

MINUTES of the Council Meeting held on Monday
5th December 2022, at 7.30 pm – in the Lower Hall, Bentham
Town Hall.

Present: Cllrs Adams (Chair), Burton, Gerrie, Jones, Paige, Pearce and Stannard. The Public Safety Officer Craig Lyons. The Town Clerk Christine Downey. Six members of the public.

- 216 Apologies from members unable to attend: -
- 216.1 To Note Apologies for absence given in advance of the meeting.
Cllrs Hill and Marshall
- 216.2 To consider acceptance of reasons for absence. **None.**
- 217 Declaration of interests: -
- 277.1 To Note Declarations of Interest not already declared under members Code of Conduct or members register of Disclosable Pecuniary Interests.
 Cllr Standard declared an interest in 225.3: To receive Correspondence on planning issues and agree a response: Notification of Planning Application Appeal. 2022/24070/OUT. Development at Greenfoot Lane, Low Bentham, Lancaster.
- 217.2 To approve dispensation requests.
None.

- 218 To Receive Comment & Concerns: Public Participation – to hear matters raised by members of the public or Cllrs with an interest (that are allowed to speak) either on agenda items or for future consideration.
 (NB: for non-agenda items Members of the Council are not permitted to respond, except to ask questions for the purposes of clarification; The period of time designated for public participation at a meeting shall not exceed 20 minutes unless directed by the chairman of the meeting. A member of the public shall not speak for more than 3 minutes).

A member of the public spoke with regard to item 232, “To consider the facilities and systems regarding the room bookings at the Town Hall, and how these could be improved to attract more people”. The speaker expressed concerns from the group “Hip Joint” who experienced difficulties with a recent booking at the Town Hall. The group originally booked the Lower Hall for their events, but the small kitchen is not adequate for their need, so they have moved their booking to the Ballroom, which costs more to hire. The speaker suggested that the cooker upstairs is 30 years old and no longer up to the job, and reported that not of all the pre-ordered crockery and cutlery were available on the day.

Cllr Adams responded that the cooker is in fact ten years old and that the other points will be discussed at item 232 on the agenda.

A member of the public spoke regarding item 225.3, Notification of Planning Application Appeal. 2022/24070/OUT. Development at Greenfoot Lane, Low Bentham, Lancaster. The main points made were: -

- The address on the original application and the appeal is wrong.
- The use of “Greenfoot” is misleading.
- Residents on this part of the lane have always called it “Greenhead Lane” and it is Greenhead Lane on the sale documents signed by the appellants.
- Greenfoot Lane is within the development area whereas Greenhead Lane is not.

- Greenhead Lane is still an unmade track with no passing places and is already unsuitable for the amount of traffic it carries.
- The land in question is not in the village development area.
- The plot in question is agricultural land being used for sheep at the moment.
- It is not “surrounded to the West by four residential properties”.
- The “cluster of buildings to the North” is in fact one building, “High West End”.
- The land is open countryside to the North and the South, with just three converted farm buildings to the West.
- The application was originally made, in outline, for two dwellings. This does not meet the density criteria for the site.
- The appellants now aver that “any density of development could have been achieved”, without any explanation as to how.
- There is no way that the single-track unmade road could serve the number of dwellings required to obtain a higher packing density.
- The fact that the appellants considerable research has only found three cases where the number of houses has been less than planned, despite the very large number of sites being developed in Bentham, does not justify a glib extrapolation to the total number of houses being built. There is no mention of sites where more houses have been built than were submitted.
- Simply extrapolating the three cases listed as justification for accusing the Council of not achieving any anticipated density of development has no basis in fact.
- The material considerations which can also be considered include: -
 - Highway safety can only be further compromised by four more vehicles using a single dirt track with no passing places,
 - Nature conservation will be adversely affected by this development.
- The only material consideration which the appellants seem to be relying on are previous planning decision.
- Although not a material consideration – we have suffered innumerable problems with the two developments to the East of the site, having our single-track lane blocked by builders’ vans leading to deliveries of mail, goods and refuse collection being delayed or missed, not to mention frequently not being able to leave or return without a sometimes lengthy wait.

A second member of the public spoke regarding item 225.3, Notification of Planning Application Appeal. 2022/24070/OUT. Development at Greenfoot Lane, Low Bentham, Lancaster. The main points made were: -

- The address on the original application and the appeal is wrong.
- I believe it is important to make the distinction as Greenfoot Lane is within the main village area, whereas Greenhead Lane is outside of that area, and is not allocated for development.
- The land in question is not in the development plan.
- The appellants argue that the site is not located outside the main built-up area of the Tier 2 settlement. They do, however, appear to recognise, albeit without prejudice, that it may be considered to be outside the main built-up area.
- The track that the appellants call Greenfoot Lane and which leads to the site is separated from the main village of Low Bentham. It used to be clearly separated but two recent ongoing developments have, it could be argued, made the Cross Lane end of Greenhead more joined to the main village built-up area.
- However, as the planning officer from Craven points out there is a beck which borders the site to the East. If you travel west from the beck there is no street lighting and the only buildings are the original farmhouse (West End Farm) and two barn conversions.
- I think it is important to emphasise that the village amenities, if one can call them that, clearly end to the east of the beck. Greenhead is an unmade track with no street lighting whatsoever

to the west of the beck. There are no pavements or anything else to indicate that this is part of the main village.

- The appellants say that the site is bounded on three sides by the main built-up extend of the village. This is not correct.
 - To the south of the site is open countryside, the fields there slope down to the river Wenning. There are no buildings to the south of the site.
 - To the north of the site, it is again open countryside apart from a barn.
 - To the west there is just the original farmhouse and two barn conversions.
- The applicants have sought to show that there are material considerations which indicate that planning permission should be given. I do not believe that there are valid material considerations to support the appellant's case.
- In summary – the land in question is not in the development plan, it is not in the built-up village area, there are no material considerations to support the application, and the development is contrary to Craven planning policy and the National planning framework.

- 219 To Confirm the Minutes of the previous meeting of 21st November 2022. (Paper 2022/194)
RESOLVED: That the minutes of the meeting of 21st^h November 2022 are agreed and be signed.
- 220 To receive the Police Report & allow members to ask questions for information - if any.
RECEIVED.
- It was reported that Cllrs Adams, Burton and Marshall joined the online meeting with Zoe Metcalfe, North Yorkshire Police, Fire and Crime Commissioner, and the Assistant Chief Constable Mike Walker, on 29th November 2022. Unfortunately, Commissioner Zoe Metcalfe was not party to the first twenty minutes of questions as she struggled to join the meeting. Also, despite the fact that the questions were all submitted in advance, many of them were avoided to some degree, and not adequately responded to. Feedback about the event has been requested.
RESOLVED: Clerk to submit feedback stating that Bentham Town Council was very disappointed that the Commissioner was not party to the first twenty minutes of questions as she struggled to join the meeting, and also felt that a lot of questions were avoided to some degree, which was also disappointing.
- 221 To receive a report from the Public Safety Officer and allow members to ask questions for information – if any.
 The Public Safety Officer Craig Lyons reported that Ingleton Police Station has not been shut, but has now been sold. Arrangements are being made to base the Police Officer's at Bentham Fire Station. Craig's shift pattern is expected to change in March or April 2023.
- 222 To receive the Clerks Report (for information only). (Paper 2022/195)
RECEIVED.
- 223 To receive reports from CCllrs & DCllrs (for information only) – if any.
None.
- 224 To receive an update on the Bentham Masterplan & allow members to ask questions for information – if any.
 Cllr Gerrie reported on behalf of the Bentham Masterplan Committee.
 Summary of questionnaire responses: Sunday December 4th 2022:
 We have received 288 responses: 257 from individuals and 31 from organisations. Represents 700 people. Whilst most of the paper returns were from older age groups, more online were from the younger. So currently the age profile of responders looks broadly similar to that of the town in the

2011 census. We do not yet have the results from the 2022 census. Unsurprisingly there have not been many responses from children and young people. We are continuing to work to get more of these. We have sent questionnaires to 53 local voluntary organisations and have just circulated questionnaires to 58 named local businesses and traders. We will continue to collect responses until Christmas and now confidently expect to receive responses from 10% of Bentham population. All questionnaire responses received have been put on a spreadsheet for further analysis. Some patterns are already emerging.

The Best Thing about Bentham:

This is overwhelmingly the quality of the local community and people, closely followed by the natural environment. Community and people - over 150 individuals and about 12 of the organisations put this top. Natural environment – about 70 individuals named this as the best thing.

The Worst Thing about Bentham:

Again, the pattern is clear, the traffic, parking and road problems and the unprepossessing town centre came top. Traffic, parking and roads – almost 80 individual responses. Town Centre and lack of amenities – almost 80 individual responses, in particular people commented on the lack of a central community facility, with about a dozen suggesting the Town Hall might be used for this.

Further analysis will be done and completed after Christmas when all the questionnaires are back. However, it is already clear that most of our respondents think that Bentham has much to offer to local residents and are, in the main, willing to assist in keeping it an attractive, welcoming working town. 74 people have left their contact details to say they would like to be involved in further discussions. They will receive an update from us.

- 225 Planning
- 225.1 To consider and comment upon new planning applications
- 225.1.1 2022/24556/FUL. Conversion of redundant bakehouse to detached two-bedroom dwelling. Bakehouse to rear of 38 Main Street, High Bentham, Lancaster, LA3 7HN.
RESOLVED: That the council has no objections to this application.
- 225.2 To receive Planning Decisions – see Clerks Report.
RECEIVED.
- 225.3 To receive Correspondence on planning issues and agree a response: Notification of Planning Application Appeal. 2022/24070/OUT. Development at Greenfoot Lane, Low Bentham, Lancaster. (Paper 2022/196)
RESOLVED: Clerk to submit the following response: Bentham Town Council would point out that the site address is wrong, to such an extent that in the council's view it invalidates the original application (2022/24070/OUT) and the appeal against the refusal of permission (Appeal Reference APP/ C2708/W/22/3306781). Bentham Town Council's response to the original application was made on the basis of incorrect information, in that the site address was wrong, which misled both the council and the public. The application gives the site address as Greenfoot Lane, Low Bentham, Lancaster. The correct address is Greenhead Lane, Low Bentham, LA2 7ES. In light of new information, i.e., the correct site address, Bentham Town Council's view is that the land is not best suited for further development, particularly as Greenhead Lane (the correct address) is not within the development area, is an unmade narrow track, with few opportunities to pass and not maintainable at public expense.
- 226 Highway Matters: -
- 226.1 To consider and comment upon consultation documents.
- 226.1.1 NYCC Sealed Order Consultation for Highways Act 1980 Public Path Diversion Order Application No: CRA-2022-02-DO. (Papers 2022/207 and 208)
RESOLVED: That the council has no comments.
- 226.2 To consider and note Highway Matters for information. (Councillors can comments on any minor highway issues currently causing concern. NB: Councillors may report all concerns online to NYCC)

Cllr Burton will report an issue with the footpath outside No 37 Springfield, High Bentham to Highways.

227

To agree the Accounts for Payments as: -

Business Stream	Water Town Hall	39.82
Business Stream	Water Cemetery	9.00
Salaries and mileage allowance	November	3,674.53
HB Plumbing & Heating Ltd	Repairs to basin and tap in disabled toilet	204.22
Thomas Graham	Cleaning Materials	195.48
Kingsdale Projects	Parish caretaking, Town Hall maintenance, Grit and bench installation,	1,640.00
Dinsdale Moorland	Heritage Trail bridges and pedestrian gate work as per quote 3816.	3,883.20
Mark Paige	Purchase of Christmas light equipment for Bentham Christmas Lights Committee	253.15
WelMedical	Battery for Town Hall defibrillator	204.00
Craven District Council	Trade waste	55.10
Swalec	Unmetered electric supply	92.35
Premium Credit Ltd	Insurance	354.02
Total Energies G&P	Electric	234.18
IONOS	Internet	18.00
NEST	Pension contributions	<u>255.85</u>
Total		11,112.90

RESOLVED: Approved

RESOLVED: To be authorised by Cllrs Adams and Gerrie.

228

To review the updated Community Emergency Plan and to agree a way forward. (Paper 2022/197)

RESOLVED: Remove references to the Community Youth Building.

RESOLVED: Clerk to check the contact details and fill in the few remaining missing details if possible.

RESOLVED: Clerk to add Cllrs Gerrie, Jones and Paige to the plan as members of the Community Emergency Team.

229

To consider the draft Civility & Respect: Councillor – Officer Protocol. (Paper 2022/198)

RESOLVED: Carry forward to January 2023 meeting.

230

Transfer of the footprint of the old toilet block at School Hill from Craven District Council to Bentham Town Council: to consider the terms of engagement and terms of business from Oglethorpe Sturton & Gillibrand, and the draft transfer and agree a way forward. (Papers 2022/182 and 2022/199A and 199B)

RESOLVED: To agree the terms of engagement, the terms of business and the draft transfer.

231

To consider asking CDC to install larger bins at Bentham Playing Field.

RESOLVED: Clerk to ask Craven District Council to install larger bins.

232

To consider the facilities and system regarding room booking at the Town Hall, and how these could be improved to attract more people. (Paper 2022/200)

RESOLVED: Instruction on operating the cooker to be moved to outside wall.

RESOLVED: Clerk to liaise with caretaker to ensure that 60 place settings are available.

RESOLVED: Clerk to arrange for the firm that performs the annual servicing and safety checks on the kitchen appliances to check that the cooker is reaching the correct temperature, within a reasonable time.

RESOLVED: Clerk to arrange for the firm that performs the annual servicing and safety checks on the kitchen appliances to check the doors on the warming cupboard and advise whether a repair is required.

RESOLVED: Clerk to ask Thomas Brown to rehang, or repair as required, the curtains in the Ballroom, in order for them to be closed properly.

RESOLVED: Clerk to remind Cllr Hill that the quote for blinds for the Ballroom, that he agreed to provide, is awaited.

RESOLVED: That a sub-committee is formed to report on the best way forward for managing the Town Hall.

RESOLVED: That the sub-committee will be composed of Cllrs Adams, Burton, Jones, Pearce and Stannard.

RESOLVED: That amongst other issues the sub-committee will consider the amount of time to be allowed free of charge to hirer's, to set up before an event, and to clear away after an event, and will review the prices for room hire at the Town Hall.

- 233 To consider making nominations for the Craven District Council Legacy Sub-Committee Award, and agree a way forward. (Paper 2022/168)
RESOLVED: Carry forward to agenda for 19th December 2022.
- 234 To consider the following correspondence and to agree a way forward and/or a response: _
- 234.1 Correspondence re Oak trees on Mill Hill which are reported to be in a dangerous condition. (Papers 2022/201 and 202)
RESOLVED: Cllr Stannard to determine if the trees are on Bentham Common Land.
- 234.2 Correspondence re trimming trees on Mount Pleasant, Butts Lane and Springfield. (Paper 2022/203)
RESOLVED: Clerk to forward the request to NY Highways and advise the resident accordingly.
- 234.3 Invitation to town and parish councils to submit expressions of interest in managing services and assets on behalf of North Yorkshire Council. (Papers 2022/204 and 205)
RESOLVED: Clerk to submit an expression of interest in managing grass cutting services and simple highway maintenance matters.
- 235 To receive items of correspondence for information only. Correspondence from Rhys Evans. (Paper 2022/206)
RECEIVED.
- 236 To receive reports from councillors who represent the Council on other bodies (for information only)- if any.
 BEST: Cllr Pearce reported that BEST is looking at the river Wenning issues, and hopes to show a film on the subject in February. The Lune Valley Rivers Trust will attend. The aim is to encourage the river to be seen as a key part of Bentham's identity.
 Bentham Christmas Lights Committee: Cllr Paige reported that the lights on the lampposts have been programmed to be lit from 4 pm to 11 pm as agreed at the 4th July 2022 meeting. There was a discussion regarding whether they should be lit all day, and Cllr Adams may adjust the timers.
 Goodenber Play Area Association: Cllr Adams reported that following the meeting with Elaine Hiser of CDC, that the association has been asked to put together their plans for the S106 monies.
 Aid in Sickness: Cllr Adams reported that the AGM was held recently in Settle and that surplus funds have been donated to St Johns Hospice and Sue Ryder Manorlands Hospice.
 Tourist Information Pont; Cllr Stannard reported that calendar sales are going well, and that it is the TIP Christmas lunch on Friday 9th December.

- 237 Items for next meeting and minor items for information only.
Apologies from Cllr Jones for 19/12/2022.
Clerk to provide Cllr Jones with contact details for the outside bodies on which he is a council representative.
- 238 Date of next meeting; **19th December 2022.**
- 239 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, that the public and press be excluded further from the meeting, whilst item 240 is considered.
NOT APPLICABLE.
- 240 To consider items of correspondence received regarding the Community Youth Building, and agree a way forward, if any.
NONE.
- There being no further business, the meeting closed at 9.30 pm.