

**WEST HILL PARISH COUNCIL  
MINUTES OF THE PARISH COUNCIL MEETING  
HELD ON 2<sup>nd</sup> April 2024 AT 7.30PM**

Present:	Chairman Cllr Alison Carr (AC), Francis Pullman (FP), Cllr Trevor Ingram (TI), Cllr Andrew Gorton (AG)
In attendance:	Anne Oliver Parish Clerk, DCC/EDDC Cllr Jess Bailey (JB), 9 members of the public.
Absent	N/A

**Minutes of the Ordinary Meeting of the Parish Council**

Item (a)	Discussion and decisions (b)
24/105	<p><b>Welcome and Chairmans announcements:</b> The meeting started at 7.30pm. The Chairman, Cllr AC, welcomed everyone to the meeting.</p> <p>The Chairman report included:</p> <ul style="list-style-type: none"> <li>• Cllr Stanley Paulo had submitted his resignation. Cllrs thanked Stanley for his service to West Hill and the Parish Council. EDDC had been notified and the public notice of the vacancy would be published on the WHPC website and noticeboard.</li> <li>• Following the news recently released by the Princess of Wales about her ill health, the Parish Council sent their best wishes for a full recovery.</li> <li>• The Council's response to the objection submitted in respect of the Council's 2022-2023 Annual Return had been submitted to the External Auditor. The Chairman noted that it may be several months before the Auditor's findings are received due to their heavy workload. The associated additional audit fees payable by WHPC remains unknown. The Chairman thanked the Clerk for the many hours of work to gather the evidence to support the Council's response.</li> <li>• On 2nd May East Devon residents have the opportunity to elect the Police &amp; Crime Commissioner for the Devon and Cornwall police area. The Chairman reminded the meeting that voters will need photo-id if voting in person.</li> <li>• Councillors wished a Happy Birthday to Ottery Town Council which turned 50 on 1<sup>st</sup> April.</li> <li>• A short report on a recent visit to the West Hill Pre-School is available on the Council's website. The Chairman and Councillor FP visited the Pre-School to see the new play kitchen bought with a grant from WHPC.</li> </ul>
24/106	<p><b>Apologies.</b> To receive apologies and approve reasons for absence. N/A</p>
24/107	<p><b>Councillor Vacancies:</b> To consider the <b>co-option</b> of new member(s).</p> <p>The Chairman reported two applications had been received and Cllrs had the opportunity to meet the candidates during March. Cllrs thanked the applicants for their interest.</p> <p>The Clerk confirmed the applicants' eligibility and Cllrs considered the applications. By a show of hands, it was unanimously resolved to co-opt ShirleyMay Saunders (SMS) and Ann Cooper (AnnC) as members of the Parish Council.</p> <p>Cllr SMS made and signed a Declaration of Acceptance of Office and signed a Consent to Electronic Service of Summons.</p> <p>As Cllr AnnC was unable to attend the meeting it was resolved that she could complete the necessary forms before the next Council meeting.</p>

	<p>It was resolved to:</p> <ul style="list-style-type: none"> <li>- add Cllrs SMS and AnnC to the Council's banking mandate.</li> <li>- remove former Cllr SP from the banking mandate.</li> <li>- order name badges, estimated cost £20.00.</li> <li>- make arrangements for Good Councillor training available via DALC, estimated cost £60 +vat per person.</li> </ul> <p>Cllrs SMS and AnnC were invited to attend an induction meeting.</p>
<p><b>24/108</b></p>	<p><b>Public question time (3 minutes):</b> 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>1. Planning application 24/0352/FUL Lindridge, Elsdon Lane, West Hill. Several residents spoke to raise concerns about the scale, height and mass of the proposed development. They felt that the difference in ground levels between the properties exacerbated the impact on their properties and associated loss of amenity. The residents asked the Parish Council to revisit it's consultee comments previously submitted.</p> <p>District Cllr JB stated that she had submitted an objection to the application.</p> <p>The Chairman noted the Parish Council standard practice is to consider planning applications at the next scheduled Parish Council meeting. This application was considered at the 5<sup>th</sup> March Council meeting and at that time no public comments were available on EDDC's planning website. She noted the information now available to Cllrs.</p> <p>2. Footpath Warden Eileen Perkins gave a short report:</p> <ul style="list-style-type: none"> <li>- The gate and rotten post will be removed from Footpath 87 (off Toadpit Lane)</li> <li>- A DCC Public Rights of Way Officer will visit Footpath 1 to investigate the flooding problems.</li> </ul> <p>Also, an overgrown hedge on West Hill Road had been reported to DCC Highways.</p>
<p><b>24/109</b></p>	<p>To receive <b>District and County Councillors' reports</b> for information (items raised for decision will appear on the agenda for the next meeting).</p> <p>DCC/EDDC Cllr Jess Bailey (JB) gave a short report:</p> <ul style="list-style-type: none"> <li>- She had written to EDDC to ask when a decision would be made on Planning application 23/1143/MFUL Land South of Windmill Lane: She noted that the application had been in progress for a long time. She was awaiting a response.</li> <li>- EDDC's Strategic Planning Committee had considered the designation of a Green Belt in the western area of the district. The Committee disagreed with the officers recommendation and supported the proposal in principle. Cllr JB expressed her concern about EDDC achieving the deadline for the Emerging Local Plan.</li> </ul>
<p><b>24/110</b></p>	<p><b>Declarations of Interest:</b></p> <ul style="list-style-type: none"> <li>- 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.</li> <li>- 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.</li> <li>- Receipt of requests for dispensations for new Disclosable Pecuniary Interests, Other Registerable Interests or Non-Registerable Interests for items on the Agenda.</li> </ul> <p>Cllrs AC, AG, FP, TI, SMS declared no interests on items on the agenda.</p>

<b>24/111</b>	<p><b>Confidential/exempt items. In consideration of the Public Bodies (Admission to Meetings) Act 1960</b> (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.</p> <p>To consider, if appropriate, any agenda items should be considered in Part B. Proposed item 24/127. <b>Unanimously agreed.</b></p>
<b>24/112</b>	<p><b>Minutes:</b> To receive the Minutes of the Parish Council meeting of <b>5<sup>th</sup> March 2024</b> (Minute 24/078-24/104) and to approve the signing of the Minutes by the Chairman as a true record.</p> <p><b>The minutes of 5<sup>th</sup> March 2024 were unanimously accepted as a true record, subject to the correction of a typing error, by those Cllrs present at the meetings and were signed by the Chairman.</b></p>
<b>24/113</b>	<p><b>Planning Applications received:</b> To consider and agree a response to:</p> <p><b>24/0366/VAR</b> Rockbeare Hill Quarry Rockbeare Exeter EX5 2HB</p> <p>Variation of conditions added to planning permission 16/1464/MFUL</p> <ul style="list-style-type: none"> <li>- to allow the use of the building for operations falling under Use Class B2 General Industry and/or B8 Storage and Distribution Use.</li> <li>- to vary the approved drainage strategy</li> </ul> <p><b>Councillors unanimously objected to the application. Their comments included:</b></p> <ul style="list-style-type: none"> <li>- Use Class B8 includes a wide variety of uses including storage, catering storage and distribution, distribution centres, open air storage, and warehousing. These could vary widely in the amount of traffic generated, and noise and disturbance for residents.</li> <li>- The proposal includes 79 (50+29) parking spaces, demonstrating that it is highly car dependent.</li> <li>- The proposal is likely to increase traffic on the B3180 which is a regular source of complaints by residents.</li> <li>- We don't need more cars or lorries on the B3180.</li> </ul> <p>Cllrs noted the transport study stated that the proposal could generate up to 313 daily trips and questioned the report's conclusion that it would not have a severe impact on the local highway network.</p> <p>Councillors noted objections by the DCC Flood Risk Team and were concerned about flood risk as it seems that the surface water drainage system is inadequate and the site contains a significant amount of impermeable area. Cllrs supported the Environmental Health Officer's request for a noise assessment.</p> <p><b>23/1973/FUL</b> The Croft Bendarroch Road West Hill Devon EX11 1UW</p> <p>Replacement dwelling, including the demolition of the existing dwelling and multiple outbuildings located within the grounds.</p> <p>Cllrs noted amendments to the application and the submission of an arboricultural report. They considered the amendments were minor and did not adequately address the concerns of the Council or of neighbours. Cllrs considered that their previous comments on the original application continued to apply. Comments included:</p> <ul style="list-style-type: none"> <li>- Agree in principle with the replacement of the bungalow however, the design ought to be sensitive to neighbouring properties.</li> <li>- The proposed design does not adequately do this in respect of scale, neighbours' loss of amenity, and appearance.</li> <li>- There appears to be no justification for the balcony as the view from the southern elevation is of the neighbouring property Belbury Close.</li> </ul>

	<ul style="list-style-type: none"> <li>- the single-storey side section on the eastern elevation containing the boot room, plant room etc, is very close to the boundary hedge.</li> <li>- The choice of external finish with its white/grey colour palette is not in keeping with the red brick properties on either side.</li> </ul> <p>Councillors supported the Ward Member's comment that the hedge bank at the front of the property should be retained. They also saw no justification for relocating the driveway entrance, particularly as it will require removing a section of the hedge bank.</p> <p>Councillors supported the Ward Member's concerns about the reliability of the bat survey and supported the request that the District Ecologist should be consulted before the application is decided.</p> <p>Councillors noted that the Tree Officer has removed his objections as the southern elevation of the building has been amended to protect the Oak tree on the southern boundary.</p> <p>Councillors objected to the application and asked the applicant to consider the following suggestions:</p> <ol style="list-style-type: none"> <li>1. The balcony is removed.</li> <li>2. Windows on the western elevation are obscure glazed.</li> <li>3. The driveway entrance remains as per the existing bungalow.</li> <li>4. The hedgebank on the northern boundary is retained rather than the proposed wall.</li> <li>5. Driveway and parking areas to be permeable.</li> </ol>
<p><b>24/114</b></p>	<p>To receive <b>EDDC Planning Decisions:</b> (*denotes WHPC differed) :</p> <p><b>24/0109/TRE</b> Birch House 4 Birch Grove West Hill EX11 1XP Status: Approved</p> <p>G1- Crown lift to up to 5m to clear from lawn and garage. T1- Redwood - crown lift to approximately 2.5m above roof.</p> <p><b>24/0036/FUL</b> Mulberry House Higher Broad Oak Road EX11 1XJ Status: Approved</p> <p>Construction of a single storey extension on north/front elevation.</p> <p><b>24/0008/PIP</b> Land Adjoining West Hayes Eastfield West Hill Status: Refusal</p> <p>Permission in principle for the erection of 5 dwellings and associated parking</p> <p>Decisions noted.</p>
<p><b>24/115</b></p>	<p><b>Planning Matters:</b></p> <ol style="list-style-type: none"> <li>a. To note the decisions of EDDC Strategic Planning Committee (a) 12<sup>th</sup> March 2024 and (b) 2<sup>nd</sup> April if a verbal report available.</li> </ol> <p>Cllrs noted that Committee had asked for proposed changes to Green Wedges to be re-considered and brought back to the Committee. Also, the Committee had considered options for exploring a Green Belt designation in the West End of the district. The Committee Members acknowledged that although a Green Belt designation was too late for this Local Plan they were keen for officers to explore this issue when considering the next Local Plan.</p> <ol style="list-style-type: none"> <li>b. To consider correspondence received from Lympstone Parish Council about EDDC proposed changes to East Devon Green Wedges.</li> </ol> <p>Lympstone Parish Council (LPC) had written to EDDC to express their serious concerns about the proposed changes to East Devon Green Wedges which would see many significantly reduced in size. LPC had encouraged other Town/Parish Councils to write to EDDC and their MP to express similar concerns, if appropriate.</p>

	<p>Cllrs noted the letter and the response from Paul Arnott, Council leader. His letter noted that the EDDC Strategic Planning Committee had rejected the proposed changes to Green Wedges and the Committee would consider future recommendations.</p> <p>WHPC agreed to continue to monitor development of the Local Plan but not to write to EDDC/MP at this stage.</p> <p>Action: Cllr AC to write to LPC to support their concerns and explain that WHPC will await future proposals.</p> <p>c. To consider a response to the Clyst Honiton Neighbourhood Plan public consultation</p> <p>Cllrs had no comments to submit.</p> <p>d. To receive an update on applications awaiting decision by East Devon District Council.</p> <p>Cllrs noted EDDC had not yet made a decision on planning application 24/0352/FUL Lindridge, Elsdon Lane, West Hill. They agreed to submit further comments on the application as new information had been brought to their attention in respect of scale, mass, ground levels and loss of amenity.</p> <p>5 members of the public left the meeting.</p>
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#### WHPC Groups + Initiatives

<b>24/116</b>	<p><b>Finance Working Group:</b> To consider Pre-Renewal Questionnaire(s) for insurance cover for 2024-25.</p> <p>Cllrs agreed to complete a pre-renewal questionnaire Cyber Insurance cover which is due to expire in May 2024. Cllrs noted their duty of fair representation.</p> <p>Action: Clerk to circulate the Cyber Insurance pre-renewal questionnaire before submission.</p>
<b>24/117</b>	<p><b>HR Working Group:</b> To consider legal advice regarding correspondence received by the Parish Council and, if appropriate, to approve recommended actions and costs (to be continued in Part B under agenda item 24/127 if considered appropriate).</p> <p>Cllr FP gave an update. Following feedback from the HR Working Group the Solicitor (Tozers LLP) had revised a checklist to be used by the Council to determine if requests were vexatious. Also, the Solicitor had provided draft wording for a letter to be sent to anyone submitting unreasonable or unreasonably persistent requests.</p> <p>Councillors were asked to consider the checklist and draft letter in Agenda Item 24/127. Also, to consider the proposal to include the checklist in the new policy (unreasonable and unreasonably persistent requests) to be drafted (Ref 24/089).</p> <p>Cllr FP confirmed the Solicitor's second and final invoice had been received, £1,420+vat and the work had been completed within the £2,000 +vat approved budget.</p> <p>Cllrs noted the update.</p>

#### Other Matters

<b>24/118</b>	<p>To consider arrangements for the <b>West Hill Annual Parish Meeting</b> on Thursday 18<sup>th</sup> April 2024.</p> <p>It was noted that all Cllrs AC, FP, AG, TI, SMS were available to attend the meeting.</p>
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<b>24/119</b>	<p>To consider specific correspondence received:</p> <p style="margin-left: 40px;">a. 2024/25 East Devon District Council Tax Bill error</p> <p>In was noted that a West Hill resident had contacted the Parish Council to query their Council Tax Bill. The Council Tax incorrectly included a provision for Ottery St Mary Town Council rather than West Hill Parish Council. WHPC had contacted EDDC and District Cllr JB and the error was corrected.</p>
<b>24/120</b>	<p>To receive a report from recent external meetings attended by WHPC representatives:</p> <p>a. Exeter Airport Consultative Committee</p> <p>Cllr FP represented WHPC at the meeting of the Committee on 21<sup>st</sup> March 2024. He noted that only 3 local councils were represented.</p> <p>Reports to the committee included:</p> <ul style="list-style-type: none"> <li>- Passenger traffic is showing a slow recovery from the pre-pandemic numbers. The airport has handled 440,000 passengers so far this financial year and is forecasting 458,000 for the full year.</li> <li>- Currently there are 230 people employed by the airport company and around 1,000 people employed on the whole airport site.</li> <li>- It was reported that they are still working with airlines to open routes to Paris and Amsterdam in 2025</li> <li>- The mail flights currently operated by a B737 aircraft will be changing to a (quieter) turboprop aircraft in June. The departure time of around 2330 will be unchanged but the arrival time will be later than the current 0200.</li> <li>- Aircraft maintenance activity is very busy and they are having to turn work away due to difficulties in recruiting suitably qualified engineers. They currently employ 120 permanent staff and are training 6 apprentices. The apprentices combine their “hands on” training with academic training at Exeter College.</li> </ul> <p>During the meeting Cllr FP questioned the current method of reporting aircraft noise complaints. Currently, an on-line report form requires the user to input detailed information. He asked for the form to be more user-friendly and for a telephone reporting system on which people could leave a voicemail message. The airport representatives undertook to review the current procedure.</p> <p>The Airport will be hosting an exhibition to mark the 80th anniversary of D-Day in the terminal building on the 5th and 6th June.</p> <p>b. Devon Communities Together Resilience Conference</p> <p>Cllr FP represented WHPC at the Devon Prepared Conference 22nd March 2024.</p> <p>The focus of the conference was flood risk and preventative measures but there were some general points and experiences that may help in developing a more general community resilience plan.</p> <p>There were presentations from several organisation. Cllr FP complimented Kingsbridge Town Council on their presentation. The presentations were followed by round table discussions and workshops on Mobilising Community Resilience Facilities and Engaging the Community in the planning.</p> <p>The key learnings from the day were:</p> <ul style="list-style-type: none"> <li>• An Emergency or Community Resilience Plan takes time to compile and has to be reviewed and amended based on experience.</li> </ul>

	<ul style="list-style-type: none"> <li>• Protecting vulnerable people is a key objective but everybody had experienced difficulty in identifying those vulnerable people.</li> <li>• Some limited financial assistance is available to produce leaflets and purchase some emergency equipment.</li> <li>• Engaging the community is important but hard to achieve – until an emergency happens.</li> <li>• Help and advice is available from Emergency Planning departments and Devon Communities Together.</li> <li>• Councils and communities that have developed plans were very willing to share their experiences with us as we develop our plan.</li> </ul>
<b>24/121</b>	<p>To consider a response to DCCs public consultation on Local Cycling and Walking Infrastructure Plans</p> <p>Cllrs noted a DCC public consultation on the draft Clyst Valley and new communities local cycling and walking infrastructure plan (LCWIP). The plan identifies key potential routes in an area stretching from Killerton in the north to Topsham in the south, and from the Exeter boundary in the west to Whimple in the east.</p> <p>Cllrs agreed a nil response but encouraged individuals to respond to the <a href="#">consultation</a> which ends on Sunday 7th April.</p>
<b>24/122</b>	<p>To receive a <b>report</b> from the Parish Clerk.</p> <p>The Clerk gave a short report:</p> <ul style="list-style-type: none"> <li>- The West Hill PTFA Summer Fete will be held on Saturday 29<sup>th</sup> June 2024., 12.00- 4.00pm.</li> <li>- The local policing team have published a Spring newsletter.</li> <li>- During March the HR WG considered a complaint against the Clerk and Council (6<sup>th</sup> March) using the WHPC Complaints Policy. The complaint was considered to be unfounded and no further action was taken.</li> <li>- On 2<sup>nd</sup> April the Parish Council was notified of a dangerous tree on Lower Broad Oak Road. This was reported to DCC Highways (the relevant authority) and the tree was removed within several hours of the report.</li> </ul> <p>Action: Clerk to publish the Police Team newsletter on the Council's website and noticeboard.</p>
<b>24/123</b>	<p>To review WHPC's <b>Action Tracker</b>.</p> <p>Cllrs reviewed outstanding actions:</p> <ul style="list-style-type: none"> <li>- Cllr FP confirmed the display boards had been disposed of. (Ref 24/091)</li> <li>- DCC Cllr JB was asked to contact DCC Highways Officers as WHPC had not received a response to its request for a meeting.</li> <li>- As WHPC had not received a response to its query about a Landmark Tree Cllrs resolved to close the action.</li> </ul> <p>1 member of the public left the meeting 9.05pm</p>
<b>24/124</b>	<p><b>Financial matters:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. To consider and approve, if appropriate, any additional payments presented to the meeting. Cllrs approved the payment of three additional invoices presented for consideration: <ul style="list-style-type: none"> <li>- Tozers LLP (Legal Advice) £1,704.00</li> </ul> </li> </ol>

	<ul style="list-style-type: none"> <li>- West Hill Village Hall - Room Hire Mar-24 £58.50</li> <li>- Pro-Lawn Garden Services (VAS Transfers) £96.00</li> </ul> <p>3. To approve the transfer of funds between WHPC current/deposit accounts. The Clerk reported the 1st half year Precept payment had been received by WHPC. Also the 2023-24 VAT reclaim had been received in March. It was resolved to transfer £10,000 from the WHPC current account to the deposit account.</p> <p>4. To receive, if available, monthly Bank Reconciliations and finance trackers. The Bank Statements were not yet available.</p>
<b>24/125</b>	<p><b>Councillor questions, reports and items for future agenda</b></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>No matters were raised.</p>
<b>24/126</b>	<p><b>Next meeting:</b> To confirm arrangements for upcoming WHPC meetings:</p> <ul style="list-style-type: none"> <li>- Annual Parish Meeting <b>Thursday 18<sup>th</sup> April 2024</b> 7.30pm at the Village Hall.</li> <li>- Annual + Ordinary meeting <b>Tuesday 7<sup>th</sup> May 2024</b> 7.30pm at the Village Hall.</li> </ul>

EDDC Cllr JB and all remaining members of the public left the meeting  
Part A ended 9.14pm  
Part B began at 9.17pm

**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.

<b>24/127</b>	<p><b>HR Working Group:</b> To consider legal advice regarding correspondence received by the Parish Council and, if appropriate, to approve recommended actions and costs.</p> <p>At the Extraordinary meeting of the Council held on 16th Jan 2024 (ref 24/033) it was resolved that a firm of solicitors that specialises in advising Local Authority sector should be approached for advice on steps the Parish Council could take to reduce the workload caused by correspondence from a member of the public whilst fulfilling its obligations under legislation. Also, the Council sought to reduce the dis-proportionate amount of Council time attributable to one member of the public despite efforts to resolve matters.</p> <p>Cllrs considered two items and advice provided by the appointed solicitors, Tozers LLP:</p> <ol style="list-style-type: none"> <li>1. A checklist to be used by the Council to determine if requests were vexatious.</li> <li>2. A letter to be sent by the Parish Council in respect of correspondence received between 12 October 2023 and 9 March 2024.</li> </ol> <p>It was resolved:</p> <ol style="list-style-type: none"> <li>a. To adopt the Vexatious Requests Checklist.</li> <li>b. The checklist to be included in the new "Unreasonable and Unreasonably Persistent Requests" policy.</li> <li>c. To add a licence to the Council's Microsoft 365 account at a cost of £58.80+vat per year. The account would be used in conjunction with the "Unreasonable and Unreasonably Persistent Requests" policy.</li> </ol>
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	<ul style="list-style-type: none"><li>d. To establish a new restriction on correspondence to/from a named member of the public. The restriction to be in force for a period of 1 year and to be reviewed by the Council on the anniversary.</li><li>e. To issue the letter to the individual in respect of correspondence received between 12 October 2023 and 9 March 2024.</li><li>f. To approve responses to two Subject Access Requests.</li></ul>
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Part B ended 10.02pm  
Meeting closed 10.05pm

Signed .....

Date .....