

BENTHAM TOWN COUNCIL

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

Present Cllrs Adams, Bridgeman, Cowling, Faichney, Hey, Marshall, Pritchard, Stannard (Chairman), Swales, Townson & Vendy.
Also DCllr Brockbank & Barrington, CCllr Ireton, the clerk Mrs Burton and 5 parishioners

111. To Receive Apologies from members unable to attend - none
112. To Receive & Record any member's Disclosable Pecuniary Interests
Cllr Hey declared a DPI in item 119.1.2 as owner of the property. Cllr Adams declared an interest under paragraph 15 in item 131.2, as a friend of the potential contractor
113. To Receive Comment & Concerns
Cllr Bridgeman brought comments from a resident regarding the draft local plan to the Council and confirmed that the resident had responded to Craven's consultation which had closed today.
114. To Confirm the minutes of the previous meetings
RESOLVED: That the minutes of the meetings on 6 & 16 October be signed
115. To Receive the Clerks Report (for information only) – see end of these minutes
116. To Receive a Drop In Session Update (for information only) – none
117. To Receive the Police Report & allow members to ask questions for information – none present
118. To Receive Reports from CCllr & DCllrs (for information only)
DCllr Brockbank said that Superfast Broadband was up and running in Bentham with 5 of the 6 cabinets now being live and orders being taken. The sixth cabinet will provide a new network to western Bentham and should be available in February 2015. She agreed to look into the fix for the installation fault in the cabinet on Wenning Avenue.
Tour de France memorabilia is being auctioned on Craven's website for the Chairman's Charity (Lupus). It is also now possible to see when the CDC meetings are, and to look at agendas, papers and minutes on the CDC website
Following complaints about the paint spraying of dog poo on the streets she will contact Environmental Health about getting the spray removed from the pavements.
Friends of Bentham Library are meeting with NYCC on 11 November to discuss the future of Bentham Library
DCllr Barrington mentioned that there will be one more garden waste collection before the winter break, with a further collection in January (including Christmas Trees) before the service starts again in March.
Car Parking Charges will be discussed by the Select Committee on 12 November when the decision as to whether to proceed further or not will be taken.
CCllr Ireton arrived at 7.45pm. CCllr Ireton confirmed that the Extra Care Housing procurement starts on 8 November, and if a new partner can be found the Bentham site is scheduled for July 2015. The new school is on course for opening in January 2015 after the Christmas break.
NYCC will not support the Road Traffic Order for Bentham which means Craven will need to go to the Secretary of State to take parking charges in Bentham further.
He confirmed that NYCC are looking to turn libraries in to Community Libraries run by community volunteers in order to cover further cuts. These community groups will be eligible for grants.
He agreed to look into the provision of new street lighting by the new school as the current situation is dangerous. The clerk was informed by NYCC that the missing lights will be replaced but the timetable is unknown.
119. Planning
- 119.1. To Consider and Comment upon New Applications
- 119.1.1. 08/2014/15098 Change of use of first floor flat to form part of existing ground floor retail premises to provide additional storage & workroom. Minor internal alteration to provide additional door opening at Temptations, 31 & 31A Main Street, High Bentham – approval received 3 November
- 119.1.2. 08/2014/15115 Single storey side extension & associated internal alterations with provision of disabled access at Old Pottery Barn, Mewith, Bentham
Cllr Hey declared an interest and left the room
RESOLVED: That the Council had no objections to this application
- 119.2. To Receive Planning Decisions
- If any (see Clerks Report)
- 119.3. To Receive Correspondence on Planning Issues
- 119.3.1. 08/2014/14750 Proposed Timber Stables on Land Off Mill Lane / Birkwith Lane, Low Bentham - To note appeal and decide whether further action is necessary
A new application with different stable dimensions had also been received on 3 November, after the agenda had been posted.
RESOLVED: That the Council has nothing to add to its original comments on the proposed stables
- 119.3.2. Others, If any (see Clerks Report)

120. Highways Matters
- 120.1. To Receive an update on Craven's attempt to impose parking charges on Grasmere Drive car park
See CCLrs Report
- 120.2. To note NYCC Highways negative response regarding 30mph repeater signs on Thickersh Brow following further representation from CCLr Ireton - noted
- 120.3. To Receive an update from the Witherslack group regarding their hedge on the B6480 at Low Bentham
Further information had been received from Paul Williams, Estate Manager for Witherslack Group, confirming their intention to look at laying the hedge
- 120.4. To Consider and Note Highway Matters for Information
It was noted that the potholes on Mewith Lane have been outlined for repair, but it was also noted that the markings for pothole repair on Robin Lane have worn away. It was agreed that the recent resurfacing of Skipton Gate and Spiders Web should be questioned as the money should have been spent on more dilapidated roads. It was also agreed that the Council should ask whether Low Bentham Road at the new school will be resurfaced once the works have been completed.
- RESOLVED: That NYCC Highways be asked to explain spending decisions when relatively well surfaced roads are resurfaced whilst others in very poor condition are left**
- RESOLVED: That NYCC Highways be asked to confirm that Low Bentham Road by the new school will be resurfaced once all the building works are completed**
121. To Agree amendment of the Council's Standing Orders to account for the Openness of Local Government Bodies Regulations 2014 to allow for the recording of Council Meetings as proposed at the last meeting (paper 2014/19)
- RESOLVED: That the amendment to the Council's Standing Orders be agreed**
122. To Adopt YLCA's draft policy for the Management of Recording at meetings (paper 2014/20)
Several amendments to the draft policy were discussed and agreed to make the meaning clearer. The length of time that potential recordings by the Council should be kept was also discussed and it was agreed that these recordings should be retained for seven years. The clerk will make the amendments to the paper which will be reconsidered at the December meeting
- RESOLVED: That the Council retain recordings of meetings, if made, for seven years**
- RESOLVED: That the draft policy be amended as discussed and reconsidered at the December meeting**
123. To Note the Draft Craven Local Plan response sent to Craven (paper 2014/21) – noted
- RESOLVED: That the Council ask for a meeting with Planning Policy to discuss it's response, as suggested by DCILr Brockbank**
124. To Note receipt of the Neighbourhood Planning Questionnaire initial analysis and to agree a meeting date to discuss the results
- RESOLVED: That the Council meet on 15 December at 7.30pm to discuss the initial analysis**
- RESOLVED: That those people who expressed an interest in being involved in the NP Process be invited to the December meeting**
125. To Receive an update regarding the Bentham VC Winners Commemoration and agree a way forward
The War Memorial Fund can purchase the replica stone for Theodore Bailey Hardy and is willing to do so. The best estimate for the availability of the stones is late summer 2015.
- RESOLVED: That the War Memorial Fund be asked to progress with purchasing a replica stone for Theodore Bailey Hardy**
- RESOLVED: That the Council install the stones when available, with a full ceremony being held around the centenary dates in 2018**
126. To Note the draft minutes of the Finance Meeting on 20 October – noted
The bank reconciliation at 30 September 2014 was as follows:

	Bank Statement	Plus O/s Receipts	Less O/s Cheques	Balance
Current	58940.22	81.60	1110.00	57911.82
PSDF	57000.00			57000.00

127. To Consider and agree the draft Flag Flying schedule for the Town Hall
The Chairman thanked Cllr Townson for his work in preparing the draft. It was noted that the Council did not possess either an EEC flag or a Red Ensign. The practicalities of raising the flag on one day and lowering it the next on the current pole was discussed and the clerk was asked to explore two further possibilities – erecting a flag pole on School Hill for easier access, and altering the access on the current flag pole on the Town Hall. It was agreed that the current Union flag should remain flying until after Remembrance Day and should then be lowered.

The clerk should look at replacing this flag, which has been repaired twice, with a digitally printed Union flag. Cllr Marshall agreed to supply the clerk with detail of a local flag maker for a quote for the proposed Bentham flag

RESOLVED: That the clerk cost the erection of a new flagpole on School Hill and alterations to the current flagpole on the Town Hall to make raising and lowering the flag simpler

RESOLVED: That the Union Flag on the Town Hall be lowered after Remembrance Day

RESOLVED: That the cost of a digitally printed Union Flag be discovered

RESOLVED: That the production of the proposed Bentham Flag be further explored

128. To Consider the Proposed Merger of the Local Justice Areas in North Yorkshire and to agree a response by 31 December (paper 2014/22)
There are currently 4 Local Justice Areas, or benches, in North Yorkshire and this consultation proposes they are merged into a single area. The merger appears to be for administrative efficiencies and should not affect courthouse provision

RESOLVED: That the Council agrees with the proposed merger as long as it has no detrimental effect on the access to courthouses, with defendants continuing to be heard at the closest and most easily accessed court

129. To Consider the Craven Budget Consultation 2015/16 and agree a response by 5 December (paper 2014/23)
This consultation covers the whole of Craven and asks questions about facilities that are of little interest to Bentham residents due to their remoteness. Cllrs should pass their comments to the clerk for collation into a single response to be agreed at the December meeting

RESOLVED: That Councillors pass their comments on the draft budget to the clerk for collation into a Council Response for agreement at the December meeting

130. To Consider the Draft 'Care & Support Where I Live' Strategy and agree a response (paper 2014/24)
The consultation majors on the provision of Extra Care Housing across the County which is to be applauded. There is definitely a need for such provision in Bentham following the closure of both Burndale and Abbeyfield House. However, there is a need to maintain a choice of options, particularly access to Nursing Home Care which does not appear to be provided for in the current consultation.

RESOLVED: That the Council response should welcome the proposed provision of Extra Care Housing, but stress that there needs to be a choice of provision so that those unable to stay in their own homes can still be catered for.

131. To Agree the Accounts for Payment

Craven DC	152.56	1415 Ltd (Mr Flag)	72.00
Viking Direct	105.02	Orange	23.99
Mopps	384.00	Phone Co-Op	4.48
JBL Joinery	300.00	Cannon Hygiene	19.33
Morleys	181.92	Hygiene Cleaning Supplies	80.01
HB Plumbing & Heating	1536.00	W Smith	20.00
EOn	330.18	1&1 Internet	25.16
Aviva	310.37	Post Office	19.50
John Mason Printers	2082.00	W Dowbiggin	112.50
Horton Landscaping	565.99	Salaries	1660.11

RESOLVED: That the accounts for payment are agreed

- 131.1. To agree to 'top up' the Clerk's debit card

RESOLVED: That the clerk's debit card be topped up to £250

RESOLVED: That future decisions regarding topping up of the debit card be made by the Finance Committee

- 131.2. To consider the erection of Christmas Trees on the Town Hall and whether to accept the S1B.com offer to supply, light and dispose of 2 trees for £80 or for the Council to provide its own.

RESOLVED: That the Council provide it's own trees for the Town Hall

132. To consider items of Correspondence

- 132.1. To Receive a letter regarding the proposed closure of St Margaret's Churchyard and the Council's initial request for maintenance work and agree a response

The clerk explained the history behind the Council's initial refusal to accept the Notice of Intention due to the work required on the churchyard and the requirement for the PCC to do this before the Notice could be accepted. With the closure of St Margaret's Church and the formation of a single Parish of Bentham a different PCC were now in charge and were asking for greater information as to what would satisfy the Council in its requirements. It was also noted that Craven have put temporary tree protection orders on the trees in the churchyard, although CCllr Ireton suggested that this would be whilst they consider whether the trees are worthy of a preservation order.

The Council agreed that the current work to lay flat unsafe memorials would be sufficient to satisfy its requirement for memorial safety. The suggested report from a tree surgeon and any subsequent remedial work on the large trees would satisfy the requirement for tree safety. The coping stones on the boundary walls need to be checked and reset and the walls re-pointed where necessary. It was also suggested that the footpaths should be looked at. There has also been some recent local discussion regarding the state of the access which is across land not owned by either the church or the diocese, and confirmation as to continued access for grass cutting machinery etc needs to be made.

It was acknowledged that the process for re-introducing the refused Intention was unknown at present, but that this was the intention of the PCC. As the costs of future maintenance of the churchyard will be considerable the Council may decide to refuse to accept the Intention and the clerk should ascertain the procedure for passing responsibility to Craven.

RESOLVED: That the Council will accept the laying flat of memorials and remedial work on trees following a tree surgeons report.

RESOLVED: That the Council agree that the boundary walls need to be inspected, and that coping stones should be reset and walls re-pointed where necessary, and the integrity of the footpaths should be confirmed

RESOLVED: That the Council require confirmation of continued access for grass cutting equipment over the non-Diocese land, and that no further burials will take place

RESOLVED: That the Clerk should ascertain the procedure for passing responsibility for the churchyard to Craven once the Notice of Intention is re-issued.

- 132.2. To Receive a request from We Are Bentham for support for the Christmas Lights in High & Low Bentham from 24 November to 4 January

RESOLVED: That the Council provide a letter outlining their support for the Christmas Lights

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

Cllr Vandy informed the meeting that the Youth Café Early Bird Christmas shopping event had been very successful and raised £420

Cllr Adams had attended the Aid in Sickness AGM and new committee members appointed by other Councils had been elected as trustees. The Charity was still looking to merge with a similar Settle based Charity, if agreed by the Charity Commission.

134. Items for next meeting and minor items only

Cllr Swales brought up the recent request by Sanctuary Housing for the Council to agree applicant links to Bentham. The clerk confirmed that she had asked the organisation to confirm their definition as it was difficult to comply if the applicant was unknown to Councillors and was not on the electoral roll.

Cllr Marshall mentioned that emergency repair work had been done on the Community Youth building roof and asked for the subject to be added to the next Buildings Maintenance agenda. He also asked for a list of the Council's 'open spaces' to be provided to the Open Spaces committee members prior to its first meeting in November

Cllr Adams asked for Council Meetings to be added to the next agenda with a view to changing night or venue to avoid the noise of the Boxercise class held in the Ballroom.

Cllr Pritchard asked for the Library Consultation to be added to the next agenda, which the clerk confirmed was already in hand following receipt of the documentation earlier that day.

There being no further public business, the meeting was closed at 9.25pm and the public left

135. To resolve 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, whilst progress on the potential purchase of Low Bentham School Playing Field be discussed and future actions agreed

RESOLVED: That the Council agree the proposed plan provided by NYCC and proceed to agree terms for the purchase

RESOLVED: That negotiations continue with the landowners regarding the proposed access

RESOLVED: That Open Spaces Committee takeover the running of this until agreements require to be finalised.

There being no further business, the meeting was closed at 9.55pm and the public left

CLERK'S REPORT TO BENTHAM TOWN COUNCIL, 3 November 2014**1. Planning Decisions Received Since Last Meeting****1.1. GRANTED**

- 1.1.1. 08/2014/15024 Single storey garden room extension to south elevation at Calf Cop Cottage, Burton Road, Low Bentham
- 1.1.2. 08/2014/15098 Change of use of first floor flat to form part of existing ground floor retail premises to provide storage and workroom. Minor internal alteration to provide additional door opening at 31 & 31A Main Street, High Bentham

1.2. REFUSED

- 1.2.1. None

2. Planning Correspondence**3. Information Regarding Items Discussed at last Council Meeting**

- 3.1. Heritage Trail letter sent 14 October
- 3.2. Parking Survey & Car Park Maintenance costings put on hold due to NYCC response
- 3.3. Yorkshire Flag purchased 9/10, delivered 24/10
- 3.4. SWALEC gas contract agreed 10/10
- 3.5. Letter re Heritage Trail sent 14/10, response awaited
- 3.6. Appointment with Julian Smith MP at surgery on 12 November confirmed
- 3.7. Care Home meeting – date to be confirmed

4. Items for Information – see information folder

- 4.1. Clerks & Councils Direct 96
- 4.2. Gas Supply contract
- 4.3. Precept Grant Thank You Letter from Youth Café
- 4.4. SLCC Council book range
- 4.5. Scope house to house collection dates – 30/3 to 19/4/15 & 4/4 to 24/4/16
- 4.6. Remembrance Service invite for 11/11 (School Hill) & 9/11 (St Johns)
- 4.7. Garden Waste collection service suspended until March 2015

5. Items circulated by email

- 5.1. Latest Weekly Rural News Digest 7/10, 13/10, 20/10, 27/10
- 5.2. Rural Vulnerability Service, Fuel Poverty 15/10
- 5.3. Rural Opportunities Bulletin, 8/10
- 5.4. Rural Housing Spotlight, 9/10
- 5.5. White Rose Update, 9/10
- 5.6. North Yorkshire Now Newsletter, October
- 5.7. Fields in Trust October Update, 21/10
- 5.8. SLCC Newsletter, 20/10
- 5.9. Rural Action Yorkshire news, 8/10
- 5.10. Craven & First World War Project October Newsletter
- 5.11. YLCA notes on Local Government Pay Consultation, 21/10
- 5.12. Skipton Building Society offer of volunteers, 21/10
- 5.13. RegioFlash, EU Policy Update 29/10
- 5.14. Allerton Incinerator Update 30/10

6. Progress on Outstanding Matters

- 6.1. Station Approach meeting – contact made, awaiting NYCC Highways confirmation
- 6.2. Car park maintenance costs – information awaited
- 6.3. Low Bentham parking meeting – to be arranged
- 6.4. Flag flying timetable – draft awaited
- 6.5. Cowan Bridge new town comments sent to Lancaster City Council. Burton Parish response requested and awaited
- 6.6. NYCC report on reduction in urban grass cutting due end of October 2014
- 6.7. Grasmere Drive bench site location permissions received, costs received, donor awaited
- 6.8. Clerk's contract – meeting with HR 24/6 – awaiting amendments
- 6.9. School Playing Field – initial access plans received, awaiting results of negotiations with landowners
- 6.10. Response to Notice of Intention re St Margaret's Churchyard sent 13/6/13
- 6.11. Tourist Information / WC signs ordered March 2013, put on hold until Town Team sign review completed
- 6.12. Low Bentham Playing Field, pipes & cables map awaited
- 6.13. Quality Status – Statement of training intent to be considered