

## **BENTHAM TOWN COUNCIL**

### Minutes of the Council Meeting held on Wednesday 4 January 2012, at 7.30 pm in the Town Hall

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

137. To Receive Apologies from members unable to attend  
Apologies were received from Cllrs Brown & Hey

138. To Receive Declarations of Interest from members present  
Cllr Adams declared a personal interest in items 144.1.1, 144.1.2 and 144.1.3, planning applications 08/2011/12186, 08/2011/12195 and 08/2011/12207. Cllr Marshall declared a personal and prejudicial interest in item 148, allotments, as the landowner of the proposed site.

139. To Receive Comment & Concerns  
A resident asked about questions asked before Christmas on the cooption process. As this had been addressed to the Council the request was now on the agenda at item 151.2. The chairman ran through the responses and provided a printed copy. Basically, Bentham Town Council is made up of 11 Councillors, 4 representing Low Bentham and 7 representing High Bentham. Cooption only occurs if insufficient people stand at an election, to allow Councillors to bring the Council up to full strength, or if a Councillor resigns during the life of a Council. At the last election 8 people stood and were elected as Councillors and a further three were co-opted, since then 3 Councillors have resigned (including one co-optee). Two further Councillors were co-opted, and there is the recent vacancy which may be filled by cooption if an election has not been requested of Craven District Council by residents. The vacancy will be advertised until 14 February when anyone satisfying the criteria can apply and a new Councillor will be selected by the Councillors from the applicants. Once elected / selected a Councillor is in post until the next election (2013 in this case), when the whole Town Council will be up for election, unless they resign (or are disqualified by reason of none attendance or conviction) before that date.

140. To Confirm the minutes of the previous meeting  
**RESOLVED: That the minutes of the meeting on 5 December be signed**

141. To Receive the Clerks Report (for information only) – see end of these minutes  
The clerk highlighted the approval of planning application 08/2011/12085 which had caused considerable discussion at the last meeting pointing out that the request to replace dry stone walls with post and rail fencing had been turned down. She also highlighted the meeting on 26 January about the Settle Stories Festival for 2012. DCllr Brockbank said that Craven District Council had confirmed that parking charges would not be discussed again until at least 2013, so the subject could be removed.

142. To Receive the Police Report & allow members to ask questions for information  
PC Hayes attended. Of the 43 incidents in December only 7 were worthy of note: Brass couplings had been stolen from Kiddes in early December. A man had been arrested and charged for threatening behaviour and possession of a knife outside the Black Bull on 27 December. There had been 2 reports of domestic violence and one of damage on New Years Eve, and an arrest has been made for the former. A car was damaged on New Years Day on Hillside Road. The LRB fraud is being dealt with by CID.

143. To Receive Reports from CCllr & DCllrs (for information only)  
DCllr Brockbank said that Craven had awarded a £500 grant to the Bentham Beagles. The Library will be holding an open day in late February for prospective volunteers. The Coal Authority is reviewing all mine entrances in the first half of 2012, so affected land owners will be contacted.  
DCllr Barrington said that the Ingleton Middle School questionnaires had been collected and the collated information will be discussed at the next meeting on 10 January.

#### 144. Planning

##### 144.1. To Consider and Comment upon New Applications

144.1.1.08/2011/12186 Raising roof to form 2 storey dwelling at 1 Springfield, High Bentham

Cllr Adams declared a personal interest

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

144.1.2.08/2011/12195 Demolition of existing masonry garage & erection of new stone fronted larger garage, hobby room & store at Cloudsbank, Mill Lane, Low Bentham

Cllr Adams declared a personal interest

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

144.1.3.08/2011/12207 Replacement of derelict garage at 2 Crowtrees, Low Bentham

Cllr Adams declared a personal interest

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

144.1.4.08/2011/12214 Proposed 2 storey extension & change of use from agricultural land to domestic at Greygarth, Low Bentham

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

144.1.5.08/2011/12224 Installation of solar panels to front & rear elevations at 54 Robin Lane, High Bentham

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

144.1.6.08/2011/12228 Conversion of single dwelling back into 2 separate dwelling houses at 1&2 Green Head Cottages, Greenfoot Lane, Low Bentham

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

144.1.7.08/2011/12240 Demolition of existing barn & erection of detached new dwelling house at 17 Main Street, Low Bentham.

The Council were concerned that the new build will block access to the car parking area which can service 5 or 6 cars for the Everglades business, which will force more cars onto the street in an area where there is already insufficient parking spaces. It was felt that this issue should be further considered before the application was decided upon.

**RESOLVED: That further consideration should be given to removal of 5 or 6 business parking spaces currently available in an area where parking is at a premium**

144.1.8.08/2011/12247 Conversion of disused stone barn into short stay self catering accommodation & replacement of adjoining farm house at Facon Farm, Fourlands, High Bentham

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

144.2.To Receive Planning Decisions

- If any (see Clerks Report)

144.3.To Receive Correspondence on Planning Issues

- If any (see Clerks Report)

145.Highways Matters

145.1.To receive an update on various outstanding issues

CCLlr Ireton had forwarded a response from Chris Craven noting that the white lining of the B6480 would happen as soon as the weather allows, and that the landowners have been contacted again regarding cutting back the hedges before the spring.

145.2.To Consider and Note Highway Matters for Information

DCllr Brockbank noted that the standing water on LCC's part of the B6480 is very bad again. The clerk confirmed that a further request had been made, but no response received as yet.

Burton in Lonsdale parish council had requested that Spiders Web be looked at the verges are encroaching on the carriageway and narrowing the road

**RESOLVED: That the Parish Caretaker be asked to quote for scraping back to the original road edge**

Deep potholes are appearing in Birkwith Lane and Springfield that need filling. Also the surface of Mewith Lane is degrading and needs some work

**RESOLVED: That these problems be reported to NYCC Highways**

146.To consider the state of the Cemetery drainage and agree a course of action

The Cemetery is extremely waterlogged following the recent bad weather and it is likely that some of the land drains have been disrupted by burials. Various potential fixes were discussed, including a hard walkway to the memorial wall, and the digging of a ring drain. It was agreed that professional advice was required and that the clerk should contact various local companies and ask them for their ideas and a potential price.

**RESOLVED: That suitable local companies should be contacted and asked to provide their suggestions for improving the Cemetery drainage problem and the potential cost of fixing the problem.**

147.To decide on the four nominations for the Reception for Voluntary & Community Workers as discussed at the December meeting

Cllrs brought forward 5 names which, even following a vote could not be separated, so it was agreed that all five should be nominated for invitations.

**RESOLVED: That Wendy Dowbiggin, Trevor Wheildon, Bevan Sim, Judith Johnson & Ruth Bridgewood be nominated for invitation to the reception for voluntary and community workers.**

148.To consider the long awaited response from Ian Swain regarding the proposed allotments in Bentham and to agree a way forward

*Cllr Marshall declared a prejudicial interest and left the room.* Council expressed its great disappointment that, having waited 5 months for a yes / no response following a discussion which had suggested that the response would be yes planning permission would not be required, the written response now said that planning permission would be necessary. This waste of time now puts getting the allotments up and running for the spring in jeopardy as getting permission before the new growing season will be difficult. The DCllrs were asked to express the Council annoyance and disappointment to Craven District Council. It was agreed that, assuming the Golf Club are still amenable, planning permission should be applied for as soon as possible.

**RESOLVED: That the DCllrs be asked to express the Council's disappointment and annoyance at the change of advice and length of time taken to receive it to Craven District Council, pointing out that it has jeopardised the allotments for 2012.**

**RESOLVED: That, assuming that the Golf Club is still amenable, planning permission be applied for as soon as possible**

149. To receive a response from ENW regarding the Low Bentham Playing Field Substation rent, and agree a response ENW have offered to double the annual rent for the substation to £50 per annum. The Council agreed that this was not enough, based on the size of the area and sums paid for other wayleaves. The clerk was asked to write back suggesting that £250pa would be more suitable.

**RESOLVED:** That ENW be told that the proposed substation rent of £50pa is insufficient and that a sum of £250pa would be considered more suitable by the Council.

150. To Agree the Accounts for Payment

Craven District Council	116.00	HMRC	316.34
Mopps	384.00	Stannah Lift Services	147.00
Eon	225.04	Horton Landscaping	156.00
Aviva	305.34	Andrews	59.46
JMD Ltd	270.00	R Green	482.98
SW Fabrications	57.60	J Burton	733.95
NYCC	120.00	Orange	23.99
British Gas	322.63		

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

151. To consider items of Correspondence

- 151.1. To receive a letter from the Patient Representative Group regarding the possibility of moving from the West Yorkshire Commissioning Group to the South Lakes Locality

The clerk apologised that this had been missed from the last agenda. Council was informed that the move had already taken place and so no decision was necessary

- 151.2. To receive a letter regarding the cooption process and agree a response – see comments and concerns

- 151.3. To consider an invitation from the Campaign to Protect Rural England & Yorkshire Local Councils Association to attend a meeting on 14 January at Gargrave to learn more about the Localism Act and the development of neighbourhood Plans & Neighbourhood Development Orders

It was agreed that this was an important subject and attendance would be useful even though the meeting is on a Saturday afternoon. It was agreed that the chairman and clerk will attend if possible.

**RESOLVED:** That the chairman and clerk will attend if possible

- 151.4. 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

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

Cllr Handford said that the Joint Footpaths group had reported a number of successes in terms of getting problems sorted and repairs made locally. Any footpath problems could be reported to him, The Joint Footpaths Group or NYCC Footpaths.

Cllr Procter informed the Council that the Youth Café had appointed a new Youth Worker who will start on 10 January, and that there will be an open evening at the Community Youth building that night for parents to come and meet him.

Cllr Burton had attended a Development Trust meeting where the board had agreed to an independent investigation by a Human Resources specialist. The financial side is being considered by three different sets of accountants and the police are still investigating the alleged fraud.

Cllr Marshall had attended the Friends of Bentham Library meeting in December and the Council's insurers have been asked for advice on public liability and fidelity insurance.

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

There being no further business, the meeting was closed at 8.47pm

## AGENDA ITEM 141)

### CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 4 January 2012

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

##### 1.1. GRANTED

- 1.1.1. 08/2011/11671 To create a car park & recreation ground for the use of St John the Baptist church, Low Bentham
- 1.1.2. 08/2011/12085 Proposed amendments to approval 08/2009/10103 including part retrospective approval to various alterations & realignment of site boundary to include change of use of land to domestic curtilage at Todhill Farm, Station Road, High Bentham
- 1.1.3. 08/2011/12088 Construction of timber clad stable block incorporating 4kW solar panels to South East & South West elevations at Mewith Head, Mewith, High Bentham

- 1.1.4. 08/2011/12151 Insertion of chimney lining & addition of rain screen/bird guard cowl at 7 Ashfield Cottages, Main Street, High Bentham
- 1.1.5. 08/2011/12153 Proposed conversion of redundant barn to form employment generating uses with ancillary living accommodation at Hill Top Farm, Birkwith Lane, Low Bentham

## 1.2. REFUSED

- 1.2.1. 08/2011/12047 CCTV pole & equipment with renewable energy kit, solar panel & turbine at Wesley Way, Bentham
- 1.2.2. 08/2011/12141 Retrospective planning application for additional parking & associated landscaping at R&M Wheildon Ltd, Greenhead, Cross Lane, Low Bentham

## 2. Planning Correspondence

- 2.1. CPRE Booklet – Planning Explained

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

- 3.1. Lancashire Highways letter sent 19/12/11 – response awaited
- 3.2. NYCC contacted re gravel heap rent 14/12/11 – response awaited

## 4. Items for Information – see information folder

- 4.1. Leader newsletter, December 2011
- 4.2. SELRAP newsletter, issue 16
- 4.3. Invitation to Tourism Seminar at Fountains Abbey on Monday 5 March 2012
- 4.4. Various Council Christmas cards
- 4.5. Update on proposal by Leighton Cum Sizewell on planning procedure

## 5. Items circulated by email

- 5.1. Latest Weekly Rural News Digest, 12/12, 19/12, 3/1
- 5.2. Craven Community News, December
- 5.3. LASRUG Newsletter, December & associated comments
- 5.4. North Yorkshire Now newsletter, December & January
- 5.5. Northern Voice, December
- 5.6. SLCC Branch Newsletter, December
- 5.7. Sustainable Government Public Service Efficiency Updates, 8/12, 15/12, 22/12
- 5.8. Historic Towns Forum newsletter, December
- 5.9. Yorkshire dales Leader ENewsburst, December
- 5.10. Looking Well News, December
- 5.11. OSG Newsletter, December
- 5.12. Allerton Incinerator, various emails regarding planning application
- 5.13. Northern Rural Housing Event, Cumbria – 27 January 2012
- 5.14. Settle Stories Festival 2012 meeting - 26 January 2012.

## 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. Letter to ENW Wayleaves Officer re LBPF substation sent 21/11/11, response awaited – see agenda
- 6.4. Letter to NYCC regarding the middle school consultation vs Low B School sent 17/10/11 – awaiting response
- 6.5. B6480, awaiting white lining and hedge cutting - September 2011, chased 9/11
- 6.6. Potholes on Ravensclose – NYCC issued instruction for repair 8/11/11
- 6.7. Goodenber Drains reported 18 July, response 21 July, chased 22 August
- 6.8. Allotments planning, in discussion with Craven planning, chased 21/9/11 & 5/10/11 & 31/10/11
- 6.9. Hedgerow signs, still outstanding
- 6.10. Grasmere Drive Parking Charges, in hands of CDC – budget consideration
- 6.11. Low Bentham Playing Field, pipes & cables map awaited
- 6.12. Quality Status – Statement of training intent to be considered
- 6.13. Legion Hut Land Lease – no response since 2009