

Minutes of the Council Meeting held on Monday 1 December 2008, at 7.30 pm in the Town Hall

Present Cllrs Adams, Burton, Faichney, Heigh, Hurtley, Stannard, Taylor & Wills. Also the Clerk, Mrs Burton, CCllr Ireton, DCllr Camacho & 1 parishioner

126. To Receive Apologies from members unable to attend

Apologies were received from Cllrs Barrington & Marshall.

127. To Receive Declarations of Interest from members present

Cllr Hurtley declared a personal interest in item 133.1, Sedbergh Junior Schools inclusion in the LDF.

128. To Receive Comment & Concerns - none

129. To Confirm the minutes of the previous meeting

The minutes of the meeting on 3 November were proposed by Cllr Hurtley, seconded by Cllr Wills and agreed.

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

More items for information had been added in the time since the agenda was published. A reply from Mr Banks asking for permission to copy the Council's letter about the commuted sum for the Dalesview amenity area to Mr Godfrey had been received. The Council agreed that this was reasonable.

It was also agreed that the clerk should request an update on many of the outstanding matters as there appears to have been little progress in the last 6 months.

131. To Receive the Police Report & allow members to ask questions for information – none present

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

CCllr Ireton announced that NYCC has received a 3* rating for its adult care which is exceptional, and due to the hard work of the staff involved.

The meeting about the new school has been postponed until 20 January as negotiations have reopened on the Show Field site and replies are awaited.

DCllr Camacho said that the affordable housing on Wesley Close will be considered at the next Planning Committee meeting.

133. Planning

133.1. To consider a request from Planning Policy for comments on the submission of the Sedbergh Junior School site for the LDF Allocations document

The request was for the Council's comments regarding the potential development of the school site and also information regarding the community use of any of the school facilities.

It was agreed that the sports hall was used by the badminton club and that historically the pool had been used although this had ceased some years ago because of health and safety issues.

The Council had received information from a parishioner that part of the school playing fields are actually owned by the church and also that a covenant was placed on the buildings in 1947 limiting use to 'private residence or school'. The Council agreed that some development of the school site could be acceptable, but that building on the playing fields would be unacceptable. RESOLVED: That a letter be sent outlining the community use of the sports hall, the historical use of the swimming pool and the Council's objections to any development that would affect the playing fields.

133.2. To Consider and Comment upon New Applications

133.2.1. 08/2008/9075 Two storey extension plus single storey lean to at rear of 47 Goodenber Road, Bentham.

RESOLVED: That the Council had no objections to this application

133.2.2. 08/2008/9151 Change of use from flat to office at Croft Flat, 58b Main Street Bentham.

RESOLVED: That the Council had no objections to this application

133.2.3. 08/2008/9207 Two storey extension at Orchard Corner, Burton In Lonsdale

RESOLVED: That the Council had no objections to this application

133.3. To Receive Planning Decisions

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

134. Highways Matters

134.1. To receive letters from the Department of Transport re the Proposed Stopping Up of Hillside Road - received

134.2. To receive the Stopping Up Order for Hillside Road - received

134.3. To receive notification from NYCC of programme of Slurry Sealing of selected pavements - received

134.4. To Consider and Note Highway Matters

Cllr Wills had met with Chris Craven of NYCC Highways and pointed out the numerous blocked gullies and drains, plus the missing road signs and had also requested a depth marker for the bridge on the way to Wennington

Cllr Barrington had written to alert the Council to problems with the temporary ramp outside the old Legion Hut site, which is extremely steep and without a handrail. This has been reported to the developer and should be rectified shortly.

Council asked that the drainage problems on both Springfield (at Pye Busk) and on the Wennington Road be chased again

RESOLVED: That the problem with blocked gullies on the B6480 between Low Bentham and Wennington and on Springfield at Pye Busk, which have already been reported, be chased by the clerk.

Cllrs Ireton and Camacho left the meeting

135. To Consider the consultation paper Communities In Control – Codes of Conduct for Local Authority Members & Employees (paper 2008/18)

The clerk explained that this paper was in two parts, firstly looking to replace the model code adopted for members last year with a more clearly defined version and secondly to introduce a similar code for all authority employees, to become part of their employment terms and conditions.

Looking at the redefinition of the code for members, the Council agreed that the limited definition of the codes application to non-official capacity and the clarification of paragraphs 12(2), 8(1)(a)(i) &(ii) and 10(2) were reasonable.

The Council was unconvinced that an employees code of conduct was necessary, particularly at parish level. It agreed that officers with delegated powers at County or District level where considerable power was exercised should possibly be covered by a code – and that this should apply to part-time officers as well as full time officers. It did not agree with this requirement at parish level where clerks have very limited delegated powers, and where standing orders cover what can be done. It did not agree with the code being applied to contractors at parish level. It also did not agree to employees having to publicly register interests, particularly at parish level.

RESOLVED: That a response be formulated covering the Council's agreement with the amendments to the code of conduct for members, but expressing concerns at the proposed code for Council employees.

136. To Agree a process to introduce the new Model Publication Scheme by 1 January 2009 (paper 2008/19)

The clerk explained that it is a legal requirement to introduce a new model publication scheme by 1 January although the actual documentation had only been received in the last week. The Council agreed to adopt the model publication scheme in its entirety and amend it to fit the parish requirements during December.

RESOLVED: That the new Model Publication Scheme be adopted by the Council

137. To Receive a letter from the secretary of the Bentham Common Lands Charity and agree a response, if any

The appointment of the Council trustees of both Bentham and Burton will occur at the BCLC meeting on 16 December, to which Cllr Wills has been invited. It was agreed that a reply should

be sent to the secretary pointing out that the Council was within its rights to appoint a new trustee every 4 years and that this did not require the formal resignation of the existing trustee. The Council also asked that it should be copied in on the meeting minutes in future.

RESOLVED: That a letter be sent to the secretary pointing out its rights in appointing a new trustee every four years and also asking to receive a copy of the minutes of each meeting from now on.

138. To Study the memorial safety report for Bentham Cemetery.

The checks on memorial safety in the cemetery had identified 20 headstones in need of some repair, mainly the re-fixing of the upright to the base. It was agreed that the families should be contacted by letter. The letter should explain the nature of the failure and offer 2 courses of action – a self organised repair by a certain date or payment for a Council organised repair. It was felt that the latter would probably be a cheaper option as several memorials could be fixed in a single visit. The clerk agreed to contact relevant local companies for a quote and then write to the families concerned.

RESOLVED: That quotes be requested to fix the memorials in question and letters sent to the families concerned explaining the problem and offering self organised repair or Council arranged repair.

139. To note date of the Precept Meeting as 12 January 2009, at 7.30pm in the Lower Town Hall - noted

140. To Agree the Accounts for Payment

The accounts were proposed by Cllr Hurlley and seconded by Cllr Faichney.

Mopps 440.62 SLCC 105.00

Norwich Union 259.48 British Telecom 283.45

Bentham Xmas Lights 40.00 Clearglass Cleaning 90.00

Andrews 148.32 J Burton 800.49

Craven District Council 104.00 R Green 456.98

Viking Direct 174.69 C Louth 89.60

Yorkshire Water 76.08 Phone Coop 5.24

Bentham News 50.00 The Nosebag 273.00

PADS 162.84 Woolworths 45.55

140.1. To note that the Broadband account has been moved to Orange

140.2. To receive notification from Mopps regarding an increase in price

RESOLVED: That the increase of 25p/hour be accepted

141. To consider items of Correspondence

141.1. To receive a letter from Bentham Playing Fields Association requesting support for a funding application, and to consider a response

RESOLVED: That the Council write in strong support of this funding request

141.1. To consider a request for expressions of interest in the Parish Caretakers Scheme.

RESOLVED: That the Council express interest in taking part in this scheme

141.2. To consider the Parliamentary Consultation on Voting Age and formulate a response

141.2.1. Should the voting age be lowered to 16 and why (not)?

RESOLVED: That the Council vote to keep the voting age at 18

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

Cllr Burton reported that the Youth Café has 7 to 10 youngsters attending, and is looking at ways to encourage others. It is still short of volunteers to oversee the youngsters, and anyone who could spare any time would be very welcome.

He had also attended to Development Trust AGM.

Cllr Adams had attended the Aid in Sickness AGM. Despite falls in investment values the charity is still in good shape and made 8 grants of between £170 and £220 in 2008. It also contributed to

a transport scheme to get individuals to hospital.
Cllr Wills had attended the High Bentham School Governors meeting but had nothing to report.
He had also attended the recent LASRUG meeting and it is possible that the train service maybe improved in the future.

143. Items for next meeting and minor items only

Cllr Stannard informed the meeting that he had been sounding various people out regarding a function in the ballroom in 2009, and would circulate the information to Councillors when it was available.

Cllr Faichney asked if it would be possible to get dog bins installed on Mill Lane and Cross Lane. The clerk agreed to investigate the possibility.

Cllr Burton asked about storage of tables etc under the stage and asked for it to be added to the next Town Hall agenda

Cllr Adams had received a letter from a member of the Development Trust and asked for it to be added to the January agenda.

Cllr Adams, quoting from the Bentham Council standing orders (23.1), asked members of the press and public to leave whilst a confidential matter affecting Councillors was discussed.

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.

144. Confidential session to discuss matters affecting Councillors.

RESOLVED: That the matter was not a Council issue, and that a letter to that effect be sent to the complainant

There being no further business, the meeting was closed at 9.20pm

AGENDA ITEM 130)

CLERK' S REPORT TO BENTHAM TOWN COUNCIL, 1 December 2008.

1. Planning Decisions Received Since Last Meeting

1.1. GRANTED

1.1.1. 08/2008/8936 Extend farm dwelling at Tatterthorn Farm, Tatterthorn Road, Ingleton

1.1.2. 08/2008/8947 Proposed erection of g/floor lounge & kitchen / diner extension for disabled use & associated access at Western View, Pye Busk, High Bentham.

1.2. REFUSED

1.2.1. None

2. Planning Correspondence

2.1. Objection letter to 08/2008/8735 (Mill Dam Farm), as mentioned at November meeting

3. Information Received Regarding Items Discussed at last Council Meeting

3.1. Mr Taylor contacted re Wenning Avenue light – actually NYCC responsibility, reported 5/11

3.2. Speed Radar requested for Springfield & Station Road / Thickrash Brow 5/11

3.3. Bulky Waste questionnaire completed 17/11

3.4. Low Bentham / Wennington blocked gullies reported 5/11, reply received 15/11

3.5. Letter re Dalesview commuted sum sent 18/11, reply awaited

3.6. Parking Main Street / Station Road, letter circulated 24/11

4. Items for Information – see information folder

4.1. Budget & Council Plan Consultation, NYCC

4.2. Information regarding B6480 closure for 3 days from 30/11

4.3. CAB annual report and appeal for funds (precept letter has been sent)

4.4. Yorkshire & Humber Assembly Newsletter, Oct 08

- 4.5. Humanby Railway success
- 4.6. The Playing Field, Autumn 2008.
- 4.7. Redundant Building leaflet re potential development
- 4.8. Country Air, Autumn 2008.
- 4.9. SELRAP Christmas Specials
- 4.10. SELRAP Petition request
- 4.11. YRCC Annual Report 2007/8

5. Progress on Outstanding Matters

- 5.1. Drainage on B6480, Wennington / Low Bentham, gullies to be cleaned by end November.
- 5.2. Eskew Beck / Cross Lane defects – work completed
- 5.3. Cleveland Square Lease response sent to solicitor 9/10/08
- 5.4. Advertisements for allotment land placed in Bentham News, Nov-Jan.
- 5.5. Heritage Trail, passed to Footpaths Group, reply awaited via Cllr Barrington
- 5.6. Remedial work on trees on Butts Lane arranged by NYCC Highways (see email 12/8/08)
- 5.7. Goodenber Road drain – passed to inspector for action 28/7/08
- 5.8. Missing road signs Dumb Tom / Tatterthorn / Nutgill – passed to inspector for action 28/7/08
- 5.9. Church Beck – response from Graham Tarn received showing work in hand
- 5.10. The uneven kerb at the Victoria Institute has been investigated and repairs instructed (email 24/6/08)
- 5.11. A permanent solution for Dumb Tom triangle is still under consideration (email 9/7/08)
- 5.12. The Egerton Road sign is at Ingleton Depot awaiting repair (email 10/6/08)
- 5.13. Railings outside HSBC to be considered, but 2008 budget for signs/lines 'already spent'.
- 5.14. Flood risk assessment on Station Road – information still awaited from Cllr Wills.
- 5.15. Legion Hut Land – holding email received 10/7/08
- 5.16. Garage Sites – holding email received 10/7/08