet had before it a report \* from the Head of People, Performance & Waste and Environment and Enforcement Manager recommending the approval of a Public Spaces Protection Order (PSPO) in order to tackle anti-social behaviour associated with the public consumption of alcohol in Crediton Town Centre.

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

- To consider issuing a Public Spaces Protection Order under the powers given to the Council by the Anti-Social Behaviour, Crime and Policing Act 2014 to tackle anti-social behaviour associated with public consumption of alcohol in Crediton Town Centre.
- The proposed Public Spaces Protection Order (the “Crediton Order”), could be found at Appendix 1 of the report, prohibiting the consumption of alcohol in areas located in Crediton Town Centre as highlighted in the plan at Appendix 2.

Discussion took place with regards to:

- Would there be a sufficient number of Police to patrol this area, had there been any success in other towns and whether it had been beneficial? It was explained that this was a request from the Police and the Neighbourhood Team and there was a restricted alcohol PSPO in the Taunton area.



- Were the concerns that had been highlighted around people that were leaving the pubs or those that were drinking on the street? It was explained that the PSPO was in regard to daytime drinking in the area that was then causing a nuisance to the residents.
- Clarification around the concerns in the particular areas; were they due to socialising with drinks as some of the facilities were used responsibly?
- Would introducing a PSPO with regards to this issue actually work in practice? There was evidence from other areas where similar orders have been put in place by authorities (including Taunton and Exeter) that the measures could be effective.

**RESOLVED** that:

1. On being satisfied that the statutory grounds for making the Crediton Order were met, authorisation be given to the Operations Manager for Street Scene and Open Spaces to carry out the necessary statutory consultation, publicity and notification for the proposed Crediton Order.
2. Delegated authority be granted to the Director of Legal, People & Governance (Monitoring Officer) to draft the Crediton Order to go out to consultation.
3. Delegated authority be given to the Operations Manager for Street Scene and Open Spaces, in consultation with the Cabinet Member for Service Delivery and Continuous Improvement, to then:
  - Consider the responses to the necessary consultation, publicity and notification
  - Decide, in light of the responses received to the consultation, whether to not proceed with the order if there were numerous material objections, or to authorise the Director of Legal, People and Governance (Monitoring Officer) to seal the order.
  - To authorise the Director of Legal, People and Governance (Monitoring Officer) to make any minor amendments to the draft of the Crediton Order prior to sealing.

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

**Reason for Decision:**

To strengthen community safety and enable enforcement of the relevant issues.

**Note:**

- (i) \*Report previously circulated.
- (ii) Cllr J Downes declared a personal interest as he was a member of Crediton Town Council and residing in Crediton.

**54. BIN IT 123- NEXT STEPS AND ADDITIONAL RECYCLING (51:30)**

Cabinet had before it a report \* from the Head of People, Performance & Waste and Operations Manager Street Scene and Open Spaces reviewing the progress made to date by Bin-It 123 and which considered the key elements of the next strategic phase that were necessary to maximise recycling rates as well as increase resident engagement and support.

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

- Following the meeting of Cabinet in August 2025, where future collections of unused metal pots and pans were recommended for collection (and which were now in place), the report sets out the Councils current situation regarding Bin It 123 and the future plans regarding potential additional recycling streams to be introduced and added to the current portfolio.
- The particular focus was the strategy to help reinvigorate Bin-It 123 to help households nudge more of their residual waste into their recycling. A 7.3 kg shift in this direction per household per annum raised the Councils recycling rate by 1% and gave the Council considerable extra funding. Greater tailored communication which would encourage households to consider the contribution that could be made to the scheme, more robust enforcement complimented by effective education and meaningful engagement were all key components of the strategy.
- The service had also set out some of the future recycling collections the Council could consider implementing, including disposable nappies and the collection of soft plastics, which was a mandatory collection to be introduced no later than 1 April 2027.
- An evidence-based report would be brought back to provide further information on the practical implications of these additional streams for consideration. This would include pilots of the additional streams, and it was proposed to take the results of these through the Service Delivery and Continuous Improvement Policy Development Group (PDG) before it came back to Cabinet.

Discussion took place with regards to:

- The trail and start date for recycling collections of disposable nappies? It was explained that a depot permit required amendments to allow disposable nappies to be collected in the recycling and the Council were waiting for a planning application before the end of the year in regard to this.
- Soft plastics could be taken to supermarkets in the district, which was supported by the FlexCollect scheme - was the Council clear with the communications that would encourage residents to do this?
- Could supermarkets make efficient space to support more recycling of soft plastics?
- Could an audit be completed in regard to the amount that supermarkets were receiving? It was explained that FlexCollect had completed statistics from the last few years with Local Authorities and there was a link in the report with information and figures that the Council would take into consideration.
- The timeline for soft plastics collections at the kerbside. It was explained this was a mandatory requirement as of 1 April 2027, the Council would work with stakeholders and supermarkets.
- When the Council are in a position to collect soft plastic where would this go? It was explained that there were viable markets that would make it a viable operation and there would be a financial reward to the Council.
- At present residents dispose of plastic at the supermarket. When we start collecting soft plastics what are we going to do regarding communications and when will supermarkets know how the council will take it?

- The Council was in the top 5% in regard to recycling across the country, what were the costing if recycling went to landfill? It was clarified that all materials go to energy for waste and the costing would depend on the guide gate fees but they were considerable.
- What were the specific dependencies and timeline for the piloting trials next year and would the Council consider communal areas also? It was explained that the progression would be made from the trialling. The three key elements that would be vital to increase the recycling rate were education, enforcing what residents were recycling and tailored communication. The Head of People, Performance and Waste pledged to confirm a timeline for future pilots of recycling streams once planning permission regarding the remodelling of the Carlu depot and relevant permit application had been obtained in relation to EA regs.
- Whether there were any indications of cost for the future challenges to include emissions from incineration of waste?
- On the Council's website there was an A-Z section, which is not easy to navigate could consideration be given to have an intelligent search to make it easy to search in the future, also an idea for the future this could have an Artificial intelligence (AI) agent that provides responses?

**RESOLVED** that:

Following discussion at the Service Delivery and Continuous Improvement PDG on the 15 September 2025, Cabinet were asked to consider:

1. The strategy regarding the direction of travel for increasing resident awareness and participation with the Bin-It 123 schemes. This was **APPROVED**.
2. A request for an evidence-based paper from Officers on the impact of the potential additional recycling collections, including pilots of these collections, for review before consideration was given. This request was **APPROVED**.

(Proposed by Cllr J Wright and seconded by Cllr S Keable)

**Reason for Decision:**

It should be noted that an increase in recycling tonnages for each material would increase the recycling credits for that material. This increase also has an effect on the income received from each product at this current time. At present this was difficult to determine due to the constant variations in market values.

Note: \*Report previously circulated

**55. VARIATION OF TENANCY AGREEMENT**

The Leader of the Council stated that the Variation of Tenancy Agreement would be deferred to the next meeting of the Cabinet.

**56. MID DEVON HOUSING (MDH) MOBILITY SCOOTER IN FLATS POLICY (1:20:26)**

Cabinet had before it a report \* from the Head of Housing and Health setting out the proposed new policy in relation to mobility scooters in flats.

The Leader of the Council outlined the contents of the report with particular reference to the following:

- The policy had been supported by the Homes Policy Development Group (PDG) in September, this was a new safety-led policy. The introduction followed recent national guidance from the National Fire Chiefs Council and locally from Devon and Somerset Fire & Rescue Service regarding the fire risks associated with mobility scooters in blocks of flats.
- Until recently, MDH only had one block of flats with a single lift not in itself suited to traditional mobility scooters. However, with the acquisition of St Georges Court in Tiverton with its multiple, larger lifts and with the increased use of smaller, more portable scooters there was a requirement for this policy for the first time.
- Whilst the use of mobility scooters was recognised and the importance of these to enable many individuals to maintain independence and have an improved quality of life, it should be noted they were not medical devices but defined as leisure vehicles and as such, not prescribed by the NHS and did not meet recognised safety standards. They were also not included within any formal, tenant-specific 'statement of needs' for those with mobility restrictions as provided by qualified, independent occupational therapists who set out any property adaption requirements for the Council tenants as well as those in private sector housing. As such, mobility scooters and the provision of any infrastructure or charging facilities to accommodate these had not been included in the Housing Aids and Adaptions policy for many years.
- Furthermore, MDH had an overriding, priority statutory responsibility to uphold high standards of health and safety across its estates. In fulfilling this duty, Housing was required to ensure that the use of mobility vehicles within flats and communal areas complied with all relevant legal and safety requirements and guidance so that all tenants were protected from fire risk.
- These risks could arise not just from fires arising from batteries and charging but also from a potential blockage to the safe access and egress via communal areas in flats, especially in upper floor areas during an emergency.
- The new policy was consistent with the Council's long-standing position on scooters and adapting the Council properties, MDH was committed to equality and inclusion and recognised the vital role these aids played in helping residents engage in daily activities and community life.
- A few Councils with housing stock and private housing associations had implemented equivalent policies in recent years and these were reviewed as part of the local policy development work.
- The policy therefore represented a careful balancing act that ensured tenants were safe whilst welfare needs were accommodated as far as possible.

Discussion took place with regards to:

- Discussions about E- Bike and E-Scooters? It was explained this was referenced within the report about the risk and the Council was awaiting further guidance to include these, however they would have different risks. A further report would be provided in due course via the Home PDG.

- The original manufacturer-supplied chargers and Portable Appliance Testing (PAT) and replacements were supplied by the original manufacturer/supplier.
- Restricted charging at night, from 8pm to 8am – this would reduce the risk to those who were asleep, how would this be enforced? It was explained that home visits would be scheduled, and tenants would be required to comply with the policy.

**RESOLVED** that:

Cabinet recommends to Council to adopt the Mobility Scooter in Flats Policy and Equality Impact Assessment contained in Annexes A and B respectively as recommended by the Homes Policy Development Group.

(Proposed by the Leader of the Council)

**Reason for Decision:**

As a registered provider of social housing, the Council must comply with the regulatory standards set by the Regulator of Social Housing. In particular, that it complied with all relevant safety legislation including the mitigation and management of fire risks and meet the wider requirements of the statutory Safety and Quality Standard (consumer standard).

Note: \*Report previously circulated

**57. PLAY AREA INSPECTION POLICY (1:32:31)**

Cabinet had before it a report \* from the Head of Finance, Property and Climate Resilience reviewing the Council's management of play area risk assessment and safety.

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

- The Council had a legal responsibility for the safety of those using its playgrounds. The report introduced the latest review of Play Area Inspections.
- This review was undertaken tri-annually and assessed whether the current regime of inspections remained appropriate in terms of frequency and quality for 78 play areas. The inspections were undertaken by a small team who also coordinated the necessary repair and replacement works. A small contribution towards this was received from Town and Parish Councils.
- The publication "Best Play" stated that play provision should aim to manage the balance between the need to offer an appropriate level of risk/adventure and the need to keep children safe from harm. As such an inspection regime based upon the potential level of risk for each play area – Appendix 1 gave an example of the risk assessment form and Appendix 2 listed the risk scores and inspection frequencies for each play area. The higher the risk score the greater the frequency of inspection.
- Currently, each play area received a monthly and an annual inspection as a minimum. The higher scoring sites received additional inspections up to a maximum of three per week. Inspections were classified as routine (basic

safety check), operational (checking equipment works safely) and annual (checks integrity of structures).

- Following the review, it was recommended that the inspection regime remained appropriate and should be continued until 2028.

Discussion took place with regards to:

- Clarification around the score leading to the frequency of the need to visit as there could be a significant difference in the scoring.

**RESOLVED** that:

The continued approach for the inspection and risk assessment of the council's play areas and that these were brought back for future review no later than 2028 as recommended by the Service Delivery and Continuous Improvement Policy Development Group be **APPROVED**.

(Proposed by Cllr J Wright and Seconded by Cllr G DuChesne)

**Reason for Decision:**

The Council must have an inspection and maintenance regime for its play areas as stated within the Health and Safety at Work Act 1974.

There is a potential cost of litigation and loss of reputation should the Council be found negligent with regards to inspection and maintenance of its play areas in the event of injury or death of a child or any other person.

Note: \*Report previously circulated

**58. MEMORIAL TREE AND SEAT POLICY (1:36:30)**

Cabinet had before it a report \* from the Head of Finance, Property and Climate Resilience reviewing a proposed new policy for Memorial Seats and Trees on Council property.

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

- From time to time the Council received requests to support the provision of memorial trees and seats on their land. There was currently no policy setting out how to deal with these enquires. This report proposed the adoption of a policy, formalising the current ad hoc approach. The policy was broadly in line with many of the surrounding authorities.
- The Council's parks and open spaces were primarily places for recreation and not memorial gardens. However, there were suitable areas within the parks and cemeteries that could accommodate such requests and could add to the well-being for those involved. Therefore, where possible, a request should be considered positively.
- The trees and seats would need to reflect the specific surroundings to ensure that this would not detract from the current setting. The proposed policy included within Appendix 1 outlined the process, specific requirements and



responsibilities and associated costs. All costs were to be met by the applicant.

- If approved, the policy would be reviewed in three years time.

Discussion took place with regards to:

- Was this policy closely aligned with the canal policy?
- The use of artificial / plastic flowers as memorial decorations? It was explained that if any type of flowers were to be used it would create an additional burden to dispose them.

**RESOLVED** that:

To recommend to Full Council the adoption of the Memorial Benches and Memorial Tree Policy as recommended by the Service Delivery and Continuous Improvement Policy Development Group

(Proposed by Cllr J Wright and Seconded by Cllr G DuChesne.)

**Reason for Decision:**

The provision of seats where the Council may not otherwise provide them may ameliorate the experience of those users with reduced mobility and enable greater confidence to use parks and cemeteries for recreation and reflection. Seats will be compliant with Disability Discrimination legislation requirements.

Note: \*Report previously circulated

**59. NOTIFICATION OF KEY DECISIONS (1:39:54)**

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

This included the following:

- Carbon Footprint Report had been added to Novembers meeting.
- Corporate Recovery Policy had moved from November to the meeting in April 2026.
- Housing Strategy had moved from November to the meeting in April 2026.

Note: \* Key Decisions Report previously circulated.

(The meeting ended at Time Not Specified)

**CHAIRMAN**

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**Report for: Cabinet**

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Date of Meeting:	7 October 2025
Subject:	<b>MID DEVON HOUSING (MDH) MOBILITY SCOOTER IN FLATS POLICY</b>
Cabinet Member:	Cllr Jane Lock Cabinet Member for Housing, Assets and Property Services
Responsible Officer:	Simon Newcombe – Head of Housing and Health
Exempt:	None
Wards Affected:	All
Enclosures:	Annex A - Mobility Scooter in Flats Policy Annex B - Equality Impact Assessment

**Section 1 – Summary and Recommendation(s)**

The use of mobility aids, such as powered wheelchairs and mobility scooters is growing rapidly, enabling many individuals to maintain independence and improve quality of life.

MDH is committed to equality and inclusion and recognises the vital role these aids play in helping residents engage in daily activities and community life. These aids significantly contribute to resident wellbeing. However, they are typically not medically prescribed devices subject to relevant standards and safety controls but are more likely to be classified as lifestyle devices that are not necessarily manufactured and maintained in accordance with recognised standards. This, and the inherent risk of having relatively large batteries stored and charged inside our properties increases fire risks.

MDH has a statutory responsibility to uphold high standards of health and safety across its estates. In fulfilling this duty, MDH is required to ensure that the use of mobility vehicles within flats and communal areas complies with all relevant legal and safety requirements.

This policy sets out the conditions under which tenants and their visitors may use, store, and charge mobility scooters and powered wheelchairs within MDH flats and communal areas.

## **Recommendation(s):**

**That Cabinet recommends to Council to adopt the Mobility Scooter in Flats Policy and Equality Impact Assessment contained in Annexes A and B respectively as recommended by the Homes Policy Development Group.**

## **Section 2 – Report**

### **1 Introduction**

- 1.1 The National Fire Chiefs Council (NFCC) has issued safety guidance for mobility scooters, noting both their benefits and associated fire risks. The guidance addresses the safe storage, charging, and use of these devices in residential properties. Further local guidance has been published by Devon and Somerset Fire & Rescue Service.
- 1.2 The increased prevalence of both mobility scooter and of flats within the MDH stock with lifts that facilitate mobility scooters on all floors, notably with regard to the new accommodation at St Georges Court, means that we are required to have a new policy on the safe use of mobility scooters.
- 1.3 It is of overriding important that all our tenants are safe in our homes. As such, that we comply with all relevant safety legislation including the mitigation and management of fire risks and meet the wider requirements of the statutory Safety and Quality Standard (consumer standard).
- 1.4 The proposed policy (Annex A) outlines the responsibilities of Council tenants in flats. It sets clear rules regarding the use, storage, and charging of mobility scooters in flats and communal areas including the requirement to obtain written permission from the Council before use or acquisition.
- 1.5 Tenants are not permitted to store or charge mobility scooters in communal areas for fire safety and wider safe evacuation reasons.
- 1.6 The policy also covers related powered wheelchairs.
- 1.7 The policy does not apply to homes that are not blocks of flats. This is due to reduced risks within fully self-contained properties without communal areas and wider evacuation considerations across multiple floors. Nonetheless, all tenants with a mobility scooter will be encouraged to consider information within the policy with regard to safe storage, charging, testing and insurance.
- 1.8 The policy does not cover e-scooters and e-bikes. These typically contain different lithium batteries. Further research and policy development work is required to understand the potential fire risks from these devices further where different equality considerations may be also be relevant. As part of our existing clear communal areas policy regarding the management of flats, e-scooters and e-bikes and any other bulky or potentially hazardous items are not permitted in communal areas.

## **2 Mobility scooters in flats and related considerations**

- 2.1 The permission process ensures that:
- Storage and charging are done safely
  - Appropriate contents insurance is held for personal protection
  - Users are fully aware of the policy and agree to comply with its terms
  - Devices undergo regular Portable Appliance Testing (PAT)
- 2.2 Tenants will not be granted permission to store or charge mobility scooters in flats above the ground floor. This is due to safety concerns in moving the scooter to upper floor via stairs or lifts.
- 2.3 Permission will also be refused where, for example, there is no safe storage arrangement in the tenant's home and no alternative safe storage and charging space can be provided or a major physical alteration to the premises is required, which the Council believes to be unreasonable in terms of the structural limitations of the building(s) and/or disruption to other service users.
- 2.4 Due to safety concerns, the Council reserves the right to revoke permission at any time should a tenant/leaseholder breach the policy. Devices must then be removed immediately and possibly permanently.
- 2.5 The introduction communal mobility scooters storage areas has been investigated during the development of this policy. However, this has proven to be both impractical, potentially unsafe and cost-prohibition due to the following requirements:
- Single scooter storage solutions only – placing multiple scooters (and therefore several batteries) adjacent to each other creates a significant additional fire risks
  - High infrastructure requirements – power for charging meeting external charging standards, standalone/fully sealed/weatherproof/ventilated units with initial capital costs and on-going revenue implications for maintenance, creation of new accessibility access points and security provisions
  - Prohibitions on internal shared facilities within communal areas and underground car park areas or under-crofts, the latter being a specific issue at our St Georges Court property
- 2.6 The Council has never provided bespoke, specific facilities for the storage of mobility scooters within its stock including bungalows and other units specifically held for older persons/low mobility tenants use.

## **3 Consultation and engagement**

- 3.1 Tenants and Members of the Homes PDG were invited to comment on the draft policy between 21/07/25 -18/08/25.
- 3.2 One comment was received on Let's Talk Mid Devon *'If I can't have my mobility scooter at my flat, I won't be able to go out which will affect my mental health. I rely on it and not allowing people in flats to have mobility scooters should mean*

*that that person should be moved to accommodation which is more suitable for keeping a scooter as this is the difference between some people's independence'. It was explained to the respondent that tenants residing in ground floor flats who wish to store and charge mobility scooters and powered wheelchairs in their flats may be permitted to do so, subject to MDH written approval. It was also explained that permission would not be given for mobility scooters above ground floor due to health and safety reasons. The tenant was invited to send over their details so that MDH could look into whether this applies to their property, however the tenant is yet to make contact.*

- 3.3 Despite only one response to the consultation, it is important that tenants are fully aware of the new policy. To this end, should the policy be adopted, MDH will proactively signpost the policy on our webpages/Facebook pages and in the next tenant newsletter. Where relevant, particularly in relation to queries, service requests or complaints we will also ensure specific tenants or other stakeholders are also aware of the policy as required.
- 3.4 At point of allocation for all flats within the MDH stock, the allocations teams will specifically signpost this policy so any incoming tenants with mobility needs are aware of the policy terms in advance.

#### **4 Safeguarding and vulnerable tenants**

- 4.1 The policy may adversely affect older people and those with disabilities, especially if permission is denied. It could also indirectly affect carers, who may have to provide increased support. These concerns have been considered in the policy's development to ensure a balanced approach with regard to safety requirements.
- 4.2 Where arrangements cannot be made to accommodate a mobility scooter within the tenant's current home MDH will engage with the tenant to explore alternative arrangements. This may include:
- External single scooter, secure storage solutions (at the tenant's cost and where safe)
  - Access to adapted communal spaces (with risk mitigation)
  - Advice on home adaptations or alternative housing options.

#### **5 Recommendation**

- 5.1 It is therefore recommended that:

The Homes PDG recommends to Cabinet that Council adopt the Mobility Scooter in Flats Policy and Equality Impact Assessment contained in Annexes A and B respectively.

#### **Financial Implications**

None beyond those identified in the Equality Impact Assessment.

## **Legal Implications**

As a registered provider of social housing, the Council must comply with the regulatory standards set by the Regulator of Social Housing. In particular, that we comply with all relevant safety legislation including the mitigation and management of fire risks and meet the wider requirements of the statutory Safety and Quality Standard (consumer standard).

This policy has been developed in close consideration with the latest The National Fire Chiefs Council (NFCC) safety guidance for mobility scooters, noting both their benefits and associated fire risks.

Whilst mobility scooters are currently not directly regulated in the UK, the primary legislation relating to mobility scooters and fire safety includes the Regulatory Reform (Fire Safety) Order 2005.

Wider relevant legislation and related MDH policies are set out in section 4 of the policy.

## **Risk Assessment**

Denying permission for mobility devices may significantly reduce an individual's independence. To mitigate this, the Council will consider reasonable property alterations to facilitate device storage, subject to an Occupational Therapist's assessment or provide advice on home adaptations or alternative housing options.

## **Impact on Climate Change**

None directly arising from this report.

## **Equalities Impact Assessment**

An Equalities Impact Assessment has been completed which considers the effect the policy may have on users of mobility scooters who live in our flats. Requests for a mobility scooter will not be unreasonably refused but where we are not able to grant permission we will provide advice on home adaptations or alternative housing options.

## **Relationship to Corporate Plan**

We will work closely with our tenants to ensure they feel safe, secure and happy in their homes.

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

**Date:** 27.8.25

**Statutory Officer:** Maria de Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 27.8.25

**Chief Officer:** Andrew Jarrett

Agreed by or on behalf of the Chief Executive/Corporate Director

**Date:** 27.8.25

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 21/08/2025

**Cabinet member notified:** Yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Simon Newcombe, Head of Housing and Health

Email: [snewcombe@middevon.gov.uk](mailto:snewcombe@middevon.gov.uk)

Telephone: 01884 255255

#### **Background papers and information:**

National Fire Chief Council (NFCC)

Mobility Scooter Guidance for Residential Buildings

[https://nfcc.org.uk/wp-content/uploads/2023/07/09062018\\_NFCC\\_Mobility\\_Scooter\\_Guidance\\_Final.pdf](https://nfcc.org.uk/wp-content/uploads/2023/07/09062018_NFCC_Mobility_Scooter_Guidance_Final.pdf)

Devon & Somerset Fire & Rescue Service

Fire safety for battery-powered mobility scooters and wheelchairs

<https://www.dsfire.gov.uk/safety/businesses/battery-powered-scooters-and-wheelchairs>



## Mobility Scooter in Flats Policy

This policy was produced in 2025 and is version 1.0

This policy was adopted by Council on xxxx

Review Frequency: MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations

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## 1 Introduction

- 1.1 Mobility scooters are becoming increasingly popular in society. Customers are utilising mobility scooters and powered wheelchairs in particular to improve their independence.
- 1.2 Mid Devon House (MDH) affirms its commitment to promoting equality and inclusion, and acknowledges the essential role that a variety of mobility aids, including mobility scooters, play in supporting residents to maintain independence, to access opportunities, and to participate fully in community life. These aids contribute significantly to enhancing residents' quality of life and social wellbeing.
- 1.3 MDH has a statutory responsibility to uphold high standards of health and safety across its estates. In fulfilling this duty, MDH is required to ensure that the use of mobility vehicles within flats and communal areas complies with all relevant legal and safety requirements.
- 1.4 This policy sets out the conditions under which tenants and their visitors may use, store, and charge mobility scooters and powered wheelchairs within MDH flats and communal areas.

## 2 Aims and Objectives

- 2.1 The main aims of the policy are:
  - To provide tenants and their visitors with clear and comprehensive guidelines regarding the safe use, storage, and charging of mobility scooters and powered wheelchairs on Council-owned flats and land;
  - To ensure MDH fulfils its statutory obligations to protect the health, safety, and wellbeing of all residents, staff, and visitors within its housing stock;
  - To prevent mobility scooters from causing obstructions, trip hazards, increased fire risks or blocking designated escape routes in the event of an emergency;
  - To ensure that all prospective and existing tenants are provided with appropriate information and guidance prior to acquiring (by purchase, lease, or other means) any mobility scooter or powered wheelchair, including the requirement to seek permission from MDH for storage or charging at their property;
  - To ensure that tenants and leaseholders in flats are fully aware of their responsibilities concerning the use, storage and charging of mobility aids within and around buildings, particularly in communal areas;
  - To clarify that tenants and leaseholders bear full responsibility for any injury to individuals or damage to Council property resulting from the use, storage, or charging of mobility scooters or powered wheelchairs;
  - To ensure that tenants and leaseholders obtain and maintain appropriate insurance coverage, including public and third-party liability, to protect against potential claims arising from damage to buildings, property, or communal grounds, or injury to residents, visitors or staff.
  - Ensure that tenants with disabilities or mobility needs are supported to maintain independence and equality of access to their homes and services.

- Provide reasonable adjustments, including alternative solutions for safe storage/charging where a tenant's disability means compliance with the standard arrangement would cause substantial disadvantage. This will normally only apply to powered wheelchairs supplied by a medical professional.
  - Commit to signposting to alternative solutions (including re-housing) in the case of affected tenants where policies on fire safety and accessibility potentially conflict.
- 2.2 The objective is to ensure that the use of mobility scooters or powered wheelchairs within Council owned flats and land is safe and adheres to guidance provided by the National Fire Chiefs Council.

### 3 Regulatory Framework and Context

- 3.1 Under the Safety and Quality Standard, The Regulator of Social Housing (RSH) requires all registered providers to provide safe and good quality homes and landlord services to tenants. Under the Neighbourhood and Community Standard, registered providers must work co-operatively to assist in resolving issues affecting the upkeep and safety of the shared spaces associated with their homes.
- 3.2 The RSH regards councillors as responsible for ensuring that providers' businesses are managed effectively and that providers comply with all regulatory requirements.
- 3.3 The Social Housing (Regulation) Act 2023 has impacted the regulatory framework for social housing and introduces a new, proactive consumer regulation regime focused on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 3.4 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants' views on our performance.
- 3.5 The TSM's associated with this policy are:
- TP06 - Satisfaction that the landlord listens to tenant views and acts upon them
  - TP07 - Satisfaction that the landlord keeps tenants informed about things that matter to them
  - TP08 - Agreement that the landlord treats tenants fairly and with respect
  - TP10 - Satisfaction that the landlord keeps communal areas clean and well maintained

### 4 Related Legislation and Relevant Policies

- 4.1 MDH is governed by the following legislation and government guidance:

- The Housing Act 2004
- The Landlord & Tenant Act 1985
- Social Housing (Regulations) Act 2023
- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- Management of Health and Safety at Work Regulations 1999
- The Chief Fire Officers Association Mobility Scooter Guidance 2017
- The National Fire Chiefs Council - Fire Safety in Specialised Housing Guidance 2017
- The National Fire Chiefs Council - Mobility Scooter Guidance for Residential Buildings 2018
- Use of Invalid Carriages on Highways Regulations 1988
- The Health and Safety at Work Act 1974
- The Care Act 2014
- Local Government Association guidance on fire safety in purpose built blocks of flats 2011

4.2 The following should be read in conjunction with the policy:

- MDH Tenancy Agreement
- MDH Tenancy Management Policy
- MDH Neighbourhood Management Policy
- MDH Homes Safety Policy

## 5 Permission & Permitted Use

- 5.1 All tenants and leaseholders living in flats must obtain prior written permission from MDH before storing or charging mobility vehicles or powered wheelchairs within any Council-owned flats or on Council-managed land.
- 5.2 Permission will not be granted to store or charge mobility scooters in flats above the ground floor.
- 5.3 Requests for permission must be submitted in writing using a permission form and will be assessed on a case-by-case basis. MDH reserves the right to refuse permission where it is determined that granting such permission may pose a risk to health, safety, or the integrity of the property.
- 5.4 Tenant wishing to seek permission for a mobility scooter or powered wheelchair must apply using a permission request form. These can be found on our website: [Mobility Scooters - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/mobility-scooters)

- 5.5 This policy does not seek to prohibit the reasonable use, storage, or charging of mobility scooters or powered wheelchairs across MDH-managed housing. Instead, it aims to ensure that such use is safe, controlled, and consistent with fire safety and housing management standards.
- 5.6 Tenants residing in ground floor flats who wish to store and charge mobility scooters and powered wheelchairs within their private dwelling may be permitted to do so at their own risk, subject to obtaining MDH's written approval. Approval will be conditional upon the storage and charging not causing damage to the building fabric, internal infrastructure or MDH-owned fixtures and fittings.
- 5.7 The storage and charging of mobility scooters and powered wheelchairs must only be carried out using the original manufacturer-supplied chargers. These chargers must be subject to Portable Appliance Testing (PAT) on an annual basis. Tenants are responsible for arranging and funding PAT testing for their devices and must provide MDH with valid certification each year as a condition of continued permission. MDH are able to provide a PAT test and valid certificate for a fee. Please contact us for further details.
- 5.8 Tenants are also responsible for ensuring their mobility scooter or powered wheelchair is serviced and maintained regularly. The manufacturer's service guide should be followed for maintenance.
- 5.9 Tenants are required to maintain appropriate insurance which should include valid public liability insurance for any mobility scooters and powered wheelchairs used, stored, or charged on the premises, in case of either damage to the Council's property, or injury involving other Council tenants or their visitors. Evidence of up-to-date specific mobility scooter insurance coverage must be submitted to MDH on an annual basis.
- 5.10 Please note that mobility scooters and powered wheelchairs are not covered by the Council's insurance. Therefore, tenants should arrange their own contents insurance cover.
- 5.11 The Council does not accept liability for any losses or damage to a mobility scooter or powered wheelchair, whether it is on the Council's property or not.
- 5.12 If permission is refused the tenant has the right to appeal the decision. The wish to appeal the decision should be communicated to MDH in writing within 21 days of the tenants being informed of the refusal. The appeal will be conducted by the Operations Manager for Housing. The outcome of the appeal will be final.

## 6 Mobility Scooters and Powered Wheelchairs

- 6.1 Mobility Scooters are defined as an "Invalid Carriage" under the Use of Invalid Carriages on the Highways Regulations 1988 in which they are divided into three categories:

## 6.2 Class 1 Vehicles

- Manually operated wheelchairs which are not electrically powered. These do not need to be registered with the DVLA and tenants do not need to apply for permission to have or store such wheelchairs.

## 6.3 Class 2 Vehicles

- Powered wheelchairs and mobility scooters for pedestrian routes and indoor use, that are limited to a maximum speed of 4mph and do not exceed an unladen weight of 113.4 kg.
- Class 2 vehicles are not allowed on the public highway and are not required to be registered with the Driver and Vehicle Licensing Agency (DVLA).
- Tenants do need to apply for permission to have these types of vehicles.

## 6.4 Class 3 Vehicles

- Powered vehicles and mobility scooters that are designed to:
  - Travel up to 8mph and are used on roads/highways and;
  - Fitted with a device to restrict travel to a maximum speed of 4mph on pedestrian routes and for indoor use.
- Class 3 Vehicles must not exceed an unladen weight of 150 kg.
- Class 3 vehicles are not classed as motor vehicles but they are required to be licensed with the DVLA for road use and cannot be operated by anyone below the age of 14
- Permission will not be given to store or use this type of vehicle within MDH properties.

## 6.5 If permission for a mobility scooter has been given, tenants should ensure that they follow these guidelines:

- Ensure that they follow any manufacturer guidelines or instructions on the safe use and charging of their equipment
- Remove the battery from the mobility scooter (if possible) if not being charged or used
- Restrict charging at night, from 8pm to 8am – this will reduce the risk to those who are asleep
- Ensure that the scooter is not stored in front of exit doorways or fire escape routes within the property or anywhere within the property inhibiting safe entry and exit. If in doubt, the tenant should contact MDH for advice on suitable storage location.

6.6 Where safe storage or charging within a property is not feasible and a tenant requires a mobility aid due to a disability, MDH will engage with the tenant to explore alternative arrangements. This may include:

- External, single scooter secure storage solutions (at tenants cost and where safe to do so)
- Access to adapted communal spaces (with risk mitigation)
- Advice on home adaptations or alternative housing options.

## 7 Storage and Charging within Flats and Communal Areas

### Storage

- 7.1 Tenants must obtain prior written permission from MDH to store a mobility scooter or powered wheelchair within the confines of their property. Storage of mobility scooters within the home is undertaken entirely at the resident's own risk.
- 7.2 Permission to store a mobility scooter or powered wheelchair will not be granted where its use necessitates travel in a lift to access the property (that is flats or maisonettes accessed via lift above ground floor level).
- 7.3 The storage of mobility scooters in any internal communal area—including, but not limited to, corridors, stairwells, or spaces beneath staircases—is strictly prohibited.

### Charging

- 7.4 Tenants must obtain prior written permission from MDH to charge a mobility scooter within the confines of their property. Permission will be subject to compliance with the established mobility scooter charging criteria. Charging within the home is undertaken entirely at the resident's own risk.
- 7.5 The charging of mobility scooters in any internal communal area-including, but not limited to, corridors, stairwells, or spaces beneath staircases of the building - is strictly prohibited.

- 7.6 The charging of mobility scooters in any external communal area is not permitted under any circumstances. Residents must not run extension leads or power cables through doorways, windows, or any other access points for the purpose of charging a mobility scooter stored outside of landlord-owned land.

## 8 Complaints

- 8.1 We try to get things right the first time and when we do, we would love people to let us know. It's great for us to receive positive comments or feedback. Therefore if people wish to complement our staff for doing a great job, we would love to hear from them.

- 8.2 If things do go wrong the Council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve our services

- 8.3 When tenants contact us to tell us they are dissatisfied with the service we have provided, we will offer them the choice to have an informal conversation to see if we can put things right quickly, without the need for a formal investigation.

- 8.4 The Housing Ombudsman Service advise that a complaint must be defined as:

*'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.*

- 8.5 Where a tenant considers that the council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks us to do so) and may be resolved 'there and then' by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.

- 8.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 if they are still not satisfied, the tenant may refer to the Housing Ombudsman Service.

- 8.7 MDH's complaints procedure is detailed on Mid Devon District Council's website: [Feedback and Complaints](#)

## 9 Equality Impact Assessments

- 9.1 MDH completes an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.

## 10 Summary of Additions and Policy Amendments

The following Policy amendments have been made:

Date	Amendment Made	Amendment Authorised by



## **Equality Impact Assessment**

### **Purpose of the Equality Impact Assessment process:**

The Equality Act (2010) introduced the [Public Sector Equality Duty](#) (PSED) requiring public bodies to give due regard to the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

Consideration must be given to the protected characteristics covered by the Equality Act (2010). Assessments should consider relevant evidence relating to persons with protected characteristics in relation to assessments of potential impact.

The purpose of an Equality Impact Assessment (EIA) is to ensure that policies, functions, plans or decisions (hereafter referred to as 'policy/ decision') do not create unnecessary barriers for people protected under the Act. Where negative impacts are identified these should be eliminated or minimised, and opportunities for positive impact should be maximised. An EIA is not required for a decision in relation to an individual.

Screening is a short exercise to determine whether a policy/ decision is relevant to equalities, and if so, whether a full EIA should be conducted.

## Section 1: Equality Impact Assessment Screening

Title and description of the policy/ decision:	Mobility Scooter in Flats Policy
Job title of the person(s) undertaking the assessment:	MDH Policy Officer
Council service:	Mid Devon Housing
Date of assessment:	18.07.2025
What are the aims, purposes, objectives and proposed outcomes of the policy/ decision?	
<p>This Policy sets out the conditions under which tenants and their visitors may use, store, and charge mobility scooters and powered wheelchairs within MDH flats and communal areas.</p> <p>The main aims of the policy are:</p> <ul style="list-style-type: none"> <li>• To provide tenants and their visitors with clear and comprehensive guidelines regarding the safe use, storage, and charging of mobility scooters and powered wheelchairs on Council-owned flats and land;</li> <li>• To ensure MDH fulfils its statutory obligations to protect the health, safety, and wellbeing of all residents, staff, and visitors within its housing stock;</li> <li>• To prevent mobility scooters from causing obstructions, trip hazards, increased fire risks, or blocking designated escape routes in the event of an emergency;</li> <li>• To ensure that all prospective and existing tenants are provided with appropriate information and guidance prior to acquiring (by purchase, lease, or other means) any mobility scooter or powered wheelchair, including the requirement to seek permission from MDH for storage or charging at their property;</li> <li>• To ensure that tenants and leaseholders in flats are fully aware of their responsibilities concerning the use, storage, and charging of mobility aids within and around buildings, particularly in communal areas;</li> <li>• To clarify that tenants and leaseholders bear full responsibility for any injury to individuals or damage to Council property resulting from the use, storage, or charging of mobility scooters or powered wheelchairs; and</li> <li>• To ensure that tenants and leaseholders obtain and maintain appropriate insurance coverage, including public and third-party liability, to protect against potential claims arising from damage to buildings, property, or communal grounds, or injury to residents, visitors, or staff.</li> </ul>	
Who may be affected by the policy/ decision?	<p>Persons with a protected characteristic and or medical condition/need that requires use of a mobility scooter or powered wheelchair.</p> <p>The Council remains committed to promoting the rights of those with protected characteristics and the independence of our tenants through supporting their use of mobility aids such as mobility scooters or powered wheelchairs, but this must be balanced with our duty to ensure that shared areas are safe places for other residents, staff, and visitors to access, and remain clear of obstructions in the event of a fire which mobility scooters or powered wheelchairs can pose if stored and charged</p>

	there.
How have stakeholders been involved in the development of the policy/ decision? E.g. a consultation exercise	All Council tenants and Members were consulted about the Policy between 21 <sup>st</sup> July 2025 and 18 <sup>th</sup> August 2025.
Will there be scope for prompt, independent reviews and appeals against decisions arising from the policy/ decision?	MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.
To which part(s) of the Public Sector Equality Duties is the policy/ decision relevant:	
	Yes No Details
1. Eliminate unlawful discrimination	<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Advance equality of opportunity	<input type="checkbox"/> <input checked="" type="checkbox"/>
3. Foster good relations between different groups	<input type="checkbox"/> <input checked="" type="checkbox"/>

**Which of the protected characteristics is the policy/ decision relevant to?**

*Tick and briefly describe any likely equalities impact (positive, negative, or neutral)*

Characteristic	Positive	Negative	Neutral	Comments
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mobility scooters or powered wheelchairs are generally utilised by elderly people to aid their mobility. The Policy provides guidelines to tenants to help them facilitate mobility scooter or powered wheelchair ownership in a way which reduces any risk to the tenant and other tenants in the building.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Although MDH will not be able to grant permission for mobility scooters or powered wheelchairs in all instances, the Policy requires MDH to seek alternative solutions for tenants where owning and storing of a mobility scooter in their current

Characteristic	Positive	Negative	Neutral	Comments
				accommodation is not possible.
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Pregnancy/ maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Marriage and Civil partnership*	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts

\*Applies only to Employment and the duty to give regard to the elimination of discrimination.

### Decision by Corporate Manager to recommend this policy/ decision for an Equality Impact Assessment?

Yes

If the answer is “Yes”, please continue to the Section 2 and complete the Equality Impact Assessment. If the answer is “No”, please give a brief reason here.

## EIA Screening Complete Section 2: Equality Impact Assessment

Evidence and Consultation
<p>What existing sources of information have you gathered to help identify how people covered by the protected characteristics may be affected by this policy/ decision? E.g. consultations, national or local data and/or research, complaints or customer feedback. Please identify any gaps in the available information that might make it difficult to form an opinion about the effect of the policy on different groups.</p>
<p>The Policy is likely to impact on residents who currently use mobility scooters or powered wheelchairs to support their mobility and also those who are considering using them.</p> <p>Residents who may use mobility scooters or powered wheelchairs include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Older persons who have restricted mobility</li> <li>• Individuals who have a disability as defined in the Equality Act 2010</li> </ul> <p>Mobility scooters or powered wheelchairs are recognised as mobility aids which can enhance the quality of life and help maintain a standard of independence for many older or less mobile residents, who otherwise may be limited in their ability to access common facilities where they live or access those in the wider community.</p> <p>The National Fire Chiefs Council (NFCC) has issued guidance (Fire Safety in Specialised Housing [2017] and Mobility Scooter Guidance for Residential Buildings [2018]) recognising that while mobility scooters or powered wheelchairs enhance residents' quality</p>

of life, they also pose fire risks. The guidance outlines considerations for the safe use, storage, and charging of mobility scooters in residential buildings.

This Policy will be sent to current Council tenants and Members for consultation between 21<sup>st</sup> July 2025 and 18<sup>th</sup> August 2025. The results of the consultation will be reviewed and any necessary changes made to the Policy.

Please complete this table for all the Protected Characteristics. If you have identified any negative impacts you will need to consider how these can be justified or where possible mitigated either to reduce or remove them. (Please add rows where needed)

Potential Impacts/ Issues Identified/ Opportunities identified	Mitigation required (action) or Justification	Lead Officer and target completion date	What is the expected outcome from the action?
<b>Sex</b>			
No impacts have been identified in the completion of the assessment.			
<b>Age</b>			
<ul style="list-style-type: none"> <li>The Policy may have an impact on elderly residents who are considering using a mobility scooter or powered wheelchair to support their mobility, in buildings with shared spaces</li> <li>Designated sheds or areas where users are permitted to store and charge their mobility scooters or powered wheelchairs may not be available and may be inaccessible.</li> <li>The potential use of enforcement against mobility scooter or powered wheelchair users where there is a breach of the tenancy agreement, the Neighbourhood Management policy, and any permissions to use, store or charge their mobility scooter.</li> </ul>	<ul style="list-style-type: none"> <li>We will engage with residents where they are in breach of the Policy and their tenancy agreement.</li> <li>Before any enforcement action is taken, we will work with the owner to find an alternative solution.</li> <li>The Policy clearly defines what mobility scooter or powered wheelchair users can and cannot do regarding storage and charging.</li> <li>Where the Council is unable to accommodate persons who use a mobility scooter or powered wheelchair alternative accommodation will be discussed and arranged.</li> <li></li> </ul>		

Disability			
<ul style="list-style-type: none"> <li>The provisions in the Policy may potentially have a negative impact on persons with disabilities that impede or affect their mobility, who currently use mobility scooters or powered wheelchairs.</li> <li>The Policy may also have an impact on residents who are considering using a mobility scooter or powered wheelchair to support their mobility in buildings with shared spaces</li> <li>Designated sheds or areas where mobility scooter users are permitted to store and charge their mobility scooters or powered wheelchairs may not be available and may be inaccessible.</li> <li>The potential use of enforcement against mobility scooter or powered wheelchair users where there is a breach of the tenancy agreement, the Neighbourhood Management policy, and any permissions to use, store or charge their mobility scooter.</li> </ul>	<ul style="list-style-type: none"> <li>We will engage with residents where they are in breach of the policy and their tenancy agreement.</li> <li>Before any enforcement action is taken, we will work with the owner to find an alternative solution.</li> <li>The Policy clearly defines what mobility scooter or powered wheelchair users can and cannot do regarding storage and charging.</li> <li>Where the Council is unable to accommodate persons who use a mobility scooter or powered wheelchair alternative accommodation will be discussed and arranged.</li> </ul>		
Religion or Belief			
No impacts have been identified in the completion of the assessment.			
Race			
No impacts have been identified in the completion of the assessment.			
Sexual Orientation			

No impacts have been identified in the completion of the assessment.			
<b>Gender Reassignment</b>			
No impacts have been identified in the completion of the assessment.			
<b>Pregnancy/ maternity</b>			
No impacts have been identified in the completion of the assessment.			
<b>Marriage and Civil partnership</b> (Applies only to Employment and the duty to give regard to the elimination of discrimination)			



**Please provide details of arrangements to monitor and review the policy/ decision and any mitigating actions or actions to promote equality:**

Following consultation with tenants and members, the Policy will be reviewed in the light of any feedback.

MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.

**Please state where the EIA will be published (e.g. on the Mid Devon District Council website):**

Mid Devon Housing Website

=====

### **Equality Impact Assessment Sign off**

**For completion by Corporate Manager**

**Are you prepared to agree and sign off the EIA?**

☐ **Yes**

☐ **No**

If "No", provide details of why and next steps:

**Name: Simon Newcombe**

**Job Title: Head of Housing and Health**

**Date:**

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**Report for:** CABINET

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Date of Meeting:	7 October 2025
<b>Subject:</b>	<b>Memorial Tree and Seat Policy</b>
Cabinet Member:	Cllr Josh Wright, Cabinet Member for Service Delivery and Continuous Improvement
Responsible Officer:	Paul Deal, Head of Finance, Property and Climate Resilience
Exempt:	None
Wards Affected:	All
Enclosures:	Appendix 1 – Memorial Seat and Tree Policy

**Section 1 – Summary and Recommendation(s)**

To review a proposed Policy for Memorial Seats and Trees on Council property.

**Recommendation(s):**

**That Cabinet recommends to Full Council the adoption of the Memorial Benches and Memorial Tree Policy as recommended by the Service Delivery and Continuous Improvement Policy Development Group.**

**Section 2 – Report**

**1.0 Introduction/Background**

- 1.1 From time to time the Council receives requests to support the provision of memorial trees and seats on its land. There is currently no policy setting out how to deal with these enquires. The proposed policy, attached as Appendix 1, sets out what is generally currently followed on an ad hoc basis for the purpose of clarity, equity and transparency.

**2.0 Rational**

- 2.1 Consideration will be given to requests for a seat with plaque or a tree on Council land in memory of loved ones who have died and other special events. This policy sets out the basis for this and seeks to demonstrate an equitable and transparent process.

2.2 The Council's parks and open spaces are primarily places for recreation and not memorial gardens. However, they do though provide a place for reflection and remembrance and are part of supporting well-being through the provision of quality open spaces.

2.3 There will not always be an immediately available space for a seat or tree and for those requests that can't be accommodated immediately, there will be the option to be added to a waiting list that will be maintained by the Council.

### 3.0 **Trees**

3.1 Trees will only be provided where there is a need for a tree in-line with the Council's Tree Policy. That may be where there is space to accommodate a tree or further tree or where an existing tree has failed and needs to be replaced. There isn't infinite space for trees and any newly planted tree must enhance and not detract from the setting.

3.2 No plaques or other marker will be permitted to accompany a tree as these may be the subject of theft and/or vandalism. However, natural floral tributes may be placed up to 3-times annually (birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

### 4.0 **Seats**

4.1 Seating can only be provided where there are sites available within the Council's parks and cemeteries and where a new seat is needed to replace either a missing seat or one which is in a poor state of repair. Seats are not always replaced like for like. They need to be in places where the Council determines they will be used and enjoyed.

#### 4.2 Locations for seats

##### Tiverton

- People's Park
- Westexe Recreation Ground
- Cemetery

##### Crediton

- Newcombes Meadow
- Cemetery

##### Other Towns and Parishes

- There are no similar ornamental parks owned by the Council and the Cemeteries are operated by Town and Parish Council where they exist.

Other sites may be considered, for example play areas and other open-spaces.

4.3 Engraved stainless steel plaques with appropriate wording may be affixed to a bench. Again, natural floral tributes may be placed up to 3-times annually

(birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

- 4.4 The principles of the seating policy are endorsed by the Tiverton People's Park Trustee Group.

## 5.0 **Costs**

- 5.1 The cost of any memorial seat or tree will be met by the requestor.
- 5.2 Costs are subject to annual review but will increase by at least the appropriate Consumer Prices Index.

## **Financial Implications**

There may be some financial advantage to the Council as the donation of seats and trees should result in improvements to the Council's parks and open spaces.

## **Legal Implications**

None.

## **Risk Assessment**

No risks additional to normal operational risk to consider.

## **Impact on Climate Change**

Minimal impact but planting additional trees will be beneficial.

## **Equalities Impact Assessment**

The provision of seats where the Council may not otherwise provide them may ameliorate the experience of those users with reduced mobility and enable greater confidence to use parks and cemeteries for recreation and reflection. Seats will be compliant with Disability Discrimination legislation requirements.

## **Relationship to Corporate Plan**

Supports the use of parks and cemeteries for well-being. Supports carbon reduction targets with tree planting where appropriate and re-use of materials.

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

**Date:** 04/09/2025

**Statutory Officer:** Maria de Leburne  
Agreed on behalf of the Monitoring Officer  
**Date:** 04/09/2025

**Chief Officer:** Andrew Jarrett  
Agreed by or on behalf of the Chief Executive/Corporate Director  
**Date:** 04/09/2025

**Performance and risk:**  
Agreed on behalf of the Corporate Performance & Improvement Manager  
**Date:** 04/09/2025

**Cabinet member notified:** (yes)

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Steve Densham  
**Email:** Sdensham@middevon.gov.uk  
**Telephone:** 01884234921

**Background papers:**



# **Memorial Seat and Tree Policy**

**September 2025**

**Policy No. PS001**

**Version Control Sheet**

*Title:* **Memorial Seat and Tree Policy**

*Purpose:* **To detail the Memorial Seat and Tree Policy for Mid Devon District Council (Council) to standardise requests for memorial benches or trees on Council land.**

*Owner:* **Head of Finance, Property and Climate Resilience**

*Date:* **September 2025**

*Version Number:* **1.0**

*Status:* **Draft**

*Review Frequency:* **Every three years**

*Next review date:* **September 2028**

*Consultation* **This document was sent out for consultation to the following:**  
People's Park Trust

**Document History**

This document requires/obtained the following approvals.

<b>Title</b>	<b>Date</b>	<b>Version Approved</b>
People's Park Trust	April 2025	Draft
Service Delivery & Continuous Improvement PDG	September 2025	Draft
Cabinet	November 2025	Draft
Full Council	December 2025	Draft

**Related Policies:**

N/a



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## 1 Introduction

Consideration will be given to requests for a seat with (or without) a plaque or a tree on Council land in memory of loved ones passed away and other special events. The subsequent provision of a seat or tree is to be fully funded by the applicant.

There will not always be an immediately available space for a seat or tree and those requests that can't be accommodated immediately, there will be the option to be added to be added to a waiting list that will be maintained by the Council.

Ownership of any approved seat or tree will remain with the Council with no obligation to replace trees that either fail after completion of aftercare periods or are vandalised after an initial 6-month period. Similarly, the Council will have no obligation to replace benches after an initial 10-year timeframe or if they are vandalised after an initial 6-month period.

Changes to policy and guidance will occur infrequently, as such this policy should be reviewed every three years.

## 2 Purpose

This policy formalises the previous ad hoc approach applied for purposes of clarity, equity and transparency.

## 3 Scope

This policy covers mainly ornamental parks and cemeteries owned by the Council. Primarily this includes:

### Tiverton

- People's Park
- Westex Recreation Ground
- Cemetery

### Crediton

- Newcombes Meadow
- Cemetery

Other sites, for example play areas and other open-spaces, may be considered.

## 4 Responsibilities

This policy will be managed, promoted, and regulated through the Council's Property Services Team, who will undertake the following:

### Trees

- Trees will be selected taking into account the applicant's wishes where appropriate to do so, but the key concern will be to choose a tree which aligns with and complements the existing trees within the relevant location, i.e. right tree, right place. The Council's specialist staff will have authority to decide on this matter and their decision will be final with explanation given to the applicant.
- The tree will be purchased and planted by the Council to ensure the right genus and quality in accordance with industry standards and good practice. The

applicant (and family members) may be present for the purchase and/or planting, if they request to.

- The Council will provide aftercare including watering for a an initial 6-month period after planting and for the two summer seasons after planting where necessary and replace in the next planting season any tree that has failed for whatever reason. The Council will have no obligation to replace trees that fail after completion of aftercare periods or are vandalised after the initial 6-month period.

The following restrictions apply:

- No plaques or other marker will be permitted to accompany any tree as these may be the subject of theft and/or vandalism.
- Natural floral tributes may be placed up to 3-times annually (birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

### Seats

- Where there is a need for a seat to replace either a missing seat or one which is in a poor state of repair, upon request the Council's specialist staff will provide a seat manufactured in recycled plastic to align with the style of others within the relevant location.
- An engraved stainless steel plaque with appropriate wording may be affixed to the bench.
- A seat is offered for a period of 10-years. Should a seat or plaque become damaged or unsafe through general wear and tear during the 10-year period, the Council will arrange for repair or replacement, as appropriate. The Council cannot guarantee the long-term safety or security of the bench and, in the event that the seat or plaque is stolen or damaged through vandalism, the Council shall not be responsible for providing a replacement.

The following restrictions apply:

- Natural floral tributes may be placed up to 3-times annually (birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

### Applicant's Details

The Council will maintain a record of each applicant and the applicant's contact details in accordance with the General Data Protection Regulations. It is the responsibility of the applicant to provide the Council with updated details in writing. Failure to do so could lead to the tree or bench being removed without the applicant being notified.

### **5 Costs (as at September 2025)**

The cost of any memorial seat or tree will be met in full by the applicant. All costs are subject to annual review but will increase by at least the appropriate annual Consumer Prices Index.

The cost for the supply of a container grown tree with a full season's growth, planting, staking, mulching and after care is £325 plus VAT.

The cost for the supply of a seat, plaque (if necessary) and installation for a 5-year period is £1,396 plus VAT.

Replacement plaques will be charged at £95 plus VAT.

Requests for minor repair, where it is possible, will be charged at £100 plus VAT and plaque retouching at £20 plus VAT.

## **6 Complaints**

Any complaints relating to the implementation of this policy will be dealt with through the Council's Complaints Procedure.

## **7 Application Process**

Applications must be made in person/by post to Mid Devon District Council, Phoenix House, Tiverton, EX16 6PP.

## **8 Review Period**

This policy will be reviewed every three years.

***This document, which is owned by the Property Services Team, forms part of the Council's Parks and Open Space Management Policy framework and, as such, must be fully complied with.***

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 8 September 2025 at 5.00 pm

**Present  
Councillors**

L G J Kennedy (Chair)  
G Westcott (Vice-Chair), A Cuddy, G  
Czapiewski, M Farrell, B Holdman, L Knight,  
J Poynton and R Roberts

**Apologies  
Councillors**

C Adcock, D Broom, E Buczkowski and C Harrower

**Also Present  
Officers:**

Maria De Leburne (Director of Legal, People & Governance (Monitoring Officer)), Matthew Page (Head of People, Performance & Waste, Paul Deal (Head of Finance, Property and Climate Resilience), James Hamblin (Operations Manager for People Services), Paul Wilson (Specialist Lead for Community Safety & Safeguarding) and David Parker (Democratic Services & Policy Research Officer)

**Councillors  
Online**

G Duchesne, J Lock, L Taylor, J Wright and D Wulff

**Officer Online**

Simon Newcombe (Head of Housing and Health)

**23 APOLOGIES AND SUBSTITUTE MEMBERS (00:05:38)**

Apologies were received from Councillors: C Adcock, D Broom who was substituted by Cllr B Holdman, Cllr E Buczkowski and Cllr C Harrower.

**24 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:06:10)**

No declarations were declared under this item.

**25 PUBLIC QUESTION TIME (00:06:27)**

**P ELSTONE**

Regarding Agenda Item 8: Establishment Report

**Question 1:** My point of reference is Section 4.0 Establishment - Table 2. A table which shows the staff numbers for this Council and associated payroll plus pension cost over the period 2021 to 2025.

It is noted that over the period the total number people employed increased from 728 to 782, an increase of 7%. That the total Taxable Gross Pay rose from £12.197 million to £14.916 million, a payroll increase of 22%. Yet the employer's pension payments increased from £1.938 million to £2.749 million. A massive increase of 41%.

Please fully explain why there is such a massive increase in pension costs. Pension cost which are greatly out of step with the staff and payroll increases.

**Question 2:** What is the current annual cost of the pension scheme administration fees?

**Question 3:** Where can details of this Council's pension fund financial status be found for public viewing?

Regarding Agenda Item 11 - Work Program

**Question 4:** At the Cabinet meeting of the 2 September 2025, I asked the following question related to the Freedom of Information Policy:-

"Will this Cabinet request that Scrutiny Committee implement a full review into how the Freedom of Information (FOI) System is really functioning especially as Members of this Council are now having their integrity and reputation challenged when their responses to public questions are found to be incorrect?"

Additionally, I provided an example of both exceptional delays being experienced in receiving answers to FOI request and a lack of integrity in the answers received.

Another member of the public provided examples of similar FOI issues at the same meeting.

The response from the Council Leader was totally dismissive even making an incorrect statement about the three other Council's FOI performance without even knowing who they were and without any factual evidence to support.

Most disturbingly, the Council Leader was publicly dismissive of Information Commissioner Judgements against this Council in connection with its Freedom of Information system failings.

Will Scrutiny Committee implement a full review into why the Freedom of Information System is failing to properly function in this Council? Especially so when irrefutable evidence that exist, yes irrefutable evidence, to show that there are quite serious integrity and reputational issues resulting?

The Chair explained that with regard to the last question this item would be on the agenda at the next meeting on 29 September 2025. All other questions would be answered, in writing, within ten working days.

**Supplemental Question:**

Can you confirm that's this is relating to how the Freedom of Information system is truly functioning or was that another review?

**26 MINUTES OF THE PREVIOUS MEETING (00:10:55)**

The minutes of the last meeting held on 14 July 2025 were approved as a correct record and **SIGNED** by the Chair.

**27 CHAIR'S ANNOUNCEMENTS (00:11:25)**

The Chair made the following announcements:-

- He thanked Cllr Sue Robinson, his predecessor who due to a personal matter could not give this Committee its full time and attention and had immediately stood down. He wished to thank her and wished her well for the future.
- With regard to Local Government Reorganisation – he had been a Director of Devon Association of Local Councils (DALC). He had spoken to the Monitoring Officer who had confirmed that it would put him in a difficult position moving forwards should he remain a Director as well as Chair of this Committee. He had therefore stepped down as Director of DALC.

**28 DECISIONS OF THE CABINET (00:13:01)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 2 September had been called in.

**29 WHISTLEBLOWING - 6 MONTH UPDATE (00:13:18)**

The Committee **NOTED** a verbal report from the Head of People Performance and Waste with an update on whistleblowing complaints in the past 6 months.

The following was highlighted:-

- The Council had received a complaint which had an element of whistleblowing in it. The complaint had been externally and independently investigated, with none of the allegations being upheld.
- There had been no other whistleblowing allegations.

**30 ESTABLISHMENT REPORT (00:14:24)**

The Committee had before it and **NOTED** a \*report from Head of People, Performance and Waste.

The following was highlighted in the report:

- The six month update report complemented the Annual Establishment Report and Pay Policy which was presented to Cabinet each February.
- Since the last report in February – 2024/2025 had seen some of the best performances for turnover, sickness and agency spend in recent years.
- The data for 2025/2026 was running very close to those same figures with a further update being presented in February 2026.
- A staff survey would be carried out in early 2026 and would include questions tailored to meet the needs of the Council's workforce with Local Government Reorganisation (LGR) on the horizon and the changes in the way some services were delivered.
- Staff were regularly updated through staff briefings, internal communications on the progress of LGR although details at the moment were limited.
- The 2025/2026 pay award had been signed off at the start of August – this was the earliest it had been concluded in many years.
- The Local Government Association (LGA) were keen to explore a three year settlement for the years 2026/2027, 2027/2028 and 2028/2029.

The Operations Manager for People Services further explained the following:

- 2024/2025 saw the lowest sickness absence levels since the pandemic with 7.35 days per full time equivalent (FTE) this was a significant reduction from the 10.45 days seen in 2023/2024.
- Staff turnover in 2024/2025 finished at 16.3%, the lowest since the pandemic.
- Agency spending during 2024/2025 was lower compared to the previous financial year.
- The Council continued to support apprentices. There were currently 16 apprentices across all Council services.
- Reviewing the data from the year ending 2024 showed that 90% of the Council's apprentices became employees.
- Work was being undertaken to consider improvements for work experience pupils in 2026.
- Staff welcomed the six monthly checks offered by colleagues in Active Mid Devon and this would continue.
- Communications would continue with staff regarding LGR.

Discussion took place with regard to:

- Whether there would be an increase in turnover as the Council moved forwards with LGR and was anything in place to deal with that. It was explained that the exit interview data did not show so far LGR as reason for people to leave. This may change over the next 2 years as staff consider their options. This would be closely monitored.
- The importance of offering work experience placements.
- The proportion of staff interviewed upon exit. It was explained that an exit interview was offered to all staff. In the last three months there had been several months where 100% of exit interviews had taken place. This was currently being reviewed in terms of the process and content of the interview to reduce the possibility of exit interviews reducing in the future.
- How LGR was affecting the recruitment process. It was explained that based on data there had not been a drop in applications. Some roles were more



difficult to recruit to and it was not always possible to find the skill or knowledge in-house.

- How to reduce staff sickness absences further. It was explained that every absence was treated on a case-by-case basis.
- The factors of those increases in the number of employees. It was explained that the figures were across the whole of the year. The increase in total Taxable Gross Pay, national insurance and pension contributions. This needed to be investigated further. Whether information could be shared from other authorities which could be compared as a guide to assessing statistics. At the moment that information is/may not be available and may not be in the public domain.
- The work and commitment from officers and managers across the Council in reducing sickness absence.
- Whether officers were aware of expected agency fee expenditure.

Note: \*report previously circulated.

### **31 LOCAL GOVERNMENT REORGANISATION AND DEVOLUTION (00:39:42)**

The Chair explained that if Members had any specific points they wished to raise those would be captured in the minutes and would be addressed at the next Scrutiny Committee on 29 September 2025.

Discussion took place regarding:-

- Keeping members of the public informed as there were rumours that there would be one Unitary Authority across Devon. To prevent rumours it was important to keep everyone informed.
- There did not appear to be any schedules or timings. Prior to decisions being made would proposals and recommendations come before the Scrutiny Committee prior to submitting them to the Government?
- How would the transition take form - would this be a Shadow Organisation and how anticipated as part of the detail?
- The demands on driving time for meetings that may be spread across Devon would not allow sufficient time for Councillors to fulfil their roles.
- The implications of the amount of time for members as they would spend more time traveling.
- The difficulties of population being made clear to the authorities, for areas which had dispersed rural settlements.

### **32 COMMUNITY SAFETY PARTNERSHIP REPORT (00:46:15)**

The Committee had before it and **NOTED** a \*report from the Head of Housing and Health.

The Committee were introduced to Paul Wilson, Specialist Lead for Community Safety and Safeguarding.

The following was highlighted in the report:

- The Annual Report ensured that the Scrutiny Committee had an oversight of the East and Mid Devon Community Safety Partnership (CSP) and had an opportunity to review the activities of the Partnership during 2024/2025 and to look ahead at the priorities and pressures this year and beyond.
- Following a review by the statutory partnership with the CSP the priorities had been updated for this year onwards and the CSP continued to be a specified authority under the Statutory Serious Violence Duty which was introduced in 2023.
- There had been ongoing pressures around CSP's responsibilities in terms of the statutory Domestic Homicide Reviews (DHR).
- There were a number of national developments in the pipeline as set out within the report.
- There was a strong emphasis on the work towards anti-social behaviour.
- It had been recognised within the Devon Serious Violence Strategy that anti-social behaviour (ASB) was tackled early and that it had been a priority during 2024/2025. This had been reflected through the increased use of ASB powers, the introduction of New Youth, antisocial behaviour intervention panels and the recent work in Tiverton with marshals in the town centre.
- The CSP also worked with the Community Alcohol Partnership and the Devon wide Let's Talk Programme, which offered a myriad of sessions supporting children and parents around issues such as online exploitation, serious violence and knife crime.
- The crime levels within mid Devon remained low and well below the national average. However ASB was an issue that would continue to be addressed.
- New priorities for the CSP would focus on youth, ASB including drinking, drugs and nuisance behaviour and how that related to ASB in the town centres, domestic abuse, sexual violence, harmful sexual behaviour and child exploitation.
- Despite the lack of funding for the CSP from the Government, the Police and the Crime Commissioner there was still an ongoing duty to provide complex DHRs that were managed at a county level.
- Across Devon there was a rising pressure to deliver more and more DHRs which would create funding pressures. This was being reviewed.

Discussion took place with regard to:

- How the CSP were proactively dealing with ASB. It was explained that there had been a very strong emphasis on ASB with increased use of Community Protection Notices and Community Protection Warning powers along with training for Housing and Public Health Council staff.
- Would drug rehabilitation be considered as this was on an ongoing problem? It was explained that yes, there were commission services that were commissioned at a County level.

- Does the Council have sufficient budget for street marshals and was this utilised. It was explained that the level of patrols had been conducted was defined by the Home Office.
- Clarification around the increase in domestic violence.
- Shoplifting in and around the Tiverton area.
- The information that was in the public domain about ASB and the reporting arrangements.
- Future focus of priority three in the new list of priorities, domestic abuse, sexual violence and harmful sexual behaviour. What was the year of this increase?

Note: \*report previously circulated.

### 33 **WORK PROGRAMME (01:32:34)**

The Committee had before it and **NOTED** the \*Forward Plan and the \*Scrutiny Committee Work Programme.

The changes to the work programme for the meetings in September were explained to the Committee.

Two work proposals were considered:

- Street Marshals and ASB Reporting- it was **AGREED** this proposal form would be forwarded to the Head of Housing and Health.
- MMC Self Builds- In terms of their build approach as a Council. It was **AGREED** this proposal form would be sent directly to the Director of Place and Planning Policy Advisory Group.

Note: \*Forward Plan and the \*Scrutiny Committee Work Programme were previously circulated.

(The meeting ended at 6.43 pm)

**CHAIR**

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**MINUTES of a MEETING of the SCRUTINY COMMITTEE held on 29 September 2025 at 5.00 pm**

**Present**

**Councillors:** L G J Kennedy (Chair)  
G Westcott (Vice-Chair), C Adcock,  
D Broom, E Buczkowski, A Cuddy,  
G Czapiewski, M Farrell, C Harrower,  
L Knight and R Roberts

**Also Present**

**Councillors:** S Robinson and G Duchesne

**Also Present**

**Officers:** Stephen Walford (Chief Executive), Richard Marsh  
(Director of Place & Economy), Maria De Leburne  
(Director of Legal, People & Governance (Monitoring  
Officer)), Mike Lowman (Operations Manager for Housing)  
and Angie Howell (Democratic Services Officer)

**Councillors**

**Online:** J Buczkowski, J Lock and L Taylor

**34 APOLOGIES AND SUBSTITUTE MEMBERS (00:04:34)**

There were no apologies.

**35 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:04:46)**

No declarations were declared under this item.

**36 PUBLIC QUESTION TIME (00:05:03)**

**Paul Elstone**

Regarding Agenda Item 9

**Question 1:**

Agenda Item 9 Housing Repairs and Maintenance makes full reference to monitoring home safety i.e. the internal living conditions of social homes. This in terms of recommended minimum and maximum temperatures and maximum CO2 levels.

The minimum internal temperature being 18 Degrees Celsius  
The maximum internal temperature being 26 Degrees Celsius

The maximum internal CO2 being 1,000 parts per million.

I have provided all Mid Devon District Council Members with a copy of a report prepared by the University of the West of England and for a ZED PODs modular development in Bristol. A modular development with exact comparisons to Shapland Place.

A low temperature of 17 degrees or 1 degree below the minimum being measured in this development. This with heating switched on.

A high temperature of 36 degrees measured 10 degrees above the maximum. A temperature with real safety issues for the young, elderly and the vulnerable.

CO2 measured in excess of 1000 PPM and with ventilation switched on and with known impacts to resident's health and wellbeing.

A Shapland Place resident with a young child has already reported an internal temperature of 32 degrees and this was not even during a heat wave. A Member of this Committee and at a recent Tiverton Town Council meeting made reference to the high internal temperatures affecting a ZED POD development and saying that these high temperatures were in part due to windows not being opened. It is a matter of fact that windows are being fully opened but windows that should have restrictors on them but not and therefore are not in compliance with a planning condition this to prevent overlooking.

There is further and ample evidence to warrant a proper investigation into the suitability and integrity of the MDDC ZED POD contract awards. Will this Scrutiny Committee do exactly that?

**Question 2:**

I have once again had my integrity questioned in the answer to a public question this time suggesting I was being "*deleterious*" when challenging the credibility of the Shapland Place Energy Certificates this including the energy consumption and CO2 savings quoted.

To put the record straight. During repeat engagements with more than one Elmhurst Energy Technical expert and with Elmhurst Energy being the very company who provided accreditation to the Energy Assessor used by ZED PODs the experts confirmed my position.

That it is a statutory requirement for the secondary infra-red space heaters installed at Shapland Place to be recorded on the Energy Certificate. Therefore the energy consumption and CO2 savings stated on the Energy Certificate must be different. A situation further justifying a proper investigation. Again, will this Committee do exactly that?

The Chair explained that all questions would be answered in writing within 10 working days.

## 37 MINUTES OF THE PREVIOUS (00:09:08)

The Chair explained that an amendment had been requested since the publication of the draft minutes at minute number 32, under the discussion that took place, bullet point 6 to read as: "More detailed information was requested about the different types of anti-social behaviour (ASB) and the reporting arrangements so that trends and progress could be better monitored".

The minutes of the last meeting held on 8 September were approved, to include the amendment as noted above, as a correct record and **SIGNED** by the Chair.

## 38 CHAIR'S ANNOUNCEMENTS (00:10:15)

The Chair had no announcements to make.

## 39 DECISIONS OF THE CABINET (00:10:21)

The Committee **NOTED** that none of the decisions made by the Cabinet on 2 September 2025 had been called in.

## 40 DEVON HIGHWAYS - JUNCTION 28 OF THE M5 (00:10:33)

The Committee received and **NOTED** a verbal update from the Director of Place and Economy regarding proposed improvements to Junction 28 of the M5.

The following was highlighted: -

- Devon County Council was the Highways Authority and the lead entity and bidder in relation to the J28 scheme.
- Funding had already been secured to support the delivery of Cullompton Town Centre Relief Road (CTCRR).
- The CTCRR highways scheme supported various initiatives within the town including improvements to air quality and addressed elements of congestion.
- It also enabled the next phase of housing delivery in Cullompton.
- There was a requirement for the upgrading of Junction 28 of the M5 which was termed as a strategic enhancement in order to support the delivery of subsequent phases of housing and Culm Garden Village.
- The requirement for upgrading the motorway junction was supported and substantiated through the Local Plan and was also supported by Highways England.
- The strategic outline business case was submitted to the Government in May 2024 to secure funding in order to enable its delivery. A decision from the Government was required in order to allow the scheme to progress.
- It was hoped that a positive decision on funding for J28 would be taken through the Comprehensive Spending Review during summer 2025. However, this was not the case.
- Instead, Government included the J28 scheme in a long list of schemes which required further information to support future Government decision making during the autumn of this year.

- Further information had now been submitted to the Government, specifically to the Department of Transport and Treasury and that information was now under review.
- Devon County Council would continue as the lead bidder and would raise queries with the Department of Transport and Treasury to ensure they had the necessary information in order to support the decision-making process. This would also offer the opportunity to engage with decision makers to explain and demonstrate the dependencies that existed in relation to J28 in terms of the linked housing growth that required the upgrading of the junction. This being particularly relevant given the Government's keenness to see housing schemes unlocked and delivered.
- It was hoped that a decision or an outcome would be announced by the end of 2025 although a decision may take longer.

#### 41 **S106 (AND INFRASTRUCTURE LIST) REVIEW (00:16:39)**

The Committee had before it and **NOTED** a \*report from the Director of Place and Economy outlining the approach adopted by the Council in identifying items for inclusion within the Infrastructure Funding List and how the Council sought to ensure or facilitate delivery of those items.

The following was highlighted within the report:-

- The report responded to a request from the Scrutiny Committee to explain the process undertaken in identifying items to include in the Infrastructure List.
- The report also outlined the legislative and policy framework as well as the review process that was currently being undertaken.
- To support further Member engagement, the Infrastructure List had also been highlighted within a report to the Planning, Environment and Sustainability Policy Development Group.

Discussion took place with regard to:-

- Whether the Infrastructure List was published on the Council's website? It was confirmed that it was published on the Council's website and that it included all of the projects that were expected to support delivery or development within the District.
- Who assessed the priorities and what was the criteria for their allocation? It was explained that the priorities were set out within 3 tiers of; high importance; important; and desirable. It was a rounded view from officers following discussions with Members in terms of cruciality.
- Who had the final sign off for the Infrastructure List? It was explained that the Infrastructure List would be signed off by the Cabinet via a recommendation from the Planning Policy Advisory Group (PPAG) where it would be reviewed in more detail.
- Whether Town and Parish Councils would be consulted? It was explained that there would be no expectation to consult with Town and Parish Councils as the list was populated and supported by the adopted Planning Policy which was referenced back to either the Local Plan or adopted Neighbourhood Plans.



- Whether the Infrastructure List could be sent each year to Town and Parish Councils for their input and suggestions? It was confirmed that this could be implemented moving forwards.

The following actions were agreed:-

- (i) The current Infrastructure List would be emailed to the Members of the Scrutiny Committee.
- (ii) The Infrastructure List would be sent to Town and Parish Councils each year moving forward for their input and suggestions by the relevant officer.

Note: \*Report previously circulated.

## 42 MID DEVON HOUSING REPAIRS AND MAINTENANCE (00:29:44)

The Committee had before it and **NOTED** a report from the Head of Housing and Health with an update on Mid Devon Housing repairs and maintenance.

The Operations Manager for Housing presented the report.

The following was highlighted:-

- The report outlined Mid Devon Housing repairs and maintenance.
- All registered providers must provide an effective, efficient and timely repairs and maintenance service for their homes and communal areas for which the Council was responsible.
- The report detailed some of the challenges, both old and new that the Council were currently dealing with.

Discussion took place with regard to:-

- Palmerston Park play area.
- How long would the four properties near Cheriton Fitzpaine be empty for? It was explained that planning permission was being sought for six new properties to replace the four empty properties as they were at the end of their life.
- The different categories of housing that the Council were responsible for. It was explained that the report outlined the Council's social housing. The Council did have other properties within their ownership which would fall under different legislation.
- How did the social housing property management systems "Integrator" and "AICO" help look after residents and ensure that money was being spent wisely? It was explained that "Integrator" was an asset management programme that listed every detail about the Council's housing stock which fed back into the Council's housing system which was called Orchard MRI. This was where all work was raised and also held personal details of the residents. AICO was an external company that produced smoke and carbon monoxide alarms and all of the Council's alarms were provided by AICO.

- A system called “Gateway” had the ability to environmentally monitor properties which included humidity, temperature, dust mites, damp and mould and carbon monoxide. All of those details were monitored live to ensure that if metrics reached a certain level an alarm would be activated for any issues that were critical or high risk.
- The percentage of properties that had the monitors? It was explained that there were a total of 174 systems in place. The Council could not monitor properties without the tenant’s permission and a disclaimer form must be signed by them giving permission for their information to be used.
- Whether voids were included in the compliance figures and further understanding of the 60% electrical compliance figures. It was confirmed that voids were included within the compliance figures. Electrical testing in social housing would become legislation. Currently 99% of properties had an inspection but it was not in line with legislation that would begin in two weeks. This would be carried out over a period of 5 years to become 100% compliant.
- How did Mid Devon Housing assess against the decent home standard? It was confirmed that there was an internal process for the decent home standards. A stock condition survey was carried out every 11 years and from that the Council modelled a 30 year maintenance programme. Every aspect of a property had a life cycle which was monitored. The Council were 99% compliant. The reason why it was not 100% compliant was due to tenants declining any offers of works.
- Section 4.4 of the report stated that during 2024/25 a total of £70,000 was issued in recharges to outgoing tenants. How much of that was written off? It was explained that a lot of the charges could be from damage made from current tenants so the charges were not always written off. Tenants could be stopped from moving properties or carrying out a mutual exchange if there was a default on their account.
- The construction of homes in Beech Road and homes in St George’s Court. It was explained that with regard to Beech Road there were 6 properties complete with a further 2 properties which were not complete. There were issues with utilities that could not be disclosed. For St George’s Court, the first number of flats were advertised several weeks ago. Six new tenants had signed contracts for the flats. The 11 houses were fully occupied. Six flats out of the first wave were allocated and another 8 flats would be advertised this week. All works had been carried out.

Note: \*Report previously circulated

## 43 LOCAL GOVERNMENT REORGANISATION AND DEVOLUTION (00:51:14)

The Committee received and **NOTED** an \*update from the Chief Executive on Local Government Reorganisation (LGR) and Devolution and the results of the public engagement exercise undertaken over the summer.

The following was highlighted:

- Despite the ministerial changes the Council did not expect any significant changes of policy direction.
- The deadline for submissions remained the 28 November 2025. Following that, the expected timetable would be that near Easter 2026 the Government would formally consult on all of the proposals it considered viable. This would give everyone an opportunity to express their views for the Devon Local Government system, following which a decision could be potentially made in autumn 2026.
- Across the 11 Councils in Devon there were still differences of opinion. It was possible that 4 or 5 proposals would go forward in November 2025.
- Full details of the Council public engagement exercise were included in Appendix A. Other Councils had also chosen to carry out some form of community liaison although not in the same way. The results would be amalgamated across 7 of the 8 districts in order to better understand the priorities and concerns of residents across Devon.
- There would be an Extraordinary Council meeting taking place for Members to consider the submission before it being submitted on 28 November 2025.

Discussion took place regarding:

- Concerns regarding the geographical spread and the long travel distances over poor roads and erratic public transport. It was explained that every proposal would seek ways to assure the Government that it could deliver high quality, sustainable and financially effective services locally to ensure connectivity to local communities and local democracy.
- Many areas of Devon did not raise large amounts of Council Tax - would that issue be ignored in discussions and should it be more strongly represented with a financial balancing mechanism for widely dispersed rural areas? It was explained that the Government had not explained how the 6 criteria would be weighted and that it had flexibility to make the decisions it felt was the correct one. It was hoped that the Government would make decisions based on getting the right form of local government for communities for potentially the next 50 years.
- The role of the Scrutiny Committee going forward. It was clarified that the role of Scrutiny would be important moving forward to ensure there was confidence in this Council as part of the wider collective implementation and to ensure the Council was on track to achieve that as timetables would need to be met.
- Whether the figures from KPMG gave any financial indication in the difference of cost effectiveness of urban versus rural transition into Unitary Councils. It was explained that it depended upon how it was modelled and the financial difference between all proposals.

The Cabinet Member for Parish and Community Engagement updated the Committee with regard to the State of District Debate and highlighted the following:-

- A total of 32 people had attended the State of District Debate which was held on 17 September and was a valuable platform for discussing the ongoing Local Government Reorganisation with contributions from all those that attended.
- The evening began with an update from the Leader of the Council and the Chief Executive who had outlined the current status and strategic direction of the reorganisation process.
- Practical experiences were shared by Somerset Council who talked about obstacles they had overcome.
- Liz Brooks-Hocking, Chair of the Devon Association of Local Councils gave a presentation which touched on the importance of communication, addressed governance and financial implications including asset management and budgetary considerations.
- The Cabinet Member for Environment and Climate Change gave a forward looking session on climate change highlighting environmental priorities.
- Discussions had taken place with regard to assets and how they might be funded.
- The evening concluded with a panel discussion encouraging open dialogue and questions from attendees.
- Positive feedback had been received in that attendees felt information was being shared with them.
- It was important to keep dialogue open with a promise to revisit LGR again in the future.

Discussion took place regarding:

- Whether Somerset attendees had commented on travelling distance times? It was explained that locality based working was set up with the best of intentions however that did not work for Town and Parish Councils who were having to cluster together to make that locality based working model work for the new Council and so different ways of working were looked at to work more effectively.

Note: \*Report previously circulated.

#### 44 **WORK PROGRAMME (01:54:43)**

The Committee had before it and **NOTED** the \*Forward Plan and the \*Scrutiny Committee Work Programme.

Suggestions made for the Work Plan were:

- Housing Strategy
- Corporate Anti-Social Behaviour Policy
- Domestic Abuse Policy

It was agreed that new policies would come before Full Council and would therefore not need to come to Scrutiny Committee at this time.

Note: \*Forward Plan and the \*Scrutiny Committee Work Programme were previously circulated.

(The meeting ended at 6.58 pm)

**CHAIR**

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**MINUTES** of a **MEETING** of the **AUDIT COMMITTEE** held on 30 September 2025 at 5.00 pm

**Present**

**Councillors**

L Knight (Chair)  
D Broom, E Buczkowski, G Czapiewski,  
M Farrell, B Holdman, R Roberts and  
A Stirling (Vice-Chair)

**Also Present  
Officers**

Andrew Jarrett (Deputy Chief Executive (S151)), Paul Deal (Head of Finance, Property & Climate Resilience), Dr Stephen Carr (Corporate Performance & Improvement Manager) and Sarah Lees (Democratic Services Officer)

**Councillors  
Online**

J Buczkowski, G Duchesne, L G J Kennedy, L Taylor and D Wulff

**Also in  
Attendance**

Mark Bartlett (Bishop Fleming), Jo McCormick (Devon Assurance Partnership) and Jennifer Whitten (Independent Person)

**14. APOLOGIES**

There were no apologies for absence.

**15. PUBLIC QUESTION TIME**

The following questions were received from members of the public:

**Mr Barry Warren**

My questions relate to Items 4, 8 and 9 on the agenda.

Agenda Item 4 records the minutes of the previous meeting of the Audit Committee. Minute 4 records my questions but not the responses which were subsequently sent to me after that meeting and filed with the papers of the previous meeting.

### Question 1

Why were the answers to the questions not reported to this meeting as required by the MDDC Constitution although I note now that they have been added to the website today?

In relation to agenda items 8 and 9 I have forwarded a briefing document and appendix to each member of the committee which I had earlier forwarded to Devon Assurance Partnership (DAP) and Bishop Fleming. Bishop Fleming extended me the courtesy of acknowledging my email but I had heard nothing from DAP until yesterday after my questions were submitted, so my question no. 2, that you will have had, is no longer relevant.

### Question 2

This question was no longer relevant.

### Question 3

Do Devon Assurance Partnership act on information from the public or do they only work to Terms of Reference given them by MDDC Officers?

The Devon Assurance Partnership report contains reference to Home Office guidance on the new criminal offence of "Failure to Prevent Fraud". My briefing document has drawn attention to the authorisation for payment of invoices, for 6 figure sums, by a Senior Officer. Freedom of Information (FOI) responses (confirmed on review on Friday) show that the Council does not hold any evidence to show that such authorisation was justified.

### Question 4

Doesn't allowing such authorisation without records of evidence for future reference (which must be a Red Flag for Auditors and Audit Committee) increase the possibility of external fraud?

The External Auditors are only providing a verbal update and therefore members of the public have no opportunity to avail themselves of the information to be provided to enable them to consider whether or not to raise any issues which may benefit or clarify matters for the Council Tax Payers of Mid Devon.

### Question 5

Are the External Auditors looking into the invoices, payments and value for money in relation to dealings of the 'partnership' between the Council and the suppliers of the modular homes?

### Question 6

If they are looking into the issue is there any feedback as to findings or action to date?



The Chair responded by saying:

Thank you for your questions Mr Warren.

I note from your own words that these questions were submitted outside of our constitutional time requirement to receive a formal response during today's meeting.

On initial review of your questions I would like to make a few observations:

- a) Apart from your Question 1 – which I will ask the Clerk to respond to – the other questions that you have raised have no direct relevance to anything on today's agenda – so can you ensure that future questions are clearly relevant to matters being considered at a meeting.
- b) The public question process gives members of the public a 3 minute slot to ask direct questions on any items being discussed at the meeting in question (except Full Council). We appear to now regularly be in receipt of some form of "briefing papers" which clearly sits outside of our proper process. If members of the public want to raise issues with outside agencies, I would encourage them to go to them directly.
- c) Returning to the questions from Mr Warren, as they weren't submitted in time, I will ask my officers to provide an update after consultation with both DAP and Bishop Fleming within the standard 10 days, or alternatively I will ask the auditors to respond directly.

Mr Warren asked the Chairman for the curtesy of a response to what he had just said as he felt that the Chair had been given answers by the officers and they were not true. Mr Warren stated that the DAP report had been referenced with regard to fraud and his questions related to that potential.

The Chair reiterated that Mr Warren would receive a written response within 10 working days.

The Clerk responded to question number 1 asked by Mr Warren:

Thank you Mr Warren for your first question regarding the answers to your public questions from the previous meeting not being included as part of the agenda pack for this meeting tonight.

This was my error as Clerk and I offer you my apologies. For Members reassurance, the answers to the questions asked by Mr Warren's on 24<sup>th</sup> June 2025 were published on the website within the ten day timescale and sent to the questioner and the Committee at the same time. However, they were not included as part of the minutes in your agenda pack for this evening. This had now been corrected, as referenced by Mr Warren, so that they were now showing as part of the agenda and every effort would be made to include written answers to public questions in agenda packs for all future meetings as per the Constitution. Thank you.

## **Mr Paul Elstone**

### Question 1

Agenda Item 8 Devon Assurance Partnership Internal Audit Progress Report.

Appendix 1 Procurement - which is shown as Green and reported as FINAL says:

“There is a requirement for the Council to maintain and publish a contracts register. This is published on the Councils website”. It also says, “The Operations Manager for Financial Services is confident the register is up to date.”

I strongly believe this to be inaccurate.

As examples there are only two ZED PODS contracts shown on the Contract Register. One for £2.3 million and believed to be for Shapland Place. Another for £11 million and for undefined projects. Both contracts expired in 2024.

There are no active ZED POD contracts shown on the Contracts Register this despite it being known that there are at least 5 projects in build at the moment and with several more in other stages of development. Projects with very substantial cost running into many many millions of pounds involved.

DAP once again it seems have placed full reliance on MDDC officer responses. Will DAP look again into the Contract Register position and in full detail and with particular reference to ZED PODS?

### Question 2

Can it be explained if DAP's remit was/is to examine MDDC's full compliance with the Local Government Transparency Code 2015?

I ask this question as I believe there to be a catalogue of non-compliances.

This involving:

- 1) Failure to publish details of the Councils Land and Building Holdings.
- 2) A failure to publish details of ALL Procurement Contracts exceeding £5,000.
- 3) Failures to always provide proper details of the purpose of expenditures over £500.
- 4) Failure to properly report VAT recoverable status.
- 5) Failure to publish an organisation chart for the top 3 levels of the organisation that is fully compliant with the transparency code requirements.

Will DAP and Bishop Fleming fully examine these public concerns?

### Question 3

There is very good reason to believe that there are some quite serious issues with the billing and payment system involving the modular home projects.

Issues involving but not limited to:

- 1) Double billing.
- 2) Inappropriate charging of the 15% overhead and profit uplift on certain invoices.
- 3) Substantial charges being made against the repairs revenue budget when they are very clearly capital cost for developments.
- 4) Invoices being paid which just say for “Professional Fees” and nothing else.

I have been made aware that some of these billing issues are not isolated examples to this Council and something that I will refer to Bishop Fleming separately.

Will DAP and Bishop Fleming fully examine these public concerns?

The Chair stated that both questioners would receive written responses to their questions within 10 working days in the usual way and that these would be published alongside the minutes.

#### 16. **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

No interests were declared under this item.

#### 17. **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 24 June 2025 were confirmed as a true and accurate record and **SIGNED** by the Chair.

#### 18. **CHAIR'S ANNOUNCEMENTS**

The Chair had no announcements to make.

#### 19. **CORPORATE RISK REPORT (00:15:00)**

The Committee had before it, and **NOTED**, a report \* from the Corporate Performance and Improvement Manager and the Head of People, Performance & Waste providing Members with a quarterly update on the Corporate Risk Register.

The following was highlighted within the report:

- The report presented the Council's current corporate risks with an updated position following the most recent review period. These were the risks which were most likely to impact the Council in trying to meet its objectives. This report was produced quarterly and presented to this committee for Member's scrutiny, comment and feedback.
- Paragraph 2.1 of the report presented a summary table of the 17 corporate risks that the Council was currently managing.
- A risk matrix was presented at Appendix 1 showing the relative position of a corporate risk.
- Appendix 2 of the report provided further details for each risk in a standard template.

- Any significant changes to the Corporate Risk Register since it was last reported to committee were listed in the covering report at paragraph 2.3.

Discussion took place regarding:

- The Council's approach to enforcement, not only in the Planning area but also in regard to safeguarding and anti-social behaviour. This came up again and again as an issue for residents. It was explained that enforcement was a discretionary service and there needed to be proportionate measures in place to deal with compliance and income protection. More resource was now available within the Planning Enforcement team which it was hoped would alleviate some of the concerns in this area moving forwards. It was the officer's view that at the moment enforcement was being effectively managed but the Corporate Risk Register was 'owned' by Members so if they felt the risk needed to be rated differently then it was within their gift to amend. It was confirmed that the next Corporate Risk review cycle consideration would be given by officers to ensuring enforcement was appropriately considered on the Corporate Risk Register.
- Staffing levels within the Building Control area and whether the risk needed to have a higher rating?
- The rating of risks should be considered in relation to the other risks on the Corporate Risk Register, such as Cyber Security.
- Some people had been on the Devon Home Choice Band C or D for many years. Could more be done to help with this and move people up the banding? Officers agreed it would be a useful discussion to be held by Homes PDG. The Council was being proactive in building more social housing. There are many components to the housing crisis, if the Committee wanted the Risk Register to have more information streams within it regarding this issue then it could request this.
- It was agreed that the risk description against the 'cost of living crisis' needed to be updated from the 2022/2023 description to include reference to increases in relation to rising costs for such things as water, Council Tax and utilities.
- More context was provided around the rating for 'Financial Sustainability' in terms of the unprecedented amount of uncertainty with the predicted levels of forthcoming Government funding. It was currently rated as a high risk area as relevant factors were outside of the Council's control.
- Cyber Security was seen as the greatest risk to the Council but there were many mitigations in place to address this.
- The process for rating risks was explained whereby managers would rate risks initially by completing the 5x5 matrix and then submitting their assessments to the Corporate Management Team who would then consider this and refer it on to Leadership Team for further check and challenge. The process was very robust. Ultimately the Audit Committee provided the final check and challenge.
- The management of risk in relation to 'unsold property' was deemed to be appropriate.
- Risks in relation to the 'Homes for Ukraine Scheme' could potentially be removed from the Register during the next review.

- Whether the Cyber Security risk and Information Governance risk should be amalgamated. It was confirmed that they are different risks, although some of the mitigations in place are similar.
- Whether the rating in relation to the 'Emergency Planning Response' should be higher? It was explained that it was the managers view that this risk was correctly scored and that the mitigating actions in place were 'fit for purpose'.
- The Register recoded the biggest strategic risks, the Committee were reassured that all other risks were monitored under different processes.

Note: \* Report previously circulated.

## 20. **CYBER AND INFORMATION SECURITY UPDATE (00:54:00)**

The Committee had before it, and **NOTED**, a report \* from the Head of Digital Transformation & Customer Engagement providing a high-level update on Cyber and Information Security activities over the last 12 months. The report aimed to assure the Audit Committee of ongoing vigilance and remediation work around Cyber and Information Security risks.

The following was highlighted with the report:

- It was confirmed that this was the biggest risk facing the Council. Much of the risk was outside of the Council's control.
- The risks were global and much was in the news headlines at the moment.
- A lot of work had been undertaken by officers in the last 12 months to proactively mitigate this risk.
- A large piece of work had been undertaken by CAF (Cyber Assessment Framework) which had been funded by the Ministry of Housing, Communities and Local Government (MHCLG). This had involved officers from Government coming down and taking the Council through a self-assessment process and then helping to pull together an implementation plan. The initial assessment from them had been that the Council's arrangements were in a good place but they could always be improved.
- An executive summary had been provided listing the ongoing activities although much of the detail remained necessarily confidential.
- It was also explained that there was an IT and Information Governance (ITIG) board in place which was chaired by the Deputy Chief Executive (S151) and had the relevant Cabinet Member on it to oversee activity in this area.

Consideration was given to:

- The need for an all Member Briefing on Cyber Security so more assurance could be provided.
- A request would be made for Members to submit questions in advance before a Briefing took place.
- It was confirmed that there were policies and procedures in place for officers to notify the relevant people should they themselves identify areas of vulnerability. There were also weekly updates in the staff newsletter providing guidance.

- The IT team had completed an operational assessment of Artificial Intelligence (AI).

Note: \* Report previously circulated.

## 21. **DEVON ASSURANCE PARTNERSHIP (DAP) INTERNAL AUDIT PROGRESS REPORT (01:06:00)**

The Committee had before it, and **NOTED**, a report \* from the Devon Assurance Partnership (DAP) providing a summary of the performance against the Internal Audit plan for the 2025/26 financial year to date, highlighting the key areas of work undertaken and summarising its main findings and recommendations aimed at improving controls.

The following was highlighted within the report:

- This was the first progress update report for 2025/2026.
- An 'assurance' picture would build up as the year progressed.
- The overall 'Assurance Opinion' for 2024/2025 had been 'Reasonable'.
- 6 reports had been issued so far this year and summaries were provided in the report.
- Appendix 2 listed the audit recommendations for the Council and how long they have been outstanding for. Currently there were 2 medium risk recommendations outstanding and 6 low risk.

Discussion took place regarding:

- DAP were content with the approach the Council was taking with regard to the Housing Rents Error issue. Regular meetings were being held with the Regulator and the only repayments that were outstanding were those with some sort of benefit attached to them.
- Procurement processes were sound, there were no significant issues of concerns. Any issues that had been raised in relation to waivers, the Council had now addressed.
- The approach within the Housing Repairs and Maintenance Team was very much more preventative now rather than reactive. There had been a real culture shift.
- A new process was in place to review cumulative supplier spend on a monthly basis.

Note: \* Report previously circulated.

## 22. **INTERIM UPDATE FROM BISHOP FLEMING(01:23:00)**

A verbal update was provided by Bishop Fleming as to where they were with the external audit of the 2024/2025 accounts. This included the following information:

- The external audit of the 2024/2025 financial accounts was now well progressed but had not been completed as they were still waiting for the Pension Fund Assurance from Devon County Council and Grant Thornton.

The intention was to complete the audit during November and bring a findings report to the next meeting of this Committee.

- At the moment there were no significant areas of concern.
- Some questions had been asked and additional information sought in relation to the 'Value for Money' audit but there was nothing currently to bring to the Committees' attention.
- Bishop Fleming were reviewing ongoing progress with the Housing Rents Error issue and were satisfied the approach was sound.
- They would be bringing two reports to the next meeting, the Audit Completion Report on the Financial Statements and the Auditors Annual Report on the Council's arrangements for 'Value for Money' (VFM). The VFM report would focus on the Council's financial resilience, governance and efforts to improve efficiency, economy and effectiveness. A commentary on each of these areas would be provided.

## 23. IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:28:00)

The items already listed in the Work Programme for the next meeting were **NOTED**.

In addition it was requested that the following be added to the agenda for the next meeting:

- The External Auditors Annual Report on the Council's arrangements to ensure 'Value for Money'.

(The meeting ended at 6.29 pm)

**CHAIR**

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**MINUTES of a MEETING of the COMMUNITY, PEOPLE & EQUALITIES POLICY DEVELOPMENT GROUP held on 16 September 2025 at 12.30 pm**

**Present  
Councillors**

D Broom, S Chenore, A Cuddy, M Farrell,  
C Harrower, B Holdman, L G J Kennedy,  
A Stirling and H Tuffin

**Apology  
Councillors**

A Glover

**Also Present  
Officers:**

Paul Deal (Head of Finance, Property & Climate  
Resilience) and Laura Woon (Democratic Services  
Manager)

**Councillors  
Online**

G DuChesne, L G J Kennedy and D Wulff.

**Officers Online**

Dr Stephen Carr

**Also in  
Attendance**

Vicki Rowe (Chief Executive Officer for Citizens Advice)

**16 APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from: Councillor A Glover who was substituted by Cllr A Stirling.

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

No interests were declared under this item.

Members were reminded that interests could be declared at any point during the meeting.

**18 PUBLIC QUESTION TIME**

There were no members of the public present.

**19 MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Meeting held on 17 June 2025 were approved as a correct record and **SIGNED** by the Chair.

## 20 CHAIR'S ANNOUNCEMENTS

The Chair had no announcements to make.

## 21 COMMUNITY ALCOHOL PARTNERSHIP

The Regional Adviser for the Community Alcohol Partnership for South West England was unable to attend this meeting. This item was deferred to the next meeting.

## 22 CITIZENS ADVICE FOR TORRIDGE, NORTH, MID AND WEST DEVON

The Group were presented with, and **NOTED** a presentation from 'The People's Champion' giving 'Trusted Advice in Times of Change'.

The following was highlighted:

Citizens Advice – The People's Champion:

- Citizens Advice presented their role as a national charity and network of local charities offering free, confidential advice online, by phone, and in person.
- They positioned themselves as champions for the people, helping individuals navigate challenges with trusted, practical advice.

Service Overview (April 2024 – March 2025)

- Between April 2024 and March 2025, Citizens Advice had helped 3,121 people with 10,628 problems.
- Their support had increased family income by £3.6 million.
- They reported unprecedented and growing demand for their services.

Key Issues in Mid Devon:

The main issues brought forward included:

- Welfare benefits inquiries.
- Energy problems.
- Debt concerns.
- Housing issues.

Partnerships and Outreach:

- With funding from trusted partners, they provided specialist advice services.
- Outreach locations included: Crediton (Age Concern) – Wednesday mornings (pre-booked), Cullompton (Community Centre) – every other Friday, Uffculme (Square Corner) – 2nd Friday of the month and Lapford (Ark Community Café) – last Friday of the month

Impact and Value

- Volunteer contributions were valued at £947,860.
- Public value of the service was estimated at £20.5 million.

- For every £1 invested: Fiscal value: £2.37, Public value: £15.84 and value to individuals helped: £12.13
- Estimated savings included: National Health Service (NHS): £395,540, Department of Working Pension (DWP) (keeping people in work): £1.64 million and housing providers (preventing evictions): £644,352

#### Achievements (2024–25)

- The service had delivered 23,616 volunteer hours. Recorded 38,555 case notes. Held 4,035 in-person appointments. Responded to 1,035 simple queries and submitted 271 evidence forms for policy, research, and campaigns.

#### Discussion took place regarding:

- The importance of those volunteers that help the community.
- What was the cost of the grant funding that was received by Devon County Council for their service?
- The concerns and uncertainty around volunteers and funding and the impact this would have on the support in the outreach locations and other surroundings.
- Comparison costing of the funding between what the other Councils gave to the service.
- The relationship that the Citizen Advice Bureaux had with this Council?
- How would the income strategy reflect with Local Government Reorganisation on the horizon?
- Was there a training programme for the volunteers? It was confirmed that there was an ongoing programme and for the first 6 weeks this would be supervised and continued support would be provided after that.
- The main cause of the ongoing demand for the service?

#### It was **AGREED** that:

- A review be undertaken of the funding grants within the Council in comparison with other councils.
- Whether the grant funding that had been allocated for next year could be extended to two years to see this service through Local Government Reorganisation.
- The Vice-Chair of the Policy Development Group (PDG) would liaise with the Homes PDG about the strategic approach for homelessness.
- Discussions would take place in regards to room availability within the Council and if this could be offered to those that may wish to use it and who continued to provide a service for the community.
- Details of point of contact for this Council would be shared with Citizens Advice Bureaux Chief Executive officers to enable communication.

#### Notes:

- (i) Presentations previously circulated
- (ii) Councillor B Holdman declared a personal interest in that he was the Chair of Tiverton Town Council's Finance Committee.

## 23 **PERFORMANCE DASHBOARD - QUARTER 1**

The Group were presented with, and **NOTED** slides showing performance information for the area of Community, People and Equalities.

The following was highlighted:

- The Dashboard aimed to give an "at a glance" understanding of how services were performing in terms of performance, finance, and risk. Any measures that were also part of the Corporate Plan were listed in yellow text.
- The indicators were presented with their current performance, the annual target, and a RAG rating to indicate whether the Council were on track to meet their target.
- Overall performance was presented in a pie chart and combined the RAG ratings from both the performance and finance measures.
- Homes made safe under the Housing Assistance Policy (Red) - performance was just below the target position at the end of Qrt 1.
- New Subscribers to Let's Talk Mid Devon (Red) and Engagement rate on Let's Talk Mid Devon (Red) the Council had moved away from focussing on registrations, as this had been fed back as a barrier to completing ongoing questionnaires.
- Support Towns and Parishes to develop their Community Emergency Plans (Red) - No new plans were developed in Q1. However in May, an event was held at Kentisbeare on Community Emergency Plans. There were seven different towns/ parishes in attendance who were updating or writing their community emergency plans.
- Food Service - Total Inspections completed (Red) - performance remained behind target, but there was an overall positive trend with performance increasing.

Discussion took place regarding:

- Clarification around Homes made safe under the Housing Assistance Policy - It was confirmed a glossary would be circulated to the group.
- How would Members find out what Parishes had completed their Community Emergency Plan? – It was confirmed this information was included in the annual report update.
- The figure difference in the performance and annual target of the Red (RAG) rating in regards to the new subscribers to Let's Talk Mid Devon.

Note: Performance Dashboard previously circulated

## 24 **MEDIUM TERM FINANCIAL PLAN (MTFP) FOR 2026/27**

The Group had before it a \*report from Head of Finance, Property and Climate Change presenting the updated Medium Term Financial Plan (MTFP) which covered the period 2026/27 to 2028/29 and which discussed initial options for cost pressures/savings or income related to the services covered by the Policy Development Group.

The following was highlighted:

- The report was a little different to that provided in previous years. This was due to the raft of changes expected from 2026/27 and the longer term restrictions placed upon the Council by Local Government Reorganisation (LGR). The report did not give a forecast shortfall to be addressed. Instead it highlighted the unprecedented level of uncertainty faced by all councils in respect of funding from 2026/27 onwards and estimated a range that the shortfall could fall within.
- The Chancellor's Autumn Budget would not be available until the end of November 2025. This would have a knock on effect of delaying the detail at individual local authority level. The uncertainty regarding future funding could not be overstated.
- Given the potentially extreme reduction in funding within option 1c, and the very limited timeframe for obtaining full clarity, it was highly likely that a degree of flexibility would be required and a draw from reserves might be required.

### General Fund Budget Options

- Over the summer officers had identified a range of budget options to address the budget shortfall, using the Red, Amber and Green (RAG) assessment, which were being presented to the relevant Policy Development Groups for discussion, with the recommendation to support the Green and Amber options.
- These included newly identified budget pressures in appendix 2 and savings options in appendix 3, there were options to stretch savings further, for example increasing fees beyond inflation and appendix 4 showed all savings options for context.

Discussion took place regarding:

- Concerns around the ceasing of Community Development grants and how this would impact those affected.
- Clarification around the out of date leases, these were dependent upon market conditions at the time, the income might reduce and may result in the loss of tenants.
- Clarification and confirmation of the when the funding announcement from Government would be and what methodology would be used to distribute those funds.
- How were the Council liaising with Town and Parish Councils?- it was confirmed that the Head of Finance, Property and Climate Resilience would be attending the State of District Debate to give a presentation on Finance and Assets.
- Why this Council had been targeted as part of a minority group of around 50 authorities that would be one of the biggest losers based on their initial draft calculations on funding?

**RECOMMENDED** to Cabinet that:

- a) The updated MTFP position for both the General Fund and the Housing Revenue Account covering the years 2026/27 to 2028/29 be **NOTED**.

- b) The budget proposals as set out in Appendices 2 and 3 and agreed to remove the Cease Community Development grants be approved.
- c) That the Cease Community Development Grant not to be included in the saving options.

(Proposed by Cllr M Farrell and seconded by Cllr H Tuffin)

Reason for the 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 a number of key assumptions underpinned the reported position, which would be refined as greater clarity was received through the budget setting process.

Notes: \* Report previously circulated

- (iii) Councillors: D Broom, M Farrell, B Holdman and A Stirling declared personal interests as they were members of Tiverton Town Council and budget savings were included in appendix 4 regarding CCTV.
- (iv) Councillors: B Holdman and A Stirling also declared a personal interest in that they were members of Tiverton Town Councils Finance Committee.
- (v) Cllr A Cuddy declared a personal interest in that he was business owner.

## 25 VOLUNTARY SECTOR NETWORKING EVENT UPDATE

The Chair advised the group that the Council would be hosting an event for local voluntary, community and social enterprise organisations to allow them to network and to meet potential investors and funders.

The drop-in event would take place at Phoenix House, Tiverton on Wednesday 22 October 2025 between 3:30pm and 7:30pm.

This event was designed to create a bridge between the funders and the people funded with the knowledge and resources, and the people making things happen in our communities in order to build stronger partnerships.

## 26 WORK PROGRAMME

The items already listed in the work programme for the next scheduled meeting were **NOTED**.

(The meeting ended at 2.16pm)

**CHAIR**

**MINUTES of a MEETING of the ECONOMY & ASSETS POLICY DEVELOPMENT GROUP** held on 18 September 2025 at 5.30 pm

**Present**

**Councillors**

G Cochran (Chair)  
J Buczkowski, J Cairney, M Farrell (Vice-Chair), L Knight, R Roberts, A Stirling and M Stratton

**Also Present**

**Officers**

Paul Deal (Head of Finance, Property & Climate Resilience), Adrian Welsh (Strategic Manager for Growth, Economy and Delivery), Linda Perry (Economic Development Officer) and Sarah Lees (Democratic Services Officer)

**Councillors**

**Online**

E Buczkowski and S Keable

**Officers Online**

Laura Woon (Democratic Services Manager)

**15 APOLOGIES AND SUBSTITUTE MEMBERS**

There were no apologies for absence.

**16 PUBLIC QUESTION TIME**

There were no questions from members of the public.

**17 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

No interests were declared under this item.

**18 MINUTES**

The minutes of the previous meeting held on 19<sup>th</sup> June 2025 were approved as a correct record of the meeting and **SIGNED** by the Chair.

**19 CHAIR'S ANNOUNCEMENTS**

The Chair had the following announcements to make:



1. He informed the Group that the November meeting would be brought forward a week to allow for a Car Parking report to be brought before them and to allow any recommendations to be made to meet the Cabinet timescales for its December meeting. The meeting would therefore now take place on Thursday 20<sup>th</sup> November and not 27<sup>th</sup> November at 5.30pm.
2. The Chair stated that the Director of Place & Economy would be leaving the authority next month. He thanked him for all the help and support he had given the Policy Development Group and him personally during his time with Mid Devon District Council. He further stated that he would be sorely missed and that whoever he would be working with him in the future would be receiving someone who was extremely capable. His sentiments by were echoed by the rest of the Group.

## 20 **PERFORMANCE DASHBOARD Q1 (00:07:00)**

The Group were presented with, and **NOTED**, a slide showing performance information in the Economy & Assets area.

The Dashboard aimed to give an "at a glance" understanding of how services were performing in terms of performance, finance, and risk. Any measures that were also part of the Corporate Plan were listed in yellow text.

The indicators were presented with their current performance, the annual target, and a RAG rating to indicate whether the Council was on track to meet its targets.

Overall performance was presented in a pie chart and combined the RAG ratings from both the performance and finance measures.

For the measures showing as Amber or Red:

- Pannier Market occupancy rate (Amber) - was slightly behind target at 82%. This was broken down by the day of the week, occupancy was Tuesday (75%); Friday (85%); Saturday (86%)
- Pannier Market Income – Projected Outturn (Red). Income was lower than forecasted and had been marked as Red since the variation was greater than 10%.
- Capital Slippage % of projects (Red) - 2 out of 16 projects had slipped, these were the Building Management System at Phoenix House (currently being scoped) and the Cullompton Relief Road which was now well underway after securing the funding.

Discussion took place regarding:

- What steps were being taken to increase the occupancy rate at the Tiverton Pannier Market? It was reported that more recent data showed an improvement in this area. It was hoped that a report could be brought to this Group in the future to help shape a strategy for the Pannier Market moving forwards.
- Had funding been confirmed for the Cullompton Railway Station, if so, how much and when would it be received? The officer explained that the funding



had been confirmed but exactly how much had still not been announced by the Treasury. A figure in the region of £44m for both the Wellington and Cullompton Stations had been mentioned in the past but this had not been confirmed, however the final business case had been supported. Members requested to be informed as soon as more information became available.

- A request for a detailed Car Parking report to the next meeting including all relevant financial information.

## 21 MEDIUM TERM FINANCIAL PLAN (00:17:00)

The Group had before it a report \* from the Deputy Chief Executive (S151) presenting the updated Medium Term Financial Plan (MTFP) which covered the period 2026/27 to 2028/29 and which discussed initial options for cost pressures/savings or income related to the services covered by the Policy Development Group.

A summary of the report and the relevant factors was provided as follows:

- The report was a little different to that provided in previous years. This was due to the raft of changes expected from 2026/27 and the longer term restrictions placed upon the Council by Local Government Reorganisation (LGR). The report didn't give a forecast shortfall to be addressed. Instead it highlighted the unprecedented level of uncertainty faced by all councils in respect of funding from 2026/27 onwards and estimated a range that the shortfall could fall within.
- The Chancellor's Autumn Budget would not be available until the end of November 2025. This would have a knock on effect of delaying the detail at individual local authority level. The uncertainty regarding future funding could not be overstated.
- Over the summer officers had identified a range of budget options to address the budget shortfall, using the Red, Amber and Green (RAG) assessment, which were being presented to the relevant Policy Development Groups for discussion, with the recommendation to support the Green and Amber options.

Discussion took place regarding:

- The majority of the cost pressures listed were outside of the Council's control.
- The possible reasons why this Council had been targeted as part of a minority group of around 50 authorities that would be one of the biggest losers based on the Government's initial draft calculations on funding. It was suggested that a possible reason could be that the Council had performed so well with Business Rates.
- Whether it was possible for officers to take a proactive and flexible approach to lease additional space within Phoenix House in order to maximise opportunities for income? It was explained that with Local Government Reorganisation (LGR), the Council's options were restricted in terms of leasing out available space to new tenants until more was known about how the building was to be used in the future following LGR.
- The implications of significant decreases in funding on the Economic Development Team.

- Dialogue had been undertaken with Town and Parish Council's regarding the transfer of assets but there had not been much progress. This explained why the draft budget was showing a cost pressure of £30k in this area as those savings had not materialised.
- It was highly likely that Reserves would need to be used to fill the budget gap this year.
- Consideration needed to be given to better use of the car park at Lords Meadow Leisure Centre in Crediton in order to alleviate a need for local business to park in that area and achieve increased income for the Council. It was **AGREED** that this would be taken back to the Car Parking Working Group for them to explore further.

**RECOMMENDED** to the Cabinet that:

- a) The updated MTFP position be **NOTED**.
- b) The Budget Proposals as set out in Appendices 2 and 3 be approved.

(Proposed by Cllr M Farrell and seconded by Cllr J Cairney)

#### Reason for the 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 a number of key assumptions underpinned the reported position, which would be refined as greater clarity was received through the budget setting process.

Note: \* Report previously circulated.

## 22 **ECONOMIC DEVELOPMENT TEAM UPDATE (00:51:00)**

The Group had before it, and **NOTED**, a report \* from the Director of Place & Economy updating Members of projects and activities undertaken by the Growth, Economy and Delivery Team during the last couple of months.

The contents of the report were outlined with particular reference to the following:

- The delivery of the Shared Prosperity Fund (SPF) and Rural England Prosperity Fund funded projects for 2025/2026 was a priority for the team with all funds needing to have been spent by the end of the financial year.
- The Council had entered into an agreement with Devon County Council to deliver three revenue projects as part of the SPF programme. These projects related to Employment Skills, Business Support (Prosper) and Agricultural Support.
- Under the banner of 'Prosper' there had been an AI (Artificial Intelligence) conference that day in Cullompton. This had been well received.
- Many grant schemes were underway and would be reported on at the next meeting.
- A Business Refresh Grant Scheme had also been recently launched and promoted through to Town and Parish Councils, stakeholder groups via social media. This was paying off as there had been a good deal of interest.

- 'Visit Mid Devon' continued to be supported by the team, as did the 'Love Your Market Campaign'.
- The Economic Development Strategy workshops had now been completed as had the business survey. The team were now awaiting the Growth Plan and South West Government Strategy, all of which would influence the final Mid Devon Economic Strategy.

Discussion took place regarding:

- It was confirmed that the Business Refresh Grant was only open to businesses at this stage.
- The methodology used to assess town centre vacancy rates as Devon County Council's methods provided different data.
- Absent landlords were a significant problem as well as complications regarding other permissions such as the heritage status of some buildings.
- Infrastructure proposals for Cullompton would help.
- Working in partnership was key.
- The changing nature of retail habits.
- Exit interviews were difficult as landlords often just disappeared.
- Lack of footfall was the main reason why traders left. Encouraging people into town centres was vital and events such as festivals were helpful in doing this.
- Also helpful were 'facelifts' to shop fronts and some grant funding was available to support this.
- Many of these problems being experienced nationally.

Note: \* Report previously circulated.

## 23 CULLOMPTON RAILWAY STATION - VERBAL UPDATE (01:16:00)

The Strategic Manager for Growth, Economy & Delivery provided a presentation in relation to the Cullompton Railway Station which included the following information:

- The background and history of the Cullompton Railway and the proposals to get to this point.
- Proposals to reinstate the Cullompton and Wellington Stations had come about since they were the largest settlements between Exeter and Taunton.
- Both towns faced similar issues, for example, a lack of post 16 education.
- There had been no specific mention of the scheme in the June 2025 Comprehensive Spending Review which had caused some concern, however, the Government had reaffirmed its support since then.
- The location of the Cullompton Station and the 3 options considered in terms of routes were described.
- Grand Western Railway (GWR) had been extremely helpful.
- The Cullompton platform would accommodate 5 cars and would be unmanned.
- The current predicted timeline for the opening of the station was May 2028.
- Planning permission had been received and at the tender stage more information would become available regarding funding.

Consideration was given to:

- Car parking provision at the station was still be considered.
- The breaking of previous promises to the residents of Cullompton and until there was 'a spade in the ground' celebrations would be reserved.
- Network Rail would need to ensure accessibility was paramount. This needed to be part of a bigger conversation about improving accessibility within the town and as part of all future development proposals.

## 24 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:38:00)

The items listed in the Work Programme for the next meeting were **NOTED**.

In addition to this, the following was requested to be on the agenda for a future meeting of the Group:

- Car Parking Working Group Report (with a request that it include consideration of the car parking provision at Lords Meadow Leisure Centre and the opportunities for increased income to the Council) to be presented to the next meeting.
- An update on development at Junction 27.
- Information relating to a potential merger between Exeter College and Petroc – would Members be briefed or part of the discussion at all?
- A report on the Pannier Market, Tiverton.

(The meeting ended at 7.11 pm)

**CHAIR**

**MINUTES** of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 9 September 2025 at 2.15 pm

**Present**

**Councillors**

J Cairney, S Chenore, G Czapiewski,  
B Holdman, N Letch, H Tuffin, Henwood,  
Jones and Sixsmith

**Apologies**

**Councillors**

C Adcock, A Glover and C Harrower

**Also Present**

**Councillor**

J Lock

**Also Present**

**Officers**

Simon Newcombe (Head of Housing & Health), Paul Deal  
(Head of Finance, Property & Climate Resilience), Dr  
Stephen Carr (Corporate Performance & Improvement  
Manager), Mike Lowman (Operations Manager for  
Housing) and Sarah Lees (Democratic Services Officer)

**Councillors**

**Online**

D Wulff and L G J Kennedy and D Wulff

**Officer Online**

Sophie Richards (Customer Manager)

**Also in**

**Attendance**

I Henwood (Co-Opted Tenant), M Jones (Co-Opted  
Tenant) and T Sixsmith (Co-Opted Tenant)

## 15 **ELECTION OF CHAIR (FOR THIS MEETING ONLY) - CHAIR OF COUNCIL PRESIDING**

As the Chair of the Homes Policy Development Group had sent her apologies for the meeting and the Vice Chair had also sent his apologies, there was a need to elect a replacement Chair for the purposes of this meeting only.

**RESOLVED** that Cllr J Cairney be elected Chair for the purposes of this meeting only.

(Proposed by Cllr B Holdman and seconded by Cllr S Chenore).

## 16 ELECTION OF VICE CHAIR (FOR THIS MEETING ONLY)

**RESOLVED** that Cllr B Holdman be elected Vice Chair for the purposes of this meeting only.

(Proposed by Cllr J Cairney and seconded by Cllr S Chenore)

## 17 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from:

- Cllr C Adcock who was substituted by Cllr B Holdman.
- Cllr A Glover
- Cllr C Harrower

## 18 PUBLIC QUESTION TIME

There were no questions from members of the public.

## 19 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT

No interests were declared under this item.

## 20 MINUTES

The minutes of the meeting held on 3 June 2025 were approved as a correct record of the meeting and **SIGNED** by the Chair.

## 21 CHAIR'S ANNOUNCEMENTS

The Chair had the following announcements to make:

- There was a great deal of important business to discuss on the agenda, he encouraged all participants to be succinct when asking their questions and making comments.
- He advised the Co-Opted Tenants not to make comment in relation to the Rents Error item as there would be a clash of interests.
- He drew the Group's attention to the fact that a previous Chair of the Homes Policy Development Group and former Member of Mid Devon District Council, Cllr Ron Dolley, had recently passed away. The condolences of the Group wished to be passed to his family. The Chair stated that he had been a 'delightful man' who always had time for you and he would be sadly missed.

## 22 PERFORMANCE DASHBOARD Q1 (00:10:00)

The Group were presented with, and **NOTED**, two slides showing performance information in the Mid Devon Housing area both under the Housing Revenue Account (HRA) and the General Fund (GF).

The dashboards aimed to give an 'at a glance' understanding of how services were performing in terms of performance measures, finance and risk. Any measures that were also part of the Corporate Plan were listed in yellow text.

The indicators were presented with current performance, the annual target and a RAG (red/amber/green) rating to indicate whether or not the Council was on track to meet its target. Overall performance was presented in a pie chart which combined the RAG ratings for both the performance and the finance measures.

A summary of the performance position was presented as follows:

#### General Fund

- Home Improvement Loans sanctioned was showing as amber. Performance was just below the target position at the end of quarter 1.
- Private Sector Housing Service requests response rate was showing as amber. This was due to an administrative error which had now been rectified. Performance was 100% for Q1, not 90% as stated on the Dashboard.
- Homes PDG Projected Outturn was showing as amber. This was due to higher spend on Community Alarms installations.

#### Housing Revenue Account

- Mid Devon Housing (MDH) - Delivery of new Social Housing and New MDH net-zero MMC properties were both showing as red. It was stated that there were homes under construction and most were expected to be delivered in Q3 and Q4.
- MDH routine repairs completed on time was showing as amber. This was just behind target, with 1,129 routine repairs completed on time out of 1,213. Q2 performance had improved and was currently ahead of target. This would be seen in the Q2 Dashboard.
- HRA Projected Tenant Income was showing as amber. This was due to a very minor variation, made up on £116k loss of income from voids, which was largely offset by £110k increase in affordable rent income.
- HRA Projected Capital Outturn was showing as red across 18 projects with a budgeted spend in 2025/26 of £23.5m, 9 were underspending to a value of £10.5m due to slippage for a variety of reasons, such as delays in planning, legal or tendering. For current stock maintenance and renovations – there was a net £107k overspend largely due to increased works against modernisation and renewables. This was partially offset by underspends in glazing replacements and reduced responsive maintenance works.
- HRA Capital Slippage percentage of development projects was showing as red. 9 out of 34 projects were slipping. These were largely development projects.

Discussion took place regarding:



- Whether the number of unoccupied and unfurnished empty homes figure was 'reasonable'? This needed more context in future.
- The target of '50' new MDH net zero properties was a challenge but current and ongoing development was moving towards this.

Note: \* Slides previously circulated.

## 23 MEDIUM TERM FINANCIAL PLAN (00:17:00)

The Group had before it a report \* from the Deputy Chief Executive (S151) presenting the updated Medium Term Financial Plan (MTFP) which covered the period 2026/27 to 2028/29 and which discussed initial options for cost pressures/savings or income related to the services covered by the Policy Development Group.

The Head of Finance, Property and Climate Resilience stated that the report needed to be considered in two distinct halves, firstly the General Fund and secondly the Housing Revenue Account.

The report was a little different to that provided in previous years. This was due to the raft of changes expected from 2026/27 and the longer term restrictions placed upon the Council by Local Government Reorganisation (LGR). The report didn't give a forecast shortfall to be addressed. Instead it highlighted the unprecedented level of uncertainty faced by all councils in respect of funding from 2026/27 onwards and estimated a range that the shortfall could fall within.

The Chancellor's Autumn Budget would not be available until the end of November 2025. This would have a knock on effect of delaying the detail at individual local authority level. The uncertainty regarding future funding could not be overstated.

### General Fund Budget Options

Over the summer officers had identified a range of budget options to address the budget shortfall, using the Red, Amber and Green (RAG) assessment, which were being presented to the relevant Policy Development Groups for discussion, with the recommendation to support the Green and Amber options.

### Housing Revenue Account (HRA) Budget Options

This was largely based on assumptions, including the level of Pay Award, the price of utilities, contractor / materials pricing and income projections. These would be kept under review and would be updated and brought back to the November PDG as more information became available. As shown in Appendix 5, the forecast indicated a funding shortfall of £541k in 2026/27 rising to £1,796k over the 3-year forecast. Therefore savings ideas and proposals were required.

Discussion took place regarding:

- The need to estimate the Homelessness Prevention Grant (HPG) due to such uncertainty.



- It was sensible to be prudent and 'over cautious' when assessing the future budget due to the unprecedented circumstances.
- The proposal to increase the budget in relation to Climate Change needed to be considered given the forecast financial position and the implication it might have in terms of finding further savings in order to be able to afford it.
- The expected increase in income due to the Extended Producer Responsibility (EPR) and that this would offset the loss of the Devon County Council Share Savings.
- The question marks shown in the report against the Collection Fund which were due to so many unknowns at this stage of the budget setting process.
- The Homes for Ukraine Scheme would neither be reduced or expanded, the Council would continue to seek to do what was required of it by Government.
- The robust approach being taken as regards vacancy approvals by senior management.
- Temporary accommodation costs.
- Whether the figures took account of the delay of 6 weeks in the payment of Universal Credit.
- 'Rent Convergence' was explained as a process of gradually aligning social rent levels across the country to ensure fairness and consistency. This process aimed to have people pay similar rents for similar properties while remaining below market rates. The effects of the increase of £1 per week and £2 per week were discussed. 'Rent Convergence' was currently out for consultation by the government with the outcome determining the level of the weekly increase allowed.

**RECOMMENDED** to Cabinet that:

- a. The updated MTFP position for both the General Fund and the Housing Revenue Account covering the years 2026/27 to 2028/29 be **NOTED**.
- b. The budget proposals as set out in Appendices 2, 3 and 6 be approved.

(Proposed by the Chair)

Reason for the decision

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

Note: \* Report previously circulated.

24 **MID DEVON HOUSING MOBILITY SCOOTER POLICY REPORT (01:01:00)**

The Group had before it a report \* from the Head of Housing & Health setting out a proposed new policy in relation to mobility scooters in flats.

The following was highlighted within the report:

- Clear fire safety guidance had been received by both the Government and Devon & Somerset Fire & Rescue and as a housing provider the Council needed to adhere to this.
- The issue had come to light as a result of a visit from the Fire Service to the St George's Court development in Tiverton which had two lifts and the potential for mobility scooters to travel up and down the lifts visiting various flats was therefore increased. Whilst these were 'game changing' leisure devices for many people with impaired mobility it needed to be recognised that these were bulky items that had the potential to block access and exit points in an emergency. With further risks due to potential fires.
- The range and quality of mobility scooters varied greatly.
- Following the approval of the policy, tenants would be able to make informed choices about which properties they would prefer to live in.

Consideration was given to the following:

- The Council would not be installing charging points at the moment since mobility scooters were classed as leisure vehicles and were not covered as part of the Council's Aids and Adaptations Policy.
- All tenants had been made aware of the proposed policy and the legal requirements upon the Council.
- Support e.g. with PAT (Portable Appliance) Testing could be provided for tenants affected through the handyman service.
- The Housing Service was currently looking at the overall mobility needs for its tenants across the whole district.
- There were currently 270 MDH flats above ground floor, officers were not aware of any scooters currently being carried upstairs in those properties. It was estimated that approximately 10 properties might be affected.

**RECOMMENDED** to the Cabinet that it recommends to full Council:

The adoption of the new Mobility Scooter in Flats Policy and the Equality Impact Assessment contained in Annexes A and B respectively.

(Proposed by Cllr N Letch and seconded by Cllr G Czapiewski)

#### Reason for the decision

As a registered provider of social housing, the Council must comply with the regulatory standards set by the Regulator of Social Housing. In particular, that it complied with all relevant safety legislation including the mitigation and management of fire risks and meet the wider requirements of the statutory Safety and Quality Standard (consumer standard).

This policy had been developed in close consideration with the latest the National Fire Chiefs Council (NFCC) safety guidance for mobility scooters, noting both their benefits and associated fire risks.

Note: \* Report previously circulated.

## 25 VARIATION OF TENANCY AGREEMENT (01:20:00)

The Group had before it a report \* from the Head of Housing & Health setting out the steps needed to meet the legal requirements for varying the terms and conditions of tenancy for existing tenants.

The contents of the report were outlined with particular reference to the following:

- This document set out the rights and responsibilities of tenants.
- 3000 consultation packs had been sent out regarding the Variation to the Tenancy Agreement (TA).
- All references to Flexible Tenancies had been removed and a new clause added for CCTV.
- More detail had been added regarding Anti-Social Behaviour (ASB) and keeping people safe.
- Multiple ways for tenants to respond to the consultation had been offered. The consultation had ended on 30 June 2025.
- 214 responses had been received which equated to approximately 7%.
- The majority of the responses had said that the new TA was clear and sensible. There were some concerns regarding the use of communal spaces.
- The aim was to issue the new Tenancy Agreement by the end of October 2025 following approval.
- This was a vital step towards modernising the housing service.

Discussion took place regarding:

- Whether or not powers around ASB would be strengthened as a result of this new document. It was confirmed that they would be re-emphasised.
- A response rate of 7% was typical following a consultation.
- It was felt that for many 'not responding' was probably a sign that they were 'happy'.

**RECOMMENDED** to that Cabinet that:

- a) The Tenancy Agreement is approved subject to any responses from new tenants signed up after the preliminary consultation ended.
- b) Delegated authority be given to Head of Housing and Health (in consultation with the Cabinet Member for Housing, Assets and Property Services) to review the consultation responses from the new tenants and authorise such changes to the new tenancy agreement as he considers necessary in the light of any late consultation responses.
- c) Delegated authority be given to Head of Housing and Health (in consultation with the Cabinet Member for Housing, Assets and Property Services) to draft and serve the notice of variation to existing secure/introductory tenants under section 103 of the Housing Act 1985 to vary the terms and condition of their tenancies so that they are on the terms and conditions of the new tenancy agreement.

(Proposed by the Chair)

### Reason for the decision

As a registered provider (RP) of social housing, the Council was obliged to comply with the requirements of the Housing Act 1985. The specific requirements within the Act with regard to the legal requirements for introducing a new Tenancy Agreement were set out within the report.

The Council's legal team had been closely engaged through this process with regard to the updated Tenancy Agreement itself and the notice/adoption process to ensure legal compliance.

Note: \* Report previously circulated.

## 26 **MID DEVON HOUSING RENT ERROR UPDATE (01:42:00)**

The Group had before it, and **NOTED**, a report \* from the Deputy Chief Executive (S151) and the Head of Housing & Health providing an update on the corrective measures completed and next steps in order to rectify an identified historic rent setting error.

The contents of the report were outlined with particular reference to the following:

- A brief summary of the historic background to the report.
- There had been progress since the issue was last reported to the Group. A significant amount of chasing had been undertaken with affected tenants but not everybody wanted to engage with the Council where refunds have been offered.
- All and non-benefit Housing Benefit claims for live tenancies had now been processed.
- The Council was reliant on the Department for Work and Pensions (DWP) to assist with various tenant calculations and this was proving extremely complicated. At the moment there was a large cohort where the claims could of Universal Credit claimants where the refunds could not be processed due to individual complications and these tenants were being encouraged to engage directly with the DWP.
- The Council was not the only housing provider in this situation.
- The work of the Rent Recovery Team had ensured that the Council was ahead of the game where it could be.

Consideration was given to:

- Concern that Universal Credit claimants were being kept in the loop. It was confirmed that all affected tenants had been written to.
- The Council had no legal right to know what benefits a tenant received.
- The Council had not received any complaints so far from tenants, they understood that the Council was waiting for the DWP.
- It was confirmed that the resources to support this work would continue until the process was complete.
- Advice was being provided to other local authorities who were experiencing the same issues.
- The team were confident nobody had been unjustly evicted as a result of this issue.

Note: \* Report previously considered.

## 27 **MID DEVON HOUSING SERVICE DELIVERY REPORT FOR Q1 2025-2026 (02:00:00)**

The Group had before it, and **NOTED**, a report \* from the Head of Housing & Health containing performance information as measured in line with the guidance relating to the Tenant Satisfaction Measure (TSM's).

The Chair stated that due to the time and the length of the meeting, unless the Group had anything urgent they wanted to ask, he requested that any questions in relation to this item be held over to the next meeting.

The Group did not have any urgent issues they wished to raise under this item at the current time.

The Head of Housing & Health briefly explained that the service was performing well, quarter 1 data was strong and was expected to improve in the coming quarters. Annual repairs had taken a dip but all safety measures were where they should be.

Note: \* Report previously circulated.

## 28 **NATIONAL HOUSING UPDATE BRIEFING (02:05:00)**

The Group received a presentation providing a summary of national changes in the social housing sector within the context of the Ministry of Housing, Communities and Local Government (MHCLG) 'five-step plan for renewal' (July 2025). This plan was focussed on increasing the supply of social housing and continuing change in the safety and quality of homes.

The presentation included the following information:

- Nationally there was not enough social and affordable housing (MHCLG July 2025).
- Locally, the Devon Housing Commission report (2024) had identified the same issues across the county.
- Mid Devon's Housing Strategy aimed to build / acquire more MDH social housing properties, grow development pipeline, invest in the current stock, acquire temporary accommodation properties and support 100% of Homelessness presentation.
- The Government would provide a boost to affordable homes funding through the new Social and Affordable Homes Programme (SAHP)
- Sector financial capacity:
  - **10-year rent cap settlement** – would allow for annual increases of CPI (Consumer Prices Index) + 1% from April 2026.
  - **Rent convergence** – bringing rent for historic tenancies up to national Formula Rent and aligning social rent levels over time. There was currently a consultation on £1 or £2 per week.
  - Currently more than half MDH tenants had long-standing rents that sat below Formula Rent that could only be lifted when the tenancy changed.

- **Continued provision of low-interest loans** to support housing development. This was still borrowing that had to be sustainable within the wider Housing Revenue Account.
- There were a number of regulatory changes including:
  - **Updated Decent Homes Standard (DHS)** consultation.
  - **Implementation of Awaab's Law** from October 2025. There were stringent timelines for investigating and resolving damp & mould and emergency hazards. MDH were putting processes and resources in place to meet this.
  - **Mandatory full (inspection) electrical safety checks** every five years from November 2025. MDH had already begun significant advance work towards this.
  - Proposals to implement **minimum EPC Band C energy standard** within social rental sector by 2030. Again, MDH had undertaken significant advance work towards this.
  - **Mandatory Competence and Conduct Standard.** This would come into force in October 2026 setting out minimum qualification standards for specific housing staff/roles.
- There was a raft of additional Right to Buy changes.
- There would be a greater tenant focus in terms of the 'Resident Experience Innovation Fund', allocation policies and tenants access to information. This increased focus would mandate specific requirements on housing providers.

Discussion took place regarding:

- The Housing Service faced a lot of challenges and the team as whole were praised for working hard and being so proactive.
- The Government had said that damp & mould was an issue that needed to be solely dealt with by individual local authorities. There would be no additional funding to support this work. However, this Council had a robust system in place to tackle this difficult issue.
- The 'Rent Convergence' issue and the difference to a tenant of being charged either £1 or £2 extra per week. These were not big sums and after 10 years this proposal would allow the Council to be back up to the Formula Rent level providing fairness and consistency across properties.
- Regarding the competency issue and the future need to ensure all officers were trained and qualified where necessary, it was confirmed that the compliance rate for MDH was currently at 56%, however there is a period transition and the Council have several years to be fully compliant.
- It was hoped that a new Tenancy Manager would be starting in a few weeks time.

## 29 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (02:33:00)

The items already listed in the work programme for the next scheduled meeting were **NOTED**.

It was requested that the following be added to the agenda for the next meeting:

- Grass cutting for sheltered housing units.

It was also **NOTED** that the Housing Strategy would need to slip until early 2026 as the Government were currently undertaking a number of initiatives which would have an impact on the MDH Strategy therefore it would be sensible to delay bringing it before Members until then.

(The meeting ended at 4.51 pm)

**CHAIR**

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**MINUTES of a MEETING of the PLANNING, ENVIRONMENT & SUSTAINABILITY POLICY DEVELOPMENT GROUP** held on 23 September 2025 at 5.30 pm

**Present**

**Councillors:** B Fish (Chair)  
G Cochran (Vice-Chair), C Adcock,  
G Czapiewski, C Harrower, A Stirling and  
G Westcott

**Apologies**

**Councillor:** A Glover

**Also Present**

**Councillor:** S Keable

**Also Present**

**Officers:** Richard Marsh (Director of Place & Economy), Paul Deal (Head of Finance, Property & Climate Resilience), Jason Ball (Climate and Sustainability Specialist) and Angie Howell (Democratic Services Officer)

**Councillors**

**Online:** E Buczkowski, G Duchesne, L G J Kennedy and D Wulff

**Officer Online:** Tristan Peat (Forward Planning Team Leader)

**21 APOLOGIES AND SUBSTITUTE MEMBERS (00:03:22)**

Apologies were received from Cllr A Glover.

**22 PUBLIC QUESTION TIME (00:03:34)**

The following questions were received from members of the public:-

Andrew Moore (which the Chair read out) – Regarding Agenda Item 8

My thanks to the PDG for responding to the questions raised at the last meeting. I am reassured that the Council continues the pragmatic investment strategy adopted by the S151 Officer and previous administration.

The Climate Change Committee is cited. However, it is widely recognised as untrustworthy, except by those with blind adherence to climate alarmism. It is populated by advocates of the 'green agenda' with vested interests in green businesses. It determines government policy without democratic control. It's lost touch with reality - actual floating offshore wind prices are 7 times the CCC's naïve figures. The Met Office is also cited, yet it too has been discredited. It's used unscientific methods to create a false narrative of temperature change. 80% of its measurement sites are Cat 4 and 5 with potential errors of up to 5 degrees. It's fabricated temperature records where none exist.

You say, 'The scale and the pace of the problem can be overwhelming.' That is categorically untrue, and the public are increasingly 'not buying it'. There is increasing evidence that many of the cited calamity events are within normal tolerances. Recent studies show that CO2 levels lag temperature - other forces are also at play. Modelling often sensationalises with extreme scenarios, even assuming mankind really understands something as complex, large and non-linear as the climate. The heart of my question was whether there is any real point in pursuing a 'Net Zero' strategy, let alone even increasing core budget as proposed. It is a weak response to state that Plans and Strategy documents are in place, and that's that. Serious questions are now being raised about the veracity of the CO2-driven climate change narrative. For a PDG not to consider these is complacent. I note that from the Update Report after 7 years of effort, the total reduction for MDDC is 361 tCO2, just 2%. It's even gone up in the past 12 months and is now above the average for that same period.

#### Question 1

Can you please advise how much the Council has spent on its Climate Emergency initiative over 7 years (in direct and external funding including routine work and projects)?

#### Question 2

Given the questions around the climate change narrative, MDDC's negligible contribution, that expenditure is having little effect, and with a big forecast financial shortfall, wouldn't public money be better spent on community work / grants with an immediate and tangible benefit?

#### Question 3

Will this PDG amend planning guidance to prioritise food security, the natural environment, and the beauty of Mid-Devon over conflicting solar and wind development proposals?

#### Question 4

Will this PDG commission a study into the evidence counter to the standard climate change narrative better to inform its strategy for the future?

#### Sarah Coffin - Regarding Agenda Item 9

As stated in the officer's report Farm-fed Anaerobic Digesters (those under Mid Devon control) can have either negative or beneficial impact, dependent on three fundamental operational principles:-

1. Sustainable access to appropriate land to provide sufficient crop feedstock and provide safe spreading of manures and approx. 90% digestate residue, as a benefit fertiliser in accordance with WRAP/EA Rules and restrictions. Otherwise they are classed as “waste” and require more costly disposal.
2. Sufficient secure storage of odorous feedstocks and manures/digestate to reduce emissions to air and pollution of soil and water utilising the best available techniques.
3. All industry and commerce has to be commercially viable to maintain its existence, however those that are supported by public money and purporting to be “green energy” are required to also prove they are “renewable and sustainable” in an environmentally beneficial way. I respect suggest there can be no integrity in such similar future projects, without serious assessment and full consideration of past failings as described in Motion 608.

#### Question1

Can I therefore request that whichever of the stated options Members choose it will include consideration of the following for all large/industrial livestock/energy projects:-

- a) Increased use of the already existing S106 or similar legal agreement, whereby approved applicants confirm acceptance and the capacity to comply with all approved planning material and mitigating conditions, as well at WRAP/EA Farming Best Practice Rules and restrictions.
- b) Identify and evidence showing all land versus seasonal or business let third party lands. Particularly relevant given the 2025 legal precedent set via 3 court cases: NFU v Hertfordshire Council & Ors EWHC 536 (Admin); Methwold Borough Council West Norfolk Refusal of Industrial Factory Chicken and Pig farms (citing UK Supreme Court ruling Finch v Surrey County Council) establishing the need for LPAs to fully account for both direct and indirect climate emissions; finally R (Caffyn) v Shropshire Council EWHC 1497 (Admin) Mr Caffyn’s successful claim that Council approval for £200k intensive poultry unit had failed to lawfully assess the full in-combination effects of manure and digestate spreading on third party lands.
- c) Full inclusion of all relevant historical Scrutiny Committee reports (2017/18) relating to Anaerobic Digester complaints.

#### Nick Govier - Regarding Agenda Item 9

As part of the Full Council meeting on 23 July the decision from that meeting confirmed in the minutes was for the motion to be referred to this Committee before returning to Full Council. The initial recommendations which this Committee is seeing this evening as part of those minutes. It also stated, and I quote the questions received from the member of public would be considered at the Planning, Environment and Sustainability PDG.

#### Question 1

Can this Committee please confirm that all attendees have seen those questions raised by the member of public? Have they been circulated in advance and will they be considered as part of the recommendation contained in option 3 including how they will be incorporated in the scope of any further document.

Turning to the recommendation, I am not naïve to the challenges of funding and resource capacity, which have been outlined in the paper and also how any developed document can only provide guidance as opposed to defined policy.

#### Question 2

Can I ask this Committee to ensure that any such document developed incorporates the following:- How we develop subject matter expertise in the planning function for assessing future and existing AD applications to reflect the disproportionate share of AD plants located in Mid Devon. This will negate the need for ongoing consultancy costs to review such cases.

#### Question 3

What knowledge and training investment can be recommended for a small cohort of planning officers? This can be sourced locally in view of the highly respected expertise in Devon in AD plants all located within close proximity to this building.

#### Question 4

How can the applicant be mandated to support future AD applications by bringing greater transparency to the complete view of net zero impacts when submitting any future AD applications.

#### Paul Elstone - Regarding Agenda Item 9

Motion 608 references a report prepared in France and which found that only 30% of AD's tested were providing green and sustainable energy. Of the AD's currently in operation in Mid Devon only one is producing green and sustainable energy. It is an on farm AD producing just 80Kw per hour of electricity. It's primary feedstock being cow slurry. The 2 largest industrial sized ADs are producing around 1 mega watt per hour of electricity. This being 100% over planning consent and with maize as the primary feedstock. They are growing energy crops to produce electricity to the grid using combined heat and power units running at around 38% efficiency.

#### Question 1

Will this Committee recognise that these are the very worst types of AD's and which the French report identifies as not green and therefore not sustainable.

AD's that require very particular consideration in any planning policy etc? This Council is very proud of its green and sustainability credentials. Be it recycling rates, net zero social homes, leisure centre energy consumption reduction, solar panel installations.

#### Question 2

Does this Committee fully appreciate that in a strike of a pen and in approving certain types of anaerobic digester installations and even worse the increase in power generation and resultant feedstock requirements for existing and industrial sized AD plants that all the MDDC CO2 emission savings will be negated and perhaps a hundred times over?

Therefore I would suggest that this Committee needs to access the best of technical expertise it can when deciding on the best way forward in support of its green agenda. Expertise which is available in the public realm.

Expertise with relevant Doctorates and Masters Degrees. Expertise that would come free of charge. Expertise that will relieve a time burden on officers and save MDDC cost.

### Question 3

Will this Committee please fully develop this option?

The current planning approvals concerning anaerobic digesters are highly reliant on planning condition compliance. History over the last 8 plus years has shown that planning conditions are being totally ignored and without any meaningful enforcement. A list of condition breaches and based fully on evidence follows.

1. AD' exporting over twice as much electricity as the planning conditions allow. Over 1000kw per hour as opposed to 500. Even reporting different production to MDDC and OFGEM. If this condition alone was enforced much of the abuse would be controlled.
2. Feedstock and digestate tonnages far greater than consent.
3. Feedstock supplied from and digestate spread in locations not approved.
4. Failure to comply with agreed traffic routes.
5. Failure to provide correct weigh bridge data.

There are 12 separate planning condition breaches but time prevents me from completing.

### Question 4

Will this Committee recognise that it now has the opportunity to put much of these abuses to rights?

The Chair stated that as the questions had not been received in advance, written responses would be provided within 10 working days and attached to the minutes.

## **23 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:19:39)**

No interests were declared under this item.

## **24 MINUTES OF THE PREVIOUS MEETING (00:19:57)**

The minutes of the last meeting held on 29 July 2025 were approved as a correct record of the meeting and **SIGNED** by the Chair.

## **25 CHAIR'S ANNOUNCEMENTS (00:20:26)**

The Chair had no announcements to make.

## 26 PERFORMANCE DASHBOARD Q1 (00:20:32)

The Group were presented with, and **NOTED** the Performance Dashboard for Quarter 1 2025/26.

The overall performance was presented in a pie chart which combined the RAG ratings (Red/Amber/Green). The indicators were presented with the current performance and the annual target to indicate whether or not the Council were on track to meet its target.

The following was highlighted within the report:-

- The performance dashboard for Q1 aimed to give an understanding of how services were performing that related to this Policy Development Group (PDG).
- In terms of performance, finance and risk, any measures that were also part of the Corporate Plan were listed in yellow text.
- Electric car charging points installed across Mid Devon District Council (MDDC) were showing as Red at this point in the year.
- There were no electric car charging points installed in quarter 1 however in 2024/2025 6 new charging points were installed which was ahead of the annual target for that year (effectively +2 in hand).
- Discussions were taking place with a provider to upgrade the infrastructure that was based at the Council's Leisure Centres in terms of charging points there.
- The projected capital outturn was also showing as Red. This was spending in terms of the Cullompton Relief Road which had slipped from the initial forecast however the project was well underway and construction was due to start in 2026/2027.
- There were also small contributions into the land drainage project which the Environment Agency would lead on and those had slipped.
- The capital slippage of overall projects was also showing as Red as all 3 projects had slipped.
- Building control income which was projected as Amber was slightly below forecast which was due to the current economic conditions which had been the case in this service in the last 18 months.

Discussion took place regarding:

- Whether there were any electric charging points for social housing? It was explained that this indicator was from the General Fund infrastructure whereas electric charging points for social housing would fall within the Housing Revenue Account (HRA). However this data could also be reported.
- When would the additional electric charging points be installed and where would they be placed as it was important to ensure they were spread out across the District. It was explained that due to an additional 2 charging points which were installed last year this meant that 2 more were left to be installed. Tiverton Pannier Market would be installed next followed by West Exe South and Crediton High Street Saviours Way. There was another scheme in hand which would be initiated soon through the Local Electric Vehicle Infrastructure Fund (LEVI). There would be slower chargers in residential areas which would balance out the rapid chargers in



core car parks and additional rural installations. Public charging points at the Council's Leisure Centres were also being upgraded.

- Whether the Grand Western Canal would have electric chargers installed. It was confirmed that this was not the Council's asset. However questions would be asked to see if there were any plans for that.

Note: \* Performance Dashboard previously circulated

## 27 MEDIUM TERM FINANCIAL PLAN (00:28:17)

The Group had before it, and **NOTED**, a report \* from the Deputy Chief Executive (S151) presenting the updated Medium Term Financial Plan (MTFP) which covered the period 2025/26 to 2028/29 for the General Fund (GF) and considered initial savings options.

The Head of Finance, Property and Climate Resilience presented the report and the following was highlighted:

- The MFTP was different this year to that in previous years due to a raft of changes that were expected in terms of funding from 2026/2027.
- It also reflected the longer term restrictions placed upon the Council by the Local Government Reorganisation (LGR).
- A projected shortfall could not be provided as there was no knowledge of where funding might be next year.
- However, there were a range of shortfalls based on the information that the Council did have from the government which were between £1m and £3m for next year.
- The Chancellors statement which was normally expected at the end of October 2025 would now be delayed until November 2026.
- The Government's Cabinet reshuffle and the loss of the Cabinet Minister for the Council's sector could also have a potential impact.
- This could mean significant changes for the level of funding and the priorities that the Government may have.
- The Council had an obligation to balance the budget in the normal way as was required by statute, this meant not relying on reserves, optimising income where necessary and diverting money to ensure that services were protected and ensured that capital spending delivered the best value for money.
- Given the timescale of the shortfall and the restricted timeframe in which to tackle it, it was likely that the Council would need to draw on reserves in order to help balance the 2026/2027 budget.
- Appendix 2 in the report identified the pressures and Appendix 3 the savings for the Group to consider.
- The Green and Amber options were officer recommendations. Options shown as Red were doable but came with implications.

Discussion took place regarding:-

- The pressures of additional agency costs.
- The baseline budget for climate change.

- Whether fees were set nationally. It was explained that the Government set the level of statutory fees nationally. The Council set the discretionary fees.
- The reduction of Section 106 monitoring fees and whether this would mean receiving less money or proportionately less per house which would affect the quality of the facilities being provided. It was explained that the Council would seek as much money as possible however contributions were subject to a viability assessment. There may be a lower contribution across the whole development globally which would also then break down to individual units. This would mean a potential reduction in terms of contributions.
- The concerns regarding Section 106 finance and the Group being uncomfortable with the underlying assumptions.
- Whether Section 106 Monitoring could be considered further due to a reduction of income putting pressure on the quality of facilities being provided to residents. The Director of Place and Economy explained that that Council would have to take a view in terms of where it chose to spend the Section 106 contributions to ensure the best outcomes were derived and money was spent to offset pressures associated with development. He confirmed that along with the Head of Finance, Property and Climate Resilience he would look further into the technical details and that would be reflected in any future reports.

**RECOMMENDED** to the Cabinet that:-

- (i) It notes the Planning, Environment and Sustainability Policy Development Group's questions and concerns regarding the reduction of Section 106 Finance and that it considers this further in light of the comments made.
- (ii) The budget proposals as set out in the Appendices 2 and 3 be approved.

(Proposed by Cllr G Czapiewski and seconded by Cllr C Harrower)

Reason for the 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 a number of key assumptions underpinned the reported position, which would be refined as greater clarity was received through the budget setting process.

Note: \* Report previously circulated.



## 28 **CABINET MEMBER FOR ENVIRONMENT AND CLIMATE CHANGE UPDATE (00:52:28)**

The Group had before it, and **NOTED** a report\* from the Cabinet Member for Environment and Climate Change.

As the Cabinet Member for Environment and Climate Change was unable to attend the meeting, the Chair updated the Group on her behalf as he was also the Chair of the Net Zero Advisory Group.

The following was highlighted within the report:-

- The Council would now be collecting pots and pans across the whole district.
- There had been a mixed picture with regard to the carbon footprint particularly in respect to housing renovations and upgrades.
- There had been a fantastic response from the first informal online Forum with supporting workshops, where over 30 stakeholders attended including farmers and educators where ideas and support was exchanged.
- The Climate and Sustainability Specialist would be attending the Big Green Fair on Saturday in Crediton where home energy and retrofit advice would be available.
- Work with Dart Valley Farmers was ongoing for an event in November 2025.
- Partnership work with the Blackdown Hills National Landscape would engage stakeholders around natural flood management and climate adaption.
- The 2024/2025 carbon footprint result was 2% higher than the previous year which was mainly due to the climate change impacts linked to spending for example the rise in construction spending.
- Emissions had been successfully cut by investing to decarbonise the Tiverton and Crediton Leisure Centres.
- Social housing had a significant lower carbon footprint.
- Net emission for elements in the Councils direct control which comprised of the Council offices, facilities, transports and offsets contributed just under 9% of the 2024/25 overall total.
- The 1,589 carbon dioxide figure for 2024 was circa 35% which was lower than the 2,427 figure for 2028/2029 baseline (almost 840 carbon tonnes less).
- Reductions since 2018/2019 came from Council offices and facilities from 1098 to 705 carbon tonnes.
- Since 2018/2019 fleet impacts had changed although the Council now served circa 2500 more households.
- Rapid progress had been made to replace social housing with 48 net zero new build homes due to be in place by the end of the year. The procurement of those construction projects would make a climate impact on the 2025/2026 carbon footprint. The investment would reduce the Council's annual carbon footprint by approximately 136 tonnes per year.
- A broad range of support had been given to businesses to promote the Green Enterprise Grants alongside free advice for Mid Devon farmers.

The Chair thanked the Climate and Sustainability Specialist and the Cabinet Member for Environment and Climate Change for all their hard work.

Discussion took place with regard to:-

- The decarbonised Leisure Centres and how the heat pumps worked. It was explained that by decarbonising, centres had moved away from fossil fuel for heating, however more electricity was being used to drive heat pumps to replace that (capturing heat to warm the centres and extracting heat to cool the centres as required). The Council purchased “green electricity” (with REGO certificates) in addition to power from its own solar panels, and energy was being used in a more efficient manner. This meant that the Council was cutting its carbon footprint.
- Property Services planned to upgrade building energy management systems at Phoenix House so it could be run more efficiently. It was explained that a stage by stage project shopping list was being put together and those costs would be covered under the Capital Programme.

Note: \* Report previously circulated.

## 29 **MOTION 608 - ANAEROBIC DIGESTER PLANTS**

The Group had before it a report \* from the Director of Place and Economy to discuss options available to Members around the production of further (supplementary) planning policy or guidance in relation to the development of Anaerobic Digester (AD) Plants within Mid Devon.

Prior to the presentation the Director of Place and Economy wished to comment on some of the questions raised earlier and stated the following:-

- The questions raised highlighted and reinforced some particular points which were useful and helpful in terms of informing the choices that the Council made moving forwards in developing its understanding and knowledge of AD plants and what the Council could do in terms of supporting effective management and operation of them in terms of procuring additional guidance and advice.
- References to case laws would also be taken on board and the Environment Agency restrictions.
- It was helpful to officers to have an understanding of what fell within the jurisdiction of the Environment Agency and how they managed it.
- The Director of Place and Economy confirmed that he had been mindful of the questions posed and supporting documents presented at the Full Council meeting and that they were considered when drafting the report. He also confirmed that these would carry forward into any further work that the Council commissioned.
- A site visit for Members of the Group may be useful to understand how AD's operated and could provide continuous learning, understanding and appreciation of how AD plants operated.
- The Council was guided by procurement requirements when selecting and appointment consultants.
- With regard to planning enforcement he could confirm that in the last 12 months a total of 18 Notices had been served. The Council were taking a proactive stance in terms of planning enforcement and seeking to address high risk breaches when they occurred.

The following was highlighted within the report:-

- The report was in response to a Motion that was brought before Full Council in July 2025 by Cllr G Westcott.
- It set out various points to note and sought approval for Planning Officers to prepare a supplementary planning document outlining conditions under which any further applications for anaerobic digester plants or the extension of existing plants would be acceptable and contributed to the goals for climate change mitigation as well as planning conditions that may be required to ensure that contribution was realised.
- An amendment was carried to refer the Motion back to this Policy Development Group (PDG) to review and discuss prior to it going back to Full Council for further review.
- There were 4 options available to Members. Officers had recommended Option 3 (a broad AD advice note) to the Group as this gave the Council an opportunity to provide some further understanding whilst not having the challenges of cost and time of seeking to provide a Supplementary Planning Document which would have limited weight.
- If the Group were minded to approve the recommendations, the Cabinet Member for Planning and Economic Regeneration would be asked to instruct officers to scope out further work and report back to this PDG prior to any onward decision making.

Discussion took place regarding:-

- Whether officers had the capacity to carry out the work or would the work be outsourced and if so was there any financial allowance for that? It was explained there was no financial or officer allowance for any of the work. Option 3 would place an additional demand on officer's time in terms of procuring and having oversight of a piece of work which would need to be factored in for an already depleted team having to do further work. However the Council would be looking at an external consultant to seek professional advice and to carry out the bulk of the work to minimise the impact on officers. The Council would follow appropriate procurement regulations and requirements and to fully explore where that advice came from to secure best value of public funds.
- The concerns from members of the public with regard to traffic congestion, safety of very large vehicles trying to pass each other on roads, the danger for pedestrians and that routes for heavy vehicles were not always being observed.
- Whether more information could be provided in planning applications for anaerobic digester plants which could give Planning Officers or the Planning Committee the ability to decide whether a new capacity would conform to what was already in the Local Plan or not. It was explained that the Council needed to have a policy basis for any decision making and the capacity and technical competency on behalf of officers to understand what they were being presented with. In terms of future plan making, anything that the Council understood now would be helpful in supporting future policies in the new Local Plan and that would be taken on board.
- The possibility of gathering metric data with regards to anaerobic digester plants and information regarding energy generated.

- An approximate costing for the budget required for the study. It was explained that although his figure could not be confirmed at the moment a reasonable assessment of the likely cost could be £10,000. The report to the next meeting of the PDG would include the clarity of costing.
- Collaboration with other local authorities, organisations and academic bodies and to include that within the recommendations.

It was **AGREED** that a site visit to an AD Plant (outside of Mid Devon District) would be organised by the Director of Place and Economy.

It was therefore **RECOMMENDED**:-

1. To note that the Planning Policy relevant to Anaerobic Digesters is provided through the adopted Local Plan and that further/new policy cannot be introduced through a Supplementary Planning Document (SPD);

2. That the Cabinet Member for Planning and Economic Regeneration is asked to instruct officers to engage suitably qualified consultants in discussion to determine what could be contained within an advice/guidance note to inform Council work relating to Anaerobic Digester plants, the cost for the production of such an advice note, scope for collaboration with other authorities/institutions and the timetable for completion, and;

3. Once complete, the Cabinet Member of Planning and Economic Regeneration is asked to ensure this information is presented to the Policy Development Group for review and consideration prior to making any recommendation back to Full Council, via the Cabinet.

(Proposed by the Chair)

Reason for the decision

As set out in the report.

Note \*Report previously circulated.

## 30 **PLANNING SUMMARY REPORT**

The Group had before it, and **NOTED** a report\* from the Director of Place and Economy summarising activity undertaken in relation to planning matters.

The following was highlighted within the report:-

- The Council were continuing to have a good market share within Building Control
- Development Management were performing well despite the challenging macroeconomic situation and building landscape.
- Planning Enforcement was making headway in terms of taking a proactive stance in seeking to address planning enforcement breaches and matters generally within the district.

Discussion took place regarding:-

- Clarity with regard to the new National Planning Policy Framework. It was explained that information was imminent and that updates would be provided to Members when it became available.

Note: \* Report previously circulated.

### 31 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

The Committee had before it, and **NOTED**, the items identified in the work programme for the next meeting.

The Chair confirmed the following would be considered at the next meeting of the PDG:-

- S106 Governance Framework update
- Performance Dashboard for Q2
- Draft budget (Round 2)
- Climate and Sustainability Update
- Planning Summary Report

The Director of Place and Economy informed the Group that a report for the North Devon Railway Development Alliance would also be presented at the next meeting for Members to consider.

The Climate and Sustainability Specialist informed the Group that a report would be presented to the PDG reviewing the Terms of Reference for the Net Zero Advisory Group (NZAG).

(The meeting ended at 7.25 pm)

**CHAIR**

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**MINUTES of a MEETING of the SERVICE DELIVERY & CONTINUOUS IMPROVEMENT POLICY DEVELOPMENT GROUP** held on 15 September 2025 at 5.30 pm

**Present**

**Councillors**

J Buczkowski (Chair)  
M Farrell, C Harrower (Vice-Chair), L Knight,  
R Roberts and M Stratton

**Apologies**

**Councillors**

M D Binks, B Fish, M Jenkins and J Poynton

**Also Present**

**Councillors**

G Duchesne and J Wright

**Also Present**

**Officers**

Paul Deal (Head of Finance, Property & Climate Resilience), Matthew Page (Head of People, Performance & Waste), Lisa Lewis (Head of Digital Transformation & Customer Engagement), Darren Beer (Operations Manager for Street Scene), Luke Howard (Environment and Enforcement Manager) and Sarah Lees (Democratic Services Officer)

**Councillors**

**Online**

E Buczkowski, L G J Kennedy and D Wulff

## 17 APOLOGIES AND SUBSTITUTE MEMBERS

The following apologies were received:

- Cllr M Binks who was substituted by Cllr R Roberts
- Cllr B Fish
- Cllr M Jenkins
- Cllr J Poynton

## 18 PUBLIC QUESTION TIME

There were no public questions.

## 19 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

No interests were declared under this item.

## 20 **MINUTES**

The minutes of the previous meeting held on 23<sup>rd</sup> June 2025 were approved as a correct record and **SIGNED** by the Chair.

## 21 **CHAIR'S ANNOUNCEMENTS**

The Chair informed the Group that Active Mid Devon, the Council's new look Leisure Service, had been shortlisted for a national award. The awards recognised organisations and individuals who were driving innovation and making a positive change to the physical activity sector across the UK. He wished them good luck!

## 22 **DIGITAL TRANSFORMATION UPDATE (00:04:00)**

The Head of Digital Transformation and Customer Engagement provided the Group with a verbal update on several projects which fell under the umbrella of Digital Transformation.

This included the following information:

### In-cab project

- This was a significant piece of digital transformation work designed for the Waste Service and its heavy goods vehicles.
- It would be able to provide real time evidence and capture communications for the waste crews.
- It would help with routing and in identifying missed collections.
- It would be integrated with the Customer Relationship Management (CRM) system.
- Service requests would be able to be directed straight through to the waste crews.
- Ultimately there would be a significant efficiency gain, improvements to service received by customers and a large reduction in the use of paper.

### Resident App

- Residents would be able to download the App onto their smart devices.
- Waste collection information would be instant rather than sent via email as it was now.
- It would have a 'Find my nearest' function to allow residents to search for Leisure Centres or car parks for example.
- Nearby planning applications could also be searched for.
- Communications could be targeted such as adverse weather conditions.
- The timescale for implementation was in the next few months, probably after Christmas all being well.



### AI trial

- The Council had an opportunity to take part in an Artificial Intelligence (AI) trial.
- It could provide a voice solution to customer questions.
- The trial itself would be for a single service and would explore the possibilities at this stage.
- The trial would not cost the Council anything as it was free to participate.
- Councillor volunteers, along with others, were requested to take part in the trial.
- It was an 'off the shelf' solution designed specifically for local authorities.

Discussion took place regarding:

- The Councillors past experience with AI, both positive and negative.
- There would need to be some initial investment for the In-cab project but efficiency savings would quite quickly recoup these costs, reduce the number of complaints and ultimately improve the service for customers. Added to this was less officer time and a reduction in the volume of paper used.
- The Resident App would be free to use.

The following Members agreed to take part in the trial:

- Cllr C Harrower
- Cllr M Farrell
- Cllr R Roberts

The Group **NOTED** the information and thanked the officer for such a thorough explanation of some exciting projects.

## 23 **PERFORMANCE DASHBOARD Q1 (00:17:00)**

The Group were presented with, and **NOTED**, a slide showing performance information in the Service Delivery & Continuous Improvement area.

The dashboards aimed to give an 'at a glance' understanding of how services were performing in terms of performance measures, finance and risk. Any measures that were also part of the Corporate Plan were listed in yellow text.

The indicators were presented with current performance, the annual target and a RAG (red/amber/green) rating to indicate whether or not the Council was on track to meet its target. Overall performance was presented in a pie chart which combined the RAG ratings for both the performance and the finance measures.

For the measures showing as Amber or Red:

- Household waste collected per household (Amber) was just behind what was a stretching target. There had been a 3.77% decrease in household waste collected compared to June 2024. Efforts to identify unauthorised additional bins and provide ongoing education supported this positive trend.

- Household recycling rate (Amber) - As with the previous indicator, there was a stretching target in place. The service had seen an improvement of almost 2 percentage points compared to June 2024.
- Staff turnover (Red) - There was an increase in turnover in April, in particular in the Leisure Service with a number of fixed term contracts coming to an end.
- Public survey engagement rate (Red) – there had been a small drop in performance since Q4. This survey was now being run against the small number of new processes on the Customer Relationship Management system, and only since August 2024. As such there would soon be a complete year of data.
- Households on chargeable garden waste (Amber) - only 12 households were behind target, so only by a very fine margin was the Council behind the internal performance target.
- Agency Spend (Red) – an overspend was forecasted based on Qtr 1 figures. This cost was forecast to be offset by underspend in the main staffing budget.
- SD&CI PDG – Projected Capital Outturn (Red) - the main underspend reflected the change in approach for the waste depot: changing from building a new depot to remodelling the current depot. This saved almost £2m from the 2025/26 budget. There were also a number of projects, particularly in leisure and waste with variance which largely offset each other. These included slippage on the replacement of a skatepark, additional spend on energy saving projects, and the additional cost of the new baler within Waste Services.
- SD&CI PDG – Capital Slippage % of projects (Red) - this affected 4 out of 20 projects.

A brief discussion took place regarding whether or not the Red RAG rating should be changed to Green for the Projected Capital Outturn position for the Service Delivery & Continuous Improvement PDG. There had been a conscious decision by the Cabinet to set the target where they had but in light of recent decision regarding the waste depot it would be more correct to show this rating as Green. The officer agreed to reflect on this before reporting to the next meeting.

## 24 MEDIUM TERM FINANCIAL PLAN (00:21:00)

The Group had before it a report \* from the Deputy Chief Executive (S151) presenting the updated Medium Term Financial Plan (MTFP) which covered the period 2026/27 to 2028/29 and which discussed initial options for cost pressures/savings or income related to the services covered by the Policy Development Group.

A summary of the report and the relevant factors was provided as follows:

- The report was a little different to that provided in previous years. This was due to the raft of changes expected from 2026/27 and the longer term restrictions placed upon the Council by Local Government Reorganisation (LGR). The report didn't give a forecast shortfall to be addressed. Instead it highlighted the unprecedented level of uncertainty faced by all councils in respect of funding from 2026/27 onwards and estimated a range that the shortfall could fall within.

- The Chancellor's Autumn Budget would not be available until the end of November 2025. This would have a knock on effect of delaying the detail at individual local authority level. The uncertainty regarding future funding could not be overstated.
- Over the summer officers had identified a range of budget options to address the budget shortfall, using the Red, Amber and Green (RAG) assessment, which were being presented to the relevant Policy Development Groups for discussion, with the recommendation to support the Green and Amber options.

Discussion took place regarding:

- A definition of EPR (Extended Producer Responsibility) was provided which in basic terms meant that the Council would receive funding based upon the amount of packaging it collected. The draft budget included an estimated figure of how much that was likely to be.
- Devon County Council Shared Savings funding would cease to be paid after 2025/2026, this would be a pressure.
- The PDG walked through each of the cost pressures under its remit:
  - Solar panels on top of the waste depot provided a large proportion of the electricity needed to charge the electric vehicles it used, therefore no significant savings could be found there.
  - The Council bought its fuel in bulk and at the cheapest price at the time in order to reduce costs. Alternative cheaper solutions were being investigated such as HVO (homogenised vegetable oil).
  - The Governments emissions tax from 2028/2029 onwards.
  - Many of the cost pressures were outside of the Council's control.
- The PDG then discussed each of the savings options identified by officers in Appendix 3. This assumed that Option 1 (generally green) would be considered and Options 2 and 3 were included separately should the PDG wish to recommended the savings proposals be stretched even further. Option 2 (Amber) were recommended by officers but were proposed with a health warning. Option 3 (Red) were 'doable' but not recommended by officers:
  - There was no guarantee of a full year's income in relation to the tennis/paddle court.
  - The proposed increase of 5% in car park fees had been discussed by the Car Parking Consultative Group.
  - Capacity issues in each of the Tiverton car parks.
  - There was no correlation between an increase in fly tipping costs and the amount that was subsequently fly tipped.
  - Uncertainty of fuel prices in the future.
  - Concerns regarding the impact on town centres of a 5% increase in car parking fees and the sensitivity around leisure upgrades.
  - Whether at the current time there was an appetite for Options 2 and 3?
  - It was still early in the budget setting process and the draft budget would need refining and further discussion at the next meeting. Additional savings may need to be discussed at that time.

**RECOMMENDED** to the Cabinet that:

- a) The updated MTFP position be **NOTED**.
- b) Savings Option 1 in Appendix 3 be approved.

(Proposed by the Chair)

Reason for the decision

By undertaking regular reviews of the MTFP the Council can ensure that its Corporate Plan priorities are affordable. The implications of the budget gap are set out within the paper. Many areas require greater clarity, particularly around national funding and possible changes to Government Policy. Therefore a number of key assumptions underpin the reported position, which will be refined as greater clarity is received through the budget setting process.

Note: \* Report previously circulated.

**25 PLAY AREA RISK ASSESSMENT AND SAFETY INSPECTION REVIEW  
(01:01:00)**

The Group had before it a report \* from the Head of Finance, Property and Climate Resilience reviewing the Council's management of play area risk assessment and safety.

The contents of the report were outlined with particular reference to:

- This was a tri-annual review of the play area inspection process.
- It was routine in nature and largely operational.
- The process was overseen by a regulator providing added reassurance to Members.
- Inspections were carried out on a cost recovery basis only.

**RECOMMENDED** to the Cabinet that:

The approach for the inspection and risk assessment of the Council's play areas and that these are brought back for future review no later than 2028 be approved.

(Proposed by Cllr L Knight and seconded by Cllr C Harrower)

Reason for the decision

The Council must have an inspection and maintenance regime for its play areas as stated within the Health and Safety at Work Act 1974.

There is a potential cost of litigation and loss of reputation should the Council be found negligent with regards to inspection and maintenance of its play areas in the event of injury or death of a child or any other person.

Notes:

- (i) Cllrs J Buczkowski and L Knight declared personal interests as they were members of Cullompton Town Council which was a leasee of a number of play parks.
- (ii) Cllr M Farrell also declared a personal interest in that he was a member of Tiverton Town Council which also managed local play parks.

(iii) Cllr C Harrower declared a personal interest in that she was a Trustee of Peoples Park in Tiverton.

## 26 **MEMORIAL SEAT AND TREE POLICY (01:04:00)**

The Group had before it a report \* from the Head of Finance, Property and Climate Resilience reviewing a proposed new policy for Memorial Seats and Trees on Council property.

The contents of the report were outlined with particular reference to the following:

- This was a new policy following requests from members of the public to provide trees and benches to provide somewhere for quiet reflection following the loss of a loved one.
- The availability of spaces was limited but there were some.
- Up until now there had been no policy but it was now deemed to be appropriate in order to provide consistency of approach moving forwards.
- Regarding memorial trees the Council would consult with the requestor. The tree would need to be in keeping with the others around it. It would be planted by the Council and maintained for the first couple of years until it became established. The tree would need to be funded by the requestor.
- Benches could be provided in the main parks and cemeteries and would need to be fully funded by the requestor. The Council would maintain it for a ten year period. If after ten years the bench was in a good condition, it would remain, if it was not, it would be replaced but without a plaque unless the requestor was able to fund a replacement.

Discussion took place regarding:

- The importance of this initiative to some families.
- The Grand Western Canal had a similar scheme and it worked well there.

**RECOMMENDED** to the Cabinet that it recommends to full Council the adoption of the new Memorial Benches and Memorial Tree Policy.

(Proposed by Cllr L Knight and seconded by Cllr M Farrell)

### Reason for the decision

The provision of seats where the Council may not otherwise provide them may ameliorate the experience of those users with reduced mobility and enable greater confidence to use parks and cemeteries for recreation and reflection. Seats will be compliant with Disability Discrimination legislation requirements.

Supports the use of parks and cemeteries for well-being. Supports carbon reduction targets with tree planting where appropriate and re-use of materials.

Note: \* Report previously circulated.

## 27 **BIN-IT 123 - THE FUTURE AND THE POTENTIAL TO ADD ADDITIONAL RECYCLING STREAMS (01:10:00)**

The Group had before it a report \* from the Operations Manager for Street Scene and Open Spaces and the Head of People, Performance and Waste reviewing the progress made to date by Bin-It 123 and considering the key elements of the next strategic phase that are necessary to maximise recycling rates as well as increase resident engagement and support.

As promised at the June PDG meeting, where future collections of unused metal pots and pans were recommended to Cabinet for collection (and which are now in place), this paper set out the current situation regarding Bin It 123 and future plans.

This included the following:

- A strategy to help reinvigorate Bin-It 123 to help households nudge more of their residual waste into their recycling. A 7.3 kg shift in this direction per household per annum raised the Councils recycling rate by 1%.
- Key aspects of the strategy were covered including some of the issues detailed by the Head of Digital Transformation and Customer Engagement earlier in the meeting, as well as Education and Enforcement, and a focused Communications Strategy.
- The report also set out some of the future recycling collections the Council could consider implementing, including disposable nappies and the collection of soft plastics, which was a mandatory collection to be introduced no later than 1 April 2027.

A presentation was provided which set out some of the key issues and discussion points to go alongside the report. This included information in relation to the following:

- Key household statistics
- Priority Risks
- Reinvigorating Bin-It 123: Outlining the Resident Pathway
- Components of the Bin-It 123 Strategy
- WRAP (Waste and Resources Action Programme)

Consideration was given to:

- How imperative it was that the recycling rate was increased since one of the benefits would be at least an additional £600k income to the Council.
- It was incumbent upon all of us to have those conversations with residents.
- Some potential income streams would be affected by what was statutory and what was flexible.
- Cabinet needed to make decisions that were based on evidence, having fully considered the costs and risks.
- Regarding the recycling of pots and pans there were some restrictions, for example, no teflon, however, the Council was trying to limit restrictions where



it could and it was confirmed that all metal kitchen appliances could be taken to a household waste recycling centre.

- The biggest challenge was in convincing residents, through communications, of the importance of increasing recycling.
- The possibility of incentivising those residents who regularly recycle large amounts, options could be investigated.
- The 'mechanics' of recycling nappies.

**RECOMMENDED** to the Cabinet that

- a) It approves the proposed strategy regarding reinvigorating resident awareness and participation with the Bin-It 123 scheme.
- b) It receives an evidence based report from the officers regarding potential additional recycling collections in order to make informed decisions moving forward.

(Proposed by Cllr M Farrell and seconded by Cllr C Harrower)

Reason for the decision

An increase in recycling would further enable the Council to reduce its carbon footprint and hit its carbon net zero commitment. Recycling is one of the most 'mainstream' concepts of addressing overarching sustainability goals, therefore it is vital to make sure that the council is maximising the effectiveness of both its scheme design, but also its operational implementation.

Note: \* Report previously circulated.

28 **QUARTER 1 ENVIRONMENT & ENFORCEMENT PERFORMANCE REPORT  
(01:34:00)**

The Group had before it, and **NOTED**, a report \* from the Environment & Enforcement Manager and the Head of People, Performance & Waste providing a quarterly update on key environment performance data including fly tipping, littering, Public Space Protection Order (PSPO) and the issuing of Fixed Penalty Notices (FPN). It also gave a brief summary of Car Parking performance and the issuing of Penalty Charge Notices (PCN's).

The following was outlined within the report:

- It provided a quarterly update on key environment enforcement performance data including fly tipping, littering, PSPO and the issuing of FPNs. It also gave a brief summary of Car Parking performance and the issuing of Penalty Charge Notices.
- Information and data relating to the Council's enforcement activity around hot spot areas and other useful information pertinent to the waste strategy was also included.

A brief discussion took place regarding the difficulties involved in catching people responsible for dogs fouling.

Note: \* Report previously circulated.

29 **PUBLIC SPACES PROTECTION ORDER - ALCOHOL PROHIBITION, CREDITON TOWN (01:37:00)**

The Group had before it a report \* from the Environment & Enforcement Manager and the Head of People, Governance and Waste recommending the approval of a Public Spaces Protection Order (PSPO) in order to tackle anti-social behaviour associated with the public consumption of alcohol in Crediton Town Centre.

The Group were reassured that the proposed PSPO was supported by the local Town Council and the Police.

**RECOMMENDED** to Cabinet that it makes the following resolutions:

- a) On being satisfied that the statutory grounds for making the Crediton Order are met, the Cabinet to authorise the Operations Manager for Street Scene and Open Spaces to carry out the necessary statutory consultation, publicity and notification for the proposed Crediton Order.
- b) The Cabinet to grant delegated authority to the Director of Legal, HR & Governance (Monitoring Officer) to draft the Crediton Order to go out to consultation.
- c) The Cabinet to grant delegated authority to the Operations Manager for Street Scene and Open Spaces, in consultation with the Cabinet Member for Service Delivery and Continuous Improvement, to then:
  - Consider the responses to the necessary consultation, publicity and notification.
  - Decide, in light of the responses received to the consultation, whether to not proceed with the order if there were numerous material objections, or to authorise the Director of Legal, HR and Governance (Monitoring Officer) to seal the order.
  - Authorise the Director of Legal HR and Governance (Monitoring Officer) to make any minor amendments to the draft of the Crediton Order prior to sealing.

(Proposed by Cllr M Farrell and seconded by Cllr M Stratton)

Reason for the decision

It is believed the current behaviours are having a detrimental effect on the quality of life within the area in a persistent and continuing nature. It is not believed the prohibition of alcohol is unreasonable within the scope of this proposal and it is justified as a means to extend Policing powers to manage the issues.

Note: \* Report previously circulated.

30 **PUBLIC SPACES PROTECTION ORDER - DOG CONTROL (01:41:00)**

The Group had before it a report \* from the Environment & Enforcement Manager and the Head of People, Governance and Waste recommending the commencement of statutory procedures (including consultation) to vary by order the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024 and to delegate authority to decide whether to make the order of variation after consultation has taken place.



A formal request had been received from a Parish Council for this variation. This had been supported by the local Ward Member.

**RECOMMENDED** to the Cabinet that it makes the following resolutions:

- a) On being satisfied that the statutory grounds for varying the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024 (“the Dog Control PSPO ”) are met, as detailed in the report, to allow officers to commence statutory consultation for the following:
- b) To vary the Dog Control PSPO by including the prohibition that dogs are excluded from the area known as the recreation ground Silverton (as shown on the plan at Appendix 1). Delegated Authority to be granted to the Director of Legal, HR & Governance (Monitoring Officer) to draft the necessary order varying the Dog Control PSPO that can then go out to consultation.
- c) The Cabinet consider granting delegated authority to the Operations Manager for Street Scene and Open Spaces, in consultation with the Cabinet Member for Service Delivery and Continuous Improvement etc. to:
  - consider the responses to the necessary consultation, publicity and notification
  - decide whether to refer the matter back to Cabinet for a decision or to decide in the light of the responses received whether to make the Variation Order and to authorise the Director of Legal, HR and Governance (Monitoring Officer) to seal the order
  - authorise, if it was considered appropriate, the Director of Legal, HR and Governance (Monitoring Officer) to make any minor amendments to the draft of the variation order prior to sealing the variation order
- d) That a general delegation be made to the Cabinet Member for Service Delivery and Continuous Improvement to decide any further future variations to the Dog Control PSPO proposed by the Operations Manager for Street Scene and Open Spaces following the necessary statutory consultation, publicity and notification requirements for future PSPOs.
- e) Delegation to be given to the Director of Legal, HR and Governance (Monitoring Officer) to make orders of variation, following decisions from the Cabinet Member for Service Delivery and Continuous Improvement.

(Proposed by Cllr L Knight and seconded by Cllr C Harrower)

#### Reason for the decision

The Dog Control PSPO is designed to curb anti-social behaviour arising from irresponsible control of dogs and dog fouling.

Note: \* Report previously circulated.

### 31 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:44:00)

The items listed in the work programme for the next meeting were **NOTED**.

In addition the following was requested to be on the agenda for the next meeting:

- A report detailing the business continuity plans in place for the Leisure Centres given recent events. How much resilience was there, could anything else be done to avoid the significant disruption caused by external factors.

(The meeting ended at 7.15 pm)

**CHAIR**

**MINUTES** of a **MEETING** of the **PLANNING COMMITTEE** held on 8 October 2025 at 2.15 pm

**Present**

**Councillors:** L J Cruwys (Chair)  
G Cochran (Vice-Chair), F J Colthorpe,  
G Duchesne, C Harrower, B Holdman,  
M Jenkins, L G J Kennedy, L Knight and  
S Robinson

**Apologies**

**Councillors:** S J Clist, G Czapiewski and N Letch

**Also Present**

**Councillors:** S Keable and C Adcock

**Also Present**

**Officers:** Maria De Leburne (Director of Legal, People & Governance (Monitoring Officer)), Richard Marsh (Director of Place & Economy), Dr Stephen Carr (Corporate Performance & Improvement Manager), John Hammond (Development Management Manager), John Millar (Area Team Leader) and Angie Howell (Democratic Services Officer)

**Councillors**

**Online:** D Wulff

**Also in**

**attendance:** Matthew Collins (Team Leader Highways & Transportation Planning, DCC), Darryl Jagger (Senior Highways Development Management Officer)

## 42 **APOLOGIES AND SUBSTITUTE MEMBERS (00:03:43)**

Apologies were received from:

- Cllr G Czapiewski who was substituted by Cllr L Knight.
- Cllr N Letch who was substituted by Cllr L Kennedy.
- Cllr S Clist.

Marc Gouldsworthy referred to Application No 23/00209/FULL

Question 1 - Strategic Policy S1 as laid out in the Local Plan Review Policy 2013-2033 and sustainable development principles refer to environmental impact and protecting and enhancing our environment. As the proposal consists of substantial loss of the existing natural environment replacing it with hard standings and buildings, does the committee consider that the net loss of biodiversity has been mitigated and that as noted on page 15 and clauses S1 l & m of the policy, that it has achieved net gains for nature (bio-diversity net gains and achieved the urban greening factor)?

Question 2 - Does the Committee consider that Policy S1 clause h and Policy S2 clause 2.25, have been satisfied in respect the proposals being sustainable and respect the local character, heritage, surroundings and materials of the surrounding area. That is to say that the designs in terms of scale and aesthetics take into account Bampton's existing heritage and design of existing properties. Noting that these requirements were heavily pushed and conditioned in the Newton Court development in regard to architecture and size of property and that the proposed development in terms of mass and style is out of keeping and do not mirror the properties in Frog Street and Newton Court.

Question 3 - Strategic Policy S9 has been implemented to protect the environment. Noting that the only ecologic report submitted was highlighted by the author as only considering the existing temporary and brick structures, do the Committee feel adequate ecological reporting and adequate assessments have been undertaken on the full extent of the site and now in the areas of the revised drainage strategy that is proposed to discharge into the watercourse via a headwall satisfy this policy, particularly as there are reports of protected species living in and around the watercourse. Consideration should be given that the report will be nearly 3 years old and the Chartered Institute of Ecology and Environmental Management note that it would now be invalid and a new assessment by a professional ecologist would need to be undertaken.

Question 4 - Does the Committee consider that the requirements of DM 1 have been satisfied which requires a clear understanding of the site and its constraints to be taken into account, with buildings integrated with the surrounding buildings, with Conservation Area Appraisals and Mid-Devon and Village Character Assessment evaluating the settlement being undertaken (as they do not seem to appear in the documents submitted to date). Also, consideration of the adverse effects on the neighbouring properties and amenity of neighbouring properties in regard to architecture, siting, scale and massing as the current proposals have been considered as they will create privacy issues, as well as the loss of light with adjoining properties.

Also noting that the current proposals do not comply with Building Regulations in respect to Approved Document J and that if constructed as designed would not only be in breach, but it would also incur potential financial costs for the re-siting of existing oil tanks to several adjacent existing properties when they need to be replaced.

Question 5 - Finally, and most importantly, the proposal put forward do not consider the actual boundaries noted on Local Plan Review 2013 – 2033 Adopted July 2020) / Adopted Policies Map: Bampton (July 2020). It can be demonstrated that national boundaries have been introduced as they are not all defined by land ownership or physical boundary, such as hedges, walls, fences, or road. There is a clear 'buffer zone' created with the plan to the existing residential dwellings on Newton Court which would mitigate a number of the points previously raised. It can also be seen that there is sufficient land to the west of the development zone that would accommodate the construction of two dwellings that would be in line with Mid-Devon policies. How will the Committee address this non-compliance of the proposals put forward not being located within the clearly defined residential development are BA1- Development Plan.

#### **44 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (00:09:51)**

Members were reminded of the need to declare any interests where appropriate.

Cllr L Knight made a declaration of interest in accordance with Protocol of Good Practice for Councillors dealing with planning matters regarding Agenda Item 8 - Application No. 20/00876/MFUL in that he was a Ward Member for Cullompton Padbrook and a Cullompton Town Councillor. He was also a Trustee and Treasurer for the Cullompton Community Association Fields.

Cllr S Robinson made a declaration of interest in accordance with Protocol of Good Practice for Councillors dealing with planning matters regarding Agenda Item 8 – Application No. 20/00876/MFU in that she was a Ward Member for Cullompton Padbrook and a Cullompton Town Councillor. She was also a Trustee and Treasurer for the John Tullock Centre in Cullompton.

#### **45 MINUTES OF THE PREVIOUS MEETING (00:11:46)**

The minutes of the previous meeting held on 20 August 2025 were agreed as a true record and **SIGNED** by the Chair.

#### **46 CHAIR'S ANNOUNCEMENTS (00:12:30)**

The Chair thanked Richard March, Director of Place and Economy for his support to the Committee, as this would be his last Planning Committee meeting before he left Mid Devon District Council.

#### **47 WITHDRAWALS FROM THE AGENDA (00:13:13)**

There were no withdrawals from the Agenda.

#### **48 THE PLANS LIST (00:13:21)**

The Committee considered the applications in the \*Plans List.

1. 23/00209/FULL - Erection of 2 dwellings and associated works at Land and Buildings at NGR 295663 122384, Frog Street, Bampton.

In response to public questions the Area Team Leader answered as follows:-

Question 1 Strategic Policy S1 as laid out in the Local Plan Review Policy 2013-2033 and sustainable development principles refer to environmental impact and protecting and enhancing our environment. As the proposal consists of substantial loss of the existing natural environment replacing it with hard standings and building. Does the Committee consider that the net loss of biodiversity has been mitigated and that as noted on page 15 and clauses S1 L & M of the policy, that it has achieved net gains for nature (bio-diversity net gains and achieved the urban greening factor)?

Answer 1 - As noted in Section 6 of the officer's report, there will be a loss of some existing biodiversity, however the scheme proposes landscaping which would allow for mitigation and some gains. Condition 8 required the provision of a landscaping scheme, which would provide details of biodiversity enhancements. Due to the date of submission, it would not be necessary to provide the mandatory 10% biodiversity net gain (BNG). Members would be able to take a view as to whether they considered the scheme was sufficiently harmful and would be able to provide the necessary landscape mitigation and biodiversity gains.

Question 2 - Does the Committee consider that Policy S1 clause h and Policy S2 clause 2.25, have been satisfied in respect the proposals being sustainable and respect the local character, heritage, surroundings and materials of the surrounding area. That is to say that the designs in terms of scale and aesthetics take into account Bampton's existing heritage and design of existing properties. Noting that these requirements were heavily pushed and conditioned in the Newton Court development in regard to architecture and size of property and that the proposed development in terms of mass and style is out of keeping and do not mirror the properties in Frog Street and Newton Court.

Answer 2 - This question would be one for Members to consider. The proposed dwellings were large, particularly that on Plot 1, however the site was relatively discrete within the conservation area and townscape. These matters were addressed in the Committee report. Whilst the design of the properties were not the same in Newton Court and Frog Street they did have a pallet of materials that included natural stone render similar to those nearby with slate tiles and timber windows.

Question 3 - Strategic Policy S9 has been implemented to protect the environment. Noting that the only ecologic report submitted was highlighted by the author as only considering the existing temporary and brick structures, do the Committee feel adequate ecological reporting and adequate assessments have been undertaken on the full extent of the site and now in the areas of the revised drainage strategy that is proposed to discharge into the watercourse via a headwall satisfy this policy, particularly as there are reports of protected species living in and around the watercourse. Consideration should be given that the report will be nearly 3 years old and the Chartered Institute of Ecology and Environmental Management note that it would now be invalid and a new assessment by a professional ecologist would need to be undertaken.

Answer 3 - The first part of this question was largely addressed in section 6 of the Committee report. The County Ecologist had commented on the application, and they had considered the level of reporting to be satisfactory and sufficient concurring with the findings of the recommendation. It had been mentioned about the potential for headwalls to be included in the drainage provision. This was noted however this was appropriately dated at the time of the application.

The age of the survey was noted; however, this was appropriately dated at the time that the application was submitted. It was not usually the case where additional reports would be provided at a later date where an application had been dragged out. It is important to note that following approval of any application, such a scheme may not commence for nearly 3 years, in which case the survey results may be out of date, however the recommendations took into account the need to consider species or scenarios that may occur during construction.

Question 4 - Does the Committee consider that the requirements of DM 1 have been satisfied which requires a clear understanding of the site and its constraints to be taken into account, with buildings integrated with the surrounding buildings, with Conservation Area Appraisals and Mid-Devon and Village Character Assessment evaluating the settlement being undertaken (as they do not seem to appear in the documents submitted to date). Also, consideration of the adverse effects on the neighbouring properties and amenity of neighbouring properties in regard to architecture, site and scale and massing as the current proposals have been considered as they will create privacy issues, as well as the loss of light with adjoining properties. Also noting that the current proposals do not comply with building regulations in respect to Approved Document J and that if constructed as designed would not only be in breach, but it would also incur potential financial costs for the re-siting of existing oil tanks to several adjacent existing properties when they need to be replaced

Answer 4 - This was largely for Members to consider but these issues were considered within the report.

In respect of the oil tank, this related to oil tanks in neighbouring gardens that would be close to the proposed properties, particularly the bungalow. In terms of safety this was not considered to be an issue by the Environmental Health Officer. The other matter is largely due to building control - it was not a necessary constraint to this development. There was a part within Approved Document J which detailed satisfactory fire protection measures that may be applied where tanks were located within a building, less than 1.8m from a building, or less than 760mm from a building.

Question 5 - Finally, and most importantly, the proposal put forward do not consider the actual boundaries noted on Local Plan Review 2013 – 2033 Adopted July 2020) / Adopted Policies Map: Bampton (July 2020). It can be demonstrated that national boundaries have been introduced as they are not all defined by land ownership or physical boundary, such as hedges, walls, fences, or road. There is a clear 'buffer zone' created with the plan to the existing residential dwellings on Newton Court which would mitigate a number of the points previously raised.



It can also be seen that there is sufficient land to the west of the development zone that would accommodate the construction of two dwellings that would be in line with Mid-Devon policies. How will the Committee address this non-compliance of the proposals put forward not being located within the clearly defined residential development are BA1- Development Plan.

Answer 5 - This question related to the written Committee update, which was as follows:

“Following publication of the agenda for Planning Committee, an email was received from a contributor advising that the area of land in which the house proposed on Plot 2 is sited, is not actually included within the brown area indicated as residential allocation BA1 in the Mid Devon Local Plan map for Bampton, as indicated within the officer’s Committee Report. This is noted as being correct, and as such Members should be aware that the officer’s Committee Report should be read with this in mind. Notwithstanding this however, the site is still within the defined settlement limits of Bampton, and therefore a location where residential development is acceptable in principle, subject of course to consideration of the final details of the scheme against other relevant planning policies and site-specific considerations.”

In addition, the contributor who raised this matter had that the notional boundary was formed to provide a buffer strip for several purposes, including protection of existing properties from issues such as nuisance and loss of privacy. It was not clear why this area was not included in the BA1 allocation, however even if it was for the purpose of protecting neighbouring properties, it did not mean that development within this part of the site was unacceptable in principle.

The whole of the application site was within the defined settlement limits of Bampton. It was however important to give consideration to the impacts of the development, particularly in relation to the neighbouring amenity. This aspect was addressed in the ‘Residential Amenity’ section of the Committee report. Notwithstanding the issue raised regarding the extent of the allocation, the impact was considered to be acceptable. The fact that the property was outside of the allocation was not considered to be in itself, unacceptable. However, it was important to bear in mind the impacts that the properties may have and to ensure that Members were fully aware of this.

The Area Team Leader outlined the contents of the report by way of a presentation and highlighted the following:-

- The main issues raised included: principle of development; design and impact on the character and appearance of the surrounding area including heritage context; highways, parking and access; flooding and drainage; residential amenity; ecology and biodiversity net gain.
- The allocation was for 5 houses, however the access that was ideally required for the site was no longer available due to being in a separate ownership. This had now proceeded to 2 homes as this was considered the maximum development that could safely use the existing access from Frog Street without causing severe impact on the highway network.
- The material pallets were suitable for the area although they were of a different design to the immediately adjoining properties.



- In relation to fire safety due to the width of the existing access it was unlikely that a fire tender would be able to access the site. This had been covered in the officer's report following further consideration of the distance from Frog Street and the ability to pair that with a sprinkler system, there was an opportunity to provide a safe development for a fire safety point.
- The site was outside of the high flood risk areas. However, due to concerns the applicant had been asked to provide a detailed infiltration test. The proposed use of storage tanks and a controlled flow to the nearby water course was considered to be acceptable in principle with final details to be provided. In terms of the disposal to the water course, that was second on the hierarchy of drainage, after being able to control the water on site. This was an acceptable method which would avoid having water in the sewer networks.
- Plot 2 had been re-designed and would now be a single storey bungalow which was on slightly raised grounds above the neighbouring property however taking into account the design and height it was considered that it would not cause unacceptable impacts.
- Part of Plot 2 was within the B1 allocation, and the other half was outside of the area, however it was still within the development area and the principle of the development was acceptable.

Discussion took place regarding:-

- The National Planning Policy Framework and the Government's changing guidelines in terms of housing supply targets.
- Whether the boundary distances complied to regulations in terms of the distance from the boundary to the overall height of the bungalow. It was explained that there were no specific regulations in terms of heights of the property to the boundary. However, the Committee would have to consider if the height had an adverse overbearing impact on amenity. Overbearing was a combination of levels, proximity, daylight and a feeling of overbearing rather than a specific number calculation.
- Whether the ground was level or elevated near the boundary wall. It was explained that the application site was level, the neighbouring properties were below the site by approximately 1 metre.
- Fire regulations and the access points.
- Suitable drainage on the application site.
- Ecology and the request for an ecology verification report be carried out prior to the commencement of development.
- Affordable housing in the area.

It was **RESOLVED** that planning permission be granted subject to conditions and to include an amendment to Condition 9 – that an ecological verification report should be submitted to the Local Planning Authority prior to the commencement of development.

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

Notes:-

- (i) Cllr F J Colthorpe made a declaration of interest in accordance with the Protocol of Good Practice for Councillors dealing with planning matters in that she had known Mrs Celia Hicks (who was a former Chairman of Bampton Town Council) for many years in her capacity as a District Councillor and a former County Councillor.
- (ii) Mrs Celia Hicks spoke as an objector.
- (iii) Cllrs C Adcock and M Stratton spoke as Ward Members (with Cllr M Stratton's statement read out by the Chair)
- (iv) Cllrs C Harrower, B Holdman and M Jenkins voted against the application.
- (v) Cllrs L Cruwys and L Kennedy were unable to vote as they left the meeting when the application was being considered.

\*List and report previously circulated.

**49 APPLICATION NO: 20/00876/MFUL - DISCHARGE OF CONDITION 22 (01:42:28)**

The Committee considered Application No. 20/00876/MFUL – Discharge of Condition 22 – Land at NGR 302456 107324, Cullompton, Devon.

The Area Team Leader outlined the contents of the report by way of a presentation and highlighted the following:-

- The condition was imposed by Members of the Planning Committee on 13 January 2021 when planning permission was granted for the construction of the Cullompton Town Centre Relief Road.
- The wording of the condition outlined in the officer's report stated that prior to commencement of the development, a scheme for: the configuration, prioritisation, signing and marking of the junction between Meadow Lane and Exeter Road; and the pedestrian crossing arrangements on Meadow Lane to be submitted.
- The proposal now was a slight widening of the road with the Meadow Lane crossing now having central islands and pedestrian refuge points and the same to be applied to the other junction on Exeter Road, with a pedestrian refuge point and a bollard side to side.
- A signalised junction was not proposed therefore priority would be to continue to enter into Meadow Lane and signage would direct vehicle users in that direction rather than heading through the town centre.
- The proposals offered the best route for cost effectiveness, provided better direct traffic through Cullompton and provided safe access.
- A "puffin" crossing and a "signalised" crossing were considered however it was concluded that a "zebra" crossing would offer the best solution to ensure the safety of pedestrians with additional measures provided on the road to give advance warning to motorists.

Discussion took place regarding:-

- Making sure the additional measures for motorists were clear.

It was **RESOLVED** that the discharge of condition 22 be approved.

(Proposed by the Chair)

\*List and report previously circulated.

## 50 **MAJOR APPLICATIONS WITH NO DECISION (01:52:04)**

The Committee had before it, and **NOTED**, a list \*of major applications with no decision.

The Committee agreed the following:-

1. 25/01282/MFUL - Variation of Conditions 7 and 12 of Planning Permission 24/00506/MFUL (Demolition of existing buildings and erection of 10 affordable dwellings with associated parking, landscaping and other minor associated works) to allow substitution of approved plans to reflect revised cycle and refuse storage locations, landscaping strategy, and improved vehicular access - Garages and Forecourt at Watery Lane & Land at Elmore Way & Sunningbrook Road Tiverton Devon– to be considered at Committee as per the report.
2. 25/01232/MFUL - Erection of building to provide cover for existing slurry pit (1,100 sq.m) – Land at NGR 279858 111658 Westcott Dairy Witheridge Devon - to remain as delegated as per the report.

Note: \*List previously circulated.

## 51 **APPEAL DECISIONS (01:52.55)**

The Committee had before it, and **NOTED**, a \*list of appeal decisions.

Note: \*List previously circulated.

## 52 PERFORMANCE DASHBOARD QUARTER 1 (01:53:07)

The Group were presented with and **NOTED** the Performance Dashboard for Quarter 1 2025/26.

The overall performance was presented in a pie chart which combined the RAG ratings (Red/Amber/Green). The indicators were presented with the current performance and the annual target to indicate whether or not the Council were on track to meet its target.

The following was highlighted within the report:-

- The performance dashboard for Quarter 1 aimed to give an understanding of how services were performing that related to this Committee.
- Any performance measures that were also part of the Corporate Plan were listed in yellow text.
- Major planning applications determined within 26 weeks and minor and other planning applications determined within 16 weeks were both showing as Amber.
- The associated targets for these had been reduced from 100%, as it had been last year, to 95% for the current financial year.
- The Council continued to perform above the national targets in place.
- The cost of planning appeals showed as Red. In Quarter 1 costs were awarded relating to the Tidcombe Hall Inquiry. It was a partial award relating to the Council prioritising protection of heritage assets over meeting the need to improve housing supply.
- Planning fees income (statutory fees) were shown as Red due to the continuing market conditions.

Discussion took place regarding:

- The quality of Planning Committee decisions and why the Risk Rating was 9. It was explained that the risk had increased due to the increased challenges for decision making.
- Planning appeals and planning fees income.
- Annual targets for planning enforcement. It was explained that it could be possible to show the number of notices served.

Note: \* Performance Dashboard previously circulated

(The meeting ended at 4.16pm)

**CHAIR**

## **Report for: Full Council**

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Date of Meeting:	29 <sup>th</sup> October 2025
<b>Subject:</b>	<b>Appointment of Independent Remuneration Panel Members</b>
Cabinet Member:	Councillor Luke Taylor, Leader of the Council
Responsible Officer:	Maria De Leburne, Director of Legal, People and Governance and Monitoring Officer
Exempt:	N/A
Wards Affected:	All
Enclosures:	None

### **Section 1 – Summary and Recommendation(s)**

To approve the recommended appointments to the Independent Remuneration Panel for Members' Allowances in Mid Devon

#### **Recommendation(s):**

1. **That Kelly-Anne Phillips, Graham Russell and David Hindle be appointed to the Mid Devon Independent Remuneration Panel to join John Smith.**
2. **That, when necessary, 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 will be held online.**

### **Section 2 – Report**

#### **1.0 Introduction**

- 1.1 The Council must have an Independent Remuneration Panel to review members' allowances and the Panel must comprise at least three members.

The Panel also acts as the relevant Parish Remuneration Panel within the district.

- 1.2 Central Government guidance emphasises that the membership of the Panel must be fully independent and perceived to be such. Political appointments and those made through any personal association with the Council should always be avoided.
- 1.3 Further, it is desirable that there is continuity of experience in the Panel – with appointments being made for a period of several years and to ensure that there is always at least one member of the Panel with sufficient experience of the role.

## **2.0 Current Membership**

- 2.1 By law, the minimum number of panel members is three. Following the resignation of two panel members in 2024/25, there now only remains one Panel member. The one current member is:

- John Smith

## **2.0 New Appointments**

- 2.1 In the past, the Council has sought to recruit new Panel members by placing an advert in the local press and on social media platforms. This has traditionally been followed up by a shortlisting process and interviews.
- 2.2 Potential candidates must be able to satisfy the following criteria:
  - Must not be a Member of the Mid Devon District Council.
  - Must not currently be a Town or Parish Councillor.
  - Must not currently be an officer of Mid Devon District Council.
  - Must not actively be engaged in political party activity.
  - Must not have any unspent criminal convictions.
  - Must be over 21 years of age.
- 2.3 Traditional methods of recruitment have not proven successful in recent years with very few, in any, applicants coming forwards. This may well be as a consequence of the role being unremunerated. As a result and following advice from colleagues across similar Council's in the South West, a more direct approach has been employed in targeting potentially interested individuals with relevant knowledge and experience. It should be noted that a similar problem with regards to recruitment to IRP's is being experienced across many Councils.

- 2.4 The previous Chair of the Panel, Karen Stone, retired in December 2024. Having worked for South West Councils, her employer sought a replacement on our behalf and **Kelly-Anne Phillips** put herself forward for the role. She is currently the Director of Policy and Internal Services at South West Councils and has a great deal of relevant knowledge and experience of the local government sector.
- 2.5 Jeremy Filmer-Bennett retired from the Panel for personal reasons in the summer of 2024.
- 2.6 An IRP Chair's and Advisers meeting was hosted by South West Council's in September 2025 and the vacancies within the IRP at Mid Devon were highlighted to those present. Following that meeting two existing IRP members for other local authorities expressed an interest to join the Mid Devon IRP:

**Graham Russell** is a retired Head of Democratic Services officer from Bath & North East Somerset, a marriage celebrant and is a member of a number of IRP's in the region and Chair of others. He developed some expertise in the whole subject of members' allowances and was commissioned by South West Councils to produce on-line guidance on the subject for IRP members, their support officers and councillors.

**David Hindle** is a retired Planning Officer and Team Leader. He is currently a member of the Cotswold District Council IRP which has recently undergone a rigorous recent Fundamental Review of both the District Scheme and a local Town and Parish Council. He therefore brings with him a good deal of recent experience across a range of Councils.

- 2.7 An online meeting was held with each of the recommended candidates to ascertain their level of experience and suitability for the role and as a result each of the following are recommended to Council for appointment:

- Kelly-Anne Phillips
- Graham Russell
- David Hindle

- 3.8 Although the legislation requires 3 members on the Panel, having a 4<sup>th</sup> member will provide some resilience should another member be unavailable. It will also provide a broader perspective and range of input.

#### 4. **Length of appointment and Local Government Reorganisation**

- 4.1 Guidance and good practice protocols state that Panel members can serve anything up to 2 terms in office, a term being the life of Council, therefore, if

Panel members wish to continue it is hoped they can do so up to and beyond the next election in 2027.

- 4.2 With Local Government Reorganisation on the horizon it is not yet known how many IRP's will be required to cover the County of Devon or how the Members Allowances review process will be managed beyond LGR. It is anticipated however, that given the likely increase / change in the workloads of Town and Parish Councillors requests to review local Allowances Schemes may increase and in the very near future.

**Financial Implications:** It is recommended that the Council continues its current practice of paying travelling expenses when Panel members attend their meetings in person. The cost can be met within existing budgets. In all other respects the Panel are not remunerated for their work.

**Legal Implications:** The Local Authorities (Members' Allowances) (England) Regulations 2003 set out the requirements relating to the appointment of Independent Remuneration Panels.

**Risk Assessment:** The Council must have an Independent Remuneration Panel of a least three members.

**Impact on Climate Change:** N/A

**Equalities Impact Assessment:** None directly arising from this report.

**Relationship to Corporate Plan:** None

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Maria De Leburne  
Agreed on behalf of the Monitoring Officer  
**Date:** 21.10.25

**Cabinet member notified:** (yes/no)

### **Section 4 - Contact Details and Background Papers**

**Contact:** Maria De Leburne, Director of Legal, People, Governance and Monitoring Officer.  
Email: mdeleburne@middevon.gov.uk  
Telephone: (01884) 234210

#### **Background papers:**

- The Local Authorities (Members' Allowances)(England) Regulations 2003