

WEST HILL PARISH COUNCIL MINUTES OF THE PARISH COUNCIL MEETING HELD ON 3rd October 2023 AT 7.30PM

Present:	Chairman Cllr Alison Carr (AC), Cllr Neil Bromley (NB), Cllr Stanley Paulo (SP)
	Co-opted at the meeting: Cllr Andrew Gorton (AG), Francis Pullman (FP)
In attendance:	Anne Oliver Parish Clerk, DCC/EDDC Cllr Jess Bailey, PCSO Sims, 3 members of the public attended the meeting
Absent	Cllr Trevor Ingram (TI)

Minutes of the Ordinary Meeting of the Parish Council

ltem (a)	Discussion and decisions (b)
23/304	Welcome and Chairmans announcements The meeting started at 7.30pm. The Chairman, Cllr AC, welcomed everyone to the meeting.
23/305	Apologies. To receive apologies and approve reasons for absence. Apologies were received from Cllr TI as he was attending a funeral. Cllrs accepted the apology and sent their condolences to Cllr TI and his family.
23/306	Councillor Vacancies: To consider the co-option of Councillors.
	The Chairman reported the Councillor vacancies had been widely advertised and three applications had been received. One applicant had since withdrawn their application due to family commitments. Cllrs thanked the three applicants for their interest.
	The Clerk confirmed the applicants' eligibility and ClIrs considered each application. By a show of hands, it was unanimously resolved to co-opt Andrew Gorton (AG) and Francis Pullman (FP) as members of the Parish Council. Each made/signed a Declaration of Acceptance of Office and signed a Consent to Electronic Service of Summons
	 Cllrs resolved to add Cllrs AG and FP to the Council's banking mandate. order name badges, estimated cost £20.00 make arrangements for Good Councillor training available via DALC, estimated cost £90 +vat per person. Cllrs AG and FP were invited to attend an induction meeting.
23/307	To receive an update on Policing matters in West Hill and the local area from a member of the Exmouth and Ottery St Mary Policing team.
	As West Hill crime data had not been available for consideration by the Council since November 2022 WHPC had invited the local Police team to give update on matters relevant to West Hill.
	 PCSO Jonathan Sims attended the meeting ad gave a short report: The Ottery St Mary based neighbourhood Police team covers a wide area including West Hill.
	• The team consists of 2 constables, 1 PCSO, a Sergeant and Inspector (based in Exmouth, plus the recruitment of an additional constable was underway. This represented an improved level of resourcing compared to recent years.
	• Crime data was not currently available on the Police website due to problems with links to Niche (a new crime data system introduced in 2022).
	• Crime continued to be at a very low level in West Hill. However, as experienced nationally, residents were at risk from online scams etc.
	• Reports of anti-social behaviour had decreased and were very low over the summer.



	 Liaison with the West Hill Community Speedwatch team continued. He noted that the Speedwatch operation works very well in West Hill and he congratulated them on their "excellent work". He encouraged residents to sign up for <u>Devon and Cornwall Alerts</u>. This is a two way
	community messaging system operated by Devon and Cornwall Police for up to date news in the local area. The system is designed to allow people who register to choose the type of information they would like to receive concerning crime and anti-social behaviour, witness appeals, crime prevention, community events and local good news.
	The Chairman thanked PCSO Sims for his report.
23/308	Public question time (3 minutes) 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> . This item includes issues submitted to the Clerk prior to the meeting.
	A resident raised concerns regarding aircraft taking off from Exeter Airport and flying low over the village. Early morning flights were a particular problem.
	The Chairman advised residents to note the date and time of low flying occurrences as the Airport had a mechanism for checking flight data. Further information on reporting low flying is available on the <u>Exeter Airport website</u> .
	Also, the Parish Council is a member of the Exeter Airport Consultative Committee which meets several times a year.
23/309	To receive 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 (JB) gave a short report:
	• EDDC have not yet received notification from the Planning Inspectorate regarding the appeal submitted by Morrish Homes regarding their planning application (Oak Road 22/2533/MOU).
	 The EDDC Strategic Planning Committee met on 3rd October 2023. The agenda included: An annual report on the Five Year Housing Land Supply position. EDDC cannot demonstrate that there is a 5-year housing supply in East Devon as the figure has worsened to 4.28yrs.
	 Emerging Local Plan + Green wedges. Cllr JB regarded this as an important issue for West Hill and Ottery St Mary as reflected in the Neighbourhood Plan.
	• Cllr JB will ask the Devon County Council (DCC) Public Rights of Way team to re-visit Footpath 6 to assess barbed wire and padlock on a gate.
	• Cllr JB has asked DCC Highways to consider the introduction of double yellow lines on a section of Beech Park leading to the Village Hall/PrimarySchool to improve visibility and safety for pedestrians and drivers. If accepted for consideration there will be a public consultation on the proposal. Cllr JB advised that DCC Highways process is lengthy and, if approved, it may be 18-24 months before the yellow would be painted.
23/310	Declarations of Interest
	 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).
	Chairman Cllr AC declared a personal interest in item 23/313 planning application 23/1932/TRE as she knew the applicants. She proposed (a) to remain in the room but not participate in discussions on this item and (b) Cllr NB to chair this item on the agenda. Both proposals were unanimously agreed by Cllrs.
	Cllrs NB, SP, FP declared no interests on items on the agenda.



	Cllr AG raised a query regarding item 23/315 (planning appeal for a site accessed from Toadpit Lane) as he lived on Toadpit Lane. He proposed to take part in discussion as he lived c300m from the site and didn't know the applicant. Cllrs agreed that he should participate in the discussion on this item.
22/311	 Confidential/exempt items. In consideration of the Public Bodies (Admission to Meetings) Act 1960 (publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted): to agree any items to be dealt with after the public and press have been excluded. To consider, if appropriate, any agenda items should be considered in Part B. Proposed: 23/322 Lengthsman may be continued in Part B as a commercial matter + 23/330 Personnel Matters. Both items unanimously agreed
23/312	Minutes: To receive the Minutes of the Parish Council meeting of 5th September 2023 (Minute23/270-23/303) and to approve the signing of the Minutes by the Chairman as a true record.The minutes were unanimously accepted as a true record of the meeting by those Cllrs presentat the meeting (Cllrs AC, SP, NB) and were signed by the Chairman.PCSO Sims left the meeting at 8.04pm
23/313	 Planning Applications received: To consider and agree a response to: As the Chairman has declared a Personal Interest in the following application Cllr NB chaired the discussion. 23/1932/TRE Burwood House 7 Brackendown EX11 1NT Tree works (reduction) to T1-T6 Cllrs noted the applicant did not supply an arboricultural report providing justification for the
	 extensive works and an assessment of the impact on the trees. The satellite view provided with the application was considered inadequate as it did not provide sufficient detail to assess the works. Cllrs recognised the removal of deadwood is good practice, but regarding the rest of the proposed works Cllrs were unable to comment further. Councillors: a. asked for an EDDC Tree Officer to visit the site to assess whether works are justified and appropriate.
	 b. resolved to defer to EDDC's Tree Officer as to what is acceptable and appropriate tree management Cllr AC resumed Chairmanship of the meeting.
	 23/1973/FUL The Croft Bendarroch Road EX11 1UW Replacement dwelling, including the demolition of the existing dwelling and multiple outbuildings located within the grounds. Councillors supported in principle the demolition of the existing dwelling as it is in poor repair.
	 However, there were some concerns about the design and impact of the proposal: a. Excessive overlooking of neighbouring properties. b. The mass and scale of the proposed dwelling would have an overbearing impact on the property to the rear of The Croft. c. The significant increase in the building's footprint would restrict the available garden space and this was considered out character with properties in West Hill and contrary to NP26 of the Neighbourhood Plan. d. Councillors expressed serious concerns about the possible adverse impact on the mature oak tree on the southern boundary which grows in the neighbour's garden (NP26, Neighbourhood Plan). Also, the garden and patio area in the proposed design will be partially shaded by the tree, leading to pressure to prune back at some point in the future. Cllrs noted the applicant had not supplied an arboricultural report providing an assessment of the impact on the trees.



	Standing Orders were suspended
	A member of the public, the applicant, spoke in support of the application and their fondness for the oak tree.
	Standing Orders were resumed.
	On balance, Councillors did not support the application in its current form.
	Councillors requested the EDDC Tree Officer
	 to visit the site to assess the impact on the mature oak tree on the southern boundary. To place a TPO on the tree.
	If the application is approved, Councillors requested a. a Tree Protection Plan and Arboricultural Method Statement to be provided to protect
	the oak tree
	 b. that the recommendations in the ecology report are implemented. c. They also requested a construction plan to set out suitable arrangements for parking construction vehicles and storage of materials onsite as Bendarroch Road is a bus route and the property is close to the junction with School Lane.
	23/2011/TRE 10 Perrys Gardens EX11 1XA Excavation into raised ground level (and possibly into root protection area of woodland order 23/0006/TPO); extending rear patio area by up to 5m in distance.
	Councillors noted that the proposed excavations are substantial and extend as far as the rear boundary of the garden. Councillors expressed concerns regarding the adverse impact on trees in the woodland growing closest to the boundary. They thought that the works would be likely to encroach on the root protection area of trees. Also, the work may unbalance the trees.
	However, as the applicant did not supply an arboricultural report providing an assessment of the impact on the trees ClIrs were unable to comment further.
	 Councillors asked for an EDDC Tree Officer a. to visit the site to assess whether works are justified and appropriate. b. resolved to defer to EDDC's Tree Officer as to what is acceptable and appropriate tree management.
	2 members of the public left the meeting at 8.20pm
23/314	EDDC Planning Decisions: received for information (*denotes WHPC differed) a. 23/1548/TRE Woodstock West Hill Road EX11 1TY Status: Approved b. 23/1367/FUL Land At The Shute Fluxton Higher Metcombe Status: Approved Decisions noted
23/315	Planning Appeal: To consider and agree a response to
20/010	 APP/U1105/W/23/3320367 Land At Toadpit Lane West Hill Ottery St Mary EX11 1LQ Permission in principle for 2 no. new dwellings (ref 23/0325/PIP)
	Cllrs noted the Parish Council's objection to the application and EDDC's decision to refuse the application. The February 2023 Parish Council meeting had considered the application and many residents had attended to raise their concerns.
	Cllrs discussed the appeal and the new documents available on the EDDC website (ref 23/0325/PIP) including the Appellants Statement. They agreed there was no additional information presented that would change the Council's previous response. The Chairman noted WHPC had submitted a detailed response to the application and asked if Cllrs wanted to add any further comments. No further comments were added.
	Cllrs resolved to write to the Planning Inspectorate in support of their previous comments.
	Cllrs noted the public can also submit further comments on the Planning Inspectorate website using the above reference.



23/316	To receive notifications of Tree Preservation Orders:
	 a. 23/0009/TPO The Pygthle + Timbercroft. Lower Broad Oak Road (Confirmed) b. 23/0040/TPO Land at Little Orchard, West Hill Road
	Cllrs noted the TPO's and agreed to write to the EDDC Tree Officers in support of 23/0040/TPO. (Action AC)
23/317	Planning Matters:
	1. To note Devon County Council Highways response to planning application 23/1581/OUT (Land at Little Orchard, West Hill Road) and to consider if the Council wishes to respond.
	Cllr AC asked Cllrs to consider DCC Highways consultee response to a recent planning application (23/1581/OUT Land at Little Orchard, West Hill Road) which she considered to be factually incorrect regarding infrastructure in the village. In particular ""West Hill also benefits from local services and facilities such as a Dentist, Doctor surgery, primary school and local shop, together with a regular bus service"
	 Clirs comments included: DCC Highways could make decisions based on an incorrect understanding of the facilities and infrastructure available to residents. West Hill has limited services but they're oversubscribed. There's no Doctor Surgery in the village. The bus service is extremely limited.
	It was unanimously resolved to write to DCC Highways, with a copy to EDDC Planning team - to provide an update on the limited infrastructure in West Hill. - to ask them to correct their response to planning application 23/1581/OUT (Action AC)
	 To receive a verbal update from the EDDC Planning Committee 26th September 2023 re planning application 23/1113/FUL Land At Orchard Cottage Elsdon Lane.
	Cllr AC attended the meeting to speak (object) on behalf of West Hill Parish Council. District Cllr JB also stated her objection to the application.
	The EDDC Development Manager reported an omission in the consultation on the application. As the access to the property is via a lane which is also a public right of way, DCC's Public Rights of Way (PROW) team should have been consulted. They have been asked to submit their comments.
	The EDDC Planning Committee supported the application subject to PROW's response. The Committee agreed to place a condition for the eastern boundary to be a hedge rather than a fence as per the West Hill + Ottery St Mary Neighbourhood Plan.
	Cllrs thanked Cllr AC for the update.
	3. To receive an update on Emerging East Devon Local Plan: Strategic Planning Committee meeting 3 rd October (if available). No further update was available. (See ref 23/309 above).
	4. To receive an update on Neighbourhood Plan : application for the Designation of a Neighbourhood Area for West Hill.
	Cllr AC noted the public consultation on the Parish Council's application for the Designation of a New Neighbourhood Area is underway and encouraged residents to submit their comments to EDDC's Planning Policy team by the deadline of 30 th October 2023.
	Cllr AC declared that she had submitted her personal comments as a resident of the Parish. Cllrs noted the declaration.



WHPC Groups + Initiatives

23/318	To consider the Parish Council draft action plan for 2023-2024/2027.
	Cllr AC reported the Cllrs met at an informal workshop on 2 nd October to discuss their ideas and ongoing projects. As the 4 co-opted Councillors (Cllrs SP, TI, FP, AG) have limited experience of Parish Council matters they wanted to have further sessions to better understand the activities that the Council is required to do by law. It was agreed that a draft action plan and budget will be considered at the upcoming November and December Parish Council meetings.
23/319	To receive a verbal update on the Village Hall Pedestrian Link project. Cllr AC reported the joint WHPC/Trustees Working Group had met during September. At the meeting the Village Hall Trustee representatives were asked to re-consider granting a lease to the Parish Council for a section of land near the car park.
	Standing Orders were suspended. Colin Veale, Chairman of the West Hill Village Hall Trustees, advised that the Trustees were seeking to hold an Extraordinary Meeting on 19th October to discuss options including issuing a lease. If approved, the lease option would also require the permission of the Charity Commission.
	Standing Orders were resumed.
	Cllrs thanked Colin for the update and the Working Group would seek to meeting prior to the WHPC meeting on 7 th November. (Action Cllr AC)
23/320	Remembrance Service 20231. To receive and approve, if appropriate, a Risk Assessment for the event.
	Cllr AC reported the application for a temporary road closure for the Remembrance Service on Sunday 12 th November had been approved by DCC Highways.
	Cllrs considered the Draft Risk Assessment circulated prior to the meeting and unanimously resolved to approve it.
	2. To confirm the use of S137 monies for the donation for the WHPC Remembrance wreath. Cllrs confirmed the donation would be made under s137 (Local Government Act)
	1 member of the public left the meeting 8.50pm

Other Matters

23/321	Clerks Report: (for information)
	 WHPC Action Tracker: Outstanding actions: 23/282 to carry out the weekly playpark inspections as per the agreed rota. 23/288 to consider a new location for the Storytelling Throne and bench (ClIrs TI/NB) 23/295 all Councillors to complete their training assessments. Also outstanding, 23/299 amendments to the mandate Cambridge Building Society Community Resilience Meeting (23rd October): ClIr FP and Clerk to attend. All ClIrs were invited to attend the Code of Conduct Training (16th October) led by EDDC's
	 Monitoring Officer. Resident correspondence: Residents had contacted WHPC: a. to raise concerns about the deep hole in the verge outside the Morrison's shop. WHPC had contacted the Morrison's Regional Manager and store staff to ask for remedial action. b. seeking to place an advert/poster in the WHPC noticeboard as the Morrison's store no longer offers this facility. The Clerk had advised the noticeboard was used for Council



	business only. Cllrs agreed to investigate the provision of a Community Noticeboard in West Hill. (Action Cllr SP)
23/322	To receive a verbal update from the Devon Association of Local Councils Annual AGM + Conference 27th September 2023. Cllrs AC+NB gave a brief update on the AGM, workshops and networking with other Councils and agencies.
23/323	To consider the appointment of a Lengthsman for 2024. Cllrs considered a paper circulated prior to the meeting. As the current Lengthsman's contract ends on 31 st Dec 2023 Cllr AC led a consideration of Lengthsman services for 2024. Comments included: WHPC has a responsibility to maintain the playpark The Lengthsman provides a very useful service Residents have appreciated verge cutting etc The Lengthsman has the required Chapter 8 training for roadside working It was resolved to appoint a Lengthsman for 2024. Consideration of the appointment was continued in confidential session 23/329. DCC/EDDC Cllr JB left the meeting at 9.12pm
23/324	To receive a verbal update (if available) on an objection submitted to the External Auditor regarding the 2022-23 Annual Governance and Accounts Return. The Chairman reported WHPC had received the External Auditor Interim Report on 28 th September 2023. No matters of concern had been identified however the Auditor was unable to issue a closure notice until their assessment of an objector's challenge had been completed. The Chairman noted that the External Auditor had previously confirmed that only 4 of the 10 objections were eligible but had not yet confirmed whether they were accepted for investigation.
	 The report, published on the WHPC website, states: "On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met." "We are unable to complete our review work on the AGAR and supporting documentation as a result of correspondence received in relation to 2022/23 and/or prior years. Once we have finalised our review and completed any additional work arising from that correspondence, a final report will be provided with the certificate of completion detailing any qualifications and
	 'other' matters. Our fee note for the limited assurance review will be issued when we certify completion." Cllrs asked for an explanation of the fees charged to WHPC. The Chairman advised that the Council would be charged the standard annual fee (£315 +VAT) and also £355+VAT per hour for their work to process the Objection. Cllrs resolved: to set a period of 14 days for the Right to Inspect the Annual Governance & Accounting Return to charge £5.00 for a copy of the return.
23/325	To consider the handover of an Emergency Box from Ottery St Mary Town Council to the Parish Council. The Chairman reported Ottery St Mary Town Council (OSMTC) had offered to handover an Emergency Box to the Parish Council. Some years ago, several Emergency Boxes had been introduced in conjunction with OSMTC Emergency Plan. One of the boxes was located in West



	Hill. Cllr AC noted that the inventory had been checked and a number of items were missing in the West Hill box.
	 Cllrs discussed the proposal and resolved: a. To write to OSMTC to thank them for their proposal and to accept the Emergency Box b. To return several items as marked as the property of OSMTC. c. To consider the West Hill Emergency Box at a future meeting d. To add the box and contents to the WHPC Asset Register
	1 member of the public left the meeting 9.30pm
23/326	 Financial matters: To approve, if appropriate, the transfer of funds between Council accounts. Cllrs resolved to transfer £15,000 between Council accounts. To consider and approve, if appropriate, the Schedule of Payments. Cllrs considered the Schedule of Payments and invoices circulated before the meeting. No questions were raised. It was resolved to approve the payments and sign the invoices. To consider and approve, if appropriate, any additional payments presented to the meeting. Two additional invoices were presented and payment approved:
23/327	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</i> <i>respectfully reminded that this is not an opportunity for debate or decision making.</i> No matters were raised.
23/328	Next meeting: To confirm arrangements for the next WHPC ordinary meeting Tuesday 7 th November 7.30pm at the Village Hall.

Part A ended 9.40pm All members of the public had left the meeting. Part B opened at 9.41pm.

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.

23/329	To consider the appointment of a Lengthsman for 2024.
	Continued from item 23/323, Cllrs considered a paper circulated prior to the meeting.
	Cllrs discussed whether to appoint a Lengthsman for 2024 by advertising the contract or further extending the contract. It was noted the current Lengthsman's contract for 2022 had been appointed by a tendering process. This contract had been extended for 2023.
	Cllrs considered the Lengthsman's proposed rates for 2024 and considered them fair value. They also noted the service provision had been reliable and of good standard.
	It was resolved:
	 To extend the current Lengthsmans contract for 1 year subject to the provision of current insurance and certificates.
	b. To make no changes to the services listed on the contract.
	c. The appointment of a Lengthsman for 2025, if considered appropriate, should be made via a tender process.



23/330 To discuss **Personnel Matters**. The Clerk agreed to sign a new contract subject to amendments to the required notice period.

Part B closed at 9.59pm The meeting closed at 10.00pm