

**WEST HILL PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING
HELD ON 6th February 2024 AT 7.30PM**

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

Minutes of the Ordinary Meeting of the Parish Council

Item (a)	Discussion and decisions (b)
24/039	<p>Welcome and Chairmans announcements: The meeting started at 7.30pm. The Chairman, Cllr AC, welcomed everyone to the meeting.</p> <p>On behalf of the community, the Chairman sent best wishes for a speedy recovery to King Charles III and The Princess of Wales.</p> <p>The Chairman’s announcements included:</p> <ul style="list-style-type: none"> • The Council and many village residents were surprised to receive notification of a planning application (24/0044/FUL) to re-develop the land and shop building known as Potters Country Market – currently Morrisons Daily/Post Office. The proposal would see the existing building demolished, 6 semi-detached townhouses and 3 flats above a much smaller retail unit built in a different corner of the car park. (See agenda item 24/048 re Extraordinary Meeting to allow residents to share their thoughts with Cllrs). • The Chairman encouraged residents to considered becoming a Cllr. She noted that the meeting was only just quorate as the Council still has 2 Cllr vacancies and two Cllrs are unable to attend. Council decisions made at meetings so if not quorate, no decisions can be made. • EDDC’s Strategic Planning Committee meets on Tuesday 13th February 2024. Work on the new Local Plan continues and the agenda includes proposals on “Green Wedges”. The published documents include proposals to significantly reduce the green wedge between West Hill and Ottery. Meetings are livestreamed on YouTube. The meeting is also open to the public. • EDDC refused planning application 23/2505/PIP, Land north of Oak Road.
24/040	<p>Apologies. To receive apologies and approve reasons for absence. Cllrs TI and AG sent their apologies and their reasons for absence were accepted.</p>
24/041	<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>Several residents spoke:</p> <ul style="list-style-type: none"> • to encourage the Council to accept a Landmark Tree (ref agenda item 24/060) and to liaise with the West Hill Arboretum Group. <p>Land for sale:</p> <ul style="list-style-type: none"> • to encourage the Council to consider land for sale in the Parish as there was no Open Space for recreation purposes in the village. Also to seek the Council’s support for residents seeking to take action. The resident was concerned that the land could be of interest to developers. • To query access from the centre of the village.

	<ul style="list-style-type: none"> • The former chairman of West Hill WASPS football club thanked WHPC for its support and outlined the problem faced by the club. West Hill WASPS is a thriving club with 220 playing members (boys and girls, 6-18 years) but does not have a base in the village. They have limited access to the school grounds for training purposes but use pitches elsewhere for matches and are dependent on the goodwill of other organisations. <p>Planning</p> <ul style="list-style-type: none"> • A resident spoke to highlight recent changes to the National Planning Policy Framework (NPPF). Changes to the Housing Land Supply (HLS) requirement applies to East Devon District. A 4year HLS requirement can be applied due the work to develop a new Local Plan. This is relevant to their decision making on all applications. <p>West Hill Public footpaths</p> <ul style="list-style-type: none"> • Footpath Warden Eileen Perkins gave a short report on the annual survey of the footpaths and maintenance work required. <p>Cllr thanked residents for their comments.</p>
<p>24/042</p>	<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>DCC/EDDC Cllr Jess Bailey (JB) reported:</p> <ul style="list-style-type: none"> - planning application 23/2505/PIP, Land north of Oak Road had been refused. - Encouraged residents to attend the Hearing of the Planning Appeal for development north of Oak Road: from 10.00am 28th February 2024, EDDC Offices, Blackdown House, Honiton. <p>(NOTE - FOLLOWING THE MEETING, COUNCILLORS WERE INFORMED THAT THE APPEAL HAD BEEN WITHDRAWN AND THE HEARING CANCELLED)</p> <ul style="list-style-type: none"> - A proposal to reduce the Green Wedges between settlements, including West Hill-Ottery St Mary, would be considered at EDDC’s Strategic Planning Committee on 13th February 2024. Details are available on the EDDC website. The meeting was open to the public and is available via EDDC’s Youtube channel. - Following changes to the NPPF EDDC has adopted a 4 Year Housing Land Supply requirement which she felt put the Council in a stronger position when considering planning applications. - Overspend by DCC’s Special Educational Needs and Disabilities Service (SEND) are ringfenced but continues to present a substantial risk to the DCC budget. - King’s School, Ottery St Mary, are considering works on Cadhay Lane to address Road Safety concerns. They will be seeking support from local parishes.
<p>24/043</p>	<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>The Chairman proposed a general dispensation for all Cllrs for agenda item 24/049 as the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business. (Standing Orders 13H).</p> <p>Cllrs FP, AC and SP declared no interests on other items on the agenda.</p>
<p>24/044</p>	<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</p>

	<p>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. It was resolved to consider items 24/068 and 26/069 in confidential session.</p>
<p>24/045</p>	<p>Minutes: To receive the Minutes of the Parish Council meeting of</p> <ul style="list-style-type: none"> - 3rd January 2024 (Minute24/001-24/023) - Extraordinary Meeting 16th January 2024 (Minute 23/024-23/038), both previously circulated and to approve the signing of the Minutes by the Chairman as a true record. <p>The minutes of 3rd January and 16th January 2024 were unanimously accepted as a true record by those Cllrs present at the meetings and were signed by the Chairman.</p>
<p>24/046</p>	<p>Planning Applications received: To consider and agree a response to:</p> <p>24/0036/FUL Mulberry House, Higher Broad Oak Road West Hill</p> <p>Construction of a single storey extension on north/front elevation</p> <p>Councillors' comments included:</p> <ul style="list-style-type: none"> - the property is located at the end of a branch of Sanctuary Lane which is an unadopted road. - the potential for damage to the hedge on the northern boundary. No information has been supplied to show how this will be mitigated. - the proposal is for a single-storey extension to be used as an office and spare bedroom with a shower room but it does not appear to be attached to the main house other than by a roof over the area between the buildings. Councillors questioned whether there is potential for the extension to be used in the future as a separate dwelling, which they thought should be avoided. <p>Councillors noted public comments regarding access, parking and damage to Sanctuary Lane during construction. Also, the possible presence of underground pipework on site.</p> <p>Councillors supported the application, and should the application be approved, they requested the following planning conditions to be considered:</p> <ul style="list-style-type: none"> - The extension should be used ancillary to the main dwelling. - Parking for construction vehicles and trades should be only within the grounds of Mulberry House to avoid blocking access to/from neighbouring properties on Sanctuary Lane. - Any damage to Sanctuary Lane caused by construction vehicles should be rectified by the applicant. - A survey of all sewerage and drainage pipes, manholes, tanks and utilities should be required before any construction commences and the extension must avoid covering all such pipework. <p>24/0109/TRE Birch House, 4 Birch Grove West Hill EX11 1XP</p> <p>G1- Mixed species, mostly Beech and Willow- Crown lift to up to 5m to clear from lawn and garage. T1- Redwood - crown lift to approximately 2.5m above roof.</p> <p>Councillors' comments included:</p> <ul style="list-style-type: none"> - no arboricultural report was available to assess the trees and justify the proposed works - the applicant's photographs explained the reasons the work. - the trees make an important contribution to the woodland village treescape <p>Cllrs supported the application subject to comments from the EDDC Tree Officers. Cllrs also supported the neighbours comments regarding possible damage to boundary fencing.</p>

24/047	<p>EDDC Planning Decisions: received for information (*denotes WHPC differed)</p> <p>23/2570/FUL Summerhill Higher Metcombe Ottery St Mary EX11 1SJ Status: Approved Single storey rear / side extension, alterations to roof on south end and changes to fenestration and materials.</p> <p>23/2558/FUL Mill House Bendarroch Road West Hill Devon EX11 1TS Status: Approved Replacement porch to the front of the property. Replacement garden room to the rear of the property. Alterations and recladding to the existing elevations and associated external works.</p> <p>23/2517/TRE Summerhill Higher Metcombe Devon EX11 1SJ Status: Approved</p> <p>23/2431/TRE 20 Eastfield West Hill Devon EX11 1XN Status: Approved</p> <p>23/2367/FUL 10 Perrys Gardens West Hill Devon EX11 1XA Status: Approved Conversion of existing garage with front and rear single storey extensions</p> <p>23/2357/FUL Toad Hall Toadpit Lane West Hill EX11 1TR Status: Approved Proposed single storey extension on north/east elevation and French doors to existing bay window.</p> <p>23/2336/TRE 3A Ashley Brake West Hill Ottery St Mary EX11 1TW Status: Approved</p> <p>23/2656/TRE Hathersage House Higher Metcombe Status: Approve</p> <p>23/2670/FUL 3 Broadoak Close West Hill Status: Approved Erection of a rear orangery, and replacement of the flat roof</p> <p>23/2020/FUL Rosedale Elsdon Lane West Hill Status: Approved Kitchen, porch and utility room extension</p> <p style="color: red;">All noted</p>
24/048	<p>Planning Matters:</p> <p>a. To note the decision of EDDC Strategic Planning Committee 9th January 2024 in regard to Housing Land Supply.</p> <p style="color: red;">Cllrs noted EDDC decision to adopt a 4 Year Housing Land Supply requirement following changes to the NPPF.</p> <p>b. To consider arrangements for WHPC to speak at the Public Hearing of Planning Appeal:</p> <ul style="list-style-type: none"> - APP/U1105/W/23/3322776 regards 22/2533/MOUT Land at Oak Road - 10.00 am on Wednesday 28 February 2024 at EDDC Offices, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ. <p style="color: red;">It was agreed that Cllr FP will attend the public hearing to speak on behalf of West Hill Parish Council.</p> <p>(NOTE - FOLLOWING THE MEETING, COUNCILLORS WERE INFORMED THAT THE APPEAL HAD BEEN WITHDRAWN AND THE HEARING CANCELLED)</p> <p>c. To receive an update on applications awaiting decision by East Devon District Council.</p> <p style="color: red;">Cllrs noted EDDC's decision to refuse planning application 23/2505/PIP. Also several West Hill application.</p> <p style="color: red;">The Chairman reported the recent notification of planning application:</p>

	<ul style="list-style-type: none"> - Reference: 24/0044/FUL - Location: Potters Country Market West Hill Road West Hill Devon EX11 1TY - Proposal: Demolition of existing buildings and redevelopment to provide 9no. dwellings and replacement commercial/retail (Class E) space, with associated access, parking and landscaping. <p style="text-align: center;">The Chairman proposed to call an Extraordinary Meeting on Thursday 22nd February 2024 to receive public comments and consider the application.</p> <p>Cllrs resolved:</p> <ul style="list-style-type: none"> - to approve a budget of £100+VAT for display material. - To invite Avalon Planning, the Planning Agent, to attend the meeting. - To advise Morrisons of the Council's Extraordinary Meeting. - To contact neighbouring parishes to advise them of the application.
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WHPC Groups + Initiatives

24/049	<p>HR Working Group</p> <p>a. To note correspondence received from a resident since 11th January 2024.</p> <p style="text-align: center;">Cllrs noted the receipt of a high volume of correspondence including complaints, Freedom of Information requests and Data Subject Access Requests.</p> <p>b. To consider recommendations regarding actions and costs agreed by the Parish Council (24/033, 16th January 2024):</p> <p>i. The engagement of legal advice regarding correspondence received and the Council's Duty of Care as an Employer</p> <p style="text-align: center;">Cllr FP reported, in accordance with the WHPC resolution 16th Jan 2024 (ref 24/033) the Vice Chairman Cllr FP and the Parish Clerk met with a solicitor at their offices in Exeter. Having read some of the correspondence received by the Council the Solicitor expressed a view that the behaviour on the part of the parishioner was unreasonable and unreasonably persistent. The Solicitor confirmed they could provide advice to manage the correspondence and Council time spent processing the correspondence.</p> <p style="text-align: center;">The Solicitor recommended a series of actions (1-3) that were deliverable within the Council's budget of £2,000+vat. Further additional action (4-7) were also proposed.</p> <p>It was unanimously resolved to:</p> <ul style="list-style-type: none"> a. To instruct the Solicitor to proceed with actions 1,2 and 3 including drafting a letter to the resident. b. To approve payment for the work done in January 2024, £580+VAT. c. To further consider the recommended actions (4-7). In particular, if appropriate Cllrs to consider whether the Parish Council could undertake some of the proposed work itself. <p>ii. Keeping the Council's Insurer informed of the correspondence.</p> <p style="text-align: center;">Cllr FP reported WHPC's insurance provider had confirmed that they had updated their records regarding correspondence received by WHPC. WHPC had made clear that the</p>
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	<p>Parish Council had not received any communication from a Solicitor regarding legal action or such and the Council would notify the Insurer if such communication is received.</p> <p>c. To assess the WHPC Risk Register and consider appropriate steps to manage those risks.</p> <p>Cllrs acknowledged their obligation to assess risks and consider appropriate steps to manage those risks.</p> <p>Councillors considered the risks associated with the ongoing correspondence and identified areas of concern, including but not limited to: reputational risk, loss of key personnel, inqoracy due to the loss of Councillors and inability to attract new Councillors.</p> <p>Cllrs considered the impact and likelihood of reputational damage in association with this matter to be HIGH. The mitigating actions taken by the Council were considered to be appropriate and sufficient: The Council has</p> <ul style="list-style-type: none"> - sought external professional advice (Legal) - notified the Monitoring Officer - notified it's Insurer. <p>The Chairman also highlighted the risk of not taking action and the risk of losing key personnel.</p> <p>The Chairman noted that, for some time, the resident had been advised to communicate with the Council via the Chairman only. However, individual Cllrs continued to receive correspondence from the resident. Cllrs discussed options to manage the correspondence.</p> <p>It was unanimously resolved:</p> <ul style="list-style-type: none"> - to update the WHPC Risk Register with regard to Reputational Damage. - All Cllrs, other than the Chairman, to block emails from the resident.
<p>24/050</p>	<p>To receive a verbal update on the Village Hall Pedestrian Link project.</p> <p>Cllr AC reported the Village Hall Trustees were still awaiting a response from The Charities Commission. Also, the Parish Council had contacted EDDC regarding the use of s106 monies to fund the project.</p>
<p>24/051</p>	<p>Finance Working Group: To receive an update on:</p> <p>a. The Parish Council's response to the objection to the Council's 2022-23 Annual Return.</p> <p>It was unanimously resolved to write to the External Auditor to request an extended deadline due to the current heavy workload experienced by the Council. The External Auditor has previously indicated this would be acceptable.</p> <p>b. 2023-2024 Internal Audit.</p> <p>The Chairman reported the Internal Auditor contract letters had been exchanged and the audit booked.</p>
Other Matters	
<p>24/052</p>	<p>To receive an update on the Casual Vacancy advertised in January 2024 and to consider co-option.</p> <p>The Chairman reported the receipt of EDDC's notification that the Council could seek to co-opt to fill it's second vacancy as no requests for an election had been received.</p>

	<p>It was unanimously resolved to seek to co-opt a Councillor.</p>
24/053	<p>To receive an update on the distribution of the WHPC Newsletter January 2024.</p> <p>The Chairman reported positive feedback following the distribution of the latest WHPC newsletter. Cllrs thanked the volunteer posties, noting that the majority of newsletter were delivered within a few of days of printing.</p> <p>One resident had submitted comments regarding Morrisons store in West Hill. This and any others received would be passed onto Morrisons.</p>
24/054	<p>To consider DCC Highways schemes and actions the Council may wish to take:</p> <ol style="list-style-type: none"> a. 20mph Scheme b. Self-funded works on the Highway <p>Cllr AC outlined a trial scheme launched by DCC Highways for self-funded works on the Highways. Cllrs noted the pressure on DCC's budget and expressed concern that Town/Parish Councils were "offloading" the financial burden. They also acknowledged that the scheme may present an opportunity and such works would require community consultation.</p> <p>Cllrs agreed not to respond to the 20mph scheme as WHPC had not received requests from residents regarding new/extended 20mph zones.</p> <p>It was resolved to ask for a meeting with DCC Highways Officers to provide more information the self-funded scheme.</p>
24/055	<p>West Hill Public Footpaths</p> <ol style="list-style-type: none"> 1. To receive the annual Public Footpath survey and to consider recommendations. <p>Cllrs thanked Footpath Warden Eileen Perkins for her annual report on West Hill's Public Footpaths. Several minor maintenance works had been identified.</p> <p>It was resolved:</p> <ul style="list-style-type: none"> - The Lengthsman to prevent further damage caused by run-off water entering the stream. (Footpath 1), budget £50+vat. - To liaise with DCC Public Rights of Way team to confirm which, if any, of the repairs they will undertake. - To complete the annual P3 grant application and present this to the March Council meeting for approval. <ol style="list-style-type: none"> 2. To approve the annual grant application for maintenance works (Parish Paths Partnership scheme) See pt 1 above
24/056	<p>To consider WHPC's social media presence and determine whether the Council should maintain its Facebook page and/or X feed.</p> <p>Cllrs considered WHPC's social media presence. Comments included</p> <ul style="list-style-type: none"> - WHPC has a Facebook page but doesn't use it - X/Twitter is not actively used and is not up to date - Residents don't particularly use them - Does the Parish Council have the resources to make it work well? - DCC no longer uses/monitors X/Twitter

	<p>It was resolved to maintain a presence on Facebook/X but to make it clear that they are not actively used/monitored.</p>
24/057	<p>To receive a report on WHPC's Annual Playpark Inspection and to consider recommended actions.</p> <p>Cllrs thanked Cllr TI/Clerk for their report. All play equipment was considered to be in good/excellent condition. However, the wooden benches were showing further areas of rotting timber including the ground fixings. Further minor maintenance issues were identified.</p> <p>It was resolved to approve the Lengthsman to:</p> <ul style="list-style-type: none"> - remove and dispose of the wooden bench sited by the balance bars. - carry out repairs to the path to remove the trip hazard created by exposed tree roots, to remove weeds from the path and repair edging where required. To re-lay the path membrane and re-lay the bark mulch on the path. - Complete various minor repairs, budget - To re-site the picnic table and re-install the Storytelling Throne and bench - Budget up to £1,050+vat for labour and materials. <p>Cllr FP noted the Playpark was a very good facility. The agreed actions were a temporary measure and the Council needed a structured plan for the playpark.</p> <p>DCC/EDDC Cllr JB and three members of the public left the meeting 8.55pm</p>
24/058	<p>To consider arrangements for the West Hill Annual Parish Meeting on Thursday 18th April 2024</p> <p>The Chairman explained that previous Parish Meetings had been structured to allow village organisations/groups/Local Police team and grant recipients to share information: to provide a short report, to outline their future plans. Refreshments were provided after the main business was concluded. It was noted that approximately 40 people event</p> <p>It was resolved to follow the same format for the 2024 meeting.</p> <p>A member of the public left the meeting 9.00pm</p>
24/059	<p>To receive a verbal update on arrangements for production of VAS Reports and agree actions as appropriate.</p> <p>This item was carried over to the March Council meeting as Cllr TI was not present.</p> <p>A member of the public left the meeting 9.03pm</p>
24/060	<p>To consider a response to Devon Wildlife's offer of a Landmark Tree and agree actions as appropriate.</p> <p>The Chairman suspended Standing Orders to enable discussion of a possible site for the tree as the Parish Council doesn't own land.</p> <p>Standing Orders were resumed.</p> <p>In principle, Cllrs were keen to accept the offer of a tree subject to a suitable site being found and the permission of the landowner confirmed.</p> <p>A member of the public left the meeting 9.08pm</p>
24/061	<p>To receive an update on a meeting with Morrison's Regional Manager.</p>

	<p>Cllrs AC/FP gave an update on a meeting with Morrison's Regional Manager in January 2024. Cllrs had taken the opportunity to emphasise the importance of the shop and Post Office to residents in West Hill and surrounding villages. The Morrison's managers were keen for the shop to engage with the community. An article published in the WHPC January 2024 newsletters provided feedback on the meeting. Residents were invited to submit their comments to be passed onto Morrisons.</p>
24/062	<p>To consider a response to EDDC's Polling Station Review 2024.</p> <p>Cllrs noted WHPC had not received adverse comments regarding the Polling Station for West Hill. Cllrs considered that arrangements for a Polling Station at the Village Hall worked well and were happy to support the current arrangements.</p>
24/063	<p>Clerks Report: (for information) No issues were raised</p>
24/064	<p>To review WHPC Action Tracker</p> <p>The Chairman noted that Cllrs were very busy with planning applications but encouraged them to progress the outstanding actions.</p>
24/065	<p>Financial matters:</p> <ol style="list-style-type: none"> 1. 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. 2. To consider and approve, if appropriate, any additional payments presented to the meeting. The Clerk presented three additional invoice which were approved and signed: <ul style="list-style-type: none"> West Hill Village Hall - Room Hire Jan-24 £44.38 Pro-Lawn Garden Services - Grass Cutting £72.00 Pro-Lawn Garden Services - VAS Transfers £96.00 3. To note the transfer of £5,000 between WHPC deposit/current accounts. The transfer was confirmed and record signed 4. To receive, if available, monthly Bank Reconciliations and finance trackers. The bank reconciliation for November and December were approved and signed. The WHPC Finance Tracker 31st January 2024 was presented, noted and signed.
24/066	<p>Councillor questions, reports and items for future agenda</p> <p>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></p> <p>Cllr AC asked for an item on the agenda for the next meeting: To consider the road safety "build out" scheme proposed by King's School, Ottery St Mary. Cllrs asked for an update on the number of West Hill children attending the school.</p>
24/067	<p>Next meeting: To confirm arrangements for the next WHPC ordinary meeting Tuesday 6th February 2024 7.30pm at the Village Hall.</p> <p>Cllrs confirmed arrangements for the next WHPC ordinary meeting Tuesday 5th March 2024 7.30pm at the Village Hall.</p>

All remaining members of the public left the meeting
Part A ended 9.20pm

Part B opened 9.24pm

Part B - 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.

24/068	<p>To consider land for sale in the Parish and actions the Council may wish to take, if considered appropriate.</p> <p>Cllrs discussed the land currently for sale in the Parish with particular consideration of the potential uses of the land, cost, accessibility and topography. Cllrs resolved to maintain a watching brief.</p>
24/069	<p>To continue consideration of agenda item 24/049 HR Working Group if appropriate.</p> <p>No matters were discussed</p>

Part B concluded 9.54pm
Meeting closed 9.56pm

Signed

Date