

**WEST HILL PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING
HELD ON 20th July 2023 AT 7.30PM**

Present:	Chairman Cllr Alison Carr (AC), Vice-Chairman Cllr Neil Bromley (NB), EDDC Cllr Jess Bailey as a Temporary Appointment to the Council
In attendance:	Anne Oliver Parish Clerk, 10 members of the public attended the meeting
Absent	n/a

Minutes of the Extraordinary Meeting of the Parish Council

Item (a)	Discussion and decisions (b)
23/253	<p>Welcome and Chairmans announcements: The meeting started at 7.30pm. The Chairman, Cllr AC, welcomed everyone to the meeting and gave a short report. The Chairman</p> <ul style="list-style-type: none"> • established that a member of the public was audio-recording the meeting. • explained the Council became inquorate following the resignation of a Councillor on 6th July 2023. At WHPC's request, East Devon District Council has made an Order to appoint District Cllr Jess Bailey to the Parish Council to enable WHPC to convene meetings. This temporary appointment ceases once the Parish Council becomes quorate through co-option or election. • thanked former Cllr Della Cannings for her service and tireless work for the community and the Council. • explained agenda item 23/255 would consider the co-option of two Councillors. Residents were encouraged to come forward to fill the remaining Cllr vacancies. • congratulated the West Hill PTFA on the success of their Summer Fayre. • noted the opening of a Morrisons Daily store which replaced the former McColls shop. The retention of a Post Office counter was welcomed. • reported whilst Morrish Homes have submitted an Appeal against the non-determination of the Oak Road planning application (22/2533/MOUT), EDDC's Planning Committee will consider their response to the application at their meeting on Friday 28th July 2023. The Parish Council is registered to speak (object) at the meeting. (see item 23/161) • the Council continues to receive high levels of correspondence. • reported a challenge had been submitted to the Council's External Auditor's regarding the 2022-23 accounts. An individual has the right to do so. It is not yet known whether they consider any of the objections to be eligible. • reported the Parish Clerk was due to leave on 7th August 2023 however Cllrs hoped to persuade her to remain with the Council a little longer.
23/254	<p>Apologies. To receive apologies and approve reasons for absence. N/A</p>
23/257	<p>Under Standing Orders the Chairman brought this item forward: District and County Councillors' reports for information (items raised for decision will appear on the agenda for the next meeting) DCC/EDDC Cllr Jess Bailey gave a short report:</p> <ul style="list-style-type: none"> - the EDDC Planning Committee will consider their response to the Oak Road application (22/2533/MOUT) on Friday 28th July 2023. Cllr JB's comments (object) will be read out to the meeting. - The EDDC Strategic Planning Committee meeting (21st July) will receive a report on the public consultation on the Emerging Local Plan held between Nov-22 to Jan-23. The meeting is livestreamed and is also available to view via YouTube.

	<ul style="list-style-type: none"> - expressed concerns about the Home Office arrangements for providing food for c300 asylum seekers housed in a local hotel. - noted further proposed DCC Health and Adult Care budget cuts of £1.5m and the impact on support for the homeless.
<p>23/255</p>	<p>Councillor Vacancies: To consider the co-option of two Councillors.</p> <p>The Chairman reported the Councillor vacancies had been widely advertised and two applications had been received but further vacancies remained. Cllrs thanked the applicants for their interest and encouraged others to come forward. The applicants, Stanley Paulo (SP) and Trevor Ingram (TI), had been interviewed prior to the meeting.</p> <p>DCC/EDDC Cllr Jess Bailey made a Declaration of Interest as she was acquainted with one of the applicants (SP) but stated she could consider the item in an open, unbiased and without pre-determinaton. Cllrs accepted the Declaration.</p> <p>The Chairman recommended the co-option of the applicants. By a show of hands, Cllrs unanimously resolved to co-opt Stanley Paulo and Trevor Ingram as Members of the Council.</p> <p>Cllrs Trevor Ingram (TI) and Stanley Paulo (SP) each signed a Declaration of Acceptance of Office and a Consent to Electronic Service of Summons.</p> <p>DCC/EDDC Jess Bailey left the meeting (7.45pm) as her Temporary Appointment to the Council had ceased.</p> <p>Cllrs resolved to</p> <ul style="list-style-type: none"> - add Cllrs TI and SP to the Council's banking mandate - order name badges, estimated cost £20.00. - make arrangements for Good Councillor training available via DALC at a cost of £90+vat per person. <p>Cllrs TI and SP were invited to attend an induction meeting on 24th July 2023.</p>
<p>23/256</p>	<p>Public question time (3 minutes)</p> <p>From 7.30pm 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. <i>Individual contributions are limited to 3 minutes.</i></p> <p>This item includes issues submitted to the Clerk prior to the meeting.</p> <p>Three members of the public wished to speak:</p> <ol style="list-style-type: none"> 1. Footpath Warden Eileen Perkins gave a short report on West Hill's public footpaths. A number of concerns had been raised with the DCC Public Rights of Way (PROW) team: barbed wire on Footpath 6, unusual persistent wet area on Footpath 6, fingerposts repairs not completed. Also, Footpath 40 opposite Elsdon Lane, which lies outside the Parish, is very overgrown. This had been reported to Ottery St Mary's Footpath Warden and also DCC PROW. Japanese Knotweed is still present on Footpath 7. <p style="padding-left: 20px;">Action: Clerk to liaise with the Footpath Warden regarding Japanese Knotweed.</p> <ol style="list-style-type: none"> 2. A member of the public raised a number of questions about the removal of the defibrillator from the Village Hall and the WHPC Defibrillator scheme. He proposed the defibrillator currently at Eastfield should be urgently re-located to the Village Hall. The Chairman stated that WHPC had previously answered the questions and would not do so again. 3. Colin Veale, Chairman of the Village Hall Trustees (VHT) made a short statement: <ol style="list-style-type: none"> a. to note the volume and nature of a resident's correspondence to the Parish Council over many years and the also the cost to the community/taxpayer. b. to give an update on defibrillator at the Village Hall:

	<ul style="list-style-type: none"> i. For several years a privately owned defibrillator was available at the entrance to the Village Hall. Recently the owner decided to remove the device. ii. The VHT had acted on Village Hall users concerns and offers to make donations towards the cost of a new device. c. to report a resident's associated correspondence to the Chairman and VHT Trustees. d. to advise Minutes of the Village Hall Trust are posted on the public noticeboards at the Village Hall. e. to state the VHT and Parish Council are made up of volunteers working for the benefit of the village. <p>The WHPC Chairman stated "it didn't make sense" to re-locate the WHPC defibrillator available to the public at 11 Eastfield as the community knows that it is there. She made clear that the Parish Council had for some time sought an additional site not served by the existing devices such as Lower Broad Oak Road or Higher Broad Oak Road. The Parish Council would consider providing a third defibrillator if a suitable site could be found. She questioned why an individual should propose there should be a limit to the number of defibrillators available to the community.</p>
<p>23/258</p>	<p>Declarations of Interest</p> <ul style="list-style-type: none"> a. Register of Interests: Councillors are reminded of the need to update their register of interests. b. To declare any personal interests in items on the agenda and their nature. To declare any disclosable pecuniary interests in items on the agenda and their nature (Councillors with DPIs must leave the room for the relevant items). <p>Cllr AC noted that she and Cllr NB would declare a personal interest in items 23/263-23/265 regarding correspondence received by the Council. However, under Standing Orders, she proposed a dispensation since without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting as to impede the transaction of the business. Cllrs unanimously supported the dispensation.</p> <p>Cllrs AC, NB, SP and TI declared no further interests.</p>
<p>23/259</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 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>Proposed items, to be considered in Part B, if appropriate: n/a</p> <p>Cllrs resolved to consider items 23/269 Personnel Matters and 23/265 Vexatious complainant in Part B.</p>
<p>23/260</p>	<p>Planning Applications received: To consider:</p> <p>23/1201/FUL Southernhay, Lower Broad Oak Road EX11 1XH Applicants Mr+Mrs Seagar Remodel of existing dwelling, including partial demolition. Construction of garage, shed, and widened driveway.</p> <p>Cllrs supported the application in principle but raised concerns:</p> <ul style="list-style-type: none"> a. They noted the contemporary design but considered the use of metal cladding on the exterior to be contrary to NP26 of the Neighbourhood Plan as it was out of character with the surroundings. b. Construction work could be disruptive as the property shared a driveway. Recent construction traffic at a nearby property caused significant disruption and damage on Lower Broad Oak Road. c. Cllrs noted a close-boarded fence had been erected along the boundary with Lower Broad Oak Road. They considered this contrary to the Neighbourhood Plan (NP26) and asked for the Devon Bank/hedge to be re-instated. d. Cllrs noted the arboricultural report. They asked for Tree Officers to consider the Cedar Tree as this tree has not yet reached it's full size and may be impacted by the construction work. They also noted group G8 and considered it likely for there to be future pressure to cut back these trees.

	<p>e. As the current building is a dormer bungalow, Cllrs were concerned that the proposed two storey building could be over-dominant in the area shared with neighbouring properties.</p> <p>If approved, Cllrs asked for a condition to be placed requiring a detailed construction plan to be agreed prior to the commencement of the work.</p> <p>23/1454/TRE Wrenswood Lower Broad Oak Road EX11 1UF Applicant Mr Nicholls T1: Oak – re-pollard back to old pruning points at approximately 8m above ground level, retaining some live growth on each pollard point where feasible to do so.</p> <p>Cllrs noted the Arboricultural Report and its recommendations. Cllrs unanimously supported the application.</p>
23/261	<p>Planning Matters: To consider arrangements to speak at the EDDC Planning Committee 28th July 2023 regarding 22/2533/MOUT (Major) WEST HILL & AYLESBEARE, Land north of Oak Road, West Hill. EX11 1SJ</p> <p>Cllr AC will attend the EDDC Planning Committee meeting and speak on behalf of the Council.</p>

Other Matters

23/262	<p>Clerks Report: (for information)</p> <ol style="list-style-type: none"> 1. Cllrs confirmed decisions made under Delegated Powers: <ol style="list-style-type: none"> a. Payments scheduled for approval at the cancelled 4th July 2023 meeting were processed and authorised by Cllrs under Delegated Powers. b. DALC “Good Councillor” training courses were booked for co-opted Cllrs Paulo + Ingram £90+vat per person. c. The Lengthsman was asked to carry out additional maintenance work at the bus shelter: to remove ivy from the external walls and roof. Est £60. 2. No Cllr was available to represent WHPC at the Exeter Airport Consultative Committee meeting on 24th July 2023. 																																						
23/263	<p>To note the receipt of correspondence to the Council:</p> <table style="width: 100%; border: none;"> <tr><td style="width: 20%;">23rd May</td><td>Complaint against the Clerk</td></tr> <tr><td>30th May</td><td>Complaint against the Council</td></tr> <tr><td>2nd June</td><td>Freedom of Information Request</td></tr> <tr><td>2nd June</td><td>Request to inspect the 2022-23 Accounts</td></tr> <tr><td>8th June</td><td>Freedom of Information Request</td></tr> <tr><td></td><td>Subject Access Request</td></tr> <tr><td>11th June</td><td>Review of Freedom of Information request</td></tr> <tr><td></td><td>Complaint against the WHPC clerk and DPO</td></tr> <tr><td></td><td>Complaint against the WHPC Chairman and Council</td></tr> <tr><td>(13th June</td><td>Inspection of Accounts: meeting)</td></tr> <tr><td>15th June</td><td>Letter relating to the Inspection of Accounts</td></tr> <tr><td></td><td>A request for two audio recordings</td></tr> <tr><td>22nd June</td><td>Inspection of Accounts – questions</td></tr> <tr><td>4th July</td><td>Complaints against the Clerk and Parish Council</td></tr> <tr><td>6th July</td><td>Inspection of Accounts – further questions</td></tr> <tr><td>7th July</td><td>Claim for outstanding debts</td></tr> <tr><td>9th July</td><td>Email advising of an intention to object to the 2022-23 Accounts</td></tr> <tr><td>11th July</td><td>Freedom of Information Request</td></tr> <tr><td></td><td>Subject Access Request</td></tr> </table>	23 rd May	Complaint against the Clerk	30 th May	Complaint against the Council	2 nd June	Freedom of Information Request	2 nd June	Request to inspect the 2022-23 Accounts	8 th June	Freedom of Information Request		Subject Access Request	11 th June	Review of Freedom of Information request		Complaint against the WHPC clerk and DPO		Complaint against the WHPC Chairman and Council	(13 th June	Inspection of Accounts: meeting)	15 th June	Letter relating to the Inspection of Accounts		A request for two audio recordings	22 nd June	Inspection of Accounts – questions	4 th July	Complaints against the Clerk and Parish Council	6 th July	Inspection of Accounts – further questions	7 th July	Claim for outstanding debts	9 th July	Email advising of an intention to object to the 2022-23 Accounts	11 th July	Freedom of Information Request		Subject Access Request
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	<p style="text-align: center;">Complaint against the Clerk Complaint against the Council</p> <p>Cllrs noted the correspondence received since 23rd May 2023. The Chairman stated the volume of correspondence overburdens the Council at a time when the village is subject to three major planning applications.</p>
23/264	<p>Subject Access Request: To note the ICO's response regarding a former Councillor's failure to comply with the Data Protection Act. Cllrs noted the update.</p>
23/265	<p>Under the WHPC Complaints Policy, to review a designation of vexatious complainant. Cllrs noted the ongoing conduct of the vexatious complainant and agreed to consider recent correspondence under the Complaints Policy in Part B.</p>
23/266	<p>To note a meeting with the new Monitoring Officer for East Devon District Council. At WHPC's request the Chairman and Clerk met with the newly appointed Monitoring Officer to seek advice and raise concerns regarding EDDC's handling of complaints. The Chairman commented on the very positive meeting.</p>
23/267	<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 AC noted the vegetation obscuring the speed sign on West Hill Road and asked for this to be raised with the Lengthsman or Highways as appropriate. Cllr NB raised a concern regarding a sign near the Bendarroch Road/B3180 junction. The meeting was advised that members of the public can report such problems directly to DCC Highways via their webpage "Report a Problem".</p>
23/268	<p>Next meeting: To confirm arrangements for the next WHPC ordinary meeting Tuesday 1st August 7.30pm at the Village Hall. The scheduled 1st August 2023 WHPC meeting was cancelled as it would be inquorate as two Cllrs were unavailable. The next scheduled meeting of the Council would be Tuesday 5th September 2023 at 7.30pm.</p>

Part A ended 8.30pm All members of the public left the meeting.

Part B opened at 8.37pm

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.

23/265	<p>Under the WHPC Complaints Policy, to review a designation of vexatious complainant.</p> <p>Continued from Part A</p> <p>Following consideration of the residents conduct and communications against the criteria set out in the Council's complaints policy Cllrs unanimously resolved:</p> <ol style="list-style-type: none"> 1. The designation was still appropriate. 2. The designation should be extended for a period of one year until 20th July 2024. 3. The Council will write to the resident to advise them of the decisions. <p>Cllrs unanimously resolved to seek external advice and set a budget of £2,000.</p>
23/269	<p>Personnel Matters: To consider contractual matters.</p> <ol style="list-style-type: none"> a. With the Clerk's agreement her leaving date, currently 7th August 2023, was further extended to 7th October 2023. b. Cllrs approved a payment of £109.69 for additional hours worked (previously scheduled for consideration at the 4th July 2023 meeting).

Part B closed at 9.35pm. The meeting closed at 9.35pm.