

BENTHAM TOWN COUNCIL

Minutes of the Council Meeting held on Monday 7 June 2010, at 7.30 pm in the Town Hall

- Present Cllrs Adams, Barnes, Burton, Faichney, Hurtley, Marshall, Wills & Yaman. Also DCllrs Barrington & Brockbank, the Clerk, Mrs Burton & 4 parishioners, and Mr Mark Humphreys and 2 colleagues from Enterprise Plc.
23. To Receive Apologies from members unable to attend
Apologies were received from CCllr Ireton.
Cllr Barnes had informed the clerk that he would be late as he was returning from Manchester. The Chairman informed the meeting that items 28 & 29, the co-option of Cllrs and appointment of committees would be delayed until Cllr Barnes was present. Cllr Barnes actually arrived at 8.05pm, at the end of item 33, planning.
24. To Receive Declarations of Interest from members present
It was noted that, as the applicant, the Council would not comment on items 33.1.2, 33.1.4 & 33.1.5, planning applications 08/2010/10543, 10541 & 10542. Cllr Yaman declared a personal interest in items 41.1 and 41.2, correspondence from the Playing Fields Association and the Victoria Institute. Cllrs Adams, Burton & Yaman declared personal interests in item 28, Co-option of new Cllrs. Cllr Adams also declared a personal interest in item 41.1, correspondence from the Playing Fields Association.
25. To Receive Comment & Concerns - none
26. To Confirm the minutes of the previous meeting
RESOLVED: That the minutes of the meeting on 10 May be signed
27. To receive information regarding work on Station Road for gas main replacement during July
(whilst pertaining to Highways Matters, this item will be taken early as officers from NYCC Highways and Enterprise Plc will attend the meeting to answer questions)
The Chairman invited Mr Humphreys of Enterprise Plc to address the meeting. Mr Humphreys explained that the gas main in Station Road needs to be replaced in this financial year. Following discussions with NYCC Highways, it has been decided to close the Main Street between Robin Lane and Station Road, and put traffic lights on the junction to allow the continued flow of traffic during the works, rather than closing Station Road as had been originally muted. This work will be done in the first 2 weeks of July during Kiddes shut down to reduce the number of HGVs. Prior to this a Flow Regulator will be installed at Bigber Farm, and this initial phase will be done in early June. Leaflets will be provided to every household in the Town notifying them of the works and the dates of each phase, posters will also be placed around the town. A customer liaison officer will be available during the works, and Enterprise are already in contact with many of the businesses to try and minimise the disruption. Diversions for both cars and buses will be the responsibility of NYCC, these will not use Bentham back streets, but take traffic around the outskirts.
28. To Receive the Clerks Report (for information only) – see end of these minutes
As the Clerks Report had been published early due to the clerk's holiday several items had been received which needed to be added. Planning application 08/2010/10422 had been passed. NYCC Highways will consider new signage for Wesley Close when the development is complete. The York & NY Playing Fields Association and Rural Action Yorkshire had both written offering membership, which the Council had not taken up in the past. Information had also been received regarding Bentham Local Food Week and a questionnaire looking at Rural Life Priorities in North Yorkshire. It was agreed that these two items should be added to the July agenda.
The clerk also commented that the Quality Status statement of intent for training was not being ignored, but with new members coming onto the Council requirements had changed and this needed further consideration.
29. To Receive the Police Report & allow members to ask questions for information
PC Barton attended and said that there had been 60 reported incidents in the last month of which 9 were crimes – including 5 of criminal damage and 3 drug seizures. There were no questions from the Council.
30. To Receive Reports from CCllr & DCllrs (for information only)
DCllrs Barrington & Brockbank reported that they were both on Craven's Overview & Scrutiny committee. DCllr Barrington is also on the Audit committee and the Forest of Bowland Joint Action Committee and DCllr Brockbank on the Licensing committee.
33. Planning
- 33.1. To Consider and Comment upon New Applications
- 33.1.1.08/2010/10493 Alterations to existing driveway, replacement windows & painting exterior including new doorway to garden at Scaleber Farm, Wennington (Listed Building Consent)
RESOLVED: That the Council had no objections to this application
- 33.1.2.08/2010/10543 Removal of pillar to enlarge kitchen area at Bentham Community Centre, Main Street, High Bentham. (Listed Building Consent)
RESOLVED: That the Council, as applicant, note this application

- 33.1.3.08/2010/10595 Change of use from business unit (B1) to residential use (C3) at Battersby Farm, Mewith
RESOLVED: That the Council had no objections to this application
- 33.1.4.08/2010/10541 Replacement windows & doors & reinstatement of window. Removal of rear chimney at
 Bentham Community Centre, High Bentham.
RESOLVED: That the Council, as applicant, note this application
- 33.1.5.08/2010/10542 Replacement windows & doors & reinstatement of window. Removal of rear chimney at
 Bentham Community Centre, High Bentham. (Listed Building Consent)
RESOLVED: That the Council, as applicant, note this application
- 33.1.6.08/2010/10655 Discharge condition 10 of original approval 08/2008/8693 at land adjacent to Wesley Close,
 Bentham.
RESOLVED: That the Council had no objections to this application
- 33.2. To Receive Planning Decisions
 - If any (see Clerks Report)
- 33.3. To Receive Correspondence on Planning Issues
 - If any (see Clerks Report)
 - Cllr Yaman had attended the Planning Committee for the Clay Barn Gypsy Site application, however a decision had been deferred due to a letter from Eric Pickles, the Secretary of State, announcing that regional strategies are to be abolished returning decision making to local Councils. This may affect the decision as Craven will no longer be told how many traveller sites etc to provide. The application is expected to be considered at the next meeting on 28 June.

Cllr Barnes arrived.

34. Highways Matters
- 34.1. To Consider and Note Highway Matters for Information
 The resurfacing of the B6480 in Low Bentham was discussed as the new surface had been applied over the original potholes. The hole in the carriageway to the Wennington side of the Toll Bar Nursery is getting worse. No notice was received in advance of the road closure, nor that of Dumb Toms Lane, and the clerk agreed to look into this. Concern was also expressed about the state of the road from the Green Smithy to the Lancashire border, which is very poor
RESOLVED: That the non-notification of road closures be looked into
RESOLVED: That the large hole at the road edge near to Toll Bar Nursery be reported to NYCC Highways again
RESOLVED: That NYCC Highways be asked to look at the road from Green Smithy to the Lancashire border and deal with the pot holes
35. To receive an update on Bentham Common Lands Charity
 Cllr Wills and Cllr Mason (Burton In Lonsdale) have both attempted to get a meeting of the charity held without success. It was agreed that a letter should be sent to the Chairman requesting that a meeting be held forthwith to satisfy the requirements of the Charities Commission regarding the approval of accounts etc, and that this letter be copied to both Burton and Ingleton parish councils.
RESOLVED: That a letter be sent to the Chairman of BCLC requesting that a meeting be held as soon as possible to satisfy the Charities Commission requirements, and copied to Ingleton & Burton parish councils.
28. To Co-Opt three further members to Council for the period 2010/14
 Seven applications had been received for the 3 vacancies on Council. Two Cllrs requested that a ballot be held rather than voting by a show of hands as per item 6.1 of the Council's standing orders.
RESOLVED: That the vote be taken by ballot rather than a show of hands
 Cllrs were asked to vote for up to three names, and the vote was counted and verified by the DCllrs present.
RESOLVED: That Mr Keith Webster and Mrs Elaine Brown be co-opted for Low Bentham and Mrs Claire Procter be co-opted for High Bentham for the period 2010/14
29. To Appoint Members to Committees & as Council Representatives for 2010/11
 29.1. Committees Market, Cemetery, Tourist Information, Allotments & Town Hall Marketing
 29.2. Council Representatives Joint Footpaths
RESOLVED: That this item be left to the July meeting when the new Cllrs will be available
36. To consider Craven's offer to have a license on Cleveland Square at a peppercorn rent, and agree a response
 It was agreed that Craven's suggestion of a peppercorn rent and 1/7 rates (approx £25/yr) was reasonable. One seventh of maintenance costs were considered more problematic unless known well in advance, as they would need to be budgeted for. A question was also raised about the provision ad hoc events. The clerk agreed to discuss these with Mr Whelan
RESOLVED: That discussions be progressed with Craven regarding the potential license for Cleveland Square, with specific reference to budgeting for maintenance costs and use of the Square for ad hoc events

37. To consider the proposed Parish Charter consultation and agree a response (paper 2010/02&2b)
RESOLVED: That paper 2010/02b be accepted as the Council response to the Parish Charter consultation.
38. To consider the license for Low Bentham School Playing Field and agree if conditions can be met (paper 2010/03)
 The clerk confirmed that no rates or outgoings other than the license fee would be expected and that a new draft license to this effect was being prepared. NYCC had also confirmed that, if the license was revoked, any outstanding fees would be returned to the Council. At this time however, there was no plan to fence the boundary between the school and playing field, despite the previous discussions. NYCC were to confirm that the Council would not be liable for damage done by individuals accessing the buildings from the playing field. Council were concerned about the potential risk of trespass and also of children injuring themselves. It was agreed that further questions be asked regarding the possibility of fencing the boundary.
RESOLVED: That further questions be asked of NYCC regarding the possibility of fencing the boundary to reduce risks.
 The Council were informed that some residents of Hillside Road have allegedly cut access points in the hedge onto the playing field without permission and it was agreed that NYCC should be informed of this
RESOLVED: That NYCC be informed of the alleged illegal accesses through the boundary hedge onto the school playing field.
39. To consider the Local Transport Plan 3 Consultation, and agree how to respond (paper 2010/04)
RESOLVED: That Cllr Yaman and the clerk prepare a response for the next meeting

40. To Agree the Accounts for Payment

Craven District Council	649.32	Yorkshire Internal Audit	260.00
Mopps	384.00	HMRC	70.81
EOn	773.56	R Green	471.20
Aviva	295.76	J Burton	900.63
British Gas	28.66	C Sinclair	122.50
British Telecom	292.40	W Dowbiggin	84.00
WPS Insurance Brokers	10.00	Orange	23.49
Andrews	52.30	Red Hot Pixel	451.37
Horton Landscaping	605.91	Phone Coop	2.83
Yorkshire Water	183.00		

RESOLVED: That the accounts for payment are agreed

- 40.1. To Receive the Internal Audit Report (paper 2010/05) and agree it

RESOLVED: That the Audit Report from Yorkshire Internal Audit Services be received and agreed

- 40.2. To Agree the Annual Accounts for 2009/10 (paper 2010/06)

The Clerk had met with the Internal Auditor who had agreed the 2009/10 accounts. The relevant forms had been completed for the External Auditors, which the Council were asked to agree.

RESOLVED: That the Annual Return and Statement of Assurance be confirmed and the forms returned to the External Auditors

41. To consider items of Correspondence

- 41.1. To receive a letter from the Playing Fields Association asking for Council support for the Harley Davidson Bikers weekend, and to agree a response

The Council were unanimous in support of this event which brings visitors to the town from all over Europe. It was agreed that the Council should meet with the organisers to see how it can help. The DCllrs were asked to look into the licensing of the event and report back.

RESOLVED: That Council meet with the organisers to discuss it's support for the event

RESOLVED: That the DCllrs look into the licensing of the event

- 41.2. To receive a letter from The Victoria Institute regarding funding, and agree a response

As a charity the Victoria Institute is eligible to apply for many grants not available to the Council as a precepting body, which is why the Community Youth project has been set up differently to the Town Hall – to ensure that the building is eligible for grants and not a drain on the residents. Monies received from Craven were applied for through their capital grant scheme, which is also available to the Victoria Institute. The Council can only consider applications at the time it sets the precept as it needs to budget all expenditure for the financial year. The Council is not represented on the Victoria Institute committee, nor is it informed regularly of plans and projects for the building which makes taking informed decisions difficult. Properly costed applications will always be considered but vague requests are more difficult as the Council needs to justify all expenditure. The Council is always willing to meet those with requests and discuss possible solutions.

RESOLVED: That a letter be sent correcting the misconceptions in the letter and explaining the Council's budgeting process.

41.3. To receive a letter regarding a meeting for Low Bentham Playing Field, agree a date & Cllrs to attend
RESOLVED: That available Cllrs meet with the interested parties on 15 June at 6pm at the Playing Field, if this is suitable, to discuss their ideas for the area.

41.4. To receive an invitation to become part of the Green Communities Yorkshire Dales Project and consider a response.

RESOLVED: That BEST and the Victoria Institute be contacted regarding a community application

41.5. To note the date of the visit to Cedar House School as 1 July 2010 at 5.30pm - noted

41.6. To consider a request regarding the WWI commemorative plaques from the Low Bentham Methodist Chapel, if not resolved in the interim – appears to be resolved

41.7. To consider potential key holders for the new sandbag store

RESOLVED: That a key be kept in the clerks office, the Fire Station, the Sun Dial and Abbeyfield (if agreed by the managers)

The automatic flood warning station is now operational and can phone various numbers when tripped. It was agreed that this should be advertised in Bentham News to give vulnerable residents an opportunity to be contacted with early warning

RESOLVED: That the Automatic Flood Warning System be advertised in Bentham News.

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

Cllr Adams reported that Aid In Sickness was running well and about to re-advertise in Bentham News.

Cllr Wills had attended a LASRUG meeting, and membership continues to increase.

Cllr Yaman said the Playing Fields Association had received a sizeable donation from the Biker weekend. The S106 money from the Wesley Close development is still outstanding. The dog warden has been informed of a problem with dog mess on the pitches. The skate park is about to go out to tender.

Cllr Marshall informed the meeting that the Collingwood & Longstaffe houses maintenance programme was on-going.

43. Items for next meeting and minor items only

A public bench has been removed from Mill Lane. The clerk confirmed this was not maintenance related and agreed to report the theft to the police, and notify the insurers.

There has been a problem on Mill Lane with loose dogs. The clerk provided the dog warden's contact details.

There being no further business, the meeting was closed at 9.35pm

AGENDA ITEM 30)

CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 7 June 2010.

1. Planning Decisions Received Since Last Meeting

1.1. GRANTED

1.1.1. 08/2010/10422 Demolition of disused farm buildings & erection of 2 dwellings, resubmission of 08/2009/10135 at land adjacent to Springfield Crescent, High Bentham

1.2. REFUSED – none

2. Planning Correspondence

2.1. Replacement of protected trees on Butts Lane, letter to NYCC Highways from Craven DC requesting replacement by December 2010 (information folder)

2.2. 08/2008/8736 Clay Barn, Waterside Potteries – to vary condition to grant extra 5 years to caravan site – Planning Committee 1 June 2010 – decision deferred (see DCllr Report, item 32)

3. Information Regarding Items Discussed at last Council Meeting

3.1. Direct Debits set up with HMRC VAT and BT

3.2. Letter of support for St Johns done 12/5/10

3.3. Letter to UU re substation 17/5/10

3.4. Fire & Rescue Response sent 20/5/10

3.5. Wesley Close signage, letters sent 12 & 25 May to Highways and Developer / Yorkshire Housing respectively

3.6. Contact made with Witherslack School, date for meeting 1 July 2010

4. Items for Information – see information folder

4.1. Election Results, 6 May 2010 (also on noticeboards)

4.2. Low Bentham post box – progress

4.3. Country Air, Spring 2010

4.4. Town Hall Lift Inspection Report, May 2010

- 4.5. Rural Action Yorkshire Membership
- 4.6. PFA Membership
- 4.7. Rural Life Priorities
- 4.8. Bentham Local Food Week, 18-25 September

5. Items circulated by email

- 5.1. Craven Community News, May 2010.
- 5.2. Rural Services Network – letter to new prime minister 21/5/10 (see information folder)
- 5.3. Weekly Rural Focus, 10/5/10, 17/5/10, 1/6/10
- 5.4. InfoRegio Flash 19/4/10, 21/5/10
- 5.5. Putting People First newsletter, May 2010
- 5.6. Historic Towns Forum – role of retail development
- 5.7. Rural Services Network Parish News 2/6/10

6. Progress on Outstanding Matters

- 6.1. Dog bin request made to Craven 12/4/10, chased 20/5/10
- 6.2. Green Smithy bench – license received, awaiting quotes for base, will meet with donor early June
- 6.3. Outstanding Highways matters reviewed March 2010 to be chased September 2010
- 6.4. New Model Standing Orders to be considered August / September 2010
- 6.5. Quality Status – Statement of training intent to be considered
- 6.6. Grasmere Drive Parking Charges, still waiting response from Craven District Council
- 6.7. Legion Hut Lease – response awaited from Jonathan Kerr – chased 20 April 09