

BENTHAM TOWN COUNCIL

Minutes of the Council Meeting held on Monday 3 February 2014, at 7.30 pm in the Town Hall

Present Cllrs Adams, Armstrong, Burton, Faichney, Handford, Hey, Hurtley, Marshall (Chairman), Stannard & Vandy. Also DCllr Brockbank & CCllr Ireton, the clerk Mrs Burton and 9 parishioners

Cllr Faichney & CCllr Ireton had called ahead to apologise that they would be late arriving to the meeting.

176. To Receive Apologies from members unable to attend
Cllr Barnes

177. To Receive Declarations of Interest from members present
Cllr Marshall declared a personal interest in item 196, Low Bentham Playing Fields as a friend of one of the architects. Cllr Burton declared a DPI in item 197, the clerk's contract, as the clerk's husband. Cllr Hey declared an interest under Appendix B in item 193.3, as treasurer of Friends of Bentham Library.

178. To Receive Comment & Concerns

A resident of Mewith Lane raised concerns about the recent notification of the application to fence Burnmoor Common Land along a length of Mewith Lane. She felt that fencing the area close to the road would have considerable visual impact and effect on the open character of the common as well as an impact on public access, particularly for people with limited mobility. The Council agreed to write for clarification on these issues. The Bentham News representative drew the Council's attention to item 193.4, Bentham News request for its support for a public meeting and encouraged Cllrs to agree.

179. To Receive the Drop-In Update (for information only)

Cllrs Adams and Burton had seen two residents, the first looking for information as a potential candidate for Council at the next election and the second, who had been advised to speak in item 153 above, with concerns about the proposed fences on Mewith Lane.

180. To Confirm the minutes of the previous meetings

RESOLVED: That the minutes of the meeting on 6 January and the Precept meeting on 13 January be signed

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

The clerk pointed out that Craven District Council had withdrawn its 2010 application for a mixed use development on land at Station Road.

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

Sgt Hill & PC Nagy attended. As promised, Sgt Hill had produced a summary of reports in Bentham over the last year. which showed 673 incidents in the parish including 97 crimes. The report was passed to Bentham News for publication. He confirmed that police numbers in the area are not expected to change and that there would be a push on internet safety and drug awareness in the coming year. PC Nagy said that she would be working with schools and youth groups to provide parents evenings and other events to inform both parents and youngsters about the potential problems.

183. To Receive Reports from CCllr & DCllrs (for information only)

DCllr Brockbank reported that Friends of Bentham Library had had a successful visit from Julian Smith MP at the Library. She also reminded everyone that applications to the Dragons' Den close on 21 February.

Cllr Faichney arrived at this point (8.00pm)

CCllr Ireton (when he arrived) said that NYCC was looking for a 1.9% increase in Council Tax in order to protect services following the latest round of government cuts. He apologised for his late arrival at the meeting having attended Ingleton Parish Council meeting first. He was however able to report that the previously under threat Ambulance Service in Ingleton (which also serves Bentham) had not only been saved from closure but will also be enhanced by the provision of further first response vehicles which is good news for North Craven. He finished by confirming that NYCC had taken £5m from reserves to work on potholes on the roads, although admitted that, although a step in the right direction, this will not go far in a county the size of North Yorkshire.

184. Planning

184.1. To Consider and Comment upon New Applications

184.1.1. 08/2013/14173 Retrospective application for change of use of land & construction of replacement barn as garaging/workshop ancillary to house and some storage associated with owners business at Blossom Barn, Low Bottom, Low Bentham

RESOLVED: That the Council had no objections to this application

CCllr Ireton arrived at this point (8.10pm)

- 184.1.2. 08/2013/14196 Residential development of 2 x detached bungalows (all matters reserved) at Land Off Lakeber Drive, High Bentham
 Cllrs agreed that this was a better scheme than that previously submitted however there were still some concerns. Copies of letters of concern from a resident of Lakeber Avenue had been received regarding the apparent closeness of one of the proposed bungalows to the 12 foot wall separating the Lakeber Avenue gardens from the garage site. Council agreed that the perceived gap of less than six feet could well affect the foundations of the wall as well as reducing the available light in the rear of the proposed dwelling. Concerns were also expressed regarding the problems which could be caused by moving the vehicles which currently park on the area onto the surrounding streets. Particular concern was expressed about the ability of the emergency services to use Banks Rise and Lakeber Avenue if there is more on street parking in the area.

RESOLVED: That the Council's concerns regarding the proximity of the retaining wall to one of the proposed bungalows and the potential problems with increased on-street parking be expressed to the planning department.

- 184.1.3. 08/2013/14213 Replace existing approved agricultural workers dwelling for a larger unit at Nutgill Lane, Bentham

The Council were of the opinion that the approved dwelling should be sufficient for an agricultural worker and that the new proposed larger dwelling would have significant visual impact on the area which is outside the development boundaries.

RESOLVED: That the Council recommend this application for refusal on the grounds of its visual impact

- 184.1.4. 08/2014/14231 Continue use for construction of hard standing off road parking area providing driveway & pedestrian access to rear of property as temporarily approved under application 08/2009/9740 at Thorns Cottages, Bentham

RESOLVED: That the Council had no objections to this application

- 184.1.5. 08/2014/14243 Form open wood store to garage by extending slate roof & curtilage of property (retrospective) & construction of stone wall within site at New House Barn, Mewith Lane, High Bentham.

RESOLVED: That the Council had no objections to this application

- 184.2. To Receive Planning Decisions
 If any (see Clerks Report)

- 184.3. To Receive Correspondence on Planning Issues
 If any (see Clerks Report)

185. Highways Matters

- 185.1. To Receive an update following the meeting with Craven / Pendle regarding potential plans for the top of Station Road

Two potential options had been presented regarding changes to the road layout at the top of Station Road and round the Cross. The Council had agreed that the second option which would allow priority access in one direction would be preferable, but this required the demolition of a building on the junction. Craven had agreed to do further work on this and look for possible funding schemes. Until these were in place nothing further could be said.

- 185.2. To Receive further information on the Station approach

The clerk had finally managed to contact the correct person in Angus Fire, who had confirmed that their liability ends at the wall. As Angus Fire also have an interest in getting the road repaired they have agreed to do the relevant Land Registry searches.

RESOLVED: That the Council reassess the situation once the results of the Land Registry searches are available

- 185.3. To Consider and Note Highway Matters for Information

A water leak on Lakeber Drive has washed out a chunk of the road which requires attention.

It was noted that the North Yorkshire sign on Mewith Lane had been replaced very quickly and it was agreed that NYCC Highways should be reminded about the lack of a sign on the county boundary on the B6480 at Low Bentham.

There is a problem with water getting off the highway on the B6480 above Fowgill, by the Welcome Wall

RESOLVED: That NYCC Highways be advised of the problems and asked to investigate.

186. To Receive a report on the Craven District Open Space Assessment meeting on 16 January

Cllrs had met with Bruce Dinsmore & Polly Johnson of Craven District Council to look at the public open spaces in Low Bentham. The officers had looked at the recorded open spaces in High Bentham earlier in the day and confirmed that most rated good or very good on their assessment scale. The Low Bentham Play Area, Low Bentham School Playing Field, Rose Garden and Low Bentham Green were looked at. The officers were supportive of the Council's potential plans for the Play Area and Playing Field. They also agreed to contact NYCC about the state of the Rose Garden with suggestions about how it could be improved.

187. To Agree the Neighbourhood Planning Questionnaire and consider a way forward (paper 2013/26)

The Council were happy with the questionnaire. There was considerable discussion regarding its distribution and collection and the timing of it. It was agreed that Cllrs would hand deliver and collect the questionnaire to all houses in High and Low Bentham and that copies should be posted to the more outlying areas to ensure that the whole of the parish was covered. It was also agreed that an article about the Neighbourhood Plan and the importance of the questionnaire in shaping the future of Bentham should be written for the March issue of Bentham News, with the questionnaire being delivered towards the end of March to avoid being mixed up with election leaflets in April.

RESOLVED: That the Neighbourhood Planning Questionnaire is approved

RESOLVED: That the Questionnaire be advertised in the March Bentham News and hand delivered by Cllrs to High & Low Bentham, and posted to the outlying areas of the parish in March

188. To Note the draft minutes of the Finance Committee meeting on 8 January – noted

The bank reconciliation was checked against the spreadsheet for each account and the relevant bank statement. It was agreed that the bank reconciliation was correct at 30 December 2013, and was as follows:

	Bank Statement	Plus O/s Receipts	Less O/s Cheques	Balance
Current	9524.38	201.38	2599.76	7126.00**
PSDF	90000.00			90000.00
TI Current	34.96			34.96
TI Deposit	1745.24			1745.24

** Does not take account of the £4000 transferred between old & new accounts to allow payments during change of banks

189. To Receive notification from Craven District Council about the Parish Grant to mitigate the impact of Council Tax localisation and make any decisions that may be required

The clerk explained that, unlike last year where the parish grant had been applied for separately from the precept, this year Craven expected the precept request to include the grant element. On top of that, Craven would not pay a grant to any parish that either increased or decreased its precept from the 2013/14 level. This meant that to qualify for the localisation grant of £6000 the Council needed to request a precept of £107,000, which would maintain Band D payments at the same level as the current year. It was unanimously agreed that the parish should qualify for the grant and that the precept form should be amended.

RESOLVED: That the precept request should be amended to £107,000 for 2014/15, which maintains the precept at 2013/14 levels including the mitigation grant, and ensures that the parish will receive the grant in the coming financial year.

190. To consider whether the Council should allow the ‘spreading of ashes’ as an alternative to interment within it’s Cemetery

The clerk explained that she was pre-empting an expected question from the owner of a reserved grave who she understood wished to spread the deceased’s ashes on the surface of the grave rather than the usual interment within the plot. As the Council’s cemetery regulations do not cover this it was necessary for the Council to decide if such an action would be permitted. It was noted that St John’s, Low Bentham did not permit the spreading of ashes within its memorial garden. It was felt that a single grave plot was too small to be suitable for the spreading of ashes and that they must be buried, either in a casket or poured into a hole within the plot.

RESOLVED: That the Cemetery Regulations be amended to include notice that ashes must be interred and cannot be spread on the surface within the Cemetery.

191. To receive the Marketing Committee’s proposal for replacement of damaged tables in the Town Hall

Following agreement at the precept meeting to spend some of this year’s budget surplus on replacing damaged tables and the subsequent agreement that the round tables initially proposed would not be suitable a revised proposal was considered. It was noted that this proposal was considerably under the budget allowed at the precept meeting

RESOLVED: That the proposal for the replacement of damaged tables be agreed and that the items be purchased prior to the financial year end

192. To Agree the Accounts for Payment

EOn	970.77	Bentham Common Lands	175.00
Currys	77.79	Friends of Bentham Library	300.00
Cooperative Pharmacy	12.60	Audioworks	1903.20
Clearglass Cleaning	90.00	Horton Landscaping	744.00
Oglethorpe, Sturton & Gillibrand	120.00	Mark Burrow	491.70
DS Digital	55.00	PWLB	23927.45
Mopps	384.00	R Green	499.20

Aviva	326.89	J Burton	1098.36
PRS for Music	524.54	Orange	23.99

RESOLVED: That the accounts for payment are agreed

- 192.1. To receive a quote for the works required to the Town Hall Emergency Lighting system and agree the work. The recent test of the Fire Alarm and Emergency Lighting System in the Town Hall had shown some work required on lights that had failed the three hour battery test. The quote for replacement LEDs and/or new batteries where required came to £428.70+VAT.

RESOLVED: That the quote of £428.70 (+VAT) for repairs to the Emergency Lighting system be accepted and Howsons asked to effect them as soon as possible.

- 192.2. To receive notification from HMRC of the requirement to pay PAYE electronically in future - noted

- 192.3. To consider quotes for the tree work on Low Bentham Green and agree a way forward

Two quotes for work on the trees on Low Bentham Green had been received and were considered.

RESOLVED: That Westmorland Tree Care be asked to sort the trees on Low Bentham Green at a cost of £300+VAT in accordance with their quote.

193. To consider items of Correspondence

- 193.1. To Consider fielding a team for the Bentham Agricultural Society Quiz on Friday 7 February at 7.30pm

RESOLVED: That Cllrs Adams, Vendy, Stannard & the clerk represent the Council

- 193.2. To Receive a request from Bentham Common Land Charity for continued support for payment of their Public Liability insurance (£175.15 contribution)

The Council acknowledged that without support the Charity would fold and the land and its maintenance would revert to the Council. It therefore agreed to pay the requested 4/7 contribution for 2014 and to also pay the required contribution in future years upon production of an invoice so that the future of the charity is ensured.

RESOLVED: That the Council pay £175 to Bentham Common Lands Charity as its 4/7 contribution towards the public liability insurance for 2014

RESOLVED: That the Council has an ongoing responsibility to support the charity and that future 4/7 insurance contributions should be paid upon production of an invoice

- 193.3. To Receive a request from Friends Of Bentham Library for continued support for payment of their Public Liability insurance (£300)

Cllr Hey declared an interest & left the room. The Council agreed that the future of the Library in Bentham was dependant upon the work of the Friends, without whom the service would be lost. It therefore agreed to pay the £300 requested for 2014, and to continue this support in the future. Support was unanimous for the suggestion that FOBL should invoice the Council for its contribution in the future rather than apply for a precept grant.

RESOLVED: That the Council pay £300 to Friends of Bentham Library as a contribution towards the public liability insurance for 2014

RESOLVED: That the Council must support the group ongoing to maintain a Library service in Bentham, and that future insurance contributions should be paid upon production of an invoice

- 193.4. To Receive a letter from Bentham News asking for Council support for an open meeting for potential candidates to find out more about the job of Councillor

RESOLVED: That Councillors would attend the meeting subject to availability and Bentham News be asked to supply a few possible dates for agreement

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

Cllr Stannard would attend a meeting at the Victoria Institute on 4 February

Cllr Adams noted that the Friends of Bentham Station coffee morning had raised around £300. LASRUG is 25 years old on 18 April 2014 and this will be marked by a bumper newsletter.

195. Items for next meeting and minor items only

Two Cllrs raised the state of the footpath to the weir in Low Bentham (opposite Cloudsbank) which is in a dangerous state. The clerk agreed to contact the new footpaths ranger

A request for work on trees on Springfield had been made, but the Council will need to ascertain the ownership of the area before this can be considered.

Ownership of the wall in the Lairgill narrows has possibly been identified and will be investigated

Investigation with Planning and NYCC Highways regarding the ownership of the fence between Low Croft and the gardens on Lairgill has been unsuccessful and it is likely that Ian Godfrey Developments are still responsible for it.

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

RESOLVED: That in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 and by reason of the confidential nature of the remainder of the business, the Public and Press to be excluded further from the Meeting,

196. To discuss progress on the potential purchase of Low Bentham School Playing Field and agree future actions agree
Cllr Marshall declared an interest & did not vote.

RESOLVED: That quotes for the development and access schemes from Craven Design be accepted with the provision that no further costs be associated with them

RESOLVED: That in the event that the above quotes will incur extra costs the subject reverts back to Council for further discussion and resolution

197. To consider progress on the Clerk's contract

RESOLVED: That, as the Clerk's contract has not been progressed, this item should be added to the February agenda

There being no further business, the meeting was closed at 10.05pm

AGENDA ITEM 181)

CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 3 February 2014

1. Planning Decisions Received Since Last Meeting

1.1. GRANTED

- 1.1.1. 08/2013/14109 Suspension from a tree branch of a steel mesh sculpture representing a pair of bloomers near Punch Bowl Hotel, Low Bentham
- 1.1.2. 08/2013/14119 Proposed replacement machinery & equipment store & covered practice area at Bentham Golf Club, Robin Lane, High Bentham

1.2. REFUSED

- 1.2.1. 08/2013/14066 Proposed rear conservatory at Mewith Head, Mewith

2. Planning Correspondence

- 2.1. Copy of letters of objection to planning application 08/2013/14196, bungalows on land off Lakeber Drive
- 2.2. Notice of appeal against refusal of application 08/2013/13860 New Carport with storage over at Far West End Barn, Low Bentham
- 2.3. 08/2010/10536 Mixed use development comprising 3 two storey units for Finance (A2), Office (B1), Industrial (B2) & Warehousing (B8) with 80 space public car park and public WC (Outline application) on Land adjacent to Station Road, High Bentham - WITHDRAWN

3. Information Regarding Items Discussed at last Council Meeting

- 3.1. Unity Trust account active 7 January, still awaiting closure & transfer of HSBC accounts
- 3.2. Wenning Avenue street light column replaced, awaiting connection
- 3.3. Low Bentham Road bench replaced 29 January
- 3.4. TIP printer purchased 18/1
- 3.5. Land registry search being done by Angus Fire

4. Items for Information – see information folder

- 4.1. Test Report sheets for Town Hall Fire Alarm & Emergency Lighting, showing some work is required on the latter
- 4.2. Craven Dragons Den 2014
- 4.3. Julian Smith Surgeries, Jan – Easter 2014.
- 4.4. Clerks & Councils Direct magazine
- 4.5. The Clerk Magazine
- 4.6. NHS Complaints advocacy
- 4.7. Blood Donor sessions, Ingleton 7 February (and noticeboard)
- 4.8. NYCC Statement – not continuing with judicial review for removal of Waste Infrastructure Credits
- 4.9. Clerks Forum Minutes, Nov 13

5. Items circulated by email

- 5.1. Latest Weekly Rural News Digest, 13/1, 20/1, 27/1
- 5.2. North Yorkshire Now, January 2014
- 5.3. Rural Opportunities Bulletin, 8/1
- 5.4. Rural Vulnerability Service, Broadband 16/1, Fuel Poverty 23/1
- 5.5. Rural Services Spotlight on Older People 30/1
- 5.6. YLCA Information notes, 'Guidance on bin collections'
- 5.7. SLCC Bulletin, 17/1

- 5.8. RegioFlash, EU Policy Bulletin 22/1
- 5.9. Fields in Trust Ezine, 9/1
- 5.10. NALC events calendar 2014
- 5.11. Spinal Injuries Association fish & chip day, May 16 (& noticeboards)
- 5.12. Various cycling press releases from Craven re Tour De France
- 5.13. Police Precept Consultation, until 31 January (& website)

6. Progress on Outstanding Matters

- 6.1. Clerks Contract – awaiting HR input
- 6.2. Low Bentham WI letter sent 12/11, repair effected & invoice awaited
- 6.3. Car park project – quotes for lining requested
- 6.4. School Playing Field – awaiting responses
- 6.5. Station Road pedestrian access / parking restrictions meeting 26/9, Cllrs to canvass opinion
- 6.6. Response to Notice of Intention re St Margaret's Churchyard sent 13/6
- 6.7. Letters to Hopleys & NICEIC regarding electrical installation sent 13/6, Hopley reply 22/6 – information collated but not sent yet, awaiting decision.
- 6.8. Tourist Information / WC signs ordered March 2013, put on hold until Town Team sign review completed
- 6.9. Low Bentham Playing Field, pipes & cables map awaited
- 6.10. Quality Status – Statement of training intent to be considered