

MINUTES of the Council Meeting held on Monday 6th February, at 7.30 pm – in the Lower Hall, Bentham Town Hall.

Present: Cllrs Adams (Chair), Burton, Gerrie, Hill, Jones, Marshall, Paige, Pearce and Stannard.

- 296 Apologies from members unable to attend: -
- 296.1 To Note Apologies for absence given in advance of the meeting.
DCllr Brockbank.
- 296.2 To consider acceptance of reasons for absence.
None.
- 297 Declaration of interests: -
- 297.1 To Note Declarations of Interest not already declared under members Code of Conduct or members register of Disclosable Pecuniary Interests.
Cllr Marshall expressed an interest in planning applications 2022/24458/OUT (item 306.1.1) and 2022/24482/OUT (item 306.1.2)
- 297.2 To approve dispensation requests.
- 298 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 in support of two planning applications 2022/24458/OUT, item 306.1.1. and 2022/24482/Out, item 306.1.2.
Craven DC Local Plan was adopted in November 2019.
The Plan was the subject of an independent examination conducted by an Inspector appointed by the Secretary of State. In the report, the inspector concluded that subject to a number of main modifications, the Plan is sound, legally compliant and capable of adoption by the Council. Both applications relate to land which are formal housing land allocations.
- The Inspector concluded in his report that “it was a sound approach to focus new housing in areas of High and Low Bentham (a Key Service Centre). The strategy also seeks to attract people of working age into the district to address the relatively high proportion of retirees in Craven”.
- Prior to the local plan adoption in 2019, Craven the draft Local Plan was subject to a number of public consultations between 2012 and 2019.
2012: Shaping a spatial strategy and housing figure
December: Publication of the Strategic Housing Land Availability Assessment (SHLAA)
October: Identification of spatial strategy settlements, which might have land allocated for housing development, how much development might be appropriate for each settlement and what criteria might be used to identify preferable sites. Feedback from stakeholder workshops held in September.
September: Participatory workshops for parish councils and other stakeholders to discuss a spatial strategy, a housing figure and an approach to allocations, policies and neighbourhood planning
2013: Community engagement events

November: Key points from feedback received at the community drop-in events

June: Information and output from 20 community drop-in events in 16 towns and villages

2014: Towards a draft local plan

December: Statistics and initial feedback on first draft local plan consultation

November: Consultation on first draft local plan

June: Initial selection of preferred sites for consultation

April: Mid to south adjustment of sub-area housing figures

2015: Improving on the first draft

December: Objectively Assessed Need for housing (OAN), housing target and distribution strategy for the next draft local plan accepted and agreed by full council

September: Update on spatial strategy options

February: Response to comments on the first draft local plan; report on local plan progress and areas for further action; revised local development scheme (LDS)

2016: Second draft local plan

July: Preferred housing sites consultation – WITHDRAWN

April: Consultation on the second pre-publication draft local plan

2017: Towards publication and submission

December: Response to comments on the third pre-publication draft local plan

June: Consultation on the third pre-publication draft local plan

2018: Publication, submission and examination

March: Craven Local Plan submitted to the Secretary of State for Housing, Communities and Local Government

January: Representations invited on the Publication Draft Craven Local Plan and revised Statement of Community Involvement

2019: Examination, modification and adoption

February: Invitation to make representations on proposed Main Modifications to the Publication Draft Craven Local Plan

Both applications are allocated sites, which have been through due process.

Both Low and High Bentham are planned to deliver just under 500 homes between the period 2012 – 2032 and both of these applications will help deliver the planned housing for Bentham.

A member A member of the public spoke in support of the planning application 2022/24458/OUT, item 306.1.1.

- The site is allocated for residential development under Policy SP7 (Site Ref HB038) of the adopted Craven Local Plan, 2019.
- The site area for the proposed housing development is 0.82 hectares. The layout is indicative at this stage, but Drawing 101 shows a development of 27no. dwellings with 2no. off-street car parking spaces per dwelling, plus 7no. visitor car parking spaces.
- The specific development principles for Site HB038 require the eastern part of the site (0.3 hectares of land) to be safeguarded for the provision of an extension to Bentham Primary School. This application proposes housing development on the whole of the allocation site, however to ensure that land is safeguarded for the future development needs of the school, a 0.3-hectare parcel of land is proposed to the South of the school. The development principles of the adopted development for Site HB038 will still be met, albeit in an alternative way. When the Development Plan was the subject of independent examination by an Inspector in 2018, we attended the hearings for the proposed High Bentham housing allocations. So too did a representative from the County Education Authority. We set out that the future development needs of the school could be safeguarded by land in the control of our client and delivered using the land we now identify on Drawing 001. The representative from the education authority indicated that

they may be able to give favorable consideration to such an alternative land provision, so long as it could be demonstrated that the future development needs of the school could be safeguarded.

A member of the public spoke objecting to the Butts Lane development, planning application 2022/24482/OUT. The main points made were: -

- Butts Lane is narrow, windy and steep.
- There are hedgerows along Butts Lane which are protected.
- Butts Lane is already very congested and it cannot be made wider, especially at the top where there is a bottle-neck.
- There will be a loss of privacy; properties on the plan are close to the front door of an existing property.
- There are concerns regarding crested newts, bats and owls, which inhabit the field and gardens. They are protected species. There should be an independent habitat report.

A member of the public spoke objecting to the Butts Lane development, planning application 2022/24482/OUT. The main points made were: -

- The traffic issues. There is already congestion from farm vehicles and caravans. The potential increase of 100 cars on Butts Lane can only increase the accident risk.
- The amount of development in Bentham is changing the nature of the town and is detrimental to the environment.
- The accuracy and the integrity of the Ecological Appraisal was questioned. Especially where it refers to “no known entry and egress” of water.
- There is an access agreement in place on that land, which is not mentioned in the planning application.
- The intention regarding the hedgerows is not explained.
- The survey is shoddy.

A member of the public spoke objecting to the Butts Lane development, planning application 2022/24482/OUT. The main points made were: -

- Access is key.
- There is a nasty chicane on Butts Lane.
- Five driveways on the steepest part of that road, together with 29 new properties with 2 cars each, will generate too much traffic for Butts Lane to cope with.
- In the recent bad weather, vehicles could not get up Butts Lane.
- The drainage on the site is an issue. The report says it is low flood risk; although the site may be low risk, the land just outside the cemetery is high risk, and drainage will be a problem.
- The green views will be lost if the development goes ahead.
- There will be a loss of light and privacy.
- Planting a small new hedge that will take years to grow is no substitute for the established hedgerow, which should be retained.
- A further bat survey should be undertaken.
- Bentham does not have jobs for the occupants of new houses.
- The Local Plan was completed years ago, and things have moved on considerably since then.
- As reported in the minutes of the 5th December 2022 town council meeting, responses to the Bentham Masterplan were overwhelmingly that: -
 - 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.

A member of the public spoke objecting to the Butts Lane development, planning application 2022/24482/OUT. The main points made were:

- The new school was unable to go on this site because of the traffic problems.
- Employment issues are also a concern. The new residents will be commuters, creating more traffic and generating income for other towns, not Bentham.

A member A member of the public spoke in support of the planning application 2022/24482/OUT, item 306.1.1.

- The site is allocated for residential development under Policy SP7 (Site Ref HB025) of the adopted Craven Local Plan, 2019. The principle of residential development of the site is therefore acceptable.
- The development will consist of dwellings (detached and semi-detached houses and bungalows) with gardens and driveways (off-street parking), estate roads, foul and surface water drainage and hard and soft landscaping.
- The layout is indicative at this stage, but Drawing 101 shows a development of 29no. dwellings with 2no. off-street car parking spaces per dwelling, plus 7no. visitor car parking spaces.
- Policy SP7 states the site will have an indicative capacity of 32 Dwellings. The indicative layout shows 29 dwellings.
- Policy H2 of the adopted Development Plan sets out a requirement of 30% affordable housing provision. 30% of 29no. dwellings equates to 8.7 dwellings. The indicative site layout (Drawing 101) shows provision on-site provision of 8no. affordable housing, the mix of which also accords with Policy SP3, including size standards.

- 299 To consider written applications for the office of town councillor and to fill vacant seats by co-option.
NONE.
- 300 To Confirm the minutes of the previous meeting on 23d January 2023. (Paper 2023/33)
RESOLVED: That the minutes of the previous meeting of 23rd January 2023 are agreed and be signed.
- 301 To receive the Police Report and allow members to ask questions for information – if any.
RECEIVED.
- 302 To receive a report from the Public Safety Officer and allow members to ask questions for information – if any.
No report received; Craig Lyons sends his apologies.
- 303 To receive the Clerks Report (for information only). (Paper 2023/24)
RECEIVED.
- 304 To receive Reports from CClr & DCllrs (for information only) – if any.
NONE.
- 305 To receive an update on the Bentham Masterplan and allow members to ask questions for information - if any.

CLlr Gerrie reported that: -

- There have been 385 responses.
- The draft plan will be presented on 6th March, before the council meeting, so at 7.00 pm.
- Although the Masterplan is designed to be a partnership between the Masterplan Committee, NYCC and CDC, there has been very little response and/or involvement from either NYCC or CDC so far. However, a meeting with them both is scheduled for 22nd February 2023.

306 **Planning Matters: -**

306.1 To consider and comment upon New Planning Applications: -

CLLR MARSHALL LEFT THE ROOM AT THIS POINT.

306.1.1 2022/24458/OUT Outline application for up to 27 dwellings with all matters reserved except for access. Land South of Low Bentham Road, High Bentham, Lancaster, LA2 7BP.

RESOLVED: That the council has no objections, subject to the reserved matters of highways access and speed limits on Low Bentham Road being reviewed and suitably dealt with.

306.1.2 2022/24482/OUT. Outline application for residential development with all matters reserved except for access. Land East of Butts Lane, High Bentham, Lancaster, LA2 7AE.

RESOLVED: That the council objects to the application on the grounds of sewerage problems, drainage problems, issues with access to the site, problems with the right to light, and severe traffic and highway issues and problems.

CLLR MARSHALL REJOINED THE MEETING AT THIS POINT.

306.1.3 2023/24727/HH. Single side extension and front porch. Peartree Cottage, Low Bottom, Birkwith Lane, Low Bentham, Lancaster, LA2 7DF.

RESOLVED: No objections.

306.2 To receive Planning Decisions – see Clerks Report.

RECEIVED.

307 **Highway Matters: -**

307.1 To discuss problems at Grasmere car park and agree a way forward.

It was reported that this issue is being looked at by the Bentham Masterplan Committee, who are due to present the plan on 6th March 2023, at 7.00 pm in the Town Hall.

RESOLVED: Request that the car parking spaces at both Grasmere Drive and Cleveland Square car parks are relined, to make the maximum use of the available space.

RESOLVED: In the event of that request being declined, clerk to ask how much the work would cost if Bentham Town Council were to agree to pay for it.

307.2 To discuss parking enforcement issues and agree

RESOLVED; To remind the enforcement team that their presence in Bentham is needed more often, to tackle the persistent problems with parking on yellow lines.

307.3 To discuss whether to request more information about possible installation of vehicle charging points in Bentham, as a means of generating income and attracting more visitors. (Paper 2023/44)

Potential sites might be Robin Lane, Station Road, Lairgill car park, Low Bentham Road, Low Bentham Car Park, Mill Lane.

RESOLVED: Clerk to investigate the possibilities and report back. In particular find out; is it free? Will they come and do a feasibility study? What can they offer? What would they recommend?

307.4 To consider and note Highway Matters for information. (Councillors can comment on any minor highway issues currently causing concern. NB: Councillors may report all concerns online to NYCC)
None.

308

To agree the Accounts for Payment as: -

Christine Downey	Refund of payment to Espares for cleaner head	72.98
Stannah	Lift Service	204.28
Citron	Sanitary disposal bin	14.98
Waterplus	Waste water bill at town hall	129.87
Viking	Ink and stationery	239.54
Waterplus	Waste water bill CYB	10.59
Gareth Adams	Refund of postage for calendars	6.60
WellMedical Ltd	Replacement defibrillator pads	294.90
Salaries and Mileage	January 2023	3,145.08
The Multi Media Shop	New batteries for clerk laptop and replacement fan	148.80
Mark Paige	Refund of payments for Christmas lights purchased and cost of telehandler and operator.	468.16
YLCA	Training webinars for clerk and new councillors.	91.80
Kingsdale Projects	Clear leaves at PHPF / removal of Christmas trees from town hall / gritting / large bag of grit / clean and paint gates at cemetery.	637.50
Ruth Green	Relief caretaker	345.00
S Frankland Joinery	Repairs to doors and skirting at town hall	173.00
I Akrigg Fitting Service	Replace ripped carpet on half landing	240.00
Brake Catering Equipment	Polar CD082 Single Door Stainless Steel Fridge 400 litre	958.80
Howsons Ltd	Servicing fire alarm CYB 22/11/22	116.64
1 & 1 Ionos	Internet	18.00
SSE Swalec	Unmetered electric supply	104.60
BT Group Plc	Phone TIP	53.52
Craven District Council	Trade waste	55.10
Premium Credit Ltd	Insurance	354.02
NEST	Pension contributions	186.27
TOTAL		8,070.03

RESOLVED: Approved.**RESOLVED: To be authorised by Cllrs Hill and Marshall.**

309

To discuss the time scale for the replacement windows in the Ballroom at the Town Hall and agree a way forward.

RESOLVED: To proceed with the installation in April 2023.

310

To consider the Draft Parish Charter Consultation and agree a way forward and/or a response. (Papers 2023/35 to 39)

RESOLVED: The response is that Bentham Town Council would like the new council to: -

- Engage with them, and to remember that Bentham Town Council is here.
- Provide Bentham with a fair service and not to forget that we are out on a limb at the edge of the County.

- **Ensure that no matter where they are, North Allerton, Bentham, Scarborough, Hawes, Leyburn or Selby, that every area gets a fair amount of services, no matter what that is, bus services for example.**

- 311 To consider the following **correspondence** and to agree a way forward and/or a response: -
- 311.1 Letter of Agreement between the appointed Internal Auditor (item 57.5 of 21/06/22), Elkerlodge Bookkeeping, and Bentham Town Council, for signature by the Chairman. (Papers 2023/40 and 41)
RESOLVED: That the letter of agreement is signed by the Chairman.
- 311.2 Condition of the gravestones at St Margaret’s Church. (Paper 2023/42)
RESOLVED: Clerk to write a strong letter to CDC pointing out that the maintenance of the churchyard has not been kept up, that it is deteriorating and that it needs immediate attention.
- 312 To receive the notice that shows North Yorkshire County Council’s intention to pass a resolution at a meeting on the 7 February 2023, in relation to adopting the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976/ (Paper 2023/43)
RECEIVED.
- 313 To receive Reports from Councillors who represent the Council on other bodies (for information only) – if any.
BEST: Cllr Pearce reported that there will a showing of the film “Riverwoods” at the town hall on Friday 24th February, at 7.00 pm, followed by a talk by the Lune Valley Trust.
Victoria Institute: Cllr Stannard reported that the Institute has received £2,000 for the Bentham Hub recently and another £2,000 from an estate. But that there is replastering and rendering work to do on the outside of the office. There will be dementia training for staff. And plans are being made for a tea party to celebrate the coronation.
- 314 Items for next meeting and minor items for information only.
- Lorraine Sullivan or WellMedical should be able to provide information on training on how to use a defibrillator.
 - Street lights at Lairgill were only installed last year. So, the installer (NYCC) is responsible for any repair that is needed now.
 - Dangerous tree at PHPF should be removed asap.
 - Cllr Marshall confirmed that he will be attending the site meeting at Wenning Ave on Wednesday 8th February, at 11.00 am.
 - The alarm panel in the Community Youth Building needs checking. Cllr Adams agreed to look at it.
 - Disposal of the old fridge; see if the company bringing the new fridge will dispose of it first; then try Toobys or CDC.
 - Cllr Marshall gave his apologies for meetings on 20/02/23, 27/02/23 and 06/03/23.
- 315 Date of next meeting.
Full Council meeting 20/02/23.
Town Hall Management Sub-committee 27/20/23.
Full Council 06/03/23.
- 316 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 317 is considered.
RESOLVED: That the press and public be excluded from the meeting.

317

To consider items of correspondence received regarding the Community Youth Building and agree a way forward, if any.

RESOLVED: Ask Darren at Fisher Hopper for his opinion on what the property would be worth if the restrictive covenant was removed.

RESOLVED: To ask Mike Harrison the cost for drawing up plans of what might be done with the property. Particularly how it could be converted into one and two bed type accommodation. Outline, schematic plans.

There being no further business the meeting closed at 9.04 pm.