

## **BENTHAM TOWN COUNCIL**

### Minutes of the Council Meeting held on Wednesday 2 May 2012, at 7.00 pm in the Town Hall

Present Cllrs Adams, Armstrong, Barnes, Burton, Handford, Hey, Hurlley, Faichney, Marshall & Procter. Also DCllrs Barrington & Brockbank, the Clerk, Mrs Burton & 5 parishioners.

At 7.00pm, prior to the meeting proper, the Council met with Richard Owens, Assistant Director of NYCC Integrated Passenger Transport. Following an introduction from Cllr Marshall, Mr Owens said that NYCC spent £45m on public transport, half of which was home to school. Within the Community Transport budget some £6m was spent on bus services which were mainly provided by commercial companies under contract, the services being bought to plug gaps in provision. In 2011 budgets had been cut by £600K, so many evening and weekend services had been cut. County dealt with many providers across North Yorkshire to meet individual needs in rural areas. In both 2011 and 2012 the Government had provided an extra £416K specifically for community transport which allowed for the development of services.

Responding to questions from Councillors:

In answer to the assertion that Bentham has no taxis because the home to school contracts are given to commercial services Mr Owens said that the smaller contracts are renewed every four years, the last time being in April 2012, which means that consultation would have been made in 2011 – and no responses had been received. He maintained that the differences between Community Transport (CT) and Commercial Services were minimal as NYCC strove to maintain a level playing field both in driver standard and CRB checks, vehicle maintenance etc, but admitted that CT won many contracts because it was cheaper. Checks on contracted companies were done according to the number of contracts held and the number of complaints received. It was pointed out that Bentham & Ingleton had 5 taxi services in the late 90s which had basically been driven out of business by Bentham LRB which had cherry picked the lucrative services and left evening and weekends – meaning the area was worse off for transport, a fact which had become very apparent in the recent LRB crisis. Mr Owens did not think that taxi voucher schemes worked well. He admitted that NYCC did limited financial checks on the companies they used, particularly where with charities past accounts were available on line and the risk assessment done by the county was low. Following the collapse of Bentham LRB all the contracts had been moved to LRB Harrogate, including the Taxi Bus as Bentham LRB had been the only company to tender for this new contract so NYCC had decided not to put it out for retender. He confirmed that most school contracts were put out to tender every 4 years, with the local / special needs & isolated pickups being reviewed as necessary, the larger vehicle contracts run for 8 years to encourage investment in vehicles etc (indeed in some cases the vehicle may be part of the deal). Mr Owens also said that tenders crossed boundaries as necessary and with agreement of the other organisations.

Responding to questions from members of the public:

LRB Harrogate is an Industrial & Provident Company (i.e. not quite a charity), which NYCC Integrated Passenger Transport shares offices with. Mr Owens said that NYCC was a great pains not to give them a commercial advantage, but conceded that they did often undercut commercial services. In Skipton Tesco, through a s106 agreement, have provided buses to LRB Harrogate and money to the commercial sector to make additional provision for the expected increased demand for public transport following the refurbishment of their store. The new operator of the Kirkby Lonsdale to Settle service from September will be Harrogate District CT as it was cheaper than Stagecoach. Questions were asked about the use of bus passes on the door to door service provided by the taxi bus and also about the vehicle age restrictions imposed on licensed taxi drivers by Craven.

Mr Owens was told that the problems experienced in Bentham and, no doubt, elsewhere with the provision of public transport and taxi services were undoubtedly a consequence of North Yorkshires transport policy and that he needed to accept some responsibility. He was told that it was important for NYCC to work with Craven to look at the way forward and to find a solution, and that he must accept that by allowing CT to provide bread and butter services NYCC was killing local services. He responded that the system was set up in 2004 following a review by a consultant and that the principles had been revisited by NYCC and the District Council officers since then, but that he was willing to explore other options with a committee

Cllr Marshall thanked Mr Owens for attending and closed this part of the meeting at 7.45pm

The Business meeting started at 7.55pm:

1. To Appoint the Mayor for the period 2012/13  
Cllr Marshall agreed to take on the post for a further 12 month period, and was voted back into the chair unanimously.  
**RESOLVED: That Cllr Marshall be appointed Mayor**
2. To Receive Apologies from members unable to attend - none
3. To Receive Declarations of Interest from members present  
Cllr Adams declared a personal and prejudicial interest in item 12.1.2, planning application 08/2012/12557, as a friend of the applicant.

4. To Receive Comment & Concerns  
A member of the new Traders organisation asked about the possibility of support from the Council and was told to write to the clerk so that the subject could be placed on the agenda.
5. To Confirm the minutes of the previous meeting  
**RESOLVED:** That the minutes of the meeting on 2 April be signed
6. To Appoint the Deputy Mayor for the period 2012/13  
**RESOLVED:** That Cllr Burton be re-appointed Vice-Chairman / Deputy Mayor
7. To Appoint Members to Committees & as Council Representatives for 2012/13
  - 7.1. Committees Open Spaces, Finance, Buildings Maintenance, TH Marketing, Tourist Information, Calendar & Allotments,  
**RESOLVED:** That the committees stand as in paper 2012/02
  - 7.2. Sub-Committees  
**RESOLVED:** That no sub-committees are currently necessary
  - 7.3. Council Representatives Joint Footpaths, Playing Field Assoc, Goodenber Play Area, Railway, Police, Aid in Sickness, Looking Well, Youth Café & Victoria Institute. Also Bentham Common Lands Charity for 4 years until 2016.  
It was mentioned that the Police group had not met for a couple of years and PC Barton agreed to report this back to Sgt Hill  
**RESOLVED:** That representation on outside groups stand as listed in paper 2012/02  
**RESOLVED:** That Cllr Armstrong be appointed as representative to the Playing Fields Association  
**RESOLVED:** That Mr Wills be reconfirmed as the Council appointed Trustee to Bentham Common Lands Charity until 2016
  - 7.4. Responsible Financial Officer - also bank, bank mandate and auditors  
It was agreed that the Clerk continue as RFO and that Yorkshire Internal Audit be reappointed as the internal auditors. Also that HSBC remain as the Council's bank. Following the resignation of Cllr Yaman it was agreed that the bank mandate needed to be changed  
**RESOLVED:** That the clerk continue as RFO  
**RESOLVED:** That the Yorkshire Internal Audit be reappointed as internal auditors  
**RESOLVED:** That the bank mandate be changed, with Cllrs Adams, Barnes, Handford, Marshall & Procter and the clerk as authorised signatories.
8. To Agree a Provisional Timetable of Meetings for the new Council Year (see paper 2012/01)  
The provisional timetable was accepted, with the date of the May meeting being corrected to Wednesday 8 May  
**RESOLVED:** That the provisional meeting dates be accepted and noted by all Cllrs.
9. To Receive the Clerks Report (for information only) – see end of these minutes  
No significant amendments had been made since the agenda was published.
10. To Receive the Police Report & allow members to ask questions for information  
PC Barton & PCSO Grace attended. There had been 7 reports and 5 crimes in Bentham in the preceding month, of which 3 had been detected. Comments were made regarding a suspicious vehicle using the Black Bull car park and the police asked that it was reported when present so that they could act upon it. The drugs dog had been used in the Bentham pubs again.
11. To Receive Reports from CCllr & DCllrs (for information only)  
DCllr Barrington had been looking in to the lack of ducks on the Wenning. She also added that the licensing application from the Byres (to be renamed the Hog & Heifer) was to considered that week, and that there had been quite a few letters of objection to the late night request.  
DCllr Brockbank had attended an Apprenticeship event at Craven and passed details on to the Youth Café. Jobs were available in waste collection allowing youngsters to get work experience.
12. Planning
  - 12.1. To Consider and Comment upon New Applications
    - 12.1.1.08/2012/12436 & 12551 To build a sunroom extension to rear of property at Lane House Farm, Mewith, Bentham  
**RESOLVED:** That the Council had no objections to this application
    - 12.1.2.08/2012/12557 Proposed new garage structure to replace existing dilapidated garage / workshop structure at 4 Goodenber Road, High Bentham.  
*Cllr Adams declared an interest*  
**RESOLVED:** That the Council had no objections to this application
  - 12.2. To Receive Planning Decisions  
- If any (see Clerks Report)
  - 12.3. To Receive Correspondence on Planning Issues
    - 12.3.1. To receive further information from Kirkwells regarding their offer of free training on New Neighbourhood Planning Powers for Parish Councils and agree a response

As Kirkwells are prepared to travel to Bentham to deliver the session it was agreed that the clerk should get some dates from them for a session, and that an invitation should be sent to Burton & Ingleton Parish Councils.

**RESOLVED:** That Kirkwells be invited to put on a training session in Bentham Town Hall and that Burton & Ingleton Parish Councils be invited to attend.

12.3.2.If any (see Clerks Report)

13. Highways Matters

13.1. To receive information on changes to the Deployment of Speed Data Equipment in Craven - received

13.2. To Consider and Note Highway Matters for Information

Previously reported problems on Mewith Lane, Robin Lane and Fourlands were discussed again. It was agreed that photographs of the worst potholes should be sent to Highways to try and get some action. The railings on Mill Lane are now unsafe and should also be reported.

**RESOLVED:** That the problems with potholes on Mewith Lane, Robin Lane and Fourlands, and the unsafe railings on Mill Lane should be reported to NYCC Highways

14. To note the minutes of the Annual Parish Meeting and agree resulting actions, if any

Council noted the minutes of the meeting on 30 April.

It was noted that there would not be a Bonfire in 2012, and the Christmas Lights committee was in danger of folding – both due to the lack of support. It was agreed that Council should send a representative to the next meeting of the Traders on 14 May. Questions were also raised about the facilities in the Wenningdale Room and it was agreed that this should be discussed by both the Town Hall Marketing and Buildings committees

**RESOLVED:** That a representative should attend the next Traders meeting on 14 May

**RESOLVED:** That the comments made about the Wenningdale Room be considered at the next Town Hall Marketing and Buildings committee meetings

15. To note the minutes of the Finance Committee and consider the recommendations, if any.

It was agreed that the bank reconciliation was correct at 31 March 2012, and was as follows:

	Bank Statement	Plus O/s Receipts	Less O/s Cheques	Balance
Current	60547.39	1079.31	7546.22	54080.48
Deposit	36685.83			36685.85
LBPF Deposit	5197.56			5197.56
TI Current	677.68	2.80	367.04	313.44
TI Deposit	1743.34			1743.34

15.1. To consider authorising the clerk to make a transfer to a fixed rate deposit if the product becomes available

**RESOLVED:** That the clerk be authorised to move £25,000 into a fixed rate account if a suitable product becomes available

16. To receive an update on the Jubilee Beacon and consider any further arrangements that need to be made

The Council had been provided with a lighting time of 10.15pm on 4 June. The clerk confirmed that insurance for the event was in hand but asked for assistance with the risk assessment and for organising stewards etc for the event as she would not be available. It was agreed that the Council should purchase the rosettes and medals as prizes for the Flotilla event at the cost of approx £190.

**RESOLVED:** That the Jubilee beacon be lit at 10.25pm on June 4.

**RESOLVED:** That the clerk be assisted in the production of a suitable risk assessment for the event,

**RESOLVED:** That a further meeting be held to sort out stewards etc.

**RESOLVED:** That the Council use part of the Jubilee budget to purchase rosettes and medals as prizes for the Flotilla

17. To make a statement about the War Memorial as requested by Bentham News

A resident made it clear that the request for a statement had been made by her and not on behalf of Bentham News. The clerk apologised for the misunderstanding. The following statement was read by the Chairman.

‘In June 2011 the Council was approached by another organisation wishing to site a new War Memorial on School Hill – common land maintained by the Council for the Town. The proposed site and design was discussed by the Council and permission was granted at the September meeting. The Council had no knowledge of, or involvement in, the financial arrangements for the memorial although it is aware that there is a sum outstanding.’

18. To receive the minutes of Craven District Council’s Overview & Scrutiny Meeting regarding Community Transport which note this Council’s concerns with the process - received

18.1. To note Julian Smith MP’s offer to make formal representations, if required - noted

19. To Agree the Accounts for Payment

Red Hot Pixel	152.40	Miss Carr	100.00
Carl Taylor	1458.49	Viking Direct	75.46
Craven District Council	344.01	Stannah	152.71

Mopps	384.00	SLCC	46.80
Hygiene Cleaning Supplies	32.72	Andrews	138.30
EOn	56.02	R Green	482.98
Clapham Cum Newby PC	184.50	M Green	63.35
Aviva	305.34	J Burton	912.40
British Gas	240.90	C Sinclair	131.25
Cannon	14.51	W Dowbiggin	180.00
B & CE Armstrong	4.99	Orange	23.99
Howsons	78.00	Wenningdale Leisure	268.15
Oglethorpe, Sturton & Gillibrand	156.00		

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

19.1. To consider amendments to the Council's insurance, due for renewal in June

**RESOLVED: That the flags be removed from the policy, that the insurance value of the laptop be reduced to £600 and that the value of the Mayoral Chain be checked and the value adjusted accordingly.**

19.2. To receive a request from the Friends of Bentham Library to act as their accountable body and consider a response

**RESOLVED: That the Council continue to act as accountable body for the Friends of Bentham Library, and that the Council account be used to hold FOBL funds**

19.3. To receive a response from Electricity North West regarding the Low Bentham sub station rent

ENW had refused to reconsider the rent payable and the Council agreed to accept the £50 pa on offer, but that ENW should be put on notice that the agreement will be up for renewal in 2016 and that the Council will not be minded to view it favourably based on the current experience

**RESOLVED: That the Council accept the £50pa currently offered, but carefully consider any renegotiation of the agreement due in 2016**

20. To consider items of Correspondence

20.1. To receive an update from Craven District Council regarding the Code of Conduct to be adopted in July.

It was noted that there are currently 4 draft codes in existence and that the Council should wait for Craven to advise on a suitable replacement for the current code.

**RESOLVED: That the Council wait for Craven to advise on a suitable replacement for the current code**

20.2. To receive information about Armed Forces Day on 30 June, and to agree whether to fly the flag

**RESOLVED: That the Council fly the Armed Forces Flag on 30 June**

20.3. To receive a letter of thanks from Bentham Common Lands Charity regarding the rent negotiated for the gravel heap - received

20.4. To receive an invitation to a RoSPA Basic Playground Management & Inspection Roadshow on Saturday 23 June at 9.30am at Community Youth, from Goodenber Play Area Committee.

**RESOLVED: That the clerk & Cllr Procter attend the RoSPA event on 23 June**

20.5. To receive information about the recruitment of 2 co-opted independent members of the North Yorkshire Police & Crime Panel - received

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

**RESOLVED: That, on reflection, the Council does not need to send a representative to this event**

20.7. 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 Cllrs Marshall and Hey should represent the Council at this event**

20.8. To receive a request for support in ending the delay in the adoption of the Sustainable Communities Act Amendment Act of 2010 giving Town & Parish Councils new rights, and agree a response

**RESOLVED: That the Council write to Julian Smith MP asking him to contact the Communities Minister asking for an end in the delay adopting the Sustainable Communities Act Amendment Act 2010.**

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

Cllr Adams said no grants had been made by Aid in Sickness since October so the organisation would be advertising locally.

Cllr Hanford asked about the old Footpaths noticeboard for the Friends of Bentham Library. The clerk agreed to look into it.

22. Items for next meeting and minor items only

It was noted that the Punch Bowl caravan / chalet planning refusal is to be appealed. It was also noted that there are some problems with street lighting on Goodenber Road which need addressing. The clerk will report them.

There being no further business, the meeting was closed at 9.05pm

**AGENDA ITEM 9)****CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 2 May 2012****1. Planning Decisions Received Since Last Meeting****1.1. GRANTED**

- 1.1.1. 08/2011/12415 Proposed extension adjacent to the Golf Professionals Shop at Bentham Golf Club, Robin Lane, Bentham
- 1.1.2. 08/2012/12466 Change of use only from Children's Home (Residential Institution) to private single dwelling at Ford House, Low Bentham Road, High Bentham.
- 1.1.3. 08/2012/12477 Extension of existing building to aid ventilation, comfort & welfare of animals at Linghaw Farm, Bentham.
- 1.1.4. 08/2012/12486 Replacement of existing rear extension to a larger footprint at 21 Springfield, High Bentham,

**1.2. REFUSED - none****2. Planning Correspondence**

- 2.1. 08/2012/12464 Change of use of barn to form dwelling with B1 use, Lane House Farm, Windy Hill, Bentham - WITHDRAWN
- 2.2. Confirmation from Planning Enforcement that action is being taken regarding the earthworks at the Punch Bowl, Low Bentham
- 2.3. Lancashire Minerals & Waste Development Framework, Consultation on effect of national planning policy framework on site allocations and development management policies DPD and proposals map.

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

- 3.1. Julian Smith asked to support EDM 2824 on 5/4/12
- 3.2. Response regarding Art Features sent 11/4/12
- 3.3. Response to CDC report on Community Transport sent 12/4/12, see agenda item 17
- 3.4. Community Transport response copied to Julian Smith & NYCC 12/4/12, see agenda item 17
- 3.5. Richard Owens, Integrated Transport invited to next Council meeting 12/4/12
- 3.6. Letter to residents re allotment planning sent 12/4/12

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

- 4.1. White Rose Update, March/April 2012
- 4.2. Came & Company Insurance Newsletter
- 4.3. Minerals & Waste Development Framework leaflet (also by email)
- 4.4. Email from Victoria Institute thanking Council for the precept grant
- 4.5. Country Air, Spring 2012
- 4.6. Village SOS Roadshow, 10 May
- 4.7. YLCA Craven Branch meeting 17/5/12, plus minutes of January meeting
- 4.8. Card from High Bentham WI thanking Council for the precept grant

**5. Items circulated by email**

- 5.1. Latest Weekly Rural News Digest, 10/4, 16/4, 23/4
- 5.2. Bentham Portas Pilot Press Release 3/4/12
- 5.3. North Yorkshire Now, 2 April
- 5.4. Northern Voice, April 2012
- 5.5. Rural Opportunities Bulletin, April 2012 & May 2012.
- 5.6. SLCC Branch Newsletter, April 2012 (see information folder)
- 5.7. Historic Towns Forum Newsletter, April
- 5.8. Rural Community Buildings Eletter No 3
- 5.9. Regio Flash - EU Regional Policy 26/4
- 5.10. Various emails regarding the Allerton Waste Incinerator
- 5.11. Craven Area Committee Meeting, 26/4
- 5.12. Craven Community News, April 2012

**6. Progress on Outstanding Matters**

- 6.1. Meeting with NYCC Highways to discuss new school proposals, Monday 12 March, amendments awaited
- 6.2. Goodenber Play Area CCTV, agreement from Yorkshire Housing in principle – awaiting full proposal
- 6.3. Market valuation of Low Bentham School Field requested 13/2/12, chased 19/3/12, further information awaited
- 6.4. ENW contacted again re rent of substation, response received – see agenda item
- 6.5. Initial contact made with Drainage Contractors w/b 09/01/12, specification sent 12/4/12
- 6.6. Allotment planning application sent 14/2/12, amendments/queries supplied 19/3/12, residents informed 12/4/12, decision expected 23/5/12
- 6.7. Model Hiring Agreement to be incorporated into Council booking forms

- 6.8. Hedgerow signs, still outstanding
- 6.9. Low Bentham Playing Field, pipes & cables map awaited
- 6.10. Quality Status – Statement of training intent to be considered