

## BENTHAM TOWN COUNCIL

### Minutes of the Council Meeting held on Monday 2 April 2012, at 7.30 pm in the Town Hall

Present Cllrs Adams, Armstrong, Barnes, Burton, Faichney, Handford, Hey, Marshall & Procter, CCllr Ireton & DCllrs Barrington & Brockbank. Also, the Clerk, Mrs Burton & 12 parishioners.

203. To Receive Apologies from members unable to attend

Apologies were received from Cllrs Hurtle & Brown.

204. To Receive Declarations of Interest from members present

Cllr Marshall declared a personal and prejudicial interest in item 211.1.4, planning application 08/2012/12471 as vendor of the caravan and item 218.1, letter about the potential allotment site as the land owner. Cllr Burton declared a personal and prejudicial interest in items 211.1.4 and 211.1.5, planning applications 08/2012/12471 & 12477, as a close friend of the applicant. Cllr Adams declared a personal interest in item 211.3.1, the Leiston-cum-Sizewell Planning Proposal

205. To Welcome Cllr Armstrong to the Council and confirm his appointment to Council Committees - welcomed

**RESOLVED: That Cllr Armstrong be appointed to the Town Hall Marketing, Calendar & Allotments committees.**

206. To Receive Comment & Concerns

Further concerns were raised about the parking outside the Horse & Farrier which was described as an accident waiting to happen and not helped by the missing yellow lines. PC Hayes confirmed that the lack of yellow lines makes parking restrictions unenforceable, and also pointed out that the police cannot be available to issue tickets at all times. He added that Craven is the only district in North Yorkshire where parking is still covered by the police and not traffic wardens.

Alison Clough informed those present about the Cultural Olympiad funded production 'My Last Car' which will happen in Bentham between 29 May and 1 June, and will be followed by the Bentham Jubilee Celebrations including My Last Carnival and a 'Boat' Flotilla down Main Street.

207. To Confirm the minutes of the previous meeting

**RESOLVED: That the minutes of the meeting on 5 March be signed**

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

A letter had been received from the Wrecking Crew confirming that the Bikers Rally will take place at the Playing Fields in early May.

209. To Receive the Police Report & allow members to ask questions for information

PC Hayes confirmed that there had been 3 reports of domestic incidents, 2 thefts from vehicles, a break in at a caravan and a cyclist had collapsed and died at the Big Stone during March.

Looking at reported crime over the last 12 months there was an increase of 5 over 2010/11, but many categories, such as violence, criminal damage and theft from dwellings were down. Increases were seen in drug offences, fraud and theft of motor vehicles.

210. To Receive Reports from CCllr & DCllrs

CCllr Ireton said that the new police station in Settle was now open. He confirmed that the transfer of contracts from Bentham Little Red Bus to Harrogate was legal as most were Harrogate's contracts sublet to LRB. When asked about problems with traffic on Gas House Lane he confirmed that, as this was a private road, it would be a civil issue. He also promised to provide the Council with updated information about the new school building timetable as soon as he received it.

DCllr Brockbank pointed out that there was no signage for the toilets in the Town Hall and was told that Craven had never supplied the promised funding for the provision of 'private' toilets in the town when it had closed the public ones in Grasmere Drive.

She & Cllr Marshall had attended a meeting about NYCC Superfast Broadband which will be rolled out across the county. There is a need for a hub in this area as the original idea had been to use the Middle School which is now closing. The town's application to the Portas Pilot is now complete, and there had been a good response from the traders who are anxious to attract visitors to the town and get residents to shop more locally. It is possible that the long-stay carpark scheme on Station Road will be resurrected.

DCllr Barrington had nothing to report

211. Planning

211.1. To Consider and Comment upon New Applications

211.1.1.08/2012/12347 Proposed stables for private use at OS Field number 4423, Mewith Lane, Mewith Head, High Bentham – already passed

211.1.2.08/2012/12437 Removal of condition 3 on application 08/2011/11743 to allow unrestricted use of the car park extension on land adjacent existing car park, Bentham Auction Mart, High Bentham – already passed with restrictions on Sundays and Bank Holidays

- 211.1.3.08/2012/12466 Change of use only from children's home to private single dwelling at Ford House, Low Bentham Road, High Bentham  
**RESOLVED: That the Council had no objections to this application**
- 211.1.4.08/2012/12471 Temporary siting of a static caravan for a period of 3 years to house a farm worker at Linghaw Farm, High Bentham  
*Cllrs Marshall & Burton declared a personal and prejudicial interest & left the room, Cllr Adams chaired this item*  
**RESOLVED: That the Council had no objections to this application**
- 211.1.5.08/2012/12477 Extension of existing building to aid ventilation, comfort & welfare of animals at Linghaw Farm, High Bentham  
*Cllr Burton declared a personal & prejudicial interest and left the room*  
**RESOLVED: That the Council had no objections to this application**
- 211.1.6.08/2012/12486 Replacement of existing rear extension to a larger footprint at 21 Springfield, High Bentham  
**RESOLVED: That the Council had no objections to this application**

211.2.To Receive Planning Decisions

- If any (see Clerks Report)

211.3.To Receive Correspondence on Planning Issues

- 211.3.1.To Receive Confirmation of the Leiston-cum-Sizewell Planning Proposal Result and a Request to support Early Day Motion 2824 to give local councils the right to appeal the granting of planning permission, and agree a response if any.

*Cllr Adams declared a personal interest.* The Council were pleased to see that the Leiston-cum-Sizewell planning proposal had been adopted such that large planning applicants were 'urged' to attend Town /Parish council meetings to answer questions and to help fund councils to obtain a full assessment of the applications. The new request was to support the NALC policy that councils should be able to appeal against the granting of planning consent where they have recommended refusal which is supported by House of Commons Early Day Motion No 2824. The Council agreed that this should be supported.

**RESOLVED: That Julian Smith MP should be asked to support Early Day Motion 2824, Planning Applications (Appeals by Town & Parish Councils) Bill**

- 211.3.2.To Consider the Offer of a free training seminar on Neighbourhood Planning from Kirkwells and agree a response.

It was agreed that training of this nature could be very useful and the clerk was asked to find out more details

**RESOLVED: That the Clerk find out more details about this offer of free training**

- 211.3.3.Others - if any (see Clerks Report)

212.Highways Matters

- 212.1.To receive an update on the Highways Proposals for the new Primary School.

Cllr Marshall confirmed that members of the Council had met with officers from NYCC Highways to discuss the proposals and particularly the placement of the proposed zebra crossing, requesting that it be moved closer to Furness Drive – which is being considered. A letter from BEST to Cllr Ireton was also read requesting that a cycle route be considered. Council agreed that it needed to try and ensure a sensible outcome for all concerned at this stage, and that enhancing both sides of the road may not be the best idea.

- 212.2.To receive Confirmation of the Footpath Diversion Order, on footpaths 05.5/22, 05.5/33 & 05.5/88 Riverside Caravan Park - received

- 212.3.To receive an update on the blocked gully at Naylor Myers from NYCC Highways and agree a response, if any – received

- 212.4.To receive replies from Burton Parish Council & NYCC Highways regarding the Spiders Web quote and agree a way forward, if any.

NYCC Highways had confirmed that they could not contribute and Burton Parish Council had used a voluntary working party to do the work. Council noted that Burton's insurers must be more forgiving than their own who will not cover volunteers working on the Highway.

**RESOLVED: That further action on Spiders Web is not necessary**

- 212.5.To receive a notice of Renewal of Local Bus Contracts in Ryedale & Craven

The notice, received prior to Bentham LRB's voluntary liquidation, showed that there would be no change to the North Craven Taxi Bus service. Council asked for clarification that this would still be the case and was informed that the contract had been transferred to Harrogate. The legality of this transfer was questioned as LRB ceased to exist before the contract starts on 15 April and Cllrs felt that this should have been re-tendered for businesses in the area to try for. It was agreed that a letter should be sent to NYCC Integrated Transport and the CEO of NYCC questioning this

**RESOLVED: That NYCC Integrated Transport should be questioned about the legality of transferring a contract before it starts, and it not being put back out to tender.**

- 212.6.To Consider and Note Highway Matters for Information

The state of Mewith Lane was discussed again, particularly at Oakhead Farm. The potholes on Mount Pleasant and Springfield were also mentioned again.

**RESOLVED: That NYCC Highways be informed (again) about the potholes on Mewith Lane, Springfield & Mount Pleasant.**

213. To receive an update, if any, regarding the Jubilee Beacon  
The chairman confirmed that the fabrication design for the beacon was in hand. The next Jubilee Group meeting is on 3 April at 7pm
214. To note the minutes of the Town Hall Marketing Committee meeting - noted  
Council was informed of the two quotes received for the development of the new website and agreed that the committee should consider the cheaper, more local one  
**RESOLVED: That the committee should consider the cheaper quote for the website**
215. To receive NALC Legal Topic Note LTN81 – Predetermination - received
216. To consider the CDC Overview & Scrutiny report / recommendations on Community Transport (paper 2011/21) and agree a response if any  
Council agreed with the Craven recommendation that Community Transport should not be allowed to tender for commercial contracts as this does not give a level playing field as they are subsidised. It seems that the use of private individuals to provide community transport is not considered with only organisations such as LRB or Stagecoach being used.  
It was noted that it may actually be too late to enact these recommendations as much of the local transport has already been lost due to LRB's aggressive tendering for contracts whilst being subsidised by the tax payer. Five taxi firms have been lost in the area in recent years (2 in Bentham, 3 in Ingleton) because NY transport policy has created an unlevel playing field putting one man businesses out of work – the role of Community Transport should be to fill gaps and not create them.  
**RESOLVED: That a response outlining the above points should be sent to Craven (copy NY Integrated Transport & Julian Smith MP)**  
**RESOLVED: That Richard Owen, NY Head of Integrated Transport should be invited to talk to Council**
217. To Agree the Accounts for Payment

Mopps	384.00	Tourist Information	1200.00
Eon	153.12	Goodenber Play Area	375.00
Aviva	305.34	Playing Fields Association	500.00
British Gas	340.57	Victoria Institute	250.00
NYCC	3719.82	Youth Cafe	250.00
JBL Joinery	630.50	LASRUG	150.00
Furniture Work	176.40	High Bentham WI	100.00
Hygiene Cleaning Supplies	108.76	Craven DC	171.86
Horton Landscaping	1014.40	Amazon	2.63
Genite Ltd	83.88	Orange	23.99
R Green	482.98	HSBC	4.00
J Burton	795.54	PC World	79.97
C Sinclair	131.25	Viking Direct	81.19
HMRC	613.40	Multimedia Shop	36.00
		iprint	405.00

A grant of £400 was also made to Friends of Bentham Library, but is being held by the Council as the Friends' accountable body.

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

- 217.1. To consider updating the Council's computer backup procedures  
**RESOLVED: That the clerk should price up various options for computer backups**
- 217.2. To receive NALC Employment Briefing E03/12 confirming that there will be no national pay offer for 2012/13 - received

218. To consider items of Correspondence

- 218.1. To receive a letter on the proposed allotment site and agree a response

*Cllr Marshall declared a personal & prejudicial interest and left the room.* The Council explained that, once more than 7 people have requested an allotment, it has a statutory duty to attempt to provide them. After several years of advertising the land at the Golf Club was the only reasonable offer received (another offer of land at Linghaw had been dismissed by the planners as unsuitable). Planning consent for change of use had been applied for and it was hoped should be consulted on shortly. The meeting was informed that parking would be supplied in the overflow car park of the Golf Club and should not be on the road, and that only a single structure close to the substation would be allowed. As the applicant the Council would not be responding to the planning application when it comes out for consultation but residents would be well within their rights to respond and should do so.

- 218.2. To agree to provide a letter of support to the Town Team for the Mary Portas project application

**RESOLVED: That a letter of support should be provided to the Town Team**

218.3. To receive a letter from Craven regarding Art Features in Public Spaces and agree a response

**RESOLVED: That the bus shelter project should be mentioned and the Town Team ideas for the Portas Pilot, which should be progressed regardless of the success of the project**

218.4. To receive an invitation to Overview & Scrutiny Training at Craven's Offices on 13 June at 6pm, and agree who might attend

**RESOLVED: That members of Council will attend, to be decided nearer the date**

218.5. To receive an invitation to the Making Localism Work update at Craven's Offices on 25 June at 6pm, and agree who might attend

**RESOLVED: That members of Council will attend, to be decided nearer the date**

218.6. To agree that the previous item 'to receive information from Craven Legal regarding the status of the Council representative of Bentham Development Trust' can be removed from the agenda – following the recent announcement from Bentham Development Trust.

**RESOLVED: That this agenda item be removed following the voluntary liquidation of Bentham Development Trust**

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

Cllr Hey said that the Longstaffe Educational Charity is looking for applications from eligible individuals for funding assistance.

Cllr Adams had attended a LASRUG meeting where the possible changes to the train timetable to integrate the Skipton service with both the Carlisle & Morecambe service is being considered, with the train splitting at Hellifield. This is not considered to be good for the line as one half of the train will be delayed for 30 minutes whilst the 'preferred' service exits the line.

Cllrs Procter and Burton announced that the Youth Café had successfully completed the Dragon's Den and been awarded £500 towards their mural project. There are now more than 90 youngsters on the books and attending regularly.

Cllr Handford circulated an update on the Footpaths Group and asked for any problems to be reported to him.

220. Items for next meeting and minor items only - none

There being no further business, the meeting was closed at 9.25pm

## **AGENDA ITEM 208)**

### **CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 2 April 2012**

#### **1. Planning Decisions Received Since Last Meeting**

##### **1.1. GRANTED**

- 1.1.1. 08/2011/12318 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
- 1.1.2. 08/2012/12347 Proposed stables for private use at OS Field Number 4423, Mewith Lane, Mewith Head, High Bentham.
- 1.1.3. 08/2012/12366 Resubmission of full planning (partially retrospective) for additional parking and associated landscaping of OS field 8071 at R & M Wheildon, Greenhead/Cross Lane, Low Bentham
- 1.1.4. 08/2012/12388 Replacement of extant planning permission to previous approval 08/2008/9280 at Church of St John The Baptist, Low Bentham
- 1.1.5. 08/2012/12437 Removal of Condition 3 on application 08/2011/11743 to allow unrestricted use of the car park extension at Land Adjacent to existing car park, Bentham Auction Mart, High Bentham

##### **1.2. REFUSED – none**

#### **2. Planning Correspondence**

- 2.1. Confirmation from Planning Enforcement that action is being taken regarding the earthworks at the Punch Bowl, Low Bentham
- 2.2. Response from Julian Smith MP regarding Leiston cum Sizewell's planning proposal, showing DCLG will introduce compulsory pre-application consultation.
- 2.3. NYCC Minerals & Waste Development Framework – Minerals Options & Waste Visions Consultations, March 12
- 2.4. Lancashire Minerals & Waste Development Framework Schedule for Proposed Major Changes Consultation
- 2.5. Email petition re Wind Turbines
- 2.6. Planning Focus, March 2012

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

- 3.1. Meeting with NYCC Highways to discuss new school proposals, Monday 12 March (agenda item)

- 3.2. NYCC Street Lighting confirm adoption of Hillside Road lights 7 March 2012, CDC invoiced and payment received
- 3.3. NYCC Street Lighting confirm non-adoption of Bargh's Meadow lights 8 March 2012, contact made with Yorkshire Housing and potential meeting arranged for 3 April

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

- 4.1. Craven Community Newsletter, March 2012
- 4.2. Low Bentham closure of B6480, 27 March 2012 (and noticeboards)
- 4.3. Police & Crime Commissioner Briefing (and noticeboards)
- 4.4. Motor Cycle Rally 2012 4-6 May, Wenning Avenue
- 4.5. Lune Habitat Herald Newsletter, 2012.

**5. Items circulated by email**

- 5.1. Latest Weekly Rural News Digest, 12/3, 19/3, 26/3, 2/4
- 5.2. RSN Rural Opportunities Bulletin, March 2012
- 5.3. Looking Well News 9/3
- 5.4. LASRUG Newsletter, 14/3
- 5.5. North Yorkshire Now, 5 March
- 5.6. Leader ENewsburst, March 2012.
- 5.7. RegioFlash News, 14/3/12 & 22/3/12
- 5.8. Temporary Road Closure for bridge inspection at Low Bentham, 27/3 (and noticeboards)
- 5.9. Various emails regarding the Allerton Incinerator
- 5.10. Supporting Local Communities Planning Event 31 March, Harrogate

**6. Progress on Outstanding Matters**

- 6.1. Market valuation of Low Bentham School Field requested 13/2/12, chased 19/3/12, further information awaited
- 6.2. ENW contacted again re rent of substation, response awaited
- 6.3. Initial contact made with Drainage Contractors w/b 090112, specification to be completed
- 6.4. Allotment planning application sent 14/2/12, amendments/queries supplied 19/3/12
- 6.5. Model Hiring Agreement to be incorporated into Council booking forms
- 6.6. Clapham Parish boundary marker repair, invoice received 26/3/12
- 6.7. Hedgerow signs, still outstanding
- 6.8. Low Bentham Playing Field, pipes & cables map awaited
- 6.9. Quality Status – Statement of training intent to be considered