

## **BENTHAM TOWN COUNCIL**

### Minutes of the Council Meeting held on Monday 5 September 2011, at 7.30 pm in the Town Hall

Present Cllrs Adams, Brown, Handford, Hey, Faichney, Procter & Yaman. Also CCllr Ireton, DCllrs Barrington & Brockbank, the Clerk, Mrs Burton & 3 parishioners.

In the absence of both the Chairman and Vice Chairman the clerk asked the members present to elect a Chairman for the meeting

**RESOLVED: That Cllr Adams act as chairman for the meeting**

59. To Receive Apologies from members unable to attend  
Apologies were received from Cllrs Burton, Hurlley & Marshall
60. To Receive Declarations of Interest from members present  
Cllr Adams declared a personal interest in item 73.6, the road closure for the Bonfire procession. Cllr Yaman declared a personal interest in item 73.7, correspondence from the WI regarding the Queens Jubilee, and both she and Cllr Procter declared a prejudicial interest in item 71.2, repayment of funds by Community Youth as trustee and committee member respectively.
61. To Receive Comment & Concerns  
A resident asked the Council about the lack of the directional sign at the Egerton crossroads which is causing problems and damage to his property as people turn in his driveway. The Council explained the saga of the original post which is of historical significance to the area and has now been 'in repair' with NYCC for 2 years despite repeated chasing. CCllr Ireton confirmed the story and agreed to follow this up again to see if he could elicit a firm response on timescales.  
Another resident asked about the legality of water being discharged across a pavement, which the Council was unsure about. It agreed to contact the shop involved and NYCC to see if something could be done before the winter.
62. To Confirm the minutes of the previous meeting  
**RESOLVED: That the minutes of the meeting on 4 July be signed**
63. To Receive the Clerks Report (for information only) – see end of these minutes
64. To Receive the Police Report & allow members to ask questions for information – none present
65. To Receive Reports from CCllr & DCllrs (for information only)  
CCllr Ireton had nothing to report as little happens during the month of August  
DCllr Brockbank said she would update the Council on the Library in item 69. She also asked for anyone interested to make an expression of interest for superfast broadband on the NYCC website, as per her article in Bentham News.  
DCllr Barrington said the Craven would be running a session on marketing for Bentham Traders. Following discussion with Yorkshire Housing the fencing on Bargh's Meadow around the 'swamp area' will be improved. The Banks Way garage site failed to sell at auction, although an offer has since been made but the outcome of this is not yet known. Craven will move to the Belle Vue site by 13 September.
66. Planning
- 66.1. To Consider and Comment upon New Applications
- 66.1.1.08/2011/11562 Demolition of bungalow & replacement with children's residential home at Glebe House, Wennington Road, Low Bentham  
This application was discussed at length. The Council has made several representations to NYCC Highways regarding the safety of the B6480 at this point. The visibility here is very poor and the proposal is for a turning space and parking for 12 cars. The safety of children crossing the road to access the school site which is a considerable distance from this site was also a worry. The Council could not understand why the building could not be put up within the school grounds which would be much safer, having good access and removing the need for regular pedestrian crossing of the road.  
**RESOLVED: That the Council recommend this application from refusal based on the poor access and questionable safety aspects**
- 66.1.2.08/2011/11756 Directional signage to Goodenber Play Area. Metal signage made from stainless steel and blue powder coat at Wesley Way, Bentham  
**RESOLVED: That the Council had no objections to this application, which has already been approved**
- 66.1.3.08/2011/11771 Proposed 2-storey extension & change of use from agricultural land to domestic at Grey Garth, Birkwith Lane, Low Bentham  
**RESOLVED: That the Council had no objections to this application**
- 66.1.4.08/2011/11772 Remove exterior render to front elevation, install tie bars & crack stitching bar through front elevation to rear elevation at ceiling level. Install lowered ceiling in bedroom & bathroom to cover tie bars, re-render front elevation, repair or replace rainwater goods as applicable at The Coach House, Main Street, Low Bentham  
**RESOLVED: That the Council had no objections to this application**
- 66.1.5.08/2011/11801 To construct a traditional stone barn. Demolish an existing timber & rotten tin sheet shed construction & replace with extension to traditional stone barn, constructed of concrete block & stone faced with traditional stone under a blue slate roof. No change of use – will be utilised for storage of wood, dry feedstuffs,

housing of animals in individual loose boxes & ancillary storage of small farm equipment at Oak Tree, Mewith Lane, Low Bentham.

**RESOLVED:** That the Council had no objections to this application, which has already been approved

66.1.6.08/2011/11904 Alterations & extension to existing farmhouse; change of use of barn & alterations to form 2 holiday cottages at Lane House farm, Fowgill, High Bentham.

**RESOLVED:** That the Council had no objections to this application as long as the slate used is in keeping with the area, i.e. Burlingtons rather than a cheap imports

66.1.7.08/2011/11939 Installation of secondary handrail to listed staircase at Bentham Grammar School, Low Bentham

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

66.2. To Receive Planning Decisions

- If any (see Clerks Report)

66.3. To Receive Correspondence on Planning Issues

- If any (see Clerks Report)

## 67. Highways Matters

67.1. To receive an update on the B6480 at Low Bentham following the Council's meeting with NYCC Highways regarding the lack of white lining, and to decide if further action is necessary

Cllr Adams explained that further to the Council's meeting with Chris Craven, he had met with Andrew Mellor to re-measure the B6480. As a result NYCC Highways would now be white lining the road from Low Bentham to the church, and from the county boundary to Holmes Farm. Unfortunately the road width between these point is insufficient to meet the regulations allowing white lining, although Mr Mellor had accepted that there is a problem with vehicles crossing the centre of the road at this point. NYCC have agreed to get the hedges tidied up along the full stretch of the road and make the road signs more visible. Once this has been done the road will be measured again to see if anything has changed. The Council agreed that this was something of a result and thanked Cllr Adams for his extra work.

**RESOLVED:** That the Council supply the details of probable landowners to NYCC Highways so that they can arrange for the hedges to be cut back

67.2. To consider NYCC's Winter Maintenance Parish and Town Council Scheme, and agree a response

Following pilot schemes last winter NYCC wishes to roll out a voluntary scheme for parish councils to clear snow in extra areas to those covered by Highways itself. This would require the parish to raise teams of volunteers to cover extra areas and to buy snow clearing equipment and salt for these areas. The Council felt that this would be a difficult scheme to run, and that any extra money would be better spent using the parish caretaker who already has snow clearing & gritting equipment to augment the service provided by NYCC as necessary.

**RESOLVED:** That the Council does not take part in the NYCC Winter Maintenance Scheme this year.

**RESOLVED:** That the Council enquire as to the timing of the Winter Service Review

67.3. To receive a letter regarding the Footpath behind Grasmere Drive and agree a response.

Council had enquired about the ownership of the footpath previously and been informed that it is the responsibility of the house owners, as it is not a public footpath, but access to the rear of the relevant properties. It agreed to inform United Utilities about the possibility of a leaking sewer in the vicinity, and to ask the Parish Caretaker to treat the weeds, but as the footpath is in private ownership the Council is unable to do anything about the uneven nature of the flagstones.

**RESOLVED:** That a letter be sent to the author explaining the ownership of the footpath

**RESOLVED:** That United Utilities be informed of the problems with the sewer, and the Parish Caretaker be asked to treat the weeds

67.4. To receive information regarding the Boundary Sign at Mewith and agree a response

**RESOLVED:** That the Council agree to pay 50% of the repair costs of the parish boundary sign, subject to agreement of costs with Clapham cum Newby parish council

67.5. To note Temporary Road Closures on A65 near Ingleton during September for resurfacing works -noted

67.6. To receive a letter regarding the state of the pavement between the Town Hall and the Black Bull

A complaint about the camber of the pavement between the Town Hall and the Black Bull had been received from a wheelchair user. The clerk explained that she had contacted NYCC Highways who had agreed that the area needed levelling but had added that no funds were available for non-essential repairs at the current time, although the situation may change in 2013.

67.7. To receive notice of a Highways Act 1980 Section 31(6) Statement for the Ridding - received

67.8. To receive notice of the Diversion Order for Footpath 05.5/17, land adjacent to Wesley Close – received

**RESOLVED:** That NYCC should be informed that the footpath has not been installed as defined in the diversion order.

67.9. To Consider and Note Highway Matters for Information

The state of the wooden bridge on Duke Street was raised again due to its further decay and the clerk agreed to raise it with Network rail, but pointed out that they had already scheduled it for repair in 2012/13 and may not

agree to bring it forward. Discussion was also held about the problems with vehicles using the lane which should only be for access for residents although a solution could not be supplied.

**RESOLVED: That Network Rail be informed again about the state of the wooden bridge on Duke Street.**

68. To consider further information on the proposal for a War Memorial on School Hill and agree a response  
Revised proposals were received from Churches Together following their meeting with the Stone Mason. The new proposal is for an obelisk which will be placed between the bus shelter and the first bench, as placing it within the flower bed was not considered safe.

**RESOLVED: That the Council was quite happy with the proposal and unanimously agreed for Churches Together to go ahead with the War Memorial on School Hill.**

69. To receive an update on the proposals for the Library, and discuss  
Following a meeting with NYCC the Library Action Group have secured the Library in the current building for now. NYCC will pay for the running & maintenance of the building, the IT & cleaning costs and a reduced number of hours of Librarian time. The Action Group will now disband and hand over to a new group which will be responsible for managing the volunteers and fund raising. There will be a meeting later this week of interested people, with more than a dozen expressing interest so far. NYCC are looking for better utilisation of the building in order to be able to keep it open longer, and will install a self checking system for books in the absence of the Librarian. Council congratulated DCllr Brockbank on the success of the group.

70. To receive the Consultation to refresh the Sustainable Community Strategy for North Yorkshire and agree a response (Paper 2011/12)

**RESOLVED: That the clerk circulate a potential response from the Council for approval**

71. To note the minutes of the Finance Committee Meeting, 18 July 2011 – noted

- 71.1. To review the effectiveness of Internal Audit & Internal Controls Papers F2011/01 & F2011/03

**RESOLVED: That papers F2011/01 & F2011/03 on the effectiveness of internal audit and internal controls be agreed and signed.**

- 71.2. To consider the Community Youth Building Refurbishment Account and consider repayments

The almost final accounts for the Community Youth Refurbishment project were circulated, as the last bits of external work (railings etc) are not yet complete. The cost of refurbishment was £44630 of which £43271 was covered by grants received, the main funding coming from grants from LEADER and Craven District Council's capital grant scheme. The original agreement was for the Youth café to pay for the internal works whilst the Council would refurbish the structural parts of the building. These works had been covered by an 80% grant from LEADER, leaving a potential payment of £2410 from the Youth Café as it's 20% of the internal work. The unspent borrowing of the Council on the project stands at £14545. The Finance Committee suggested 3 potential solutions regarding the Youth Café 'debt' – that it repays the full £2410; that it repays £1360, being the difference between the grant funding and the cost of refurbishment; that the debt is written off. It was agreed that the Youth café be asked to repay the full £2400, giving a total of approximately £17000 which should be considered for repayment once the final accounts are available

**RESOLVED: That the Youth café be asked to pay £2410 as it's 20% contribution to the internal refurbishment of the Community Youth building**

**RESOLVED: That the Council agree to repay the unspent borrowing back to the Public Works Loan Board once the final accounts are fully complete.**

72. To Agree the Accounts for Payment

Craven District Council	77.00	W Connolly	25.00
Mopps	192.00	Toobys	22.78
EOn	488.94	Tim Wheildon Heating Services	210.60
Aviva	298.07	Horton Landscaping	816.80
Underley Schools	361.92	Jacksons	84.00
Public Works Loan Board	23927.45	Howsons	405.16
Myerscough College	162.00	British Telecom	268.87
Cannon	14.51	Andrews	67.50
Hygiene Cleaning Supplies	36.14	R Green	482.98
Bentham News	25.00	J Burton	729.65
B & CE Armstrong	14.00	C Sinclair	131.25
British Gas	102.06	W Dowbiggin	90.00
Mazars	660.00	Orange	23.99
Viking Direct	59.05	Phone Coop	3.61
Yorkshire Water	149.80		

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

- 72.1. To receive the audited Annual Return for y/e 31 March 2011  
The signed annual return had been received from the external auditors, who had made no comment  
**RESOLVED:** That the audited Annual Return be accepted by the Council, noting that the information contained is in accordance with the Audit Commission's requirements
- 72.2. To confirm the improvement in insurance cover for TIP volunteers at a cost of £65.40  
**RESOLVED:** That the personal accident cover for the TIP volunteers be upgraded at a cost of £65.40 pa
- 72.3. To consider a Councillor Training Course, Horton in Ribblesdale on 25 October, and agree attendees at a cost of £35 each.  
Neither Cllrs Hey or Handford are available to attend on this date, so the clerk agreed to find if any other alternative dates are available at this end of the county  
**RESOLVED:** That no Cllr can attend this particular course, but that the clerk should enquire about locally available alternatives
- 72.4. To discuss the offer of Free Review of Energy Costs and whether to take up the option  
**RESOLVED:** That the Council does not need to consider this option whilst on fixed price deals
- 72.5. To consider membership of Rural Action Yorkshire at a cost of £35  
**RESOLVED:** That the Council does not become a member of Rural Action Yorkshire at this time.
73. To consider items of Correspondence
- 73.1. To receive a request for involvement in the Bentham Station Partnership, and agree a response.  
The aim of the partnership is to improve access to the Station. Current membership includes Bloomin Bentham, LASRUG & BEST. The Council agreed that it could be kept informed through it's representation on LASRUG  
**RESOLVED:** That the Council can be kept informed about the Station Partnership through it's representation on LASRUG
- 73.2. To receive a Longstaffe Educational Foundation letter regarding Nominative Trustees & agree a response  
The Longstaffe Educational Foundation wish to alter their Charity Deed to remove the need for nominative trustees to be appointed by NYCC and Bentham Town Council, citing problems with their appointment over a considerable period of time. The clerk informed the Council that there had been no correspondence with the Foundation or request for appointment of a nominative trustee since her appointment in 2004, and several longstanding Cllrs agreed that no request had been made during their tenure of office. It was agreed that the Council would be happy to appoint a trustee if that was required, and indeed Cllr Hey volunteered to take up the post.  
**RESOLVED:** That the Council inform the Foundation that it is happy to appoint a trustee, but that no such request has been received since at least 2004.
- 73.3. To receive a letter regarding the new school and agree a response (Paper 2011/13)  
The letter questioning the design of the school was considered, but as planning permission has already been given the Council did not see that anything could now be done. The points made had been made prior to permission being granted and had not been deemed significant enough by the planners at the time.  
**RESOLVED:** That the Council reply pointing out that it cannot influence the design of the school now that planning permission has been granted on the design as it stands.
- 73.4. To receive information regarding future communications from the elected Police & Crimes Commissioner and agree attendance, if any.  
**RESOLVED:** That DCllr Barrington will report back as she is already attending the meeting on future communications from an elected Police & Crimes Commissioner
- 73.5. To receive a response from James Hall & Co regarding deliveries to the Spar and consider a response if any.  
The Transport Manager had responded, informing the Council that all regular drivers had been asked to park further away from residents houses where possible and to switch off the cooling units if the weather allows. There is a question over the compliance of all drivers with this request and Council asked for a response pointing this out to be sent.  
**RESOLVED:** That the Council thank James Hall & Co for their response but question the compliance of all drivers with the request to switch off the cooling unit.
- 73.6. To consider the request for the temporary closure of Main Street for the Bonfire Procession, and see if Council has any objections  
**RESOLVED:** That the Council has no objections to the temporary closure of the B6480 for the Bonfire Procession
- 73.7. To consider a request from the High Bentham WI regarding a Bentham celebration for the Queen's Diamond Jubilee and agree a response  
**RESOLVED:** That the Town Hall Marketing committee discuss a Bentham celebration for the Queens Diamond Jubilee and bring some ideas to the next Council meeting

73.8. To receive a letter from St Margarets PCC regarding the potential relocation of the Memorial Plaque & agree a response

With the potential permanent closure of St Margarets the PCC had written to the Council about the Memorial Plaque currently situated within the building. The clerk agreed to look back through the Council minutes for any documentation about the plaque and the Council agreed that, should it come to it, it was prepared to consider a move to the Town Hall.

**RESOLVED:** That the Council is prepared to consider a relocation of the Memorial Plaque to the Town Hall should it become necessary

**RESOLVED:** That the clerk will look for any documentation in the minutes regarding the Memorial Plaque

73.9. To receive a letter of thanks to Bentham from Avraham Shomroni

Mr Shomroni came to Bentham in 1939 on the first Kindertransport from Vienna and had written to the Council to express his thanks to the town and various families for his treatment here during the war. The Council asked that the letter be copied to Bentham News, David Johnson, Billy Joel and Bateman Marshall to see if more of the story could be uncovered. The clerk should also send a reply to Mr Shomroni.

**RESOLVED:** That a copy of the letter be sent to Bentham News and others to try and find out more about Mr Shomroni's story

**RESOLVED:** That the clerk reply to Mr Shomroni

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

Both Cllrs Handford & Hey had attended the Goodenber Play Area opening and congratulated the committee on their achievement. Cllr Handford had also attended the Temptations Open Evening.

Cllr Procter told the Council that the Youth Café AGM will be on 14 September, and the official opening of the Community Youth Building will be on 17 September.

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

There being no further business, the meeting was closed at 9.32pm

## AGENDA ITEM 63)

### CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 5 September 2011

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

##### 1.1. GRANTED

- 1.1.1. 08/2011/11560 Residential development (outline application for details of access only) at Felstead, Low Bentham Road, Bentham
- 1.1.2. 08/2011/11724 Retrospective application for 2 sheds & a greenhouse at Greenhead Barn, Cross Lane, Low Bentham.
- 1.1.3. 08/2011/11743 Soil strip grazing paddock, resurface with hardcore. Incorporate existing surface water drainage system at Bentham Auction Mart
- 1.1.4. 08/2011/11756 Directional signage to Goodenber Play Area at Wesley Way, Bentham
- 1.1.5. 08/2011/11779 Remove 1 x sycamore & 3 x pine and reduce height & cable brace poplar at 12 High Croft, High Bentham
- 1.1.6. 08/2011/11801 To reconstruct traditional stone barn. Demolish existing timber and rotten tin shhet shed construction & replace with extension to traditional barn, in concrete block & stone face with blue slate roof. No change of use at Oak Tree, Mewith Lane, Low Bentham

##### 1.2. REFUSED

- 1.2.1. none

#### 2. Planning Correspondence

- 2.1. 08/2011/11263 Proposed parial demolition of existing conservatory & erection of single storey extension at 2 Butterbergh, Bentham – APPEAL of refusal
- 2.2. 08/2011/11609 Static Caravan Park at rear of Punch Bowl Hotel - WITHDRAWN
- 2.3. Planning Focus Newsletter, July 2011
- 2.4. Planning Application Validation Requirements – circulated by email
- 2.5. NYCC Mineral & Waste Development Framework Consultation
- 2.6. Lancaster City LDF Developing Options consultations – email link circulated

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

- 3.1. Email & letter to Gill Cooper asking for advice about the status of the Council Representative on the Development Trust, response awaited
- 3.2. Calendar to printers 23 August, for delivery end of September
- 3.3. BT letter re 'hanging trainers sent 7/7/11, contacted Open Reach 19/7/11.
- 3.4. Goodenber Drains reported 18 July, response 21 July, chased 22 August

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

- 4.1. Craven District Council moves to Belle Vue Square
- 4.2. Register of Electors Update publicity (also noticeboards)
- 4.3. NYCC Snow Code – advice for clearing snow and ice
- 4.4. Ride Around for a £1, Craven Youth Council scheme for August
- 4.5. Leader Newsletter, June 2011
- 4.6. White Rose Update July 2011
- 4.7. Craven Rail No.16 – Selrap magazine
- 4.8. Housing Enablers newsletter, summer 2011
- 4.9. Your Hospital, August 2011
- 4.10. Home Library & Information Service
- 4.11. Bowland Tourism Environment Fund information
- 4.12. Notice of changes to structure of Aviva, council's insurers
- 4.13. YLCA Advice Note 32: Website Development
- 4.14. Letter re Low Bentham Road hedge, replied 15/8/11
- 4.15. United Utilities notification of change in law on sewer ownership

#### **5. Items circulated by email**

- 5.1. Latest Weekly Rural News Digest, 11/7, 18/7, 25/7, 1/8, 8/8, 15/8, 22/8, 5/9/11
- 5.2. CDC Community News, July & August (also noticeboard)
- 5.3. North Yorkshire Now newsletter August (poster on noticeboard)
- 5.4. Looking Well News August
- 5.5. Sustainable Government Public Service Efficiency Updates, 14/7, 21/7, 28/7, 4/8, 11/8, 18/8, 1/9/11
- 5.6. Celebration of Yorkshire Film Heritage, Northallerton 13/9/11
- 5.7. Leader E-Burst, August 2011
- 5.8. Historic Towns Forum, 12/7/11, 30/8/11
- 5.9. RegioFlash, EU Policy News, 6/7/11, 7/7/11
- 5.10. Transport for Craven Views Sought, August (also noticeboard)
- 5.11. DITA updates, successful bid for £1.1m and project leader job advertised
- 5.12. British Transport Police Newsletter July & August
- 5.13. A65 Roadworks, September
- 5.14. Northern Voice, July & August 2011
- 5.15. Allerton Park Incinerator, Action Group Update, 3/9/11
- 5.16. Rural Services Network, Monthly Update, September

#### **6. Progress on Outstanding Matters**

- 6.1. Letter re Low Bentham School Playing Field sent 21/6/11
- 6.2. Allotments planning, in discussion with Craven planning, committee to meet
- 6.3. Hedgerow signs, still outstanding
- 6.4. Hillside Lights given go ahead March 2011, repair awaited, rescheduled to end of July
- 6.5. Grasmere Drive Parking Charges, in hands of CDC – budget consideration
- 6.6. Green Communities & BEST meeting arranged held 18 November – notes awaited
- 6.7. Low Bentham Playing Field, pipes & cables map awaited
- 6.8. Quality Status – Statement of training intent to be considered
- 6.9. Legion Hut Lease – no response since 2009