

## BENTHAM TOWN COUNCIL

### Minutes of the Council Meeting held on Monday 6 February 2012, at 7.30 pm in the Town Hall

Present Cllrs Adams, Barnes, Brown, Burton, Faichney, Handford, Hey & Procter. Also, the Clerk, Mrs Burton & 3 parishioners.

In Cllr Marshall's absence Vice Chairman Cllr Burton took the Chair.

161. To Receive Apologies from members unable to attend

Apologies were received from Cllrs Hurlley & Marshall, & DCllr Barrington.

162. To Receive Declarations of Interest from members present

Cllr Adams declared a personal interest in item 181.2, Leiston cum Sizewell's letter. Cllr Barnes declared a personal and prejudicial interest in item 168.1.1, planning application 08/2011/12091, as organiser of a petition of objectors. Cllr Brown declared a personal interest in item 168.1.2, planning application 08/2012/12318.

163. To Receive Comment & Concerns

A resident from Low Bentham made representation against the development of the land to the rear of the Punch Bowl stating that this was the wrong place to site 21 caravan lodges which, being on higher ground, would tower some 4m above the road creating an eyesore in the area. A petition of 99 signatures had been collected from locals opposed to the development and worries were expressed about the proposed access onto the B6480. The Council were minded to agree with these criticisms.

164. To Confirm the minutes of the previous meeting

**RESOLVED:** That the minutes of the meeting on 4 January and the Precept meeting of 16 January be signed

165. To Receive the Clerks Report (for information only) – see end of these minutes

The clerk mentioned that further planning approvals had been received since the report had originally been circulated on 31 January. She also mentioned the new structure of the Parish Liaison Committee which would next meet in March, and to which all parishes were now invited to send a representative. This will be on the next agenda.

166. To Receive the Police Report & allow members to ask questions for information (actually received after item 168, planning due to the late arrival of Sgt Hill)

Sgt Hill confirmed that there had been 58 incidents in Bentham since January 1, although few were of note. There had been another spike of incidents at Everglades, where 6 reports were due to one girl repeatedly running away. This individual had now been moved on and things had quietened down. The first report had been received from the new Cedar House School, where one child had set fire to their room.

There had been a number of reports of scrap theft, the most notable being the removal of 42 pieces of Railtrack 'field road', valued at £1000 each, from the layby near the Linghaw mast overnight. There had also been several thefts from caravans on the Goodenber site.

167. To Receive Reports from CCllr & DCllrs (for information only) – none present

168. Planning

168.1. To Consider and Comment upon New Applications

168.1.1.08/2011/12091 Stationing of 21 holiday lodges & access alteration at Punch Bowl Hotel, Low Bentham  
*Cllr Barnes declared an interest and left the room.* The Council noted that very little had changed in this new application. Access is still through the 'field gate' which is actually an illegal temporary access installed approximately 4 years ago following a fire in the pub when the then tenants moved into a caravan sited to the rear of the building whilst it was refurbished. The original access to this land was via the side of the Punch Bowl Inn or from the adjacent field, not from the B6480. Whilst noting that the required site lines are apparently been achieved at this illegal access, the Council commented on the number of near misses on this corner, particularly with vehicles leaving Low Bentham travelling at speed. Concern was also expressed at the earth works in the form of banking which have been installed by the applicant without permission, but which were only noted on the plans as 'hedgerow'. The Council was also concerned that squeezing 21 caravans and 42 parking spaces onto such a small piece of land could only be described as over development. The Council was therefore strongly opposed to this application, which it felt was an overdevelopment in the wrong place with a seriously dangerous access. It asked DCllrs Barrington and Brockbank to call this application in for decision by the planning committee following a site visit, which should include a representative from NYCC Highways.

**RESOLVED:** That this application should be strongly objected to on the grounds of overdevelopment and use of an illegal access

**RESOLVED:** That DCllrs Barrington & Brockbank be asked to call application 12091 in to Planning Committee if necessary.

- 168.1.2.08/2012/12318 Removal of condition 4 to previous approval 5/8/172 & transference of agricultural occupancy condition from Fern Hill to Bracken Hill Farmhouse at Fern Hill, Burton Road, Low Bentham. *Cllr Brown declared a personal interest.* The Council was concerned about the principle of removing an agricultural tie from a property that was unlikely to have been given permission for development in the absence of the proven agricultural business need. It asked whether the applicants had attempted to sell the property with the agricultural restriction in place before asking for its removal?

**RESOLVED:** That the Council were concerned about the principle of removing agricultural occupancy from a property which could not have been built without the agricultural business need.

- 168.2.To Receive Planning Decisions  
- If any (see Clerks Report)
- 168.3.To Receive Correspondence on Planning Issues  
- If any (see Clerks Report)

169.Highways Matters

- 169.1.To consider the 2011/12 Highways & Transportation Survey, and agree a response (paper 2011/16) *Cllr Burton temporarily left the room and so Cllr Adams took the chair for this item.* The clerk had circulated the survey to Cllrs prior to the meeting and it was agreed that the answers to most questions about highways maintenance would be fairly dissatisfied or very dissatisfied. In terms of the specifics the Council was concerned about the increasing number and depth of potholes in the area, the quality of repairs carried out and the lack of attention given to gullies and drains. On the plus side, officers are always willing to discuss problems, even if little action occurs following such meetings.

**RESOLVED:** That the clerk complete the survey as discussed noting the poor quality of repairs and the state of the roads in this area.

- 169.2.To receive further information from LCC Highways on the B6480 between Wennington & Low Bentham  
**RESOLVED:** That another letter be sent to LCC Highways thanking them for the prompt drain clearance on the B6480, but pointing out that the problem has not been solved

- 169.3.To receive a quote from the Parish Caretaker regarding work on Spiders Web, and agree a way forward.  
**RESOLVED:** That NYCC Highways and Burton In Lonsdale Parish Council be asked to contribute in some way to this project.

- 169.4.To Consider and Note Highway Matters for Information  
Large potholes have developed on Lakeber Drive. The drain at the bottom of the car park on Grasmere Drive is blocked and flooding the road

**RESOLVED:** That NYCC Highways be informed of the reported problems

- 170.To consider the use of a Co-Option application form for the gathering of information from applicants in the current, and any future, cooption process (paper 2011/17)

**RESOLVED:** That the proposed Co-option Application Form be adopted in the current and any future cooption process

- 171.To note the minutes of the Finance Committee meeting on 16 January – noted  
The bank reconciliation was correct at 31 December 2011, and was as follows:

|              | Bank Statement | Plus O/s Receipts | Less O/s Cheques | Balance  |
|--------------|----------------|-------------------|------------------|----------|
| Current      | 62939.36       |                   | 1408.93          | 61530.43 |
| Deposit      | 11681.25       |                   |                  | 11681.25 |
| LBPf Deposit | 5196.65        |                   |                  | 5196.65  |
| TI Current   | 142.12         |                   |                  | 142.12   |
| TI Deposit   | 1743.04        |                   |                  | 1743.04  |

- 172.To note the minutes of the Buildings Committee meeting on 30 January - noted

172.1.To receive the Thermal Imaging report for Bentham Town Hall (paper 2011/20) - received

- 173.To receive a further offer for the rent for Gravel Heap on Bentham Moor Road for Bentham Common Lands Charity and agree to pass it to the Charity for signature.

**RESOLVED:** That the new rent figure of £200pa be accepted and the license passed to Bentham Common Land Charity for signature

- 174.To receive a response from ENW regarding the Low Bentham Playing Field Substation rent, and agree a response  
ENW's response that £50pa represents a 100% increase in rent was still felt to be inadequate, particularly in view of the inconvenience of having the substation on the land.

**RESOLVED:** That ENW be asked to reconsider their offer of £50pa

- 175.To consider NYCC's response regarding the Low Bentham School Field and agree a response, if any

**RESOLVED: That the Council would be interested in the market valuation of the school playing field**

176. To receive a response from Fourstones Estate regarding the potential Jubilee Beacon & agree a response

**RESOLVED: That the Council ask for a meeting with the land agent to discuss the potential Jubilee Beacon**

177. To receive a Briefing Note from YLCA regarding the Abolition of the Current Standards Regime and implementation of a new system (paper 2011/19) - received

The abolition of the Standards Board will mean the Code of Conduct will also be abolished, but Councils will be required to adopt a voluntary code of their own. Declarations of interest will change as will a Cllrs ability to comment on items on which they have to declare a Personal Pecuniary Interest and in certain circumstances failure to declare an interest will be a criminal offence. Craven District Council will circulate advice shortly

178. To consider applying for grant funding to refurbish the School Hill Bus Shelter

**RESOLVED: That the clerk look into the availability of grants to refurbish the School Hill Bus Shelter**

179. To Receive an Update on the Friends of Bentham Library - received

180. To Agree the Accounts for Payment

|                               |        |                             |          |
|-------------------------------|--------|-----------------------------|----------|
| Craven District Council       | 283.50 | PRS for Music               | 235.22   |
| Mopps                         | 384.00 | Hygiene Cleaning Supplies   | 49.63    |
| Eon                           | 264.91 | Viking Direct               | 316.65   |
| Aviva                         | 305.34 | Bentham Xmas Lights         | 123.00   |
| JBL Joinery                   | 54.58  | Bentham Common Land Charity | 150.00   |
| Cannon                        | 14.51  | R Green                     | 482.98   |
| Tim Wheildon Heating Services | 30.00  | J Burton                    | 951.64   |
| British Gas                   | 627.74 | Orange                      | 23.99    |
| Toobys                        | 3.96   | PWLB                        | 23927.45 |

**RESOLVED: That the accounts for payment are agreed**

180.1. To Consider the YLCA advice note on Gratuity Payments and Pension Schemes (paper 2011/18) and whether this should be further discussed

**RESOLVED: That the YLCA advice note on Gratuity Payments & Pension Schemes should be passed to the Finance Committee for consideration**

181. To consider items of Correspondence

181.1. To receive a letter of complaint regarding the behaviour of pupils at the Witherslack School and a reply from the headmistress - received

181.2. To receive a request from Leiston cum Sizewell for further support on complicated planning applications and to agree a response

**RESOLVED: That the Council should send requests for the Leiston cum Sizewell proposal on complicated planning applications to be considered to both Greg Clark, Communities & Local Government Minister and Julian Smith MP**

181.3. To consider an invitation to a speed training event, Emergency Planning & the Community Resilience Scheme, at Belle Vue Square on Tuesday 3 April, and agree council representation if required.

**RESOLVED: That the Council does not need to be officially represented at the speed training event, but that Cllrs are welcome to attend if they desire.**

181.4. To receive information from Craven Legal regarding the status of the Council representative of Bentham Development Trust - to be held over until the next meeting

In view of the current situation with the fraud investigation it would not be prudent for the Council to make a decision at the current time

182. To Receive Reports from Councillors who represent the Council on other bodies (for information only) – none

183. Items for next meeting and minor items only

Comments were made about the problems with continued dog fouling on Station Road in particular, but also Mount Pleasant & Springfield. The clerk agreed to contact the Dog Warden again.

There being no further business, the meeting was closed at 9.00pm

**AGENDA ITEM 165)****CLERK' S REPORT TO BENTHAM TOWN COUNCIL, 6 February 2012****1. Planning Decisions Received Since Last Meeting**

1.1. GRANTED

- 1.1.1. 08/2011/11291 Detached 2 storey dwelling house with separated single garage, driveway & front garden at Plot 5, The Sidings, Harley Bank, Low Bentham
- 1.1.2. 08/2011/12186 Raising of roof to form 2 storey dwelling at 1 Springfield, High Bentham
- 1.1.3. 08/2011/12207 Replacement of derelict garage at 2 Crowtrees, Low Bentham
- 1.1.4. 08/2011/12214 Proposed 2 storey extension & change of use from agricultural land to domestic at Greygarth, Low Bentham
- 1.1.5. 08/2011/12224 Installation of solar panels on front & rear elevations at 54 Robin Lane, High Bentham
- 1.1.6. 08/2011/12247 Conversion of disused stone barn into short stay self catering accommodation & replacement of adjoining farmhouse at Faccan Farm, Fourlands, High Bentham

1.2. REFUSED - none

**2. Planning Correspondence**

- 2.1. 08/2011/12195 Demolition of existing masonry garage and erection of new stone fronted larger garage, hobby room & store at Clodsbank, Mill Lane, Low Bentham – WITHDRAWN
- 2.2. 08/2011/12240 Demolition of existing barn & erection of detached new dwelling house at 17 Main Street, Low Bentham - WITHDRAWN
- 2.3. Planning Practice Guidance Note 3 – Wind Farm Developments
- 2.4. How to Shape Where You Live – NALC / CPRE guide to Neighbourhood Planning booklet
- 2.5. Proposed changes to the Lancashire Minerals & Waste Development Framework site allocations (email)

**3. Information Regarding Items Discussed at last Council Meeting**

- 3.1. Nominations for Voluntary / Community Workers sent 230112
- 3.2. Initial contact made with Drainage Contractors w/b 090112, specification to be completed
- 3.3. Allotment planning application almost complete, awaiting comment from Highways

**4. Items for Information – see information folder**

- 4.1. YLCA branch meeting & minutes (also by email)
- 4.2. Craven Area Committee, 26 January (also by email and on noticeboards)
- 4.3. White Rose Update, January 2012
- 4.4. YLCA Advice Note 16, Public Interest Reports into Failures of Local Governance
- 4.5. Country Air, Winter 2012
- 4.6. Hotspots Campaign for Affordable Warmth
- 4.7. Your Hospital, Airedale newsletter January 2012.

**5. Items circulated by email**

- 5.1. Torch Relay Festival of Sport invitation (circulated to sports groups)
- 5.2. YLCA Information Note, 9 January
- 5.3. Latest Weekly Rural News Digest, 16/1, 23/1, 30/1, 6/2
- 5.4. Craven Community News, January 2012
- 5.5. Rural Community Buildings e-news January 2012
- 5.6. Sustainable Government Public Service Efficiency Updates, 5/1, 10/1 (2), 12/1, 26/1
- 5.7. Historic Towns Forum newsletter, Jan 21
- 5.8. Looking Well News 18/1
- 5.9. Northern Voice, January 2012
- 5.10. Leader E Newsburst, 10 January
- 5.11. Regio News Flash 26 January
- 5.12. Bowland Bulletin, Winter 2012
- 5.13. QEII Fields Challenge (passed to Playing Fields Association)
- 5.14. More information regarding the Allerton Incinerator

**6. Progress on Outstanding Matters**

- 6.1. Model Hiring Agreement to be incorporated into Council booking forms
- 6.2. Clapham Parish boundary marker repair, invoice awaited
- 6.3. B6480, awaiting white lining and hedge cutting - September 2011, chased 9/11/11 & 16/1/12
- 6.4. Hedgerow signs, still outstanding
- 6.5. Low Bentham Playing Field, pipes & cables map awaited
- 6.6. Quality Status – Statement of training intent to be considered