

**WEST HILL PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING
HELD ON 5th March 2024 AT 7.30PM**

Present:	Chairman Cllr Alison Carr (AC), Francis Pullman (FP), Cllr Stanley Paulo (SP), Cllr Trevor Ingram (TI), Cllr Andrew Gorton (AG),
In attendance:	Anne Oliver Parish Clerk, DCC/EDDC Cllr Jess Bailey 8.30pm onwards, 8 members of the public.
Absent	

Minutes of the Ordinary Meeting of the Parish Council

Item (a)	Discussion and decisions (b)
24/078	<p>Welcome and Chairmans announcements: The meeting started at 7.30pm. The Chairman, Cllr AC, welcomed everyone to the meeting.</p> <p>The Chairman announced the sad news of the sudden death of retired West Hill Post Mistress Jane Down. Jane was known to most West Hill residents and many have fond memories of her warm personality and welcoming smile. The Chairman and Cllrs passed on their thoughts to Janes' family and friends.</p>
24/079	<p>Apologies. To receive apologies and approve reasons for absence. <i>N/A</i></p>
24/080	<p>Public question time (3 minutes): Residents are invited to give their views and question the Parish Council on issues on this agenda or raise issues for further consideration at the discretion of the Chairman, before the start of the Parish Council meeting. Members of the public may not take part in the Parish Council meeting itself. This item includes issues submitted to the Clerk prior to the meeting. <i>Individual contributions are limited to 3 minutes.</i></p> <p>Footpath Warden, Eileen Perkins, reported that she had reported drainage problems on FP 1 (Bendarroch Road to Toadpit Lane) to the Public Rights of Way team at Devn County Council. An Officer will visit to assess the problem.</p>
24/081	<p>To receive District and County Councillors' reports for information (items raised for decision will appear on the agenda for the next meeting).</p> <p>The Chairman deferred this item as District Cllr JB was unable to attend the start of the meeting. The item followed Item 24/091.</p> <p>DCC/EDDC Cllr Jess Bailey (JB):</p> <ul style="list-style-type: none"> - Expressed her disappointment regarding EDDC's decision to approve the planning application for a roadside services and petrol station at Daisymount Junction (21/1688/MFUL). - Had submitted a further comment on the planning application 23/1143/MFUL Windmill Lane as EDDC can apply and demonstrate a 4 Year Housing Land Supply. - Gave a short report on the EDDC Strategic Planning Committee 5th March and a "Green Wedges" workshop.
24/082	<p>Declarations of Interest:</p> <ul style="list-style-type: none"> - Under the Localism Act 2011 (sections 26-37 and Schedule 4) and in accordance with the Council's Code of Conduct, members are required to declare any interests that are not currently entered in the Member's register of interests including the nature and extent of such interests they may have, in items to be considered at this meeting. - Members are also reminded that any change to their Declaration of Interests must be notified to the Monitoring Officer at East Devon District Council within 28 days of the change. - Receipt of requests for dispensations for new Disclosable Pecuniary Interests, Other Registerable Interests or Non-Registerable Interests for items on the Agenda.

	<p>Cllr TI declared an interest in agenda item 24/094 as his daughter attended the school but proposed to take part in the item. Cllrs unanimously agreed. Cllrs AC, AG, FP, SP declared no interests.</p>
24/083	<p>Confidential/exempt items. In consideration of the Public Bodies (Admission to Meetings) Act 1960 (publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted): to agree any items to be dealt with after the public and press have been excluded. To consider, if appropriate, any agenda items should be considered in Part B. N/A</p>
24/084	<p>Minutes: To receive the Minutes of the Parish Council meeting of</p> <ul style="list-style-type: none"> - 6th February 2024 (Minute 24/039-24/069) and - Extraordinary Meeting 22nd February 2024 (Minute 23/070-23/077), <p>and to approve the signing of the Minutes by the Chairman as a true record. The minutes of 6th and 22nd February 2024 were unanimously accepted as a true record by those Cllrs present at the meetings and were signed by the Chairman.</p>
24/085	<p>Planning Applications received: To consider and agree a response to:</p> <p>24/0131/TRE Wyndhams Higher Broad Oak Road West Hill EX11 1XF T2, T3 Beech: crown reduce both trees by up to 3ms, maximum diameter of cuts 50mm.</p> <p>Cllrs noted:</p> <ul style="list-style-type: none"> - an application approved in 2023 for similar tree works on T1 and T4. - The trees made a significant contribution to the treescape of Higher Broad Oak Road. - An arboricultural report was not submitted to provide an assessment of the trees and provide justification for the proposed work. - Councillors noted that the tree surgeon considers all the works to be appropriate arboricultural management. However, due to the lack of information supplied by the applicant, Councillors are unable to say whether this is the case <p>-</p> <p>Cllrs agreed to support reasonable tree management works specified by the EDDC Tree Officers. Also, if approved, Cllrs requested a condition such that no works should commence until the nesting season has ended.</p> <p>24/0352/FUL Lindridge Elsdon Lane EX11 1UB Demolition of existing bungalow and garage with construction of a replacement house and integral double garage. Cllrs supported the application in principle. Cllrs considered whether the addition of a first storey would lead to loss of amenity for neighbouring properties but noted no public comments had been submitted. However, they thought it unlikely that there would be issues with overlooking as the plot is large and was surrounded by boundary trees, hedges and fencing. Cllrs also considered the TPO on the site and noted the EDDC Tree Officer had supported the application subject to standard tree protection measures.</p> <p>Cllrs supported the application and if approved, Councillors requested:</p> <ul style="list-style-type: none"> - that a planning condition be added that the garage is used ancillary to the main dwelling. - replacement planting to mitigate the loss of the G2 Pittosporum, - the use of permeable materials for the driveway/parking area. - As Elsdon Lane is narrow and a popular walking and riding route, all contractor vehicles should be instructed to park onsite to avoid conflict with other road users. - The mitigation measures in the ecology report should also be implemented fully.
24/0086	<p>EDDC Planning Decisions: received for information (*denotes WHPC differed)</p> <p>24/0040/TRE White House West Hill Road EX11 1UZ Status: Approved</p>

	<p>T1, T2 and T3, Oaks : various works.</p> <p>23/2747/TRE Springfield House West Hill Road EX11 1UZ Status: Approved* Row1: x12 Leyland cypress - fell to as near ground level as possible.</p> <p>23/2600/FUL Magnolia Cottage Higher Metcombe EX11 1SL Status: Approved Proposed construction of timber garage and widening of vehicle access</p> <p>23/2535/PIP Land Adjacent Elsdon House Elsdon Lane Status: Non-determination appeal lodged Permission in principle for the demolition of an existing greenhouse and the construction of two dwellings</p> <p>23/2505/PIP Land North Of Oak Road West Hill Ottery St Mary EX11 1X Status: Refused Permission in principle for a residential development of between 2 and 9 dwellings, on land north of Oak Road, West Hill</p> <p>23/1581/OUT Little Orchard West Hill Road EX11 1UZ Status: Withdrawn Removal of 1 No Existing Dwelling (Little Orchard) and Replacement with 3 No Dwellings</p> <p>21/1688/MFUL Land South Of Lily Cottage Exeter Road Whimple Status:Approved* Roadside Service Area (RSA) Cllrs noted the decisions.</p>
<p>24/087</p>	<p>Planning Matters:</p> <p>a. To consider correspondence received regarding planning application 24/0044/FUL Potters Country Market West Hill Road</p> <p style="color: red;">The Council considered correspondence received concerning the planning application for the redevelopment of the village shop site. In particular they noted the concerns raised about the future of the site and the importance of a sizeable village shop to many residents.</p> <p style="color: red;">Cllr FP noted that the Council needed to understand what it could do and what Powers were available to the Council. He proposed Cllrs meet to explore options. Cllr TI commented that the EDDC were the decision-makers but it was important for the Council to understand what it could legally do subject the to decisions of EDDC and the applicant.</p> <p style="color: red;">Cllr AC commented that the planning process was underway. If the EDDC Officer's recommendation is to approve the application EDDC Cllr JB could ask for the application to be heard by the EDDC Planning Committee. The Parish Council and members of the public could speak at the meeting. The Parish Council would continue to monitor the application.</p> <p>b. To note the decisions of EDDC Strategic Planning Committee (a) 13th February 2024 and (b) 5th March if available.</p> <p style="color: red;">Cllr AG reported that the 13th February meeting discussed proposed changes to the Green Wedges currently defined in the local plan. Cllr AC noted that the purpose of the Green Wedges was to prevent settlement coalescence and the proposals would significantly reduce the size of the Green Wedge between Ottery St Mary and West Hill. Many District Cllrs had raised concerns at the Committee meeting and it was agreed that a revised proposal would be brought back to the Committee.</p> <p>c. To receive a verbal update on a meeting with District Cllr Jess Bailey and EDDC Assistant Director – Planning Strategy and Development Management.</p> <p style="color: red;">The Chairman reported that she, the Clerk and others had attended a meeting with District Cllr JB and Ed Freeman (EF) Service Lead for Planning Strategy and Development. District Cllr JB had convened the meeting to discuss a new West Hill Settlement Boundary proposed in the Emerging Local Plan. This proposed an increase to the current Built Up Area Boundary (BUAB) for West Hill which was agreed in 2018. EF agreed to review the proposal and check the assessment methodology had been correctly applied. Also “Settlement Boundaries” would be considered at a future EDDC Strategic Planning Committee meeting.</p> <p style="color: red;">Cllr AC stressed that the current BUAB still applied.</p>

	<p>d. To note the withdrawal of Planning Appeal: Land at Oak Road APP/U1105/W/23/3322776 regards 22/2533/MOUT Cllrs noted the update.</p> <p>e. To consider a non-determination appeal lodged 23/2535/PIP Land Adjacent Elsdon House Elsdon Lane.</p> <p>The Chairman reported that the applicant had submitted a non-determination appeal as EDDC had not made a decision within the required timescales. The application would now be considered by a Planning Inspector. WHPC previous comments will be considered. The Chairman noted that this was the second non-determination appeal on an application in the West Hill Parish in recent months.</p> <p>f. To consider a further response to planning applications with regard to the EDDC decision on 4 Year Housing Land Supply requirement.</p> <p>Cllrs resolved to submit further consultee comments on two applications 23/1143/MFUL Windmill Lane and 24/0008/PIP Hayes End regarding EDDC's decision to apply a 4 Year Housing Land Supply (HLS). This decision was made since WHPC's original comments. As EDDC can demonstrate a 4yr HLS the "titled balance" in favour of development no longer applies.</p> <p>g. To receive an update on applications awaiting decision by East Devon District Council. The Chairman gave an update on several 'live' planning applications.</p>
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WHPC Groups + Initiatives

24/088	<p>Finance Working Group:</p> <p>a. To approve the Parish Council's response to the External Auditor regarding the objection to the Council's 2022-23 Annual Return.</p> <p>The Chairman reminded Cllrs:</p> <ul style="list-style-type: none"> - A resident had submitted 10 objections to the External Auditor regarding the Parish Council's Annual Return for 2022-23. The External Auditor had considered 6 of the objections to be ineligible and the Parish Council had been asked to respond to the remaining 4 objections. - The External Auditor had agreed to extend the deadline due to the work required to compile the Council's response. - that the Objector should not be identified during discussion of the Council's response. <p>The Chairman noted that 4 of the 5 current members of the Council were not serving Cllrs for 2022-23. She thanked the Clerk for the extensive work to compile a comprehensive record of the actions and decisions taken by the Council in respect of each of the 4 objections.</p> <p>Cllrs considered a draft response prepared by the Finance Working group. Cllr FP commented the actions of the Council were properly documented and supported by evidence. Cllr TI added that the response was very straightforward based on the evidence.</p> <p>It was unanimously resolved to approve the Parish Council's response to the External Auditor regarding the objection to the Council's 2022-23 Annual Return</p> <p>Cllr FP asked if the Council had any indication of the additional fees to be incurred by the Council. Cllr AC expressed her concern as the External Auditor charges were £355+vat per hour and the matter had been ongoing since July 2023. In addition to the External Auditor charges, she recommended an overtime payment for the Clerk for the extra hours worked to prepare the response during a very busy period for the Council due to the many planning applications</p> <p>b. To consider an overtime payment for work completed by the Clerk re 24/088 (a).</p>
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	<p>Cllr AG recommended approval and was supported by Cllrs. Cllrs unanimously resolved an overtime payment of £343.20 for the Clerk. Cllr AC noted that she knew that this did not reflect the many more hours worked by the Clerk.</p> <p>c. To consider the renewal of an annual subscription to Scribe Accounts Software (2024-25 £345.60+vat). Cllrs resolved to renew the subscription and approved payment of £345.60+vat. The invoice was then signed.</p> <p>d. To consider arrangements for insurance cover for 2024-25.</p> <p>Cllr AC advised Cllrs that the Council's Insurance cover renews in May. In 2023 the Council had accepted an insurance quote in a three-year term which afford greater rate stability. 2024-25 would be the second year of the term.</p> <p>Cllrs resolved to continue this arrangement for insurance cover, subject to the 2024-25 quote.</p>
<p>24/089</p>	<p>HR Working Group To consider legal advice received regarding correspondence from a resident and the Council's Duty of Care as an Employer.</p> <p>Cllr FP gave an update on the decision 24/049 taken by the Council to engage a solicitor to advise on correspondence received and the Council's Duty of Care as an Employer.</p> <p>The appointed solicitor has provided guidance on legislation available to local authorities when considering if a request is vexatious. A checklist, provided by the Solicitor, has been tested on correspondence recently received by WHPC. This was considered to be a helpful means of identifying and applying the relevant legislation subject to minor amendments. The HR Working Group propose to move forward with the checklist.</p> <p>As previously agreed, 24/049, the Solicitor will draft a letter to be sent to the requester if a request is considered to be vexatious.</p> <p>The HR Working Group recommended WHPC develop a new, separate policy regarding unreasonable and unreasonably persistent requests.</p> <p>Cllrs thanks Cllr FP for his update.</p> <p>It was resolved to accept the recommendation and for the HR Working Group to draft new policies (unreasonable and unreasonably persistent requests) for consideration at a future meeting.</p>

Other Matters

<p>24/090</p>	<p>West Hill Public Footpaths: To approve, if appropriate, the annual grant application for 2024 maintenance works (Parish Paths Partnership scheme) It was resolved to approve a grant application by WHPC to Devon County Council Public Rights of Way team for £453 to fund maintenance work (2nd cut) on footpaths 1,5,7 and 87.</p> <p>8.30pm EDDC Cllr JB joined the meeting.</p>
<p>24/091</p>	<p>To consider correspondence received and agree actions as appropriate:</p> <p>1. D-Day 80th Anniversary Cllrs considered correspondence from the Chairman of West Hill RBL branch outlining their initial thoughts on how to mark the 80th anniversary of the Normandy Landings in June 2024. Nationally local communities are encouraged to light a beacon, a light of peace, to commemorate the event but the RBL Committee considered that this may not be appropriate for a Woodland Village.</p>

	<p>Instead they would explore if the War Memorial could be illuminated as a focal point for commemoration in the village. It was agreed that Cllr FP would liaise with the RBL committee and Cllrs encouraged the committee to consider a grant application, if appropriate.</p> <p>2. Display Boards Cllrs considered a request from a former Cllr who was storing display boards on behalf of the Parish Council. These had been “inherited” from the West Hill Art Club. The Council was asked to make alternative arrangements for storing the boards.</p> <p>Cllr AC noted that the boards were WHPC assets with a nominal value of £1. She expressed concern that the boards were cumbersome, heavy and impractical for the Council’s use. Cllrs questioned the condition of the display boards as they had been stored in a garage for several years.</p> <p>It was resolved:</p> <ul style="list-style-type: none"> - Cllrs FP and AG would visit to assess the condition and practicality of the display boards. - If the boards were not suitable for Council use: <ul style="list-style-type: none"> o to establish if another organisation could make use of the boards. o If none could not be found before the next Council meeting the display boards should be disposed of. <p>8.40pm A member of the public left the meeting</p>
24/092	<p>To consider a voluntary scheme to allow public authorities to apply for a free portrait of His Majesty The King.</p> <p>Cllr TI noted that, as the Council didn’t have a permanent public office it was difficult for the Council to accept the offer. Cllr SP felt the Council should accept the offer. Cllr FP commented that it would be lovely to receive a portrait but it wasn’t practical at the moment.</p> <p>Cllrs agreed not to make an application at the moment but noted that an application could be made a future date.</p>
24/093	<p>To note feedback from residents about Morrisons (West Hill) prompted by the January 2024 WHPC newsletter.</p> <p>The WHPC Newsletter distributed in January 2024 included an article on the Morrisons Daily shop in West Hill. The article arose from a meeting with the Regional Manager of Morrisons who was keen to engage more closely with the Community. The newsletter invited residents to submit their comments to Morrisons via WHPC.</p> <p>The Chairman reported that 4 residents had responded and their comments had been passed onto Morrisons. The comments were wide ranging and two focussed on newspaper deliveries.</p>
24/094	<p>To consider a request from DCC Cllr Jess Bailey regarding support for a road safety initiative at King’s School in Ottery St Mary.</p> <p>Cllrs considered a paper circulated prior to the meeting. Cllr AC outlined the key points:</p> <ul style="list-style-type: none"> - Kings School is a split site which necessitates approximately 1,000 road crossings per day. - To address road safety concerns Kings School had developed a scheme to create a “build out” on Cadhay Lane. - The scheme has DCC Highways approval however Highways do not have funds to finance the scheme and the scheme is expected to remain on a long list of future schemes. - The cost is estimated to be £15,000 to £20,000.

	<p>- EDDC Cllr JB had approached some local Town/Parish Councils to establish if they would support the scheme</p> <p>Cllrs noted that children from many local areas attend the school and asked Cllr JB if she had approached all local Town/Parishes. Also they asked “how many West Hill children attend the school?” Cllr TI asked if there was data on the number of incidents that had occurred. He also asked “if there was an issue why aren’t DCC or the School funding the scheme?”</p> <p>Standing Orders were suspended District Cllr JB advised:</p> <ul style="list-style-type: none"> - DCC and King’s School budgets were under pressure. Neither expected to be able to fund the scheme. - Ottery St Mary Town Council supported the scheme in principle subject to the support of other local Councils. No budget was set. <p>Standing Orders were resumed.</p> <p>Cllr AC commented that Highways were unlikely to give the scheme a high priority if there’s no record of serious incidents. No-one wanted such incidents to occur. She also noted that improving Road Safety was a priority for the Council.</p> <p>It was resolved that the Chairman would write to District Cllr JB on behalf of WHPC to support the proposal in principle and the Council will work other Councils to progress the scheme. No financial commitment was made.</p>
24/095	<p>To note a public consultation on proposed devolution for Devon and Torbay.</p> <p>Cllrs noted the consultation was now open and an article providing information was available on the WHPC website. Cllrs chose not to submit a response on behalf of the Council but Cllrs could respond as a member of the public.</p>
24/096	<p>To receive a verbal update on an inspection of the WHPC’s Playpark and to consider recommended actions.</p> <p>Cllr SP raised a number of issues arising from his weekly inspection of the playpark: the surface was very muddy, in places the bark chippings stray onto the grass, several sections of safety matting had “slumped”.</p> <p>Cllr AC thanked Cllr SP for his concerns and commented that the playpark is inspected each month by EDDC’s qualified inspector and similar issues had not been raised. Also, the latest RoSPA inspection considered the ground surface to be in good/very good condition.</p> <p>It was resolved to contact EDDC regarding the monthly inspections and ask for feedback on the issues raised by Cllr SP.</p>
24/097	<p>To consider arrangements for the West Hill Annual Parish Meeting on Thursday 18th April 2024.</p> <p>It was resolved:</p> <ul style="list-style-type: none"> - The meeting would start at 7.30pm - To set a budget of up to £100 for refreshments to include wine and non-alcoholic drinks. - To invite local organisations, grant recipients, local police team etc to attend and speak at the meeting.
24/098	<p>To receive a verbal update on arrangements for production of VAS Reports and agree actions as appropriate.</p> <p>Cllr TI confirmed that he could use the VAS software and spreadsheet to produce a speed analysis report. However, he noted a possible discrepancy in the report.</p> <p>Action: Cllr TI to circulate the reports for Cllrs consideration.</p>
24/099	<p>To note the receipt of a complaint 15th Feb 2024. Noted.</p>

24/100	<p>Clerks Report: (for information) The Clerk raised two matters:</p> <ol style="list-style-type: none"> EDDC had advised an increase in charges for Dog Waste Bin collections. 2023/2024 charges for emptying the two dog waste bins at the entrances to Broadoak Plantation three times a week was £660+vat. The equivalent charge for 2024-25 would be £954+vat and £1,248 +vat in 2025-26. <p>Cllrs noted the 2024-25 charge would be c£200 above budget but resolved to maintain the current schedule of collections as the bins were often full. The additional funding required for 2025-26 was also noted.</p> <ol style="list-style-type: none"> West Hill Pre-school had invited Cllrs to visit to see the new equipment purchased with the support of a grant award from the Parish Council. The Clerk would contact Cllrs to make arrangements.
24/101	<p>To review WHPC Action Tracker Cllrs reviewed outstanding actions:</p> <ul style="list-style-type: none"> - DCC Cllr JB was asked to contact DCC Highways Officers as WHPC had not received a response to its request for a meeting. - Cllr TI was asked to liaise with the Lengthsman regarding the playpark picnic table and chairs. - WHPC is awaiting a response from Devon Wildlife regarding a Landmark Tree. <p>9.40pm Three members of the public left the meeting.</p>
24/102	<p>Financial matters:</p> <ol style="list-style-type: none"> To consider and approve, if appropriate, the Schedule of Payments. Cllrs considered the Schedule of Payments and invoices circulated before the meeting. No questions were raised. It was resolved to approve the payments and sign the invoices. To consider and approve, if appropriate, any additional payments presented to the meeting. The Clerk presented one additional invoice which was approved and signed: West Hill Village Hall - Room Hire Feb-24, £60.50 To note the transfer of £5,000 between WHPC deposit/current accounts. The transfer was confirmed and record signed. To receive, if available, monthly Bank Reconciliations and finance trackers The bank reconciliation for February-24 was approved and signed. The WHPC VAT reclaim for 2023-24, prepared by the Finance Working Group, was presented, noted and signed.
24/103	<p>Councillor questions, reports and items for future agenda Each Councillor is requested to use this opportunity to report minor matters of information not included elsewhere on the agenda and to raise items for future agendas. <i>Councillors are respectfully reminded that this is not an opportunity for debate or decision making.</i> Cllr SP raised a concern about traffic speeds on West Hill Road near the garage. Cllr FP will attend Devon Communities Together Resilience Forum on 22nd March and report back to a future meeting. Cllr AC advised the Council had received an application for one of the Council's vacancies. Co-option would be considered at a future meeting.</p>
24/104	<p>Next meeting: To confirm arrangements for the next WHPC ordinary meeting Tuesday 2nd April 2024 7.30pm at the Village Hall.</p>

All remaining members of the public left the meeting

Part A ended 9.49pm Part B - Confidential/exempt items - None.

Meeting closed 9.49pm

Signed

Date