

BENTHAM TOWN COUNCIL

Minutes of the Council Meeting held on Monday 1 November 2010, at 7.30 pm in the Town Hall

Present Cllrs Adams, Brown, Burton (Chairman), Procter, Wills & Yaman, CCllr Ireton & DCllr Barrington. Also the Clerk, Mrs Burton & 4 parishioners

128. To Receive Apologies from members unable to attend
Cllrs Barnes, Faichney, Hurlley, Marshall & Webster

129. To Receive Declarations of Interest from members present
Cllr Burton declared a personal and prejudicial interest in item 144.1 Council staff salaries. Cllr Yaman declared a personal interest in item 138, school transport consultation, and a personal and prejudicial interest in item 143.1, request for support for a funding bid for Little Red Bus.

130. To Receive Comment & Concerns
Two residents spoke on item 146.1, NYCC's proposed Waste PFI contract. Andy Ive, a waste management engineer explained that incineration is a flawed concept, and that moving waste any distance cancels out the recycling benefits. There are sensible alternatives that could be offered locally on a smaller scale and also provided more cheaply. Annie Neligan pointed out that the proposed incinerator would remove the need to pay landfill taxes, but would cost approx £2billion over the next 25 years, and assumed that waste production will increase during that period. By tying NY into a 25 year deal there will not be any room for innovation or new technologies.

131. To Confirm the minutes of the previous meeting
RESOLVED: That the minutes of the meeting on 4 October be signed

132. To Receive the Clerks Report (for information only) – see end of these minutes
The clerk pointed out that planning correspondence had been received against application 08/2010/11092, also Craven had approved the position of the post for the dog bin close to the cemetery.

133. To Receive the Police Report & allow members to ask questions for information
As the police could not be present PC Hayes had sent a written report. 64 incidents had been attended in October, of which 5 were of note – 3 conifers had been removed from a house on Main Street; a car was vandalised in Low Bentham and a local man arrested, in another incident a car had been taken without permission and a local man has been charged; there was criminal damage and racial abuse at the Indian Restaurant and two local juveniles had been dealt with by means of restorative justice (community work rather than through the courts); a motor home on Holme Park had been broken into and hockey equipment stolen.
Looking at the period 1/4/10 to 31/10/10 and comparing it with the same period lat year shows the following:

	2010 Incidence (Detection)	2009 Incidence (Detection)
Theft	24 (4)	20 (4)
Burglary	4 (1)	9 (0)
Damage	15 (1)	26 (4)
Violence (inc. assault, public disorder etc)	20 (16)	7 (6)
Drug Offences	2 (2)	2 (2)
Total	65 (25) (38.46%)	68 (18)

The clerk agreed to find out what the national detection rate was.

134. To Receive Reports from CCllr & DCllrs (for information only)
CCllr Ireton congratulated the Council on their response to the middle school closure consultation and said that key points had been raised. He went on to say that there was a great deal of resistance to the closure and that much of the support came from parties with a vested interest. He added that he felt that closure was the wrong solution and that other ways should be found to close the financial gap. On a different note he informed the meeting that Pioneer Projects had received over £1900 from the Criminal Justice Board, from the confiscated proceeds of crime.
DCllr Barrington had handed in a 73 signature petition to keep the use of bus pass from 9.00am rather than 9.30am as otherwise time in Lancaster will be limited or too long due to the other times of the buses. The scrutiny and overview committee are looking at the Disabled Facilities Grant system, which is 60% funded by the government. They will report to the Policy Committee regarding the future of this scheme.

Due to CCllr Ireton's need to attend the Ingleton meeting it was agreed to bring item 146.1 forward to this point. CCllr Ireton left after the discussion (see later in these minutes for notes)

135.Planning

135.1.To Consider and Comment upon New Applications

135.1.1.08/2010/11040 Proposed replacement garage and workshop at Oysterber Farm, Burton Road, Low Bentham

RESOLVED: That the Council had no objections to this application

135.1.2.08/2010/11047 Remove deadwood from protected oak tree and reduce weight of limb overhanging neighbour at 2 Low Croft, High Bentham.

RESOLVED: That the Council had no objections to this application

135.1.3.08/2010/11060 Resubmission of 08/2010/10426, demolition of detached church and construction of 2no semi-detached dwellings at Methodist Church, Burton Road, Low Bentham.

Council still felt that this was a substantial building that could be converted into a dwelling and conservation would be better than demolition. The plans submitted showed only 2 parking spaces, one per proposed dwelling, in an area where parking is already at a premium.

RESOLVED: That the Council object to this application on the grounds of over development and insufficient parking.

135.1.4.08/2010/11092 Access to land and buildings (application for certificate of lawful development) at Burbles Gill, Mewith, Bentham

The clerk explained that this was not to comment on the suitability of the access and road, but to supply information as to whether it has been used over the years. Two letters of objection were circulated along with those of support supplied by the applicant. Council felt it was significant that the letters of support only mentioned the gate, not the new access road. It was agreed that the gate had been there for a significant period, but as a field gate not as an access to buildings, and that the access road is new.

RESOLVED: That the Council forward the letters of objection to Craven Planning, and confirm that the field gate is of long standing, but that the access road is new.

135.1.5.08/2010/11082 To erect new signage at the newly refurbished Community Youth Building, Main Street, Bentham

RESOLVED: That the Council noted this application but, as applicant, declined to comment

135.1.6.Application to NYCC to retain temporary unit 1117 on land at High Bentham Primary School, Main St, Bentham

RESOLVED: That the Council had no objections to this application

135.2.To Receive Planning Decisions

If any (see Clerks Report)

135.3.To Receive Correspondence on Planning Issues

If any (see Clerks Report)

136.Highways Matters

136.1.To receive the Sealed Modification Order for footpath 05.5/105 Shakey Bridge, Bentham - received

136.2.To receive an update on Wenning Avenue

Following the meeting with Cllrs & DCllrs United Utilities had carried out a drainage survey, and a gully will be installed from Atkinson Vos 42m to the far end of the houses, and connected in to the existing drains. Some resurfacing will also be done. It is hoped this will be done in 2010.

136.3.To discuss the proposed Partnership Working with NYCC in regard to Winter Service provision (paper 2010/23)

Council were not happy with this proposal, which appears to be NYCC Highways relieving themselves of responsibility at the expense of the Town Council, and putting the burden of paying for winter maintenance back onto ratepayers, who have already paid for it through their council tax. It was true that the Council had suggested that it could take over some of the winter maintenance, but this was to speed up the service at this end – being so far from Skipton, and it had expected a budget to do so.

RESOLVED: That the Council write strongly to NYCC regarding its concerns on these

proposals

136.4.To consider a request to improve visibility at a junction

136.4.1.St Margarets Church

RESOLVED: That Network Rail be asked to cut back their hedges & trees to improve visibility.

136.4.2.Mill Lane at the B6480

It has been ascertained that no planning enforcement issues are outstanding on this as nothing was specified regarding the junction in the planning approval. Whilst agreeing that visibility over the bridge from the junction is poor the Council could not see a solution to the problem.

136.5.To receive an update on the footpaths behind Grasmere Drive

Craven District Council / Yorkshire Housing have reiterated that the footpaths were sold along with the housing and are therefore the responsibility of the house owners. Council did not think that this was very satisfactory.

136.6.To consider the problems with unsafe street lights on Hillside Road and agree a solution

Two street lights on Hillside Road have been deemed unsafe by NYCC Street Lighting and switched off. NYCC and Yorkshire Housing claim not to be responsible for the columns. The Council has been keeping them light in recent years, but they are not on it's list of responsibility. In discussions with the clerk NYCC said it would cost approx £1200/column to replace and reconnect them, and that if this was done they

would adopt the new columns and maintain them in the future. Craven had contacted the clerk earlier in the day and admitted that the columns were probably theirs historically, but that they had a policy of not replacing them when they broke, but removing them. However if the Council was prepared to pay the difference between demolition and replacement this would be allowed.

The Council were concerned by Craven's apparent ability to give up its responsibilities at its own discretion, particularly when this affected the safety of residents. It agreed to look further into the replacement of these columns and asked the clerk to get further quotes. Also to find out whether Hillside Road is adopted, and if so, why the street lights are not.

RESOLVED: That clerk get further quotes for the replacement of the street lights on Hillside Road

RESOLVED: That the Council write ascertain whether Hillside Road is adopted

136.7.To Consider and Note Highway Matters for Information

RESOLVED: That the clerk chase a response for the outstanding issues raised in October.

137.To agree to change the date of the December **meeting** to Monday 29 November 2010.

RESOLVED: That the December meeting be held on 29 November 2010

138.To note the Public Consultation on Proposed Revisions to Home to School & College Transport Policy, to be discussed at the December Council meeting - noted

139.To receive a letter from Ingleton Parish Council regarding the closure of Middle Schools and agree a response
It was noted that NYCC had refused to meet with Ingleton to discuss their proposal to make the Middle School up to a secondary school. Council agreed that a copy of its letter should be sent to Ingleton.

RESOLVED: That a copy of the Council's letter regarding the closure of the middle schools be sent to Ingleton Parish Council.

140.To consider the a response to the Council's further comments on the Draft Heads of Terms for a License for Cleveland Square, and agree a reply

RESOLVED: That the Council is happy with the response made, and that the amended Draft Heads of Terms be accepted.

141.To agree a response to Craven's Residents Feedback Panel

141.1.Item 5, The Craven Newsletter

RESOLVED: That the Council would be happy to see this publication scrapped & the money spent elsewhere

141.2.Item 6, Alternate Weekly Collections

RESOLVED: That the Council believes the system is working OK, with the exception of the Blue Bags which are neither big enough or substantial enough.

142.To note the minutes of the Tourist Information Committee and receive an update - noted

143.To consider requests for a letter of support from the Council for funding bids

143.1.From Little Red Bus

Cllr Yaman declared an interest and left the room

143.2.From Pioneer Projects

143.3.From Shapely Does It Gym

RESOLVED: That the Council supply letters of support to Pioneer Projects, Little Red Bus & Shapely Does It as requested.

144.To note the minutes of the Finance Committee and receive an update on Council performance against budget for the second quarter.

The bank reconciliation at 30 September 2010 was as follows:

	Bank Statement	Plus O/s Receipts	Less O/s Cheques	Balance
Current	27426.99		13916.87	13510.12
Deposit	36668.51			36668.51
LBPf Deposit	5192.08			5192.08
TI Current	309.29		147.20	162.09
TI Deposit	1641.44			1641.44

Council agreed that the spending in the first half of the year was in line with the budget when the income due from the LEADER grants was considered. It was noted that the overspend on the clerks salary was mainly due to the Community Youth project, and money could be vired from there to balance with the budget.

144.1.To consider the salaries of Council staff (confidential session)

RESOLVED: That this item be moved to the end of the meeting

145. To Agree the Accounts for Payment

Craven District Council	380.00	YLCA	1.50
Mopps	384.00	Cannon	14.21
EOn	112.04	R Green	482.21
Aviva	292.52	J Burton	969.13
Andrews	21.58	M Green	63.35
Clearglass Cleaning	90.00	C Sinclair	122.50
Mark Burrow	1358.12	W Dowbiggin	105.00
CM Slingers & Sons	13276.73	Orange	23.49

RESOLVED: That the accounts for payment are agreed

145.1. To agree the hire rates for Bentham Town Hall for 2011 (paper 2010/24)

It was agreed that, with the increase in VAT, all hire rates for the Town Hall would have to increase in the New Year, consequently no further increase should be levied on local bookings. It was recognised however, that most non-local bookings are made by organisations that are VAT registered and it was agreed that the rates for these bookings should rise by 2%.

RESOLVED: That the accounts hire charges for local bookings remain the same for 2011, such that only the increase in VAT will be payable, but that the charges for none local bookings be increased by 2%, plus the increase in VAT.

146. To consider items of Correspondence

146.1. To receive further information on the NYCC Waste PFI Contract and agree a response, if any

Council discussed the subject at length. Whilst agreeing that landfill cannot continue it felt £2 billion was a lot to spend over 25 years. It also agreed that smaller localised schemes were unlikely to happen due to the NIMBY nature of the public. Cllr Ireton explained that commercial waste and that from Bradford Metropolitan Area would be used to keep the required tonnage up, and that as the plant must be licensed through the environment agency there would be no health issues. The Council did agree that a single point for the whole county seemed counterproductive. Recycling over 7 miles actually negates the benefits, and North Yorkshire is a huge county

RESOLVED: That the clerk formulate a response to NYCC regarding the Waste PFI Contract and circulate it for agreement before 12 November

146.2. To receive a request for Council backing for the BT Infinity vote for Bentham.

RESOLVED: That the Council support this idea, and that Cllrs vote for Bentham

146.3. To receive a letter of thanks from the Playing Fields Association - received

146.4. To receive a reply regarding the felling of the Community Centre tree - received

147. To Receive Reports from Councillors who represent the Council on other bodies (for information only)

Cllr Yaman announced that the Playing Fields Association has been awarded Leader funding for a children's play area.

Cllr Wills said that Mr Tooby has agreed to represent Ingleton on the Bentham Common Lands Charity and a meeting would be held soon.

Cllr Adams told the Council that the Aid In Sickness AGM is on 3 November. He also confirmed that Goodenber Play Area had been awarded £60K in funding and were in the process of getting quotes for the work to start before the financial year end.

148. Items for next meeting and minor items only

Cllr Yaman reminded Council that tickets for the Charity Ball are now available.

The clerk informed the Council that a meeting to discuss the NYCC budget is being held in Skipton on 10 November.

The open part of the meeting being concluded Cllr Burton, quoting from the Bentham Council standing orders (1.c), asked members of the press and public to leave whilst a confidential matter was discussed.

RESOLVED: that in view of the confidential nature of the business to be transacted, it is advisable in the public interest that the public and press be temporarily excluded and they are instructed to withdraw.

Item 144.1 To consider the salaries of Council staff

Cllr Burton declared an interest and left the room, as did the clerk.

RESOLVED: That the budgeted salary increase of 2.5% be paid from 1 October 2010

There being no further business, the meeting was closed at 9.45pm

AGENDA ITEM 132)

CLERK' S REPORT TO BENTHAM TOWN COUNCIL, 1 November 2010.

1. Planning Decisions Received Since Last Meeting

1.1. GRANTED

- 1.1.1. 08/2010/10698 Erection of new office building at Unit 4a Bentham Industrial Estate, Bentham.
- 1.1.2. 08/2010/10832 Creation of overflow carpark & improvement to visibility at junction of private access to Burton Road at Friends Meeting House, Burton Road, Low Bentham
- 1.1.3. 08/2010/10849 Refurbishment of play area including landscaping & associated works at Goodenber Play Area

1.2. REFUSED - none

2. Planning Correspondence

- 2.1. 08/2010/10887 Extension to approved scheme to convert existing stables to holiday accommodation at Bull Copy, Tatterthorn Road, High Bentham – appeal
- 2.2. Local Development Framework (Lancashire) – Call for Sites.
- 2.3. Two letters of objection to 08/2010/11092 application for certificate of lawful development

3. Information Regarding Items Discussed at last Council Meeting

- 3.1. Highways issues sent 8/10/10, no response received
- 3.2. Green Communities & BEST meeting arranged for 18 November
- 3.3. Cleveland Square license response sent 11/10/10, see item 138
- 3.4. Cemetery dog bin post position sent to Craven, response awaited, agreed 1/11/10.
- 3.5. King Street / Yorkshire Water complaint sent 12/10/10, response received 22/10/10, see information folder
- 3.6. Community Governance Review response sent 8/10/10, acknowledged 11/10/10

4. Items for Information – see information folder

- 4.1. Fire & Rescue Service Summary of Accounts 2009/10
- 4.2. Craven Strategic Housing Market Assessment – research to start November 2010
- 4.3. Civic protocol for events within Craven
- 4.4. Playing Fields Skatepark Update – due to start 18 October 2010.
- 4.5. Note on meeting with Environmental health re Bikers Bash
- 4.6. Letter from SLCC re clerks development
- 4.7. Insurance checks on boilers – reports
- 4.8. Public Consultation meetings on NYCC budget & council tax
- 4.9. Country Air, Autumn 2010

5. Items circulated by email

- 5.1. Craven Community newsletter October 10
- 5.2. NALC eBulletin, 8/10/10 & 22/10/10
- 5.3. Regio Flash – latest news from EU regional policy 14/10/10 & 22/10/10
- 5.4. Reorganisation of DEFRA & its arms length organisations
- 5.5. Various emails regarding the campaign against the NYCC Incinerator.

6. Progress on Outstanding Matters

- 6.1. Wrecking Crew Weekend information meeting held with Craven 14/10/10, awaiting TEN application for 2011
- 6.2. Green Communities & BEST contacted 8/9/10, meeting arranged 18/11/10
- 6.3. NYCC Access to Services – meeting 21/10/10
- 6.4. Green Smithy bench – license received, bench delivered, to be placed asap
- 6.5. Stolen bench, Mill Lane, replacement authorised by insurers, now in place
- 6.6. Quality Status – Statement of training intent to be considered
- 6.7. Grasmere Drive Parking Charges, in hands of CDC
- 6.8. Legion Hut Lease – no response since 2009