

## BENTHAM TOWN COUNCIL

### Minutes of the Council Meeting held on Monday 4 April 2011, at 7.30 pm in the Town Hall

Present Cllrs Adams, Brown, Burton, Faichney, Marshall, Procter & Yaman and DCllr Brockbank. Also the Clerk, Mrs Burton & 6 parishioners

239. To Receive Apologies from members unable to attend  
Cllrs Barnes & Hurtley, CClr Ireton & DCllr Barrington

240. To Receive Declarations of Interest from members present  
Cllr Marshall declared a personal interest in item 246.1.2, planning application 08/2011/11495 and a personal and prejudicial interest in item 247.2, rerouting of footpaths, as the landowner. Cllr Yaman declared personal interests in items 250.2, Lease for the Community Youth Building and item 255.3, correspondence from the Sports Development Worker.

241. To Receive Comment & Concerns

The organisers of the Harley Davidson 'Wrecking Crew' weekend asked the Council for a letter of support in their appeal against the noise abatement notice for the event, which will restrict the playing of amplified music to midnight on the Friday and 12.30am on the Saturday. Their license permits music until 2am, but this is limited by the noise abatement notice. The organisers would like to move the time by at least 30 minutes. Having asked various questions Council agreed that it was unable to make a decision at that time as the item had not been published on an agenda, giving others the opportunity to comment. It agreed, as the appeal is to be heard on 14 April, to hold a special meeting at the earliest possible time to discuss this item. The clerk advised that if an agenda was posted on Tuesday 5 April the earliest a meeting could be held would be Monday 11 April and this was agreed.

**RESOLVED:** That a Council meeting be held on 11 April to discuss the request for a letter expressing Council support for an appeal against the noise abatement notice for the Wrecking Crew weekend.

Another resident reported that the wooden railway bridge was still in a bad state of repair. The clerk replied that the Council had informed Network Rail about the problem and could do no more, but that she would report it again. The same resident also reported that the road sign for Furness Drive had been knocked over. The clerk agreed to report this to Craven District Council.

242. To Confirm the minutes of the previous meeting

**RESOLVED:** That the minutes of the meeting on 7 March be signed

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

Three planning decisions had been received since the report was posted last week and added to the report. The clerk also reminded the Council that the NYCC Area Committee meeting is to be held in Bentham Town Hall on Thursday morning, and that the Annual Parish Meeting is on Wednesday 27 April in the Lower Hall. Letters informing community groups about the APM will be posted on 5 April.

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

The meeting was attended by PC Yewell, and Sgt Hill who is standing in whilst Sgt Moorhouse is off sick. Sgt Hill said that he expected to be in post for around 6 months. PC Yewell gave a full report on the incidences around the town in the last month: 2 reports of criminal damage and 2 of vehicle damage; 2 assaults and 3 missing persons associated with the care homes; 2 arrests for assault and possession and a third for assault; 5 reports of domestic violence; 2 reported thefts (with one suspect arrested for both); a failure to stop; problems down at the skate park; an arrest for drunk and disorderly conduct and another for disorder. Questions were asked regarding the report in the Craven Herald about an alleged paedophile in Bentham, but the police said that whilst charged he had yet to be convicted, and that he was not considered to be predatory.

245. To Receive Reports from CClr & DCllrs (for information only)

DCllr Brockbank confirmed that the library report will go to the Executive meeting on 24 May, and should be available on the website 7 days prior to that meeting. North Craven Community Action Group had met for the last time on 29 March and discussed allotments, volunteering and funding. Forms are now available from the Little Red Bus. There had been a Build A Better Business meeting in Craven with Business Link, and Craven will be supporting a relaunch of Bentham Traders.

CCllr Ireton had sent a report via the clerk: A planning decision on the new school has been put back to 28 June as the agents have been asked for a justification for building in the green wedge, which is not yet available. There will be a site visit sometime in May, and CClr Ireton will inform the Council of this date and whether it can attend. NYCC has received £6,632,000 into its account for the repair of winter damage to the roads. CClr Ireton asked to meet with someone from the Council to look at the worst problems in Bentham to ensure that some of this extra money is spent in the parish. Also £416,000 has been received for rural transport to be spent on capital projects in rural areas.

## 246.Planning

## 246.1.To Consider and Comment upon New Applications

246.1.1.08/2011/11434 Alteration to front (west) elevation of house. Erection of 2 single domestic garages at Far Sunnybank Laithe, Mewith, Bentham.

**RESOLVED:** That the Council had no objections to this application

246.1.2.08/2011/11495 Change of use from workshop to holiday cottage with alterations to windows & doors at Near Sunny Bank Farm, Mewith Lane, Bentham

*Cllr Marshall declared an interest and took no part in the discussion.* Whilst agreeing that the building would be in keeping with the area, the Council were concerned at the lack of justification for the change of use. The workshop was only built in 2004 and it is stated that the client would like to ‘increase the number of lets on the site’. There is no information as to whether the applicant has tried to let the workshop as a work unit, just the desire to convert it into a holiday let. The Council is aware of the need to keep work units in the parish to ensure that residents do have the opportunity to work locally and considers that the need for change of use is not proven and that this could be considered development by stealth. It was proposed that the application be rejected on these grounds. An amendment was put forward that the Council had no objections to the application, and was defeated 3 votes to 2 in the ensuing vote.

**RESOLVED:** That the Council recommend this application for refusal on the grounds that the need for change of use is not proven.

## 246.2.To Receive Planning Decisions

If any (see Clerks Report)

## 246.3.To Receive Correspondence on Planning Issues

246.3.1.To consider the consultation document on a new protocol for pre-application advice and agree a response (paper 2010/29)

In its discussion the Council agreed that charging for advice would cut out time wasting and ensure that officers time was spent productively. It also noted that not all advice would be charged for, and that the fees were tiered according to the size of the development. It agreed that a written report or summary of the meeting and the advice given was important to ensure that the correct advice is given, that it is interpreted correctly, and that there is some form of come back should it transpire that the advice is incomplete or inaccurate at a later date.

**RESOLVED:** That the Council had support the principle of charging for pre-application advice on a sliding scale providing there is compensation should it transpire that the advice received is incomplete or inaccurate.

246.3.2.To receive a letter regarding trees at Dalesview Amenity Land, and agree a response

The developer removed 2 TPO protected trees from the Dalesview Amenity area last autumn and had written to suggest replacing them elsewhere in the parish. The Council felt that the area was in danger of becoming quite changed with 5 TPO protected trees being felled around the site in the last 2.5 years. It also felt that trees are protected for a reason, and that the agreement to fell is accompanied by the requirement to replant. The Council therefore agreed that it should request that suitable, slow growing trees (e.g. Oak) be replanted in situ.

**RESOLVED:** That the Council request that suitable trees be replanted in situ.

246.3.3.To receive an update on the felled TPO protected trees on Butts lane

NYCC Highways have been asked (again) to replace the trees felled on Butts Lane at the entrance to the Dalesview estate.

## 247.Highways Matters

247.1.To receive an update from NYCC Highways regarding new signage on Summerhill – received

247.2.To receive a consultation notice regarding the diversion of Public Footpaths 05.5/22, 05.5/33 & 05.5/88, Riverside caravan Park

*Cllr Marshall declared an interest and left the room, and Cllr Burton took the chair.* The current correct routes of the footpaths in question were described. Council agreed that, in general, these routes were not being used and that the proposed new routes were actually already in use.

**RESOLVED:** That the Council has no objections to the footpath diversions as described

247.3.To receive an update from LCC Highways regarding concerns about B6480 between Wennington & the county boundary

Emergency repairs will be carried out. The road is listed for a considerable overhaul in the spring.

247.4.To receive an update from NYCC Highways regarding concerns reported in March 2011

The repairs will be carried out ‘when funds allow’. No further response was made regarding the white lining of the B6480, despite the extra questions asked on 22 December. It was agreed that the meeting proposed by CCllr Ireton to consider the roads around Bentham should be pursued as a matter of urgency.

**RESOLVED:** That representatives of the Council meet with CCllr Ireton to identify the areas where Highways repairs are most urgently required as soon as possible.

## 247.5.To Consider and Note Highway Matters for Information

Some road signs are becoming difficult to read because the hedges are growing over them, e.g. Summerhill. The clerk should contact NYCC Highways to ascertain who is responsible for these signs

**RESOLVED:** That the clerk find out who is responsible for unreadable road signs in the hedgerow.

The road surface on Mewith Lane from Green Smithy to the county boundary has deteriorated further.

During the recent drain and gully cleaning on the B6480 the drains under the bridge, which have been reported as blocked, were missed

**RESOLVED:** That the clerk report these concerns to NYCC Highways.

## 248.To note the minutes of the Town Hall Marketing meeting – noted

## 249.To note the minutes of the Tourist Information meeting – noted

## 249.1.To remind Cllrs about the TIP coffee morning on 23 April

Cllrs are asked to provide raffle prizes and cakes for the event. They are also asked to help out if they are available

## 250.To note the minutes of the Buildings Maintenance meeting - noted

## 250.1.To agree the insurance valuation for the Community Youth Building

**RESOLVED:** That the new insurance valuation of £425,000 be accepted and reported to the insurance company (Aviva)

**RESOLVED:** That the clerk report the new premium to the Chairman, and seek other quotes if considered necessary.

## 250.2.To consider the first draft of a potential lease for the Community Youth Building

**RESOLVED:** That the draft lease be sent to the Youth Café for agreement

**RESOLVED:** That the Youth Café be allowed to use the building before the lease is signed as long as the Council's insurers are happy with this situation

## 251.To consider the Cleveland Square License from Craven District Council and make a decision on it

The Council was informed that the fruit and vegetable trader had finished attending the market at the end of March as he had got fulltime employment. This leaves the fish seller. It had been suggested that he might move to the front of the Black Bull but his van is too wide with the canopy up, and the Auction Mart have declined to have him on site with the butcher. It was agreed that it was important for him to continue coming. The license can be broken with 6 months notice and as such Council agreed to sign it for the moment, until a better pitch can be found for the fish man. The agreement was signed by Cllrs Marshall and Burton.

**RESOLVED:** That the Council sign the license agreement for Cleveland Square

## 252.To discuss reports of Livestock Grazing on Low Bentham School Playing Field and agree a way forward

This was discussed following reports that a pony is being exercised on the Low Bentham School Playing Field, which has potential health and safety problems with children playing on the site, particularly now the warmer weather and lighter nights are here. The Council agreed to put up a 'No Ponies' sign, and take it further if the problem continues.

**RESOLVED:** That a 'No Ponies' sign be erected immediately and the situation be monitored.

## 253.To decide whether to have a speaker on 'Superfast Broadband' and to nominate a 'champion'

DCllr Brockbank agreed to organise a meeting and inform the clerk of the date.

## 254.To Agree the Accounts for Payment

Craven District Council	99.95	W Dowbiggin	112.50
Mopps	384.00	Cartridge Save	31.88
EOn	56.02	Orange	23.99
Aviva	292.52	Playing Fields Association	500.00
Viking Direct	277.49	Goodenber Play Area	375.00
Hygiene Cleaning Supplies	63.00	Bentham Youth Cafe	250.00
YLCA	664.00	Victoria Institute	250.00
Stannah Lift Service	147.00	Low Bentham Badminton Club	200.00
HMRC	738.68	Community Transport	200.00
British Gas	704.07	Christmas Lights	150.00
Mrs Bullock	100.00	LASRUG	150.00
Mr Sanderson	84.75	Youth Theatre	150.00
Tourist Information	1200.00	High Bentham WI	125.00
R Green	482.21	Bentham Theatre Group	100.00
J Burton	936.58	Cancer Support Group	100.00
C Sinclair	131.25		

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

254.1.To agree registration with the Data Commissioner at an annual cost of £35

**RESOLVED: That the Council register with the Data Commissioner**

254.2.To agree to pay postage for an A Board for the Farmers Market, estimated cost £15

**RESOLVED: That the clerk organise delivery of the new A Board for the Farmers Market**

254.3.To note the temporary increase in Small Business Rate relief to September 2012

This scheme will be extended for another 12months from September 2011.

255.To consider items of Correspondence

255.1.To appoint a representative to attend the Playing Fields Association Official Opening of the New Skate Park & Tennis Courts at noon, 9 April 2011

**RESOLVED: That Cllr Marshall attend the opening of the Skate Park**

255.2.To receive a letter regarding Funding for Neighbourhood & Parish Plans and consider a response

Council agreed that with the Localism Bill, and the reported changes to planning favouring a bottom up approach rather than from the top down, a neighbourhood plan would be something worth considering in the future. It did not think, however that at this stage the future structure was sufficiently defined. The clerk was asked to keep the letter on file

**RESOLVED: That the letter regarding Neighbourhood Plans be kept on file for the future.**

255.3.To receive a request from the Bentham Sport Development Worker requesting support for a grant application, and to agree a response

**RESOLVED: That the Council provide a letter of support as requested**

255.4.To receive information about the Arts Project, My Last Car, proposed for Bentham in 2012 and to consider a request for use of the Town Hall.

**RESOLVED: That the Arts Project be given a tentative go-ahead pending the receipt of more information, but that the organisers be informed that they will need to pay for the space**

255.5.To receive a letter from NYCC regarding cuts in rural areas and agree a response

**RESOLVED: That Cllr Watson be asked to clarify the situation regarding the apparent discrimination against rural areas by NYCC in the recent consultations about reduction in services**

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

257.Items for next meeting and minor items only

Cllr Procter asked about a bench in the river but was informed that it did not belong to the Council.

The clerk reminded Cllrs that there would be a Finance Meeting on 18 April to agree the draft accounts before the APM. She pointed out that following the resignations of Cllrs Webster & Wills there was a need for a substitute to be appointed to ensure that the meeting would be quorate. It was agreed that Cllr Brown would attend.

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

## AGENDA ITEM 243)

### CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 4 April 2011.

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

##### 1.1. GRANTED

1.1.1. 08/2011/11349 Alterations & extension to Bentham Grammar School, Bentham

1.1.2. 08/2011/11350 Alterations & extension to Bentham Grammar School, Bentham (Listed Consent)

##### 1.2. REFUSED

1.2.1. 08/2011/11332 Detached workshop & store at High Barn, Greystonegill, Bentham

#### 2. Planning Correspondence

2.1. Planning Focus, March 2011

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

3.1. Speed matrix requested and police notified 8 March

3.2. LCC contacted re B6480 8 March, response received see agenda item

3.3. Market Town Improvement response sent 10 March

3.4. NYCC contacted re Hillside lights 8 March.

3.5. DITA support letter sent 10 March

3.6. Response re Low Bentham Playing Field trees sent 10 March

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

4.1. Notes from Clerks Forum 16/3/11

4.2. May 2011 Election information (and noticeboards)

4.3. Budget explanations, NYCC, CDC, Police & Fire

4.4. Invite to Growing With Grace Share Launch Event

- 4.5. Results of the Dragons Den event by Craven DC
- 4.6. NALC briefing on abolition of default retirement age
- 4.7. Local Government Pay Awards 2011/12
- 4.8. Area Bus Service Changes from April 2011
- 4.9. Leader Newsletter, March 2011
- 4.10. Lune Rivers Trust Habitat Herald, 2011
- 4.11. Community Governance Review, Newsletter on Decisions on Final Proposals
- 4.12. Transport Police Newsletter, April 2011

**5. Items circulated by email**

- 5.1. Craven Events, Mar-Jun 2011.
- 5.2. Latest Weekly Rural News Digest, 14/3/11, 21/3/11, 28/3/11
- 5.3. Energy Wire, March 2011.
- 5.4. Local Food workshops in April, Leader supported
- 5.5. Community Transport Support announcement 11 March
- 5.6. NALC Parliamentary Briefing on the Localism Bill
- 5.7. Northern Voice, March 2011
- 5.8. NYSP Newsletter March 2011
- 5.9. Sustainable Government Public Service Efficiency Updates, 10/3/11, 17/3/11, 24/3/11
- 5.10. RegioFlash 21/3/11
- 5.11. Craven Area Committee, 7 April, Bentham Town Hall
- 5.12. Green Communities newsletter, March 2011.

**6. Progress on Outstanding Matters**

- 6.1. Library consultation response sent 25 February & acknowledged, response expected 24 May 2011
- 6.2. Grasmere Drive Parking Charges, in hands of CDC – budget consideration
- 6.3. Highways letter (B6480 lining) sent 22 December, response awaited
- 6.4. Green Communities & BEST meeting arranged held 18 November – notes awaited
- 6.5. Green Smithy bench – license received, bench delivered, to be placed asap
- 6.6. Low Bentham Playing Field, pipes & cables map awaited
- 6.7. Quality Status – Statement of training intent to be considered
- 6.8. Legion Hut Lease – no response since 2009