

**WEST HILL PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING
HELD ON 4th DECEMBER 2018 AT 7.30PM
AT WEST HILL VILLAGE HALL**

Present:	Chairman Cllr Margaret Hall (MH) Cllr Jill Ingle (JI) Cllr Alan Cook (AC) Cllr Jessica Bailey (JB) Cllr Christopher Hall (CH)
In attendance:	Alison Carr Parish Clerk, EDDC Cllr Geoff Pratt, 1 member of the public
Absent:	Cllr Quentin Tailford, Cllr Jo Talbot

Item (a)	Discussion and decisions (b)	Action (c)
18/409	Welcome and Chairman's announcements The Chairman welcomed everyone, reminded everyone that the meeting was being recorded and started the meeting at 7.30pm	
18/410	Apologies Apologies were received from Cllr Quentin Tailford, Cllr Jo Talbot and EDDC Cllr Paul Carter	
18/411	Public question time (3 minutes) Mr Michael Grant spoke briefly about his planning application 18/2594/TRE which is on the agenda for this meeting (item 18/417).	
18/412	To receive the monthly crime stats for information Chairman MH said that the crime statistics were updated to September and one additional crime had been reported in the village, recorded as antisocial behaviour.	
18/413	District and County Councillors' reports for information (items raised for decision will appear on the agenda for the next meeting). District Cllr Geoff Pratt briefly mentioned the government's assessment of future housing need in East Devon and said that both ONS and the Campaign to Protect Rural England had produced their own reports which indicated that the government's estimate of the number of new houses required was too high. The CPRE report also said that the wrong type of housing is being built in various areas nationally and there is a particular lack of affordable homes. He cited as an example the development of the mill site in Ottery, where a number of the new houses were bought by speculators and have been placed on the rental market. This does not help local people afford to buy homes in the area. In contrast, in Tipton St John, a number of homes were earmarked for people with connections with East Devon. Cllr Pratt said that the regulations for affordable homes need to be looked at.	
18/414	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. c. 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).	

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	<p>Cllr JB declared a personal interest in planning application 18/2678/FUL as she is a friend of one of the neighbours. She said she would remain in the room but not take part in the discussion.</p> <p>Cllr JB also declared a personal interest in one of the bids for Communities Together funding (item 18/426 below) as her son plays football for the West Hill Wasps Junior FC. She said she would leave the room during the discussion.</p> <p>There were no other declarations of interest.</p>	
<p>18/415</p>	<p>Minutes</p> <p>a. The minutes of the Parish Council meeting on 6th November 2018 were approved as a true and accurate record</p> <p>b. The minutes of the Parish Council meeting on 20th November 2018 were approved as a true and accurate record</p>	
<p>18/416</p>	<p>Updates on actions and matters arising from the last meeting (action tracker)</p> <p>Many items are on this agenda but those that are not were updated as follows:</p> <p>Cllr CH reported that the Woodland Trust contractor Tilhill had created a small clearing in the Broadoak Plantation. It is a work in progress. The Woodland Trust has agreed to instruct Tilhill to strim the area as part of its regular maintenance. They removed three small birches from the clearing and several other birches previously marked along the edge of the path. Councillors remarked that it was a shame dog owners were not picking up after their dogs, particularly as the Parish Council arranged for the installation of two extra dog waste bins, one at each entrance to the woodland.</p> <p>Councillors agreed to send a courtesy email to thank Tilhill and the Woodland Trust.</p> <p>ACTION: CH to send an email of thanks on behalf of the Parish Council.</p> <p>Playpark repairs – the Clerk informed Councillors that she had received a reply from Wicksteed saying that they were unwilling to attach a piece of equipment to an existing structure supplied by a different company as it would invalidate any guarantees. Chairman MH has emailed Claire Wright to ask if she remembers a guarantee being provided when the equipment was installed by Alastair Guy. If the equipment is still under guarantee, Alastair Guy should be required to uphold it.</p> <p>ACTION: Clerk to email OSM Clerk to see if she knows of any guarantee given when the equipment was originally installed.</p> <p>McColls redevelopment – the planning application is still being decided by EDDC. There was some confusion because the documents page of the planning portal had “refused” written next to the documents. Chairman MH asked Cllr Mike Howe if this was significant and whether there were any updates about the application and he agreed to look into it.</p> <p>Safe walking routes and the traffic study – traffic consultant Jon Tricker said he hoped to have a draft report ready by 7th December. Following the draft report, a public consultation will be required, which MH said Councillors need to start thinking about. She suggested the end of January, probably a Friday, possibly 2.30pm through to 7pm to give as many residents as possible an opportunity to look at the report recommendations and comment.</p> <p>ACTION: Clerk to check the availability of a suitable room in the village hall.</p> <p>Overgrown hedges – Councillors were pleased that one of the residents contacted about their overgrown verge had responded positively by cutting it back.</p> <p>ACTION: Clerk to send a note of thanks</p> <p>Landing site for the Devon Air Ambulance – Toby Russell will address Councillors and any members of the public at the Parish Council meeting on Wednesday 2nd January to outline costs and funding and the next steps.</p> <p>Lengthsman – MH said she thought Councillors need to meet with Mike Brown to discuss the next steps.</p>	<p>CH</p> <p>Clerk</p> <p>Clerk</p> <p>Clerk</p>

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	<p>MH said she would send the link to the DCC funding web page again to AC and QT.</p> <p>Strongvox letter about the overgrown hedge bordering the public footpath – the Clerk has drafted a letter and will send it to MH for approval.</p> <p>Meeting between Councillors and Charlie Plowden – Charlie Plowden said he thought it would be more appropriate to meet David Colman.</p> <p>ACTION: Clerk to contact David Colman about a meeting with Councillors after Christmas.</p>	<p>MH</p> <p>Clerk</p> <p>Clerk</p>
<p>18/417</p>	<p>Planning applications received</p> <p>18/2594/TRE 14 Warren Park Proposal: T2 White Oak fell due to excessive shading to garden and more significantly causing poor light quality to property - and close proximity to building with branches of the tree overhanging the building</p> <p>Councillors noted that the tree had been recorded in the tree survey “Special Trees of West Hill” and forms part of a significant group of trees lining the property’s boundary with Higher Broad Oak Road. They thought the tree has high amenity value and supports the character of the woodland village. They accept that the tree is close to the applicant’s property, but this is the case with many trees in West Hill, which is, after all, a woodland village. It is difficult to judge how much the tree causes shading, due to it having completed the seasonal shedding of its leaves. Councillors noted that there was no arboricultural report to justify felling. Therefore Councillors voted unanimously to object to felling, but agreed that it would be reasonable for the applicant to remove some minor branches.</p> <p>18/2678/FUL Parsonage House, Bendarroch Road Proposal: Glass balustrade to rear (revisions to 18/1481/FUL)</p> <p>Councillors noted comments from a neighbour supporting the proposal to substitute glass panels for the wire barrier, and that it should be a permanent feature. Councillors voted unanimously to not object to the proposal but request that the same planning conditions should be applied as had been applied to the previous application.</p> <p>18/2624/TRE 11 Moorlands Proposal: T1 Oak , Crown lift over garden reducing lateral branches and removing epicormic growth from stem, to give 4.5m clearance from ground level.</p> <p>NOTE the proposal was amended to the following and circulated to Cllrs prior to the meeting: T1 Oak, 20% thin of tertiary branches removed systematically throughout the outer crown, combined with crown lift over garden reducing lateral branches and removing epicormic growth from stem, to give 4.5m clearance from ground level</p> <p>Councillors noted that a photograph of the tree had been submitted with the application and that the tree was a fine specimen. They were disappointed that there was no arboricultural report to support the application and commented that the drawing submitted was inadequate. Councillors agreed that it would be appropriate to remove the epicormic growth but thought that the 4.5m crown lift was excessive. Councillors voted unanimously to not support works other than the removal of the epicormic growth.</p>	
<p>18/418</p>	<p>Planning decisions received for information (*denotes WHPC differed)</p> <p>18/2122/TRE 14 Perrys Gardens – refused</p> <p>18/2484/FUL The Lawns – approved retrospective*</p> <p>18/2472/FUL The Moor – approved</p> <p>Chairman MH said EDDC planners will make a site visit to Meadowgate in January. Councillors discussed how they could best emphasise how much the site has been adversely affected by the development. It was agreed to forward information such as ‘before’ and ‘after’ photos to District Cllr Paul Carter to forward to the planning committee. The Parish Council will be informed when the application will be discussed at DMC and can send a representative to speak briefly. It was agreed that Cllr JB will attend.</p>	<p>JB</p>

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18/419	<p>Updates and reports from Working Groups</p> <ul style="list-style-type: none"> a. Finance – met to discuss 2019-20 budget – see item 18/420 b. Invasive weeds – no update c. Personnel – the interviews for the new Clerk take place tomorrow (5th December) and there are three candidates for interview as several withdrew at the last minute. d. Playing field/open space – no update e. School field – see item 18/423 f. Website – MH and the Clerk had a positive meeting with Pete Goff, senior designer at Cosmic, to push for progress in the agreed list of minor changes
18/420	<p>To consider the draft 2019-20 budget (paper by CH)</p> <p>Cllr CH briefly summarised the report he wrote following the meeting of the Finance Working Group. The Parish Council is in a sound financial position and was able to retain reserves at the end of the 2017-18 financial year. It is expected that at the end of the 2018-19 financial year, there will be further retained reserves. As there is no specific project yet requiring major investment, Councillors agreed that there was no justification for increasing the burden on taxpayers. The 2019-20 budget contains a provision of just over £14,000 for projects like road safety improvements. The only other potential liability is the Clerk’s pension – if the Council agrees to pay the employee contribution, which as a worst case scenario could be 21%. By leaving the precept unchanged, it is likely that the Band D equivalent would be slightly reduced as the number of properties (the tax base) in the village has increased.</p> <p>The FWG recommended that Councillors accept the proposed budget and vote to leave the precept unchanged from 2018-19.</p> <p>It was RESOLVED to accept the draft 2019-20 budget as presented. (Proposed by MH, seconded by JI, unanimously agreed)</p> <p>It was RESOLVED to freeze the 2019-20 precept demand at the 2018-19 rate. (Proposed by MH, seconded by JI, unanimously agreed)</p>
18/421	<p>Employer’s Pension Scheme: To consider offering the incoming Parish Clerk the option to take up an approved Automatic Enrolment pension scheme currently on a non-contributory basis where the Parish Council (The Employer) pays in the 8% maximum required under AE rules.</p> <p>This scheme will replace the option to join East Devon’s Local Government Pension Scheme. This is to meet current workplace pension rules. Councillors are reminded that the Parish Council, as an employer, is required to provide a workplace pension for its employees (currently only the Clerk), and that it is in the Clerk’s employment contract that a pension is offered.</p> <p>If the Parish Council wishes to switch the offer from LGPS to an approved AE provider a minuted agreement is required.</p> <p>Councillors discussed switching the pension offer from the LGPS to an approved AE provider. It was RESOLVED to switch to an automatic enrolment provider. (Proposed by MH, seconded by AC, unanimously agreed)</p> <p>Clause 20.1 in the West Hill Parish Council Staff Contract template will also need to be amended as follows:</p> <p><i>“Full details of the scheme will be provided when you are enrolled, including the minimum contribution level that you will be required to make and your right to opt out if you do not want to join the scheme.</i></p> <p><i>While participating in the scheme, you agree to worker pension contributions being deducted from your salary.</i></p>

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	<p><i>West Hill Parish Council (The Employer) will pay in 8% of your salary from the start of the month following expiry of your Probation Period, and therefore initially this will be a “non-contributory” basis for you as the Government total contribution requirements will be met.</i></p> <p><i>You may choose to pay further sums into the scheme if you wish by deduction from your net pay.</i></p> <p><i>The scheme is subject to its rules as may be amended from time to time, and the Employer may replace the scheme with another pension scheme at any time.</i></p> <p><i>You will have the right to “Opt Out” but the Council strongly advises you do not do so.”</i></p> <p>It was RESOLVED to adopt the amended wording in the Clerk’s employment contract. (Proposed by MH, seconded by JB, unanimously agreed)</p>	
<p>18/422</p>	<p>Contract of employment: To agree an amendment to the draft contract of employment, para 4.1 to change the probationary period from 12 months to 3 months. Proposed wording:</p> <p><i>“4.1 Your appointment is subject to satisfactory completion of a probationary period of 3 months. There will be a formal review after 6 months’ employment and thereafter annual appraisals.</i></p> <p><i>It is a condition of your employment that you work to obtain the Certificate in Local Council Administration within 1 year of your appointment.”</i></p> <p>It was RESOLVED to amend the Clerk’s contract of employment paragraph 4.1 to reduce the probationary period from 12 months to 3 months. (Proposed by MH, seconded by AC, unanimously agreed)</p>	
<p>18/423</p>	<p>To consider the next steps to be taken in seeking reinstatement of community access to the school field and agree what action should be taken, including:</p> <ol style="list-style-type: none"> 1. Draft letter to Claire W to arrange meeting with DCC 2. Update on application as Asset of Community Value 3. Discussion on letter from Charity Commissioners <p>Councillors discussed the latest reply (4/12/18) received from the Smile Learning Trust. They expressed disappointment that the Parish Council’s offer to fund security measures to mitigate the potential risks of opening the field gates was ignored by the Trust. The Trust has declared that no further dialogue will take place and that it considers the matter closed. Councillors still feel strongly that the 30-year agreement should be maintained and community access should be reinstated.</p> <p>Regarding the application to register the field as an Asset of Community Value, it is hoped that EDDC will respond soon. Councillors understand that if successful, it merely gives the community the right to bid, should the field be put up for sale. This is a separate issue from reinstating community access. Achieving ACV registration does not affect the ongoing debate about community access.</p> <p>Regarding bringing the matter to the attention of Devon County Council, with whom the original access agreement was established when the school was built, it was RESOLVED to write to Claire Wright to arrange a meeting with DCC senior officers.</p> <p>Regarding the letter from the Charity Commissioners in 1998, no further action will be taken.</p> <p>It was further RESOLVED to write a response to the email from the Chair of the PTFA and it was RESOLVED that Chairman MH should seek an informal meeting with the new Chair of Governors, Rowan Ross – to ensure she is fully briefed on the history of the field and original agreement.</p>	

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	Councillors stressed that they wish to find an amicable solution that satisfies the concerns of the school, the Parish Council and the community.	
18/424	<p>To approve the purchase of OS MasterMap data for the Traffic Study</p> <p>The Clerk informed Councillors that the cost of obtaining the data from OS was £49 +VAT and was required by Jon Tricker for the traffic study report so was pre-approved by the Chairman. Jon Tricker has paid for it and will add it to the final PJA invoice.</p> <p>Approved</p>	
18/425	<p>Update on Ottery Hospital and Health & Care Forum</p> <p>Chairman MH updated Councillors on her recent correspondence with OSM Cllrs Elli Pang and Leigh Edwards, the result of which is that MH will no longer take part in the Forum as she does not believe that the Forum is making progress with developing a credible plan to save Ottery Hospital.</p>	
18/426	<p>Update on Communities Together – meeting at OSM on 12/11/18 and to consider the bid from Ottery Help Scheme and any other bids and agree what action should be taken.</p> <p>Cllr JB attended the Communities Together joint meeting at Ottery on 12th November. There are currently two proposals from groups wishing to bid for funding.</p> <ol style="list-style-type: none"> 1. A Dementia Action Alliance proposed by Ottery Help Scheme. Ottery St Mary Town Council will submit the bid. It was RESOLVED that WHPC would support it. Councillors noted that it would have no financial implications for WHPC. 2. Mobile goal posts for West Hill Wasps. WHPC will submit the bid, which has also been supported by Ottery St Mary Town Council. The cost of the goalposts is in the region of £2,500. Kings School PTFA and West Hill Wasps will provide match funding of 10% each. <p>It was RESOLVED to support the bid. Cllr JB will work with Wasps Manager Doug Ferguson and Kings PTFA to draft the bid.</p> <p>ACTION: JB to seek support in principle from neighbouring Parish Councils such as Talaton, Aylesbeare and Gittisham.</p>	<p>JB</p> <p>JB</p>
18/427	<p>To consider establishing a Planning Working Group</p> <p>It was RESOLVED to form a Planning Working Group. It would meet at flexible times in the week before Parish Council meetings to consider planning applications on the agenda for each meeting. Primarily it will consist of Cllrs QT and AC, with other Councillors attending on an ad hoc basis if an application arises of particular interest.</p>	
18/428	<p>To agree a Council representative on the Village Hall Management Committee</p> <p>As a regular user, the Parish Council is entitled to take a seat on the Village Hall Management Committee. Cllr CH volunteered to do it.</p> <p>It was RESOLVED to nominate Cllr Christopher Hall to represent the Parish Council on the Village Hall Management Committee.</p> <p>ACTION: Clerk to email Ian Heard to request that this can happen.</p>	Clerk
18/429	<p>GDPR and publishing applicant names on planning applications</p> <p>To consider whether to publish the names of applicants and/or owners with regard to planning applications on Parish Council agendas/minutes and if so, to identify on which lawful basis the information is being processed, to comply with GDPR regulations (see https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/)</p> <p>There was a discussion about whether the Parish Council needs to consider GDPR in relation to publishing applicant names with planning applications on Agendas and Minutes. The information is published by EDDC anyway, so WHPC is using information that is already in the public domain so there is no confidentiality issue.</p> <p>It was RESOLVED to include applicant names when referring to planning applications on Agendas and Minutes.</p>	

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18/430	<p>Correspondence received To consider the email received from a resident about dog waste on pavements between West Hill Road (HBO Rd junction) and McColls shop and agree what action should be taken, if any.</p> <p>Councillors discussed the issue of dog waste on pavements. Councillors noted that it was a shame one or two particular dog owners are not behaving responsibly. Cllr JB had asked EDDC to stencil a “no fouling” message on the pavement and will ask for some more to be done along the pavement between McColls and Higher Broad Oak Road. There is no evidence that an extra dog waste bin would help, as dog walkers can already put bagged waste into the bin at McColls and choose not to. Some of them also ignore the two existing dog waste bins at the woodland walk.</p> <p>It was agreed to promote the issue in the next edition of the Messenger, including reminding people that it is antisocial and harmful to health and encouraging people to “bag it and bin it”. The Clerk will put something on the website about it.</p>	<p>JB</p> <p>MH Clerk</p>
18/431	<p>Finance and invoice tracker</p> <p>Invoices received – for approval:</p> <ol style="list-style-type: none"> 1. Clerk’s claim for reimbursed expenses - approved 2. Village hall invoice for room hire in November - approved 3. Invoice from Steve Radcliffe for play park grounds maintenance in October - approved 4. Invoice 5263 from PJA Associates for traffic study (1 of 2) - approved <p>Paid invoices – for information:</p> <ol style="list-style-type: none"> a. DALC invoice 7418 AGM & conference - noted b. Invoice for hire of Narthex on 2 November - noted c. Invoice 54240386 from Devon County Council for advertising Clerk vacancy - noted <p>To receive the bank reconciliation for November – for information - noted</p> <p>The Clerk presented a late invoice from the contractors responsible for clearing the public footpaths under the P3 agreement with Devon County Council. The P3 grant received from DCC covers this expenditure. It was RESOLVED to accept the invoice and the Clerk can process payment.</p>	
18/432	<p>Councillors questions, reports and items for future agenda</p> <p>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></p> <p>There was a brief discussion on possible topics for inclusion in the next edition of the Messenger, which is Feb/March. The copy deadline is early January.</p>	
18/433	<p>Next meeting</p> <p>The next meeting is scheduled for Tuesday 18th December. However, if there are no urgent planning applications, it is likely that this meeting will not take place. Therefore the next meeting will be WEDNESDAY 2nd January 2019. Councillors and residents please note the change of day, due to the New Year bank holiday.</p> <p>There being no further business, the Chairman thanked everyone and closed the meeting at 9.32pm</p>	

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