

**WEST HILL PARISH COUNCIL  
MINUTES OF THE PARISH COUNCIL MEETING  
HELD ON 4<sup>th</sup> April 2023 AT 7.30PM**

Present:	Chairman Cllr Della Cannings (DC) , Cllr Margaret Piper (MP), Cllr Amanda Townsend (AT)
In attendance:	Anne Oliver Parish Clerk, DCC/EDDC Cllr Jess Bailey, 5 members of the public attended the meeting
Absent	Cllr Stephen Owen (SO), Cllr Alison Carr (AC), Cllr Neil Bromley (NB),

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

Item (a)	Discussion and decisions (b)
<b>23/095</b>	<p><b>Welcome and Chairman's announcements</b> The meeting started at 7.30pm.</p> <p>The Chairman welcomed everyone to the meeting. The Chairman gave a short report:</p> <ul style="list-style-type: none"> <li>- The Local Election will take place on 4<sup>th</sup> May 2023 and the restrictions of the pre-election period (formerly known as purdah) are now in place. The deadline for nominations for the new Parish Council closed at 4pm (<i>on the 4<sup>th</sup> April</i>). <ul style="list-style-type: none"> <li>o EDDC will publish the Statement of Nominations on 5<sup>th</sup> April. This will also be published on the WHPC website and noticeboards.</li> <li>o If 8 or more candidate nominations are submitted to the EDDC Returning Officer an election will be held.</li> <li>o If 7 or fewer nominations are submitted then the candidates will be elected uncontested.</li> <li>o If only 1 or 2 nominations are submitted the Council will be inquorate and EDDC will take the appropriate action.</li> </ul> </li> </ul> <p>Key dates for voters:</p> <ul style="list-style-type: none"> <li>o Mon 17<sup>th</sup> April Last day for registering to vote</li> <li>o Tue 18<sup>th</sup> April Last day for registering to vote by post</li> <li>o Tue 25<sup>th</sup> April Last day for registering to vote by proxy</li> <li>o Tue 25<sup>th</sup> April Last day for applying for a Voter Authority Certificate</li> <li>o Thu 4<sup>th</sup> May Election</li> </ul> <p>For further information please contact East Devon District Council (<a href="http://www.eastdevon.gov.uk">www.eastdevon.gov.uk</a>)</p> <ul style="list-style-type: none"> <li>- Cllr Peter Bennett resigned with immediate effect on 31<sup>st</sup> March 2023. The Chairman read his letter of resignation and extracts from the Council's letter sent in response to the allegations made.</li> </ul>
<b>23/096</b>	<p><b>Apologies.</b> To receive apologies and approve reasons for absence. Cllrs AC, SO and NB submitted their apologies and reasons for absence were noted and approved.</p>
<b>23/097</b>	<p><b>Public question time (3 minutes)</b> 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.</p> <p>A member of the public hoped the Clerk would re-consider her resignation given the change to circumstances of the Council.</p>

23/098	<p><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:</p> <ul style="list-style-type: none"> <li>- thanked the Parish Council, in particular the Chairman and Clerk, for it's hard work over it's four year term.</li> <li>- expressed her ongoing concerns regarding DCC consultations on cuts to day services and respite care to save £30m on Adult Services.</li> <li>- gave an update on <b>Straitgate quarry</b>. <ul style="list-style-type: none"> <li>o EDDC have accepted her proposal to place TPOs on three mature oak trees at/near the entrance to Straitgate Quarry.</li> <li>o Also Aggregate Industries' had previously gained permission for livestock crossing over the Exeter Road. However, the planning documents contained an error and EDDC has confirmed the company will need to reapply for permission.</li> </ul> </li> </ul>
23/099	<p><b>Declarations of Interest</b></p> <ol style="list-style-type: none"> <li>a. Register of Interests: Councillors are reminded of the need to update their register of interests.</li> <li>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 DPLs must leave the room for the relevant items).</li> </ol> <p>Cllrs DC, MP, AT declared no interests.</p>
23/100	<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>Proposed items, to be considered in Part B, if appropriate: n/a</p> <p>It was agreed to consider items 23/110 (HR Group – Clerk vacancy) in Part B.</p>
23/101	<p><b>Minutes:</b> To approve and sign the minutes of the Parish Council Meeting on 7<sup>th</sup> March 2023.</p> <p>The meeting approved the minutes of 7<sup>th</sup> March 2023 and the Chairman signed the minutes.</p>
23/102	<p><b>Annual Parish Meeting (APM):</b> To receive a report on the 10<sup>th</sup> March 2023 APM including a Motion of No Confidence in WHPC Cllr P Bennett.</p> <p>Cllrs received a report from the 2023 Annual Parish Meeting (APM) (available on the WHPC website):</p> <p>The Chairman reported during the course of the meeting an elector of the Parish had sought to have a question decided by the electors present. Following further public discussion, the Chairman had summarised the concerns raised and put the following statement to those in attendance and eligible to vote: "This meeting has no confidence in Councillor Peter Bennett's capabilities as a Parish Councillor to represent the views and interests of the community whilst observing his obligations under the Code of Conduct". A vote was conducted by a show of hands: In favour – 25; against – 5; and Abstentions – 8. Cllrs were reminded that the Minutes of the meeting are presented to the 2024 APM for approval.</p> <p>Cllrs noted the report on the Annual Parish Meeting and the Motion of No Confidence in Councillor Bennett.</p>
23/103	<p><b>Planning Applications received</b></p> <p><b>22/2533/MOUT</b> Land North of Oak Road Applicant Morrish Homes</p> <p>Amended application - Outline application for the erection of 23no. dwellings with all matters reserved save for formation of vehicular and pedestrian access - These amendments relate to: amended aboricultural reports and additional information regarding the 5 year housing land supply, access, ecology and draft unilateral undertaking</p> <p>Standing Orders were suspended</p>

	<p>A member of the public commented on the additional documents provided to EDDC by the applicant, stating that the public were able to submit further comment on them if they wish. Over 100 public responses to the application had been made so far.</p> <p>District Cllr JB was asked to confirm arrangements for speaking if the application is called to the EDDC Planning Committee for decision. Cllr JB explained that she as the Ward member, the Parish Council and members of the public could register to speak at the meeting but noted that time limits per speaker are applied.</p> <p>Standing Orders were resumed.</p> <p>Cllrs considered the additional documents provided in support of the application but agreed that they did not change their views. Cllrs continued to strongly object to the application and agreed their previous comments still applied.</p> <p><b>23/0534/TRE</b> Wyndhams, Higher Broad Oak Road, EX11 1XF T1 + T4 Beech trees - various works</p> <p>Cllrs noted no arboricultural report had been submitted to justify the proposed extensive tree works. As a result Cllrs felt 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.</p> <p><b>23/0652/TRE</b> 10 Heather Grange, EX11 1XZ T1-T5 Various tree works</p> <p>Cllrs noted no arboricultural report or photographs had been submitted to justify the proposed extensive tree works. As a result Cllrs felt 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.</p> <p><b>23/0646/FUL</b> 28 Ashley Brake EX11 1TW Single storey extension, porch extension, construction of garden office, partial garage conversion, construction of covered area, alterations to existing elevation, and associated external landscaping including a patio/terrace</p> <p>Cllrs supported the application and asked for a Arboricultural Method Statement/Tree Protection Plan to protect the adjacent mature trees during building works.</p> <p>Consultee comments submitted under Delegated Powers:</p> <ul style="list-style-type: none"> <li><b>23/0398/TRE</b> Land North of Higher Metcombe : To fell a beech tree. WHPC objected to the application.</li> </ul> <p>The Chairman reported the arboricultural report commissioned by WHPC confirmed the presence of disease but the report concluded that this could be monitored/managed and the felling of the tree was not required.</p> <ul style="list-style-type: none"> <li><b>22/2108/FUL</b> Aloha Lower Broad Oak Road West Hill: (Amended application) Two storey front extension, first floor rear extension, first floor side extension with alteration to fenestration, installation of detached garage with (home office/workshop) at first floor, proposed loft, removal of conservatory and garage, PV installation on South facing roof. WHPC objected to the application.</li> </ul> <p>Both responses were noted and confirmed</p>
<b>23/104</b>	<p><b>Planning decisions</b> received for information (*denotes WHPC differed)</p> <p><b>23/0325/PIP</b> Land At Toadpit Lane EX11 1LQ <b>Status:</b> Decided - refused</p>

	<p>Seeking permission in principle for 2 no. new dwellings  <b>23/0234/FUL</b> Fairacre Lower Broad Oak Road EX11 1XQ <b>Status:</b> Approved  Proposed side and rear extension  Both noted</p>
<b>23/105</b>	<p><b>Other Planning Matters:</b></p> <ol style="list-style-type: none"> <li><b>23/0009/TPO</b> Land at the Pygthle and Timbercroft, Lower Broad Oak Road, West Hill.   Cllrs agreed to write to EDDC in support of the TPO 23/0009/TPO.   Cllrs unanimously agreed Cllr DC's proposal for WHPC to write in support of the TPO proposed by District Cllr JB at Straitgate Farm: <ul style="list-style-type: none"> <li>23/0014/TPO Land at Straitgate Farm (fronting Birdcage Lane), Ottery St Mary, EX11 1LG: Trees: T1 + T2 + T3</li> </ul> </li> <li>To note the Strongvox public consultation for Land off Windmill Lane, West Hill.  The developer's public consultation launched in March 2023. It was understood that 300+ household were notified by post and residents can respond online or by telephone if they wish. WHPC will respond to a planning application, if received, rather than the consultation.</li> <li>To consider a WHPC response to the Governments Public Consultation on Permitted Development Rights.  Cllrs agreed not to submit a response.</li> </ol>

#### WHPC Groups + Initiatives

<b>23/106</b>	<p><b>WHPC Strategic Planning Group:</b> To receive a verbal update on the application for a Development Area for West Hill.  Cllr DC gave an update on the Council's application for a Neighbourhood Area, the first step in defining a Neighbourhood Plan (NP) for West Hill. EDDC have continued to research the legal requirements for the creation of a new Neighbourhood Area given that the area currently forms part of the joint West Hill + Ottery St Mary NP. It was hoped that these matters were reaching a conclusion and the requirements for the application were now finalised.   Cllrs discussed whether to submit the updated application immediately or wait until the new Council was in place. It was resolved to submit the application immediately.</p>
<b>23/107</b>	<p><b>Village Hall Pedestrian Link:</b> To receive an update on the Invitation to Tender for the construction works and recommendations for the next stage of the project.  Cllrs discussed a paper circulated for the meeting.</p> <ol style="list-style-type: none"> <li><b>Grant application:</b> West Hill Village Hall Trustees (WHVHT) had submitted a stage 1 application to the Valencia (previously Viridor) grant scheme for funding for the construction works on the Village Hall site. The application was considered to meet the scheme's criteria and WHVHT have been invited to proceed with a stage 2 application. Cllr DC explained that a condition of the grant scheme requires a third party to provide 10% of the costs.   Cllrs noted the potential for project costs to increase due to the clauses in the contractor responses regarding inflation.   It was unanimously resolved: <ul style="list-style-type: none"> <li>WHPC should support the WHVHT grant application.</li> <li>to write to WHVHT confirming the Parish Council will provide third party funding, currently estimated to be £2,200. WHPC to be notified of changes to this estimate.</li> </ul> </li> <li><b>A Stage 2 Road Safety Audit</b> is a condition of the planning approval (at the request of DCC Highways). Cllrs considered quotes from three consulting companies.</li> </ol>

	<p>It was unanimously resolved to commission The Safety Forum to conduct the Stage 2 Road Safety Audit at a cost of £1,000+vat.</p> <p>Work on the draft WHPC-WHVHT agreement to be continued.</p>
23/108	<p><b>Community Engagement Group:</b></p> <p>1. <b>WHPC events to celebrate Coronation of King Charles III:</b> To receive a verbal update on arrangements for an opening event to mark the installation of Storytelling Throne and Bench at the Playpark.</p> <p>Cllr MP confirmed West Hill Pre-School had agreed to work with the Parish Council to organise an event for the official unveiling of the thrones. The event will take place on Friday 5<sup>th</sup> May and will include the Pre-School's parent and child Coronation picnic, making crowns, dressing up and story-telling. The local media have been contacted and it was hoped that they would attend.</p> <p>Cllr MP confirmed the Storytelling Throne and bench had been delivered to the Lengthsman.</p> <p>Cllrs agreed</p> <ul style="list-style-type: none"> <li>- the Lengthsman, Clerk and a Cllr to agree the location for the throne/bench.</li> <li>- the wording for two plaques</li> <li>- costs for plaques and installation as agreed at the 7<sup>th</sup> February meeting (23/043)</li> </ul>
23/109	<p><b>Finance Working Group</b></p> <p>1. To consider and approve, if considered appropriate, the WHPC Insurance Renewal quote for 2023-2024.</p> <p>The Clerk reported that a quote for the Council's 2023-24 Insurance policy was not yet available. In preparation for the WHPC Insurance policy renewal (due on 17<sup>th</sup> May), the Council had been advised that the current underwriters were withdrawing from the market. The policy had been referred to another company for a quote.</p> <p>Cllrs noted the update.</p>
23/110	<p><b>HR Group:</b> To receive a verbal update on recruitment of a new Clerk.</p> <p>This item was considered in Part B</p>

#### Other Matters

23/111	<p><b>Clerks Report:</b></p> <ol style="list-style-type: none"> <li>1. To confirm decisions taken under Delegated Powers</li> <li>2. Action points from previous WHPC meetings</li> <li>3. Matters arising <ul style="list-style-type: none"> <li>- An action to add Cllr Bromley to the Council's bank mandate, could not be completed yet due to the limits on the number of people registered.</li> <li>- Members Allowance for 2022-23, £305, was claimed and paid to Cllr Bennett during March 2023.</li> </ul> </li> <li>4. Resident Communications</li> <li>5. Any urgent matters arising <ol style="list-style-type: none"> <li>a. The UK Government's new Emergency Alerts system is now live. The system will enable people to be contacted through their mobile phones if their lives are at risk in an emergency such as severe flooding. The system will be tested across the UK on 23<sup>rd</sup> April 2023. Cllrs agreed to post an article on the WHPC website and Noticeboards.</li> <li>b. It was agreed to purchase re-usable desk nameplates for Cllrs, cost £23.99.</li> </ol> </li> </ol>
23/112	<p><b>Grant Application:</b> To consider West Hill Women's Group application for £250 grant funding to provide a complimentary Coronation cream tea to housebound households in West Hill on 8<sup>th</sup> May.</p> <p>Cllrs considered the application and noted</p> <ul style="list-style-type: none"> <li>- 35+ people have already expressed an interest with more expected.</li> </ul>

	<ul style="list-style-type: none"> <li>- the amount requested, £250.00, was more than 50% of the project cost contrary to the WHPC grant policy.</li> </ul> <p>Cllrs were keen to support the application and unanimously resolved to make an exception and awarded the £250.00 grant in full.</p>
23/113	<p><b>Morrisons/McColls/Post Office:</b> To receive an update on recent correspondence.</p> <p>Cllr DC reported the Parish Council had received responses from The Post Office and Morrisons.</p> <ul style="list-style-type: none"> <li>- The Post Office had contacted Morrisons who stated that they have no intention of closing the Post Office.</li> <li>- Morrisons confirmed the West Hill store had been added to their programme for conversion to a Morrisons Daily "as soon as possible".</li> </ul> <p>Cllrs supported Cllr DC's proposal for WHPC to send a further letter asking for a date for the conversion and also, shop and post office facilities to be maintained, in some format, during the works.</p>
23/114	<p><b>Office of the Police and Crime Commissioner:</b> To receive a verbal update from the March meeting of Cllr advocates.</p> <p>Cllrs noted the update from Cllr DC.</p>
23/115	<p><b>East and Mid Devon community safety partnership:</b> To receive a verbal update.</p> <p>Cllr DC to contact the group to establish if meetings are to be resumed in the coming months.</p>
23/116	<p><b>Freedom of Information Request (FOI) + Subject Access Request (SAR):</b></p> <ol style="list-style-type: none"> <li>1. To note the WHPC response to FOI/SAR received 22<sup>nd</sup> February 2023.</li> <li>2. To note the receipt of an FOI on 6<sup>th</sup> March 2023 and the WHPC response.</li> <li>3. To receive an update on a SAR request to a Cllr on 8<sup>th</sup> March 2023.</li> </ol> <p>Cllrs noted the updates for items 1 and 2. It was also noted that a response to item 3 was outstanding and the deadline was approaching.</p>
23/117	<p><b>Complaints against the Clerk:</b> To consider an update on</p> <ol style="list-style-type: none"> <li>1. a complaint received 9<sup>th</sup> February 2023.</li> <li>2. a complaint received 28<sup>th</sup> February 2023.</li> </ol> <p>The Chairman outlined the nature of the complaints and the actions taken by the Parish Council.</p> <p>Cllrs resolved:</p> <ol style="list-style-type: none"> <li>a. to note that for both complaints, the Complainant has been given the opportunity to provide the required information and has failed to provide additional information required for an investigation.</li> <li>b. there is insufficient information for a meaningful investigation to be undertaken.</li> <li>c. to close both complaints as incapable of investigation.</li> <li>d. to advise the Complainant that matters are now closed and the decision of the Council is final.</li> </ol>
23/118	<p><b>Police Matters:</b> To receive the monthly West Hill crime stats: November-22 to March-23 if available (for information).</p> <p>Cllrs noted that no data was available as the <a href="http://www.police.co.uk">www.police.co.uk</a> website had not been updated since Oct-2022.</p>
23/119	<p><b>Financial matters:</b></p> <ol style="list-style-type: none"> <li>1. To consider and approve the Schedule of Payments for WHPC 4<sup>th</sup> April 2023.</li> </ol> <p>Cllrs approved the schedule and three additional payments presented for approval:</p> <ol style="list-style-type: none"> <li>i. PLG Services Grass cutting £72.00</li> <li>ii. PLG Services VAS Transfers £96.00</li> <li>iii. WH Village Hall Room Hire (Mar-23) £55.25</li> </ol> <p>Cllrs signed the schedule and invoices.</p>

	2. To receive if available: WHPC Finance Tracker, Bank reconciliation January/February 2022, if available.
<b>23/120</b>	<b>Councillor questions, reports and items for future agenda</b> 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> <b>No matters were raised</b>
<b>23/121</b>	<b>Next meeting:</b> To confirm arrangements for the next WHPC ordinary meeting <b>Tuesday 2<sup>nd</sup> May</b> 7.30pm at the Village Hall.

Part A of the meeting ended 8.40pm

DCC/EDDC Cllr JB and all members of the public left the meeting.

**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>23/110</b>	<b>HR Group:</b> To receive a verbal update on recruitment of a new Clerk.  Cllrs noted the update on recruitment of a new Clerk <ul style="list-style-type: none"> <li>a. Two applications had been received. One candidate did not meet the criteria for the role and the second candidate withdrew as they would not be available in the required timeframe.</li> <li>b. Following discussion of various options Cllrs resolved, with the Clerk's agreement, to extend the Clerk's contract by a month to 7<sup>th</sup> June 2023 pending discussion with the new Council to be elected on 4<sup>th</sup> May 2023.</li> <li>c. Cllrs noted the annual contractual increment to the Clerk's salary and annual leave effective from 1<sup>st</sup> April 2023.</li> </ul>
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Part B ended at 8.52pm

The meeting closed at 8.54pm

Signed: *Anne Oliver*, Clerk to the Council, 6<sup>th</sup> April 2023