

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