

MINUTES of a **MEETING** of the **COUNCIL** held on 18 December 2024 at 6.00 pm

Present

Councillors

F W Letch (Chair)
G Czapiewski (Vice-Chair), C Adcock,
M D Binks, N Bradshaw, D Broom,
E Buczkowski, J Buczkowski, J Cairney,
S Chenore, S J Clist, L J Cruwys,
G Cochran, C Connor, F J Colthorpe,
A Cuddy, G Duchesne, J M Downes, B Fish,
M Fletcher, C Harrower, B Holdman,
M Jenkins, S Keable, L Knight, N Letch,
J Lock, J Poynton, R Roberts, S Robinson,
A Stirling, L Taylor, H Tuffin, G Westcott and
J Wright

Apologies

Councillor(s)

R Gilmour, L G J Kennedy, N Woollatt, A White and
J Wright

Also Present

Officers:

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Maria De Leiburne (Director of Legal, People & Governance (Monitoring Officer)), Richard Marsh (Director of Place & Economy), Laura Woon (Democratic Services Manager) Angie Howell (Democratic Services Officer) and Sarah Lees (Democratic Services Officer)

Officers Online

Dean Emery (Head of Revenues, Benefits & Leisure) ,
Simon Newcombe (Head of Housing & Health),
Matthew Page (Head of People, Performance & Waste),
Lisa Lewis (Head of Digital Transformation and Customer Engagement, Tristan Peat (Forward Planning Team Leader), Carole Oliphant (Housing Policy Officer)

243 APOLOGIES

Apologies were received from Councillors: M Farrell (online), R Gilmour, A Glover (online), L J Kennedy, A White, N Woollatt and J Wright.

244 PUBLIC QUESTION TIME

Goff Welchman

Question 1:

It had been brought to this Council's attention about the parking signage error. I wish to know how many Mid Devon car parks had this or similar errors, what it would cost to permanently rectify the error, and, as Mid Devon's parking fines revenue had recently increased, how many of those fines related to the incorrect signage, and would the motorists be contacted and reimbursed?

Response from Cabinet Member for Finance, Governance and Risk:

A new sign was erected within Market Place to address issues with a coach bay that was being regularly used by cars for parking. This sign wrongly asserted that members of the public could not park for more than 2 hours but did display the correct level of tariffs. Three other permanent signs located throughout the car park area were correct and displayed the correct tariffs.

The sign had now been corrected and a review of all signs in the district carried out two weeks ago, showed they were all displaying the current and right tariffs for parking. No enforcement action was taken against any members of the public as a result of this temporary sign being in place and so no customers had been affected. There was no cost to rectify the mistake as a simple overlay could be used to correct the mistake.

Question 2:

The Tiverton Eastern Urban Extension Phase B covered land from Post Hill down to the canal. I had been repeatedly verbally assured, that the area south of West Manley Lane was included in order to protect it from speculative planning applications, and would be permanently retained as a green space. However, two concerns had now arisen.

a). One new build had recently been approved on the south side of West Manley Lane, which in my view could set a precedent for further development.

b). Angela Rayner was intending to allow Planning Officers to approve building applications, without recourse to Councillors, as long as they adhered to the approved Local Plan. Therefore would this Council publicly confirm that which I had been verbally promised privately, that there would be absolutely no further housing allowed between West Manley Lane and the canal?

Response from Cabinet Member for Planning and Economic Regeneration:

For means of clarity the area south of West Manley Lane (WML) was not included within the allocated Tiverton EUE 'to protect it from speculative planning applications'. The area of land south of WML / north of the Grand Western Canal (GWC) was identified as 'landscape' within the Illustrative Masterplan of the Adopted Tiverton EUE Masterplan SPD as a means to provide a parkland setting (with the character of a country park) to the south of the EUE. The Adopted Mid Devon Local Plan showed all the land between the former railway line and the GWC as green infrastructure.

A new dwelling was recently approved (application 24/01182/FULL) on the southern side of WML. The site had previously been the subject of an appeal decision (APP/Y1138/W/19/3239009); application No. 19/00182/FULL) that confirmed that the application site was not within the area identified as green infrastructure. On this basis, the principle for development on this site was agreed at Appeal. The Council, however, maintained its position that no development would be permitted south of WML. Each application was also assessed on its own merit and therefore there was no assumption that Application 24/01182/FULL would set a precedent for future development.

The Council was bound by various levels of Planning Policy and Guidance which were under constant review and, as highlighted, Government had recently set out planning reform proposals which this Council would need to consider and reflect upon. However, whilst those considerations were underway, the Cabinet Member confirmed that the current Adopted Mid Devon Local Plan, the Adopted Masterplan SPD and the evolving Area B Masterplan, identified the area as parkland and that the Council had made a commitment that there would be no development south of West Manley Lane.

Question 3:

In view of Angela Rayner's intentions just mentioned plus the news this week, would this Council now remove the reserve designation of the land around Tidcombe Hall from the Local Plan at the earliest opportunity, re-designating it as a protected green space, and if so, when?

Response from the Cabinet Member for Planning and Economic Regeneration:

Application 24/00045/MOUT for up to 100 dwellings at Tidcombe Hall was refused planning permission on the 8 August 2024. Although it has been refused, the site remained a contingency site in the Adopted Mid Devon Local Plan 2013-2033. It should also be noted that the planning application covered a greater area of land than identified within the Local Plan. To remove the site from the Adopted Local Plan required a statutory process – the Council could not simply choose to change the status of the site, or remove any allocations afforded to it.

In conformity with the statutory process, the current Adopted Mid Devon Local Plan and its site allocations were currently under review.

In light of recent Government announcements in relation to Planning Policy (through the revised National Policy Planning Framework (NPPF), Plan for Growth and Housing delivery tests etc), it would be necessary to consider the implications for planning policy within Mid Devon and updates would be provided to Members and the wider public as soon as possible. The Council's intentions, in the light of this week's Government announcements was to produce a new Local Development Scheme in the New Year.

Supplementary statement and questions:

This Council poured around £23 million into 3 Rivers gamble, I believe the final losses that were claimed to be only a couple of millions, also this Council's housing pot not long ago contained about £24 million, yet after the disclosure concerning around £1.8 million that would need to be refunded to over charged Council tenants and the Housing was now reported just to have enough funds.

Question 1:

Where did the rest of the £24 million go?

Question 2:

Had the true loss of 3 Rivers been covered up

Question 3:

What happened to the St Georges Court, luxury fixtures and fittings that were removed due the current refurbishment and had appeared to have vanished overnight?

Mr Dermot Elworthy:

Conventionally, planning requirements had been founded on a presumption of favour in a planning application. Cases of a sensitive or contentious nature usually had been referred to a Planning Committee. By and large, this arrangement had worked well for a long time.

However, Angela Rayner, the Housing Secretary, had taken it upon herself to ride roughshod over a well-established procedure by relegating authority directly to unelected bodies. By assuming such centralised power, she had, at a stroke, destroyed the democratic process and at the same time had circumvented Local Government's role in planning considerations, thus rendering such involvements largely irrelevant.

He mention this because for almost six years the question of the proposed Tidcombe Hall development had hung like a Damoclesian sword over residents of East Tiverton opposing this wholly inappropriate scheme, as well as consuming an inordinate amount of the

Council's time. Therefore, in the light of the Housing Secretary's authoritarian approach, it must be prudent, nay, essential, for the Council to strengthen the conclusions of two Planning Committees in the outright rejection of this particular scheme. To this end, the reinforcing of the Council's position must start with the elimination of the Tidcombe Hall land from its contingency category as contained in the Master Plan. For as long as this area is defined as a "contingency", it would remain vulnerable to predation. It would be remembered that the Planning Inspector in his Hartnoll Farm judgment established that the Mid Devon District Council did indeed have the requisite five-year provision, so there can be no cogent reason for retaining the Tidcombe land for this purpose. Its deletion from the Plan should afford increased protection from the ravages of outside influences and he urged the Council to please effect its removal from the Master Plan as a matter of urgency.

Chair, on a different matter, the Cabinet reports of the meetings of 12 November and 10 December relating to the Grand Western Canal Conservation Area. Regarding the meeting of 30th October, the minutes pointedly had excluded any reference to the more than four thousand, three hundred concerned people who responded to an associated petition and whose consideration was so peremptorily excluded from debate. All these signatories were in opposition to the changes proposed to the Conservation Area, more than seventeen hundreds of whom are local ratepayers. It was of paramount importance that the numerical weight of these objections and the opinions expressed there in be included in the full Council's deliberations of this matter.

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

Mr Peter Drew

In the story of The Emperor's New Clothes one lone voice points out the obvious truth that was contrary to the prevailing opinion. However, in this case I do not believe I am alone in saying that a canal denuded of trees represents the antithesis of what this Council should be striving to achieve in terms of conservation.

Officers would have you to believe that the 11 species of bat that the Bat Trust for Ornithology (BTO) had recorded on my land would protect almost 1000 trees on my property, but over 95% of them do not have bat roosts and could be removed if you support the recommendation. Planning permission was granted by permitted development order for buildings covering 50 % of my large garden, so once the trees are removed a 4 m high building parallel to the canal could be erected which would destroy its attractive sylvan character. My property was not a County Wildlife Site, Local Nature Reserve or Country Park and in any event planning policies were not engaged when exercising permitted development rights. Officers claim the trees could be assessed for a Tree Preservation Order (TPO) but I asked Mr Marsh, Director of Place & Economy to do this months ago. No response had ever been forthcoming.

The Council says it was under a duty to review conservation areas but that duty had existed for 30 years. In any event the relevant statutory test had not changed yet your Officers would have you believe that when they apply it to the identical geographic areas, such as my property and Snakes Wood, which had not materially altered, that they are entitled to reach the opposite conclusion. However when I ask what had changed to justify their claim that black was the new white they merely recite their own case and don't answer the question.

It was clear that the officers had done a shoddy job. Contrary to Historic England advice they had not visited at various times in different seasons and so whereas Mark Baker (Country Park Manager, Devon County Council) and his excellent team regularly maintain the hedgerows, the Council's Officers had simply recorded high hedges that potentially block important views. They had not visited private land nor even contacted private landowners. As a result of my question to Cabinet it had been established that the officers had destroyed the historic records in their attempt to force this through.

I had provided evidence of what officers get up to when they were not properly scrutinised. On a single planning application they firstly revised a section 106 agreement to cancel a 30-mph speed limit that had been agreed without telling the Planning Committee. Secondly they agreed a Phasing Plan with a developer that directly contradicts the planning conditions that were agreed by the Planning Committee. Third, conditions relating to drainage have not been enforced, which has resulted in silt pouring into the canal at Sampford Peverell for over 18 months, flooding private property and blocking the foul sewer, which in turn had led to sewage going via surface water drains into the canal. For these and many other reasons there had been a breakdown of trust because some officers had failed to act with integrity.

Having regard to the above, and my detailed submission including analysis on pages 235 and 236 of the Public Pack that shows planning policy has not materially changed, I repeat the substance of the question I asked at Cabinet, which the Council failed to answer, namely: Given that the statutory test was identical to when the canal was designated, list the top ten most important changes between 1994 and 2024 that Officers say justify reaching the opposite conclusion in respect of Snakes Wood and/or my property at 16 Turnpike?

Response from Cabinet Member for Planning, Economic Regeneration:

As you would be aware; the Council had undertaken a detailed and thorough review of the Conservation Area and had undertaken extensive consultation with Members ensuring that additional opportunities for public engagement were introduced in order to ensure that the public could take full confidence in the proposals being set out and had the fullest opportunity to engage and inform the work. Furthermore, changes had been made to the Conservation Area boundary and the Management Plan in order to reflect public comments made and the additional evidence and information received. This demonstrated that we were a listening Council who were keen to protect our important heritage assets.

With this in mind, I must take issue with some of the statements you have made this evening:

Firstly – in suggesting that a “shoddy job” has been done. It has not: a thorough and detailed exercise had been completed and the document that now resulted was fit for purpose and robust.

Secondly – in stating that historic records have been destroyed to support this review process. No documents have been destroyed in undertaking this work and this was a total misrepresentation of information. The fact was that Members asked officers to identify information from the time of the creation of the Conservation Area – through which officers identified and provided a copy of the original report, dating from 1994 – which you yourself have since referenced. This 1994 report unfortunately contained scant information and did not explain what rationale underpinned the original conservation area boundary. Officers had therefore sought to establish a boundary in a manner which was compliant with current best practice and which was evidence based. The reasons for excluding your own property and Snakes Wood from the boundary had previously been set out in responses provided to you, most recently at a meeting of Cabinet. Equally, the protections which continued to be afforded to Snakes Wood and other habitats had also been set out.

Finally, this was not the “Top of the Pops” and so I would not be listing the ‘top ten’ most important changes as suggest, rather I would be reiterating that this was a robust piece of work which had been subject to full and thorough public consultation and which was based upon established best practice. I trust that Council would also recognise this when it comes to the relevant time this evening.

Paul Elstone

Question 1:

Can it be confirmed if the Canal Conservation Area Petition signatures were checked and validated by Democratic Services. That the check confirmed that there were over one thousand five hundred (1,500) Mid Devon resident signatures. If not checked why not?

Response from the Leader of the Council:

The full petition details were only provided to the Council on the 29 October 2024, less than 48 hours before the meeting on the 30 October 2024, which confirmed that the signatures were not only from Mid Devon but from all over the UK, and other countries around the world. The Council were therefore unable to check and verify over 4000 names within that time period. Hence the constitutional requirement for 10 days' notice. However, as the petition was not resubmitted the signatures were not checked and validated subsequently as that was not a good use of officer's time. This was fully debated at Cabinet and the Grand Western Joint Advisory Committee meetings and Members had been fully cognisant of the strength of feeling of the petition in arriving at their decision.

Question 2:

The MDDC Constitution Section 10.2 Page 99 cannot be any clearer about the requirement for Full Council to debate any petition with over 1,500 local resident's signatures. It is on record and in answer to a public question, that the Canal Conservation Area Petition would not be debated at Full Council "as the decision had been taken by Cabinet on the 12th November 2024". This shows no regard to the views and experience of all Full Council Members and just as important the representations made to these Members by their electorate. Can the Chair ask that the Monitoring Officer fully explain why she did not intervene, as it is her role to do so? This to remind the Council Leader of the Constitution requirements, but instead allowed the Council Leader and Cabinet more broadly to very clearly ignore to the Constitution?

Response from the Leader of the Council:

The Council had adhered to the constitutional rules. The constitution required a minimum of 1500 signatures from a Mid Devon resident or a person who worked or studied in Mid Devon for it to be debated at Full Council. The Council was notified that a petition would be presented, however, a link to the Petition was provided on the 22 October 2024 which had over 4000 signatures. The Council made repeated attempts to contact the petitioner in advance to ask about the signatory details i.e. where they resided to confirm they were as required. However, this was only provided on the 29 October 2024, less than 48 hours before the meeting on the 30 October 2024, which confirmed that the signatures were from all over the UK, and other countries around the world, which did not meet the requirements in the Councils Constitution. The Council was therefore unable to check and verify the legitimacy of the over 4000 names i.e. checking they were Mid Devon electors. That was why the constitution specifically required 10 days' notice to ensure officers could verify for Members that it was a valid petition.

In this case, the Council was unable to verify that it was valid, in time for the meeting so the petition was not in compliance with the Council's constitution. The Council, however, rather than reject it completely on a technicality, permitted the petition organiser to speak for 5 minutes. As Leader he did respond and speak to this at Full Council and explained the item would be coming to Cabinet for discussion, so the petitioners knew exactly what would be happening. There were also a couple of other Members who commented after the Leaders comments. When discussed at Cabinet, sadly the Leader was ill, but appreciated the public participation and discussion by the Cabinet. The item was also on the agenda for tonight following the recommendation from Cabinet and he was certain all Members were aware of the

petition presented to Full Council and he encouraged all Members to consider the matter when it was considered on the agenda.

Question 3:

This Council has publicly announced that the Post Hill site has now been sold for affordable and social home development. What exactly was the full sale price?

Response from Cabinet Member for Finance, Governance and Risk:

The Council had received £1million + VAT for the Post Hill site. This was a combination of the site value and a contribution to other Council costs in enabling the development.

Question 4:

Have Building Control fully signed off on the complete St George's Court development. If not, why not?

Response from Cabinet Member for Housing, Asset and Property:

Yes

Question 5:

Who holds the insurance liability for the St Georges Court Development and are there any insurance cover exclusions for flood risk including the underground car park?

Response from Cabinet Member for Finance, Governance and Risk:

St Georges Court site was insured in the normal way as an asset through the Council's property insurers with flood peril included as part of the schedule of cover. Tenants would be responsible for providing contents insurance for their own possessions as was the case across all our Council housing.

Question 6:

It was known that Tiverton Town Council Members have been given the opportunity to inspect the St Georges Court Development now it is complete. Will interested members of the public be granted the same opportunity, and if not why not?

Response from Cabinet Member for Housing, Asset and Property:

The visit was arranged at the request of the Town Council for Town Councillors. In particular for those Councillors who would shortly be representing the first tenants of the St Georges Court Development. This visit was able to happen as it occurred immediately before the Council began the occupation of the first units on the site. Due to the ongoing adaptations work in the flats and imminent occupation of the first houses I am not able to confirm that a future open visit for members of the public of the same type will be practical or appropriate. Mid Devon Housing are nonetheless planning a community event for new residents and neighbours towards Spring in the

new year to celebrate the opening of the new community orchard and the planned seasonal planting of fruit trees along the riverfront of the site.

Supplementary question:

Mr Elstone made reference to how he was disappointed to hear that St Georges Court given all the public concerns about build cost, build quality and various other issues that residents were not offered a visit on the development. He made reference to feedback from the Councillor's visit on Monday there were various concerns raised, the word 'unsafe' was used.

Tim Bridger (These were read out by the Chair of the Council)

Question 1:

The Mid Term Financial Plan (MTFP) and the savings – the only cashable savings on the list are car parking increases, fee income increases, and cutting staff posts. There are no more 'efficiencies' to be found. How then are Cabinet recommending this as a strategy when the total cashable savings element is barely a quarter of the total required amount over the next 4 years?

Question 2:

MTFP – staff 'efficiencies' and not replacing vacant posts - How do the staff feel about not only being considered expendable, but any decision they take to leave the organisation being considered a benefit, as a saved cost? With that attitude, is it any wonder that vacancies and sickness absence are high?

Question 3:

MTFP and transfer of assets to Town and Parish Councils – can you clarify which assets you think a Town or Parish would be prepared to pay for, and why any Town or Parish should pay for the privilege of taking on and running a service or asset that MDDC considered to be loss-making?

Question 4:

The Market Drop In Centre – what was the cost to the public purse of this conversion; given that only six people attended the consultation event, how is the interest considered 'strong' that there is a need; given that there have been two hot desking buildings in Tiverton previously and both have failed within months, and that there is a 'incubator' zone at Petroc that is yet to gain any residents – and indeed that MDDC itself is considering using space at Phoenix House for this purpose - how can taking this community asset out of community use be considered a good idea and a good use of taxpayers monies? Would simply allowing vacant space at PH to be used on a trial basis not be a more cost-effective way to test the market.

Question 5:

The land at Post Hill transferred to Housing Association – how much was paid for this land by MDDC, and what were the losses on the transfer to the HA? Were these losses accounted for within the General Fund or within the borrowing on the Capital Program – i.e. a cost to the taxpayer for the next generation to come?

Question 6:

What is the predicted scale of losses on the Haddon Heights development, including the hugely inflated price paid for the land initially under the 3Rivers scheme?

Question 7:

Boxing Day 'hunt meet' - Given the acknowledged lawbreaking that takes place on 'trailhunts' and the fact that MDDC as the landowner knowingly allowed a criminal enterprise to use its assets for furthering their criminal aims, when will MDDC as the landowner take their duties seriously and act to prevent use of their assets for lawbreaking?

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

245 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

Members were reminded of the need to declare any interests when appropriate.

None were declared under this item.

246 MINUTES

The minutes of the meeting held on 30th October 2024 were **AGREED** as a correct record and signed by the Chair.

247 CHAIR'S ANNOUNCEMENTS

The Chair had the following announcements to make:

- On the 10 November 2024 he had visited the Holy Church in Crediton for the Remembrance Service and had visited the War Memorial to lay the wreath.
- On the 13 December 2024 he went to Tiverton High School to present the winner and runners up with their prizes for the Christmas card competition.
- He thanked Cllr L Cruwys as he represented the Council for Armistice Day at the Burma Star Gardens.

The Vice- Chair highlighted the following:

- He visited the Remembrance event in Tiverton and the War Memorial in Crediton.
- On the 2 November 2024 he had visited the Exe Valley Leisure Centre, where the new Bishop of Exeter visited to meet the Hockey Team who supported the Breakfast on the Go, which was supplied by volunteers at St Paul's Church, Tiverton.

248 PETITIONS

None received.

249 NOTICES OF MOTIONS**Motion 605 (Cllr Martin Binks)**

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

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

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

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

The **MOTION** was **MOVED** by Councillor M Binks seconded by Councillor R Roberts

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

2. Motion 606 (Cllr S Robinson)

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

Motion: Women against State Pension Inequality (WASPI)

Council was asked to note that:

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

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

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

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

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

Council was asked to support:

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

We therefore ask:

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

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

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

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

It was believed that c11,800 woman were affected by this change within the area of Mid Devon of which c800 have since died.

Council believed:

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

- Some women who would have looked after older relatives or partners were unable to afford to do so, with a knock-on impact on local social care.

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

Council supports:

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

Council asked the Leader of the Council to write to:

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

Cllr J Lock **MOVED** an **AMENDMENT** seconded by Cllr S Robinson.

To defer the Motion 606 to the next Council meeting.

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

250 CABINET- REPORTS OF THE MINUTES OF THE MEETINGS HELD BETWEEN THE 12 NOVEMBER

The Leader presented the reports of the meeting of the Cabinet held on 12 November 2024.

1. The Grand Western Canal Conservation Area Appraisal and Management Plan (Minute 85)

The Leader outlined the following:

- He was generally pleased on the public participation from start to the position now, from the Grand Western Canal Joint Advisory Committee, those that attended the consultation events. The residents who had attended the public Council meetings and those who signed the petition.
- To be clear not one Member present in the room including himself want to see the end of the Canal, he valued the Canal and the Council was not here to close the canal.
- Members it had been decades since a review of the conservation area within Mid Devon had taken place. This action to review was not to allow building on the canal but to further protect it.
- Outdated conservation area may not be considered as robust and may face challenges from developers or the Courts. This conservation area was now more robust and only serves to further protect this vital asset of Mid Devon.
- Much discussion had taken place in regard to snake's wood but there were still protection for this woodland area however does not fall under the conservation area.
- The Leader does not want to see any houses built on snake's wood and for it to remain the same.

Consideration was given to:

- The consultation had elicited an outcry which was not represented by the petition about the removal of Snakes wood.
- The purpose of the removal of snake's wood, the results of the public consultation had not been taken into account.
- The value of the canal and the concerns of the loss of protection to the canal environment.
- What would be the protection for Snakes wood if it lost its conservation area and how long would this take to implement?
- Regret that members and members of the public had not taken the statement of snake's wood was well protected but if it was included in the boundary it would weaken the legislative aspect of defining conservation areas.
- Council were required to review conservation area across, in over 30 years it had been ignored till now.
- Changes were made under the National policy Framework that had changed the interruption of the conservation area.
- 'Conservation' could be interrupted as Trees and environment maybe renaming 'Conservation' to 'Heritage' areas to save any confusion in the future.
- The Council needs to strengthen the Canal and had put the Council in a stronger position to protect the canal.
- If it was called the 'Grand Western Heritage area' this would have included snakes woods and building. Heritage spaces always include green areas and building where as conservation do not.
- Any of the area a designated of a special scientific interest that would affect planning in the future.

The Leader **MOVED** seconded by Cllr S Keable:

That the recommendations of the Cabinet as set out in minute 85 be **APPROVED**.

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

Those **AGAINST** from voting Councillors: M Binks, Les Cruwys, A Cuddy, M Jenkins, H Tuffin and G Westcott.

Those **ABSTAINING** from voting Councillors: N Bradshaw, S Chenore, Beckett Fish and N Letch.

2. 2024/25 Quarter 2 Treasury Management Report (Minute 87)

The Leader **MOVED** seconded by Cllr J Buczkowski:

That the recommendations of the Cabinet as set out in minute 87 be **APPROVED**.

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

3. Tax Base Calculations (Minute 88)

The Leader **MOVED** seconded by Cllr J Buczkowski:

That the recommendations of the Cabinet as set out in minute 88 be **APPROVED**.

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

10 December 2024

The Clerk advised Members of the Council that the Cabinet minutes of the meeting on the 10 December 2024 were not available at publication and would be presented to the next meeting of Council.

251 **SCRUTINY COMMITTEE- REPORT OF THE MEETING HELD ON 28 OCTOBER AND 25 NOVEMBER 2024**

The Vice-Chair of the meeting of the Scrutiny Committee presented the report of the meetings held on 28 October and 25 November 2024.

252 **AUDIT COMMITTEE- REPORT OF THE MEETING HELD ON THE 3 DECEMBER 2024**

The Chair of the meeting of Audit Committee presented the report of the meeting held on the 3 December 2024.

253 **ECONOMY AND ASSETS POLICY DEVELOPMENT GROUP- REPORT OF THE MEETING HELD ON 28 NOVEMBER 2024**

The Chair of the meeting of the Economy and Asset Policy Development Group presented the report of the meeting held on 28 November 2024.

254 **HOMES POLICY DEVELOPMENT GROUP- REPORT OF THE MEETING HELD ON 19 NOVEMBER 2024**

The Chair of the meeting of the Homes Policy Development Group presented the report of the meeting held on 19 November 2024.

1. Appointment of Co-opted Tenant Members.

The Chair of the Homes Policy Development Group **MOVED**, seconded by Cllr C Connor.

THAT the recommendation of the Homes Policy Development Group as set out in Minute 49 be **APPROVED**

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

255 **COMMUNITY, PEOPLE AND EQUALITIES POLICY DEVELOPMENT GROUP- REPORT OF THE MEETING HELD ON 3 DECEMBER 2024**

The Chair of the meeting of the Community, People and Equalities Policy Development Group presented the report held on the 3 December 2024.

256 **PLANNING, ENVIRONMENT AND SUSTAINABILITY POLICY DEVELOPMENT GROUP- REPORT OF THE MEETING HELD ON 26 NOVEMBER 2024**

The Chair of the meeting of Planning, Environment and Sustainability Group presented the report of the meeting held on 26 November 2024.

257 **SERVICE DELIVERY AND CONTINUOUS IMPROVEMENTS POLICY DEVELOPMENT GROUP- REPORT OF THE MEETING HELD ON 3 DECEMBER 2024**

The Chair of the meeting of Service Delivery and Continuous Improvement Policy Development Group presented the report of the meeting held on 3 December 2024.

258 **PLANNING COMMITTEE- REPORTS OF THE MEETING HELD ON THE 4 DECEMBER 2024**

The Chair of the meeting of the Planning Committee presented the report of the meeting held on 4 December 2024.

259 **STANDARDS COMMITTEE- REPORTS OF THE MEETING HELD ON THE 11 DECEMBER 2024**

The Chair of the meeting of the Standards Committee held presented the reports of the meetings held on 11 December.

1. **DBS Checks for Members**

The Chair of the Standards Committee **MOVED**, seconded by Cllr B Holdman

That the recommendation of the Standards Committee set out in Minute 20 be **ADOPTED**.

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

Those **AGAINST** from voting: Cllr P Colthorpe

2. Government Consultation- Enabling Remote Attendance and Proxy Voting at Council Meetings.

The Chair of the Standards Committee **MOVED**, seconded by Cllr B Holdman

That the recommendation of the Standards Committee set out in Minute 21 be **ADOPTED**.

Those **AGAINST** from voting: Cllr P Colthorpe

Note:* Report previously circulated

260 SCHEDULE OF MEETING FOR 2025/2026

The Council had before it the proposed* Schedule of Meetings for 2025/2026.

The Chair **MOVED** that the Schedule of meetings 2025/2026 be approved.

Following discussion and upon a vote being taken the **MOTION** was declared to have been **CARRIED**.

Note:* Schedule of meetings for 2025/2026 previously circulated

261 MEMBER ALLOWANCES- INDEPENDENT REMUNERATION PANEL REPORT

The Council had before it a report of the Director of Legal, People and Governance and Monitoring Officer setting out the recommended Members' Scheme of Allowances for 1 April 2025 to 31 March 2028

The Director of Legal, People and Governance and Monitoring Officer outlined the contents of the report of the Independent Remuneration Panel.

- The Council was required to consider its Members' Scheme of Allowances taking account of a relevant report of its Independent Remuneration Panel (IRP) before making any changes to the allowances for the following financial year.
- The IRP proposed amendments to the current scheme were as follows:
 - The Basic Allowance of £6,000 p.a. would be increased by the median (average) % of the cost of living pay rise awarded across the workforce of Mid Devon District Council's employees for a period of 3 years from 1 April 2025 until 31 March 2028. (NB: the % rise for 2024/2025 is 4%).

- The Basic Allowance from 1st April 2025 would therefore be recommended as being £6,240 p.a. until the next staff pay award where upon the Panel's recommendation would apply with whatever the median % rise was at that time.
- Within the report at (h) that the wording in the scheme regarding parental leave and SRA's also would apply to prolonged illness and Vice Chairs.

Consideration was given to:

- Carer's allowances within the Scheme of allowances for Members and how that would work.
- The basic allowances to be more attractive to encourage the younger generation to stand as Councillors.
- The parental leave allowances and the attendance to the Town and Parish Council meetings.

The Chair **MOVED** that: the Members Allowances Scheme as set out in Appendix 2 in the report be adopted for the period 1 April 2025 to 31 March 2028.

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

Those voting **AGAINST**: Cllr S Clist

Note: *Report previously circulated

262 **TEAM DEVON LOCAL GOVERNMENT JOINT COMMITTEE**

The Council had before it a background report to **NOTE** and agree the nomination of the Leader of the Council to be the Council's representative on the Team Devon Joint Committee.

The Leader of the Council outlined the contents of the report from the Team Devon Joint Committee.

- On the 16 December, the Deputy Prime Minister released a white paper on Devolution to all authorities in England. Contained in the white paper were ambitious plans for more powers to be devolved to all areas including regional Mayors for all areas of England.
- As part of the White Paper, it also stated the Government's intention for areas to work together to secure funding and achieve more influence over the important decisions related to the Council's area. That was the reason why it had been decided to set up the combined County authority, and the Joint Committee as referenced on tonight's agenda was to agree the governance feeding into that, which Members had been asked tonight to vote on and to agree to elect the Leader as the representative to the body.
- Also within the White Paper it made reference about Labour's plans to simplify local government and abolish areas with two tier arrangements like Devon. The expectation was that with the Combined County Authority (CCA) already having been agreed, Devon's journey towards devolution had already begun, and this was recognised in the Government's White Paper. Whilst the Council knew at some point it would need to look at further devolution and the possibility of structural change to support wider public service reform, the

creation of the CCA indicated a review would be needed within 3 years. It was believed that time would be taken to review arrangements in a considered way, with the White Paper notably avoiding statements around top-down imposition or compulsion.

- Unfortunately the Government in their proposal included a temptation for those who believed that they may lose their seats in next May's planned County Council elections. They offered Councils with elections next year the possibility to postpone those elections if they put forward proposals for deepening devolution, accepting a Mayor, and reorganising Local Government into Unitary Authorities.
- The partnership work with District and County Council had been solid and respectful up until this point. Regretfully, in a nakedly-blatant political move and an abhorrent anti-democratic attempt to hold on to power, the Conservative Leader of Devon County Council was considering putting forward a proposal for Devon and Torbay to join together and create a huge Unitary Council that would cover all of Devon and nearly 1 million people. As a way to delay what many see as the inevitable downfall of his administration, he seems to be openly suggesting that Government holds off from the whole 'democracy' thing for a while.
- The Leader of Devon County Council had still not approached this Council's Leader to explain his rationale, but he had planned an extraordinary meeting in January to vote through the proposal and was quoted in the National Press as saying 'we will put our proposal by the 10th January, and then if it was accepted, we will follow up with a more detailed proposal. When asked what the proposal would look like, he replied 'a unitary Devon' and that the White Paper made him and his peers realise that two tier areas such as Devon were basically no more.
- The Leader was proud of Mid Devon District Council, everybody was, the hard working staff, the excellent in house leisure centres, high performance in house waste collection services and the ability to reach a balanced budget year after year. This Council had good management the opposite to Devon County Council, which struggled to fund its own services and had a record of failing the most vulnerable in society that tainted us all. Any move to a Unitary Authority with the remnants of Devon County Council at the heart was flawed by this imbalance from the start and our much valued and celebrated discretionary services risked being lost. Devon County could not be trusted with our libraries, they cannot be trusted with looking after the children of Devon, and the Leader would not trust them with leisure centres or waste services. How quickly would this Council's top 10% performance be dragged down to the level that the County Council tolerates? A Devon Unitary Authority would be too big an area to manage services like the Housing Department or leisure services and the issues faced here would be lost to larger areas elsewhere. Money follows voters, this Council were not naïve to know that we were a pretty rural District and centralised investment rarely flowed into our communities.
- The Leader did not support a Unitary Authority, but if it was thrust upon the Council, he would want it to be on the terms that best served the residents rather than a detached, failing County Council, and on terms that were supported by a democratic mandate.
- This could only happen if this Council submitted an alternative proposal. The Leader was now speaking with other District Leaders to discuss the viability of creating a smaller Unitary Authority which would cover around half of Devon

and still be in line with emerging Government objectives with regard to population. If an alternative proposal was agreed with the other Districts it would be brought to an extraordinary meeting of this Council which he would ask the Chair to call before the 10th January deadline. At this point, if accepted he would want to see a wide ranging consultation process and if possible to include a referendum of the residents of this District.

- He appreciated this would not come easy to all, the hardworking Councillors or the fantastic staff at this Council, we would continue to do the best for the residents in Mid Devon and prevent our important and vibrant District being swallowed up by a mixture of County Council greed and failure.
- In light of those developments, he asked Members to defer this agenda item, and not appoint him as the Council's representative but to support the now ongoing and rapidly changing work being undertaken by him as Leader, Cabinet and officers. He would ensure he would give information to all as it became available and keep those affected updated at every step.

Consideration was given to:

- It was deeply disappointing that Devon County Council had chosen to proceed in this way without any consultation with District Councils. Significant decisions could not and should not be made unilaterally or without the involvement of all tiers of local Government, let alone the residents that Members were elected to serve.
- To cancel the elections struck at the very heart of the democratic system. Elections were a cornerstone of democracy, ensuring that power was held to account and that residents had a voice in choosing who represented them. To deny the people of Devon their democratic right to vote in 2025 was nothing short of an attack on democracy itself.
- To be clear: the proposal set out by the Leader of Devon County Council was not about improving governance, representation, or services for residents. It was a blatant attempt to cling to power.
- If there was to be any reorganisation of local government, it must be done transparently, with full consultation and, crucially, a democratic mandate from the people it would affect. Anything less would undermine public trust in local government and damage the principles of accountability and representation.
- This Council must stand firm in opposing this undemocratic move, for the residents and to protect their right to vote, to ensure their voices were heard, and to demand better for the Council's communities.
- All Members of this Council to join together in rejecting those proposals and calling for any changes to local government in Devon to be driven by the needs and wishes of the residents, not by the political ambitions of a few.
- The negativity from the Leader and a closed mind for the future. The residents want value for money, if the residents had a better service and value for money in becoming a Unitary Authority.
- If it cost money to have an authority closer for the people and enabled to do the job better this would be supported.
- The Conservative Members had not been consulted about this initiative and knew very little about it. To remain positive and be robust for the future.
- The Chair advised Members that there was disquiet at Devon County Council.
- The financial state at Devon County Council.
- Where was the missing Ofsted report from Devon County Council?

- This was a significant development and such debate needed consideration for the future.
- The Joint Committee had 10 members and only 2 District Councillors appointed but with no rights to vote.

The Leader **MOVED** an **AMENDMENT** and seconded by Cllr S Clist.

To defer the following:

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

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

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

263 **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.

There were no questions.

264 **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.

265 **QUESTIONS TO CABINET MEMBERS**

The Chair informed the meeting that no were no questions to Cabinet Members.

266 **MEMBERS BUSINESS**

The Chair informed the meeting that were no Members Business.

(The meeting ended at Time 20.04pm)

CHAIR