

# City of Durham Parish Council

Office 3 D4.01d  
Clayport Library  
8 Millennium Place  
Durham  
DH1 1WA

Telephone 07704 525630  
Email: parishclerk@cityofdurham-  
pc.gov.uk  
<http://cityofdurham.parish.durham.gov.uk/>

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 **ROOM S1. SIXTH FORM BLOCK, ST LEONARD'S CATHOLIC SCHOOL, DURHAM. DH1 4NG** on **THURSDAY 23 JANUARY 2020 AT 19:00** to transact the following business: -

**The Parish Council meeting will commence with all present observing a one minute silence in remembrance to the late Police, Crime and Victims Commissioner Ron Hogg CBE.**

- 1. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES OF ABSENCE FROM TODAY'S MEETING**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**
- 3. PRESENTATION BY DAVE WAFER, STRATEGIC TRAFFIC MANAGER AT DURHAM COUNTY COUNCIL ON PROPOSED NEW BUS STATION ON NORTH ROAD**
- 4. PUBLIC PARTICIPATION**
- 5. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 28<sup>TH</sup> NOVEMBER 2019**
- 6. COMMITTEE UPDATES**
  - **Planning Committee minutes from meetings held on 8 November, 22 November and 6 December 2019**
    - Verbal update on Neighbourhood Plan Regulation 16 consultation.
    - Verbal update on the County Durham Plan Examination in Public (EiP).
  - **Environment Committee minutes from meetings held on 26 November 2019**
    - Professional promotion of pocket ashtray project.
    - Introduction of code of non-usage of diesel generators in the market place and funding of electrical socket and cabling.
  - **Licensing Committee minutes from meeting held on 29 October**
  - **Finance Committee minutes from meeting held on 23 October**
    - Update on allocation of grant funding from 2019-20 budget.
- 7. CHAIR'S UPDATE**

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 28 November 2019.

**8. REPORT ON PARISH COUNCIL INTERNAL CONTROLS**

**9. REPORT ON PARISH COUNCIL RESERVES FROM 2019/20**

**10. PARISH COUNCIL BUDGET FOR FINANCIAL YEAR 2020/21**

**11. PARISH COUNCIL PRECEPT REQUEST FOR FINANCIAL YEAR 2020/21**

**12. REQUEST FOR PARISH COUNCIL TO FUND PART OF 'NOSTALGIA DAY' 2020 EVENT**

**13. SELECTIVE LICENSING SCHEME FOR COUNTY DURHAM**

**14. REPORTS FROM REPRESENTATIVES ON LOCAL ORGANISATIONS**

- Community Engagement Task Force Group
- Durham University Residents' Forum

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 will be 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 will be asked to leave the room.

**15. UPDATE FROM ANTI-SOCIAL BEHAVIOUR SUB-GROUP MEETING**

**16. UPDATE ON ASSET OF COMMUNITY VALUE – THE WOODMAN INN PUB, GILESGATE**

**17. DE-REGISTRATION OF THE COACH PARK AS COMMON LAND**

**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 the Meeting of the City of Durham Full Parish Council held on Thursday 28<sup>th</sup> November 2019 at 19:00 in the Lantern Room, Durham Town Hall. Durham. DH1 3NJ**

**Present:** Councillors E Scott (Chair), E Ashby, J Ashby, J Atkinson, L Brown, S Cahill, R Cornwell, A Doig, J Elmer, D Freeman, R Ormerod, C Reeves and M Ross.

**Also present:** Parish Clerk Adam Shanley.

## **1. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES OF ABSENCE FROM TODAY'S MEETING**

Apologies were received from Cllrs V Ashfield and G Holland

## **2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**

Cllr L Brown declared an interest in item 9 on the Agenda and Cllrs A Doig, L Brown, R Cornwell and E Scott declared an interest in relation to consideration of the revised scheme submitted by OASES for consideration under item 5 (Finance Committee updates) on the Agenda.

## **3. PUBLIC PARTICIPATION**

None received.

## **4. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 24<sup>TH</sup> OCTOBER**

The Minutes of the meeting held on 24<sup>th</sup> October 2019 were unanimously agreed as a true and accurate record of proceedings.

## **5. COMMITTEE UPDATES**

### **• Planning Committee**

Cllr R Cornwell presented the minutes from the planning committee meetings held on 10 October and 25 October. There being no queries from Members, Cllr R Cornwell moved on to the Committee reports.

Cllr R Cornwell provided a verbal update on the County Durham Plan Examination in Public as follows:

**General remarks:** Developers there in profusion. Very little interest from anywhere outside Durham City (in the broader sense) but a lot of people from various Durham groups, and individuals.

**12 November:** Green Belt exclusions at Sniperley and Sherburn Road. Aykley Heads Business Park: questioning about broad range of ancillary uses. We made the case for more focussed, essential uses which we think found favour.

**13 November:** Northern and Western relief roads. Case for WRR undermined by County Durham Land (developers of Sniperley) who said it wasn't needed. Main case

for coalition made by City of Durham Trust, who had a traffic consultant who travelled down from Edinburgh for the day. Arguments from ourselves and CD Land that the saving in time from the relief road would be at best a minute or two, and was it worth spending £75m for that, seemed to find favour. NRR also criticised, if the congestion in the City was reduced more traffic would be likely to travel that way.

**14 November:** University day. University attended but said very little, and declined to give any estimates for the period between 2027 and 2035, despite a direct request from the Inspector. When HMOs were discussed University were asked for their comments and had none. However, we are not convinced Inspector realises how serious it is, and we may try to raise the issue again on the final day. One success: John Ashby referred so much to the City of Durham Neighbourhood Plan that the Inspector asked if he could have a copy. We were pleased to oblige!

**26 November:** Housing Land Supply. We would have liked a seat at the table but did not get one. A lot of developers there arguing that the Council was being over-optimistic in their estimates of the number of houses that would be built on the land that is allocated in the plan. If they succeed of course their clients are ready with land they think should be developed.

**27 November:** Morning: meeting specific housing needs. We did not have a seat but Lucy Szablewska and Dorothy Hamilton did, making the case for more whole life housing. Lucy has discovered that at the Mount Oswald development the specific housing promised at the outline planning stage is not being delivered.

**27 November:** Afternoon. Transport infrastructure. We did not have a seat but Matthew Phillips made some good points about the second-class citizen status afforded to cyclists and pedestrians. It then dealt with proposals away from Durham City.

**28 November:** Morning. Economic development. Sparsely attended by developers with interests in the various sites.

**28 November:** Afternoon. Town Centres, Main Town Centre Uses, and Hot Food Takeaways. As Jonathan Elmer otherwise engaged, we unexpectedly got a seat at the table. John Ashby to report.

Cllr J Elmer advised that he felt that there had been some excellent presentations made against the proposed relief roads. Cllr J Elmer also advised that he felt that the case had really been made that there needs to be really exceptional circumstances for any development on green belt land.

Cllr E Ashby advised that she felt that the Parish Council's Environment Committee ought to have made a case for the driving experience as a whole in Durham at the Examination in Public as a lot of what was discussed at the hearing on this sat within the Committee's remit.

Cllr J Ashby advised the shortfall in housing numbers could be made through intensification of existing or approved sites.

Cllr J Ashby also advised that Durham City was categorised as a sub-regional centre and the National Planning Policy Framework states that big shops (1,000m<sup>2</sup>) need to go into Town Centres. There is no need for yet more additional out-of-town retail centres.

Cllr R Cornwell advised that the Parish Council and the Freeman had needed to respond, as urgent action, to the latest response from Durham County Council in relation to the de-registration of the common land application. It was **agreed** to ratify the decision taken over correspondence as urgent action to fund the Barrister's time in responding to this and also to respond as follows to the latest response from Durham County Council to the Planning inspector:

### **APPLICATION UNDER S.16 COMMONS ACT 2006 – THE SANDS, DURHAM**

I am instructed under Public Access jointly by the Freeman of the City of Durham ("the Freeman") and the City of Durham Parish Council to object to the application to de-register Common Land at The Sands Durham ("the Application"). This letter is in rebuttal to the Council's (undated) statement under reference NC/14195.

The Freeman and Parish Council would wish to reiterate their grave concerns that not only is the Release Land enclosed by fencing, the Council has now permitted the contractors Keir (not a statutory undertaker) to use the Land as a Site Compound. This displays a blatant disregard for the Commons legislation and the rights of the Freeman and public to use this land

The Council's continual and blatant disregard of the public and quasi-public rights over the Common Land make its assertion at paragraph 2.11 that it has no intention of eroding the balance of The Sands Common (whatever that means) wholly unreliable. Put simply the Council cannot be trusted to act in the interests of the public with regard to the Common Land.

In rebuttal to the Council's statement, its paragraph numbering is adopted.

As to paragraph 2.1 the basis of the objection made by the Freeman and PC is to safeguard common rights on the Land. The suggestion of a "central theme" of opposition to the HQ Project is fantasy. There is no mention of the merits of the HQ in the objection and to characterise it as such is deliberately misleading. Paragraph 2.17 should be amended to accurately reflect the position and objector 9 removed from this list.

Further the Freeman and PC as custodians of the commoners and public interest are actively engaged with Andrew Megginson (Stakeholder Engagement Leader) to mitigate any impact on public rights during the construction period.

The Objectors welcome the Council's confirmation and acceptance that the Coach Park is an unauthorised use and the Replacement Land is uphill and less accessible to residents of Durham City.

It is important to properly grasp the history and context of the common land at The Sands. The Freeman status dates back to the 11<sup>th</sup> century and has been exercised continually since then. The Freeman have during this period elected not to exercise herbage rights and made decisions to permit temporary uses, including the Ordnance Depot and Coach Park, on their merits at that point in time. These are decisions for the Freeman as custodians of the land and it is not for the Council to comment upon them in pejorative terms. In the context of rights going back at least 900 years, if not to time immemorial, such uses for say 80 years are temporary and reversible.

As to paragraph 2.2 the Freeman do assert these rights which are reflected in the Indenture of 18 September 1850 in the following terms –

*WHEREAS the said Mayor Aldermen and Citizens are under and by virtue of the said recited Indenture of lease seised of the soil and freehold of the said several tracts plots pieces or parcels of ground but the Freeman of the City of Durham are entitled to rights of common thereon for all commonable cattle as the said persons parties hereto do hereby acknowledge and declare.*

On that basis a proportion of the rents and profits of buildings on the common land and compensation for injury to the herbage caused by public fairs were paid to the Freeman. This position is also reflected in the letter of 18 March 1968 from the Clerk to the Freeman whereby it was recognised that the herbage rights “are completely unrestricted” and the Freeman “are not limited as to numbers”.

As to paragraph 2.3 – in discussions with the City Council the Freeman requested the Royal Ordnance site and the adjoining ancillary car parking land to be returned to grass. This request was overtaken by events at that time and a lease granted for the Coach Park. The remaining section was returned to grassland as requested. The Freeman will give evidence to this effect to the Secretary of State.

As to paragraph 2.5 the Council are required to prove that the exchange is in the public interest. It is the Council which constantly and repeatedly seeks to rely on the purported benefits of the new HQ to outweigh the admitted harm from loss of the Release Land. It is plain that the purpose of the application is to free up the release land for redevelopment<sup>1</sup> and the Council assert that the benefits of the new HQ are so significant as to outweigh the (now admitted) harm to the common rights<sup>2</sup>. These are material matters before the Secretary of State as decision maker and should be explored by way of a public inquiry.

As to paragraph 2.6 the letter of 18 March 1968 clearly states the buildings are temporary and the rights of herbage will revive in the future. This is still the stated position of the Freeman some 50 years later.

As to paragraph 2.8 the functional use of the car park in the present and the return of the land to herbage in the future are not exclusive. As a matter of fact, the Lumiere event is not wholly funded by the Council, it has other private sponsors. The relevance of this point is not understood in any event. The fresh assertion that the car park will not be private but rather open to the public on evenings and weekends is not borne out by the evidence submitted with the planning application. In any event this Council regularly changes its position, and ignores commons legislation, and the application should proceed on the basis that this will be a private car park, absent any legally binding position to the contrary.

As to paragraph 2.10 the Council admits at paragraph 2.13 that the Replacement Land is less accessible to residents of Durham. In any event there is no parking at Aykley Heads and the whole access road from the roundabout to the land, approximately 800m, has double yellow lines on it. This cannot possibly be described as an accessible location.

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<sup>1</sup> 1.2

<sup>2</sup> 4.1

As to paragraph 2.11 the assertion that international visitors to Durham will walk away from the historic core and views of the Cathedral and Castle, up the hill to the Replacement Land is fallacious.

As to paragraph 2.14 the Council is correct in that there is a road adjacent to the Replacement Land. However, this has double yellow lines for 800m and no space for the safe and commodious unloading of stock. Further the land is a nature reserve for ground nesting birds and used by Great Crested Newts. In practice it would not be available for grazing at all and this is admitted by the Council in paragraph 4.5.2 of the Application statement. This is a highly material consideration under s.16.

Paragraph 2.15 asserts that more than one access to the land will be made. This directly contradicts the Council's claim that the nature conservation interest of the Replacement Land will be ensured by "provision of a single access point".

As to paragraph 2.19, this touches on the PC objection. The fact that the remainder of the common land is available for recreation carries no weight. The County Council has shown scant disregard for the public interest throughout this process and cannot be relied upon to understand or articulate what impact this application will have on the local residents, visitors and commoners' rights.

As to paragraph 2.21 and 2.22 this exemplifies the Council's untenable position. It finds the "requirement" for this land for parking as paramount and disregards the public interest as being satisfied by the remainder of the common land. The Council's Open Space Needs Assessment (OSNA) shows a lack of open space in the Durham city area. Notwithstanding the Replacement Land is already identified as Accessible Natural Green Space in the OSNA. If the land is already publicly accessible then it cannot qualify as Replacement Land. It should be noted that there are clearly worn paths crossing the land which are indicative of public access. The Police at Aykley Heads have noted that this land is in public use and this should be clarified. The objectors will rely on the OSNA, correspondence and photographs in evidence.

The assertion at paragraph 2.20 that the Council has an intention to "affect an appropriation in order to align the Replacement Land with its new Common Land status" is not understood. The council is asked to explain this statement.

It should be noted that the Council has comprehensively failed to address the major tenet of this objection that the Release land is not necessary for the HQ project and the spurious public benefits claimed by the Council are not relevant to this Application. In fact, the loss of amenity already arising from the HQ development and the felling of 150 trees is such that the Parish Council is seeking agreement from the Freeman for significant re-planting on The Sands to mitigate this loss.

There is a general point to be made at this stage. The Council's statements of case are riddled with inconsistencies, lack of evidence and unfounded assertions. The only way in which this Application can be properly decided is by way of a public inquiry where evidence can be heard and tested.

It should be noted the Council agree that the Coach Park is an unlawful use (absent any consent under s.194) and therefore the Secretary of State should disregard this use when assessing the merits of the proposed exchange. The Application will

be considered on the basis that the Release Land is part of the common and properly available for public use<sup>3</sup>. Therefore, the Council's case for example at paragraphs 2.19 is wrong in law and no weight should be attached to the Coach Park use.

On a proper understanding of the evidence and relevant law the Council's case is unarguable. The Freemen and the PC therefore invite the Council to withdraw the Application and not waste public resources in pursuing it in the face of overwhelming objection from those with common rights.

If the Application is not withdrawn and the Council persist, then the outstanding objections of the Commoners and other with rights (including the neighbourhood and members of the public generally) should properly be considered by an Independent Inspector at a public inquiry.

Ends

Cllr R Cornwell provided a report to Full Council on the loss of Council tax income due to class M and N properties within the City of Durham Parish area. Cllr R Cornwell advised that the Parish Council had been made aware that Durham lost in the region of £7 million in Council tax income due to class M and N (student accommodation) exemptions. Cllr R Cornwell advised that the Parish Council Planning Committee meeting had considered both sets of correspondence from the County Council and the Local Government Minister at its meeting on 8th November 2019 and had set out a number of key recommendations for Full Council consideration.

The following actions were **agreed** by Full Council on this matter:

- 1) That the Parish Council requests a breakdown of the formula from Government on the amount relating to student council tax exemptions paid to DCC as part of the Local Government Finance Settlement.
- 2) That the Parish Council writes to DCC requesting that a percentage of the funds paid as part of the Settlement to DCC by central Government be passed on to the Parish Council (as per the Minister's response).
- 3) That the Parish Council writes to Durham University formally requesting that they increase their contribution to local services spending in light of the loss of council tax.
- 4) That the Parish Council writes to the Head of Planning at DCC requesting that any section 106 monies arising from permitted development as part of the University's Masterplan be used for local services which combat any negative impact on the locality and not on other priorities e.g. public art.

• **Environment Committee**

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<sup>3</sup> See Common Land Consents Policy November 2015 §5.5



In the absence of the Chair of the Environment Committee, the Clerk presented the minutes from Environment Committee meeting held on 15 October. There were no queries from Members.

### • **Licensing Committee**

Cllr L Brown presented the minutes from the Licensing Committee meetings held on 20 September and 18 October, there being no further queries, Cllr L Brown went on to the report on the Statement of Licensing Policy 2019-2024. Cllr L Brown advised that the County Council had now agreed its new licensing policy and the amends to the previous Licensing Policy could be summarised as follows:

- Changes to layout, format, syntax – to improve the look and structure of the policy for clarity and readability purposes
- Information concerning possible future changes resulting from the CIA
- Addition of a version history table
- Expanded content table and guide
- Expanded introductions to and explanations of the Licensing Act 2003 and the council's role within that legislative framework. Increased prominence of the four licensing objectives which form the bedrock of the licensing function, our main aims and enhanced description of the County of Durham in context.
- Greater explanation in connection with the way in which we implement licensing policy in the County, providing important information about the context in which the policy sits and how it is used for the administration of the licensing function and its relationship to other strategic, policy and regulatory regimes.
- Clearer descriptions of the application of the licensing policy highlighting several licensing principles, practices and processes that support and underpin the licensing function of the council.
- Guidance on the application and operation of the policy in practice detailing the types and use of licensing conditions that may be attached to licences to control the use of premises where licensable activities take place, thereby safeguarding and promoting the licensing objectives.
- Increased clarity on the means used by the council to promote the four licensing objectives with some reference to specific circumstances and situations such as licensed premises operating in and close to sensitive areas.
- Improved information about the practical application of licensing looking at the methods and standards of operating licensed premises that may be used to promote the objectives and to encourage excellent standards of management by licence and certificate holders.
- Greater focus on each of the licensing objectives in turn, detailing with the use of examples how applicants and licence holders may practically demonstrate their understanding of and commitment to the promotion of the objectives at their premises.
- Clear descriptions and explanations of what the council expects, recommends, requires, considers and encourages and why.
- Enhanced information on the purpose and use of the policy including detailed explanations of the use and purpose of operating schedules, licence conditions, GDPR, self-assessment activities and risk assessments, enforcement and monitoring activities and compliance
- New information and guidance on the licensing of large-scale events, single-use plastics at licensed premises, counter terrorism complaints and appeals
- Updated information concerning responsible authorities contact details

- More background information and data on public health matters associated with alcohol consumption in the County
- Updated guidance on children in licensed premises
- Enhanced glossary information
- More information for residents and other persons explaining how residents and businesses can have their say in respect of licence applications and the operation of licensed premises in their area
- New appendix with suggestions, recommendations and practical examples of what may be included in applications and operating schedules to ensure that the licensing objectives are promoted
- Greater clarity in connection with planning and development control issues and the links between planning and licensing regimes.
- New appendix showing links to other important and relevant strategies and policies that may be of help/interest and contain further details of schemes available in Durham which applicants and licensees can participate in to assist in carrying out the objectives
- Policy to refuse to grant licenses to sell alcohol for late-night takeaway premises

#### • Finance Committee

Cllr A Doig presented the minutes from the Finance Committee meeting held on 13 June, there being no queries from Members, Cllr Doig advised that OASES had submitted an alternative project following approval of its grant of £1,700. As per Council policy, the new project would need to be reconsidered.

The Clerk advised that OASES had been unable to receive any match funding for the original project proposed and this was the reason for the amends.

Cllr E Scott advised that she would support OASES in applying for the £1,000 in section 106 funding for planting in the Neville's Cross division.

The Clerk advised that the new project proposed for funding by OASES is as follows:

#### Alternative proposal - tree planting in Neville's Cross

Unfortunately we have been unsuccessful in securing the total funding needed to deliver the Planting Up Neville's Cross Project. We had hoped to have included tree planting, bulb planting and wildflower planting, with associated school workshops, assemblies and community plantings, together with a business planting competition (the total cost of which was £5230). I am writing to ask whether the Parish Council would be happy with us delivering a slimmed down version of the original full proposal – using the £1700 to deliver on the tree planting.

All 3 schools in Neville's Cross have expressed an interest in being involved in the project: Durham Johnson, Neville's Cross Primary and St Margaret's Primary. With the £1700 we are proposing to deliver school tree workshops and a public tree planting event in Neville's Cross. We would still like to find some match for this funding, to allow us to plant more trees than would otherwise be possible. I have made enquiries to DCC's Tree Planting week fund to see if each school could apply for £150 for trees, which would increase the number of trees we could plant.

We have the (verbal) support of Neville's Cross Residents Association, Lowes Barn Community Centre Project and Sheraton Park Residents Association, despite them having not written this in a letter/email. Together with the above groups, along with local residents (through the Cross Quarterly which is sent to all households in NX) we have identified sites on grass verges along the A167 and A690 at Neville's Cross where trees could potentially go. I have asked for a meeting with the council for them to check they are happy with these plans.

In the workshops, the school children will learn about why street trees are important and how to grow their own trees. This will be followed by a community tree planting event. As before, OASES is providing match in the form of equipment, as we have all the spades and gloves needed.

OASES base all our work on the cost of £32/hour. As all our core costs have to be covered by funding, this rate includes costs for public liability insurance, rent, mileage and other overheads. A proposal for the £1700 is set out below.

<b>Trees for Neville's Cross</b>					
<b>Activity</b>	<b>Hours</b>	<b>Staff</b>	<b>Number</b>	<b>Rate</b>	<b>Cost (£)</b>
<b>Preparation</b> - class/focus group <b>workshops</b> - urban trees	2	1	1	32	<b>64</b>
<b>Pupil workshop delivery</b> - to explain the importance of urban trees, how to plant trees & promote community Tree Planting event	3	1	3	32	<b>288</b>
<b>Preparation</b> for Community Tree Planting Event	3	1	2	32	<b>192</b>
Delivery of Community <b>Tree Planting event</b>	4	2	2	32	<b>512</b>
Promotion of tree planting events	3	1	1	32	<b>96</b>
Admin/Management/printing	2	1	1	32	<b>64</b>
Securing land owner permissions.	4	1	1	32	<b>128</b>
Trees, mulch, ties, stakes, guards					<b>356</b>
					<b>1700</b>

Ends

The Clerk advised that Members had one of a number of options they could take on this:

**Option 1** - That funding not be provided for this alternative proposal

**Option 2** - That funding be provided but reduced in accordance with the revised scale of the alternative proposal

**Option 3** - All of the funding agreed earlier this year still be provided

Members **agreed** with option 2 and the sum of £1,000 was **agreed** to go to the new project by OASES.

Members also **agreed** that the sum of £700 should fall back into general reserves.

## • **Business Committee**

Cllr E Scott presented the minutes from the Business Committee meeting held on 27 August. Cllr E Scott advised that the Committee was working on hosting a business seminar and more updates would follow on this. There were no queries from Members on this report.

## **6. CHAIR'S UPDATE**

The Chair provides a verbal update on matters arising since the Full Parish Council meeting on 24 October.

The Chair reminded Members that there would be a need for the Parish Council to agree its budget for the next financial year at the January Full Council meeting.

The Chair congratulated all those organisations involved in 2019's Durham in Bloom as Durham had won gold in the Champion of Champions category of Britain in Bloom and Durham City had also won gold in the small city category.

The Chair thanked all those involved in the organisation of the Remembrance Day parade. The Chair advised that the Parish Council had received correspondence from a number of members of the public and organisations involved who felt that the event was excellent this year.

The Chair advised that the Good Neighbour scheme being run by the Parish Council's Environment Committee along with Durham Student Union was creating a lot of positive discussion amongst residents' groups and encouraged Members with ideas on where would need to be an area of priority to get in touch with the Clerk with the details.

The Chair reminded Members that the Parish Council civic event was due to take place on 11<sup>th</sup> December starting at 6pm. The event would also include awards for the best Christmas Season business frontages.

The Chair also advised that neither she nor the Clerk were aware of any business for the December meeting of the Full Council and therefore there would be no Full Council meeting in December.

## **7. REPORT FOLLOWING THE PARISH COUNCIL'S ANTI-SOCIAL BEHAVIOUR CONFERENCE**

The Chair thanked those involved in the organisation of the ASB Conference on 31st October.

The Clerk advised that the meeting was well attended with over 50 members of the public in attendance and consisted a panel including the Head of Community Protection at DCC, DCC's Stakeholder Engagement Lead, the Deputy Chief Constable of Durham Police, the President of the Students Union, the lead volunteer at Sanctuary 21 and a representative of the local MP.

The feedback received was positive; particularly in relation to the public Q and A session and the solutions which came out of the meeting. Some negative feedback as received about the venue; particularly the heat and the sound quality.

The Chair advised that the Conference had received substantial radio, TV, newspaper and online coverage.

The Chair reminded Members that the agreed proposed solutions which came out of the meeting are as follows:

### **PROPOSED SOLUTIONS**

1. More community police officers for Durham City with a greater visible presence.
2. More control over access to alcohol.
3. A late night "bobby on the beat" to knock on doors in the event of loud house parties etc. Issuing a community protection notice where applicable.
4. Amended contract for Neighbourhood Wardens to allow for working after 10pm to tackle issues such as transient noise and/or noise from households.
5. A digital information campaign across Full University campus and in Durham City.
6. Introduction of a late-night levy on all premises in Durham City open after a particular time.
7. Volunteer late-night student wardens (Angels scheme).
8. An easier tool to report incidents of anti-social behaviour and receiving feedback from this. (DCC's do it online portal very unpopular with residents due to issues with ease of use and reporting back). Should be coupled with a public information campaign on what to do and how to use.
9. University to provide a lot more funding towards community initiatives which help tackle anti-social behaviour. (Reference made to £7million loss in Council tax due to class M and N exemptions for Durham City).
10. Speedier response time from 101 service.
11. Formation of a unified residents group working party to report and tackle antisocial behaviour.
12. Formation of a multi-agency task force to tackle anti-social behaviour in Durham City – to include most senior reps from the City of Durham Parish Council, Durham County Council, Durham Police and Durham University.
13. Lobbying Government on a minimum unit price for alcohol.
14. Introduction of a Public Space Protection Order for Durham City to tackle rough sleeping, begging and anti-social noise.
15. Restriction on chuggers and street sales people.

Ends

The Chair advised that the Parish Council has sought a meeting with all panel members from the Conference to move forward with these proposals.

The Chair also advised that, since the Conference, the Parish Council has also received correspondence from the Chair of the City Safety Group to advise that the Group has established an Officer Sub-group to look specifically at ASB issues and problem solving with a remit for the City Centre of Durham.

The Chair advised that this group will be chaired by Andrew Megginson and the Parish Clerk has been invited to represent the Parish Council on this group so that all partners are around the same table discussing the issues, possible solutions and future actions.

The Clerk advised that it is envisaged that this Sub-group will be a time limited action focused group. The Sub-Group will report into the City Safety Group. The Sub-group contains operational Council Officers and doesn't include any elected members.

The Sub-group Membership currently includes; Andrea Arthur – Neighbourhood Inspector, Ian Hoult – Neighbourhood Protection Manager, Marie Smith - Housing Solutions Manager, Owen Cleugh – Consumer Protection / Licensing Manager, Carol Feenan - Town Centre Manager, Kevin Lough – Occupational Health & Safety Manager, Joanne Waller – Head of Community Protection, and Julie Barnfather – DCC Communications Team.

Additional invites for sub-group membership have also been extended to Durham University and Durham Business Improvement District (BID).

Members **agreed** to formally endorse the proposed solution which came out of the ASB Conference.

Members also **agreed** to the Clerk participating in the Officer Sub-group of the City Safety Group on behalf of the Parish Council.

## **8. REQUEST TO CONSIDER SUPPORTING 80<sup>TH</sup> ANNIVERSARY OF BATTLE OF BRITAIN IN SEPTEMBER 2020**

The Clerk reminded Councillors that September 2020 marks the 80th Anniversary of the Battle of Britain. The Battle of Britain Day (15 September 1940) was a pivotal and historic battle that changed the course of the War.

The Clerk advised that, to mark this important anniversary, a Service of Thanksgiving and Rededication on Battle of Britain Sunday (13th September 2020) is expected to take place in Durham Cathedral (organised by the Cathedral and the RAF) with a parade to follow this Service.

The Clerk also advised that correspondence had been received by a local resident and a former Squadron Leader of the Royal Air Force (Ret'd), requesting that the Parish Council funds the hiring of a Spitfire MK805 on the same day as this event to help mark the anniversary.

The Spitfire MK805 was showcased in Durham marketplace in 2018 and proved popular with visitors and local residents (image included in report) and a request has been made to the same company to provide the Spitfire again in 2020.

The Clerk advised that he had had a discussion with the Managing Director of the Durham Markets Company about the use of the marketplace on 13th September for the hiring of the Spitfire and he is agreeable to the proposal.

The Clerk advised that, should Councillors approve the proposal to fund the hiring of the Spitfire, the total cost would be £2,350 (no VAT) for the hiring, transportation, installation and security of the Spitfire; including a display of RAF

information boards and story boards telling the history of the original Spitfire MK805.

Members **agreed** to fund the hiring of the Spitfire.

## **9. PROJECT TO PROMOTE THE WORK OF DR. FENWICK LAWSON**

The Clerk reminded Councillors that, at the September Full Council meeting, the Council had agreed to allocate £3,500 of the Environment Committee's heritage fund towards a project to promote the work of Dr Fenwick Lawson. At the time, the Clerk advised that he would seek both three quotations from app development companies (in accordance with Standing Orders) and also seek external funding to supplement that provided by the Parish Council. The Clerk advised that he had contacted ten local app development companies and the following quotes have been received by the Parish Council:

Company A - £8,000 + £720 (ex VAT) ongoing running costs

Company B - £11,898 + £2,499 (ex VAT) ongoing running costs

The Clerk advised that County Councillors had all agreed to fund £3,000 (in total) towards the project.

Cllr A Doig advised that he would be happy with the Parish Council funding the remainder, however the app should be a showcase of the Heritage of Durham as a whole and the work of Dr Lawson could be the first stage.

Members **agreed** to use the remaining fund from the Environment Committee Heritage budget towards this.

Members also **agreed** that Company A should be the supplier for this service.

Members also **agreed** in principle to the app being developed into a wider "heritage of Durham" app.

## **10. CITY OF DURHAM PARISH COUNCIL POLICY ON VEXATIOUS BEHAVIOUR**

Members **agreed** to adopt the following policy on dealing with vexatious behaviour:

### **1 Definitions**

"Vexatious Behaviour" means unreasonable behaviour of anyone making a request or complaint in an abusive, threatening or offensive manner or unreasonably persistent manner by the frequency of requests and complaints.

"Council" means the City of Durham Parish Council

"Clerk" means the Parish Clerk of the City of Durham Parish Council

"Chair" means the Chair of the City of Durham Parish Council

"Designated Councillor" means the councillor who has been appointed by the Council to act for the Chair in respect of this policy if the Chair is absent or if the Chair considers it to be inappropriate to act in respect of the discharge of this policy.

“Panel” means the panel of 3 councillors excluding the Chair or designated Councillor appointed by the Council to consider any appeal against the imposition of restrictions in accordance with this policy.

“Order” means the letter issued by the Clerk setting out the details of restrictions imposed on the Person in communicating with the Council.

“Person” means any member of the public, organisation or any person or organisation acting on behalf of a member of the public including solicitors, Councillors from another authority, Councillors of the Council, Members of Parliament making a request for information or complaint about the Council or a Councillor of the Council

“Warning” means a letter informing a Person of their vexatious behaviour and the details thereof and that an Order shall be issued if they do not desist from such behaviour.

## **2 Aim of this policy**

This policy is to assist in the efficient operation of our policies of dealing with

requests for information or complaints in a timely, reasonable and consistent manner. The policy sets out the procedure for determining whether vexatious behaviour has occurred and for imposition of restrictions on the Person making the request or complaint; should be read in conjunction with other appropriate policies of the Council. This policy is for the guidance of staff, Councillors and a Person making a request or complaint.

## **3 Procedure**

Prior to issue of warnings or restrictions, the Clerk shall ascertain that the request or complaint has been dealt with or is being dealt with in accordance with the appropriate policy unless the vexatious behaviour is hindering or preventing the use of the appropriate policies

If the Clerk considers that vexatious behaviour has occurred, and after consultation with the Chair or designated Councillor, shall issue in writing a Warning letter to the person making the request or complaint.

If the vexatious behaviour continues, the Clerk, after consultation with the Chair or designated Councillor, shall issue in writing an Order and the period for which such Order shall apply. The period shall be reviewed every 3 months by the Clerk and Chair and may be reduced, left unaltered or extended.

If the vexatious behaviour continues the period of the Order or the terms or both may be amended in writing by the Clerk after consultation with the Chair or designated Councillor.

If the Person considers the Order to be unreasonable a written appeal setting out the grounds for the appeal may be submitted to the Panel. The Panel may permit the Person to speak to the Panel prior to them making a decision. Their decision which shall be communicated in writing by the Clerk to the Person shall be final.



If the Person who has received an Order submits a new communication by letter unrelated to the previous request or complaint, the Clerk after consultation with the Chair or designated Councillor may agree to deal with the new communication in accordance with the appropriate policies of the Council.

#### **4 Records**

When an Order or amendment thereto is issued, the Clerk shall report to the Council that such an action has been taken as soon as practicable. If the Council wish to be informed as to the detail of the Order, the information shall be reported in closed session to the Council.

The Clerk shall maintain in a suitable format detail of Warning and Order letters and submit a summary report to the annual meeting of the Council.

Ends

Members also **agreed** that the Vice-Chair of the Parish Council be appointed as the "Designated Councillor" to act for the Chair in respect of this policy if the Chair is absent or if the Chair considers it to be inappropriate to act in respect of the discharge of this policy.

### **11. CITY OF DURHAM PARISH COUNCIL HEALTH AND SAFETY POLICY**

Members **agreed** to adopt the following health and safety policy:

1. The City of Durham Parish Council, in accordance with the requirements of The Health and Safety at Work Act (1974), and The Management of Health and Safety at Work Regulations (1998), accepts its duty to provide and maintain safe and healthy working conditions for all its employees and Parish Councillors. It also accepts its duty of care to other persons such as volunteers and contractors who work on behalf of the Council.

2. The Parish Council will take all reasonable steps to ensure that it complies with the law on Health, Safety and Welfare and any relevant Regulations, Approved Codes of Practice and Guidance. It will provide the resources to ensure the safety of its employees and others affected by its work.

3. The Parish Council will take all reasonable steps to ensure:

3.1 That information, instruction, training, supervision, equipment and facilities necessary to achieve a safe working environment for employees, members of the public, contractors and volunteers are provided.

3.2 That its work, in all its forms, is done in ways so that members of the public are not put at risk.

3.3 That arrangements are in place for the safe use, handling, storage and disposal of all substances and equipment that may endanger health or welfare.

3.4 That this policy is brought to the attention of all employees, members of the public, contractors, volunteers and Councillors and is reviewed annually.

3.5 That when necessary, there is consultation and negotiation with employees and/or their representatives on health, safety and welfare at work to ensure continuing improvement.

4. The Parish Council is responsible for managing safety, based on the council's safety policy.

5. The Clerk shall keep copies of all risk assessments, method statements and Health and Safety documents, in labelled Health and Safety files.

6. All Councillors, employees/contractors and volunteers have a duty to take reasonable care for their own health and safety and that of any persons who may be affected by their acts or omissions.

7. Day to day matters of Health and Safety are dealt with by the Clerk acting on behalf of the Council.

#### 8. Risk Assessments

8.1 The Parish Council will carry out risk assessment of its activities as and when necessary and review these annually.

8.2 The Parish Council will set up and monitor policies and procedures to reduce any risks that are identified.

8.3 The Parish Council requires contractors to supply Risk Assessments, written Method Statements and Safe Systems of Work prior to starting any major works on behalf of the council.

Ends

## **12. REPORTS FROM REPRESENTATIVES ON LOCAL ORGANISATIONS**

Cllr J Ashby provided a report to Full Council following the meeting of the University's Community Engagement Task Force: Lived Environment Sub-group held on 30<sup>th</sup> October 2019:

1. I attended the Lived Environment Sub-Group meeting held on 30 October 2019 as a representative of the Parish Council. Most of the other attendees were from Durham University but there was a Residents Groups' person, a DSU rep and two officer invitees from Durham County Council.

2. The University's Senate has approved a report recommending that the Engagement Task Force and the various Sub-Groups continue their work.

3. The two officers from Durham County Council had been invited to present the current position on HMO licensing.

- There are 780 licensed HMOs in Durham City at present. The national new mandatory licensing policy came into force in October 2018 and applies to HMOs that are occupied by five or more people, comprising individuals living in two or more separate households, and regardless now of the number of storeys.

- The current Assured Licensing Scheme contains only 330 properties - the University pulled out in 2014, and some landlords are not keen to be inspected.
- The County Council is consulting on a County-wide Selective Licensing scheme; where selective licensing applies, all houses within the private rented sector for that area must be licensed. This would be a huge improvement for tenants and the local environment. However, it is estimated that some 60,000 properties would need to be inspected, and the hope is that Durham City is dealt with first because of the particular circumstances here. DSU were advised that any complaint would trigger an inspection.

4. Priorities for 2019.20 for the Sub-Group are:

- DSU - landlord rating scheme
- Licensing/night-time economy/safeguarding
- HMOs/private rented sector (note DURF progresses the issue of counting HMO and PBSA properties for operating the planning policies on these uses)

5. The Engagement Task Force will be looking at its December meeting at the issues around cars, parking and sustainable travel. The University will be updating its Travel Plan during the summer and there will be public engagement.

Ends

The Chair thanked Cllr J Ashby for this report. There were no queries from Members on this report.

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

Signed,

**Chair of the City of Durham Parish Council  
(23<sup>rd</sup> January 2020)**

# City of Durham Parish Council

**Minutes of Planning Committee meeting held at 14:00 pm on Friday 8<sup>th</sup> November 2019 in Office 2, Clayport library building, 8 Millennium PI, DH1 1WA.**

**Present:** Cllr R Cornwell (in the Chair), Cllr J Ashby, Cllr V Ashfield, Cllr G Holland and Cllr C Reeves

**Also present:** Parish Clerk Adam Shanley, Janet George (member of the public), Yvonne Edwards (Durham University) Faith Folley (DPP Planning), John Seebacher (DPP Planning) and Rachel Raine (DPP Planning).

## **1. Welcome and apologies**

Apologies were received from Cllrs J Elmer and L Brown

## **2. To receive any declarations of interest from members**

None received

## **3. To receive and approve as a correct record the minutes of the meeting on 25 October 2019**

The minutes of the meeting held on 25<sup>th</sup> October 2019 were unanimously **agreed** as a true and accurate record of proceedings.

## **4. To receive any public participation comments on the following agenda items.**

Janet George attended the Planning Committee meeting to provide the Parish Council with a letter she had received from Durham County Council's planning department following her objection to planning application DM/19/03170/CEU. Janet advised that she and another neighbour to the property being considered as part of application DM/19/03170/CEU had submitted an objection and had also provided evidence to Durham County Council that the house was both uninhabited and uninhabitable as building work was carried out. The Chair highlighted another recent similar case whereby the Inspector had made it clear that the relevant date was when the new tenants actually moved in, not when the owner decided to convert the house to an HMO nor indeed the date on a tenancy agreement. It was **agreed** to send a further letter to the Planning department at DCC providing further information, reiterating the Parish Council's objection and requesting that this application be called to Committee if minded to approve. The Chair thanked Janet George for attending the meeting. Janet left the meeting.

## **5. Matters arising:**

**DM/19/02871/AD** and **DM/19/02874/LB** | Half Moon Hotel 86 New Elvet Durham DH1 3AQ. The draft response to these applications were **agreed** by the Committee.

**DM/19/02966/FPA** and **DM/19/02967/LB** | Half Moon Hotel 86 New Elvet Durham DH1 3AQ. The draft response to these applications were **agreed** by the Committee.

**DM/19/03139/FPA** | Crematorium South Road Durham DH1 3TQ. The draft response to this application was **agreed** by the Committee. The Clerk did however highlight that neither the applicant nor the Planning department at DCC had responded to the request for further information on this application.

**DM/19/03143/LB** | Basement 41 - 42 Saddler Street Durham DH1 3NU. The draft response to this application was **agreed** by the Committee.

**DM/19/03170/CEU** | 11 Mayorswell Close Durham DH1 1JU. The draft response to this application was **agreed** by the Committee.

**DM/19/03176/FPA** | 18 Mavin Street Durham DH1 3AU. The draft response to this application was **agreed** by the Committee.

**DM/19/03177/FPA** | 13 Mavin Street Durham DH1 3AU. The draft response to this application was **agreed** by the Committee.

**DM/19/03257/FPA** | 32 Whinney Hill Durham DH1 3BE. The draft response to this application was **agreed** by the Committee.

**DM/19/03317/CPO** | 6 Mitchell Street Durham DH1 4DQ. The draft response to this application was **agreed** by the Committee.

Cllr R Cornwell **agreed** to represent the Parish Council at the forthcoming Central and East Planning Committee at Durham County Council in relation to application DM/19/02862/FPA.

The Committee also **agreed** to reiterate their objection following receipt of a notification of appeal from the applicant for DM/19/02375/PNT.

## **6. Planning applications:**

- a.** Consideration of amended plans for DM/19/02553/FPA (Demolition of former baths & construction of new Business School etc).

A number of representatives from both Durham University and DPP Planning (consultants for the scheme) attended the meeting to discuss the revised plans from the proposed new Durham University Business School. Faith Folley (DPP Planning) advised that they had considered the Parish Council's comments on the original application and had submitted some revisions to satisfy some of the concerns expressed. Faith advised that DPP and Durham University were aware of the concerns primarily in relation to the Eastern elevation of the building and had sought to change the building with the aim of addressing those concerns. Faith advised that the landscaping scheme remained the same in terms of the proposed tree planting (25 new large specimens of trees, 1000 small specimens). Computer generated images of the proposed new building were provided by the consultants showing both Summer and Winter views of the building.

The Chair thanked the consultants for the giving the Parish Council the opportunity to see the building in a 3D display at a meeting some weeks earlier.

Faith advised that the building had been made slightly smaller and set further back to address the issues of the building having an impact on views from the Cathedral tower in particular. The trees proposed to be planted as part of the scheme would also cover the building from this view.

Cllrs V Ashfield and G Holland expressed a dislike for the architecture of the proposed building.

Cllr J Ashby thanked the consultants and the University for looking to address the concerns expressed by the Parish Council.

The Chair thanked the representatives from Durham University and DPP Planning for attending the meeting. At this point, all four representatives left the meeting.

It was **agreed** to respond to the revised plans stating that the original concerns had been addressed in the original objection. Cllr J Ashby **agreed** to draft the response to this.

- b.** Planning applications held over from 25 October:
- DM/19/02640/AD** | Display of bronze plaque to display information related to St. Cuthbert and The Journey Statue. | Clayport Library 8 Millennium Place Durham DH1 1WA (8 November). It was **agreed** to note this application.
- DM/19/03030/AD** | Dibond Sign mounted to the front of the shop Height 80 cm x 490 cm length with the white background to match the style of the shop front sounding and orange text to match company colours. | 9 Silver Street Durham DH1 3RB (1 November). It was **agreed** to note this application.
- c.** To consider making representations on the following (the date in parenthesis is the deadline to call the application to committee):
- DM/19/03309/FPA** | Replacement of Existing Timber Front Door with Composite and Replacement of Existing Timber Ground Floor Front Bay Window with UPVC | 16 Mistletoe Street Durham DH1 4EP (21 November). It was **agreed** to object to this application. Cllr G Holland **agreed** to draft the response to this application.
- DM/19/03355/FPA** | Replace existing conservatory with a rendered single-storey rear extension | 1 St Oswalds Drive Durham DH1 3TE (15 November). It was **agreed** to note this application.
- DM/19/03359/FPA** | Replacement of First Floor UPVC Window with Timber Painted Window | 13 Lawson Terrace Durham DH1 4EW (21 November). It was **agreed** to note this application.
- DM/19/03368/FPA** | Creation of two bedrooms above an existing garage and kitchen, extension of ground floor front elevation of existing flat roofed area by 1.8m to create a boot room and W/C and other external alterations. | 2 Aykley Green Durham DH1 4LN (19 November). It was **agreed** to note this application.
- DM/19/03382/LB** | Replacement Timber Windows | Covered Market Market Place Durham DH1 3NJ (28 November). It was **agreed** to note this application.
- DM/19/03386/FPA** | Erection of two storey detached brick garage with; carport, cycle storage and general storage to the ground floor; studio space W/C and storage to the first floor. | Hallgarth Farm House The Hallgarth Durham DH1 3BJ (28 November). It was **agreed** to note this application.
- DM/19/03397/LB** | 2 No Non-Illuminated Banner Signs | Covered Market Market Place Durham DH1 3NJ (28 November). It was **agreed** to note this application.
- DM/19/03408/FPA** | Change of use from single dwelling house C3 with 2 bedrooms to HMO C4 with 4 bedrooms | 29 Lawson Terrace Durham DH1 4EW (28 November). It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.
- DM/19/03409/AD** | Advertisement consent for the display of 2 No. Externally Illuminated Hanging Signs and 1 No. Internally Illuminated Fascia Sign | The Bishop Langley North Road Durham DH1 4PW (25 November). It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.
- DM/19/03436/TPO** | To prune overhanging branches of Ash, Sycamore, Maple, Elm and Poplar trees back in line with the boundary | 24 Westhouse

Avenue Nevilles Cross Durham DH1 4FH (25 November). It was **agreed** to note this application.

**DM/19/03438/FPA** | Change of use from single dwelling house C3 with two bedrooms to HMO with 4 bedrooms and dormer window to rear roofslope | 29 Lawson Terrace Durham DH1 4EW (25 November). It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.

## **7. Consideration of Parish Council Planning Committee budget for the financial year 2020-21**

Members considered expenditure for the Planning Committee in the forthcoming financial year. The Clerk highlighted that expenditure had already been agreed up until January 2021 for the provision of an enhanced planning enforcement service but expenditure would need to be considered for this priority should the Parish Council wish to continue with this service.

It was **agreed** that £6,000 should be proposed to Full Council in case of the need for a public inquiry regarding the de-registration of the coach park at the Sands as Common land.

It was **agreed** that £500 should be proposed in case of any printing required for the Neighbourhood Plan.

It was **agreed** that £1,000 should be proposed in case of any professional support needed in responding to Planning applications.

The Clerk highlighted that there is still £7,500 remaining for the HMO investigation/SLA with Durham University on HMO locations within the City of Durham Parish Area.

## **8. Consideration of Minister's response to the Parish Council in relation to Central Government financial support for areas with a high number of council tax class M and N properties.**

Members considered the recent responses to FOI requests submitted to the County Council in relation to loss in Council tax due to class M and N properties. These highlighted that approximately £7.5 million was lost in the financial year 2018-19 due to these exemptions. Cllrs J Ashby and R Cornwell advised that they would like to look further into the figures provided by the Valuation Office.

It was **agreed** that a report should go to the November Full Council meeting on this matter with the following recommendations:

- That the Parish Council requests a breakdown of the formula from Government on the amount relating to student council tax exemptions paid to DCC as part of the Local Government Finance Settlement.
- That the Parish Council writes to DCC requesting that a percentage of the funds paid as part of the Settlement to DCC by central Government be passed on to the Parish Council (as per Minister's response).
- That the Parish Council writes to Durham University formally requesting that they increase their contribution to local service spending in light of the loss of council tax.

- That the Parish Council writes to the Head of Planning at DCC requesting that any section 106 monies arising from permitted development as part of the University's Masterplan be used for local services which combat any negative impact on the locality and not on other priorities e.g. public art.

## **9. County Durham Plan**

Members **agreed** to note the replies to the Inspector's Supplementary Questions on Matters 5-7 and also the replies to Inspector's Action Points on Matters 1-4.

## **10. Proposed new County HQ on the Sands (planning reference DM/18/02369/FPA): Any relevant developments**

The Clerk advised that the next newsletter from Kier is due to arrive in the next day or so. The Clerk also advised that he would chase up a reply from Kier on the proposed next date, time and membership of the (yet to be formally established) Community stakeholder group.

## **11. Dates of future meetings**

22 November 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

6 December 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

*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*

## **12. Deregistration of common land: consideration of our response to the County Council's response to representations received.**

The Chair advised that the County Council had responded to the number of objections submitted as part of their application to have the coach park at the Sands de-registered as Common land. The Chair advised that a meeting had taken place between the Freemen, the Parish Council and the barrister who acted on both parties' behalf in writing the original objection to the plans. At the meeting, a number of inaccuracies were highlighted in the County Council's response and it was felt that this ought to be highlighted to the Planning Inspectorate. Members **agreed** that the barrister should be asked to respond to the County Council response to objections; a decision on cost to be approved in writing and ratified by Full Council.

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

**Signed**

**Chair of the City of Durham Parish Council Planning Committee**



# City of Durham Parish Council

**Minutes of Planning Committee meeting held at 14:00 pm on Friday 22<sup>nd</sup> November 2019 in Office 2, Clayport library building, 8 Millennium PI, DH1 1WA.**

**Present:** Cllr R Cornwell (in the Chair), Cllr J Ashby, Cllr V Ashfield, Cllr L Brown and Cllr C Reeves

**Also present:** Parish Clerk Adam Shanley and Cllr E Ashby (attending as a member of St Nicholas Community Forum (SNCF))

## **1. Welcome and apologies**

Apologies were received from Cllr J Elmer and G Holland

## **2. To receive any declarations of interest from members.**

Cllr J Ashby declared an interest in planning applications DM/19/03587/FPA and DM/19/03588/LB.

Cllr L Brown declared an interest in planning application DM/19/03525/LB

## **3. To receive and approve as a correct record the minutes of the meeting on 8 November 2019.**

The Minutes of the meeting held on 8<sup>th</sup> November 2019 were unanimously agreed as a true and accurate record of proceedings.

## **4. To receive any public participation comments on the following agenda items.**

Cllr E Ashby advised that she was attending the meeting as a member of SNCF and wished to hear discussions on planning application DM/19/03525/LB.

## **5. Matters arising:**

**DM/19/03170/CEU** | 11 Mayorswell Close Durham DH1 1JU (further letter). This letter was **approved** by the Committee.

**DM/19/03309/FPA** | 16 Mistletoe Street Durham DH1 4EP. This letter was **approved** by the Committee.

**DM/19/03408/FPA** and **DM/19/03438/FPA** | 29 Lawson Terrace Durham DH1 4EW. These two letters were **approved** by the Committee.

**DM/19/03409/AD** | The Bishop Langley North Road Durham DH1 4PW. This letter was **approved** by the Committee.

The Chair advised that the applicant for 24 Nevilledale Terrace was appealing the decision to refuse the application and it was necessary for the Committee to decide how to respond to the notice of appeal. It was **agreed** that the original objection be maintained.

The Chair also thanked Cllr C Reeves for her work on the press release on wooden window frames. The Chair advised that he had received feedback that the press release should include more background information and a quote from the Chair of the Parish Council Planning Committee. The Clerk **agreed** to work with Cllr C Reeves to provide an alternative press release.

The Clerk reminded Councillors that the planning training organised through CDALC was due to take place on 26<sup>th</sup> November and was oversubscribed throughout the County. Cllr J Ashby **agreed** to withdraw from the training to provide a space for another Councillor. The Clerk and the Chair of the Parish Council Planning Committee had also withdrawn from the training session.

The Clerk reported that he had recently met with Hannah Shepherd from Durham University to progress the proposed SLA with the University to provide the Parish Council with the aggregate data of student housing within a 100 metre radius of any new application sites involving a C4 or sui generis property use. The Clerk reported that the Information Governance team still had concerns about the SLA. It was **agreed** that the Clerk should write to Professor Corbridge, Pro Vice Chancellor and Warden of Durham University to request that he assist in progressing the SLA.

## **6. County Durham Plan**

The Chair provided a verbal update on week 2 of the Examination in Public. The Chair advised that the Inspector has a clear line on greenbelt as far as strategic allocations at Durham City were concerned. The Chair advised that he felt that DCC ought to have prepared better for the EiP.

The Chair advised that the issue of the relief roads had been discussed as part of Matter 6 of the EiP (Transport proposals for Durham City) and further clarity was needed particularly on the boundary of Sherburn Road.

The Chair advised that the issues of Durham University, PBSAs and HMOs had been discussed as part of Matter 7 of the EiP. The Chair advised that this part of the EiP had been poorly attended outside the Parish Council and members of local residents' groups. The Chair advised that the University had remained silent during the EiP when the matter of HMOs was discussed.

The Chair advised that there were no further questions or action points from the Inspector. However, the Chair did draw the Committee's attention to a main modification proposed to the World Heritage Site, in so much that both sides of the riverbank were now proposed to be included in the Site. The Inspector felt that the policy ought to reflect this.

The Chair advised that the coalition was working very well. The coalition did not have a place to speak during weeks 3 and 4 of the EiP. However, Cllr J Ashby advised that he would attend the discussions on Matter 8 of the EiP in case the Inspector wished to hear from a member of the coalition. The Chair advised that although the Coalition are only listed at Matter 14 (*Other Issues*), he would still attend weeks 3 and 4 of the EiP out of interest.

## **7. Consideration of Planning Committee budget for 2020-21**

It was **agreed** that £6,000 should be allocated towards a potential public enquiry into the de-registration of common land next year.

It was also **agreed** that £500 should be allocated towards any printing costs for the delivery of the Neighbourhood Plan.

It was also **agreed** that £1,800 should be allocated towards February and March 2021 for the SLA for the enhanced planning enforcement service.

It was also **agreed** that £2,000 should be allocated towards any potential professional services needed in responding to any particular complex planning applications.

Cllr J Ashby advised that he would be reviewing the agreed 'Looking Forward' document to see if other commitments required an allocated budget and would report back at the next Planning Committee meeting.

#### **8. Section 106 monies available for the City of Durham Parish area**

The Clerk advised that the City of Durham Parish area currently had a lot of section 106 money to spend. It was **agreed** that the Parish Council's Environment Committee should look to progress any projects for the Parish with this funding being available.

#### **9. Proposed new County HQ on the Sands (planning reference DM/18/02369/FPA): Any relevant developments**

The Clerk advised that he had received some complaints regarding the advertising boards which had been erected with the fencing around the former Sands car park. The Clerk advised that members of the public were questioning the accuracy of some of the statements on these boards. The Chair also advised that he felt the County Council ought to have applied for planning permission for the reinforced fencing and advertising. It was **agreed** that the Clerk should speak with the local residents' group about this.

The Chair also advised that he had raised the issue of some faulty lighting outside Freeman's Quay Leisure centre with Andrew Megginson of DCC.

#### **10. Deregistration of common land:**

Members **agreed** to endorse the joint response submitted by the Parish Council and the Freeman on the de-registration of the common land.

#### **11. Planning applications:**

**DM/19/02553/FPA** | Demolition of former baths & construction of new Business School etc | Former Swimming Baths and Nos 42, 47-49, 50 And 51 Old Elvet, Elvet Waterside Durham, DH1 3DA (22 November). The revised response to this application was **agreed** by the Committee and the Clerk advised that he would submit this.

**DM/19/03076/FPA** | Change of use of ancillary retail storage (use class A1) to gym (use class D2) and external alterations | 43, 44 And 25 The Riverwalk Millburngate Durham DH1 4SL. It was **agreed** to note this application.

**DM/19/03227/FPA** | Two storey rear extension to existing C4 property | 3 Juniper Way Durham DH1 4GZ. It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.

**DM/19/03337/FPA** | Replacement of shopfront | Woven 40 The Riverwalk Millburngate Durham DH1 4SL. It was **agreed** to note this application.

**DM/19/03447/FPA** | Change of use of part ground floor and first floor of no. 90 to small HMO (Use Class C4) including two-storey extension to rear, single storey extension to no. 89 to provide workshop and change of use of land to rear to residential curtilage. | 89-90 Claypath Durham DH1 1RG. It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.

**DM/19/03459/FPA** | Demolition of existing rear extension and erection of part single-storey/part two-storey extension at rear of dwelling and installation of dormer windows in roofspace also to rear to an existing small HMO (use class C4). | 17 Providence Row Durham DH1 1RS. It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.

**DM/19/03494/FPA** | Demolition of existing rear extension and erection of two-storey extension at rear of dwelling and installation of dormer windows in roofspace also to rear to an existing small HMO (use class C4). | 18 Providence Row Durham DH1 1RS. It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.

**DM/19/03525/LB** | To paint shop front green, to install temporary flower wall installation and up-lighting to the top two stories, to replace existing timber beading beneath window with glazing and to install 1 no. Fascia signage with new logo in gold lettering, 1 no. hanging sign with updated logo and gold leaf lettering to left hand exterior window | The John Duck Ale House 91A Claypath Durham DH1 1RG. It was **agreed** to object to this application. Cllr L Brown **agreed** to draft the response to this application.

**DM/19/03587/FPA** and **DM/19/03588/LB** | erection of sandstone wall under 1m high with wrought iron railings above | Leazes Cottage Leazes Place Durham DH1 1RE. It was **agreed** to note this application.

## **12. Dates of future meetings**

6 December 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

As the Parish Council goes into its Christmas recess on 12<sup>th</sup> December, it was **agreed** that the next meeting of the Parish Council Planning Committee (after the Christmas holidays) should be the 10<sup>th</sup> January 2020 at 14:00pm. The Chair advised that he and the Clerk would keep an eye on any new applications coming in and would request that the County Councillors call in any controversial applications over the holidays if needed.

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

**Signed**

**Chair of the City of Durham Parish Council Planning Committee**

# City of Durham Parish Council

**Minutes of Planning Committee meeting held at 14:00 pm on Friday 6<sup>th</sup> December 2019 in Office 2, Clayport library building, 8 Millennium PI, DH1 1WA.**

**Present:** Cllr R Cornwell (in the Chair), Cllr J Ashby, Cllr V Ashfield, Cllr L Brown, Cllr G Holland and Cllr C Reeves

**Also present:** Parish Clerk Adam Shanley and Mr Mike Chadwick (Member of the public)

## **1. Welcome and apologies**

Apologies were received from Cllr J Elmer

## **2. To receive any declarations of interest from members.**

All members of Planning Committee declared an interest in application DM/19/03670/TCA.

## **3. To receive and approve as a correct record the minutes of the meeting on 22 November 2019.**

Minutes of the meeting held on 22nd November 2019 were unanimously **agreed** as a true and accurate record of proceedings.

## **4. To receive any public participation comments on the following agenda items.**

Mr Mike Chadwick attended the meeting and advised that he was concerned about the increasing number of properties being occupied by students. Mr Chadwick advised that he felt that this is having an impact on funding for local services and the social fabric of Durham City. Mr Chadwick asked the Parish Council how many homes in the Parish are occupied by students.

The Chair thanked Mr Chadwick for attending the meeting and for raising his issues with the Planning Committee. The Chair advised that the Parish Council shared a number of the concerns expressed by Mr Chadwick and is well on the case to addressing those issues. The Chair advised that there are approximately 2,530 properties in the City of Durham Parish area currently occupied by students and not paying Council tax.

The Clerk advised that the Parish Council had recently submitted an FOI request to the County Council on the loss of Council tax income to the Parish due to class M and class N (student properties) exemptions. The loss of Council tax income is over £7,000,000. The Clerk advised that he would write formally to Mr Chadwick so that he had the correct figures.

## **5. Matters arising:**

a. to approve the following responses:

**DM/19/02553/FPA** | Former Swimming Baths And Nos 42, 47-49, 50 And 51 Old Elvet, Elvet Waterside Durham, DH1 3DA. The response to this application was **agreed** by the Committee.

**DM/19/03227/FPA** | 3 Juniper Way Durham DH1 4GZ. The response to this application was **agreed** by the Committee.

**DM/19/03447/FPA** | 89-90 Claypath Durham DH1 1RG. The response to this

application was **agreed** by the Committee.

**DM/19/03459/FPA** | 17 Providence Row Durham DH1 1RS. The response to this application was **agreed** by the Committee.

**DM/19/03494/FPA** | 18 Providence Row Durham DH1 1RS. The response to this application was **agreed** by the Committee.

**DM/19/03525/LB** and **DM/19/03531/AD** | The John Duck Ale House 91A Claypath Durham DH1 1RG. The response to this application was **agreed** by the Committee. The Chair also reported that the Parish Council's response to the change of name had been reported in the local press and, since the Parish Council's submission, the applicant had removed plans to include an artificial flower wall as part of this application. The Committee's concerns regarding the name of the pub remain though the Clerk reported this is not a material planning ground for objection.

The Committee also agreed a revised objection to application **DM/19/03409/AD** (Revolution sign) and agreed to call this application to Committee if minded to approve.

b. to approve the draft press release on timber-framed windows.

The Committee felt that the proposed press release was still too brief and not something the press would be likely to pick up on. It was **agreed** that the release be sent to all local residents' groups, that this also be reported at the Full Parish meeting in May 2020 and that this also be retained in case of the need for objection to any new applications.

c. notification of Committee date for **DM/19/03257/FPA** re: 32 Whinney Hill, Durham DH1 3BE.

It was **agreed** that Cllr G Holland would represent the Parish Council at this Committee. Cllr J Ashby offered to provide a briefing to Cllr G Holland ahead of the Committee date.

- 6. County Durham Plan:** Verbal update on week 4 of the Examination in Public, matters 12 (Environment), 13 (Minerals and Waste) and 14 (*Other Issues*).

**The Chair reported on week 4 of the Examination in Public.** The Chair advised that the Inspector would not be making any formal announcement yet due to Purdah. Cllr J Ashby reported that he felt that Inspector had been very good in addressing issues fairly during the Examination.

Cllr G Holland advised that he felt that Policy 34 of the proposed County Durham Plan was very poor and the representation from the County Council on this policy during the Examination had also been poor.

The Chair also advised that questions arising from the Examination in Public would be published on the week commencing 16<sup>th</sup> December and the County Council (and the Parish Council and others) would have until 10<sup>th</sup> January to respond to these points.

- 7. Neighbourhood Plan Consultation Dates:** Councillors are asked to agree preferred date for start of the Regulation 16 consultation.

Councillors were asked to consider their preference of start date for the Neighbourhood Plan Regulation 16 consultation. The options of Monday 16<sup>th</sup> December 2019 (start date) for eight weeks ending Sunday 9<sup>th</sup> February 2020



or Monday 6<sup>th</sup> January (start date) for six weeks ending Sunday 16<sup>th</sup> February 2020 were put to the Parish Council for a decision.

It was **agreed** that the Planning Committee preferred the start date of 6<sup>th</sup> January for a period of six weeks for the Regulation 16 consultation.

#### **8. Proposed new County HQ on the Sands (planning reference DM/18/02369/FPA)**

The Clerk reported that there was still no update on a date for the proposed stakeholder engagement meeting involving Kier and the local residents' groups. It was **agreed** that the Clerk should write to both Andrew Megginson (DCC) and Paul Nixon (Kier) to chase this up again.

#### **9. Deregistration of common land: Any relevant developments**

There were no developments to report on this matter.

#### **10. Feedback from the Planning Training on 26 November**

Cllr V Ashfield advised that she attended the planning training on 26<sup>th</sup> November and had found it to have covered the basic procedures but not relevant planning policy. It was **agreed** that the Clerk should attempt to organise a more bespoke training session with a planning officer recommended by Cllr G Holland.

#### **11. Selective licensing scheme for County Durham**

Cllr J Ashby provided a report to Councillors in relation to a selective licensing scheme for County Durham.

Cllr J Ashby advised that selective licensing is a discretionary scheme for local authorities and covers privately rented properties. Cllr J Ashby advised that the Housing Act 2004 allows local authorities to designate areas for selective licensing to support the improvement of privately rented properties, providing certain conditions are met.

Cllr J Ashby advised that, in areas designated, landlords must apply for a licence if they want to rent out a property. This means the council can check whether they are a "fit or proper person" to be a landlord or letting agent, as well as making other stipulations concerning management of the property and appropriate safety measures. The stipulations are listed in the licence conditions and the conditions are at the discretion of the local authority.

Cllr J Ashby reminded Councillors that DCC's Cabinet approved in principle to detailed preparatory work being undertaken with the intention of submitting an application to the Secretary of State for Communities and Local Government for a county-wide selective licensing designation. Cllr J Ashby advised that, as part of the application, the County Council would need to consult on plans and consider all representations.

Cllr J Ashby advised that the scale of the scheme is considerable, with an estimated 60,000 privately rented properties in County Durham, all of which would need to be inspected. Cllr J Ashby advised that Durham City would be an obvious priority area for such a scheme.

The Chair thanked Cllr J Ashby for his report to the Committee.

It was **agreed** that the following recommendations would go forward to Full Council for approval:

That the Parish Council:

- a) expresses support for the County Council's intention to seek a Selective Licensing Scheme covering the whole County;
- b) advises that Durham City should be treated as a priority area for inspection; and
- c) requests that the Parish Council be included in consultations on the emerging application and business plan.

## **12. Additional budget items arising from *Looking Forward*.**

Cllr J Ashby reported on budget commitments arising from the *Looking Forward* document, which had been agreed by Full Council earlier in the year. The most substantial element of this being the production of a design guide for Durham City at an estimated cost of £5,000. The Clerk recommended that the £5,000 underspend, arising from the four County Councillors funding half of the Planning Enforcement SLA, be transferred to this commitment. The Committee **agreed** this to go forward for Full Council approval.

## **13. Planning applications:**

**DM/19/03313/FPA** | Temporary change of use until end of June 2020 from C3 to C4 | 3 The Bowers Durham DH1 4EH (19 December). It was **agreed** to object to this application and call to Committee if minded to approve. Cllr J Ashby **agreed** to draft the response to this application.

**DM/19/03508/FPA** | Change of use from existing six bedroom HMO (C4) to eight bedroom HMO (*sui generis*) including dormer loft conversion and other associated internal alterations | 18 The Avenue Durham DH1 4ED (18 December). It was **agreed** to object to this application. Cllr R Cornwell **agreed** to draft the response to this application.

**DM/19/03552/FPA** | Change of Use to Magicians Entertainment Place (D2) | The Magic Corner 19 And A Half Old Elvet Durham DH1 3HL (19 December). It was **agreed** to note this application.

**DM/19/03660/VOC** | Variation of condition No.2 pursuant to planning application DM/18/00291/FPA in relation to the approved brick type. | Rear Of 24 The Avenue Durham DH1 4ED (17 December). It was **agreed** to note this application.

**DM/19/03670/TCA** | Fell 2no. Oak trees | North End Allotments Larches Road North End Durham DH1 4LZ (No expiry date; this is on land owned by the Parish Council). It was **agreed** to note this application.

**DM/19/03677/FPA** | Replacement of welsh slate roof tiles with Marley composite roof tiles (retrospective) | 20 - 21 Church Street Head Durham DH1 3DN (19 December). It was **agreed** to object to this application. Cllr L Brown **agreed** to draft the response to this application.

**DM/19/03721/FPA** | Demolition of redundant garages and creation of parking spaces including erection of fencing/bollards. | Garages At Hallgarth Street Durham City (20 December). It was **agreed** to note this application.



#### **14. Request to purchase North Sidegate Woodland.**

Councillors considered a request to purchase the North Sidegate woodland. The Clerk advised that the County Council had written to advise that the applicant intends to keep the land as woodland and coppice the trees. The County Council is minded to approve this application to purchase the land.

It was **agreed** to note this application subject to the conditions of the sale (at present to be decided).

#### **15. Arrangements during the Christmas recess**

It was **agreed** that the Clerk and the Chair of the Planning Committee both monitor incoming applications. Cllr L Brown also agreed to call applications to Committee if needed during the Christmas recess.

#### **16. Dates of future meetings**

10 January 2020 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

24 January 2020 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

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

**Signed**

**Chair of the City of Durham Parish Council Planning Committee**

# CITY OF DURHAM PARISH COUNCIL

**Minutes of a meeting of the Environment Committee held on 26<sup>th</sup> November 2019 at 13:15 in DCC Meeting Room, Clayport Library Building, Durham. DH1 1WA.**

Present: Councillors V Ashfield (in the Chair), J Atkinson, D Freeman and M Ross.

Also present: Parish Clerk A Shanley.

## **1. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs E Ashby and L Brown

## **2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**

None received

## **3. TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 15<sup>th</sup> OCTOBER 2019**

The Minutes of the meeting held on 15th October 2019 were unanimously agreed as a true and accurate record of proceedings.

## **4. PUBLIC PARTICIPATION**

None received

## **5. CONSIDERATION OF ENVIRONMENT COMMITTEE BUDGET FOR FINANCIAL YEAR 2020-21**

The following was agreed as the budget request for the Environment Committee for Financial Year 2020-21:

Item of expenditure	Cost
<b>PRIORITY 1: Clean and Green</b>	
Supporting Durham in Bloom + additional planting	£5,000
Purchase of plastic only bins	£3,000
Neighbourhood Warden	£10,000
Improving air quality in City centre	£2,000
Allotments	£2,000
<b>PRIORITY 2: Involving young people</b>	
Terracycle	£1,500
Establishing a City-wide youth Environment Committee	£5,000
<b>PRIORITY 3: Heritage</b>	
Development of Fenwick Lawson app - Durham heritage app	£5,000
<b>PRIORITY 4: Business frontages</b>	

Christmas frontage awards + Christmas event	£3,000
<b>PRIORITY 5: Noise</b>	
Developing the Quiet Zone proposal	£2,000
<b>PRIORITY 6: A167</b>	
Developing project from 2019-20 on domesticating the A167	£3,500
<b>TOTAL PROVISION IN 2020-21 AGAINST PRIORITIES</b>	<b>£42,000</b>

## 6. DISCUSSION OF ENVIRONMENT COMMITTEE PRIORITIES

### i) Update on Good Neighbour scheme

The Clerk advised that the Good Neighbour scheme is progressing well, with students now signed up and Jess having agreed to temporarily take over co-ordination of the scheme from the DSU. It was **agreed** that the Clerk should write to all residents' groups to build a profile of the local needs (in terms of snow clearing only) in the Parish. It was also **agreed** that the Clerk should now purchase the snow clearing equipment in consultation with the Chair of the Environment Committee up to a maximum of the £1,000 agreed by Full Council for this commitment.

### ii) Update on Clean and Green tasks

The Clerk advised that the Business Frontage Awards and the Parish Council Christmas Civic event were both now sorted, with advertising of the Awards going well and lots of applications coming in except for the Chain store category.

The Chair advised that the matter of using section 106 funds for the City of Durham Parish area had been raised at a recent planning committee meeting and that she was keen to progress an application for a project to use section 106 funds. One of the proposals that had been raised to the Chair was the redevelopment of Ritson Hall and to use section 106 funds to do this. The Clerk advised that any application for section 106 should include a Business Case and a design of any redevelopments. The Chair advised that, should no Chain store apply for the Business Awards, the funding could be used to pay a designer to design plans to assist an application for use of section 106 funds. The Committee felt this was a worthwhile project and should be considered at Full Council wherever the funding in the budget came from.

The Clerk advised that he would firstly put round a note to all Councillors to ascertain if there was a desire to do this before carrying out a lot of work on such a scheme. This approach was **agreed** by the Committee.

The Clerk advised that the Neighbourhood Warden continued to work to the agreed additional hours and was focusing on discarded litter and bins being left outside in the streets for the coming months.

The Clerk advised that he had received a quotation of £12/hour per Officer for the proposed Quiet Zone Officers from a local security firm. The Clerk advised that it may be best to keep this on hold at present as one of the recommendations from the ASB Conference had been to look to amend the contracted working hours of DCC Neighbourhood Wardens after 10pm which would make the Quiet Zone Officer proposal unnecessary. It was **agreed** to put this initiative on hold.

The Clerk advised that he had no updates on the proposals for new bike racks.

The Chair advised that she would like to propose that all of the funding for Heritage signage from the Environment Committee budget 2019-20 (£5,000) go towards the Fenwick Lawson app and that further funding be made available in the next financial year to develop this into a wider "Heritage of Durham" app. It was **agreed** to put this forward to Full Council for approval.

### **iii) Involving young people – Terracycle project and UN Climate Change teaching training**

The Clerk advised that he had ordered the terracycle box for St Margaret's Primary school and the school were keen to do some publicity on the scheme with representatives of the Parish Council to further encourage recycling in schools.

The Clerk also advised that one teacher from the Durham school had now completed the UN Climate change teacher training scheme and had provided positive feedback on this.

Cllrs V Ashfield and M Ross **agreed** to visit all local schools to further progress these schemes.

It was **agreed** that £3,000 of the funding from involving young people should be reallocated towards a professional promotion of the pocket ashtrays. The Clerk advised that he would seek to progress this.

### **iv) A167 – Working Group update**

The Clerk reported on a recent meeting that he and Cllrs E Ashby and L Brown had had with Michelle McIntosh, DCC Highways Officer on the project on the A167.

The Committee considered the budget, as updated following the meeting with Michelle McIntosh, and **agreed** that the Clerk should seek to further the funding of the gates (£3,000) and the winter bulb planting (approx. £500) this side of the financial year. The Clerk advised that the funding would depend on the Risk Assessment which Michelle McIntosh is doing on some of the proposals.

#### **7. AOB (Please note for discussion only, not decision making)**

None received.

#### **8. DATES OF FUTURE MEETING.**

It was **agreed** that the next meeting of the Environment Committee should take place on 14<sup>th</sup> January 2019 at 14:00pm

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

Signed,

**Chair of the City of Durham Parish Council Environment Committee**

## ITEM 6: PROFESSIONAL PROMOTION OF POCKET ASHTRAYS

Councillors will recall that last year the Parish Council agreed to the design and purchase of 5,000 pocket ashtrays.

The need for this initiative came about following a number of complaints regarding cigarette-related litter which is felt to be highly significant in the city centre.

The pocket ashtrays allow the Parish Council to include targeted messages to smokers such as the warning relating to a Fixed Penalty Notice from the neighbourhood warden in the event of littering and also the telephone number for the stop smoking helpline.

The 5,000 pocket ashtrays are now complete and have been delivered to the Parish Council office.



The Environment Committee has been looking at ways of promoting the pocket ashtrays as the effectiveness of the scheme will depend on how well it is promoted to the local community.

To that end, the Parish Council Environment Committee is looking for approval of a £1,000 budget towards carrying out a professional promotion of the pocket ashtrays.

One proposal has been to create a professional video to promote the pocket ashtrays online. The pocket ashtrays will also be mentioned in an article of the Parish Council's newsletter to be distributed in February 2020.

In order to identify where the key hotspot areas are for this sort of litter, the Environment Committee proposed:

- Requesting information from the County Council's Clean and Green team who are tasked with cleaning up areas.
- Asking the local residents' groups where they feel the key hotspot areas are.
- Asking local businesses if this is an issue in their locality.

The Clerk has had an initial discussion with Durham BID who would also be happy to support the Parish Council in promoting this initiative. It is felt that this would be a

good example of partnership working in the city centre and BID would also assist in distributing these to local businesses who request them.

Durham BID has also advised that they would be able to assist the Parish Council in commissioning the video promotion company. Any tendering for the work would be in accordance with the Parish Council's Standing Orders.

Each business would be provided with a dispenser to help customers access the pocket ashtrays.

Promotion of the initiative itself must be done carefully and not be seen as potentially promoting smoking.

<b>DECISIONS REQUIRED</b>	<ol style="list-style-type: none"><li>1) Councillors are asked to approve the Environment Committee's request for £1,000 towards the professional promotion of the pocket ashtray initiative.</li><li>2) Councillors are asked to delegate responsibility to commission the professional promotion of the pocket ashtrays to the Clerk and the Chair of the Environment Committee.</li></ol>
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**ITEM 6: INTRODUCTION OF CODE OF NON-USAGE OF DIESEL GENERATORS IN THE MARKET PLACE AND FUNDING OF ELECTRICAL SOCKET AND CABLING.**

The Environment Committee has been working with the Durham Markets Company in an attempt to eradicate the use of diesel-run generators in the market place.

Councillors are reminded that the issue of air quality in Durham is high on the agenda. Monitoring and detailed assessment of air quality carried out by Durham County Council in Durham City has determined that levels of pollution concentration (nitrogen dioxide) in some parts of the city exceed the annual mean National Air Quality Objective and EU Limit for nitrogen dioxide. It is felt that approval of this proposal will support efforts to tackle air pollution in the city.

We are pleased to report that the Markets Company has agreed to introduce a code of non-usage of diesel generators and has also agreed to introduce this in the application form whenever a user of the market place applies to rent a space.

Until recently, three (regular) users of the market place used diesel generators. One has now switched to gas, one has expressed a willingness to switch to electricity and the other only hires the space at certain times of the year but will need to be made aware of the introduction of the code of non-usage. There are also occasions when other organisations using diesel generators apply for the use of a space in the market place.

The Parish Council is requested to support the introduction of the code of non-usage of diesel generators in the market place.

Furthermore, in order to support users of the market place to "go electric", the Parish Council has also been asked to fund the provision and installation of two 13A socket supplies at a high level at the top of the entrance tunnel to the Indoor Market. The sockets are intended to supply extension leads and will be protected by a 30mA RCD which can only be used with the permission and supervision of the Durham Markets Company. Should this be approved, the regular user of the market place who currently uses a diesel generator has advised that they will fund the replacement of their own equipment so as to make this suitable for electrical supply. This proposal will be available for all users of the market place however.

There will be a need to take the cable out at high level (similar to how the roundabout attraction does at present) so this does not represent a trip hazard.

Estimates for the service being carried out by an electrician have been received and the cost will be approximately £500 (ex VAT). There are no insurance implications for the Parish Council for providing this as ongoing use of the electric supply will be covered by the Markets Company's insurance.

The Markets Company will be charged for the ongoing use of the electricity and will pass on the costs to the users of the space.

<b>DECISIONS REQUIRED</b>	<ol style="list-style-type: none"><li>1) Councillors are requested to support the code of non-usage of diesel-run generators in the market place.</li><li>2) Councillors are asked to agree to fund the electrical cabling and sockets as set out in the above report.</li></ol>
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# CITY OF DURHAM PARISH COUNCIL

**Minutes of a meeting of the Licensing Committee held on Tuesday 29<sup>th</sup> October 2019 at 12:00 in Office 2, Clayport library building, 8 Millennium Pl, DH1 1WA.**

Present: Councillors L Brown, E Ashby, R Cornwell and C Reeves

Also present: A Shanley (Clerk)

**Cllr L Brown** in the Chair

## **1. TO RECEIVE ANY APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs A Doig and D Freeman

## **2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**

None received

## **3. PUBLIC PARTICIPATION**

None received

## **4. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 18<sup>th</sup> OCTOBER 2019**

The Minutes of the meeting held on 18<sup>th</sup> October 2019 were unanimously agreed as a true and accurate record of proceedings.

## **5. UPDATE ON RECENT LICENSING APPLICATIONS**

The Committee discussed the recent objection to the application by El Pincho Ltd. At present, it is still not known when a Committee hearing shall be taking place. Cllr R Cornwell advised that he had seen recent correspondence from DCC's licensing team on this and felt that the involvement of the Public Highways Team at DCC on this application needed to be clarified as far as outside seating is concerned for this premises. Cllr R Cornwell made the point that the proposed outside seating does not involve a public highway.

## **6. CONSIDERATION OF NEW LICENSING POLICY 2019-2024**

The Chair advised that the new licensing policy for 2019-2024 had been agreed by at the Full Council meeting of Durham County Council and the Clerk of the Parish Council has circulated this to Members.

It was **agreed** that the Clerk should write to DCC's licensing team and request a breakdown of all the major changes to the licensing policy following consultation earlier this year.

## **7. UPDATE ON CUMULATIVE IMPACT ASSESSMENT CONSULTATION**

The Clerk reported that the Parish Council's response to this consultation had been submitted to DCC following approval by the Full Parish Council. An expected date for an outcome to this consultation is yet to be provided.

## **8. TO CONSIDER THE FOLLOWING LICENSING APPLICATION:**



**Mr Thomas Bolton - The Magic Corner, 19.5 Old Elvet Durham DH1 3HN – New premises license application**

It was **agreed** to defer consideration of this application until further details could be provided as to the operating schedule of the premises.

**Outstanding Art Limited - Outstanding Art, 76 North Road Durham DH1 4SQ - Application to vary a premises licence**

It was **agreed** to object to this application on the grounds of this breaching the following licensing objectives: Public safety, the prevention of public nuisance and the protection of children from harm.

In particular, the Committee expressed concern about the request to remove conditions relating to the main entrance door. Specifically, the condition where customers can only access the premises via a buzzer system.

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

Signed,

**Chair of the City of Durham Parish Council Licensing Committee**

# **CITY OF DURHAM PARISH COUNCIL**

**Minutes of a meeting of the Finance Committee held in office 2, Clayport library building, Durham DH1 1WA on 23rd October 2019 at 14:00pm**

Present: Councillors A Doig (in the Chair), R Ormerod, V Ashfield & E Scott

Also present: Parish Clerk A Shanley

## **1. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs E Ashby and J Ashby

## **2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**

None received

## **3. TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 13<sup>th</sup> JUNE 2019**

The Minutes of the meeting held on 13<sup>th</sup> June 2019 were unanimously agreed as a true and accurate record of proceedings

## **4. PUBLIC PARTICIPATION**

None received

## **5. UPDATE ON PARISH COUNCIL COMMITTEE BUDGETS**

The Clerk reported that 43.7% of the annual budget agreed by Full Council had been spent to date (as recorded up until the end of September 2019).

The Clerk reminded Councillors that the budget for the legal challenge against the new County Council HQ had been significantly reduced following the High Court decision not to grant a judicial review. As a result, £30,000 of the funds allocated towards this priority had been moved to alternative priorities.

The Planning Committee had requested that £10,000 remain in the DCC HQ budget in case of the need for any professional reports.

The Planning Committee had also requested that a maximum of £10,000 be put towards an SLA with Durham County Council for an enhanced Planning Enforcement Service.

The Environment Committee had also requested that the £5,000 towards heritage funding be returned to this Committee. The Environment Committee were also looking to reduce its expenditure on the A167 priority and put this towards a Quiet Zone for the City. The Environment Committee had requested that £2,500 be re-allocated to the Quiet Zone priority.

Cllr E Scott advised that she felt a cash flow projection would be useful.

## **6. PARISH COUNCIL SPEND SINCE 13<sup>TH</sup> JUNE 2019**

Councillors noted all spend since the beginning of the Financial Year. Cllr R Ormerod proposed a motion of thanks to the Clerk for such clear and concise reports.

## **7. PLANNING FOR PARISH COUNCIL PRECEPT 2020-21**

Councillors noted the following timetable as set out by the Clerk for budget planning for 2020-21:

**November** - projects and budget planning for 2020-21 on all Committee Agendas.

**(Beginning to middle of) December** - Clerk requests proposed budgets from each Committee.

**(Beginning of) January** - a Finance Committee meeting is held to consider each Committee budget and to propose a precept request to go to January Full Council meeting for approval.

**January** - Full Council approves precept request for 2020-21.

**(End of January)** - Clerk formally submits precept request for 2020-21 to County Council.

The Clerk also advised that he was keen for the Parish Council to explore outside areas of funding. The Parish Council having had success with this this financial year with a grant from the AAP, the Crowdjustice campaign and seeking financial support from County Councillors for Parish Council projects.

## **8. DATES OF FUTURE MEETINGS**

The Chair reported that the next meeting of the Finance Committee would take place at the beginning of January with a precise date and time for this to be confirmed.

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

Signed,

**Chair of the City of Durham Parish Council Finance Committee**

## **ITEM 6: UPDATE ON ALLOCATION OF GRANT FUNDING FROM 2019-20 BUDGET**

In June 2019, Councillors approved the allocation of £15,000 of grants to local voluntary and community organisations.

Since approving these grants, £13,300 of this fund has been provided to the local organisations agreed by Full Council. A report on the impact of this funding is expected to come to Full Council in March 2020.

Originally it was agreed that the sum of £1,700 should be awarded to OASES (Outdoor and Sustainability Education Specialists) for a scheme they applied for in April 2019. Later in the year, a representative of OASES contacted the Clerk to advise that the original scheme was undeliverable due to other applications for grant funding being unsuccessful. An alternative, scaled-down scheme "Planting up Neville's Cross" was presented to Councillors in November and it was agreed that the sum of £1,000 should be awarded for this scheme.

OASES has now advised that the revised scheme agreed at the November Full Parish Council meeting is also undeliverable due to permissions to plant on public land not being received.

The following alternative scheme has now been presented for consideration:

### **Neville's Cross School Orchards**

***St Margaret's Primary, Neville's Cross Primary and Durham Johnston have all now confirmed they would all like to plant an orchard of fruit trees (all apple trees) in their school grounds.***

***The project will cost £1,001 to deliver an orchard planting session with the children at each school. Each orchard would have 8 fruit trees, each planted with bonemeal, a tree stake, tree tie and a rabbit-proof guard.***

***The budget also includes the costings for a site visit/orchard planning visit at each school, as well as the costs of sourcing and delivering the fruit trees and associated paraphernalia prior to each planting session. The objective of planting trees (24 in total) in Neville's Cross remains the same, with the added bonus that these will bear fruit.***

***Last year, we successfully planned, sourced and planted 7 school orchards. Delivering tree planting in school grounds has a lot less red tape around it than community planting so it is a much simpler process.***

***Please could you let me know if the Parish Council would be happy for us to spend the £1000 in this way.***

<b>Neville's Cross School Orchards</b>	
<b>TASKS</b>	<b>Budget</b>
Site visit/orchard planning meetings with Lead Teacher	£96
Fruit Tree and material sourcing and delivery	£128
Orchard Planting Session	£288
Trees (8 trees/school)	£300
Stakes, soil improver, ties and guards	£189
<b>Total</b>	<b>£1,001</b>
Children and adult size gloves and spades provided as match in kind from OASES	

All schools have confirmed to OASES that they will take responsibility for the ongoing maintenance of the trees.

Councillors are reminded of the following conditions in the Parish Council's agreed Grants Award Policy:

***"The grant can only be used for the purpose stated in the application and the Council reserves the right to reclaim any grant not being used for the specified purpose of the application. However, if a group wishes to change the purpose of the grant, they must seek approval by writing to the Council who will consider whether or not to approve the change."***

And

***"Small grants must be spent within 1 year of award. Any unspent monies left after this time must be returned."***

The Parish Council has three options:

**Option 1** - That funding not be provided for this alternative proposal

**Option 2** - That funding be provided but reduced in accordance with the revised scale of the alternative proposal

**Option 3** - All of the funding be provided for the full costs of the Neville's Cross School Orchards project.

<b>DECISION REQUIRED</b>	Councillors are asked to agree one of the three funding options as set out in the above report.
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## **ITEM 8: REPORT ON PARISH COUNCIL INTERNAL CONTROLS**

### **1. RESPONSIBILITY**

Regulation 4 of the Accounts and Audit (Amendment) (England) Regulations 2011 requires Councils to carry out a review of their internal controls annually before the end of the financial year.

The City of Durham Parish Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for.

In discharging this responsibility, the Council is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.

### **2. SYSTEM OF INTERNAL CONTROL**

The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them effectively, efficiently and economically.

#### **The Council**

The Council has elected a Chair who is responsible for the smooth running of meetings and together with the Clerk for ensuring that all Council decisions are lawful.

The Council reviews its obligations and objectives and approves budgets for the following year at its January full Council meeting each year. The January meeting of the Council also approves the level of precept for the following financial year.

The full Council meets at least 11 times per year. The Parish Council does not usually meet in August and in 2019 the Parish Council also did not meet in December.

A budget report is prepared and submitted to all of the Parish Council's Finance Committee meetings showing income and expenditure together with a budget update for all Committee spends. Any budget revision reports are also reported for information and these set out any changes to the budget as per Council decisions or any known budget over or underspends.

#### **Clerk to the Council**

The Council has appointed a Clerk to the Council who acts as the Council's advisor and administrator. The Clerk is the Council's Responsible Financial Officer and is responsible for administering the Council's finances. The Clerk is responsible for the day to day compliance with laws and regulations and advises the Council on managing risks. The Clerk also ensures that the Council's procedures, control systems and policies are adhered to. The Clerk also manages projects agreed by full Council and works with all suppliers and contractors agreed by full Council to carry out functions on behalf of the Council.

#### **Payments**

All payments made are reported to all Finance Committee meetings. The Parish Council now makes all payments via electronic banking. Two Members of the Council from the current list of five authorised signatories (excluding the Clerk who acts as

administrator) must authorise every payment against invoices before authorising the payment using their own login details provided by the bank.

There is a facility for making urgent payments out of meeting if necessary. Such payments are also reported to the Parish Council's Finance Committee meeting and all decisions to spend funds as urgent action are ratified at the next Full Council meetings and minuted as such.

### **Risk Assessments/Risk Management**

The Council carries out regular risk assessments in respect of actions. The Clerk makes an annual risk management report to the Council. A review of financial management risks is included as part of the review report.

### **Internal Audit**

Last year, the Council appointed an independent Internal Auditor, Mr Gordon Fletcher, who reports to the Council on the adequacy of its:

- Records
- Procedures
- Systems
- Internal control
- Regulations
- Risk management
- Reviews
- Insurance cover

A review of internal audit must be carried out before the end of each financial year.

Gordon Fletcher has indicated that he is willing to carry out an audit of the Parish Council again this year. The cost of this service is £150.

Gordon was previously the Audit Manager at Easington District Council before retiring when the Unitary Council was formed and set up his own business by providing an internal audit service for Town and Parish Councils. This has grown to a current portfolio of 7 local Town Councils and 24 local Parish Councils.

Gordon is C.M.I.I.A. (Chartered Member of the Institute of Internal Auditors) qualified and has his own professional indemnity insurance.

### **External Audit**

The Council's External Auditors are Mazars, appointed by the Smaller Authorities' Audit Appointments (SAAA). They submit an annual Certificate of Audit, which is presented to the Council, together with a copy of their report listing any issues to be raised. At the end of the Audit the Council must display the Notice of Conclusion of Audit for 14 days and must make the Annual Governance and Audit Return (AGAR) and Final Accounts available on request. These are also displayed on the Parish Council's website.

## **4. REVIEW OF EFFECTIVENESS**

The Council has a responsibility for conducting an annual review of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work of:

- The full Council
- The Clerk to the Council who has responsibility for the development and maintenance of the internal control environment and managing risks
- The independent Internal Auditor who reviews the Council's systems of internal control
- Mazars, the Council's external auditors, who make the final check using the AGAR, which is completed and signed by the Responsible Financial Officer, the Chairman and the Internal Auditor.

## **5. INTERNAL CONTROL ISSUES**

Following last year's audit, the auditors did state that the Parish Council must ensure that it carries out a risk assessment for 2019/20.

The Parish Council has now adopted a risk register and this is under continuing review by the Clerk and any issues arising from risk assessments carried out will be reported to full Council.

<b>DECISIONS REQUIRED</b>	<p>1) Councillors are requested to approve the report.</p> <p>2) Councillors are asked to agree to the appointment of Mr Gordon Fletcher as the Parish Council's internal auditor for the financial year 2019/20.</p>
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## ITEM 9: REPORT ON PARISH COUNCIL RESERVES FROM 2019/20

The Council is reminded they are required to review its level of reserves during the budget and precept setting process.

The level of general reserves held by the City of Durham Parish Council to date are as follows:

General reserves	-	£45,000.00
Contingencies	-	£15,000.00
Total	-	£60,000.00

As part of the budget process and determination of the precept figure for the coming year the Council should determine whether their level of reserves is sufficient and also if there is any surplus that could be used to offset the amount of precept levied. At the last Finance Committee meeting held in January, it was agreed that there would be no increase in the band D level for 2020-21 and this will result in a minimal increase in the precept due to an increase in the tax base.

The advice from NALC on general levels of reserves is that Parish and Town Councils should not have less than 25% of their annual budget in general reserves and should not have more than 125% of their annual budget in reserves.

At the year-end, a report will be presented to the Council listing any necessary transfers and unexpended amounts and it is suggested that any available funds that are not already earmarked for other purposes or are unspent should be transferred to the General reserves.

At present, it is forecasted that the total spend of the Parish Council by the end of this financial year will be £125,000 - £130,000.

<b>DECISIONS REQUIRED</b>	<ol style="list-style-type: none"><li>1) Councillors are asked to note the information relating to general reserves.</li><li>2) Councillors are asked to examine the situation at year-end when there may be non-earmarked funds that can be transferred to general reserves.</li></ol>
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## ITEM 10: PARISH COUNCIL BUDGET FOR FINANCIAL YEAR 2020/21

Councillors will be aware that there is a need for the Parish Council to formally agree its budget for the financial year 2020/21.

The following budget has been considered at all Committees and was agreed at the Finance Committee on 7<sup>th</sup> January 2020 to go forward for Full Council approval.

At the same meeting, the Finance Committee agreed to recommend that the precept remain at the same level as the current financial year. It is estimated that the total spend of the Parish Council by the end of the current financial year will be £125,000 - £130,000.

### Planning Committee

Item of potential expenditure	Cost (£)	
	Item	Sub-total
<b>PRIORITY 1:</b> Enhanced planning enforcement service (£5,000 already agreed from January 2020 – January 2021) <b>NB: for 1 Feb 2021 – 31 March 2021</b>	1,800.00	
<b>PRIORITY 2:</b> Delivering the Neighbourhood Plan (printing costs for copies of Neighbourhood Plan)	500.00	
<b>PRIORITY 3:</b> Professional support in responding to planning applications	2,000.00	
<b>TOTAL PROVISION IN 2020-21 AGAINST PRIORITIES</b>		<b>4,300.00</b>

### Business Committee

Item of potential expenditure	Cost (£)	
	Item	Sub-total
<b>PRIORITY 1:</b> Professional support for independent businesses in Durham	10,000.00	
<b>PRIORITY 2:</b> Hosting Business Conferences	1,000.00	
<b>PRIORITY 3:</b> Marketing Durham	2,000.00	
<b>PRIORITY 4:</b> Professional support in responding to consultations on business/ economic development	1,000.00	
<b>TOTAL PROVISION IN 2020-21 AGAINST PRIORITIES</b>		<b>14,000.00</b>

### Licensing Committee

Item of Potential Expenditure	Cost (£)	
	Item	Sub-total
<b>PRIORITY 1:</b> Licensing training conference	1,000.00	
<b>PRIORTIY 2:</b> Award for best run licensed premises	500.00	
<b>TOTAL PROVISION IN 2020-21 AGAINST PRIORITIES</b>		<b>1,500.00</b>

### Environment Committee

Item of potential expenditure	Cost (£)	
	Item	Sub-total
<b>PRIORITY 1:</b> Clean and Green		
Supporting Durham in Bloom + additional planting	10,000.00	
Purchase of bins for plastic only recycling	£3,000	
Neighbourhood Warden	£10,000	
Tackling pollution in the city centre (air/noise/light)	£2,000	
Allotments	£2,000	
<b>PRIORITY 2:</b> Involving young people		
Terracycle project	£1,500	
Establishing a City-wide youth Environment Committee	£5,000	
<b>PRIORITY 3:</b> Heritage		
Development of Durham heritage app	£5,000	
<b>PRIORITY 4:</b> Business frontages		
Frontage awards + Christmas event	£3,000	
<b>PRIORITY 5:</b> Noise		
Developing the Quiet Zone proposal	£2,000	
<b>PRIORITY 6:</b> A167		
Developing project from 2019-20 on domesticating the A167	£3,500	
<b>TOTAL PROVISION IN 2020-21 AGAINST PRIORITIES</b>		<b>47,000</b>

### Full Council

Item of Expenditure	Cost (£)	
	Item	Sub-total
<b>PRIORITY 1:</b> Administration of Parish Council (rent, room hire, audit, insurance, printing and postage, other expenditure)	17,000	
<b>PRIORITY 2:</b> Training budget	3,000	
<b>PRIORITY 3:</b> Events (Remembrance Sunday, Battle of Britain Anniversary)	6,000.00	
<b>PRIORITY 4:</b> grants for local community and voluntary organisations	20,000.00	

<b>PRIORITY 5: Staffing costs</b>		
Staffing costs (including salary, National Insurance contributions and workplace pension) – <b>Clerk</b>	48,000.00	
Staffing costs (including salary, National Insurance contributions and workplace pension) – <b>Part-time Finance support/ grant bid officer</b>	15,000.00	
<b>TOTAL PROVISION IN 2020-21 AGAINST PRIORITIES</b>		<b>109,000</b>

<b>Committee</b>	<b>Proposed expenditure (2020/2021) against priorities (£)</b>
<b>Planning Committee</b>	<b>4,300.00</b>
<b>Business Committee</b>	<b>14,000.00</b>
<b>Licensing Committee</b>	<b>1,500.00</b>
<b>Environment Committee</b>	<b>47,000.00</b>
<b>Full Council</b>	<b>109,000.00</b>
<b>TOTAL POTENTIAL PROVISION IN 2020-2021 AGAINST PRIORITIES</b>	<b>175,800.00</b>

<b>DECISION REQUIRED</b>	Councillors are asked to formally agree the Parish Council budget for financial year 2020/21.
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**ITEM 11: PARISH COUNCIL PRECEPT REQUEST FOR FINANCIAL YEAR 2020/21**

Councillors are reminded that the Parish Council needs to formally submit its precept request for the coming financial year.

The Parish Council has received notification from the County Council that the tax base for the City of Durham Parish area has increased by 67.8. Therefore, should the Council resolve to maintain the same charge as the current financial year, the precept will still increase slightly to £154,488.05 (an increase of £2,364.19).

The below grid indicates the annual cost of the Parish Council on all Council tax bands.

<b>2020-21 Parish Precept</b>	<b>Band A</b>	<b>Band B</b>	<b>Band C</b>	<b>Band D</b>	<b>Band E</b>	<b>Band F</b>	<b>Band G</b>	<b>Band H</b>
£ 154,488.05	£ 23.25	£ 27.12	£ 31.00	£ 34.87	£ 42.62	£ 50.37	£ 58.12	£ 69.74

At the last Finance Committee meeting held on 7<sup>th</sup> January, the Finance Committee agreed to recommend the Band D Council tax charge for the Parish Council remains the same as the current financial year. This is in view of the level of reserves currently held by the Parish Council and the spend to date.

The Finance Committee also agreed a budget for the coming financial year which is included in the Agenda for the Full Council meeting.

<b>DECISION REQUIRED</b>	Councillors are asked agree a precept level for the financial year 2020/21.
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## **ITEM 12: REQUEST FOR PARISH COUNCIL TO FUND PART OF 'NOSTALGIA DAY' 2020 EVENT**

The Parish Council has received a request by Colin Wilkes to fund part of the 'Nostalgia' day community event on 8<sup>th</sup> May which he is organising.

Colin has recently established a community interest company which is intended to be a not-for-profit organisation aimed at carrying out activities in the local community interest.

### **Request from Colin Wilkes:**

For the past 10 years or so we have held a Nostalgia Day to act as an attraction particularly for families (whose children study WWII on the curriculum) and those who may have lived through/remember the War. We have found it to be a popular event held in Market Place and Millennium Square.

The event attracts into the City people and families who may not normally use the City centre on a regular basis. With City Centre footfall continuing to decrease, it is vitally important that efforts are made to promote 'experiential attractions' which give people a reason to come into Durham.

This year with all the celebrations to celebrate VE day the usual Bank Holiday Monday has been moved to Bank Holiday Friday 8<sup>th</sup> May. Together with our partners we are hoping to 'push the boat out' to create a greater attraction involving some Primary School children. Consequently, we contacted local primary schools to see if they would be interested in joining in and Langley Moor Primary School have expressed a willingness to participate.

Currently the event consists of:-

- Big Band
- Lindy Jazz Dancers
- Vintage Jeeps
- World War II Living History tableau with vehicles
- 1940's vintage bus
- Two singers for that period
- The Big Sing
- Vintage Market

All of the above have been funded between ourselves and Walkergate Leisure.

This request is for a contribution from the Parish Council to help cover the involvement of The Time Bandits in providing: -

3 period re-enactors.

An authentic WWII Field Kitchen with period food.

2 visits into the Langley Moor Primary School one to explain the scenario to staff and one to hold a workshop for the children.

The aim is to recreate a simulated air raid on Durham involving the children having to be evacuated. This will, in turn, get the children to reflect on what life would have been like as a child at the time of the Blitz.

The re-enactors will set up a civil defence and Home Guard stand with correctly costumed interpreters and full handling collection of military and home front/civilian items.

**The budget for the above is £800 and a contribution towards that to enable the event to reach out to more families would be really appreciated.**

We are also looking to involve the 'mini medics' who are children, similar to the mini police, who can act as 'medical staff' looking after the children.

The intention is to create an innovative, but fun, portrayal to bringing to life an important period of history outside of the classroom.

Many thanks for your consideration of support and any further queries please do feel free to just get in touch.

Colin Wilkes

Ends

The Clerk has discussed this with Colin who has advised that, should the Parish Council approve this request, the Parish Council will be credited with part funding the event in all promotional material intended for this event.

Councillors are reminded that the Parish Council currently has a budget of £15,000 as a contingency from the current financial year for unallocated projects which remains unspent.

The event will go through the County Council's Safety Advisory Group and will be covered by all of the necessary insurances through the community interest company. The event will also not be taking place on an outdoor market day so no market traders are being asked to move off the market place for this event.

It is hoped that this event will not only highlight the important anniversary of VE day but will also result in an increased footfall during the Bank Holiday in Durham City.

<b>DECISIONS REQUIRED</b>	<ol style="list-style-type: none"><li>1) Councillors are asked to decide whether they wish to make a contribution towards the Nostalgia day event as set out in the above report.</li><li>2) If 1) is approved, Councillors are asked to agree an amount they wish to contribute to the event.</li></ol>
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## **ITEM 13: SELECTIVE LICENSING SCHEME FOR COUNTY DURHAM**

### **Background**

1. Selective licensing is a discretionary scheme for local authorities and covers privately rented properties. The Housing Act 2004 allows local housing authorities to designate areas for Selective Licensing to support the improvement of privately rented properties, providing certain conditions are met.
2. In areas designated, landlords must apply for a licence if they want to rent out a property, this includes landlords who rely on lettings agents to manage their properties on their behalf. This means the council can check whether they are a “fit or proper person” to be a landlord or letting agent, as well as making other stipulations concerning management of the property and appropriate safety measures. The stipulations are listed in the licence conditions and the conditions are at the discretion of the local authority.

### **County Durham**

3. On 17 October 2018 Durham County Council’s Cabinet approved in principle to detailed preparatory work being undertaken with the intention of submitting an application to the Secretary of State for Communities and Local Government for a county-wide selective licensing designation. This work includes the preparation of a business case for funding. The County Council’s Cabinet meeting on 14 January 2020 agreed to proceed with an application to the Secretary of State for a scheme covering much but not all of County Durham.
4. In seeking to progress a selective licensing designation, the County Council is required to take reasonable steps to consult persons who are likely to be affected and consider any representations made in accordance with the consultation. Consultation should include local residents, including tenants, landlords and where appropriate their managing agents and other members of the community who live or operate businesses or provide services within the proposed designation. The proposed scheme in County Durham will be the subject of a 10-week public consultation from late January to early April.
5. The scale of the scheme is considerable - it is estimated that there are some 60,000 privately rented properties in County Durham that would need to be inspected. Prioritisation of specific areas will be necessary. An obvious priority is Durham City because of the intensity of privately rented HMOs in the city and the long-standing need to tackle unsatisfactory properties, landlords and tenants. The current voluntary licensing scheme covers 780 properties in the city, only about 9% of the total number of privately rented properties in the city.



<b>DECISIONS REQUIRED</b>	<ol style="list-style-type: none"><li>1) Councillors are asked to express support for the County Council's intention to seek a Selective Licensing Scheme covering the whole County.</li><li>2) Councillors are asked to support the proposal that Durham City should be treated as a priority area for inspection and to make that case to the County Council.</li><li>3) Councillors are asked to agree to the Clerk requesting that the Parish Council be included in consultations on the emerging application and business plan.</li><li>4) Councillors are asked to set up a working group of the Parish Council to take the proposal forward on behalf of the Parish Council.</li></ol>
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## **ITEM 14: REPORT ON THE MEETING OF THE DURHAM UNIVERSITY COMMUNITY ENGAGEMENT TASK FORCE HELD ON 16 DECEMBER 2019**

1. Cllr Alan Doig and I attended as Parish Council representatives at the Durham University Community Engagement Task Force meeting held on 16 December 2019.
2. Under the item for partner updates, Cllr Doig outlined the current position on the Neighbourhood Plan, flagging up the consultation about to be carried out by the County Council prior to an Independent Examination and subsequent referendum. I gave a brief account of the County Plan Examination in Public hearing on Durham University and student accommodation.
3. One of the agreed main items for the Task Force meeting was progress with the Superhighway for pedestrians, cyclist and wheelchair users. The University's lead officer for this very welcome project introduced the representatives from COLAS, the company delivering the scheme. The sequence and timetable for carrying out the 13 stages of work were described, and a commitment made to provide regular updates to the Task Force.
4. The other agreed main item was to have been an update on the University's Sustainable Travel Plan, for which Durham County Council were invited. Unfortunately, neither the University's travel planning team nor the County Council's officers were in attendance. In their absence, Hannah Shepherd, the University's Community Liaison Officer, gave an abbreviated presentation on the University's aspirations to achieve a fully sustainable travel operation. She highlighted the need to have full travel survey data on students and staff; students bring a very great number of cars to Durham, and DSU is undertaking a survey of numbers and usage.
5. Hannah also presented data on the outward spread of HMOs into suburban parts of the city and noted that bus services do not reflect this changing pattern. She is considering whether there should be a formal investigation into meeting the sustainable travel needs of the new distribution of students. There may be a working group established.
6. The next meeting of the Task Force is on 23 March 2020.

Cllr John Ashby

## **ITEM 14 (CONTINUED): REPORT ON THE MEETING OF DURHAM UNIVERSITY RESIDENTS FORUM HELD ON 10 DECEMBER 2019**

1. Cllr Alan Doig, Cllr E Ashby, Cllr R Cornwell and I attended the DURF meeting held on 10 December 2019 as members of our residents' associations but Parish Council colleagues may be interested in some of the matters discussed, particularly as our Clerk Adam Shanley also attended as a guest speaker.
2. Concern was expressed at the start of the meeting that neither the Police nor the DCC lead officer for the Neighbourhood Warden Service were present despite absolute assurances that they would always attend. This was regrettable as there continues to be dissatisfaction over the unsettled state of affairs regarding the withdrawal of Police responsibility for dealing with Anti-Social Behaviour and the uncertainty as to the adequacy of the County Council's resources to respond quickly and effectively. Parish Council members will be aware that issues are not being addressed as they used to be. Cllr Alan Doig made clear that it is essential to sort this out and to provide a factual note setting out step-by-step what to do and who to contact when there is an incident.
3. The 'Livers-Out' letter had been distributed in October by most of the nine Residents' Associations in the Parish and Gilesgate. Some Residents' Associations deliver to all houses whereas some deliver only to known student houses. It was noted that unfortunately neither the Police letter nor the Neighbourhood Warden letter had been distributed despite assurances. The DURF letter will be reviewed at the April 2020 meeting.
4. The Actions and Issues Register (AIR) has been updated to reflect the agreed next priority area for DURF - a compulsory, self-financing landlord registration scheme. I described the County Council's plans to consult on a County-wide scheme, hopefully starting with Durham City. A copy of the current AIR as updated is attached.
5. Our clerk gave an excellent presentation on the Anti-Social Behaviour conference and the 15 suggested action points. I regret to report that the chair of DURF took exception to several of the action points, as if Adam was asking DURF to adopt them whereas he was giving a factual report on what people at the conference had listed as ideas. Adam was also able to provide an update on the Parish Council-funded Warden Service.
6. The President of DSU outlined the new Community Strategy which provides a firm basis for better involvement with residents and organisations including the Parish Council.

Cllr John Ashby