

**WEST HILL PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING
HELD ON 5th August 2024 AT 10.00AM**

Present:	Chairman Cllr Francis Pullman (FP), Cllr ShirleyMay Saunders (SMS), Cllr Ann Cooper (AC)
In attendance:	Anne Oliver Parish Clerk, DCC/EDDC Cllr Jess Bailey (JB), 12 members of the public.
Absent	Cllr Trevor Ingram (TI)

Minutes of the Extraordinary Meeting of the Parish Council

Item (a)	Discussion and decisions (b)
24/243	<p>Welcome and Chairmans announcements: The meeting started at 10.00am. The Chairman, Cllr FP, welcomed everyone to the meeting.</p> <p>The Chairman explained that the Extraordinary Meeting was called as the Council did not have a scheduled meeting in August. The meeting would consider planning applications and project updates.</p> <p>The Chairman’s announcements included:</p> <ul style="list-style-type: none"> • As reported last month, Town and Parish Councils have been invited to join a series of EDDC Local Plan working group meetings. The meetings are designed to be an opportunity for discussion and sharing of issues and concerns between officers and members that can then inform officer recommendations to Strategic Planning Committee. No decisions about sites will be taken at the meetings. WHPC reps and District Cllr Jess Bailey will attend a session on Friday 9th Aug. • Since the last Parish Council meeting the Government had announced proposed changes to the National Planning Policy Framework. Press reports indicate the Housing Target for East Devon will increase by 28% to 1,146 new homes per annum creating additional pressure on East Devon District Council to find additional capacity for new homes. • During July, Council representatives were pleased to attend a West Hill Wasps Junior Football training session to see their new equipment in action. The equipment was purchased with a WHPC grant. <p>The Chairman also reported that Andrew Gorton had resigned from the Council due to business commitments. On behalf of the Council, the Chairman thanked Andrew for his service to the village.</p>
24/244	<p>To receive a report on Councillor vacancies and co-option.</p> <p>The casual vacancy arising from Andrew Gorton’s resignation was reported to EDDC as required and the relevant notices published. The Chairman noted the Council now has 4 active members and 3 vacancies. There was a risk that future meetings could be inquorate as a minimum of three Cllrs is required to be present.</p> <p>The Chairman encouraged residents to consider joining the Council. Action: The Council’s bank mandate to be updated.</p>
24/245	<p>Apologies. To receive apologies and approve reasons for absence. The meeting received apologies from Cllr TI and the reason for absence was unanimously accepted.</p>
24/246	<p>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.</p>

	<p>Members of the public may not take part in the Parish Council meeting itself. (<i>Contributions are limited to 3 minutes</i>)</p> <p>The Chairman reminded the meeting that members of the public have a right to attend meetings of the council as observers. They have no legal right to speak unless the Parish Council Chairman invites them to do so. Members of the public who choose to speak are expected to act respectfully towards every other person present and their tone and comments should respect the Council's Code of Conduct.</p> <p>Planning applications 24/1435/PDQ and 24/1436/PDQ (both Weggis Farm):</p> <ul style="list-style-type: none"> - A representative of the applicant explained he was present to hear the public and Councillors comments on the application. - Four members of the public spoke against the applications. Their comments included: <ul style="list-style-type: none"> o There had been no crops or grazing animals on the land in recent years. o there will be additional traffic at Tipton Cross junction, a dangerous junction. A school bus and lorry have collided at the junction. o If approved, will the applications create a precedent for future building? o Under normal circumstances the application wouldn't be approved as the site is outside the BUAB and in unsustainable location. o A protected species survey has not been done and an arboricultural report has not been provided o Access is onto Oak Road, a narrow lane with no pavements. o Loss of agricultural land. o There are other preferred sites in the village (Emerging Local Plan) o Who will want to live in buildings with a corrugated metal roof? <p>A member of the public made FOI/SAR requests. The resident was advised to write to the Council at the appropriate address.</p> <p>24/1358/TRE The Warren: A member of the public commented on the proposed extensive treeworks, noting that the site played an important role in the woodland character of the village.</p> <p>Eileen Perkins, Footpath Warden, gave a short report. Japanese Knotweed is still present on Footpath 7 although less than last year. Action: Clerk to notify DCC Public Rights of Way team.</p>
<p>24/247</p>	<p>District and County Councillors' reports (if available): To receive reports for information (items raised for decision will appear on the agenda for the next meeting)</p> <p>County/District Cllr JB gave a short report:</p> <ul style="list-style-type: none"> - A new item had been added to the 6th August EDDC Strategic Planning Committee agenda. The report outlined changes to the National Planning Policy Framework proposed by the Government. The proposed changes would see the annual East Devon Housing Target increased by 28% to 1,146 new homes per year. A full report would be presented to the Committee in September. - She was awaiting details of a replacement for the local Highways Neighbourhood Officer following his retirement.
<p>24/248</p>	<p>To receive Declarations of interest for items on the Agenda and receipt of requests for new Disclosable Pecuniary Interests (DPIs) dispensations for items on the Agenda.</p> <p>Members are also reminded that any change to their Declaration of Interests must be notified to the Monitoring Officer at East Devon District Council within 28 days of the change. Cllrs FP, SMS and AC each declared no interests in items on the agenda.</p>
<p>24/249</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. Proposed items:</p>

	<p>24/266 Under the Council's Duty of Care, to consider seeking external advice regarding correspondence received. The proposed item was unanimously agreed.</p>
<p>24/250</p>	<p>Planning Applications received: To consider a response to:</p> <p>24/1358/TRE The Warren Warren Park EX11 1TN G1 - Scots Pine: dismantle to ground level 2x dead trees. G10 - Pines: Remove lowest limb on 2x Pine trees, MDC 75mm & 100mm. T4 - Holly: Reduce height to approximately 3m above ground level, Maximum Diameter of Cuts (MDC) 100mm. Thin by up to 15%, MDC 25mm. T5 - Birch: Crown reduce by 2-2.5m, MDC 50mm. T6 - Beech: Reduce 2x trees to height of main union of adjacent Ash, approximately 8m above ground level, MDC 100mm. T7 - Beech: Reduce lowest northerly growing limb back to growth points approximately 3m distal from main stem, remove 2x smaller branches on main stem with an MDC of 125mm for branch 1 and an MDC of 40mm for branch 2. T8 - Beech: Reduce height by 2.5m, MDC 125mm. T9 - Willow: Dismantle in stages to near ground level. T11 - Beech: Crown lift above fruit cage to achieve a 3m clearance, MDC 25m. T13 - Beech: Reduce height of co-dominant stems from neighbouring tree by 5m, MDC 75mm.</p> <p>Cllrs noted the application proposed extensive works to individual and groups of trees. Cllrs felt the high number of TPOs across the site reflected the significant role the site plays in the local and wider West Hill woodland landscape.</p> <p>Cllrs acknowledged that treeworks are occasionally required to maintain safety and the health of the tree. However, they expected that such extensive works would be supported by an arboricultural report explaining and justifying the works. Without this Cllrs felt they did not have sufficient information to make a decision.</p> <p>Cllrs asked for a copy of the EDDC Tree Officers report prior to their consideration but this has not been provided. Cllrs were unable to make a decision and deferred to the EDDC Tree Officers.</p> <p>24/1153/FUL Tale End Toadpit Lane EX11 1TR Proposed single storey garage/carport, conversion of the existing coach house and link extension between the coach house and main house</p> <p>Cllrs supported the application in principle but raised a concern regarding the proposed entrance to the new garage. The applicant proposed to maintain the existing entrance to the site and to create a new entrance to access the garage. This would appear to re-open a previous entrance point.</p> <ol style="list-style-type: none"> a. Cllrs were concerned that construction works to create the new entrance and subsequent regular vehicle movements could adversely impact the mature trees in the vicinity of the new entrance. Cllrs asked for EDDC Tree Officers to consider this in their report. b. Cllrs would not support an application which included an entrance in another location. <p>24/1435/PDQ Weggis Farm Higher Metcombe EX11 1SQ Prior notification (Class Q(a) and (c)) for a change of use from a building on an agricultural unit to 1no. dwellinghouse (Use Class C3)</p> <p>Cllr FP explained that a Class Q application was considered differently to usual applications and factors such as Built Up Area Boundary (BUAB) and Sustainable Development are not relevant considerations.</p> <p>The Council did not support the application. Comments included:</p> <ul style="list-style-type: none"> - An ecological report has not been submitted.

	<ul style="list-style-type: none"> - The photographs provided show the building to be in poor condition. Cllrs queried the extent of the works required to make the buildings habitable. (Ref Hibbert v Secretary of State for Communities and Local Government [2016] EWHC 2853. The High Court has clarified that a “conversion” of an agricultural building can constitute permitted development under Class Q, but a “rebuild” cannot.) - Should there be a site contamination report? - An arboricultural report has not been submitted to consider the impact of the proposal on mature trees adjacent to the barns. - Councillors considered the layout of the development to be poor - Considered alongside application 24/1436/PDQ there will be a significant increase in vehicle movements at the access point onto Oak Road, a narrow unrestricted road. Also, the applications will result in a significant increase in vehicle movements at the Oak Road/B3180 junction. - The site is close to the Pebblebed Heaths exclusion zone <p>24/1436/PDQ Weggis Farm Higher Metcombe EX11 1SQ Prior notification (Class Q(a) and (c)) for a change of use from buildings on an agricultural unit to 5no. dwellinghouses (Use Class C3)</p> <p>Cllr FP explained that a Class Q application was considered differently to usual applications and factors such as Built Up Area Boundary (BUAB) and Sustainable Development are not relevant considerations.</p> <p>Cllrs noted the application was for the change of use of 5 existing building to 5 dwelling houses. Some of the dwellings have 3-4 bedrooms and are likely to be family homes. The plots are numbered 1,2,4,5,6. Councillors asked if there was intention to develop plot 3. This is not shown on the plans.</p> <p>The Council did not support the application. Comments on application 24/1435/PDQ were considered to apply to this application.</p> <p>To confirm consultee comments submitted under Delegated Powers:</p> <p>24/1236/FUL 14 High Bank West Hill Devon EX11 1XX Proposed garage conversion and a forward- facing infill extension to the front elevation.(Support) Consultee comments were noted and confirmed.</p>
<p>24/251</p>	<p>Planning decisions received for information (*denotes WHPC differed)</p> <p>24/1123/TRE 10 Heather Grange West Hill EX11 1XZ Status: Approved* Various tree works T1 Birch Fell, T2, Douglas fir - shorten low branch T3 Oak, T4 Holly - reduce Spindle - fell. Group of eight Holly beneath pines - remove.</p> <p>24/1090/CPL Calluna Beech Park West Hill EX11 1UQ Status: Approved Lawful development certificate for proposed single-storey rear extension.</p> <p>23/2612/OUT Land at Lower Broad Oak Road West Hill Status: Refused Outline planning application for the construction of 5 no. dwellings, with all matters reserved Noted.</p>
<p>24/252</p>	<p>Strategic Planning Working Group: To receive feedback on a training event held by Locality Neighbourhood Planning.</p> <p>Cllrs briefly discussed a webinar attended by several Cllrs. It was considered a good introduction to developing a Neighbourhood Plan.</p>

WHPC Groups + Initiatives

24/253	<p>Village Hall Pedestrian Path Working Group:</p> <p>a. To accept, if considered appropriate, terms of a lease on land at the site of West Hill Village Hall for the purposes of constructing a pedestrian path.</p> <p style="color: red;">Cllr FP reported the Parish Council had received a draft lease for consideration. The Council's Solicitor had reviewed the lease and raised no concerns.</p> <p style="color: red;">Cllr FP noted the draft lease had been circulated to Cllrs and invited Cllrs to comments. Cllrs SMS and AC said they had no concerns.</p> <p style="color: red;">It was resolved to accept terms of the lease on land at the site of West Hill Village Hall for the purposes of constructing a pedestrian path.</p> <p>b. Subject to 24/253 (a), to consider the actions and associated costs required before construction work can start.</p> <p style="color: red;">Cllr FP reported on preparations for the construction phase:</p> <ul style="list-style-type: none"> - JRC Engineers had been appointed to liaise with DCC Highways and oversee construction - Richard Green Ecology Ltd had been appointed to carry out ecological checks <p style="color: red;">Cllr FP reported on an outstanding matter: to seek a DCC Highways Traffic Regulations Order (TRO) permitting School-Clear road markings on West Hill Road. The Parish Council would seek a reduction in the £5,000 application fee.</p> <p style="color: red;">Standing Orders were suspended.</p> <p style="color: red;">DCC Cllr JB advised that she would liaise with DCC Highways on behalf of the Parish Council.</p> <p style="color: red;">Standing Orders were resumed.</p> <p style="color: red;">The Chairman thanked DCC Cllr JB and advised that the Council would report progress to the next meeting.</p> <p style="color: red;">Cllrs were concerned that the TRO process could take 6-12 months and agreed that the Council should seek to reduce the timescales. They noted that planning permission for the works is due to expire in January 2025. Cllr FP stated that the planning permission required that works should begin before the deadline.</p> <p style="color: red;">Action: The working group to write to EDDC to seek confirmation as to the material works required to satisfy the planning permission requirements.</p> <p style="color: red;">It was resolved: To submit a TRO application and to pay the associated fee, £5,000, subject to any reduction secured by DCC Cllr JB.</p>
24/254	<p>Finance Working Group:</p> <p>a. To receive a report on a request to Exercise the Public Right to inspect the 2023-24 accounts and associated documents.</p> <p style="color: red;">The Council received a request to inspect the 2023-24 accounts on 3rd July and, due to holidays, the Inspection took place on 15th July. During the inspection, a member of the public, objected to the presence of the Chairman.</p> <p>b. To receive a notification of an objection to the Parish Council's 2023-24 Annual Return.</p> <p style="color: red;">The Chairman reported that a challenge to the Parish Council's 2023-24 Annual Governance and Accountability Return has been submitted to our External Auditor.</p> <p style="color: red;">He stated that the Council would report more fully at the September meeting as the Auditor hoped to complete an eligibility assessment of the 5 objections during August.</p>

	<p>c. To consider an overtime request (Preparation for Inspection of Accounts). Councillors considered the Clerk's request for an overtime payment for additional hours worked to compile and prepare material for the Inspection of Accounts. Cllr FP noted that the request was fair and reasonable. Cllrs agreed. It was resolved to agree an overtime payment of £85.80.</p>
<p>24/255</p>	<p>Emergency Plan Working Group: To receive an update on the Emergency Plan workshop held on 30th July 2024 and to consider recommendations.</p> <p>Cllr FP reported that the Working Group were making good progress on a leaflet to be distributed to residents. It was hoped that an Emergency Plan for West Hill would be published by the end of the year.</p> <p>Cllr FP thanked the public members of the Working Group for their ongoing work on the project.</p>
<p>24/256</p>	<p>Playpark Working Group: To receive an update on replacement playpark benches.</p> <p>1 member of the public left the meeting.</p> <p>Cllr AC reported</p> <ul style="list-style-type: none"> - that the approved order for two replacement benches had been submitted and delivery was expected before the end of August. - Playpark maintenance would take place in August including annual timber treatment works. - she would be visiting East Devon playparks during the summer to gather information in preparation for developing a playpark strategy.
<p>24/257</p>	<p>Infrastructure Working Group:</p> <p>a. To receive an update on ownership of the Bendarroch Road bus shelter and to agree actions, if considered appropriate.</p> <p>Cllr FP reported that the Parish Council had received information regarding the ownership of the bus shelter.</p> <p>Action: The Clerk to write to East Devon District Council to seek confirmation that the bus shelter is an EDDC asset.</p> <p>b. To receive an update on verge maintenance at the junction of School Lane/West Hill Road and to agree actions, if considered appropriate.</p> <p>The Clerk reported that DCC Highways were responsible for the maintenance of the verge. However, over recent years verge cutting had been 'hit and miss' since an initiative to establish the area as a wildflower verge. Cowslips were present on the verge but it was not actively managed as a wildflower area. For several years residents had raised concerns about road safety and the untidy appearance of the area.</p> <p>Following discussions with a DCC Highways Officer, two options were presented for consideration:</p> <ul style="list-style-type: none"> a. The verge could be added to the Highways schedule for regular maintenance. b. The Parish Council to take responsibility for the verge and actively manage the area as a wildflower verge. This would require regularly cutting a strip adjacent to the highway and removing all grass cuttings when the entire verge is cut in late summer. <p>Cllr SMS was keen to encourage wildflowers and preferred option b. Cllrs AC and FP raised concerns about road safety and particularly the safety of children on bicycles as they could be obscured by tall grass.</p> <p>It was resolved to take responsibility for the verge, subject to Highways consent, and to add maintenance of the verge to the Lengthsman schedule.</p>

	Action: Clerk to write to DCC Highways to seek their approval and to write to Devon Wildlife to seek their advice.
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Other Matters

24/258	To consider a response to East Devon District Council's consultation on Public Space Protection Orders . Cllrs had no comments and agreed a nil response.
24/259	To review the WHPC Risk Register and agree amendments as required. Cllrs considered the risk registers and agreed amendments to several items. 1 member of the public left the meeting 11.05am
24/260	To consider correspondence received: a. West Hill Traffic Issues Cllrs considered correspondence which highlighted several traffic issues including 20mph area, raised pads and pavements. The Chairman noted that the matters were outside the direct authority of the Parish Council asked the Road Safety Working Group to consider.
24/261	To receive a report from the Parish Clerk The Clerk's report included: a. The Council has received notification that the frequency of bank charges will change to a monthly basis. b. Two EDDC consultations were open for public comment: <u>East Devon's first Tree, Hedge & Woodland Strategy</u> closing date Friday 6th September. <u>Refurbishment of nine East Devon play areas</u> closing date Friday 23 August 2024. c. The Devon Association of Local Council's (DALC) AGM, Conference and Exhibition will take place on 2 nd October. Further details will be available in due course. d. DALC will host the second Highway's themed event on 15 th August: An introduction to self-help Highways schemes. Cllrs were invited to attend.
24/262	To review WHPC's Action Tracker Cllr FP led a review of progress against action points. No further actions were identified.
24/263	Financial matters: 1. To consider and approve, if appropriate, the Schedule of Payments. Cllrs considered the Schedule of Payments and invoices circulated before the meeting. No questions were raised. It was resolved to approve the payments and sign the invoices. 2. To consider and approve, if appropriate, any additional payments presented to the meeting. Cllrs approved the payment of an additional invoice presented for consideration: a. Inv 3016 ProLawn Garden Services - grass cutting £72.00 3. To receive, if available, monthly Bank Reconciliations and finance trackers. The meeting received the bank reconciliations (June) and Financial Report (July) previously reviewed and approved by the Finance Working Group. No issues or questions were raised.
24/264	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> No items were raised.
24/265	Next meeting: To confirm arrangements for upcoming WHPC meeting on Tuesday 3rd September 2024 7.30pm at the Village Hall

County/District Cllr JB and all remaining members of the public left the meeting

Part A ended 11.25am
Part B began at 11.27am

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.

24/266	Under the Council's Duty of Care, to consider seeking external advice regarding correspondence received. It was resolved to request details of Solicitor Services available to the Parish Council on an annual retained basis for consideration at a future meeting.
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Part B ended at 11.53am
Meeting closed at 11.55am

Signed

Date