

BENTHAM TOWN COUNCIL

Minutes of the Council Meeting held on Monday 3 November 2008, at 7.30 pm in the Town Hall

Present Cllrs Adams, Barrington, Burton, Heigh, Hurtley, Marshall, Stannard & Wills. Also the Clerk, Mrs Burton, & 5 parishioners

109. To Receive Apologies from members unable to attend

Apologies were received from Cllrs Barnes, Faichney & Taylor and also DCllr Camacho & CCllr Iretton

110. To Receive Declarations of Interest from members present

Cllrs Barrington and Burton declared a personal interest in item 123.3, correspondence from Bentham Development Trust, Cllr Marshall declared a personal interest in item 118, the meeting about the new school and Cllr Heigh declared a personal interest in item 123.6, correspondence regarding horses on Burnmoor.

111. To Receive Comment & Concerns

Four parishioners present made comment regarding their opposition to planning application 08/2008/8735 (item 116.1.2). Concern was expressed about the popular footpath which goes round the proposed development and the fact that there are no plans to divert it during development. There were also concerns regarding the accuracy of the plans in terms of the stream and trees within the development area, and also rights of access to properties beyond the development.

112. To Confirm the minutes of the previous meeting

The minutes of the meeting on 6 October were proposed by Cllr Hurtley, seconded by Cllr Wills and agreed.

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

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

PC Hayes attended. He started his report by reiterating Sgt Moorhouse's request in Bentham News for increased vigilance following a spate of burglaries from isolated rural businesses, which may be linked. He confirmed that extra patrols were being made. There will be a new run of police surgeries at the Fire Station every Wednesday evening between 6 and 7pm. There had been few reported crimes in the area during October. Two assaults had been reported and arrests had been made in both cases. Shop lifting had occurred in the Co-Op and had been dealt with by the issuing of penalty notices, and there had been two occurrences of damage to a vehicle. Overall reports are up 30% on last year, and detection rates (i.e. through to charges being laid) are currently at around 35%.

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

DCllr Barrington asked Council for their opinion of the recent Area Forum in the Town Hall, which had been poorly attended by members of the public. Council agreed that it had been badly advertised, and that the event was too cramped in the Lower Hall. Councillors felt that there was a need for a specific agenda.

The outcome of the review of Craven finances is still awaited.

116. Planning

116.1. To Consider and Comment upon New Applications

116.1.1. 08/2008/8693 Construction of 34 dwellings, access road & associated parking at land adjacent to Wesley Close, High Bentham.

The Council agreed that there is a need for affordable housing in Bentham, however was worried that a lack of forward thinking at this stage would jeopardise future developments in the area. Goodenber Road is approaching capacity and development to the rear including the possible

new school does mean that a new road should be considered sooner rather than later – particularly as at this stage plans can be adjusted to accommodate it's future construction. Concerns were also expressed about the number of 2-bed properties proposed as young families are likely to expand – and 2-bed houses quickly become too small especially if children are of different sexes. Questions were also asked about the 'family recreation area' and who's responsibility it will be to maintain it.

It was agreed to request a site meeting with the planning officer in order to discuss some of these concerns – particularly the need to look at the bigger picture – before the plans are agreed.

RESOLVED: That the Council request a site meeting with the planners prior to a decision being made on this application

116.1.2. 08/2008/8735 Conversion of Barn to B1 Workplace & living accommodation (amended plans) at Mill Dam Farm, Mewith, Bentham.

The concerns expressed by the parishioners present were discussed and whilst these were not all planning issues Council considered the reported inaccuracy of the plans to be sufficiently important to request clarification from Craven planners prior to making a decision

RESOLVED: That the Council inform Craven regarding the reported inaccuracies of the plans provided and request clarification prior to making a decision.

116.2. To Receive Planning Decisions

- If any (see Clerks Report)

116.3. To Receive Correspondence on Planning Issues

- If any (see Clerks Report)

117. Highways Matters

117.1. To receive and discuss further draft proposals for altering Parking on Station Road and consider a course of action

Further drawings had been received from David Cairns shown the effects of moving all parking on Station Road to the opposite side of the road as far as Kidde Products. It was agreed that these draft drawings should be circulated for discussion with residents and businesses.

RESOLVED: That a letter outlining the draft proposals be circulated to the residents and businesses on Main Street and Station Road for comment.

RESOLVED: That information regarding the proposals be put up on Council noticeboards and included in the Council newsletter.

117.2. To consider the Statement of Case from Bowman Riley for the Public Local Enquiry regarding Hillside Road stopping up

117.2.1. To appoint Council representatives to attend on Tuesday 18 November, 10am in the Lower Town Hall.

Cllr Adams explained that 5 members of Council had met on Thursday 23 October to discuss the Council's response. During this meeting it had become clear that, as the houses had already been built, the road space was effectively already stopped up and the enquiry could not alter that fact. The process that had led to this point would not be a consideration of the enquiry and as such it was proposed that the Council withdraw it's objection to the stopping up order whilst emphasising it's annoyance at the process that had led to this point.

The Councillors present expressed their frustration at the fact that they had been put in this position but agreed that there was little else that could be done as the enquiry would only consider the stopping up order and not look at the process by which the current situation had been arrived at.

RESOLVED: That a letter withdrawing the Council's objection to the stopping up order and expressing it's annoyance at the process be sent to the National Transport Casework Team

117.3. To note the new address for NYCC Highways Area 5, Skipton is Snaygill Industrial Estate, Keighley Road, Skipton BD23 2QR from 24 November 2008.

-received

117.4. To Consider and Note Highway Matters

Cllr Wills is meeting with Chris Craven of NYCC Highways on 4 November and asked for all current highways problems to be reported to him.

It was noted that there are several problems with blocked gullies on the B6480 between Low Bentham and Wennington. The clerk agreed to report these to Lancashire Highways

RESOLVED: That the blocked gullies on the B6480 between Low Bentham and Wennington be

reported to Lancashire Highways.

The clerk drew the Council's attention to the recent NY Times, which lists NYCC's budget priorities and has no mention of Highways.

A street light on Wenning Avenue needs reporting to Mr Taylor

RESOLVED: That Mr Taylor be asked to look at a streetlight on Wenning Avenue.

118. To agree the notes of the meeting regarding the new school for Bentham on 13 October -agreed (Cllr Marshall declared a personal interest)

119. To consider the recent correspondence from Craven Planning about the Dalesview Amenity area and to formulate a response regarding the commuted sum required.

The clerk agreed to rework the figures collected earlier in the year including a 5% increase for higher fuel costs etc, rather than spend time asking for updated tenders. The updated figures can then be provided to Craven as requested. Council reiterated it's belief that the commuted sum provided needs to cover the maintenance costs involved and that taking on the amenity area should not cost Bentham residents, even in the future.

RESOLVED: That the clerk rework the tender figures to provide Craven with the information required regarding the commuted sum requested.

120. To agree the process for getting Christmas trees on the Town Hall for Christmas

It was agreed that the Council should accept the offer from the Christmas Lights committee to erect and remove the trees from the Town Hall at a cost of £20 / tree. The clerk was asked to ascertain when the trees would be erected so that Council's own lights could be used

RESOLVED: That the Christmas Lights Committee offer to erect and remove trees from the Town Hall be accepted.

121. To Consider the lack of progress with Bentham Common Lands Charity and to agree a course of action

The clerk read a letter from the Council's solicitor that confirmed that the trustees appointed by Bentham and Burton Councils automatically replaced previous trustees unless the councils had appointed another trustee in the previous four years.

The Council agreed to write to the Charity again regarding this subject and request a response prior to the Council meeting on 1 December. In the absence of a response the Council will have no option but to contact the Charities Commission. Copies of the letter to the charity and the solicitor's correspondence should be sent to Burton and Ingleton for information.

RESOLVED: That a letter be sent to the Bentham Common Lands Charity requesting that the appointed trustees be accepted in the light of legal advice and that a response be received before the meeting on 1 December.

RESOLVED: That the letter and legal advice be copied to Burton and Ingleton Councils

122. Agree the Accounts for Payment

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

Mopps 440.62 HB Plumbing & Heating 44.06

Norwich Union 259.48 J Burton 775.18

Grasscare 844.35 R Green 489.02

Andrews 56.28 C Louth 89.60

Craven District Council 327.58 W Dowbiggin

EON 56.02 P Howard 122.50

Toobys 59.99 Phone Coop 4.76

Horton Landscaping 43.48 AOL 14.99

Bentham Agric. Soc 17.50 Asda 62.10

Bentham News 33.75 Mr F Winstanley 100.00

122.1. To receive the notes of the Budget Review Meeting – received

122.2. To agree Bank Reconciliation as at 30 September - agreed

Bank Statement Plus O/s Receipts Less O/s Cheques Balance
Current 2070.16 0.00 2136.69 -66.65
Deposit 8125.55 8125.55
Market 416.43 416.43
LBPF Current 261.37 261.37
LBPF Deposit 4909.12 4909.12
TI Current 42.51 0.00 298.47 -255.96
TI Deposit 2682.20 2682.20

122.3. To consider whether to respond to the NALC Survey regarding the financial crisis
RESOLVED: That the Council provide their financial details to the survey

123. To consider items of Correspondence

123.1. To receive a response from Inspector Franks regarding the Anti Social Behaviour on Main Street at the end of August – received

123.2. To receive a note regarding changes to the Speed Detection Equipment available to parishes and consider an appropriate response.

The Council noted that 3 pieces of speed detection equipment are now available; the speed matrix, the speed radar, and the pro-laser hand held device. It was agreed that the speed radar should be requested to monitor the speed of vehicles entering Bentham on Springfield and Station Road as previously.

RESOLVED: That the Council request use of the Speed Radar to monitor traffic coming into Bentham on Springfield and Station Road.

123.3. To receive a letter from Bentham Development Trust regarding 'Bentham Networking Together' and to formulate a response.

Cllrs Barrington & Burton declared a personal interest.

The letter invited the Council to take part in a meeting to look at forming closer links between various organisations in Bentham. It was felt that the Council already had links with the majority of organisations listed through its representation on their committees. Council agreed that flow of information was not always perfect, but did not consider that the formation of yet another body would improve this. Furthermore, as elected representatives, Cllrs are always available to be lobbied by individuals or organisations, and items of importance can be requested to be discussed at Council meetings or at specially called meetings if required

RESOLVED: That a letter be sent questioning the need for the Network organisation when the links already exist and procedures are already in place for the discussion of important matters

123.4. To consider the consultation paper Communities In Control – Codes of Conduct for Local Authority Members & Employees

RESOLVED: That this be held over until the December meeting to allow further consideration

123.5. To consider the consultation paper on the Making & Enforcement of Byelaws (see paper 2008/17)

Council agreed that the suggested procedure appeared sensible and would simplify the process and as such required no comment.

RESOLVED: That the proposed procedure is adequate and requires no response

123.6. To receive responses from both the Commoners Secretary & the Land Agent regarding loose horses on Burnmoor – received (Cllr Heigh declared a personal interest)

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

Cllr Burton reported that the Youth Café was now open 3 evenings a week, but was short of volunteers to oversee the youngsters, and that anyone who could spare any time would be very welcome.

Cllr Heigh announced that Trevor Wheildon and Lee Hayward had achieved the FA Standard Charter for football coaching and it was agreed that a letter of congratulation should be sent from the Council.

Cllr Marshall had attended a meeting of the Collingwood & Longstaff charity. The maintenance review had been carried out. There are currently no vacancies. He had also chaired the final TIP meeting of the current season, and thanked the Coordinators (Paul Howard & Wendy Dowbiggin) and all the volunteers for their work through the summer seeing over 2300 visitors. Further projects to promote Bentham are being considered over the winter to be implemented next season. Cllr Adams reported that the Goodenber Play Area was pleased with the grass cutting for 2008. Match funding bids were currently being finalised to raise funds to replace some of the equipment before next summer.

125. Items for next meeting and minor items only

The precept meeting should be advertised in December's Bentham News

Cllr Marshall is now a representative on the Safer Craven Community Partnership Task Group

Approximately 2000 people attended the bonfire on 1 November

Cllr Wills asked for the Cemetery to be put on the agenda for December.

The clerk had received a questionnaire from Craven regarding bulky waste and agreed to circulate the questions to Cllrs for a response before 18 November.

There being no further business, the meeting was closed at 9.40pm

AGENDA ITEM 113)

CLERK' S REPORT TO BENTHAM TOWN COUNCIL, 3 November 2008.

1. Planning Decisions Received Since Last Meeting

1.1. GRANTED

1.1.1. 08/2008/8723 2 storey side extension over garage & alterations to existing house, and installation of LPG tank (resubmission of 08/2007/8106) at Becksides, Mewith Lane, High Bentham

1.1.2. 08/2008/8923 2 No illuminated fascia signs & 1 no internally illuminated wall mounted sign at Co-Operative Pharmacy, Stafford House, 24 Main Street, Bentham.

1.1.3. 08/2008/8929 Amendments to approved permission 08/2007/7180 for office / warehousing facilities at site at Green Head, Off Cross Lane, Low Bentham.

1.2. REFUSED

1.2.1. 08/2008/9018 Change of use of garage to Builders Merchants & Petrol Sales, to allow external storage of materials without compliance with conditions 2,3,& 4 and amendment of condition 5 of planning ref 08/2008/8612 at Bentham Garage, Low Bentham Road, Bentham .

2. Planning Correspondence

2.1. Planning application 08/2008/8905, stone processing at Fourlands was withdrawn

2.2. Letter of objection regarding application 08/2008/9018, external storage at Bentham Garage.

3. Information Received Regarding Items Discussed at last Council Meeting

3.1. Cleveland Square Lease response sent to solicitor 9/10/08

3.2. Advertisements for allotment land placed in Bentham News, Nov-Jan.

3.3. AOL / Orange change initiated by Cllr Stannard

3.4. Eskew Beck / Cross Lane defects acknowledged 15/10/08 (email information folder)

4. Items for Information – see information folder

4.1. North Yorkshire Cycle Champion Project

4.2. Response from CDC Sports Development Officer re SJS Sports Hall & the Badminton Club.

4.3. North Yorkshire Fire & Rescue Corporate Report 2008-2011

4.4. Receipt of School Submission received 23/10/08

4.5. Pioneer Projects / Looking Well leaflet

4.6. White Rose Update October 2008

4.7. Tourism Meeting, December 5, Leyburn

- 4.8. InfoRegio News, October 2008.
- 4.9. Protected trees, a guide to tree preservation procedures
- 4.10. Springfield Bowling Club Grant Thank You letter
- 4.11. Bentham Youth Café Grant Thank You letter
- 4.12. Ingleton Middle School Thank You letter

5. Progress on Outstanding Matters

- 5.1. Heritage Trail, passed to Footpaths Group, reply awaited via Cllr Barrington
 - 5.2. Remedial work on trees on Butts Lane arranged by NYCC Highways (see email 12/8/08)
 - 5.3. Goodenber Road drain – passed to inspector for action 28/7/08
 - 5.4. Missing road signs Dumb Tom / Tatterthorn / Nutgill – passed to inspector for action 28/7/08
 - 5.5. Church Beck – response from Graham Tarn received showing work in hand
 - 5.6. The uneven kerb at the Victoria Institute has been investigated and repairs instructed (email 24/6/08)
 - 5.7. A permanent solution for Dumb Tom triangle is still under consideration (email 9/7/08)
 - 5.8. The Egerton Road sign is at Ingleton Depot awaiting repair (email 10/6/08)
 - 5.9. Railings outside HSBC to be considered, but 2008 budget for signs/lines 'already spent'.
 - 5.10. Flood risk assessment on Station Road – information still awaited from Cllr Wills.
 - 5.11. Legion Hut Land – holding email received 10/7/08
 - 5.12. Garage Sites – holding email received 10/7/08
- Last Updated (Dec 30, 2008 at 06:13 PM)