

**WEST HILL PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING
HELD ON 7th February 2023 AT 7.30PM**

Present:	Chairman Cllr Della Cannings (DC) , Cllr Margaret Piper (MP), Cllr Stephen Owen (SO), Cllr Alison Carr (AC), Cllr Peter Bennett (PB), Cllr Neil Bromley (NB)
In attendance:	Anne Oliver Parish Clerk, DCC/EDDC Cllr Jess Bailey, 8 members of the public attended the meeting
Absent	Cllr Amanda Townsend (AT)

Minutes of the Ordinary Meeting of the Parish Council

Item (a)	Discussion and decisions (b)
23/031	<p>Welcome and Chairman’s announcements 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"> - Welcome to Councillor Neil Bromley (NB), co-opted as a Councillor at our last meeting. Cllr NB was, in the past, a Councillor at Broadclyst. - A short tribute to long time resident Ken Potter: <p>I think it is appropriate to mention the recent death of Ken Potter. Ken with his twin brother Michael ran a dairy farm on what is now Beech Park and surrounding fields, and delivered milk in the area. Ken and Michael played football for the West Hill boys team in the 1949s. With West Hill increasing in population Ken and Michael built Potters Country Market (now McColls). The store had an atrium, amazing delicatessen counter and a wine and sherry refill facility. Ken was Chairman of the old Village Hall and then was key with others in obtaining the land and building the ‘new’ Village Hall. Both brothers were supportive of the creation of the West Hill Parish Council and Ken’s wish to become a Councillor was thwarted by where he lived. He subsequently became a Councillor at Newton Poppleford. A man who has done so much for West Hill. I’m sure we send our condolences to his family. The funeral is on Friday 17th February at 12:30 at St Michaels West Hill.</p> <ul style="list-style-type: none"> - Local Elections – 4th May 2023: The current West Hill Parish Council has 3 more monthly meetings plus the Annual Parish Meeting unless there is cause to call an Extraordinary meeting. All 7 seats on the Parish Council will be subject to the outcome of the election. A pre- election period commences about the 22nd March 2023. This will be a period of heightened sensitivity to which rules apply to restrict the Council’s activities. The Council focus must now move to completion, where possible, of activities/initiatives before end of our term of office, ensuring preparation of notes on ongoing projects as part of the handover procedures and also of necessity to put in place a scheme of delegation to cover this period of uncertainty and through to post election. <p>It will be known on the 5th April who the candidates will be. If 7 or fewer there will be no need for an election. If fewer than 3 candidates then the EDDC will need to deal with such a situation.</p> <ul style="list-style-type: none"> - Planning Matters: <ul style="list-style-type: none"> - The planning application for the land north of Oak Road is still awaiting a decision. A five day notice (for urgent tree works) has been issued by EDDC to fell a tree on the site near to the proposed entranceway. (ref item 23/034) - It is also noted that a developer has commenced an online consultation regarding their intent to apply for outline planning permission for 31 new homes on land at Eastfield (identified at WH06 in the draft EDDC Local Plan).

	<p>- RESIGNATION OF The Clerk</p> <p>I have today received a letter of resignation from our Clerk, Anne Oliver. This is disappointing but not a surprise. The Clerk has a three month notice period and so will leave the Council just after the date of the Local Election. During this time she will need to concentrate on the usual year end processes and work to ensure a smooth handover to a new Clerk (or Locum Clerk) and a new Council. I will expand on her resignation and the actions the Council needs to consider under agenda item 23/044/5 – urgent matters.</p> <p>I pay a public tribute to Anne Oliver for all the hard work she has put in to developing the Councils governance, business support and the wider engagement of Council in the community – exemplified especially the sterling work she did through the pandemic lockdown with being the key contact for the Councils Help Scheme.</p>
<p>23/032</p>	<p>Apologies. To receive apologies and approve reasons for absence. Apologies were received from Cllr AT and reasons for absence were accepted.</p>
<p>23/033</p>	<p>Public question time (3 minutes)</p> <p>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></p> <p>This item includes issues submitted to the Clerk prior to the meeting.</p> <p>The Chairman invited comments/questions from the public:</p> <p>a. A member of the public raised a question about the Blue Cedar Homes’ public consultation on a proposed development near Eastfield, West Hill.</p> <p>Also</p> <p>b. A member of the public commented on the proposed development by Blue Cedar Homes’, in particular raising concerns regards the character of the area and the impact of additional traffic.</p> <p>Cllr DC advised</p> <ul style="list-style-type: none"> - the developer’s website stated that the consultation is open until 23rd February and would be followed by an “outline” planning application to EDDC in March. At that point the Parish Council and individuals would be able to submit their comments to the Planning Officers in the usual way. - It was not the Council’s role to promote the developers’ consultation however individuals could do so if they wish. <p>c. West Hill’s Footpath Warden gave an update on the Annual Footpath Survey (agenda item 23/047) to advise that a drainage issue on footpaths 1+2 had been resolved and no further maintenance was required. Also, she had reported a faulty footpath light to Highways some time ago but no action had been taken.</p>
<p>23/034</p>	<p>District and County Councillors’ reports for information (items raised for decision will appear on the agenda for the next meeting)</p> <p>DCC/EDDC Cllr Jess Bailey’s (JB) report included</p> <ul style="list-style-type: none"> - Cllr JB has asked for a meeting with DCC Highways and Kings School to explore options to improve road safety near the School. - Cllr JB met with a Highways Officer to review pedestrian safety in the Beech Park area approaching West Hill Primary School. She raised concerns regarding the cars now parked during school drop off/pick up. - A reminder that voters will require photo id at Polling Stations from May 2023 onwards.

	<ul style="list-style-type: none"> - A 5-day notice of urgent works to fell a beech tree (TPO) on land north of Oak Road has been issued. Cllr JB has raised concerns with the EDDC Tree Officers. - Cllr JB raised ongoing concerns regards Devon County Council Children Services <p>Action: Cllr JB was asked to contact DCC Highways to establish a date for the approved works to paint yellow lines on (part of) Bendarroch Road.</p> <p>Action: Cllr NB to contact Cllr JB regarding pedestrian safety on Bendarroch Road.</p>
23/035	<p>Declarations of Interest</p> <ul style="list-style-type: none"> a. Register of Interests: Councillors are reminded of the need to update their register of interests. b. To declare any personal interests in items on the agenda and their nature. To declare any disclosable pecuniary interests in items on the agenda and their nature (Councillors with DPIs must leave the room for the relevant items). <p>The Chairman proposed a dispensation for all Cllrs for item 23/053 to enable the Council to discuss matters. Unanimously supported by all Cllrs. Cllrs MP, SO, AC each declared no interests. Cllr PB declared an interest in items 23/046, 23/052, 23/054 and proposed to remain in the the room. Cllr DC declared a personal interest in item 23/046 and proposed Vice-Chairman Cllr MP chaired that item. Unanimously agreed by Cllrs.</p>
22/036	<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, to be considered in Part B, if appropriate: n/a N/A</p>
23/037	<p>Minutes: To approve and sign the minutes of the Parish Council</p> <ul style="list-style-type: none"> a. Extraordinary meeting of 3rd January 2023 <p>Cllr PB stated that he was not present at the meeting as a Cllr but attended as a member of the public. He asked why the minutes of the meeting referred to him. Cllr DC explained the minutes were a record of what occurred at the meeting.</p> <p>Cllrs, present at the 3rd January 2023 resolved the minutes were a true record of the meeting. The minutes were signed by the Chairman.</p> <p>Following further discussion, Cllr DC called a motion under Standing Orders 10A(vii) to proceed to the next item of business. Seconded by Cllrs AC, SO, MP.</p> <ul style="list-style-type: none"> b. Meeting on 4th January 2023, both previously circulated. <p>Cllrs present at the 4th January 2023 resolved the minutes were a true record of the meeting. The minutes were signed by the Chairman.</p> <p>The Chairman proposed to bring forward an item on the agenda (Standing orders 10a (vi)). Cllrs unanimously agreed.</p>
23/044 (5) Brought Forward	<p>Clerks Report: Urgent Matters</p> <p>WHPC Emergency Scheme of Delegation</p> <p>The Chairman explained that the Council can only make decisions at a Council Meeting. It was good practice for a Council to have an Emergency Scheme of Delegation in place to ensure that the Clerk can ensure essential business of the Council can continue, within set parameters, if the Council becomes inquorate. Cllrs considered the paper, previously circulated, which set out the proposed delegation and recording/reporting decisions to the Council.</p>

	<p>Cllrs unanimously resolved to invoke the WHPC Emergency Scheme of Delegation and the decision to be reviewed within 6 months.</p>
23/038	<p>Planning Applications received</p> <p>22/2253/FUL Touch Wood 3 Hylands Close, EX11 1XJ Applicant Mr John Retrospective application to retain 1.8m fence to front of property, bordering turning area</p> <p>Cllrs objected to the application as they considered the boundary fence to be out of keeping with the local area and is contrary to Policy NP26: West Hill Design of The Neighbourhood Plan for the Ottery St Mary and West Hill which states: where new boundaries are required (including frontages), these should consist of Devon banks or hedges incorporating native species, rather than metal or close-boarded fences or brick walls</p>
23/039	<p>Planning decisions received for information (*denotes WHPC differed)</p> <p>22/2432/TRE Treeferns Higher Broad Oak Road EX11 1XJ Status: Decided/Split Decision Noted</p>
23/040	<p>Other Planning Matters:</p> <ol style="list-style-type: none"> 1. To note 23/0001/TPO Land at Blackmores, Elsdon Lane EX11 1UB Noted 2. Planning Appeal Straitgate Farm, Exeter Road, Ottery St Mary, EX11 1LG: Appeal upheld <p>Cllrs expressed their disappointment that the appeal was upheld against the recommendation by Devon County Council. They now expected the quarry to proceed and were mindful of seeking Highways advice regarding the potential impact of additional traffic, including lorries, on the village.</p>

WHPC Groups + Initiatives

23/041	<p>WHPC Strategic Planning Group:</p> <ol style="list-style-type: none"> 1. Emerging East Devon Local Plan: To receive a verbal update. <p>Cllrs noted the public consultation period had closed 15th January and EDDC would be reviewing the responses. EDDC's Strategic Planning Committee was scheduled to meet on 14th February but the agenda did not include the Draft Local Plan. WHPC's working group would continue to monitor progress. Cllr DC reminded the meeting that a further public consultation would be undertaken.</p> <ol style="list-style-type: none"> 2. Neighbourhood Plan: To receive a verbal update. <p>Cllr DC gave an update on the WHPC application to EDDC to begin the process to define a Neighbourhood Area for West Hill (following the decision taken at the 6th December 2022 meeting (ref 22/358-2). EDDC are seeking advice on this process due to the unusual situation arising due the current <u>joint</u> Neighbourhood Plan for West Hill and Ottery St Mary which was initiated before the creation of WHPC. WHPC understands Ottery St Mary Town Council (OSMTC) will be making a similar application to EDDC. Cllrs were reminded that the definition of a Neighbourhood Area did not impose a commitment on the new Council, to be elected in May2023.</p> <p>Cllrs resolved to accept the recommendation of the strategic planning working group :</p> <ol style="list-style-type: none"> a. to write to Ottery St Mary to seek that the Councils work in tandem to request new Neighbourhood Areas.
23/042	<p>Village Hall Pedestrian Link: To receive an update on the Invitation to Tender for the construction works and recommendations for the next stage of the project.</p>

	<p>Cllr AC gave an update on the response to the WHPC Invitation to Tender. The joint Village Hall/Parish Council working group met on 20th January to open three received bids. None of the contractors had provided all of the information requested. Consequently, the Village Hall Trustees are currently unable to complete an application to grant schemes.</p> <p>It was proposed to write to the three contractors to request the information in the desired format. Cllr DC asked that this included a specification prepared by the Village Hall reps.</p> <p>Cllr DC noted that WHPC was unable to accept any of the quotes as the contractors may revise their bid in their subsequent responses. She also expressed concern regards timescales for decision making as only two Council meetings are available before the May 2023 Election and the scope of the April meeting may be constrained due to the Pre-Election period.</p> <p>At a further meeting, members of the joint working group met to explore an option to expedite the project, however the Village Hall reps did not wish to progress this further.</p> <p>Cllr AC thanked the Village Hall reps for drafting an Agreement to be considered by both parties. The joint working group met on 2nd February to discuss the tenders in detail, the Draft Agreement and next steps.</p> <p>Cllrs asked for additional time to consider the Draft Agreement as it had been received close to the meeting.</p> <p>Action: Cllrs to provide comments on the Draft Agreement to the WHPC Working Group.</p> <p>Cllrs resolved</p> <ol style="list-style-type: none"> a. to write to the contractors to request the additional information required by the Village Hall Trustees. b. to ask the WHPC working group to consolidate and review Cllrs comments on the Draft Agreement and submit recommendations to Council. <p>A member of the public left the meeting.</p>
<p>23/043</p>	<p>Community Engagement Group:</p> <ol style="list-style-type: none"> 1. To confirm arrangements for the Annual Parish Meeting 10th March 2023. <p>Cllrs finalised arrangements for the meeting.</p> <p>Action: Cllrs to notify the Chairman of items for the Chairman's report to the Annual Parish Meeting</p> <ol style="list-style-type: none"> 2. To receive an update on arrangements for West Hill events to celebrate the Coronation of King Charles III. <p>Cllr MP gave an update on plans published by Buckingham Palace for the Coronation weekend 6-8th May and also on a meeting of members of WHPC and village groups/organisations to discuss possible West Hill events to celebrate the Coronation. Ideas for community events included</p> <ul style="list-style-type: none"> ○ Sun 7th May Street Party (similar to the 2022 Platinum Jubilee Street Party) ○ Mon 8th May West Hill Spring Clean/Litter Pick ○ Arboretum Group West Hill Walk <p>Further details would be available from the groups in due course.</p> <p>Cllrs were keen to support the events and would consider grant applications from eligible groups.</p> <p>It was resolved to publish a publicity flyer on behalf of the groups, provisional budget £200+vat.</p>

	<p>b. Cllrs considered possible WHPC initiatives to mark the Coronation. As the Council doesn't own land the options were limited.</p> <p>Cllrs resolved (in favour 5, abstain 1) to</p> <ol style="list-style-type: none"> i. purchase an adult Story-telling throne and childs' Story-telling double bench with commemorative plaques for installation in the Playpark. Budget, to include delivery and installation £850.00+vat <p>Cllrs unanimously resolved to</p> <ol style="list-style-type: none"> ii. use Community Infrastructure Levy Monies (CIL) to fund the project. iii. add the chair and bench to the schedule for annual timber treatment for equipment in the playpark. <p>3. To consider the "Become a Councillor" webpage on the Council's website.</p> <p>Cllrs considered a complaint raised by Cllr PB regarding an item on the website: a Youtube video featuring Jackie Weaver. He was concerned that on viewing the video the associated YouTube recommendations were inappropriate (adult, misogynistic and violent).</p> <p>Cllr AC explained the "Become a Councillor" webpage on the WHPC website featured a video commissioned by the National Association of Local Councils' (NALC). The video and other material was provided for use by Parish/Town Councils to encourage people to become Councillors.</p> <p>She also explained how the YouTube algorithm works to tailor the recommended videos and commented:</p> <ul style="list-style-type: none"> • We as a Parish Council are not responsible for which follow-up videos are recommended to viewers by YouTube. That is tailored to each user based on data gathered by Google YouTube. • There is no inappropriate content in the NALC video. • NALC chose YouTube to platform their video and allow Parish Councils to link to it. • The Jackie Weaver video is a fun way of promoting the idea of becoming a Parish Councillor, has been professionally made by NALC at some expense for Parish Councils to use. • You have to be over 18 to stand as a Councillor and every user has the option of not viewing follow-up videos if they are not interested in the content. Indeed this is how the algorithm learns what to recommend in the future. • When the election has taken place, the Become A Councillor can be removed from the website <p>Cllr PB stated that he did not use Youtube. He objected to WHPC's use of the video and also objected to NALC's decision to feature "Jackie Weaver".</p> <p>Cllr DC noted Cllr PB had raised similar concerns at a previous meeting and recently by email. Cllr AC suggested that he referred his concerns to NALC. Cllr PB advised that he had written to NALC but they had not replied.</p> <p>The Community Engagement Working Group recommended the video remained on the website.</p> <p>By majority vote (In favour Cllrs DC,MP,AC,SO, against Cllr PB, abstain Cllr NB) it was resolved to continue to use the NALC video on the WHPC "Become a Councillor" webpage.</p>
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Other Matters

23/044	<p>Clerks Report:</p> <ol style="list-style-type: none"> 1. To confirm decisions taken under Delegated Powers <ol style="list-style-type: none"> a. To commission additional groundworks in the playpark following the removal of the playboat £200+vat
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b. DALC Training Course – preparing for elections £30+vat
Both items noted and confirmed.

2. Action points from previous WHPC meetings n/a
3. Matters arising n/a
4. Resident Communications n/a
5. Any urgent matters arising

a. Devon Association of Local Council have requested Nominations for Buckingham Palace Garden Party 2023 (in recognition of past service of Parish Chairmen and Town Mayors) - Cllrs agreed to nominate Cllr MP and wished her success in the draw.

b. During January an incident of graffiti on the equipment in the Playpark was reported to the Police. The Playboat has since been removed (ref 22/278)

c. The Clerk presented the Internal Auditors (IA) Contract for signature (ref decision to appoint the IA 22/362).

Cllr PB stated he had not seen the contract. Cllr DC read out the wording of the contract.

By majority vote (In favour Cllrs DC,AC,MP,SO,NB, against Cllr PB) it was resolved to sign the Internal Auditor 2023 contract.

d. Communications with the Clerk

The Clerk reminded Cllrs of the WHPC decision taken at WHPC Meeting 2nd Aug 2022 (22/248) which advised a named Cllr to send their communications to the Clerk via the Chairman.

Cllrs were then asked to consider the Cllr's recent email which stated he will no longer communicate with the Chairman.

Cllr PB identified himself as the Councillor and asked for the legal basis of the Council's decision. Cllr AC stated that decision had been taken under the Council's duty as an employer. The Chairman advised that, following the August 2022 meeting he had received a letter notifying him of the decision and the reasons for the Council's democratic decision. Cllrs AC, MP and SO supported the Chairman and the action taken by the Council. Cllr SO stated that the Council had a legal duty as an employer and it was essential to take the necessary actions to protect the Clerk.

Cllr PB asked "what evidence is there that I have been harassing the Clerk"? Following further challenges, the Chairman referred Cllr PB to previous extensive correspondence on the matter.

It was resolved to uphold the decision of WHPC Meeting 2nd Aug 2022 22/248 (vote In favour 4, against 1, abstain 1)

e. Clerk's Resignation

The Chairman read out the Clerk's resignation letter which set out her reasons for leaving. (extracts of the letter are available on the Council's website)

Cllrs unanimously thanked the Clerk for her service and paid tribute with comments including "has been a brilliant Clerk".

Cllrs briefly discussed the actions required to replace the Clerk. The Chairman noted that Parish Council's often struggled to recruit a Clerk and advised that it may become necessary to appoint a Locum Clerk which would be expensive.

	<p>It was unanimously resolved</p> <ul style="list-style-type: none"> - the HR Working Group would manage the recruitment process - to establish a recruitment budget of £500+vat.
23/045	<p>Grant Award: To consider an application from St Michael's PCC for a community event.</p> <p>Cllrs considered a grant application from St Michael's PCC who plan to hold a three-day community event to celebrate the special life moments of residents of West Hill with stories told through items of clothing and apparel.</p> <p>By majority vote (in favour 5, abstain 1) it was resolved to award a grant of £500 towards costs for the event. Cllrs asked that any publicity includes WHPC as a sponsor of the event.</p>
23/046	<p>Resident Communication: To consider the Information Commissioner's Office decision on a Subject Access Request by a resident to a Cllr.</p> <p>Cllr MP chaired this item and reminded Cllrs of their obligations under General Data Protection Regulations.</p> <p>Cllrs noted the receipt of the resident's letter (circulated prior to the meeting and available on the Council's website). The letter</p> <ul style="list-style-type: none"> - explained a Councillor had refused to comply with a Subject Access Request to provide information held on the resident - provided extracts of correspondence with the Cllr - and advised the resident's subsequent complaint to the Information Commissioner's Office (ICO) was upheld and the ICO found that the Councillor had failed to comply with data protection law. <p>Cllr PB identified himself as the Councillor. Cllr MP asked Cllr PB to comply with the law and respond to the resident. Cllr PB stated</p> <ul style="list-style-type: none"> - he had since written to the ICO and was in "in dispute" with the ICO. - he had received a solicitors' letter from the resident which he would respond to once he had a response from the ICO. - In his view that he had responded to the residents request. <p>Cllr MP noted that the ICO had upheld the complaint against Cllr PB. Cllrs expressed their disappointment. Cllr PB asked why the item was on the agenda. Cllrs noted all Freedom of Interest Requests and Subject Access Requests were reported to Council.</p> <p>Cllrs resolved (In favour 4, Abstain 2) to write to the resident to advise the matters had been reported to Council and to thank the resident for bringing this to the Councils attention.</p>
23/047	<p>West Hill Public Footpaths</p> <ol style="list-style-type: none"> 1. To receive the annual Public Footpath survey and consider recommendations. <ul style="list-style-type: none"> Cllrs thanked the Footpath Warden for the report and accepted the report and its recommendations. Action: WHPC to contact the landowner regarding Japanese Knotweed growing on Footpath 7. 2. To approve the annual grant application for maintenance works (Parish Paths Partnership scheme) <ul style="list-style-type: none"> Cllrs resolved to submit the application to DCC Public Rights of Way for additional maintenance work on Footpaths 1,5, and 7.

23/048	<p>Playpark</p> <p>1. To receive a report on WHPC's annual inspection of the playpark and to consider recommended actions.</p> <p style="color: red;">Cllrs noted and accepted the report recommendations:</p> <ol style="list-style-type: none"> a. Carry out Annual timber treatment (summer 2023) b. Commission repairs to the triple swing (spring 2023) c. Top up bark chips on the path (spring/summer 2023) d. Continue to monitor items highlighted in the report (ongoing) <p>2. To review the playpark weekly inspection rota.</p> <p style="color: red;">Cllrs thanked Cllr NB for volunteering to carry out the "week 3" playpark and bus shelter inspection.</p> <p>3. To receive a verbal update on the removal of the playboat.</p> <p style="color: red;">The Clerk reported the playboat was dismantled and removed from the Playpark on Friday 20th January 2023. The work confirmed the presence of rotten timbers in the structure. The new noticeboard was installed in the playpark on Monday 23rd January 2023.</p> <p>4. To consider the next steps following the removal of the Playboat from the Playpark.</p> <p style="color: red;">Councillors considered a paper submitted by Cllr AT which considered plans for new playpark equipment following the removal of the Playboat.</p> <p style="color: red;">Cllrs thanked Cllr AT for the paper but did not support the proposals and referred the matter to the new Council to be elected in May.</p>
23/049	<p>VAS: To consider the WHPC VAS Report for 2022: This item was deferred to the next WHPC meeting (March).</p>
23/050	<p>WHPC Asset Register and CIL: To note updated statements.</p> <p style="color: red;">Cllrs confirmed the updated the WHPC Asset Register and CIL statement (previously circulated) and the Chairman signed the documents.</p>
23/051	<p>Leisure East Devon (Ottery St Mary): To receive a verbal update on a recent meeting of the community forum. This item was deferred to the next (March) WHPC meeting.</p>
23/052	<p>Freedom of Information Request (FOI) + Subject Access Request (SAR): To note the receipt of an FOI/SAR and WHPC responses.</p> <p style="color: red;">The Clerk reported the receipt of a FOI + SAR in January 2023. Responses had been provided with copies circulated to Cllrs. No questions were raised.</p>
23/053	<p>Seeking Resolution with a Resident: To consider the outcome of the mediation process.</p> <p style="color: red;">Cllrs considered a paper circulated before the meeting (and available on the website).</p> <p style="color: red;">The Chairman gave an update on events since the mediation day December 2022. Following an exchange of communications with the resident the Parish Council received a letter from the resident which stated</p> <p style="margin-left: 40px;">A. <i>"Unless you have anything constructive for the immediate resolution or providing a draft agreement for consideration without conditions, I intend to progress to court action";</i></p> <p style="margin-left: 40px;"><i>And</i></p> <p style="margin-left: 40px;">B. <i>"For the avoidance of doubt, my absolute requirements for resolution are:</i></p>

1. Complete retraction of the two notices of vexatiousness and a public apology
2. Full disclosure of all information and communications concerning the anonymous letters dated 7th November 2021 relating to me and the election of 18th November 2021. That includes details of the receiving Councillors and Clerk but excludes communications exchanged in letters and emails with Party B.
3. Disclosure of any other communications or records relating to me or the election whether or not I am named and between whatever person or organisation.
4. Acceptance that the extraordinary meeting of 9th November was Ultra Vires and misconstrued with an explanation of the true motive and purpose of calling and promoting it as an open public meeting”.

The Chairman confirmed the Council’s Insurers had been notified of the residents’ intention to proceed with court action. She commented “we have been here many times before”.

Cllrs then discussed Clause 1 required by the resident. Comments included

- “The (Council) decisions were not taken lightly. They were very serious decisions, discussed at length. “
- “We have seen no signs of good faith”
- “The designation was made up to 4th May 2023”.

Cllr PB’s comments included:

- “there has been no explanation or evidence given what the vexatiousness consists of”.
- “I have always said that I am persistent”
- “the Council, in 2018, had decided to declare me vexatious when reporting matters of criminal activity”.

The Chairman reminded the meeting the Parish Council first considered and declared the resident a vexatious complainant was at the December 2021 meeting and then again in June 2022. Her comments included:

- “You, the resident, received a letter that set out the nature and basis of the Council’s decision which related to the extent, nature and tone of correspondence from you as Mr Bennett.”
- “The matter is well documented. You were sent documents explaining the decisions of the Council. I suggest that you re-read them.”

Cllrs, by majority vote, did not support Clause 1 (In favour Cllr PB, against Cllrs DC, MP, AC, SO, abstain Cllr NB). The Chairman proposed that as Clause 1 was unacceptable to the Council the resident’s “absolute requirements for resolution” could not be met.

Due to technical problems the meeting was paused at 9.59pm. The meeting resumed at 10.02pm

Cllrs unanimously agreed to extend the meeting beyond 2 1/2hrs.

Cllrs then considered Clauses 2,3 and 4:

Clause 2:

- The Chairman stated “Cllrs are aware of all of the communications that have taken place regarding the anonymous letter, including letters, Freedom of Information Requests, Subject Access Request to the Council and individual Cllrs. There is no more that can be provided as has been explained to the resident on many occasions.”
- Cllr PB asked the Chairman “to expand on the anonymous letter sent to Cllrs on November 2021” then set out and challenged the actions taken by the Council believing them to be contrary to the Council’s Policy and the law.

	<p>- The Chairman replied “you are challenging the veracity of this Council”. “We have answered these allegations on numerous occasions. The Council dealt with this issue in accord with its Anonymous Communications policy”.</p> <p>Clause 4</p> <ul style="list-style-type: none"> o The Chairman stated the Extraordinary meeting of 9th November was a proper, legally convened meeting. <p>Three members of the public left the meeting.</p> <p>Cllrs, by majority vote, did not support Clause 2,3 or 4 (In favour Cllr PB, against Cllrs DC, MP, AC, SO, abstain Cllr NB)</p> <p>The Chairman proposed all efforts to mediate with the resident should stop.</p> <ul style="list-style-type: none"> - Seconded by Cllr SO and supported by Cllrs AC, MP, against Cllr PB, Abstain Cllr NB. <p>Two members of the public left the meeting.</p> <p>Cllr PB stated he had not received the paper for the meeting. The Chairman noted that meeting papers were emailed to all Cllrs and Cllr PB had recently been using his email account to communicate with Cllrs. Also it was available on the Council’s website.</p>
20/054	<p>WHPC Risk Register: To consider the latest update. No questions or comments were raised. Cllrs accepted the amended WHPC Risk Register, previously circulated and the Chairman signed the Register.</p>
23/055	<p>Police Matters: To receive the monthly West Hill crime stats: November 2022 if available (for information). Data for November was not yet available on the www.police.uk website.</p>
23/056	<p>Financial matters: DCC/EDDC Cllr JB and remaining members of the public left the meeting</p> <ol style="list-style-type: none"> 1. To consider and approve the Schedule of Payments for WHPC 7th February 2023. Cllrs approved the payments and signed the invoices (previously circulated). 2. To receive if available: WHPC Finance Tracker, Bank reconciliation Nov/Dec 2022. Cllrs noted and signed the statements (previously circulated). <p>It was unanimously resolved to transfer £2000 between the deposit accounts.</p>
23/057	<p>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></p> <p>Cllr NB asked for an update on a notification from a member of the public whose clothing was marked by wet paint at the bus shelter. The Clerk explained the Lengthsman had painted the interior of the bus shelter to cover graffiti. The Lengthsman had asked for the resident make contact with him directly.</p>
23/058	<p>Next meeting: To confirm arrangements for the next WHPC ordinary meeting Tuesday 7th March 2023 7.30pm at the Village Hall.</p>

Part B - Confidential/exempt items. In consideration of the Public Bodies (Admission to Meetings) Act 1960 (publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted): to agree any items to be dealt with after the public and press have been excluded. **N/A**

The meeting closed at 22.17hrs.

Signed: *Anne Oliver*, Clerk to the Council, 10th February 2023