

WEST HILL PARISH COUNCIL MINUTES OF THE PARISH COUNCIL MEETING HELD ON 23rd May 2023 AT 7.30PM

Present:	Cllr Della Cannings (DC), Cllr Alison Carr (AC), Cllr Neil Bromley (NB)
In attendance:	Anne Oliver Parish Clerk, DCC/EDDC Cllr Jess Bailey, 35 members of the public attended the meeting
Absent	n/a

Minutes of the Annual + Ordinary Meeting of the Parish Council

Item (a)	Discussion and decisions (b)
23/145	Welcome and Chairman's announcements The meeting started at 7.30pm. The outgoing Chairman, Cllr DC, welcomed everyone to the meeting. She reported that this was the first meeting of the Parish Council elected on 4 th May 2023 in which 3 persons were elected uncontested.
	She advised that a complaint received on 29 th April 2023 had been responded to: advising that, in accord with the Council's policy, information should be provided to enable an investigation to be conducted. Cllr DC reported that a further complaint had been received on the day of the meeting, 23 rd May, which substantially repeated the complaint but did not provide any detail. The complainant had been advised that the complaint had been closed and would not be taken further.
23/146	To elect the Chairman of the Parish Council: To receive nominations and to carry out a vote accordingly. The outgoing Chairman (Cllr DC) invited nominations for Chairman. Cllr Alison Carr (AC) nominated herself, seconded by Cllr NB. Cllr DC abstained from the vote. Cllr AC was elected to the office of Chairman.
23/147	Declaration of Acceptance of Office: Once elected the Chairman will sign the Declaration of Acceptance of Office. Cllr AC then signed the Declaration of Acceptance of Office, countersigned by the Clerk.
23/148	To elect the Vice-Chairman of the Parish Council: to receive nominations and to carry out a vote accordingly. The Chairman (AC) invited nominations for Vice-Chairman. Cllr Neil Bromley (NB) nominated himself, seconded by Cllr AC. Cllr DC abstained from the vote. Cllr NB was elected to the office of Vice-Chairman.
23/149	Declaration of Acceptance of Office: Once elected the Vice-Chairman will sign the Declaration of Acceptance Cllr NB then signed the Declaration of Acceptance of Office, countersigned by the Clerk.
23/150	Apologies. To receive apologies and approve reasons for absence, if considered appropriate. N/A - All Cllrs were present.
23/151	Declarations of Interest 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).



Cllr DC - agenda item 23/153 planning application 23/0727/MOUT - as a resident of Eastfield she lived in the vicinity of the application but felt she did not need to declare an interest as she would consider the application in the same manner as other planning applications. Cllrs accepted this statement.

Cllrs AC and NB did not declare any Interests.

23/152

Public question time (3 minutes): To allow members of the public present to give their question/comments to 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. *(Contributions are limited to 3 minutes)*

- 1. West Hill's Tree Warden reported that a birch tree in Beech Park was dead and would be dealt with.
- 2. During an extended session many of the members of the public spoke against the proposed development of land north of Eastfield, agenda item 23/153 Blue Cedar Homes' planning application 23/0727/MOUT. Their concerns/comments included:

Traffic/Road Safety

- Traffic movements, along Eastfield, would be greatly increased to 650+ per day. Road safety is a current concern: "an accident waiting to happen".
- Parking of cars and commercial vehicles on the narrow roads and near junctions currently creates road safety problems and restricts/prevents access at times.
- There must be adequate parking including visitor parking. These cars shouldn't have to park on nearby roads.

Flooding

- There have many incidents of flooding due to water coming off the site into Perry's Gardens and other areas. This has been reported to Blue Cedar, the Parish Council and EDDC.
- Sandbags were needed to stop water getting into properties.
- The site if higher than surrounding properties. There are many underground springs on site
- Last week (9th May) there were catastrophic floods in East Devon as water ran off fields into properties.
- An independent professional review of the drainage is needed.

Other

- The site is outside the Built Up Area Boundary.
- The development will change the character of the area
- The access road appears to go through an Oak Tree
- Sustainability? There's no employment opportunities in the village. Traffic into/out of the village will increase.
- There's no room at the School.
- Residents in the current Blue Cedar development understood their would be no further homes until at least 2031.
- Too many homes on the small plot of land off Hawthorne Close.
- There are many inaccuracies in the documents submitted by Blue Cedar.
- If the application gets approved there should be pedestrian access to Bendarroch Road, the bust stop etc

No residents spoke in favour of the proposal.

DCC/EDDC Cllr JB advised that she would be objecting to the application.

3. A resident queried the deadline for responses to planning application 21/1688/MFUL Roadside Services near Daisymount Junction (agenda item 23/176). He was advised the deadline was 27/28th May. He also raised a concern that he was unable to post comments



onto the EDDC Planning website. Cllrs agreed to make enquiries with the EDDC Planning team.

23/153 Planning Applications received

23/0727/MOUT Land North of Eastfield, West Hill Applicant: Blue Cedar Erection of up to 30 dwellings with all matters reserved apart from means of access.

Cllrs thanked the many residents who had attended the meeting to share their views with the Council. Cllrs noted 10-15 public comments had been submitted to the EDDC itself. Members of the public were encouraged to send their comments directly to EDDC, as they are the decision makers. Cllrs agreed the Council's response should reflect the concerns of residents.

Cllrs considered the application and the comments made by residents.

Cllrs comments included:

- The site is outside West Hill's Built Up Area Boundary
- The site is within the proposed Settlement Boundary in the Emerging East Devon Local
- The site is a "preferred site" in the Emerging East Devon Local Plan. The number of houses proposed in the application, 30, is greater than the 25 shown for the "preferred site".
- What's the Housing Need for West Hill? Awaiting EDDC view following the Governments change to Housing Targets.
- The development isn't linked to the School or Village Hall.
- Road access isn't practical. The road layout is narrow, restricted, curved etc...
- There's a need for a link to Windmill Lane
- Housing density needs to reflect the current Neighbourhood Plan
- If approved there should be strict restrictions in place during the construction phase to maintain the free flow of traffic, minmise disruption for residents in the immediate and wider area.
- WHPC's community survey identified a desire for "downsize" homes in the village.

Cllrs resolved to object to the application and to reflect residents' concerns in the Parish Council's response to EDDC. The Council's response is published on the <u>EDDC website</u>.

Standing Orders were suspended: 30 members of the public left the meeting at 20.25hrs. Standing Orders resumed at 20.28hrs

Under Standing Order 10a the Chairman brough forward agenda item 23/176

21/1688/MFUL Land South Of Lily Cottage Exeter Road Whimple Applicant:Motor Fuel Group Roadside Service Area (RSA), including a Petrol Filling Station (PFS) comprising of a forecourt sales building, canopy, separate HGV and Car fuel pumps and underground storage tanks and a new Class E/Sui Generis drive-thru restaurant alongside associated car, coach and HGV parking, landscaping and off-site highway works on the B3174.

Amendments: Updated ecological report to include results of dormouse surveys. Amended plans and CGI's to include a new fence on the eastern boundary and re-positioning of proposed southern hedgerow further away from the development.

Cllrs noted this application was a further amendment to the original 2021 application

Cllrs continued to object to the application. Further to the comments previously submitted, Cllrs expressed the following concerns and asked for EDDC to take them into consideration:

- 1. Traffic volumes at the Daisymount junction will increase significantly due the planned growth of Cranbrook and surrounding areas.
- 2. In addition, the nature of the traffic using the junction will change in the coming years as heavy lorries will be accessing the (now approved) Straitgate Quarry.
- 3. The site entrance is very close to the Daisymount roundabout.



The above issues could lead to tailbacks on the main routes to West Hill, Ottery St Mary, Whimple etc preventing access by emergency vehicles etc. District and County Councillors' reports: To receive reports for information (items raised for decision will appear on the agenda for the next meeting)
decision will appear on the agenda for the next meeting)
 DCC/EDDC Cllr JB report included The first meeting of the EDDC Council elected on 4th May 2023 takes place on 24th May 2023. Over 100 properties in East Devon were affected by flooding on 9th May 2023. EDDC has been working with residents, local Town/Parish Councils and other agencies to support residents. A series of local drop-in sessions are underway. Flood resilience grants are available from DCC. EDDC Planning's decision on the application 22/2533/MOUT Oak Road (Morrish Homes) is expected soon. EDDC Cllr JB has submitted an FOI to South West Water regards the operating capacity of Fluxton Sewage Treatment site.
One member of the public left the meeting at 20.38pm Cllr DC raised a concern that DCC were closing the Mobile Library Service. Cllr JB noted the comments.
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. None
Minutes: To receive the minutes of the Parish Council meeting on 2 nd May 2023 and to approve the signing of the minutes by the Chairman as a correct record. Cllrs resolved to approve the minutes with no amendments and the Chairman signed the minutes.
Council Member Vacancies: To consider arrangements to seek the co-option of 4 Councillors.
Following the uncontested 4 th May 2023 Parish Council election the Council has three members and four vacancies. Cllrs considered a paper circulated prior to the meeting. Cllrs noted EDDC may take action if vacancies persist beyond the end of June.
 Cllrs resolved to a. seek to fill the vacancies by co-option. b. use the established process of advertising the vacancies and asking candidates to complete an application form. c. set a deadline of 30th June for applications to enable co-option to be considered at the next available Council meeting d. continue to seek to fill any remaining vacancies by co-option if vacancies remain beyond 4th July 2023.
To confirm (a) membership of Working / Task + Finish Groups and (b) their Terms of Reference:
Governance Group Village Hall Pathway Group
As the Council currently has 3 members Cllrs resolved to create one Working Group to manage Finance, HR and Policy matters. This would be reviewed when Cllr vacancies were filled.
It was resolved: a. To establish a Governance Working Group: membership Cllrs AC and NB b. To approve the Terms of Reference for the Governance Working Group. c. To continue the Village Hall Pathway Working Group and the TOR currently in place: membership Cllrs AC and NB



23/159	To review and adopt (if appropriate) WHPC Standing Orders Cllrs noted the proposed changes to reflect NALC's model Standing Orders and unanimously resolved to adopt the Parish Council Standing Orders.
23/160	To review and adopt (if appropriate) WHPC Financial Regulations Cllrs unanimously resolved to adopt the Parish Council Financial Regulations.
23/161	To consider and accept (if appropriate) the WHPC Review of Internal Financial Controls. Cllrs unanimously resolved to adopt the updated WHPC Review of Internal Financial Controls. No matters of concern were raised.
23/162	To review and adopt if considered appropriate, the WHPC Code of Conduct: Each Councillor must undertake to abide by the Councils code of conduct. Cllrs unanimously resolved to adopt the unchanged WHPC Code of Conduct,
23/163	To review and adopt (if appropriate) the Council's Policies and Protocols.
	 Anonymous Communications Asset Valuation Policy Business Continuity Complaints Policy Communications Policy Grant Award Policy Grievance & Disciplinary Policies Investment Policies Website Accessibility Statement Protocol re Developers Publication Scheme Training Policy and Record New Cllrs Induction Pack
	Cllrs unanimously resolved to adopt the Council's Policies and Protocols.
23/164	To consider and review the inventory of WHPC assets and equipment (Asset register) Cllrs unanimously resolved to approve the update Asset Register
23/165	To consider and approve arrangements for playpark and bus shelter inspections. Clirs confirmed the playpark would continue to be inspected on a regular basis: a. Annual RoSPA inspection b. Monthly inspections by EDDC's RoSPA qualified inspector c. Weekly playpark checks carried out by WHPC Clirs and Clerk. Clirs agreed the WHPC rota for playpark checks. Clirs thanked Clir NB for volunteering to check the bus shelter on a regular basis.
23/166	To review and confirm the Council's bank mandate . Cllrs unanimously resolved to accept the recommendation to a. add Cllr NB to the Cambridge Building Society bank mandate to replace former Cllr Margaret Piper b. remove former Cllrs from the Unity Trust bank mandate.
23/167	To confirm arrangements for insurance cover in respect of all insured risks including • To confirm arrangements and costs for Cyber Insurance 2023-24 Cllrs unanimously resolved to renew the Council's Cyber Insurance Policy at a cost of £367.36. Cllrs unanimously agreed that adequate insurance cover in respect of all insured risks was in place
23/168	To review and approve, if appropriate, the Councils Risk Assessment. Cllrs unanimously resolved to approve the updated WHPC Risk Assessment.
23/169	To review and accept (if appropriate) Members Allowances Policy: To consider the current policy for Chairman's and Member Allowances and whether it should be continued. Cllrs unanimously resolved to adopt the the current policy for Chairman's and Members Allowances. The Chairman and each Cllr opted not to claim the allowance.
23/170	To review and approve (if appropriate) a schedule of regular payments Cllrs unanimously resolved to approve the schedule of Regular Payments circulated to Cllrs prior to the meeting.



23/171	Training: To consider and approved (if appropriate) Councillor's training requirements. Cllrs reviewed the training courses available at DALC. Cllrs were asked to contact the Clerk with their training requirements. The Clerk advised that DALC had recently launched a Councillor Development Framework. Cllrs agreed to consider this at the next meeting, 6 th June.
23/172	To consider membership of outside bodies and committees and arrangements for reporting back
	 Airport Consultative Committee Leisure East Devon Forum (to be confirmed) Ottery St Mary Health Matters Group (to be confirmed) East Devon Community Safety Group OPCC Councillor Advocate Scheme
	Cllrs agreed to register WHPC's continued interest in each group however due to the lack of Cllr resources the Council was unable to appoint a representative.
23/173	To review subscriptions/memberships to other bodies
	 DALC/NALC SLCC ICO Devon Communities Together Breakthrough Communications Parish Online Scribe Accounts Software Zoom remote meetings
	Cllrs unanimously resolved to renew 2023-24 subscriptions/membership for all of the bodies listed above, 1-8
23/174	To consent to receive electronic summons. Each Councillor signed a consent to receive electronic form.
23/175	To determine the time and place of ordinary meetings of the full council up to and including the next Annual Meeting of full council. Cllrs resolved to continue to meet on the first Tuesday of the month at 7.30pm at the Village Hall with one exception: the January 2024 meeting will be held on Wednesday 3rd January due to bank holidays. The agenda for this meeting will be published on Friday 22 nd Dec-23. The 2023-24 meeting dates will be published on the Council's noticeboard and website
23/176	Planning Applications received
	23/0959/TRE Grasmere West Hill Road EX11 1UZ Applicant: Mr +Mrs Milton T1, Beech: crown reduction via thinning by approximately 15 to 20% of the foliar area; removing branch lengths of up to 4m maximum, making target pruning cuts of up to 60mm diameter Cllrs noted no arboricultural report or photographs had been submitted to justify the proposed tree works. Cllrs did not object but noted there was insufficient information available for them to make an informed decision on the extent of the works required. They asked for the EDDC Tree Officers to review the proposed works taking into account the tree forms part of the wooded character of West Hill Road.
	23/0968/TRE 15 Warren Park EX11 1TN Applicant Mr A Pitts Scots Pine : crown lift in all directions to approximately 7m.
	Cllrs noted no arboricultural report or photographs had been submitted to justify the proposed tree works. Cllrs considered there was insufficient information available for them to make an informed decision on the extent of the works required. They asked for the EDDC Tree Officers to review the proposed treeworks taking into account West Hill is a woodland village.
	21/1688/MFUL Land South Of Lily Cottage Exeter Road Whimple Applicant: Motor Fuel Group



Roadside Service Area (RSA), including a Petrol Filling Station (PFS) comprising of a forecourt sales building, canopy, separate HGV and Car fuel pumps and underground storage tanks and a new Class E/Sui Generis drive-thru restaurant alongside associated car, coach and HGV parking, landscaping and off-site highway works on the B3174.

Amendments: Updated ecological report to include results of dormouse surveys. Amended plans and CGI's to include a new fence on the eastern boundary and re-positioning of proposed southern hedgerow further away from the development.

Cllrs continued to object to the application. Further to the comments previously submitted, Cllrs expressed the following concerns and asked that they be considered:

- 1. Traffic volumes at the Daisymount junction will increase significantly due the planned growth of Cranbrook and surrounding areas.
- 2. In addition, the nature of the traffic using the junction will change in the coming years as heavy lorries will be accessing the (now approved) Straitgate Quarry.
- 3. The site entrance is very close to the Daisymount roundabout.
- 4. The above issues could lead to tailbacks on the main routes to West Hill, Ottery St Mary, Whimple etc preventing access by emergency vehicles etc.

23/1022/TRE Broad Oak Lodge Ford Lane Applicant Mrs Hills

T1, birch - dismantle and fell.

Cllrs noted the photographs provided by the applicant. Cllrs supported the application and asked for a replacement tree to be planted preferrable a native species.

23/177

Planning decisions received for information (*denotes WHPC differed)

23/0652/TRE 10 Heather Grange EX11 1XZ Status: Approved Various tree works

23/0534/TRE Wyndhams Higher Broad Oak Road EX11 1XF Status: Approved T1, Beech: reduce crown by a maximum of 3m, maximum diameter of cut (MDC) 60mm. T4,

Beech: reduce height of eastern stem by up to 5m, MDC 125mm and lateral spread by 2-3m, MDC 50mm. Reduce lateral spread of western stem by up to 3m, MDC 50mm.

23/0293/FUL Greenwood Lodge West Hill Road EX11 1UZ Status: Approved Proposed part conversion of existing garage, replacement windows, insertion of new doors, windows & rooflights, and external finishes.

All noted

23/178

Planning Appeal: To note the notification for

• APP/U1105/W/23/3317817 Touch Wood 3 Hylands Close Higher Broad Oak Road Retrospective application to retain 1.8m fence to front of property, bordering turning area (ref application 22/2253/FUL)

Noted

WHPC Groups + Initiatives

23/179	Village Hall Path: To receive a Stage 2 Road Safety Audit report, if available.
	Road Safety Consultants have completed the Stage 2 Road Safety Audit had their report
	should be available for consideration at the 6th June 2023 WHPC meeting.
23/180	Annual Governance Statement 2022-23 (AGAR Part 3)
	a. To consider the findings of the review of the effectiveness of the system of internal
	control
	Cllrs noted
	i. the Internal Audit had been carried out by the independent Internal Auditor and
	their report, dated 28th Apr 2023, had been circulated to Councillors.
	ii. No issues or concerns were raised by the Internal Auditor.
	Cllrs accepted the Internal Audit Report and thanked the RFO and former Finance
	Working Group for their work during the year.
	b. To approve the Annual Governance Statement by resolution



	Cllrs considered each of the 9 Governance Statements and were satisfied of the proper
	effectiveness of the internal controls.
	Cllrs resolved to approve and sign the Annual Governance Statement.
23/181	Annual Accounting Statements 2022-23(AGAR Part 3)
	a. To consider the Accounting Statements
	b. To approve the Annual Accounting Statements by resolution
	Councillors considered the Accounting Statements.
	It was resolved to approve and sign the Accounting Statements.
	DCC/EDDC Cllr JB left the meeting at 21.09hrs
23/182	To approve the bank reconciliation for the year to 31st March 2023
	It was resolved to approve the bank reconciliation for the year to 31st March 2023.
23/183	To receive
	a. a Financial Report for 2022-23
	b. The explanation of year-on-year variances
	The Financial Report for 2022-23 was received and noted. It was agreed to publish the report
	on the WHPC website.
23/184	The explanation of variances was received and noted.
23/164	To approve the Period for the Exercise of Public Rights 2022-23 (proposed dates 5 th June 2023 to 14th July 2023.)
	The proposed dates, 5 th June to 14 th July, were noted and approved. Cllrs agreed the Clerk
	should be accompanied by a Cllr if a member of the public requests to inspect the accounts.
	Two members of the public left the meeting at 21.13hrs.
23/185	To approve the 2022-23 Financial Reserves Policy and allocation of reserves
	Cllrs considered a paper circulated prior to the meeting. Cllrs noted the Council held £110k in
	reserves.
	It was resolved to adopt the Financial Reserves Policy and the recommended allocation of
	Financial Reserves
23/186	To approve the
	a. Financial Statement for year ending 31st Mar 2023
	b. CIL statement for year ending 31st Mar 2023
	Cllrs resolved to approve the Financial Statement and CIL statement for year ending 31st
	March 2023.

Other Matters

23/187	Clerks Report: (for information) 1. To note decisions taken under Delegated Powers 2. To note action points from previous WHPC meetings 3. To note any specific correspondence received. 4. Any urgent matters arising.
	 The Clerk reported: WHPC had not received a response to two recent letters sent by the Chairman to Morrisons. Cllrs asked the Clerk to re-send the letters to the Chief Executive. DCC Public Rights of Way had approved the Council's grant application for additional maintenance of West Hill's Public Footpaths,£410.
23/188	Grant Application: To consider an application from the PTFA for £430 funding towards the cost of the Summer Fayre (open to the public). Cllrs considered the grant application and resolved to award the grant request in full, £430.
23/189	To receive an update on West Hill Coronation Events . Cllrs congratulated the village groups and individuals who make the events such a success: West Hill's RBL team (Street Party), West Hill Women's Group and St Michael's Church (Coronation Cream Teas), West Hill's Arboretum Group (Guided Walk). Cllrs note the BBC coverage of the West Hill Pre-School's Coronation Picnic and the opening of the Parish Council's Storytelling Throne and bench.



23/190	To approve, if appropriate, publication and costs for the distribution of a WHPC newsletter in May. Cllrs approved the publication of a WHPC newsletter, subject to an amendment to the Chairman's introduction following a concern raised by Cllr DC. Cllrs resolved to approve printing costs, £290.
23/191	Complaint : To note the receipt of a complaint against the Clerk received 29 th April 2023. Cllrs noted the receipt of a complaint on 29th April 2023. It had been responded to: advising that, in accord with the Council's policy, information should be provided to enable an investigation to be conducted. A further complaint had been received on 23 rd May 2023 which substantially repeated the complaint but did not provide any detail. The complainant had been advised that the complaint had been closed and would not be taken further.
23/192	Financial matters: 1. To consider and approve the WHPC Monthly Schedule of Payments Clirs considered the schedule of payments and invoices circulated prior to the meeting: No issues were raised and the schedule was approved. The Clerk presented two additional invoices for payment: a. PLG Servics VAS Transfers £96.00 b. The Safety Forum £1,2000. Both were noted and approved. 2. To receive if available: WHPC Finance Tracker, Bank reconciliation May 2023 Deferred to the next meeting, 6th June 2023.
23/193	Councillors 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. Councillors are respectfully reminded that this is not an opportunity for debate or decision making. Clirs noted the sale, by auction, of a plot of land in the Parish.
23/194	Next meeting: To confirm arrangements for the next WHPC ordinary meeting Tuesday 6th June 2023 7.30pm at the Village Hall.

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.

n/a

The meeting closed at 21.38pm