

City of Durham Parish Council

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Dear Councillor,

In accordance with the Local Government Act 1972

I hereby give you notice that a **MEETING** of the **CITY OF DURHAM PARISH COUNCIL** will be held in the **LANTERN ROOM, DURHAM TOWN HALL, MARKET PLACE, DURHAM, DH1 3NJ** on **THURSDAY 28 FEBRUARY 2019 AT 19:00** to transact the following business: -

- 1. PRESENTATION FROM STEPHEN REED, PLANNING DEVELOPMENT MANAGER AT DURHAM COUNTY COUNCIL ON SECTION 106 FUNDS.**
- 2. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES OF ABSENCE FROM TODAY'S MEETING**
- 3. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS.**
- 4. PUBLIC PARTICIPATION.**
- 5. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 24TH JANUARY 2019 AND OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 4TH FEBRUARY 2019.**
- 6. COMMITTEE UPDATES**
 - Planning Committee minutes from meetings held on the 18 January and 1 February.
 - Environment Committee minutes from meetings held on 15 January.
 - Finance Committee (draft) minutes from meeting held on 11 January.
 - Licensing Committee minutes from meetings held on 8 January and 8 February

We need to increase numbers on the Licensing Committee. There are currently four members on this committee which makes it difficult to maintain a quorum for meetings. Terms of reference for this committee allow for five members to be part of this committee so we need one other member to become part of this committee. I am informed that Cllr A Doig is willing to be part of this committee.

7. UPDATE FROM CHAIR.

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 24 January.

- Councillors are asked to approve devolving powers to purchase office stationary and equipment to the Clerk and Chair of the Parish Council.

- 8. HMO OCCUPANCY WITHIN THE PARISH** – verbal report from Vice Chair.
- 9. NOTICE BOARD IN MARKET PLACE** – verbal report from Vice Chair.
- 10. RESPONSE TO PRE-SUBMISSION DRAFT OF THE COUNTY DURHAM LOCAL PLAN** – report included. Councillors are asked to approve the Parish Council’s response to the Local Plan.
- 11. DURHAM COUNTY COUNCIL REGENERATION TEAM SECTION 106 APPLICATION** – Memo and application form included. Councillors are asked to agree their response to this application.
- 12. ENVIRONMENTAL AND SUSTAINABILITY POLICY** – Councillors are asked to approve the proposed policy included.
- 13. DESIGNING A PARISH COUNCIL LOGO** – report included.
- 14. ALLOTMENTS ON LARCHES ROAD** – report included.
- 15. CITY OF DURHAM PARISH COUNCIL MERITORIOUS AWARD** – report included.
- 16. DATE OF NEXT MEETING** - 28 March, to be held in the Main Hall of St. Leonard’s Catholic School, North End, Durham. DH1 4NG.

And pursuant to the provisions of the above-named act, **I Hereby Summon You** to attend the said meeting.

Adam Shanley
Clerk City of Durham Parish Council

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the City of Durham Full Parish Council held on Thursday 24 January 2019 at 19:00 in the Lantern Room, Durham Town hall, Market Place, Durham, DH1 3NJ.

Present:

Cllr E Scott in the Chair

Councillors E Ashby, J Ashby, V Ashfield, J Atkinson, E Brown, S Cahill, R Cornwell, R Ormerod, C Reeves, M Ross, G Holland, D Freeman and A Doig

No members of the public attended the meeting.

1. Apologies for absence

Apologies for absence were received and approved by Council for Cllr J Elmer

2. Declarations of Interest

There were no declarations of interest submitted by Members.

3. Public participation

No members of the public attended the meeting and therefore no representations were received.

4. Approval of the draft Minutes of the Council meeting held on 20th December 2018.

The Minutes of the meeting held on 20th December 2018 were confirmed as a correct record and signed by the Chair, subject to the following changes:

The reference to "J Ashby" be amended to "E Ashby" under Item 13 of the Agenda.

5. Committee updates

Updates were provided from the Environment, Finance, Licensing and Planning Committees as follows:

Planning Committee

Councillor R Cornwell provided an update on behalf of the Parish Council planning Committee. Cllr Cornwell advised that the Parish Council had recently been acknowledged in the local press for their support of recent planning applications such as Durham Miner's Hall. Cllr Cornwell also advised that the Committee had objected to the Revolution Bar application.

Cllr Cornwell advised that concerns in relation to the County Hall HQ move were ongoing and the letter from Richard Buxton Solicitors had been sent to Durham County Council along with other bodies. Cllr Cornwell advised that since this had been done, Kier (the developer) had submitted further updates to the planning portal. He advised that this would be added to the Agenda for the extraordinary meeting of the Full Parish Council to decide on a reply to the amends.

Cllr Cornwell also advised that he, Cllr J Ashby and the Clerk had recently met with representatives of the Durham Freeman, who owned the land known as The Sands and that they too shared the Parish Council's objections to the proposals.

Environment Committee

Councillor V Ashfield provided an update on behalf of the Environment Committee to the Full Council.

Councillor Ashfield advised that at their most recent meeting, the Committee had heard from Dave Wafer (DCC) and had discussed the issue of Church Street. The Committee felt that more information on plans for Church Street is needed. Cllr V Ashfield also provided an update on the bus station situation at Hallgarth Street. It was felt that there is no wider vision for the area and some proposals felt reactionary rather than having a wider vision.

Cllr D Freeman advised that there was nothing DCC could do to amend the bus route and bus operators are free to choose their own bus route. He also advised that he had made representations to Highways about this issue.

Cllr J Ashby advised that he was concerned that under current proposals the traffic situation at Hallgarth Street would become worse not better.

Cllr E Scott confirmed that Dave Wafer would be attending the March Full Council meeting to discuss the issue with the Parish Council.

Cllr V Ashfield finished by advising that she had arranged for the next meeting of the Environment Committee to take place at St. Leonard's School where it is hoped that pupils of the school could get involved with discussions and the Committee can get their views on the development of a new skate park.

Licensing Committee

Councillor L Brown provided an update on behalf of the Licensing Committee to the Full Parish Council.

Cllr L Brown advised that the application for Bar 33 had been allowed. She also advised that issues with a local pizza company were also ongoing.

Cllr L Brown also provided an update on a recent application to allow alcoholic beverages to be delivered 24/7 in the Parish Area. Cllr L Brown advised that the Committee were concerned about this, had objected and this application would be going to a hearing. The Chair asked the Clerk to circulate the details of the application to all Councillors.

Finance Committee

Councillor A Doig provided an update to the Full Parish Council on behalf of the Finance Committee. Cllr Doig advised that at the 11th January meeting of the Committee, Committee Chairs had brought along information about provisional spending priorities for their Committees and this would be discussed further under Item 11 of the Agenda.

6. Update from Chair.

The Chair formally welcomed the new Clerk to his role and asked Parish Councillors to be mindful of his time given the different ongoing demands.

The Chair also reported that the search for an office had been narrowed down to three different options and that she had had a very positive discussion with the Assets team at Durham County Council about one of the options – the first floor of the Clayport building in the centre of Durham. The Chair reported that she hoped that this would be a viable option for this to become the office space for the Parish Council. At present we are waiting to hear back about this from DCC.

The Chair also reported that there would be an extraordinary meeting of the Parish Council to discuss the Pre-Submission Draft of the County Durham Local Plan and to invite various local groups along to speak with the Parish Council to let us know their views. The Chair stressed that this would not be the meeting whereby our final response as a Parish Council would be decided.

Cllr R Cornwell advised that the starting point for our response should be the representations made at the Preferred Options stage of the consultation of the Plan. Cllr J Ashby advised that it was also important not to be constrained by the responses made at Preferred Options stage and other representations were also possible.

The Chair also reminded Councillors that any responses to consultations on behalf of the Parish Council needed to be agreed as a full Parish Council rather than done individually.

7. Community Engagement Task Force Group update.

It was **agreed** that Cllr J Ashby be appointed as the Parish Council representative on the Lived Environment Sub Group.

There was some concern about the work of the different task forces and how often they meet and what their agreed outcomes were. Cllr A Doig advised that the group he was on had not yet met and discussed actions of the task force.

Cllr E Ashby advised that the economic sub group had met DCC officers, BID, Space Officer and Business Durham to identify gaps in the work already being done.

The Chair asked that this item be added to the Agenda for the April Full Council meeting to assess what further work had been done.

8. Grant awarding policy

The Clerk advised that the necessary amends had been made following the last Full Parish Council where this policy was considered. These included:

Removing reference to a maximum that can be allocated to each grant application.

Removing the word "committee" under "the application process"

Indicating that "the aims of the grant policy" are in draft form at present

Removing "Animal welfare charity" under the area covering "City of Durham Parish Council will not fund the following:"

Removing "Only one application per year will be accepted from any organisation"

Adding "The Council will only ever consider a maximum of two applications for funding from the same organisation."

Cllr R Cornwell expressed some concern about the point of not funding groups with restricted memberships. Cllr A Doig suggested that this be re-worded to state "groups who do not have a lawfully agreed restricted membership".

Cllr E Ashby also asked that the wording of the funding conditions be amended to state "The Council will not consider applications from the same organisation for a third consecutive year."

The Clerk also asked Councillors whether they would like to apply a funding window with the policy. It was agreed that the funding window should be April – June in the year.

The Parish Council **agreed** to adopt the policy.

9. Section 106 agreement consultation

Councillors considered the Waddington Street Centre Section 106 funding application. Cllr R Cornwell commended the organisation for the excellent work they do for a worthy cause, however he advised that the planning committee were not able to support this as the request did not match the Section 106 agreement for the use of funds for arts and crafts. The application seemed to be for IT equipment rather than for arts.

The Chair advised that the money was coming from unspent arts money and the IT equipment would also be used for arts and crafts projects.

Cllr E Ashby advised that she felt that a S106 Officer from DCC ought to come and speak with the Parish Council so that Parish Councillors could understand more about the process.

It was **agreed** to support the application. 8 Councillors in favour, 5 abstentions.

10. Ground maintenance/ street scene working group report.

Councillors considered a report from the Ground maintenance/ street scene working group, which was requesting a sum of £1,000 towards snow clearing equipment for volunteer students who would clear snow away from vulnerable residents' houses in times of bad weather.

The Clerk advised that he had contacted our current insurers who confirmed that the Parish Council is covered for the items required for snow clearance under their public liability clause. If this work is to be carried out under Council supervision, then the Parish Council will need to add this to our current policy at a cost of either £66.24 Including IPT (pro rata) or £76.75 Including IPT (annual). Otherwise if students are being provided with the equipment and allowed to get on and do this as a group of volunteer students independently, they will need to see what insurance they have available through their Students Union. The Clerk advised that the working group would need to look at who will line manage this work and will report back on this further.

It was **agreed** to delegate the decision on allocating the £1,000 towards this project to the Chair of the Parish Council and the Chair of the Environment Committee.

11. Working spend for 2018/19 and indicative spend for 2019/20

Cllr A Doig advised that the Chairs of each Committee had attended the recent Finance Committee meeting on 11th January and had agreed the indicative spends as set out in the report.

Cllr R Ormerod advised that this was a very good report and thanked Cllr A Doig. Cllr A Doig thanked all Chairs of the Committees who attended the Finance meeting.

It was **agreed** to accept the indicative spends as outlined in the report, with 1 abstention.

12. Precept

Councillors considered what level to set the precept at for the next financial year. Cllr J Ashby advised that the precept could only be increased on the basis of achievements from the Parish Council.

Cllr R Ormerod advised that he felt it was right that the level of precept remain the same as the previous year.

Members agreed that they felt that the council tax property charge ought to be kept at 2018/19 level of £150,000 which would mean that, on the basis of the 2019/2020 Council tax base provided by the County Council which shows an increase of chargeable properties, the precept for 2019/20 would therefore be £152,124.

13. Response from Durham University in relation to the rental rises for student accommodation.

Councillors expressed disappointment at the response from Durham University in relation to the letter sent condemning the rise in rental costs for student accommodation. It was agreed that Cllr C Reeves should draft a reply to the letter and run this past the Clerk before sending in response to the University.

14. Integrated risk management plan consultation.

Councillors considered their response to the integrated risk management plan consultation in relation to the Fire and Rescue Service for Durham. It was agreed that Option 3 was the preferred option as this was backed up by a lot of statistical evidence. That said, some concern was expressed about the impact this option would have on response times and the fact that the number of fire engines servicing Durham City would be reduced. Cllr E Ashby also advised that he was particularly concerned that the reduction of fire engines is taking place at a time when the City is subject to a number of large Purpose-Built Student Accommodation (PBSA) buildings which are often four or more storeys in height, will be densely populated, often with students from overseas, and in locations where there is not always easy access other than from the front

It was **agreed** that the Clerk should draft a response to the consultation and this would be agreed in writing.

15. Local Government Pension Scheme

The Clerk advised that the Parish Council, as a registered employer, is legally obliged to offer a workplace pension to its employee. The Clerk advised that he was keen to be added to the Local Government Pension Scheme (LGPS). Figures in terms of costs to the Parish Council are set out in the working budget for 2018/19 and in the indicative

costs for 2019/20. These figures are set out according to the current working pattern of 25 hours/week.

The Clerk advised that Town and Parish Councils don't need to sign any admission agreements in order to put their employees in the LGPS. They are automatically allowed to participate in the LGPS if they decide they want to. The Clerk advised that normally DCC would expect them to pass a resolution setting out which employees or class of employees should be allowed access to the scheme, and we would ask for a copy of the relevant minute from the meeting this was agreed at. The Town and Parish Councils pay a pooled rate in the Durham Fund – at the moment, this is 19.1% of pensionable pay. Payments would be administered by Durham County Council as per the service level agreement between the Parish Council and DCC's payroll department.

It was **agreed** that the Clerk would pay a contribution rate based on his salary and the City of Durham Parish Council would pay the 19.1% of pensionable pay.

Due to the confidential nature of the following items, in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and the public were excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the LGA 1972 Act and section 1(2) of the Public Bodies (Admission to Meetings) Act 1960. At this point in time the press and the public were asked to leave the room

16. Appointment of Internal Auditor

Councillors considered three options for the appointment of Internal Auditor and formally agreed the appointment of Auditor C.

There being on further business, the Chair thanked everyone for their attendance and closed the meeting.

Signed,

Chair of City of Durham Parish Council.
28 February 2019

CITY OF DURHAM PARISH COUNCIL

Minutes of an extraordinary meeting of the City of Durham Full Parish Council held on Monday 4 February 2019 at 19:00 in the Lantern Room, Durham Town hall, Market Place, Durham, DH1 3NJ.

Present:

Cllr E Scott in the Chair

Councillors E Ashby, J Ashby, J Atkinson, E Brown, S Cahill, R Cornwell, R Ormerod, C Reeves, M Ross, D Freeman and A Doig

7 members of the public attended the meeting and 4 speakers from the various interested groups presenting under Item 3 of the Agenda.

17. Apologies for absence

Apologies for absence were received and approved by Council for Cllrs J Elmer, V Ashfield and G Holland.

Cllr J Ashby asked that the Council write to Cllr Holland and wish him a speedy recovery and best wishes. The Parish Council unanimously agreed this, and the Clerk advised he would do this on behalf of all Councillors.

18. Declarations of Interest

The following declarations of interest were received by Members:

Cllr E Ashby – member of SNCF and WRRAG

Cllr J Ashby – member of SNCF, WRRAG and City of Durham Trust

Cllr D Freeman – member of SNCF and City of Durham Trust

Cllr R Cornwell – Trustee of City of Durham Trust

Cllr L Brown – Trustee of City of Durham Trust

Cllr C Reeves – member of City of Durham Trust

Cllr A Doig – member of City of Durham Trust

Cllr M Ross – member of SNCF

19. Participation from members of the public and interested groups on Pre-submission Draft of the County Durham Local Plan

The Chair welcomed the three local groups present – the Western Relief Road Action Group, the City of Durham Trust and the St Nicholas Community Forum – and thanked them for attending. Each group provided a 10-minute presentation as follows:

The Western Relief Road Action Group

Amanda Taylor-Saunders and John Pacey attended on behalf of the group to discuss the aspect of the Local Plan relating to the proposed Western Relief Road. Amanda thanked the Parish Council for the opportunity to present the group's case to them. John opened the presentation by providing a brief outline of what the group had done so far and what the current proposals were on the relief roads.

John advised that claims by DCC of wide-spread public support for a Western Relief Road (WRR) were based on the response to the question: "Do you think something

should be done about traffic congestion at Neville's Cross and the A167?". This, he advised, had received 98% approval by the public, however the WRRAG felt that the WRR had been incorrectly presented to the public as offering an effective, sustainable, and acceptable solution to traffic congestion problems in the local area.

John advised that the Group felt that traffic congestion problems, with consequential pollution would, if no action is taken, only worsen. He also advised that this issue would only become worse still, as planned University growth progresses to a further 40% by 2026.

John advised that the WRRAG felt that there seemed to be an over-concentration of development within the City of Durham itself rather than in outlying areas.

John commented that the WRRAG felt that something must be done quickly. The unacceptable relief road – even if it were approved - would not be delivered until the late 20's. John advised that the Group were lobbying for more sustainable measures such as an expansion of the park and ride system to ease congestion and pollution.

The St. Nicholas Community Forum

Janet George presented the case on behalf of the St. Nicholas Community Forum (SNCF) to the Parish Council. Janet advised that the aspect of the Plan which greatly concerned the group was around the proposed expansion of the University. She advised that the SNCF has major concerns regarding the Plan's endorsement of the scale and pace of growth of Durham University. The SNCF felt that this is already out of balance with this small town and the resident population is being driven out by the loss of family homes to Houses in Multiple Occupation and by the clash in lifestyles between students and families. Janet advised that Policy 16 of the Pre-Submission Draft of the Local Plan is of great importance to SNCF.

Janet advised that the SNCF are glad to see the University is proposing six PBSAs within its own estate. She advised that they felt that this is the way to accommodate growth. However, the SNCF feel that they won't be sufficient to accommodate all the planned increase in student numbers and there is a lack of robust protection for the City and residents regarding University expansion.

Janet advised that the SNCF are concerned that the policy on additional PBSAs doesn't include the 10% limit i.e. saying no more allowed if HMOs and PBSAs already there within the 100-metre radius are more than 10% of the total number of dwelling units. Further to this, Janet advised that the HMO policy only counts other HMOs in the 100-metre radius - it ignores the hundreds of students in a PBSA. Janet advised that noise pollution from night time revelling in the early hours are disruptive and damaging to balanced and sustainable communities.

Janet commented that SNCF were very concerned about the lack of any policy on returning HMO's to family housing and residential use. Counting student residents by council tax is insufficient and is a loophole which landlords can bypass.

Janet advised that SNCF felt that support for evening economy clashes with the wellbeing of those who reside in the City.

Janet finished her remarks by stating that SNCF felt that developers should ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the street-scene either from the proposed development itself or when combined with existing accommodation. The

impacts of a large number of students living in an area maybe more easily mitigated when they are living in purpose-built accommodation which has a management plan, rather than a number of HMOs.

The City of Durham Trust

John Lowe presented the case on behalf of the City of Durham Trust to the Parish Council. John advised that the Trust felt that Policy 1 of the Preferred Options Stage document had been very positive, setting out the basis on which the Plan should be written. John advised that the City of Durham Trust were very disappointed that this had been removed since from the Pre-Submission Draft of the Local Plan.

John advised that the City of Durham Trust welcomed policies 45 and 46, which emphasized the significance and importance of the views in Durham.

John advised that the City of Durham Trust were greatly concerned that protection of the Greenbelt seemed to have been watered down in the current Pre-Submission Draft of the Local Plan.

The City of Durham Trust are also concerned about the major housing proposals under policy 5 and in particular its impact on Sniperley.

John advised that Policy 3 relating to Aykley Heads is also a cause for concern for the Trust as this involved the removal of some Greenbelt land and the development would only allow for 4,000 office spaces, not the 6,000 office spaces currently being advertised on signs outside the existing County Hall HQ building.

John advised that the City of Durham welcomed the sentiments behind policy 16, however felt that there was a lack of rigour and enforcement, which was poor.

John also remarked that the proposals to regenerate North Road represented positive thing, which had come out of the 'Looking Forward' document.

Councillor Elizabeth Scott asked the member present from the Western Relief Road Action Group (WRRAG) how they would advise Councillors to answer representations from their residents who are in favour of the relief roads. John (WRRAG) advised that it is imperative to get the correct information to those residents about the implications on the relief roads. Relief roads bring with them more vehicular traffic and therefore pollution. John (WRRAG) advised that a much greater emphasis must be on sustainable methods of reducing congestion, particularly for the City Centre.

Cllr A Doig advised that he had been informed that the development of houses would be happening with or without the relief roads and this should be considered.

Cllr A Doig advised that he felt that the Parish Council should seek to employ someone to investigate the number of HMOs within the Parish. DCC weren't able to release this and the reason provided being data protection.

Amanda Taylor-Saunders advised that she had had difficulty receiving direct answers to her FOI requests on the issue of an expansion of accommodation.

A member of the public requested that a public meeting be held and this was promised some time ago. Cllr E Scott advised that this is something the Parish Council hope to do soon with the appointment of the new Clerk who would facilitate such a meeting.

20. Pre-submission Draft of the County Durham Local Plan

Councillors considered which policies they wished to focus on in their responses to the Pre-Submission Draft of the County Durham Local Plan.

Cllr R Cornwell led discussions and advised that it was imperative to consider only those policies which had an impact on the City of Durham Parish.

Councillors agreed with all policies set out in a guiding document drafted by Cllr R Cornwell and it was agreed that the Planning Committee should draft a response to these policies and bring this back to the next Full Parish Council meeting for any amends/ approval.

Due to the confidential nature of the following items, in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and the public were excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the LGA 1972 Act and section 1(2) of the Public Bodies (Admission to Meetings) Act 1960. At this point in time the press and the public were asked to leave the room.

21. Durham County Council's response to Richard Buxton solicitors' letter

The Parish Council considered the detail of the response by DCC following Richard Buxton's letter. The Parish Council agreed to draft a rebuttal letter and commission a traffic consultant to review the plans as a matter of urgency. Given the urgency to commission a professional consultant, review the response and reply within the deadline of 23rd February, the Parish Council unanimously resolved to suspend Standing Orders in relation to the need to receive 3 quotations to commission this work.

Signed,

Chair of City of Durham Parish Council.
28 February 2019

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Planning Committee held on Friday 18 January 2019 at 14:00 in Room 2, Alington House, 4 North Bailey, Durham, DH1 3ET

- 1. Present:** Cllrs Cornwell (Chair), J. Ashby, Ashfield, Brown, Reeves and Holland (Secretary)
- 2. Apologies:** None
- 3. Declarations of interest:** there were none.
- 4. Minutes of the Meeting on 4th January, 2019:** accepted as a true and accurate record
- 5. Public participation:** no members of the public were present.
- 6. S106 application from the Waddington Street Centre:** after discussion it was **agreed** that this application could not be supported because the committee was not convinced that the uses proposed benefited the community in general.
- 7. Matters arising:** the following responses were approved (for text of letters see parish web site):
DM/18/02983/FPA | Erection of a Two-Storey 8No Bedroom Extension and Single-Storey Extension Link: Farnley Tower, The Avenue, Durham DH1 4DX (second letter). It was noted that this application had been called to committee by Cllr Liz Brown.
DM/18/03552/FPA | Change of use from a C4 house in multiple occupation to a 7 bedroom HIMO with a wrap round extension and internal alterations to existing dwelling: 51 Whinney Hill Durham DH1 3BD. Cllr John Ashby had submitted a letter of objection to this application and it was **agreed** that both Cllr Freeman and Cllr Ormerod would be advised of this.
DM/18/03671/FPA | 2 Storey Extension to existing dwelling to create a total of 2 No. Dwellinghouses: The Cottage 22A Allergate Durham DH1 4ET. There was some concern expressed regarding the impact that this application would have on neighbouring listed buildings. It was **agreed** that Cllr Cornwell would draft an objection to this application on the grounds that this represented overdevelopment and also due to its potential impact on nearby listed properties. As a result, Cllr Cornwell has called this to committee, a decision that should be followed through by Cllr Brown. It was **agreed** to request a meeting with Stephen Reed at County Hall to discuss planning protocols.
- 8. Update on Parish spending proposals for 2019/20:** Cllr Cornwell noted that, overall, present spending proposals totalled around £250,000. The possibility and costs of a Judicial Review in the face of the County Council's determination to drive through their application to build on the Sands was noted.
- 9. Oversight of the work of the Neighbourhood Plan Working Party:** there was no further discussion on this topic.

10. To consider developments regarding the proposed new County HQ on the Sands: (planning reference **DM/18/02369/FPA**), including recent additions to the planning file and any response to the letter to be sent by the Council's solicitors to the County Council. The solicitor's letter was now on the County Council's portal. 796 letters of objection had already been submitted. There was still no report from the Environment Agency. The zero energy buildings requirement for new public buildings, issued on the 14th January 2019, was discussed. It begged the question as to whether this proposed building on the Sands fulfilled the terms of this new government directive. Cllr Cornwell suggested that Stephen Reed should be asked about this at the proposed meeting in County Hall.

11. Planning applications:

a. The following applications were noted:

DM/18/03639/FPA | Replacement of shopfront: 39 The Riverwalk Millburngate Durham DH1 4SL.

DM/18/03861/TPO | Crown reduce and reshape by 3m of two maple trees (T2 and 3) and felling of one maple tree (T1) protected by a tree preservation order: 12 Brakespeare Close Crossgate Moor Durham DH1 4BF.

DM/19/00046/TPO | Birch (T2 and T3) - prune to remove branches overhanging neighbours: Wear View House 3 Wear View Durham DH1 1LW.

b. The Committee considered making representations on the following:

DM/18/03618/AD | Advertisement Consent for the display of 1 No. Externally Illuminated Hanging Sign, 1 No. Internally Illuminated Hanging Sign and 1 No. Internally Illuminated Fascia Sign: The Bishop Langley North Road Durham DH1 4PW. This was an enforcement issue. Cllr Ashby **agreed** to draft a letter of objection to this application and request that it be brought to committee, with a copy to the appropriate county councillors.

DM/18/03745/FPA | Demolition of existing cricket pavilion and construction of new multi-use sports pavilion including installation of new scoreboard: Durham School Quarryheads Lane Durham DH1 4SZ. Noted.

DM/18/03758/FPA | Substitution of 6 no house types within approved housing development (8/CMA/4/71): Development Site At Police Training Centre Aykley Heads DH1 5TT (carried forward from 4 January meeting). This related to "affordable housing" and a shift away from that demand. Committee recognised that there is no such thing as affordable housing in Durham City and that the S106 monies from this estate as an alleviation for this purpose and amounting to £1.6million, might reasonably be directed to another part of Durham District. It was **agreed** to visit this consideration again and discuss this prospect at the intended meeting with Stephen Reed at County Hall.

DM/18/03760/FPA | Retention of the timber clad fridge storage structure to rear yard area of 44 Saddler Street, Durham: Cellar Door Basement 41 - 42 Saddler Street Durham DH1 3NU. This is a retrospective application to which the Council objects and wishes to call to committee. Cllr Brown **agreed** to submit an appropriate letter of objection on behalf of Cllr Cornwell.

DM/18/03821/AD and DM/18/03822/LB | Erection and display of 2no non-illuminated fascia signs: Big Jug 83 Claypath Durham DH1 1RG. Noted.

DM/18/03828/FPA | Erection of two storey extension to rear of dwelling to replace existing conservatory: 16 Laburnum Avenue Durham DH1 4HA. Noted.

DM/18/03832/AD | Provision of fascia sign, illuminated using lighting unit: 72 North Road Durham DH1 4SQ. Noted.

DM/18/03834/FPA | Change of use of first floor offices (use class B1(a) to 5-bed HMO flat (use class C4) and installation of rooflights to rear elevation: First Floor 74-76 North Road Durham DH1 4SQ, (carried forward from 4 January meeting). Noted

DM/18/03883/FPA | Single storey extension to rear and alterations to garage rear elevation: 5 St Nicholas Drive Durham DH1 4HH. Noted.

DM/18/03905/FPA | Change of use from use class C4 small HMO to large HMO to both 4 and 5 Southend including erection of extensions to rear, decked area and uPVC windows: 4 And 5 Southend South Road Durham DH1 3TG. This was noted for the moment but Cllr Brown undertook to register an interest with the county council.

DM/19/00045/FPA Replace timber garage with stone garage (Resubmission): 1 Riverside Lodge Burn Hall Durham DH1 3SS. Cllr Cornwell had contacted the Case officer who had advised him that a resubmission was necessary as the proposal had been reduced in scale. The application had met with the approval of the Burn Hall Residents Association. Noted.

10. Consideration was given to making responses to:

a. Creating a vision for County Durham's future. It was considered that a response was needed because this vision and the pre-submission draft (below) were contradictory and in conflict. Cllr Ashfield agreed to draft a response

b. the Pre-Submission Draft of the County Durham Plan.

There was discussion concerning the need for the Neighbourhood Plan to accord with the County Durham Plan. All of the county's Policies were being labelled "strategic" whereas many, such as those linked to green spaces, conservation areas and HMOs were too localised to be regarded as strategic. It was **agreed** that Cllr Ashby would design an initial draft to be considered by the next Planning Committee before consideration by the Parish Council at its February meeting.

11. Dates of future meetings:

1 February 2019 - 14.00 to 16.00 hrs - Alington House room 2

15 February 2019 - 14.00 to 16.00 hrs - Alington House room 2

There being no further business the meeting concluded at 3.56pm.

Signed,

Roger Cornwell
Chair of Planning Committee.

City of Durham Parish Council

Minutes of Planning Committee meeting held at 2.00 pm on Friday 1st February 2019 in Room 2 Alington House, 4 North Bailey, Durham DH1 3ET

1. Welcome and apologies:

Present: Cllrs J Ashby, Ashfield, Brown, Cornwell (Chair), Elmer and Reeves.
Apologies: Cllr Holland, Adam Shanley.

2. Declarations of interest: none.

3. Minutes of the Meeting on 18th January 2019: agreed as a correct record.

4. Public participation comments: Alan Hayton of Whinney Hill Community Group was present.

5. Matters arising

The responses to the following applications were approved (for text of letters see Parish web site):

DM/18/03618/AD | Advertisement Consent for the display of 1 No. Externally Illuminated Hanging Sign, 1 No. Internally Illuminated Hanging Sign and 1 No. Internally Illuminated Fascia Sign: The Bishop Langley North Road Durham DH1 4PW

DM/18/03760/FPA | Retention of the timber clad fridge storage structure to rear yard area of 44 Saddler Street: Cellar Door Basement 41-42 Saddler Street Durham DH1 3NU.

6. Oversight of the work of the Neighbourhood Plan Working Party

(a) Enquiry about possible executive housing at Houghall College: the Neighbourhood Plan Working Group had received a request to deny or confirm a rumour about possible executive housing at Houghall College. The Committee **agreed** that it cannot confirm or deny a rumour, that the land is in the Green Belt, that the existing housing is for agricultural workers and is 'affordable' whereas 'executive housing' is not, and that a planning application for executive housing here should be rejected by the County Council as unjustified development in the Green Belt. **Cllr J Ashby** to draft and send to the Parish Clerk, with a copy of the enquiry, asking him to forward the draft to John Lowe, Secretary of the DCNP Working Group.

(b) AECOM's draft Sustainability Appraisal

The draft Sustainability Appraisal gives Option 3 (larger LGS at Observatory Hill) clearly the best score. The Committee **agreed** to recommend Option 3 and the draft text provided by Cllr J Ashby to the full Parish Council meeting on 22

February, so this needs to be included by **the Clerk** on the agenda for that meeting.

(c) Consultation on Draft Witton Gilbert Neighbourhood Plan: agreed to express the Parish Council's support via John Lowe, Secretary of the DCNP Working Group.

7. Consideration of the following planning applications

DM/18/03509/LB: Retention of Replacement Roof, 10 Crossgate Durham DH1 4PS: noted.

DM/18/03736/VOC: Variation of condition 3 of planning permission to remove restriction on the maximum period of any single let. Condition 3 includes a limit of a '3 week let within any 6 months' which severely limits the ability to let the rooms, Ingleside Whinney Hill Durham DH1 3BE: Alan Hayton summarised the objection lodged by Whinney Hill Community Group, emphasising that this has been and will continue to be a long saga, the latest step being this application to remove a condition deliberately placed by the County Council's Planning Committee on the planning approval of three months ago.

Mr Hayton stated that the condition at issue forbids guests staying more than three weeks in any six month period but that he had experienced no problem asking for a four week booking. He asked the Committee to recommend refusal of the application. Cllr Cornwell read out a letter submitted with the application, but only today placed on the Planning Portal, which states that many bookings have been lost because the three weeks limit is insufficient for people needing to stay in Durham for several months. Cllr J Ashby wondered if revising the condition to perhaps a 3 months limit would be acceptable. It was agreed that the condition must not be removed entirely; any undertakings given by the current owners would be null and void upon a sale of the property. The Committee **agreed** to recommend that the application be refused as seeking to negate a condition that the County Planning Authority had recently consciously imposed; that if the Case Officer is minded to approve then the Parish Council wishes it to go to a Planning Committee; and to state that if a further application to amend the condition to a different period of time limit is made, the Parish Council would wish to be consulted. **Cllr J Ashby** to draft.

DM/18/03864/AD: Erection and Display of 2no. non-illuminated fascia signs and 1no. non-illuminated hanging sign, 81 New Elvet Durham DH1 3AQ: noted.

DM/19/00036/FPA: Single storey extension and retention of existing rear fire escape Kingsgate House 31 - 33 Church Street Durham DH1 3DG: **agreed** to object; Cllr Brown to draft.

DM/19/00037/LB: Listed Building Consent for single storey extension, retention of existing rear fire escape and installation of fascia signboard, Kingsgate House 31 - 33 Church Street Durham DH1 3DG: **agreed** to object; Cllr Brown to draft.

DM/19/00062/TCA: Crown reduce to previous pruning points of 2no. horse chestnut trees, crown reduce and lift to previous pruning points of 1no horse chestnut tree and 1no. ash tree and crown lift above shrubbery of 1no. horse chestnut tree. Briardene Durham DH1 4QU: noted.

DM/19/00102/TCA: Removal of a group of trees on the site to ground level, 92A Claypath Durham DH1 1RG: Cllr Ashfield will make a site visit and advise **Cllr Brown** whether to seek a TPO on the group and also mention issue of absorption of air pollutants.

DM/19/00122/FPA: Replacement windows to front, 8 Waddington Street Durham DH1 4BG: noted.

DM/19/00136/FPA: Replacement windows to front, 7 Waddington Street Durham DH1 4BG: noted.

DM/19/00129/TPO: Tree Works, East Durham College Houghall Durham DH1 3SG: noted.

DM/19/00149/FPA: Construction of single storey extension to front of dwelling, 7 Ferens Close Durham DH1 1JX: reversion from C4 to C3 is welcome, **Cllr Reeves** to draft once Cllr Ashfield has checked local opinion.

DM/19/00157/LB: Abutment details to no. 16 South Bailey for the glazing to the proposed new learning resource centre building, Site of Former 17 South Bailey Durham DH1 3EE: noted.

DM/19/00172/LB: Stonework Repairs to Archway at West Gate of Works Yard A, Durham Cathedral The College Durham DH1 3EH: noted.

DM/19/00187/FPA: Construction of two-storey extension to west elevation of dwelling, raising of part of roof, re-cladding of existing building in render/timber cladding, new entrance gates and bollard lighting, construction of summer house in garden area and associated tree works, Quarryside Back Western Hill Durham DH1 4RG: **deferred** to next meeting. Cllr Cornwell will have draft response drafted for that meeting having investigate further.

DM/19/00195/FPA: Change of use from a dwelling (Use Class C3) to a 5- bedroom HMO (Use Class C4), The White House Newcastle Road Crossgate Moor Durham DH1 4HZ: noted.

DM/19/00201/TCA: Various tree works to 11 trees as identified in application form, Durham City Rugby Club Green Lane Durham DH1 3JU: Cllr Brown expressed dissatisfaction that the application has already been approved even though the deadline for comments is yet to be reached. Cllr Cornwell will write to the County Council to point this out and that any work on the trees must stop immediately.

DM/19/00222/TPO: Proposed felling of 8no. trees, 3 Flassburn Road Durham DH1 4LX: noted.

8. Pre-Submission Draft of the County Durham Plan

The Committee considered how best to facilitate the discussion at the extraordinary Parish Council meeting on 4 February 2019. Essentially, the meeting is to hear from various groups and Councillors and identify the particular issues for preparation of a draft Parish Council submission. Copies of the Parish Council's comments at Preferred Options stage can form the basis of a draft submission but re-organised so as to be in the format set by the four tests of 'Soundness'.

9. Planning Committee protocols: deferred in the absence of the Clerk.

10. Dates of future meetings

15 February 2019 - 14.00 to 16.00 hrs - Alington House room 2

1 March 2019 - 14.00 to 16.00 hrs - Alington House room 2

Due to the confidential nature of the following items, in accordance with Section 100(A)(4) of the Local Government Act 1972, the member of the public was excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the LGA 1972 Act and section 1(2) of the Public Bodies (Admission to Meetings) Act 1960.

11. To consider developments regarding the proposed new County HQ on the Sands

See separate confidential report.

There being no further business the meeting closed at 4.15 pm.

Signed,

Roger Cornwell
Chair of Planning Committee.

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Environment Committee held on Tuesday 15th January 2019 at 17:30 in Room 1, Alington House, 4 North Bailey, Durham, DH1 3ET

Present:

Councillors V Ashfield (Chair), E Ashby, S Cahill, J Elmer, M Ross, J Atkinson and R Ormerod.

Also present: Parish Clerk A Shanley and Dave Wafer, Strategic Traffic Manager at DCC.

1. WELCOME AND RECEIPT FOR APOLOGIES OF ABSENCE

The Chair welcomed all attendees.

No apologies were received from Members

2. PRESENTATION FROM DAVE WAFER, STRATEGIC TRAFFIC MANAGER AT DCC

The Chair welcomed Mr Wafer and thanked him for attending the Environment Committee meeting. Mr Wafer began his presentation by illustrating the information relating to Air Quality in Durham on the Durham County Council website. Mr Wafer advised that a key priority for the County Council is to improve the Air Quality of the County and indeed new legislation from Central Government had been introduced recently to task local authorities to do this. Mr Wafer advised that the website illustrates areas of good air quality in green and areas of some concern in red. The areas which were measured were built up areas where people lived and worked.

Mr Wafer advised that though there were more vehicles on the roads, the data showed that air quality was improving as cars became more energy efficient.

A question was raised about the County's strategy on electronic vehicles and Mr Wafer advised that there were no quotas in place as to how many EV charging parking spaces the County Council had to have in place. He did advise that technology had moved so rapidly in this area that the EV charging points put in place a few years ago were already outdated.

Cllr V Ashfield asked what the situation was like for Market Place and Millennium Place as far as electric charging was concerned. Mr Wafer advised that Market Place already had electronic charging points. The issue was then raised that in market place the local ice cream van man and the health bus both operate from a diesel-run vehicle which wasn't required with the charging point available. Cllr V Ashfield advised that those using a diesel-run vehicle or generator should be encouraged or incentivised to use the electronic charging point.

Cllr J Elmer asked whether or not there was data on how effective the scheme SCOOT (Split Cycle Offset Optimisation Technique) has been for Durham. Mr Wafer advised that he would seek the data from his colleagues and, if available, he would circulate this to Councillors via the Clerk.

Mr Wafer advised that his team took an Area-based approach to improve walking and cycling capacity for Durham residents, with the aim of taking vehicular traffic out of the City Centre wherever possible.

Mr Wafer provided the Committee with a list of ongoing works which his team were currently working on. These included things such as recent Traffic Management Changes, such as changes to the Leazes Bowl roundabout, the Gilesgate roundabout, the installation of Pelwa Woods Cycle path, the refurbishment of Neville's Cross signals, Station Cycle Links, improvements to New Elvet bus stops, NCN14 Riverbanks, pedestrian improvements, work on Elvet Bridge, an upgrade to pay and display, introducing more hostile vehicle measures and the first stage of installing variable Carpark signs.

Mr Wafer also advised that his team were also working on some current and immediate proposals such as: improvements to the station underpass, which will take place next month, alterations to Dragonville link road, NCN improvements, the introduction of an additional park and ride site; supported by an ERDF funding application, the installation of New Inn traffic lights and footpath improvements to the City, improvements to the bus station and adding more relief roads to Durham.

Mr Wafer also advised that bollards had been installed in the City Centre for events as part of the Government's Counter-Terrorism strategy when big events such as Remembrance Day and Durham Lumiere were taking place. Cllr E Ashby asked whether or not Central Government funded this. Mr Wafer advised that the County Council had to pay for this.

The following questions (as submitted by residents) and answers followed Mr Wafer's presentation:

- **Given that the 'Domesticating the A167' project is based on local residents' unhappiness with the current speed limits and general traffic situation in the Neville's Cross area, hence the Working Party to address this issue:
Could Dave W talk to us about the most helpful way for the WP to engage with (which?) County Council officers about the elements of the project - e.g. any legislative constraints on signage, location and types of crossing facilities, road markings, the expense of flashing speed signs etc. Is there one team we should liaise with and if not, what is the most efficient way of progressing the project in conjunction with the various teams in Highways?
Would the County Council have problems with the entire project?**

Mr Wafer advised that the best person to speak to about this would be an Officer at DCC called Danny Harland.

The Committee expressed that they felt that more traffic calming measures should be in place and questioned why the speed limit had not been reduced to 30mph.

Mr Wafer advised that he felt the domesticating of the A167 was a worthwhile project.

- **There are rumours that the County Council already has plans for changing the pattern of lanes around Neville's Cross traffic lights and on over the railway bridge. Is this true?**

Mr Wafer advised that DCC had explored the potential benefits of carrying out such action had decided against doing this so no plans to do this now.

- **Are there any plans to address traffic issues around NX by the development of another Park and Ride facility on the A690, around the Stonebridge area? Also, for this and or other P&R sites is there any possibility of adjusting their hours of operation to service those who work later, e.g. on shift work, in the City?**

Mr Wafer advised that there were works to do this and these were ongoing. He would update the Committee through the Clerk as and where there were any updates.

- **Is it correct that one of the NX over bridges is due to be removed? Is there any potential for investigating more short stay parking in the area of the footbridge that has the Battle of Neville's Cross information boards? The PC hopes to bring forward a project to increase public awareness of this nationally important heritage site.**

Mr Wafer confirmed that there were no plans to remove this. There are no plans to increase car parking nearby.

- **Are there Highways reasons why the art work on the railway bridge at NX remains unfinished? Might it be possible to make traffic arrangements e.g. on a Sunday, to enable a community project to complete the bridge artwork?**

Mr Wafer was open to the idea of some painting happening there and was happy for the Parish Council to look into doing this but DCC would need to be informed. Mr Wafer advised that the utility to the bridge was damaged and DCC are looking to repair this next month.

- **Residents on Gilesgate Bank frequently complain about heavy traffic on the hill, causing air pollution, sound problems and movement to the houses. What can be done to minimise HGVs on this road and encourage them to use the A690?**

Cllr V Ashfield advised that she frequently receives complaints about this matter. Mr Wafer advised that there were repair works carried out on the road recently. Cllr V Ashfield requested that a "not advisable.." sign be erected in the area to deter large vehicles. Mr Wafer advised that such a sign already existed in this location and he would look to have an inspector check this out in the area.

Cllr M Ross asked whether a letter could be sent out to local businesses to advise them to avoid driving large HGVs in the area. Mr Wafer advised that he would firstly look to have an inspector come and look at the area and ascertain if there were significant problems with this.

- **What is the situation with the plans for Church Street?**

Mr Wafer advised that DCC were looking to carry out some modelling to improve the lights for pedestrians, but the designs were still in draft form.

Mr Wafer advised that one resolution to the issues for pedestrians may be to put a footpath through the Cemetery. Cllr V Ashfield advised that she felt the Vicar would be receptive to this idea and this may be a solution.

Cllr J Elmer asked if the University had contributed financially to this. Mr Wafer advised that they are doing.

Cllr E Ashby asked that an A5 pamphlet be created and sent to any students from abroad who are perhaps not used to the British transport system to ensure safety on roads. Mr Wafer advised that he felt that this should come from the University not from DCC.

Mr Wafer reminded everyone that there is an ongoing consultation on the Durham Local Plan. The next event taking place in our Parish would be Wednesday 13th February in the Town Hall.

Mr Wafer finished his presentation and the Chair thanked Mr Wafer for attending the meeting.

3. DECLERATIONS OF INTEREST

Cllr R Ormerod declared an interest in all matters relation to discussion about the A167 due to him living in close proximity to the road.

4. MINUTES OF THE LAST TWO MEETING

The Minutes of the previous meetings held on the 29th November 2018 were accepted as a true and accurate record.

The Minutes of the previous meetings held on the 13th December 2018 were accepted as a true and accurate record, subject to the word "reluctantly" being added to Item 7 relating to VA and EA agreeing to take the snow clearance forward as part of a working group.

5. PUBLIC PARTICIPATION

No members of the public were present and therefore there were no participations from the public.

6. ENVIRONMENT COMMITTEE PRIORITIES

- (i) Clean & Green – Cllr V Ashfield asked for an update on the business frontages project. Cllr J Atkinson reported that she would like a steer on what to do with this. Cllr J Elmer offered to work with Cllr J Atkinson on this project. Cllr J Elmer felt that there was an officer at DCC who may be able to assist with this.
Traffic / Air condition – The Chair felt that this was covered in Mr Wafer's presentation.
Snow clearance Grass cutting – The Chair advised that this ought to be left to the working group to discuss and to report back to Committee/ Full Council
- (i) Young people – Cllr V Ashfield and Cllr M Ross agreed to organise dates for meetings which could be held at local schools.
Cllr V Ashfield also asked about what was happening in respect of the skatepark. Cllr J Elmer advised that this had come by way of a young residents' request to Cllr L Brown to see if the Council could take a lead on getting a skatepark constructed. Cllr S Cahill offered to liaise with Cllr L Brown on this.
- (ii) A167 – Cllr E Ashby advised that a working group had yet to be setting up to look into this.

- (iii) Heritage signing – At present, nothing much happening with this with other priorities taking up a lot of time.

7. UPDATE ON ENVIRONMENT COMMITTEE BUDGET FOLLOWING FINANCE COMMITTEE MEETING OF 11TH JANUARY 2019.

Cllr V Ashfield and the Clerk provided a verbal update on the meeting of the 11th January where the indicative spend for 2019/20 was agreed by the Finance Committee.

Cllr V Ashfield advised that the budget for schools meetings had been moved to the Full Council budget, where the amount was already included. Cllr V Ashfield also advised that the £5,000 allocated to the University Theatre project had been removed and £2,000 had been added to priority 2B (item 4) - SU assistance on snow clearance and £3,500 to the A167 project

The Clerk reported that the budget for a potential event for Armed Forces Day had been moved to the Full Council budget.

The Clerk reminded Members that there is still £10,000 of this financial year's budget towards projects relating to identified priorities for the Environment Committee.

- At this point, Cllr J Atkinson left the meeting.

8. POCKET PARKS PLUS: SUPPORTING PARKS AND PUBLIC SPACES

Councillors were originally going to consider whether or not to make an application for such a park. However, it was agreed that with the application deadline being 25th January, that timescales were too tight to get this done. The Chair advised that she would like this to be considered next year if the scheme were still available.

9. AOB

No other business raised from Members.

10. DATES OF FUTURE MEETINGS.

The Chair advised that the next meetings of the Environment Committee would take place on the 12th February 2019 – 17:30 to 19:30 hrs and the 5th March 2019 - 17:30 to 19:30 hrs

There being no further business, the Chair thanked Members for their attendance and closed the meeting.

Signed

Chair City of Durham Parish Council Environment Committee

CITY OF DURHAM PARISH COUNCIL

DRAFT Minutes of a meeting of the Finance Committee held on Friday 11th January at 16:00 in Room 2, Alington House, 4 North Bailey, Durham, DH1 3ET

Present:

Councillors J Ashby, E Ashby, V Ashfield, E Scott & A Doig (Chair)

Also present: Parish Clerk A Shanley, Councillors R Cornwell and L Brown and Clare Garnham from OASES North East.

1. WELCOME AND RECEIPT FOR APOLOGIES OF ABSENCE

The Chair welcomed all attendees.

Apologies were received from Cllr R Ormerod and the committee wished to note their condolences to Cllr Ormerod following the passing of his mother.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

No declarations of interest were received from Members.

3. TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 7TH DECEMBER 2018.

The Minutes were unanimously agreed as a true and accurate record of proceedings and the Chair signed the Minutes.

4. PUBLIC PARTICIPATION.

At this point in the meeting, the Chair welcomed Clare Garnham, Manager at OASES North East, who are specialists in outdoor and sustainability education. Ms Garnham began her presentation by giving a brief overview of the work of OASES. Clare advised that the vision for the project has come out of a recognition of the lack of edibles in public spaces and highlighted to the Committee the fact that Durham was awarded Gold and category winner in the RHS Britain in Bloom Awards 2018.

Ms Garnham advised that OASES were therefore looking to introduce edible plants growing in containers in Durham city centre and at school entrances, planted by children and young people as part of the Schools in Bloom project.

Ms Garnham advised that OASES have been working with Clean and Green and Civic Pride to put in a funding proposal to Durham AAP for the project 'Schools in Bloom'. The project looks to engage children and young people with urban horticulture, healthy eating and the RHS Britain in Bloom Campaign 2019. MS Garnham advised that OASES had pitched their proposals to the Durham AAP Children and Young People Task group who liked the project. However, they have asked OASES to secure some match funding before they will reconsider the proposal.

To date, Ms Garnham advised that OASES had received the go-ahead for 3 of the planters to go on Elvet Bridge and 3 on Framwellgate Bridge, all 6 of which will be planted by local school children. The containers would be kept available for 6 more schools to plant in following years. As such, OASIS is looking to involve 6 schools this year. All schools within Durham city AAP have been contacted and Ms Garnham advised that St Leonard's, Durham Johnson, Durham Trinity, Sherburn Primary,

Belmont C of E Primary and Neville's Cross Primary have all expressed an interest in taking part in the project and have each agreed to contribute £50 to the project. Ms Garnham also advised that the group had been offered march funding from a local Councillor. Ms Garnham did advise that, since the deadline for expressions of interest, Ludworth Primary had also come forward to state that they are looking to take part and therefore OASES are currently seeking additional funding to include them as a 7th school. Ms Garnham asked if this may be a project the Parish Council could support as the project was due to be delivered by OASES Project officers between April and July 2019.

Cllr E Scott asked whether or not the project was currently fully funded. Ms Garnham advised that to date the group had received offers of funding totalling £9,061.12.

Cllr V Ashfield advised that she felt that the project met a number of the Environment Committee's priorities.

Cllr L Brown asked which AAP OASES had applied to as, if this were Durham-wide, it may be the case that OASES could apply for funding from more than just one AAP. Ms Garnham advised that the current schools on the project were all within the Central Durham AAP area.

Cllr E Scott advised that the schools currently participating in the project were all based in the centre of Durham and that, as a Parish Council also covering areas such as Gilesgate and Neville's Cross, the Parish Council were keen to show that they weren't just Durham City-centric. Cllr E Scott advised that neither she nor Cllr L Brown had been approached for funding as Neville's Cross County Councillors for this project.

Cllr E Ashby asked whether or not OASES had approached Laurel Avenue Primary school to see if they wished to participate in this project. Ms Garnham advised that the school had indeed been approached and, though they did like the idea, they were currently working on another similar project.

Ms Garnham also asked if the Parish Council were aware of the ongoing consultation from DCC entitled "Creating a vision for County Durham's future". In particular, Ms Garnham wished to express her concern that the consultation document for 2019 sets out suggested ambitions which do not include Environment. It was noted by Members of the Committee that, upon the time of being asked by DCC to participate in the consultation events, a number of these had already occurred at the time of correspondence received.

5. TO ASSESS THE DRAFT BUDGET PROPOSALS FROM COUNCIL COMMITTEES FOR THE 2019/2020 BUDGET AND THE IMPLICATIONS ON MONIES FOR 2019/2020. The Committees we have are Full Council, Environment, Finance, Licensing, Personnel and Planning.

Councillors considered the indicative spending proposals for both 2018/19 and 2019/20 and it was agreed that the budget proposals for the remainder of 2018/19 be accepted. As far as indicative spending proposals for the financial year of 2019/20. The Clerk advised that, given the current estimated spend to date together with salary costs and current spending proposals for 2018/19, the hand over figure for the new financial year would be approximately £89,000. The Clerk noted that this

would likely change on the basis that some committees may not spend what they've proposed for this current financial year.

On the indicative spending commitments for 2019/20, all budgets were agreed to be put forward for recommendation to the Full Council to debate on 24th January, subject to the following amends:

On Environment Committee spending, it was agreed that a) the budget for schools meetings be moved to Full Council budget, which already included this amount, b) that the £5,000 allocated to University Theatre project be removed, c) that £2,000 be added to priority 2B (item 4) - SU assistance on snow clearance, d) that £3,500 be added to priority 3: A167 traffic calming and e) that the budget for Armed Forces Day be moved to the Full Council budget.

On the Full Council budget, it was agreed that a) the budget for the Armed Forces Day event be altered from £5,000 to £3,000, b) that £500 be added towards tea and coffee hospitality, c) that the proposed £5,000 towards any potential by-election be removed and this is to be taken from the existing contingencies budget and d) that the provision of small grants budget be increased from £10,000 to £15,000.

Given the length of the debate regarding the indicative spend for 2019/20, the meeting overran the two-hour cut-off and at this point the Chair requested that the Committee suspend standing orders to continue the meeting past this time. The Committee agreed unanimously with this.

6. TO DISCUSS AND PROPOSE A PRECEPT RECOMMENDATION FOR FULL COUNCIL ON THURSDAY 24TH

Members agreed that they felt that the council tax property charge ought to be kept at 2018/19 level of £150,000 which would mean that, on the basis of the 2019/2020 Council tax base provided by the County Council which shows an increase of chargeable properties, the precept for 2019/20 would therefore be £152,124.

7. DATES OF FUTURE MEETINGS.

The Finance committee will meet monthly and the date for the next Finance meeting will be confirmed in writing to Councillors.

Signed

Chair City of Durham Finance Committee

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Licensing Committee held on Tuesday 8th January 2019 at 16:00 in Room 2, Alington House, 4 North Bailey, Durham, DH1 3ET

Present: Cllrs L Brown, E Ashby and R Cornwell

Also present A Shanley

Cllr L Brown in the Chair

1. APOLOGIES FOR ABSENCE

Apologies were received from Cllrs D Freeman and S Cahill

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

Cllr L Brown declared an interest in both Lebaneat applications

3. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 7th DECEMBER 2018

The Minutes of the meeting held on 7th December were agreed unanimously as a true and accurate record of proceedings.

Matters arising: the Chair reported that, following the last meeting of the Licensing Committee where an objection was agreed in relation to the Bar 33 licensing variation application, the objection had been withdrawn as agreed in writing amongst Licensing Committee Members. This followed the Chair attending a meeting with the applicant and being satisfied that he had sufficiently addressed Committee concerns around extended operating hours on a Sunday presenting a public nuisance.

4. PUBLIC PARTICIPATION

No members of the public were present for the meeting; however, Cllr R Cornwell did report that he had been advised by a resident that the Bar 33 licensing variation application would be going before the County Council Licensing Committee for a decision following a complaint from a nearby resident.

5. TO DISCUSS THE FOLLOWING LICENSING APPLICATIONS (FOLLOWING PAGE).

Lebaneat Wrap House – application to review a premises license (submitted by Durham Constabulary).

Cllr L Brown requested that Cllr E Ashby chair this item as Vice Chair of the Committee, given her declared interest in relation to this application.

It was **agreed** that this application should be noted and no representations be made on this application as the police were best placed to make the necessary representations on this application and the Committee could add nothing further.

Lebaneat (47 North Bailey) – application to review a premises license (submitted by Durham Constabulary).

Cllr L Brown requested that Cllr E Ashby also chair this item as Vice Chair of the Committee, given her declared interest in relation to this application.

It was **agreed** that this application should be noted and no representations be made on this application as the police were best placed to make the necessary representations on this application and the Committee could add nothing further.

Drinks Delivered Twenty-Four Seven Ltd – New premises licence application

While recognising that the base for this business is outside the C of D Parish area the Committee considered this application for sale of alcohol (off the premises) 24 hours daily because of its potential market among the very large number of University students only a short drive away from Sacriston. Hundreds of young people living in large blocks of accommodation mean one late night/early morning delivery journey could service many customers but also cause nuisance to many others, as well as disturbing local residents.

There was also concern expressed regarding the potential sale of alcohol to under-18s and the need for the applicant to ensure that ID checks are carried out at each point of sale and delivery to establish the age of each customer. Members were concerned that it would be difficult to ensure that alcohol received on the doorstep by a person over 18 years of age was not being purchased on behalf of others under 18 inside the property.

There was also concern expressed in relation to the potential of this becoming a public nuisance should alcohol be delivered at unsociable hours and the noise which would ensue on the doorstep will create for nearby residents.

The Committee was also keen that the application should be conditioned with alcohol having to be transported in a four-wheel motorised vehicle as opposed to from a bike in the same way which Deliveroo operates. Police advice should be taken as to the need for recording equipment e.g. body cams and 2-person delivery teams for personal safety and stock security.

It was agreed that an objection to this application should be made on the grounds that this represented a potential risk to children and may also result in a public nuisance.

The Committee were keen to stipulate that they would be making no comment on the (on the premises) sale of alcohol as the business operated outside of the Parish area.

Meat n Meze Ltd – New premises license application

The Committee considered this application for the (on the premises) sale of alcohol between 11am-11pm at this restaurant.

The Committee agreed that no objection should be made in relation to the sale of alcohol on the premises.

The Committee did however wish to condition the application by requesting that there be no movement of bins after 10pm. In particular there was concern expressed about the potential of glass bottles being tipped into litter bins on or after 11pm.

It was also agreed that the application should be conditioned with a request that no bins be placed on to Claypath by the restaurant to avoid a public nuisance.

The Chair also asked the Clerk to investigate where the rubbish bins would be situated for this restaurant.

6. TO AGREE PROPOSED BUDGET TO GO TO FINANCE COMMITTEE MEETING OF 11TH JANUARY

Cllr L Brown reported that she had requested that the sum of £1,000 be allocated for the licensing committee for the financial year 2019/20. This would be used in case the Committee ever needed to seek independent expert legal/licensing advice on a particular application. Cllr L Brown reported that this would be highly unlikely but it was worth having this fund just in case. Cllr Brown advised that this would roll into the next financial year if unspent and would not be a recurring request.

Cllr L Brown thanked Members for their attendance and closed the meeting at 17:03pm

Signed

Chair of City of Durham Licensing Committee

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Licensing Committee held on Tuesday 8th February 2019 at 14:00 in Room 2, Alington House, 4 North Bailey, Durham, DH1 3ET

Present:

Councillors L Brown, D Freeman and R Cornwell

Also present A Shanley

Cllr L Brown in the Chair

1. APOLOGIES FOR ABSENCE

Apologies were received from Cllrs E Ashby and S Cahill. The Clerk also noted that he had received correspondence from Cllr S Cahill to request that he be taken off the Licensing Committee. Cllr L Brown advised that she had asked Cllr A Doig if he would be willing to take up a place on the Committee.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received.

3. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 7th DECEMBER 2018

The Minutes of the meeting held on 8th January were agreed unanimously as a true and accurate record of proceedings.

4. PUBLIC PARTICIPATION

No members of the public were present for the meeting and therefore no public representations were received.

5. UPDATE ON SACRISTON STORES APPLICATION HEARING

Cllr R Cornwell advised that he, Cllr E Ashby and Cllr L Brown had attended the recent hearing into the Sacriston Stores application for off premises sale of alcohol 24/7. The Committee had been notified prior to the hearing that the applicant had amended the application to reduce the delivery times to up to 11pm. As a result of this amends, the Parish Council withdrew their objection on the grounds of this potentially representing a public nuisance to nearby residents.

Cllr R Cornwell also advised that, prior to the hearing, the applicant had also withdrawn completely the application to deliver alcohol to residents and therefore the application consisted of having an off-licence only with on premises sale of alcohol. Given this latter amendment to the application, the Parish Council also decided to withdraw their objection on the grounds of this potentially representing a harm to children.

The amended application for an off-license with on premises alcohol sale only was granted.

6. UPDATE ON LEBANEAT APPLICATION REVIEW HEARING.

Cllr L Brown reported that she had attended the Lebaneat application review hearing. After long consideration with representation made from the barrister acting on behalf of the premises' owner, Cllr L Brown advised that the licenses had been revoked. Cllr L Brown advise that this would take 28 days to come into effect, during which the owners have the right to appeal the decision to a Magistrates Court.

7. UPDATE ON THE FOLLOWING LICENSE VARIATION APPLICATIONS:

Lee Smurthwaite	Loft 17 North Road Durham DH1 4SH	Minor variation application To remove current conditions and replace with new proposed conditions	7 February 2019
Lee Smurthwaite	Studio 17 North Road Durham DH1 4SH	Minor variation application To remove current conditions and replace with new proposed conditions	7 February 2019

Cllr R Cornwell advised that he, Cllr E Ashby and Cllr E Brown had examined the applications at Annand House and were content with the outcome of the variations. These were made following representations made last year. No further objections to either application.

8. DCC STATEMENT OF LICENSING POLICY – CONSULTATION 2019

The Clerk advised that the Committee that the Licensing Act 2003: Statement of Licensing Policy produced by Durham County Council runs from 2014 to 2019 and needs to be reviewed every five years. This expires in October 2019. This matter was the subject of a DCC cabinet report on 16th January. There will be a twelve-week consultation on the revised Statement and the Clerk advised that CDALC were going to keep Parish Councils updated on the details of the consultation.

In referring to the consultation, all Members of the Committee felt that it would be helpful if the County Council had a public Licensing portal, similar to how their planning portal functions to allow for ease of access and further transparency.

Furthermore, Cllr R Cornwell advised that he had looked over the report to Cabinet and felt that para. 3.3 ought to be amended to ensure that planning and licensing applications should align and not contradict one another.

Re: para 6.8, Cllr R Cornwell also observed that the reference to "minimum unit price" on alcohol ought to be defined in the Statement to avoid any potential loopholes if ever challenged.

Cllr R Cornwell advised that the Statement also referred to a "late night levy", Durham County Council currently not operating such a levy as this would need to apply to the

whole County and not specific areas with a high density of premises serving alcohol until 2am. Cllr D Freeman advised that the Parish Council may wish to specify that they would like the County Council to consider introducing a late night levy on Town Centre premises only.

The Committee also expressed a preference for a cut off of operating hours on premises serving alcohol at 2am rather than 4am.

The Clerk advised that he would keep the Parish Council informed of more details of the consultation and any response would need to be first drafted by the Parish Council Licensing Committee then agreed by Full Council.

Cllr L Brown thanked Members for their attendance and closed the meeting at 14:35pm

Signed

Chair of City of Durham Licensing Committee

ITEM 10: RESPONSE TO PRE-SUBMISSION DRAFT OF THE COUNTY DURHAM LOCAL PLAN

COMMENTS RECOMMENDED BY THE PARISH PLANNING COMMITTEE ON THE PRE-SUBMISSION DRAFT COUNTY DURHAM LOCAL PLAN

(Note: the submissions will have to be made in accordance with the pro-forma setting out whether the policy is considered sound or unsound, and why; and, if considered unsound, what needs to be changed to make it sound)

<p>PROPOSED RESPONSE TO THE PRE-SUBMISSION POLICY</p>
<p>Paragraph 1.1 The City of Durham Parish Council welcomes the release of the Pre-Submission Draft County Durham Plan in marking a major step towards having an approved statutory development plan for County Durham. We believe that is essential to have the right development plan in place as soon as possible in order to provide positive guidance for balanced and sustainable development throughout County Durham. Durham City has particular pressures and issues which the Durham City Neighbourhood Plan will address within the broad principles of the County Durham Local Plan. The City of Durham Parish Council recognises that the County Council has put forward a <u>realistically</u> ambitious County Durham Local Plan with many policies that can be given support, sometimes qualified.</p>
<p>Paragraph 1.10 We register our concern that although responses at this Pre-Submission stage have to be on 'Soundness' and should set out in what way we either agree or disagree with the policy being positively prepared, justified, effective, and consistent with national policy, there is not a single mention of this in the Pre-Submission Plan document. Furthermore, the confusion continues as to whether this is a <u>Pre-Submission</u> document or the Council's subsequent <u>Submission</u> document: the front cover calls it the 'Pre-Submission Draft 2019'; Figure 1 on page 7 identifies this as the current stage and the subsequent stage as being the 'Submission Local Plan June 2019; but paragraphs 1.10 and 1.15 on page 8 invite people to comment right now on the 'Submission Draft'. This term is repeated in the document, for example Table 6 on page 49. People opting to email their comments or write to FREEPOST SPATIAL POLICY will have no idea that their comments must address 'Soundness'. Nor will they know that they must state if they wish to attend the Examination in Public. These failures adequately to signpost the legally constrained nature of the 'consultation' call in to question whether the Plan can be said to have been positively prepared, justified, or consistent with National Policy regarding consultation.</p>
<p>Missing Policy: The first Policy in Preferred Options on General Development Principles should be re-instated as setting the overall tone of the Plan and was welcomed by many respondents. This is addressed under Policy 30.</p>
<p>Policy 1 Quantity of New Development The Government has consulted on setting aside the latest 2016-based projections because they do not sum to the target of 300,000 homes per year. Instead, the proposal is that LPAs should revert to the lower 2014-based projections for the time being. This represents unhelpful uncertainty as to what figure complies with the NPPF and Guidance requirements to use the official, latest, most up-to-date projections as being the most robust and transparent basis for Objectively Assessed Housing Need.</p>

Compliance with the NPPF/Guidance (a requirement for meeting Basic Conditions) using the 2016-based projections produces the figure of 1,032 per annum as the Local Housing Need (para 4.14 of the Pre-Submission Plan), but compliance with the Government's proposal of using the 2014-based projections increases the LHN to 1,287 per annum. In the event, the Pre-Submission Plan opts to reflect recent completion rates and adopts a figure of 1,308 per annum (para 4.16). Taking into account commitments, windfalls etc, the net new allocations are calculated as needing to be at least 5,323 houses. If the NPPF/Guidance approach were to be used the net new allocations would be only 79 houses.

The Parish Council recognises the current uncertainties in this matter and for the time being acknowledges the figure of 1,308 per annum as a reasonable working figure, whilst expecting that it may prove to be on the high side.

The Parish Council welcomes the realistic ambition now adopted as compared with the Withdrawn Plan. On this basis, the key issue is now not the overall County quantum of new housing development sites; it is location and types of houses that are the key issues.

The Parish Council has no issue with the housing need figure provided by the County Council for the Parish Council's Neighbourhood Plan.

On the particular matter of conversion of HMOs back to family homes, the situation in Durham City is particularly unpredictable now that so much capacity in PBSAs has been created. These are essentially investment vehicles and will need to respond to the market if they are not to stand part-empty. In turn, the companies with substantial holdings in HMO properties in Durham City will respond - several examples of 'upgrading' to better standards of accommodation have occurred recently. In these uncertain circumstances, it is to be expected that some landlords will vacate this market - it is a fact that the Parish Council has considered and commended recent planning applications for changes of use from C4 back to C3. Thus, the County Council's assertion that "*The council has no evidence of HMOs being converted into family homes*" is mistaken.

Policy 2 - Employment Land

The City of Durham Parish Council supports Policy 2 but will also in the Neighbourhood Plan support employment sites at Mountjoy, Blagdon Depot, Providence Row and Fowlers' Yard. The Parish Council welcomes the recognition in Table 4 (page 37) of the Durham Science Park at Mountjoy as a Protected Employment Site but considers that this deserves some supporting text explaining its protection and special purpose.

Policy 3 - Aykley Heads

The City of Durham Parish Council supports the proposed range of ancillary uses at Aykley Heads, with which Draft Neighbourhood Plan Policy E1 is consistent. The Parish Council also supports the strong green infrastructure and new public park proposed in Policy 3.

The Parish Council considers that provision should be made not only for 'footloose' employment projects but also for 'home-grown' new and expanding businesses, and therefore welcomes the provision for this in Paragraph 4.53.

The Parish Council further welcomes the absence of previous development proposals in the Green Belt plateau area of Aykley Heads. However, it notes that the proposed boundary of the Aykley Heads Strategic Employment Site provides

for an estimated 4,000 jobs (Paragraph 4.55). It is therefore concerned that the very prominent advertising hoardings at the entrance to Aykley Heads proclaim 6,000 jobs. That number could only be achieved by very significantly extending the strategic employment site into the Green Belt. The Pre-Submission Plan does not make such a proposal, but it is foreshadowed in Paragraph 4.59. The County Council needs to be aware that there would be fundamental objections to attempts to do so.

There is also concern in relation to footnote 19 on page 44. This states that "*There are currently 2,700 people working on Aykley Heads, the vast majority at the Police HQ and Durham County Council. Those associated with Durham County Council will be relocated elsewhere within the City.*" The Parish Council is very conscious of the County Council's proposal to relocate its present County Hall staff on a 'hub-and-spoke' principle which is the Council's distributed administration model with major business premises at strategic sites in Crook, Seaham, Spennymoor, Meadowfield and headquarters staff in Durham City. This involves "*facilitating the downsizing of the HQ and the relocation of approximately 850 employees to strategic sites*" (Cabinet Report 17 January 2018). Accordingly, footnote 19 is incorrect. This is important; the traffic, parking, air pollution and other problems associated with attempting to relocate 50% of the staff into Durham City centre are serious; trying to relocate all of them is beyond conceivable.

Policy 4 - Housing Allocations

Whilst Policy 4 is site-specific allocations, these are predicated on the overall chosen spatial strategy for the distribution of housing (pages 48 and 49). Durham City is chosen to have 14% of the total growth in the number of new homes. The particular percentage chosen (14%) is by definition arbitrary. In the Withdrawn Plan the 5,200 new dwellings allocated to Durham City amounted to an undeclared 16% of the County target of 32,500. Upon examination, this was admitted by the County Council as not being a strategic percentage nor a calculated quantity for achieving 'critical mass'. Instead, after allowing for the 1,200 new dwellings deliverable on sites within the urban area of Durham City, the remaining 4,000 new dwellings were simply the capacity of land in the Green Belt that the County Council identified as being at the time acceptable releases from the Green Belt.

In the current Plan some of those "releases" have been dropped, and this is welcome. But the County Council is apparently changing the argument and is now stating that a percentage allocation is a strategic calculation. The Parish Council disagrees; there is no exact percentage that must be adhered to regardless of physical facts and NPPF and Planning Practice Guidance principles. Specifically, the Government in October 2018 issued a 'Technical consultation on updates to national planning policy and guidance' (closed 7 December 2018) which says at the end of Paragraph 15: "***Local authorities may also not be able to meet their identified housing need in full, for example because of land constraints (such as Green Belt) in their area and it may be that need is better met elsewhere.***" The Inspectorate and the Courts have established that a shortfall in meeting Objectively Assessed Need is not a justification for development in the Green Belt. The Parish Council agrees and is opposed to incursions into the Green Belt, a significant area of which lies in the Parish. It further considers that the quantity of new dwellings to be allocated to Durham City should be determined by the environmental limits set by its physical form and should primarily be aimed at meeting the housing needs of the City's population such as affordable housing, families with children, older people, single persons, students, and people with disabilities.

The Pre-Submission Draft Plan is looking for sites for 5,323 new houses to meet the housing needs of County Durham. It is proposing that 2,260 of these new houses should be in Durham City. That is putting 42% of all the County's new houses into Durham City. This is massively out of balance with a fair shares approach, and is grossly over-loading Durham City.

The City of Durham Parish Council notes that the only proposed housing allocation within the Neighbourhood Plan areas is Site H4 - Former Skid Pan, Aykley Heads. The Parish Council does not support this proposal because the site is in the Green Belt and it is considered that open recreational uses should be proposed instead.

Policy 5: Durham City's Sustainable Urban Extensions

Whilst the proposed urban extension at Sniperley for 1,700 new dwellings is not within the Parish Council area, it is immediately adjacent and will generate significant additional vehicular traffic flows within the Parish area and thereby have a major adverse impact. The Council is unconvinced that traffic data demonstrates how the proposed infrastructure works would deal satisfactorily with the impact of Sniperley upon our Parish.

The Parish Council makes further comments on Green Belt policies under Policies 20 and 21.

Policy 6 - Development on Unallocated Sites in the Built Up Area

The City of Durham Parish Council supports Policy 6.

Policies 7 - Visitor Attractions

The City of Durham Parish Council is pleased to see this policy for supporting the contribution Durham City makes to vitally important tourism economy of County Durham. The Neighbourhood Plan will include a complementary proposal for a Community Hub facility.

Policies 8 - Visitor Accommodation

The City of Durham Parish Council is pleased to see this policy for supporting the contribution Durham City makes to vitally important tourism economy of County Durham.

Policy 9 - Retail Hierarchy and Town Centre Development

The City of Durham Parish Council notes that the retail hierarchy identified classes Durham City centre as a sub-regional centre. The Parish Council agrees that this is its role and supports the requirement in Policy 9 for impact assessments where out-of-town retail development is proposed.

The floorspace size thresholds set for triggering an impact statement of out-of-centre retail developments should be re-considered with a view to lower figures in the light of the closures in Durham City centre, but the flexibility now included is necessary and welcome, other than the potential acceptance of hot-food takeaways as these have given rise to well-documented problems in Durham City centre.

The Parish Council has concerns as to the adequacy of approach as set out in paragraph 5.36. Essentially, it heralds the redevelopment of the Gates shopping centre and the development of the site of the former Government offices in Milburngate House. Unfortunately, most of the units in both schemes are not shops and, at the same time, the City centre has several empty shops in its main retailing frontages of Silver Street. A focussed and imaginative strategy is required rather than the somewhat complacent tone taken.

<p>Policies and practical steps are needed to better address the extremely negative effects of the 'night-time' economy in the centre of Durham City. In particular, policies on closing times and the integration of licensing and planning services should be pursued, and considerable caution needs to be exercised about the suitability and late opening times of hot-food takeaways.</p>
<p>Policy 10 - Development in the countryside</p>
<p>The City of Durham Parish Council boundary includes significant areas of countryside and Houghall Agricultural College, and the Council supports Policy 10.</p>
<p>Policy 11 - Rural Housing and Employment Exception Sites</p>
<p>The City of Durham Parish Council boundary includes significant areas of countryside and Houghall Agricultural College, and the Council supports Policy 11.</p>
<p>Policy 12 - Permanent Rural Workers' Dwellings</p>
<p>The City of Durham Parish Council boundary includes significant areas of countryside and Houghall Agricultural College, and the Council supports Policy 12.</p>
<p>Policy 13 - Equestrian Development</p>
<p>The City of Durham Parish Council boundary includes significant areas of countryside and Houghall Agricultural College, and the Council supports Policy 13.</p>
<p>Policy 14 - Best and Most Versatile Agricultural Land and Soil Resources</p>
<p>The City of Durham Parish Council boundary includes significant areas of countryside and Houghall Agricultural College, and the Council supports Policy 14.</p>
<p>Policy 15 - Addressing housing need</p>
<p>There is a crucial need for housing suitable for the elderly. About 87% of the extra households in County Durham between 2018 and 2035 are aged 75 years and over. Durham City has a higher proportion of elderly households in its long-term (i.e. non-student) population than the County Durham average, so this is a particularly important issue to the Parish Council.</p> <p>Yet Policy 15 requires only 10% of the 5,323 proposed new dwellings in County Durham, i.e. about 530, should be provided for the elderly. This is woefully inadequate. The Parish Council therefore urges that a much higher proportion of new housing should be for the elderly, that adaptations to the existing stock should be facilitated, and that land owned on behalf of the public by the County Council should be used with appropriate social and market housing providers to develop housing for the elderly.</p> <p>Policy 15 addresses the question of affordable housing by setting percentage requirements for affordable housing depending upon whether the development is in a highest, high, medium or low value area. For the City of Durham Parish Council area the requirement on a housing development scheme would be 20% to 25% to be affordable dwellings. The Parish Council wishes higher percentages but accepts the analysis and evidence used by the County Council. If development schemes within the Parish Council area are permitted to provide affordable housing off-site, we ask that the location of such off-site provision should still be within greater Durham City, whilst recognising the comments by the County Council in its response to representations at 'Preferred Options' stage.</p> <p>There is a particular issue here, namely the question of affordability in relation to Colleges and PBSAs; consideration should be given to a 20% to 25% affordability requirement being applied to new College and PBSA buildings.</p> <p>One of the absurdities in the opinion of the Parish Council is the repeated position of the Plan that County Durham is a single, self-contained housing market. We know that there are many different housing markets in County Durham, from</p>

"over-heated" to "failed". Durham City has long been a place where the market has pushed house prices into an unaffordable class in that student landlords have created a premium price for what was once typical industrial workers' housing. The Plan itself recognises this in paras 4.72 and 4.73 where it states that viability and market attractiveness vary significantly across the county with values fluctuating significantly across short distances. Ignoring this reality will produce unsustainable policies.

Policy 16 - Durham University development, Purpose Built Student Accommodation and Houses in Multiple Occupation

Policy 16 is very long and would benefit being split into a strategic policy for the University and a strategic policy for the six identified PBSAs and then a couple of non-strategic policies for development management criteria for PBSAs and for HMOs.

There is much that the University brings to the City, and the Parish Council welcomes those aspects that are positive.

But the County Council must also recognise and address the negative aspects. Paragraph 5.122 takes an uncritical view of the University's Growth Strategy and Masterplan. In particular, the apparent acceptance of an increase by 6,000 over ten years in the number of University students in Durham City represents a passive and untested conclusion that the City can cope. The Parish Council considers that, on present evidence, the City cannot cope; the term-time daily struggle with over-crowded pavements, cars parked all over grass verges, and whole areas blighted by rowdy parties, rubbish and rats. The Parish Council considers that there should therefore be a full assessment of the economic, environmental and social impacts of the proposed scale, pace and locations of the Masterplan's proposals.

The policies set out improved ways in controlling the creation of more houses in multiple occupation and do allocate six sites for new PBSAs. This is an especially welcome move by the University. However, the County Council and the University together should form and fund a partnership vehicle to return sets of houses presently in multiple occupation back to homes for long-term (i.e. non-student) residents.

The City of Durham Parish Council considers that Policy 16.1 on Durham University development is a significant and welcome new policy with many of the safeguards and criteria that the Draft Neighbourhood Plan contains.

With regard to proposals for Purpose Built Student Accommodation, the Parish Council considers that Policy 16.2 takes the Interim Policy of the County Council as included in 'Preferred Options' a worthwhile step further in the light of experience. In particular, allocating specific sites for PBSAs on the University's own estate is exactly the approach that has long been sought, though we have a concern about the consequences of the loss of the Elvet Hill car park.

Proposals for PBSAs other than on those sites will not be permitted under Policy 16.2 unless certain criteria are met. These criteria are brought across from the Interim Policy, and the Parish Council considers that a further test is necessary. Other than on the University's own estate, PBSAs have had a dominating and disruptive impact upon existing residential areas and communities. The Parish Council therefore proposes, in line with the approach for HMOs, that **in order to promote, create and maintain sustainable, inclusive and mixed**

communities, any development proposal for new, extensions to, or conversions to, Purpose Built Student Accommodation other than on the six allocated sites will not be permitted if more than 10% of the total number of residential units within 100 metres of the application site are already in use as HMOs or student accommodation exempt from council tax charges. Further, in order to mitigate any changes in market demand over the plan period, any such proposal should be required to demonstrate in its design and means of construction the potential for conversion to other type(s) of residential use.

With regard to Houses in Multiple Occupation, the City of Durham Parish Council considers that Policy 16.3 is also a worthwhile improvement on the Interim Policy as included in 'Preferred Options' but is dismayed that the Interim Policy's control of extensions to existing HMOs has been removed. This control is essential to be effective in resisting the increasing imbalance in communities - additional students add to the imbalance whether they are accommodated in a new HMO or an extension to an existing HMO. The phrase should be re-instated such that the first part of the policy states: "**In order to promote the creation of sustainable, inclusive and mixed communities and maintain an appropriate housing mix, applications for new build Houses in Multiple Occupation (both C4 and sui generis), extensions that result in additional bed-spaces, and changes of use from any use to:**

- **a Class C4 (House in Multiple Occupation), where planning permission is required; or**
- **a House in Multiple Occupation in a sui generis use (more than six people sharing)**

will not be permitted if more than 10% of the total number of properties within 100 metres of the application site are already in use as HMOs or student accommodation exempt from council tax charges."

Again, the City of Durham Parish Council proposes an important improvement in order to make sure that the impact not just of HMOs but also of PBSAs in the vicinity is taken into account. The policy counts properties within 100 metres of the application site. A PBSA is a single property but can house several hundred students, with the same consequential impacts on the balance of the community as so many students in HMOs would represent. The Parish Council therefore proposes that Policy 16.3 should count the number of residential units within the PBSA. For example, the PBSA development at the County Hospital amounted to just 3 distinct properties but contains 82 student studios and 281 student flats. Thus, the Parish Council proposes that **part (a) of Policy 16.3 should be modified to replace the word 'properties' with the words 'residential units'.**

The City of Durham Parish Council does not support the 'exemption' clause to not resist a new HMO where a high proportion of existing properties within the 100 metres radius are already HMOs. The application of this part of the Interim Policy has proved to be perceived as arbitrary. Individual exemptions are best dealt with on the basis of particular hardship circumstances.

Policy 17 - Sites for Travellers

Not relevant.

Policy 18 - Children's Homes

<p>The City of Durham Parish Council considers that the same protections for preventing unacceptable impact on residential amenity, fear of crime or community cohesion should apply to student accommodation.</p>
<p>Policy 19 - Type and Mix of Housing</p>
<p>The City of Durham Parish Council supports this policy which, together with Policy 16, is crucial for addressing the inequalities being caused by the pre-occupation with 'executive housing'.</p>
<p>Policy 20 - Green Belt</p>
<p>The Parish Council welcomes the "strongest possible protection" for the Green Belt as set out in Policy 20. It supports the removal of the previous proposals for major housing development at Merryoaks and for housing development near Sidegate in the Green Belt. Similarly, it welcomes the deletion of development in the Green Belt plateau area of Aykley Heads.</p> <p>The matter of Green Belt deletions is dealt with in a somewhat piecemeal way and would benefit from the rationalisation put forward with regard to Policy 21.</p> <p>The City of Durham Parish Council notes that the proposed 'sustainable urban extensions' into the Green Belt are outside the Parish area but nevertheless expresses its opposition to both the Sniperley and the Sherburn Road extensions as being unwarranted outward extension of the City into the surrounding countryside on areas which perform strongly under the purposes of Green Belts. The so-called Relief Roads through the Green Belt have consequences for the Parish area and we provide comments below.</p>
<p>Policy 21 - Non-Strategic Green Belt Amendments</p>
<p>The City of Durham Parish Council is perplexed that Policy 21 is classified by the County Council as a "Strategic Policy" when it is concerned entirely with "Non-Strategic" amendments. The City of Durham Parish Council notes that it is the role of strategic policy in the County Plan <i>"to establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans"</i> (Paragraph 136 of the new NPPF, February 2019). Accordingly, Policy 21 should not be classified as Strategic.</p> <p>Furthermore, Policy 21 only mentions three of the seven proposed deletions of Green Belt; the full list of seven is: Sniperley, Sherburn Road, Aykley Heads southern car park, PBSA2 Howlands, Former Police Skid Pan, Fernhill, and Lumley Boys School. Of the three identified in Policy 21, the two proposed amendments within the Parish area are unconvincing and, in particular, the Fernhill case seems arbitrary.</p> <p>The Parish Council proposes that the situation can be rationalised and made absolutely clear by a Strategic Policy version of Policy 21 stating a need to change the boundary of the Green Belt, and then in paragraphs 5.198 onwards describing each of the seven proposed deletions.</p>
<p>Policy 22 - Delivering Sustainable Transport</p>
<p>The City of Durham Parish Council's comments are expressed under Policy 23.</p>
<p>Policy 23 - Durham City Sustainable Transport</p>
<p>The City of Durham Parish Council is fully supportive of aims for better provision for pedestrians, for cyclists, and for public transport users which will enable and encourage greater use of sustainable transport modes. These should be introduced in the soonest possible time-frame.</p>

The associated *Durham City Sustainable Transport Delivery Plan* is a highly significant forward step in managing the pressures in this fragile City not just in its physical fabric and heritage qualities but also air pollution, quality of life and the vitally important tourism sector of the economy.

The City of Durham Parish Council does not see that the relief road projects can be reconciled with the statement in Policy 22 that “all development shall deliver sustainable transport by (a) delivering, accommodating and facilitating investment in sustainable modes of transport in the following order of priority: walking, cycling, bus and rail transport, car sharing and alternative fuel vehicles”.

The City of Durham Parish Council is concerned that Policy 23 suggests that the building of a Northern Relief Road is a prerequisite for dealing with peak-time congestion and severance issues in the City centre. *Durham City Sustainable Transport Delivery Plan* places provision for motor vehicles bottom of the ranking of priorities, whereas Policy 23 proposes major investment in new roads. This attempt to increase motor vehicle capacity undermines the case for the interventions which are necessary to enable and promote sustainable modes.

The proposed Western Bypass is opposed by the Parish Council. We support measures for traffic-calming along the A167 but we consider that the proposed Western Relief Road will bring traffic back into our Parish Council area either through Lowes Barn Bank onto the A167 or back to the Nevilles Cross A167/A690 crossroads which is where the severest problems occur.

We understand that there will be a proposal for a further Park-and-Ride facility and believe that this should be included in the County Plan, to the west or southwest of the Parish area, as this would greatly assist reducing the destructive pressures and congestion caused by vehicular traffic attempting to enter the City centre and to park. We further advocate that the Park and Ride routes should be extended to include the main employment centres.

Policy 24 - Allocating and Safeguarding Transport Routes and Facilities

All the routes are outside the City of Durham

Policy 25 - Provision of Transport Infrastructure

The City of Durham Parish Council supports the principles set out in Policy 25

Policy 26 - Developer Contributions

The Parish Council regrets that the County Council is no longer proposing to charge a Community Infrastructure Levy.

Policy 27 - Green Infrastructure

The City of Durham Parish Council welcomes this policy and notes that our Draft Neighbourhood Plan Policy G1 provides appropriate local detail.

Policy 28 - Utilities, Telecommunications and Other Broadcast Infrastructure

No comment.

Policy 29 - Safeguarded Areas

None of the safeguarded areas appear to be near Durham

Policy 30 - Suitable Design in the Built Environment

The former Policy 1 on General Development Principles set the overall tone of the Plan and was welcomed by many respondents. Unfortunately, the County Council has deleted it on the grounds that developers did not like it. Some of its content has re-surfaced in Policy 30. The City of Durham Parish Council considers that the general development principles section of Policy 30 should be re-instated as Policy

<p>1. The remaining part of Policy 30, whilst welcome, does not set design to the highest standards. The optional space standards in Paragraph 5.320 should be moved into Policy 30 as <u>required</u> space standards.</p>
<p>Policy 31 - Hot Food Takeaways (A5 Uses)</p>
<p>The City of Durham Parish Council welcomes this policy in principle but has concerns about the interpretation of “colleges” and suggests that the reference to “school or college building” ought to be “school or sixth form college building” so as to avoid application to University College and Further Education Colleges.</p>
<p>Policy 32: Amenity and Pollution</p>
<p>This is an important policy which the City of Durham Parish Council supports, especially given the serious air pollution problems in the Parish area.</p>
<p>Policy 33 - Despoiled, Degraded, Derelict, Contaminated and Unstable Land</p>
<p>The City of Durham Parish Council supports this policy.</p>
<p>Policy 34: Renewable and Low Carbon Energy</p>
<p>Policies 34 and 35 as presently proposed are inadequate. They use the low targets currently proposed by central government to define the County’s future standards. Britain already lags far behind almost every other country in Europe. Yesterday’s targets should not form part of this County Plan. Durham County should have the vision and courage to adopt the Scandinavian standards as their target for the future rather than relying on the already outdated Energy Act of 2013 which was designed to meet just 15% of the UK energy demand. The ambition should be 50% of UK energy demand and this target should be introduced now. The capacity to achieve this level of renewable energy is touched on in paragraph 5.364. That paragraph deserves several policies, rather than the single policy 35 devoted entirely to wind turbines.</p> <p>Policy 35 draws down from earlier work in the original Durham Plan and merits support. At this stage additional Policies should be introduced. One should deal exclusively with photo-voltaics and identify the various routes by which these can be both encouraged and introduced into our energy supply recognising the new generation of such systems and their impact on self-sufficiency. The other should identify further sources of renewable energy, e.g. ground-loop, air-loop and water-loop that can be introduced whenever new buildings are being constructed or retro-fitted if possible.</p> <p>The City of Durham Parish Council would not support fields of solar photovoltaic generators and is wary of solar photovoltaic generators on visible roofs in the Conservation Areas.</p>
<p>Policy 35 - Wind Turbine Development</p>
<p>The City of Durham Parish Council supports this policy.</p>
<p>Policy 36 - Water Management</p>
<p>The City of Durham Parish Council supports this policy.</p>
<p>Policy 37 - Water Infrastructure</p>
<p>The City of Durham Parish Council supports this policy.</p>
<p>Policy 38 - Durham Heritage Coast and Wider Coastal Zone</p>
<p>The City of Durham Parish Council notes this policy as beneficial to the residents of the Parish.</p>
<p>Policy 39 - North Pennines Area of Outstanding Natural Beauty</p>
<p>The City of Durham Parish Council notes this policy as beneficial to the residents of the Parish.</p>
<p>Policy 40 - Landscape</p>
<p>The City of Durham Parish Council supports this policy.</p>

Policy 41 - Trees, Woodland and Hedges
The City of Durham Parish Council supports this policy.
Policy 42 - Biodiversity and Geodiversity
The City of Durham Parish Council supports this policy.
Policy 43 - Internationally Designated Sites
There are none of these sites in or near to the City of Durham
Policy 44 - Protected Species and Nationally and Locally Protected Sites
The City of Durham Parish Council welcomes this policy and notes that Flass Vale was designated as a County Wildlife Site in 1982.
Policy 45 - Historic Environment
The City of Durham Parish Council considers that Policy 45 is very important for Durham City and welcomes the positive measures it sets out to protect, conserve and support beneficial uses for the historic environment. Our Draft Neighbourhood Plan Policies H2, H5 and H6 are complementary to Policy 45.
Policy 46 - Durham Cathedral and Castle World Heritage Site
The City of Durham Parish Council places Durham Cathedral and Castle World Heritage Site at the forefront after sustainability of our draft Neighbourhood Plan. The Parish Council welcomes that Policy 46 has been made more specific to the Durham Castle and Cathedral World Heritage Site, using the approach commended by Historic England and the Draft Neighbourhood Plan.
Policy 47 - Stockton and Darlington Railway
No comment.
Policy 48 - Sustainable Minerals and Waste Resource Management
No comment.
Policy 49 - Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites
No comment.
Policy 50 - Primary Aggregates Provision
No comment.
Policy 51 - Locational approach to the future supply of primary aggregates
The City of Durham Parish welcomes the Included protection for the Nevilles Cross Battle site.
Policy 52 - Meeting Future Aggregates Requirements
No comment.
Policy 53 - Brick Making Raw Materials
No comment.
Policy 54 - Surface Mined Coal and Fireclay
No comment.
Policy 55 - Natural Building and Roofing Stone
The City of Durham Parish suggests that there is a need to protect sources of stone for the cathedral and other heritage buildings in the City.
Policy 56 - Reopening of Relic Building Stone Quarries for Heritage Projects
The City of Durham Parish suggests that there is a need to protect sources of stone for the cathedral and other heritage buildings in the City.
Policy 57 - Safeguarding Mineral Resources
No comment.
Policy 58 - The Conservation and Use of High Grade Dolomite
No comment.
Policy 59 - Preferred Areas for Future Carboniferous Limestone Working
Both sites are well away from Durham City
Policy 60 - Strategic Area of Search to the South of Todhills Brickworks

No comment.
Policy 61 - Waste Management Provision
No comment.
Policy 62 - Location of New Waste Facilities
No comment.
Appendix A - Strategic Policies
The City of Durham Parish Council challenges some of the designations of policies as Strategic in that they do not appear to meet the NPPF and Guidance descriptions of Strategic and place unnecessary restrictions on the scope of Neighbourhood Plans. Some of the policies are agreed as being strategic but most fail to have any justification offered as to the classification as strategic.
Please tick here if you wish to be informed of future consultations: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

ITEM 11: DURHAM COUNTY COUNCIL REGENERATION TEAM SECTION 106 APPLICATION

FAO: City of Durham Parish Council

PROPOSED SPEND OF SECTION 106 AGREEMENT MONIES THE DURHAM CITY

Please find attached a copy of an application recently submitted to me by DCC Regeneration Team seeking approval for the allocation of monies presently being held in the Authorities 106 account.

Monies are available for this proposed use within the Electoral Division and as such the proposal is considered to have merit in principle. However, a final decision on the request will only be made when the application has been considered at a forthcoming meeting of the Council's Section 106 working group.

In accordance with standard procedures I would be obliged to receive any comments you may have on the application inside 21 days.



Stephen Reed
Planning Development Manager

City of Durham Parish Council

Environmental and
sustainability policy

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INTRODUCTION

City of Durham Parish Council is committed to support the creation of a sustainable community. The Council recognises that some of its activities will have a negative impact on the environment, and the aim of this policy is to establish broad objectives to enable the development of actions which mitigate the effects of Council operations.

The policy applies to all City of Durham Parish Council operations.

ENERGY AND WATER MANAGEMENT

The Parish Council is committed to responsible energy management and will promote energy efficiency throughout its operation. Examples of which are:

- 1.1 Encouraging staff and Members to ensure that electrical equipment and unnecessary lights are switched off when not in use
- 1.2 Encouraging staff and Members to close windows and external doors when heating is on
- 1.3 Encouraging staff and Members to minimise the use of electric heaters
- 1.4 Encouraging staff, members and third parties to use water efficiently on Council premises
- 1.5 Ensure staff and Members minimise vehicle miles driven on council business

RECYCLING AND CONSERVATION

The Parish Council will:

- 2.1 Encourage the recycling of wastepaper and cardboard at all operations and where possible plastics and glass.
- 2.2 Promote and encourage recycling across the City of Durham Parish
- 2.3 Use recycled paper products where feasible, including folders, business cards, printer papers, toilet rolls and envelopes.
- 2.4 Minimise the amount of printing and minimise the amount of waste paper
- 2.5 Observe its duty of care conscientiously with all its waste contracts
- 2.6 Utilise electronic communications wherever possible
- 2.7 Minimise pollution and prevent where possible

2.8 Use composting facilities at relevant operated amenities including allotments and cemeteries

BIODIVERSITY AND GREEN SPACES

The Parish Council will:

- 3.1 Seek to protect and where possible enhance the quality of City of Durham Parish's natural environment and open spaces
- 3.2 Support the conservation of trees, hedgerows, ponds and streams
- 3.3 Consider the conservation and promotion of local biodiversity in all its activities but particularly with regard to the management of any land in our ownership
- 3.4 Seek to manage its green spaces in a manner that promotes and protects biodiversity

AWARENESS, LOBBYING AND PARTNERSHIPS

The Parish Council will:

- 4.1 In all relevant communications promote awareness of, and information on environmental issues within the community.
- 4.2 Where appropriate, act as a voice for the local environmental concerns to those agencies given the statutory powers to tackle problems
- 4.3 Ensure that all individuals involved in the organisation are aware of their responsibilities in implementing this environmental policy
- 4.4 Where appropriate, work with its partners to minimise the effects of noise and light pollution on the Parish.
- 4.5 Design a data gathering system and report on its Environmental performance in chosen categories each year in May

SUSTAINABLE PROCUREMENT

The Parish Council will:

- 5.1 Seek to minimise environmental damage caused through the transportation of goods by sourcing materials and services locally so long as the requirements for value for money and quality are met.
- 5.2 Ensure that the use of pesticides/herbicides are minimised in its land management and horticultural activities

SUSTAINABLE TRAVEL

The Parish Council will:

- 6.1 Encourage members and officers to car-share where possible when a car journey must be made on Council business
- 6.2 Promote, and support the use of cycling, public footpaths and public transport

ITEM 13: DESIGNING A PARISH COUNCIL LOGO

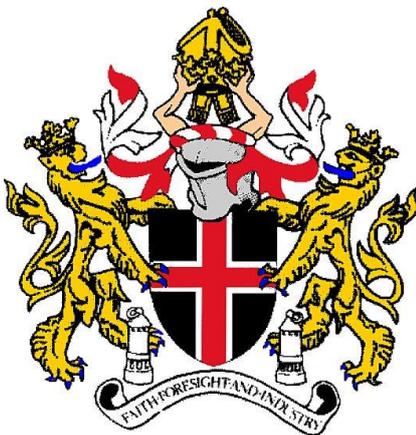
At the Parish Council strategy meeting in October 2018, Councillors discussed the creation of a logo for the Parish Council.

The Council's branding and in particular its logo are the central and most powerful elements of identifying ourselves and the work we do to our residents.

Many local Parish and Town Councils have their own unique logos which help to identify themselves from other community groups and organisations.

A number of Parish Councillors have requested an ID badge and/or business cards to help identify themselves to members of the public. Furthermore, when sending official correspondence from the Parish Council, it is preferable that branded, letterheaded paper be used to do this. It is proposed that these all be arranged following the Council agreeing a logo and the new Parish Council office is set up.

There is a precedent for Parish and Town Councils using the official crest of their area as the official logo. A copy of this for the City of Durham is shown below:



A number of Parish Councillors have also come forward with their own ideas on a proposed logo and these were presented at the October 2018 strategy meeting without a formal agreement being made.

One proposal is that the Parish Council undertake to contact the local schools in the Parish area and launch a competition to have a school pupil design a new logo for the Council and the image then be designed by a local graphic designer. Councillors will need to consider the timing and cost implications of this approach. However, such an approach will increase engagement with the local community and get young people involved with the work of the Parish Council; a key strategic objective identified at the October 2018 strategy meeting.

DECISION REQUIRED	For Members to formally agree how they wish to proceed with the design and creation of a Parish Council logo.
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ITEM 14: ALLOTMENTS ON LARCHES ROAD

The below report follows a meeting between Mark Farren, DCC Manager for Pest Control, Allotments and Civic Pride and Adam Shanley, Clerk to City of Durham Parish Council on 8th February.

Background of the site

There is a need for Durham County Council to hand over ownership of the Allotments site on Larches Road to the City of Durham Parish Council, as required by the Local Government (Parish Councils & Parishes) Regulations 1990. This is the only allotments site currently under the ownership of DCC in our Parish and the County Council is unable by law to maintain ownership and management of the site with the existence of a Parish Council.

The site itself is based in the housing estate opposite the current County Hall HQ building, near to the Flass Vale Nature Reserve. It is currently run by an Allotment Association on a self-management basis and under this arrangement DCC receive no income from the site.

All allotment tenants on the site must be members of the Association and as such currently hold a tenancy agreement between themselves individually and Durham County Council. They must also agree to the rules of the Association.

The site has limited parking and buildings are not permitted. As a result, all allotment tenants need to carry their gardening tools to and from the site. DCC has advised that the majority of allotment tenants on the Larches Road allotments are residents living close by to the site and there is a general feeling that the site is extremely well-maintained and managed.

Transfer of the site

It will be the case that DCC hand over (freehold) ownership of the site to the Parish Council and we would become the official owners of the site. Mark Farren advised that DCC's legal staff will undertake the work to enact the transfer of the land ownership; however, the Parish Council may wish to use a solicitor to look over this. Once this is completed, all tenancy agreements would need to be amended to reflect the new ownership of the land. The Parish Council may also amend anything within the tenancy agreement and could work together with the Association to do this. The tenants will transfer as sitting tenants on their current agreements. The Parish Council would have the power to vary these; however, we would need to go through a formal process to do this. Ideally we would get the agreement of all tenants, which would mean it would be relatively simple; however, if there were any objectors, we would need to serve those tenants with a non-breach termination notice to end their current tenancy agreement and, if relevant, pay any compensation required by the Allotments Acts (although if this prompted them to sign the new tenancy agreement there would be no need for the consultation).

Management of the site

Under the current agreement, the Association decide on the rent for each plot. They collect and retain the fee for all sites and are responsible for the maintenance of the site and any repairs which may be required. DCC is simply consulted by the Association should they wish to change the rents for sites. The Association has also on occasion applied for grant funding to help keep the site well-maintained. This is a popular site and the Association currently hold a waiting list of prospective allotment tenants. The Association also hold an Annual Open Day to raise funds for the site.

DCC do sometimes get drawn into conflict between tenants and their Association; however, they limit such cases by insisting that Associations are properly constituted groups and requiring tenants to go through the procedures in the group's constitution before getting the Council involved (this would usually require them to call an EGM by securing enough signatures from other members to call such a meeting. In the small number of cases where DCC has become involved in such issues, they have taken the stance of meeting with all the plot holders and giving them the option of electing a new committee to run the site properly or having DCC cancel the right for the Association to manage the site and so to return to direct management by the Council. Before doing this, DCC would look at whether the current committee had acted legally, fairly, reasonably and in line with the constitution when dealing with the issue. If they had, DCC would back their decision and not take any further action.

Any issues of non-compliance of the tenancy agreement or the Association rules would result in a warning letter, to which the non-compliant party would need to respond within 28 days, if no further action is taken to resolve the issue(s), DCC usually issue a second 28-day warning letter before going for the notice to quit (NTQ). The warning letters are a voluntary approach that DCC use and are not legally required to evict somebody, but an eviction would require a properly served NTQ to be issued. If the person doesn't leave voluntarily by the expiry date of the NTQ, the Parish Council would then have to instigate eviction proceedings through the courts in order to be able to legally take back possession of the plot. Mark Farren advises that DCC has never had such an issue on this site.

Impact on cost and workload for the Parish Council

Very little administration work is required, however there would be a need to issue new tenancy agreements and for the Clerk and another Councillor(/s) to carry out a site inspection once every 6 months. The site would need to be added to the Parish Council's list of assets.

DCC has confirmed that there have been no direct costs for the site; however, there are staff and vehicle costs associated with undertaking periodic inspections of the site and administration costs associated with issuing tenancy agreements to new tenants.

Finances and insurance of the site

At present, DCC require their Associations to hold £5 million public liability insurance as a minimum. They also advise that they consider having insurance for their committee members and employer liability insurance if they are going to use their members to do work on the site even if the work is done for payment in kind.

The Clerk has also enquired about the insurance implications of the Parish Council becoming the legal owners of the site and has been advised by Zurich that the current arrangement of the Association managing and maintaining the site and receiving a rental income to do so, would fall under the association's insurance and not the councils.

If the Parish Council retained the arrangement DCC have, individual tenants would have a direct relationship with the PC as we would be their landlord. The only way around this would be to lease the entire site to the Association so that they sub-let the plots to individual tenants; however, Mark advised that he would caution against this as it would reduce our ability to control activity on the site and, therefore, could result in significant future costs for the PC if the site gets abused.

It is important to note that the PC would always be the bank of last resort as, whatever approach we adopt, the land will always be owned by the PC so if it is abused by the tenants or the association it will ultimately fall to the PC to address the issue (in theory this could be overcome by selling the site to the Association; however, that would then mean we would have to provide another site to meet our duty to provide allotments if 6 or more of constituents approach the PC to ask for an allotment). This said, we can mitigate against the likelihood of this happening by requiring the Association to produce a forward financial plan and setting rent level based on that so that, in theory, they are saving up funds to cover the long-term costs of running the site (DCC has started to encourage associations to do this over the past three years; however, haven't made it compulsory as yet).

Currently the Association do not pay any rent to DCC for the use of the land, however it is entirely up to the Parish Council if they wish to change this arrangement. 12 months' notice to allow for the growing season to complete would need to be given should the Parish Council wish to change this.

The current charges for Allotments are:

Subscription (annual membership of Association) - £18

Rent half plot - £6.88

Rent full plot - £13.76

Get out option

The site is a Statutory Allotment and therefore protected by law. Should the Parish Council wish to cease the allotments operation, it would need to apply to the Secretary of State for Local Government to do this and must prove that alternative provision has been explored. The Parish Council has a legal duty to provide allotments if its constituents ask for them (s.23 of the Small Holdings & Allotments Act 1908 as amended by para. 9(1) of part II of Schedule 29 of the Local Government Act 1972).

DCC consultation

Durham County Council is currently reviewing its allotment provision. This includes looking at all the sites we own and at how activities on them should be managed.

The next stage of the review, which involves consulting with interested parties on a revised allotment policy and tenancy agreement, starts on the 4th February. As these documents will determine what tenants can and can't do on their allotments in the future, DCC has written directly to all tenants, people registered as helping

tenants with their plots (known as co-workers) and waiting list applicants to encourage them to take part. In addition, the consultation is open to other individuals, organisations and groups who could be impacted by our allotments.

The consultation runs until 31st March and covers:

1. a new policy and tenancy agreement, which essentially set out our proposals for what our tenants will and will not be able to do on our allotments in the future; and
2. a set of transition rules, which show how long current tenants will have to make changes to ensure they comply with the new policy and tenancy agreement before any enforcement action would begin.

A copy of the consultation documents can be found here:

<http://www.durham.gov.uk/article/19946/Allotments-consultation>

Other aspects of the review may not apply to this site, given the need to transfer this from DCC to the City of Durham Parish Council.

If, at the end of the consultation, the Association prefer the policy drawn up by DCC, the Parish Council can amend any aspect of the tenancy agreement in conjunction with the association without the need for any notice period being given.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) For Members to formally agree to the transfer of the Larches Road Allotments to the ownership of the City of Durham Parish Council.2) For Members to decide on whether to respond to the ongoing Allotment consultation.3) For Members to formally agree to maintaining the current tenancy agreement with all allotment tenants, subject to the outcome of the ongoing Allotment consultation.
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ITEM 15: CITY OF DURHAM PARISH COUNCIL MERITORIOUS AWARD

Like other areas in the County, the City of Durham Parish is fortunate to have a number of residents living in our community who go the extra mile and give a lot back to the City and beyond.

At the recent Parish Council strategy meeting in October 2018, Councillors put forward a proposal for the Parish Council to introduce an award to recognise one resident who has just done that.

It is proposed that the Parish Council introduces an annual meritorious award to reflect in a small way the recognition and appreciation that we, as a Council, feel towards such a resident and the efforts they make for our community.

The Award recognises outstanding commitment to City of Durham life, and may be awarded for exceptional contributions to voluntary activities, for work carried out to support and help others, and in recognition of achievements which have benefited the community.

If agreeable to the idea, Parish Councillors would be invited to bring along a nomination of a worthy resident of this award at the March Full Council meeting and give a small statement on why they feel this resident should receive the award. This will be discussed under closed session of the Parish Council and Councillors will carry out a secret ballot at the March meeting. The winner will then be contacted by the Clerk to ask if they would be happy to receive such an award. It is proposed that such an award be presented each year at the Annual Parish Meeting in May and the winner will be presented with a sculpture glass and a certificate. The press will also be invited along to the Parish meeting to publicise the winner further.

Councillors may wish to consider the following criteria when nominating:

A resident who has...

- Shown exceptional commitment to a cause or organisation, which have benefited the City of Durham Parish.
- Acted as a role model/ambassador within the community.
- Motivated and inspired others to get involved in a community-focused event or organisation.
- Shown exceptional resilience in overcoming an obstacle or going beyond the call of duty.

- Made a positive difference and improved the well-being of residents or the community at large.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) For Members to formally agree to setting up this annual award scheme, to be presented at the Annual Parish meeting.2) For Members to agree to the nomination and voting process as outlined in this report.3) For Members to consider the report and consider who they may wish to nominate for the award.
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