

BENTHAM TOWN COUNCIL

Minutes of the Council Meeting held on Monday 7 April 2008,
at 7.30 pm in the Town Hall

Present Cllrs Adams, Barnes, Barrington, Burton, Faichney, Heigh,
Marshall, Stannard & Wills (Chairman),
CCllr Ireton and DCllr Camacho. Also the Clerk, Mrs Burton & 15 parishioners.

1. Apologies

Cllrs Hurtley & Taylor

The Chairman announced that Cllr Taylor and his wife had just had a baby, and offered the Council's congratulations

2. Declarations of Interest

Cllr Stannard declared an interest in item 7.1.2, planning application 08/2008/8484. Cllrs Wills, Marshall & Faichney declared an interest in item 7.1.4, planning applications 08/2008/8513. Cllr Barrington declared an interest in item 16.5, Cleveland Square lease and Cllr Burton declared an interest in item 20, salary review.

3. Public Participation

The public present all wished to comment on item 7.1.4, planning application 08/2008/8513. The Chairman decided that, in the interests of saving time, the interested parties should be allowed to comment during that item once the letters of objection had been considered.

4. Confirmation of minutes

The minutes of the meeting on 3 March were proposed by Cllr Marshall, seconded by Cllr Adams and agreed.

5. Police Report

PC Hayes attended and reported that during the last 12 months, to the end of March, there had been a 23% reduction in crimes in the Bentham area, and 40% of those reported had been detected. Assault was down 39% to 19, of which 16 had been detected. There had been 30 reports of criminal damage of which 8 had been detected although someone was currently in custody who was likely to clear up a number of the others. There had been 20 reported burglaries of various kinds and 9 reports of auto theft. There had been 10 others, mainly including drugs, of which 7 had been detected. There had been several incidents in March, the most significant being a large amount of graffiti around the town over which an arrest had been made – and it was likely that the same individual was responsible for the damage of 17 NYCC street lights in Wesley Close and around the area. (The clerk reported that a Council owned light had also been damaged at the same time.) Cllr Barrington asked about the problems with youngsters throwing eggs in Banks Way and PC Hayes reported that several children had been spoken to. DCllr Camacho mentioned a crime prevention partnership which was being set up to look at problems in the area, but PC Hayes said that the police could only sort things out if incidents are reported to them. Cllr Heigh raised the ongoing problem with parking on yellow lines around the Town Hall, Black Bull & Coach House which is causing obstruction and traffic delays. PC Hayes said that tickets were issued when the police were in the area, but they were unable to attend all the time, he added that some traders could alleviate the problems if they used the car parks.

6. CCllr & DCllrs Reports

DCllr Camacho reported that the dog bin on Wenning Avenue has been replaced and a sign for Police Yard has been agreed. The problem light on Grasmere Drive has failed again due to the standard of work of a sub-contractor but it will be fixed shortly.

DCllr Barrington added that the Craven election on 1 May will not affect Bentham, but that DCllr Ireton's seat will be contested in Ingleton.

CCllr Ireton had nothing to report from County, but informed the Council of the charity golf day on

12 May and the ongoing raffle in aid of the Air Ambulance.

7. Planning

7.1. Applications

7.1.1. 08/2007/8439 Proposed extension to provide new sitting room with extended main bedroom above & single storey storage at Honeysuckle Barn, Mewith Lane, Mewith, High Bentham.

RESOLVED: That this application be recommended for approval

7.1.2. 08/2008/8484 Retrospective application to erect a shed at Far West End Barn, Off Cross Lane, Low Bentham.

Cllr Stannard declared an interest.

RESOLVED: That this application be recommended for approval

7.1.3. 08/2008/8492 Demolition of existing dwelling & construction of new dwelling at 1 Goodenber Crescent, High Bentham.

RESOLVED: That this application be recommended for approval

7.1.4. 08/2008/8513 Demolition of existing glass houses & poly tunnels and formation of stone processing building & separate office and staff accommodation. Change of use of site to stone storage, at Ingleborough Nurseries, Bentham.

Cllrs Wills, Faichney & Marshall declared an interest and Cllr Wills left the room after handing the chair to Cllr Adams. Cllr Adams informed the meeting that 9 letters of objection had been received, many just at the start of the meeting. As many expressed the same objections he proposed that the most comprehensive was read, and then the public present be given an opportunity to add any further comments that had been missed. The letter read expressed concerns over the amount of noise, dust and vibration that the proposed development would bring to the area from 7am to 6pm – 6 days a week, the visual impact in a special landscape area (which Craven planners themselves had insisted should be returned to a Greenfield site should the nursery fail) and the vast increase in the amount of large wagon traffic on a single track road (roughly one every 15 minutes). The letter also questioned the accuracy of the Design and Access statement and the relevance of the accompanying Acoustic Report.

Other questions and comments raised by the public were;

How do the lorries intended to get to the site – as access up Parkfoot from Burton In Lonsdale, from Wennington or through Bentham itself would be problematic.

Concern was expressed about the water course which supplies 300 acres downstream of the site, which has suffered contamination from diesel oil in the past.

The local roads are already in a poor state of repair with NYCC admitting that funding for repair is limited, this development would only exacerbate the situation.

Why is there a need to cut the stone away from the site of production. Many quarries treat the stone on site and only transport the finished product. This development will require all stone to be transported on to site and then the finished product and spoil to be removed – a far bigger, less efficient operation with a far larger carbon footprint.

Following this discussion the Council went into debate, and agreed that the original planning permission did contain a condition that the site should be returned to Greenfield if the Horticultural venture failed. This application was a large step in the opposite direction to an industrial site in the middle of open countryside. Whilst recognising the need for jobs in the rural community, to allow residents to live and work in the area, there were definite concerns about the increased traffic and potential noise problems in the area. The Council agreed that it should ask for the application to be considered by the Planning Committee and not be agreed by delegated powers, that a site visit of the Committee should be requested before the application is considered and that, based on the possible inaccuracies in / inadequacies of the Design & Access statement and the Acoustic Report, a request should be made for an Independent Environmental Assessment, in accordance with Town & Country Planning (Assessment of Environmental Effects) Regulations 1988.

RESOLVED: That this application be recommended for refusal as presented, but that a request be put forward for an Independent Environmental Assessment in accordance with Town & Country Planning (Assessment of Environmental Effects) Regulations 1988.

RESOLVED: That this application be considered by the full Planning Committee, not under delegated powers, following a full site visit by the Committee

7.2. Decisions

7.2.1. 08/2007/8261 Agricultural workers dwelling on land at Mewith Head, Mewith Lane, Bentham – GRANTED

7.2.2. 08/2008/8306 Change of use of dwelling to office at 1c King Street, Bentham - GRANTED

7.3. Correspondence

7.3.1. Section 106 seminar – update from Cllr Adams & the clerk

Cllr Adams said how interesting and informative the seminar had been, and expressed his thanks to Craven DC for organising it. He explained that, with larger developments, the Council could ask for the inclusion of various things such as affordable housing, amenity space, improved drainage and reasonable road improvements. The main problem was that these needed identifying early in the process, and needed to be backed by policy – which in the absence of much policy in the LDF at this time - was a limiting factor.

7.3.2. Proposed demolition of existing dwelling & erection of new single detached dwelling house at 1 Goodenber Crescent, High Bentham – WITHDRAWN, and resubmitted (see item 7.1.3 above)

7.3.3. Proposed construction of 34 dwellings comprising, 2 4-bedroom, 4 3-bedroom, 20 2-bedroom houses and 8 2-bedroom flats etc at Wesley Close, Bentham – WITHDRAWN temporarily for flood risk assessment. The recent Housing Needs survey showed 67 names in need of housing in Bentham. It was agreed that a breakdown of 'type' should be requested in order to see if the proposed variety of housing (i.e. mainly 2-bedroom properties) would be adequate.

RESOLVED: That breakdown of housing requirement be requested and compared to this proposal

7.3.4. Update on state of planning enforcement at land opposite Tenant House, High Bentham. The site will be visited again later in the year to assess progress on the outstanding issues

8. Highway Matters

8.1. Stopping Up of Hillside Road, request for removal of objection

Despite the fact that NYCC had provided proof that this is not the only adopted turning circle on Hillside Road the Council felt that the goal posts had moved since the original application was approved.

RESOLVED: That the Council was not prepared to lift its objection at this time, but that discussions should continue.

8.2. NYCC response to March concerns – received

The North Yorkshire sign near the Ridding and the recent repairs on Lakeber Drive will be followed up. The request for improvements at the junction of Harley Bank and the B6480 will be considered and reported on at a later date. Regarding the possibility of landowners clearing road ditches adjacent to their land – these are the responsibility of the landowner, but he will require £5m public liability insurance plus the correct signs and guarding of any works and the relevant notice to be able to work on the Highway – as well as being liable for any damage to utility company equipment or the highway. NYCC agreed to look at the ditches on Ravensclose Road.

8.3. Temporary Road Closure of B6480 at Ridding Lodge – received

The road will be closed for a two week period during the 6 month window beginning 14 April. Cllr Marshall asked if it would be possible to be more precise and the clerk agreed to find out.

8.4. Ravensclose Road, response from Lancashire CC – received

The Lancashire section will be inspected and any remedial works carried out

9. Bentham Common Lands Charity

The Trustees are meeting on 16 April and will report after this date

RESOLVED: That Bentham Common Lands Charity be put on the May agenda

The Council will be reappointing members of committees etc at the May meeting, the Annual Meeting of the Council, and will discuss the appointment of the Council representatives at that time

RESOLVED: That a letter be sent to the secretary informing the Trustees of the Council's intention to discuss it's representation at the May Annual Meeting of the Council.

10. Allotments

10.1. Update from Craven DC Property Services

Craven Property Services have finally, after a delay of 7 months, confirmed that they have no land available for allotments in or around Bentham

10.2. Receipt of further expression of interest

The Council noted another receipt of interest, but acknowledged that until land can be found little can be done.

10.3. The Way Forward

The Council has a duty to provide allotments if at all possible, but in the absence of available land this is proving difficult. A piece of land behind the Horse & Farrier might be suitable if it could be rented.

RESOLVED: That the Council approach the owners to see if the land behind the Farrier may be available to rent as allotments.

11. Damage to Grave

Two counts of damage to a grave had been reported, the first and most recent was by a grave digger and was being sorted by Brown & Whittaker. A Council contractor, cutting the grass, had done the second 10 years ago. The owner now wished to make a claim from the Council for repair of the damage, but admitted that it had not been reported at the time. The clerk circulated pictures of the chipped stone and explained that, if the accident happened now, the claim would be against the contractor and not the Council. The limitation for insurance claims is 6 years. The Council agreed that, whilst sympathising with the owner, due to the time lapsed before the damage was reported it was unable to claim on its insurance and therefore unable to contribute to the repair.

RESOLVED: That a letter be sent explaining the Council's position in being unable to uphold the owner's claim for repair.

12. School Hill Gate

There used to be 2 pieces of gate, offset, at the bottom of the school entrance to prevent children running straight into the road. However one has disappeared and the Council is considering whether it should be replaced. A local resident explained that the current arrangement is much better as NORWEB etc can get off the road when working at the substation and disabled people can get access to the Library. However it was pointed out that the previous set up may have been a health and safety arrangement following a near accident. Cllr Wills agreed to discuss the situation with the headmistress.

RESOLVED: That the Chairman will discuss the adequacy of the gate on School Hill with the headmistress

13. Dalesview Amenity Land

A second tender had been received and a third promised but not yet arrived. The Council agreed to wait until this was available before replying to Craven

RESOLVED: That the Council wait for the third quote before going back to Craven.

14. Tourist Information Point

The coffee morning raised over £275, and Cllr Marshall thanked everyone for their generous support. The Forest of Bowland had been pleased with the response to their display. The TIP had opened on 31 March and had a full rota, although anyone who could volunteer to do the odd shift to cover holidays would be very welcome. The new coordinators are doing a good job and the new set up appears to be working well. The 2008 accommodation list should be available by 14 April, and a large map of the area will be put up shortly. Mrs Brook of Halsteads Barn has joined the committee and is looking into the possibility of running a powerpoint presentation on screens in the TIP with relevant information when the office is closed.

15. Accounts for payment

The accounts were proposed by Cllr Marshall, seconded by Cllr Adams and agreed.

Playing Fields Association 500.00 J Burton 1364.00
Victoria Institute 300.00 R Green 473.16
Goodenber Play Area 250.00 C Louth 85.06
Bentham Youth Café 250.00 HM Revenue & Customs 93.94
Bentham First Responders 50.00 Hygiene Cleaning Supplies 72.91
Bentham Traders 200.00 Stannah Lift Services 134.58
High Bentham Playgroup 200.00 Cannon 14.21
High Bentham WI 100.00 Pica Design & Print 8.81
Bentham Theatre Group 100.00 M&M Joinery 2205.47
LASRUG 100.00 Wenning Surfacing 423.00
Springfield Bowling Club 750.00 Norwich Union 230.93
YLCA 532.00 W Dowbiggin
Craven District Council 112.86 P Howard 122.50
Clearglass Cleaning 90.00 Phone CoOp 2.01
Mopps 375.00 Viking Direct 633.34
Yorkshire Water 18.06 Andrews 92.91
EOn 56.02 Post Office Ltd 51.84
EOn 525.71 AOL 14.99

16. Correspondence

Cllr Faichney apologised to the Chairman and left the meeting.

16.1. Letter re Graffiti and Criminal damage in Bentham.

A letter regarding the large amount of graffiti and criminal damage done in Bentham over the Easter period was read. The Council were pleased to be able to report to the complainant that the police had already made an arrest, and that Craven DC were to remove much of the graffiti shortly.

RESOLVED: That a reply be sent informing that the perpetrator had been arrested and remedial action was in hand to remove the graffiti.

16.2. Affordable Housing Guide, Consultation Draft

The loss of the Affordable Housing policy from the saved Local Development Plan makes this an important document. Cllrs agreed to study it further and make recommendations.

16.3. Standards Committee – Election of Parish Representatives

The Council considered the information on the 5 candidates and agreed to vote for Susan Fisher (Langcliffe) and Beth Graham (Settle)

RESOLVED: That the Council vote for Susan Fisher (Langcliffe) and Beth Graham (Settle).

16.4. Low Bentham School Acknowledgement - received

16.5. Cleveland Square Lease Update

Cllr Barrington declared an interest. A holding letter has been received.

16.6. Scouts St George's Day Parade – received

RESOLVED: That the Mayor will attend

16.7. Consultation on Craven DC Annual Report

The Council questioned the cost benefit of producing such a document in printed form. It felt that interested parties would access such a document on the web, whilst uninterested persons would just discard a paper copy unread.

RESOLVED: That a letter be sent expressing the Council's doubts of the cost benefit of the production of an Annual Report for Craven

16.8. Bentham Mini Soccer Pitch review, notification of delay - received

16.9. Area Forum, 15 May, Ingleton - received

16.10. Consultation on Proposed Changes to Draft NW Regional Spatial Strategy - received

16.11. Healthcare Commission – response to Westmorland General complaint - received

17. Reports from other bodies

Cllr Burton had attended a Bentham Development Trust meeting. The new community transport contracts start in April. Use of the Taxi Bus continues to rise. The Station Building refurbishment is on schedule. An official opening is planned for 30 July, with a possible Community Day on the Playing Field.

Cllr Adams said there would be a Goodenber Play Area working party on 12 April, and Cllr

Barrington said the Traders AGM will be held on 14 April.

18. Items For Information

- 18.1. Guide to Overview & Scrutiny in North Yorkshire
- 18.2. Village ventures, North Yorkshire 2008.
- 18.3. NW Journey Planner – Roadworks March – May 2008
- 18.4. The Playing Field, Winter 2007/8
- 18.5. Country Air, Winter 2007/8
- 18.6. Craven Events, March – June 2008.
- 18.7. The Hub newsletter, February – April 2008.
- 18.8. InfoRegio Panorama December 2007

19. AOB - minor items only

Cllr Burton asked if the clerk could find out about new Council powers to erect parking cameras, which she agreed to do.

Cllr Heigh said she was disappointed at the Forest of Bowland Steering Group's lack of response for the Council's request for a different date for the meeting regarding the carpark proposal. It had been flagged from the start that most Cllrs were unable to attend a lunchtime meeting due to their jobs, but no further options had been offered

It was agreed that the May Council meeting be held on Monday 5 May, the Bank Holiday.

Cllr Wills then asked members of the press and public to leave whilst the staff salary review was conducted

RESOLVED: that in view of the confidential nature of the business to be transacted, it is advisable in the public interest that the public and press be temporarily excluded and they are instructed to withdraw.

20. Staff Salary Review

Following the review of 'other staff' Cllr Burton declared an interest and left the room, as did the Clerk whilst her salary was debated

RESOLVED: That the Clerk's rate be increased to £12/hour and other staff be awarded 3%.

There being no further business, the meeting was closed at 10.30pm