

City of Durham Parish Council

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Dear Councillor,

In accordance with the Local Government Act 1972

I hereby give you notice that a **MEETING** of the **CITY OF DURHAM PARISH COUNCIL** will be held in the **LANTERN ROOM, DURHAM TOWN HALL, MARKET PLACE, DURHAM, DH1 3NJ** on **THURSDAY 27TH FEBRUARY 2020 AT 19:00** to transact the following business: -

The Parish Council meeting will commence with all present observing a one minute silence in memory of Councillor Judith Atkinson.

- 1. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES OF ABSENCE FROM TODAY'S MEETING**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**
- 3. PUBLIC PARTICIPATION**
- 4. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 23RD JANUARY 2020**
- 5. COMMITTEE UPDATES**
 - **Planning Committee minutes from meetings held on 10 January and 24 January**
 - Verbal update on the progress of the Neighbourhood Plan.
 - Verbal update on the County Durham Plan.
 - Report on resisting conversions of family homes to student accommodation.
 - Report on the de-registration of the common land – latest response from barrister.
 - Amendment to Planning Committee Terms of Reference – Traffic Regulation Orders
 - **Environment Committee minutes from meetings held on 14 January and 28 January**
 - Establishing a City-wide Youth Environment Working Group – includes terms of reference, risk assessment of group meetings and safeguarding policy.
 - **Licensing Committee minutes from meeting held on 31 January**
- 6. CHAIR'S UPDATE**

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 23 January 2020.

7. PARISH COUNCIL STRATEGY 2020/21

8. PROPOSAL TO ESTABLISH A PARISH COUNCIL STANDING WORKING GROUP OF COMMUNITY AND RESIDENTS' ASSOCIATIONS

9. REPORTS FROM REPRESENTATIVES ON LOCAL ORGANISATIONS:

- Community engagement task force – economic sub-group

10. PROCEDURES FOR CO-OPTION OF A COUNCILLOR

11. MOTION BY CLLR R ORMEROD ON BUS SERVICES VIA WHINNEY HILL

12. PROPOSALS TO COMMEMORATE COUNCILLOR JUDITH ATKINSON -

Councillors are asked to consider ideas on a project to commemorate the late Councillor Judith Atkinson

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.

13. REPORT ON THE LATEST ASB-SUB GROUP MEETING

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 23rd January 2020 at 19:00 in Room S1, Sixth Form Centre, St. Leonard's Catholic School. Durham. DH1 4NG.

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

Also present: Parish Clerk Adam Shanley and Mr Dave Wafer (Strategic Traffic Manager, Durham County Council).

The Parish Council meeting began 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

Apologies were received from Cllr J Atkinson.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

Cllrs L Brown, A Doig, E Scott and R Ormerod declared an interest in the report on grant funding for the organisation OASES.

Cllr R Cornwell declared an interest in item 12.

Cllrs V Ashfield and E Ashby declared an interest in item 16.

3. PRESENTATION BY DAVE WAFER, STRATEGIC TRAFFIC MANAGER AT DURHAM COUNTY COUNCIL ON PROPOSED NEW BUS STATION ON NORTH ROAD

Dave Wafer, Strategic Traffic Manager from Durham County Council provided a presentation on the proposed new bus station on North Road and advised that it is hoped that the project could be delivered next year.

Parish Councillors broadly welcomed the proposals and the Chair went around the room for questions.

The Chair firstly made a plea for the steps to the entrance of the bus station to include some assistance for the visually impaired.

Cllr R Cornwell advised that he felt that the use of the proposed taxi rank outside Santander should cease at midnight and the taxi rank relocated to some suitable bus stops, as bus services will have ceased by then.

Cllr G Holland expressed concern about the anti-social behaviour and security of the current station and the need for the new station to include both facial recognition CCTV and security.

Cllr G Holland also felt that a ground heat pump and/or ground loop system under the bus parking area with a black, heat absorbing surface should also be part of the plans.

Cllr R Ormerod felt that the toilets should be chargeable (20p) immediately once the building is open.

Cllr R Ormerod advised that there is a need for a defibrillator in the station. Dave advised that the County Council had already committed to this.

Cllr V Ashfield expressed disappointment that the police are not yet committed to have a space within the station, i.e. in the space upstairs.

Cllr V Ashfield advised that the stain glass window design is very welcome particularly with a local connection. Cllr V Ashfield asked if this could also be done to the front of the building, notably the large expanse of glass of the main doors.

Cllr J Elmer advised that there is a need for all bus companies to use electric buses and for DCC to positively press that they do switch to electric as is already the case in other cities.

Cllr E Ashby made the point about the bus station belonging to the whole of the County and not just the Parish area of the City of Durham Parish. Cllr E Ashby asked if all surrounding Parish Councils ought to be asked to make a contribution to the security after 10pm.

Cllr L Brown advised that she felt that on-going maintenance of the green roof and wall etc is vital.

Cllr J Ashby advised that he felt that the increase in footpath space welcome but asked if this could be supplemented with some visible or sound warning on street that a bus is coming around the corner of the building.

Cllr J Ashby advised that there should be more toilets for women.

There being no further queries, the Chair thanked Dave Wafer for his presentation to the Parish Council. Dave Wafer left the meeting at this point.

4. PUBLIC PARTICIPATION

None received.

5. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 28TH NOVEMBER 2019

The Minutes of the meeting held on 28th November 2019 were unanimously agreed as a true and accurate record of proceedings.

6. COMMITTEE UPDATES

Planning Committee

Cllr R Cornwell presented the Minutes from the meetings held on 8 November, 22 November and 6 December 2019. There being no queries from Members, Cllr R Cornwell proceeded to Committee reports.

Verbal update on Neighbourhood Plan Regulation 16 consultation.

Cllr R Cornwell advised that the Neighbourhood Plan has been submitted to the County Council who are now taking this forward. The process was delayed by purdah and the General Election, but the Regulation 16 consultation is now taking place. It ends on 17 February, i.e. three weeks on Monday. Cllr R Cornwell advised that the Neighbourhood Plan *Roadmap* clarifies the scope of this, i.e. Publicity under Regulation 16 should not be confused with the earlier pre-submission consultation (Regulation 14). The two are quite different. The Regulation 14 consultation carried out by the neighbourhood planning body would have allowed anyone to comment on any aspect of the plan and for modifications to be made, if necessary. Following the Regulation 16 publicity period, any representations made will be passed to the independent examiner. This means that they will only be considered within the remit of the independent examination (i.e. whether the neighbourhood plan proposal meets the basic conditions).

Cllr R Cornwell advised that this is not clear from the publicity circulated by the County Council, and expectations may have been raised. Once the consultation has closed the County Council will publish the responses received but the Parish Council doesn't get a formal opportunity to comment on them, and neither does the County Council. They are passed direct to the Independent Examiner

Cllr R Cornwell advised that the appointment of the aforementioned Independent Examiner is now underway and we expect to have a list of possible names shortly, and the actual choice of examiner should be made by mid-February, i.e. about the same time as the consultation closes. We are consulted on that choice. It was **agreed** that the Planning Committee should respond to that consultation on behalf of the Parish Council.

Cllr R Cornwell advised that the next stages are the Examination, a referendum, and if that gets the necessary 50% majority, adoption. The best estimate is that this will happen in the final quarter of this year.

Cllr R Cornwell advised that Carole Dillon, who has been the contact for the past three years and more, is leaving the County Council to become a Planning Inspector. Cllr R Cornwell advised that Carole has offered critical help which has been much appreciated and Cllr Cornwell proposed that the Clerk write to her to express the Parish Council's thanks. It was agreed that the Clerk should write formally to thank Carole Dillon on behalf of the Parish Council.

Verbal update on the County Durham Plan Examination in Public (EiP).

Cllr R Cornwell advised that, since the last Parish Council meeting, the four sessions originally planned for the Examination in Public ended (on 4 December) and on 17 December the Inspector issued 56 Action Points to the County Council, to be answered by 10 January. It was also open to other parties, e.g. the Parish Council, to respond as well. Cllr R Cornwell advised that the Committee Members corresponded by email and decided this was not necessary. The Clerk and Parish Chair did not disagree.

Cllr R Cornwell advised that, having read the Council's responses, the Inspector decided he needed a further session to deal with housing land supply and this will take place on February 6. Cllr R Cornwell advised that the Parish Council has not been offered a place at the table, but will attend as interested onlookers. Cllr R Cornwell also advised that the Parish Council may wish to make written comments, however having seen what the City of Durham Trust plans to say, Cllr R Cornwell advised that it was his view that there is nothing further that the Parish could usefully add. It was agreed that the Parish Council makes no written representation on this matter but that the Clerk circulate the response by the City of Durham Trust to all Members.

• **Environment Committee**

Cllr V Ashfield presented the minutes from the meeting held on 26 November 2019. There being no queries from Members, Cllr V Ashfield moved on the Committee reports.

Professional promotion of pocket ashtray project.

Cllr V Ashfield reminded Councillors that last year the Parish Council agreed to the design and purchase of 5,000 pocket ashtrays as a means of tackling cigarette-related litter in the Parish.

Cllr V Ashfield advised that the 5,000 pocket ashtrays are now complete and have been delivered to the Parish Council office and that 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, Cllr v Ashfield advised that 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 is 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.

Cllr V Ashfield advised that the Committee would be looking to identify the hotspot areas for cigarette-related litter.

It was **agreed** that £1,000 should be allocated towards the professional promotion of the pocket ashtrays and that the Environment Committee should take responsibility of doing this.

Introduction of code of non-usage of diesel generators in the market place and funding of electrical socket and cabling.

Cllr V Ashfield advised that 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.

Cllr V Ashfield advised that air quality in Durham is very high on the agenda and in particular with parts of the Parish being within the Air Quality Management Area (AQMA) of the County Council.

Cllr V Ashfield advised that she was very 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.

Cllr V Ashfield advised that 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", Cllr V Ashfield advised that 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.

It was **agreed** to support the code of non-usage of diesel generators and also to fund the installation of electrical sockets and cabling.

Licensing Committee

Cllr L Brown presented the minutes from the Licensing Committee meeting held on 29 October. There were no queries from Members on these minutes.

Finance Committee

Cllr A Doig presented the minutes from Finance Committee meeting held on 23 October. There were no queries from Members on these minutes. Cllr A Doig having declared an interest in the grant application from OASES, the Clerk presented the new project proposed by OASES.

Update on allocation of grant funding from 2019-20 budget

The Clerk reminded Councillors that, originally it had been 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.

The Clerk advised that OASES has now contacted the Council to advise 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.

Neville's Cross School Orchards	
TASKS	Budget
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
Total	£1,001
Children and adult size gloves and spades provided as match in kind from OASES	

The Clerk advised that all schools have confirmed to OASES that they will take responsibility for the ongoing maintenance of the trees.

It was **agreed** that the funding of £1,000 should be allocated to this project.

7. CHAIR'S UPDATE

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

The Chair advised that the Parish Council's new Facebook page was now up and running and reminded members to get in touch if they'd like a story put on the page by the Clerk.

The Chair advised that the Parish Council's Christmas Civic event had been very successful and thanked the Clerk for his work on this. This is something the Parish Council is keen to continue with.

The Chair advised that the February Full Council meeting would be an opportunity to revisit the Parish Council Strategy agreed last year.

The Chair also advised that the Parish Council ought to invite the new Member of Parliament as a speaker. It was agreed that that the Clerk invite the new MP Mary Kelly Foy.

The Chair presented a sign for a new "Happy to Chat" bench in Neville's Cross Ward and advised that this was part of a campaign to tackle loneliness and social isolation. The Chair also highlighted an e-mail sent out earlier in January from Durham County Council via the Parish Clerk to state that there were no plans for the former DLI Museum and she was aware of a number of Members being disappointed about this. The Chair asked if Members agreed that this be highlighted in a press release.

Cllr E Ashby advised that she would have concerns about doing this and felt that the Parish Council should instead seek to work proactively with the County Council on a community initiative for the site.

Cllr D Freeman advised that he was in favour of the press release and Cllr L Brown advised that she felt the building being left vacant was disrespectful to the friends and families of former service men and women; some of whom have their ashes scattered on the site. The majority of Members agreed that a press release should be sent expressing disappointment at the lack of any plans for the site and also seeking to work collaboratively with the County Council to find a future use for the building.

8. REPORT ON PARISH COUNCIL INTERNAL CONTROLS

The Clerk presented a paper to Members on the internal financial controls the Parish Council has in place to mitigate risk and advised that the Parish Council would soon be undergoing an internal audit for the current financial year. It was **agreed** that Mr Gordon Fletcher be appointed as the internal auditor for 2019/20.

9. REPORT ON PARISH COUNCIL RESERVES FROM 2019/20

The Clerk reminded Councillors that they are required to review level of reserves during the budget and precept setting process. The Clerk advised that 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 Clerk advised that 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.

The Clerk advised that, 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. The Clerk advised that, 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.

Councillors agreed to note the information relating to general reserves and also agreed to examine the situation at year-end when there may be non-earmarked funds that can be transferred to general reserves.

10. PARISH COUNCIL BUDGET FOR FINANCIAL YEAR 2020/21

The Clerk advised that there is a need for the Parish Council to formally agree its budget for the financial year 2020/21.

The Clerk reminded Councillors that the draft budget included in the report had been considered at all Committees and was agreed at the Finance Committee on 7th January 2020 to go forward for Full Council approval.

The total budgets per Committee were agreed as follows:

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

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

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

The Clerk advised that 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 Clerk advised that, at the last Finance Committee meeting held on 7th 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.

It was **agreed** that the Band D precept charge should remain the same as the financial year 2019/20

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

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

The Clerk advised that 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 8th 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 advised that he had 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.

Cllr J Ashby advised that he hoped that the event would be educational rather than entertaining. Cllr J Ashby advised that he was evacuated and it was not entertaining and he hoped that this event would portray the seriousness of what occurred and not trivialise this.

Cllr E Ashby asked if this would be a re-enactment of an evacuation with air sirens going off in the Market Place during the day.

Cllr R Ormerod advised that he felt that Brandon and Byshottles Parish Council should make a contribution to this event given that one of their schools is involved in the performance.

It was **agreed** that the Parish Council should make a contribution of £800 towards this event and should also have a member of the Parish Council on the organising team for the event. Two Councillors abstained from the vote.

13. SELECTIVE LICENSING SCHEME FOR COUNTY DURHAM

Cllr J Ashby presented a report on the proposed licensing scheme for landlords in County Durham.

Cllr J Ashby advised that a 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. Cllr J Ashby advised that such a scheme was under consideration for County Durham with Durham City hopefully being a priority area due to the number of student HMOs in the Parish area.

Cllr J Ashby advised that, 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.

Cllr J Ashby advised that this report had now been considered at both the Planning and Environment Committees of the Parish Council as this had themes cutting across the work of both Committee.

It was **agreed** that the Parish Council expresses support for the County Council's intention to seek a Selective Licensing Scheme covering the whole County.

It was **agreed** that the Parish Council supports the proposal that Durham City should be treated as a priority area for inspection and to make that case to the County Council.

It was **agreed** that the Clerk should request that the Parish Council be included in consultations on the emerging application and business plan.

It was **agreed** that a working group of the Parish Council be set up to take the proposal forward on behalf of the Parish Council. The membership of the working group was **agreed** as Cllrs J Ashby, V Ashfield, L Brown and S Cahill.

14. REPORTS FROM REPRESENTATIVES ON LOCAL ORGANISATIONS

- Community Engagement Task Force Group

Cllr J Ashby presented a report on the meeting of the Community Engagement Task Force Group, held on 16th December 2019 as follows:

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.

Ends

Durham University Residents' Forum

Cllr J Ashby presented a report on the meeting of the Durham University Residents' Forum, held on 10th December 2019 as follows:

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.

Ends

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.

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

The Clerk presented a report of the latest ASB-sub group meeting, held in January and advised that work is ongoing to agree cross-organisation solutions to tackle anti-social behaviour.

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

The Clerk reminded Councillors that the Woodman Inn pub had been successfully listed as an asset of community value. However, correspondence had now been received to state that the owners now wished to sell the pub.

It was **agreed** that the Parish Council should allow the local residents' group to take the lead on bidding to purchase the pub.

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

The Chair advised that the County Council had submitted a response to the latest letter of objection from the Freeman and Parish Council (along with other objections). The Chair also advised that the Planning Inspectorate had advised that there would be no public inquiry into the de-registration of the common land and that an unaccompanied site visit and assessment of both the release land and the replacement land would be carried out by an Inspector and a judgement be made thereafter.

It was agreed that the Parish Council should request a further letter be sent to the Inspectorate from the Parish Council's and Freeman's Barrister on this matter.

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
(27th February 2020)**

City of Durham Parish Council

Minutes of Planning Committee meeting held at 14:00 pm on Friday 10th January 2020 in Office 2, Clayport library building, 8 Millennium PI, DH1 1WA.

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

Also present: Parish Clerk Adam Shanley, Mrs Gillian Thompson (Member of the public) and Cllr Esther Ashby (Member of the public)

1. Welcome and apologies

Apologies were received from Cllrs J Elmer and G Holland

2. To receive any declarations of interest from members

Cllr R Cornwell declared an interest in application DM/19/02853/FPA and Cllr L Brown declared an interest in application DM/19/03885/FPA.

3. To receive and approve as a correct record the minutes of the meeting on 6 December 2019.

The Minutes of the meeting held on 6th December 2019 were unanimously agreed as a true and accurate record of proceedings.

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

Mrs Gillian Thompson attended to discuss application DM/19/03408/FPA. Mrs Thompson advised that she was the applicant for this planning application and she was aware of the Parish Council's objection. Mrs Thompson advised that she and her mother hoped that the Parish Council could reconsider their objection and advised that she intended to be good quality local student landlord. The Chair advised that the application would be considered at the Central and East Planning Committee on Tuesday 14th January and Mrs Thompson would most likely have a decision on this application at this meeting. The Chair noted that the officer recommendation was to approve the application. It was **agreed** that the Parish Council should maintain its objection.

Mrs Thompson left the meeting.

Cllr E Ashby advised that she was attending the meeting as she was aware of a number of new applications which included illuminated signage and felt the Parish Council's Planning and Environment Committees ought to look into tackling issues around light pollution. It was agreed that the Clerk should investigate lighting policy and the County Council's lighting strategy further and produce a report for consideration at both Committees of the Parish Council.

5. Matters arising:

to approve the following responses (for text of letters see Parish web site):

DM/19/03313/FPA | Temporary change of use until end of June 2020 from C3 to C4 | 3 The Bowers Durham DH1 4EH. The response to this application was **agreed** by the Committee.

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. The response to this application was **agreed** by the Committee.

DM/19/03677/FPA | Replacement of welsh slate roof tiles with Marley composite roof tiles (retrospective) | 20 - 21 Church Street Head Durham DH1 3DN. The response to this application was **agreed** by the Committee.

6. County Durham Plan: re the Inspector's action points published on 17 December

The Chair advised that he as Chair of the Parish Council Planning Committee, the Clerk and the Chair of the Parish Council had all considered the action points from the Inspector and had agreed that no further action was needed on these at present.

Cllr J Ashby advised that the County Council had until today (10th January 2020) in order to respond to the questions from the Inspector and the responses would be made public. Cllr J Ashby advised that he was expecting to see further concessions to the 60 pages or so made already following the Inspectors responses. Cllr J Ashby advised that he felt that this was a good indication of the robustness of the Inspector and the representations made on the Local Plan.

7. Neighbourhood Plan Consultation: verbal update re consultation

The Chair reminded Members that the Neighbourhood Plan Regulation 16 consultation commenced on Monday 6th January and would run for a period of six weeks.

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

The Chair advised that there were no further updates on the creation of the community engagement group, however advised that he had been invited to a meeting of the St Nicholas Community Forum which included representatives from Kier and Durham County Council.

The Clerk also advised that he had received a response to the Parish Council letter of complaint following publication of the latest Kier newsletter to residents which was felt to be inadequate in information.

Cllr J Ashby advised that he felt that the Parish Council should be consulted and have their say on what form Kier's proposed community project should take.

9. Consideration of response from DCC to latest comments by Freeman and City of Durham Parish Council

The Clerk advised that a paper with recommendations would need to go to Full Council for approval following receipt of the latest rebuttal from DCC on their application to de-register the common land. The Clerk advised that the Freeman have requested to be kept updated on what decision the Parish Council may come to on this matter.

10. Verbal update from Finance Committee held on 7 January

The Clerk reported that the Parish Council Planning Committee budget agreed at the Finance Committee was £4,300 – this included £2,000 towards professional support

in responding to planning application, £1,800 towards the planning enforcement service level agreement and £500 towards printing costs for the Neighbourhood Plan.

11. Planning applications:

- a. To consider action re the following appeals:

DM/19/02669/VOC | Variation of Condition 4 (Opening Hours) pursuant to DM/16/03376/FPA | 17 Hallgarth Street Durham DH1 3AT – expiry date 13 January 2020. It was **agreed** to submit further information on this appeal and maintain the original objection.

DM/19/02853/FPA | The change of use from a dwelling (Use Class C3) to a small house in multiple occupation (Use Class C4). | 27 May Street Durham DH1 4EN – expiry date 24 January 2020. It was **agreed** to submit further information on this appeal and maintain the original objection.

DM/19/01673/FPA | Demolition of existing extension, erection of two-storey extension, minor internal alterations, like for like replacement of bay window and change of use to a house in multiple occupation (sui generis). | 22 Allergate Durham DH1 4ET Appeal lodged but as yet no starting date. It was **agreed** to defer a decision on this appeal until further details of the grounds of appeal be published.

- b. **To confirm urgent action taken re the following Planning Applications:**

DM/19/03159/FPA | Change of Use of A3 (Restaurant) to Restaurant (Use Class A3) and Bar (Use Class A4) and external alterations to create a new shopfront | Units 35A-C The Riverwalk Millburngate Durham DH1 4SL (3 January). The response to this application was **agreed** by the Committee.

DM/19/03160/AD | Various signage to the front and gable elevations of the building | Units 35A-C The Riverwalk Millburngate Durham DH1 4SL (3 January). The response to this application was **agreed** by the Committee.

- c. To consider the following Planning Applications

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 (Further supporting information received since we considered this application and made an objection). It was **agreed** to maintain the objection to this application.

DM/19/03431/LB | Listed Building Consent for the installation of sensor light to front elevation and retention of light to rear elevation. | 10C Church Street Durham DH1 3DQ (2 January). It was **agreed** to note this application.

DM/19/03684/FPA | To demolish and rebuild existing single-storey extensions to the rear of existing C4 HMO and alterations to fenestration | 16 Boyd Street Durham DH1 3DP (9 January). It was **agreed** to object to this application. Cllrs V Ashfield and L Brown **agreed** to work together on drafting a response to this.

DM/19/03705/AD | 1 illuminated v shaped totem sign and 3 non-illuminated panel signs | 43, 44 And 25 The Riverwalk Millburngate Durham DH1 4SL (3 January). It was **agreed** to note this application.

DM/19/03712/FPA | Retention of Material Change of Use from Detached Outbuilding to First Floor Residential Apartment | Spring Cottage Clay Lane Durham DH1 4QL (9 January). It was **agreed** to note this application, however Cllr L Brown advised that she would submit conditions on this application as a County Councillor.

DM/19/03728/FPA and **DM/19/03729/LB** | Replacement Fenestration and Internal Alterations | Soanes House Burn Hall Durham DH1 3SS (2 January). It was **agreed** to note this application.

DM/19/03757/FPA | Single storey rear extension and two storey side extension. | 1 Warwick Court Durham DH1 3QA (8 January). It was **agreed** to note this application.

DM/19/03774/CPO | Dormer window to rear roof slope with additional window in side elevation and 3 no. Roof lights to the front | 12 Baliol Square Durham DH1 3QH. It was **agreed** to note this application.

DM/19/03787/FPA | Ground Floor Extension, Reception and Associated Internal Alterations | Brooks House 94 Whinney Hill Durham DH1 3BQ (23 January). It was **agreed** to note this application.

DM/19/03795/FPA | Single-Storey Front, Side and Two-Storey Rear Extensions | 6 Orchard Drive Durham DH1 1LA (23 January). It was **agreed** to note this application.

DM/19/03806/FPA | Change of use of dwelling (Use Class C3) to small House in Multiple Occupation (Use Class C4) | 7 Wearside Drive Durham DH1 1LE (9 January). It was **agreed** to object to this application subject to further investigation. Cllr J Ashby **agreed** to draft the response to this. The Clerk also **agreed** to make planning enforcement aware of potential unregistered HMOs in this area and the Clerk also **agreed** to seek legal advice on the covenants on properties in this area.

DM/19/03833/LB | Upgrading of internal fire detection systems | 5 The College Durham DH1 3EQ (9 January 2020). It was **agreed** to note this application.

DM/19/03834/LB | Upgrading of Existing Fire Detection System | 47 - 51 Old Elvet Durham DH1 3HN (23 January). It was **agreed** to note this application.

DM/19/03837/AD | Display of illuminated fascia sign, window vinyls and illuminated menu board to front elevation. | Ground Floor 66 Saddler Street Durham DH1 3NP (6 January). It was **agreed** that the Clerk should write to the planning department to highlight a potential fault in the validation of this application and to also request that any granting of this application should only be in relation to the display of illuminated signage, which the Committee **agreed** to note.

DM/19/03885/FPA | Erection of replacement green house and pergola | 1 Riverside Lodge Burn Hall Durham DH1 3SS (13 January). It was **agreed** to note this application.

DM/19/03929/FPA | Retention of External Extract Equipment | 17 Hallgarth Street Durham DH1 3AT (10 January). It was **agreed** to object to this application. Cllr J Ashby **agreed** to draft the response to this application.

DM/19/03943/LB | Demolition of existing brick built rear extension and timber framed conservatory. Construction of contemporary accessible living extension and

stand-alone workshop. | 173 Gilesgate Durham DH1 1QH (24 January or later). It was **agreed** to commend this application. Cllr R Cornwell **agreed** to draft the response to this application.

12. To decide Parish representation and approach to matters being considered at the meeting of the Area Planning Committee (Central and East) - Tuesday 14 January 2020 1.00 pm:

DM/19/03459/FPA and **DM/19/03494/FPA** – 17 and 18 Providence Row, Durham, DH1 1RS. It was **agreed** that Cllr G Holland should represent the Parish Council for both these planning applications. It was also agreed that these (originally separate) applications should be considered together as per the County Council’s request. It was agreed however as part of this that the Clerk should request more time for presentation to Committee if needed.

DM/19/03408/FPA - 29 Lawson Terrace, Durham, DH1 4EW: Change of use from single dwelling house C3 with 2 bedrooms to HMO C4 with 4 bedrooms. It was **agreed** that Cllr R Cornwell should represent the Parish Council at the Planning Committee on this application.

DM/19/03409/AD - North Road, Durham, DH1 4PW: Advertisement consent for the display of 2 No. Externally Illuminated Hanging Signs and 1 No. Internally Illuminated Fascia Sign Revolution Bar (Formerly Bishop Langley). It was **agreed** that Cllr R Cornwell should represent the Parish Council at the Planning Committee on this application.

13. Dates of future meetings

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

7 February 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 Planning Committee meeting held at 14:00 pm on Friday 24th January 2020 in Office 2, Clayport library building, 8 Millennium Pl, 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, Cllr Esther Ashby (member of the public) and 8 members of the public.

1. Welcome and apologies

Apologies received from Cllr J Elmer

2. To receive any declarations of interest from Members

Cllr J Ashby declared an interest in applications DM/19/03587/FPA and DM/19/03588/LB. Cllr J Ashby took no part in discussions on this application and did not vote on any decision.

3. To receive and approve as a correct record the minutes of the meeting on 10 January 2020.

The Minutes of the meeting held on 10th January 2020 were unanimously agreed as a true and accurate record of proceedings.

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

All members of the public present (excluding Cllr E Ashby) advised that they were present to discuss application DM/19/03806/FPA. (Miss) Janet George (member of the public) also advised that she would like to discuss application DM/19/03914/FPA.

Cllr E Ashby advised that she was present to discuss DM/19/03926/VOC.

(Mrs) Hillary French (member of the public) advised that she has objected to application DM/19/03806/FPA. Hillary also advised that she felt that the three week consultation on the application taking place over the Christmas and New Year period was unreasonable. Hillary also expressed concern at the application being decided under delegated authority by planning officers rather than by the Central and East Planning Committee.

A number of the members of public present advised that there were more unregistered HMOs and student properties in the area than the figures provided by the County Council.

The Chair advised that the Planning Committee had submitted an objection to the application and also provided the meeting with updated figures on student properties within a 100-metre radius of the application site based on information provided to the Parish Council by Durham University.

Cllr J Ashby advised that there was a change in wording required to the original objection by the Planning Committee and also proposed that a further letter with supplementary information be drafted and submitted to the planning department of

the County Council. It was **agreed** that a further letter be drafted and submitted to the County Council on this application. Cllr J Ashby **agreed** to draft this letter.

The Clerk advised that if there were any unregistered HMOs or student properties in the area, he would request that the Parish Council's enforcement officers could look into this.

Miss Janet George advised that she would be objecting to application DM/19/03914/FPA. Janet advised that she was concerned about additional student housing near her home. The Chair advised that he had looked at this particular application and could not find any planning grounds on which to object to this.

Cllr E Ashby advised that she would appreciate the opportunity to look further into application DM/19/03926/VOC and to report back to the Planning Committee.

5. Matters arising:

- a. to approve the following responses (for text of letters see Parish web site):
 - DM/19/03806/FPA** | Change of use of dwelling (Use Class C3) to small House in Multiple Occupation (Use Class C4) | 7 Wearside Drive Durham DH1 1LE. It was **agreed** that this draft should be slightly amended and submitted to the planning department. It was also **agreed** that a further letter providing supplementary information should be submitted.
 - DM/19/03929/FPA** | Retention of External Extract Equipment | 17 Hallgarth Street Durham DH1 3AT. The draft letter on this application was **agreed** by the Committee.
 - DM/19/03943/LB** | Demolition of existing brick built rear extension and timber framed conservatory. Construction of contemporary accessible living extension and stand-alone workshop. | 173 Gilesgate Durham DH1 1QH. The draft letter on this application was **agreed** by the Committee.
- b. To note that planning application **DM/19/03684/FPA** | To demolish and rebuild existing single-storey extensions to the rear of existing C4 HMO and alterations to fenestration | 16 Boyd Street Durham DH1 3DP was determined before a response had been possible. It was **agreed** to note the determination of this application.
- c. To consider the outcomes of the following matters considered by the Central/East Planning Committee of the County Council:
 - DM/19/03459/FPA** and **DM/19/03494/FPA** – 17 and 18 Providence Row, Durham, DH1 1RS. The committee refused these applications
 - DM/19/03408/FPA** - 29 Lawson Terrace, Durham, DH1 4EW: The committee refused this application.
 - DM/19/03409/AD** – Revolution Bar, North Road, Durham, DH1 4PW: the committee approved this application.

The Committee thanked Cllrs R Cornwell and G Holland for their representations on these applications.

6. County Durham Plan

The Chair advised that, since the last Parish Council meeting, the fourteen sessions originally planned for the Examination in Public ended on 4 December and on 17 December the Inspector issued 56 Action Points to the County

Council, to be answered by 10 January. It was also open to other parties, e.g. the Parish Council, to respond as well. The Chair advised that the Committee Members corresponded by email and decided this was not necessary. The Clerk and Parish Chair did not disagree.

Having read the Council's responses, the Inspector decided he needed a further session to deal with housing land supply and this will take place on February 6. The Chair advised that the Parish Council has not been offered a space to provide a verbal report but could still attend as interested observers. The Chair also advised that Cllr J Ashby had prepared a draft written response on behalf of the City of Durham Trust. Cllr J Ashby advised that he was awaiting feedback from Trustees on the draft letter and this will be submitted in due course.

7. Neighbourhood Plan Consultation: verbal update re consultation and appointment of Examiner

The Chair advised the Committee that the appointment of the Independent Examiner is now underway and the Parish Council expects to have a list of possible names shortly, and the actual choice of Examiner should be made by mid-February. The Chair reminded Members that it was agreed at Full Council on 23rd January that the Planning Committee be delegated responsibility to respond on this on behalf of the Parish Council. The Chair asked the Clerk to write and request that options for the choice of Independent Examiner be provided ahead of the Planning Committee meeting on 7th February 2020.

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

The Chair requested that the Clerk chase up the date for the forthcoming Stakeholder Engagement meeting between Kier, the Parish Council and others.

9. Any matters referred by the Parish Council Meeting of 23 January

Cllr J Ashby reminded Members that it was agreed at the Full Council meeting on 23rd January to form a working group to take the work on the selective licensing scheme for landlords forward. Cllr J Ashby advised that he hoped that the group could meet relatively soon.

10. To consider making representations on the following planning applications (the date in brackets is the deadline to call to committee):

DM/19/03587/FPA and **DM/19/03588/LB** | Erection of sandstone wall under 1m high with wrought iron railings above and seating area | Leazes Cottage Leazes Place Durham DH1 1RE (6 February). It was **agreed** to note the applications.

DM/19/03707/FPA | Dormer windows to front and rear elevations of existing larger HMO (sui generis use). | 1 Laburnum Avenue Durham DH1 4HA (6 February). It was **agreed** to object to the application. Cllr L Brown **agreed** to draft the response.

DM/19/03748/FPA | Change of use from C3 dwelling to a B1 office use | Second Floor Apartment 58-59 Saddler Street Durham DH1 3NU (6 February). It was **agreed** to note the application.

DM/19/03753/FPA | Change of use from 4no. C3 residential buildings to 4no. B1 office buildings. | 1-4 Green Lane Durham DH1 3JU (6 February). It was **agreed** to note the application.

DM/19/03836/FPA | Change of use from betting shop (sui generis) to restaurant (use class A3) including extraction to side elevation. | Ground Floor 66 Saddler Street Durham DH1 3NP (6 February). It was **agreed** to object to the application. Cllr R Cornwell **agreed** to draft the response.

DM/19/03914/FPA | Change of use of dwelling to two flats including erection of first floor extension to side. | 15 Mayorswell Field Durham DH1 1JW (7 February). It was **agreed** to note the application.

DM/19/03926/VOC | Variation of Condition 3 (approved plans) of DM/19/01937/VOC comprising changes to layout of Phase 2B. | Mount Oswald (Phase 2B) Durham (30 January). It was **agreed** that Cllr L Brown should do some further investigation into this application and report to Committee with a recommendation on how to respond.

DM/19/03933/FPA | Change of use from Class C3 dwellinghouse to Class C4 house in multiple occupation | 24 May Street Durham DH1 4EN (6 February). This application was withdrawn before the meeting and was therefore not considered.

DM/19/03949/FPA | Change of use from HMO (Use Class C4) to large HMO (sui generis) with two storey rear extension, rooflights and associated external alterations | 55 Hawthorn Terrace Durham DH1 4EQ (6 February). It was **agreed** to object to the application. Cllr J Ashby **agreed** to draft the response. Cllr L Brown also advised that she would be calling this in to the Central and East Planning Committee as the County Councillor.

DM/19/03967/FPA | Change of use of first floors from retail including a loft conversion in to residential accommodation providing 5 no. HMO studio apartments | 9 And 9A Silver Street Durham DH1 3RB (4 February). It was **agreed** to object to the application. Cllr R Cornwell **agreed** to draft the response. Members also felt that the police should also be consulted on this as the area was known to have issues of anti-social behaviour.

DM/19/03968/FPA | Extension and conversion of the multi-level decked car park to form 8no. 2-bed apartments. | William Robson House Claypath Durham DH1 1SA (6 February). It was **agreed** to object to the application. The Clerk **agreed** to draft the response.

DM/20/00059/FPA | The installation of stainless-steel flue to rear (retrospective) | The Bridge 39 - 40 North Road Durham DH1 4SE (6 February). It was **agreed** to object to the application. The Clerk **agreed** to draft the response.

DM/20/00070/LB | Listed building consent to alter existing window and door openings to rear elevation and internal alterations. | 195 Gilesgate Durham DH1 1QN (5 February). It was **agreed** to note the application.

DM/20/00072/TPO | Crown lift, reduction and pruning of 1 no. Beech tree (T2); pruning and reduction of 1 no. Beech tree (T3). | Finney Court Finney Terrace Durham DH1 1RX (4 February 2020). It was **agreed** to note the application.

DM/20/00079/LB | Alteration to construct timber stud partition separation wall to room 203 Divinity House to form 2 no. offices | Divinity House Palace Green Durham DH1 3RL (5 February or later). It was **agreed** to note the application.

DM/20/00085/CEU | Alterations to increase large HMO house from 9 bedroom to 12-bedroom large HMO. Works include internal alterations, new windows and new external rear door. Replace conservatory glazed roof with traditional slate pitched roof. Build up conservatory walls. | 6 Southend South Road Durham DH1 3TG (4 February or later). It was **agreed** to note the application.

11. Discussion on possible ground rules for this committee

The Chair presented a report on the ground rules for the committee. Members felt that this was a thorough report and it was **agreed** that consideration of Traffic Regulation Order consultations should be carried out by the Planning Committee. The Clerk advised that this would need to be reflected with an amendment to the Terms of Reference of the Committee. The Clerk also reminded the Chair and the Vice-Chair of the Planning Committee of the meeting to take place between all three and the Chair of the Parish Council on the matter of deciding a procedure as to when to call applications in to the Central and East Planning Committee for consideration.

12. Consideration of report on planning policy in relation to lighting

The Clerk presented a report on planning policies in place in relation to lighting. The need for the report had come about following concerns expressed regarding new applications which may cause light pollution. The Chair thanked the Clerk and the Committee noted the contents of the report with a view to ensuring that policies were appropriately considered with any new applications involving lighting/ illuminated signage, etc.

13. Survey of Mount Oswald residents

Councillors were asked to consider a survey of the residents of the new Mount Oswald developments to gather data on where they have moved from, where they work, etc. Cllr J Ashby advised that he and Cllr E Ashby had been wondering about these matters with the new developments and wondered if the results of such a survey may disprove the assertion of the need for such high increases in housing numbers added to the City of Durham Parish area.

It was agreed to wait the outcome of the Independent Examiner's report on the County Durham Local Plan before pursuing the proposal of a survey of Mount Oswald residents.

14. Dates of future meetings

7 February 2020 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

21 February 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

ITEM 5: RESISTING CONVERSIONS OF FAMILY HOMES TO STUDENT ACCOMMODATION

Councillors will recall that the issue of restrictive covenants has been discussed at a recent Parish Council Planning Committee.

The query was raised as to whether such covenants are both enforceable and of material planning grounds to refuse a change of use application. It was agreed that the Clerk should seek legal advice on this matter via the solicitors currently provided through the County Durham Association of Local Councils (CDALC) as part of the Parish Council's subscription fee to CDALC.

Following a further discussion with the Chair and Vice Chair of the Planning Committee, the Clerk accordingly sought legal advice on whether it can prevent planning permission being granted for change of use class C4 (student HMOs) and *sui generis* where the properties concerned have a restrictive covenant on the registered title preventing use other than as a private dwelling. The legal advice cost £240 (ex VAT). The solicitor has provided the following advice:

"Restrictive covenants are rules preventing certain things from being done on the land. If imposed correctly they constitute a personal contractual relationship between two people i.e. the original vendor and the purchaser. In view of this it would be for the beneficiary of the restrictive covenant alone to take legal action for a breach of the covenant by a subsequent landowner. Therefore, if the current beneficiary of the covenant can be identified and is willing, they could seek an injunction and damages against the use of the property as an HMO. However the process would need to be undertaken specifically by the individual with a legal interest in the land and not by the Parish Council.

The Parish Council is not a planning authority and should be cautious about over emphasising its role in this matter.

The Parish Council should work to build an evidence base and strong case for the extension of the existing Article 4 Direction to cover the City of Durham Parish area at the earliest opportunity. This plan of action is already identified in the submission version of the Parish Council's Neighbourhood Plan at 4.194 alongside the associated proposals outlined at Polict D3. In doing this, the Parish Council should seek to collaborate with any other interested parishes or stakeholders on the relevant area. The Parish Council could also consider seeking the services of a qualified and experienced planning consultant to assist with the preparation of the evidence base and submission to the county council.

The Parish Council could seek to identify who imposed the restrictive covenant in the first place. This may assist with the process of identifying which properties are affected. This could then be confirmed by commissioning a Land Registry search on a case by case basis".

Use of deeds of covenants

The Parish Council cannot enforce deeds of covenant; this can only be done by the original vendor, or their successor in title. The legal advice points out that for the Parish Council to search the Land Registry would be both costly and time consuming.

However, it is a reasonable assumption that all of the houses on an estate will have the same restrictive covenant so if those existing owners who were objecting to houses being converted to HMOs were to make their own covenants available then the terms of any covenants binding the owners of the HMO in question could be reasonably inferred.

The Chair has been advised that there is a type of covenant, the *estate covenant*, where all of the property owners on the estate have the right to take action against anybody breaking its terms. We do not know if any of the estates in Durham have this type of covenant, but examining the covenants of other householders should provide the answer.

Extending the area covered by the Article 4 Direction

The Article 4 direction was brought into Durham as an additional layer of planning protection to the existing Conservation Area by removing Permitted Development Rights. Within the emerging Durham Local Plan, it is stated that the council will "*consider the introduction of further Article 4 Directions where appropriate*". The Town and Country Planning Act 1990 states that local authorities should consider making article 4 directions only in those "*exceptional circumstances where the exercise of permitted development rights would harm local amenity, the historic environment or the proper planning of the area*".

The Article 4 direction in the City came into force on 17 September 2016 and so pre-dates the Parish Council. It does not cover all of the Parish.

The main areas excluded are most of the Aykley Heads estate in the north and, in the south, Mount Oswald, the University Mountjoy estate east of South Road, Houghall College and Maiden Castle. The County Council web page at <https://www.durham.gov.uk/article/2499/Multiple-occupancy-homes> links to the maps and has further information.

Beyond the Parish, Gilesgate Moor as far as the motorway is included. The built-up area of Framwellgate Moor, Pity Me and Newton Hall also has an Article 4 Direction which came into force on 13 May 2017.

The new developments at Aykley Woods (on the former Police HQ) and Mount Oswald, plus the longer established Farewell Hall and Roundhaven estates do not benefit from an Article 4 Direction and student HMOs are beginning to appear in these areas. The legal advice recommended that "The Parish Council should work to build an evidence base and strong case for the extension of the existing Article 4 Direction to cover City of Durham Parish at the earliest opportunity."

However, County Councillors were advised that a proposal to extend the Article 4 Direction to include Mount Oswald, Carrville, and Belmont was to be put to the Cabinet on 13 November last year. This did not happen but we must infer that a report was drafted.

The Parish Clerk has, with the agreement of the Planning Committee Chair, sought quotations from planning consultants to produce a planning technical note, which would outline why in the planning balance, the areas included in the proposed Article 4 boundary should be considered as exceptional circumstances. Such an undertaking would hopefully help to build a strong case for the Article 4 boundary to be extended with particular reference to student accommodation.

DECISION REQUIRED	That representatives of the Parish Council discuss with DCC the current position and the steps necessary to extend Article 4 coverage as outlined in the above report. The results of these discussions will be reported to the Planning Committee to decide what further action should be taken, including possibly commissioning a planning consultant to assist with the preparation of the evidence base.
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ITEM 5: REPORT ON THE DE-REGISTRATION OF THE COMMON LAND – LATEST RESPONSE FROM BARRISTER

At its January Full Council meeting, the Parish Council agreed to submit a further response to the County Council's most recent rebuttal to objections on the application to de-register the coach park as common land and replace this with land near to Aykley Heads.

The following has now been submitted by the barrister acting on behalf of the Parish Council and the Freeman to the Planning Inspectorate:

Dear Sirs

RE: APPLICATION UNDER S.16 COMMONS ACT 2006 – THE SANDS, DURHAM

As you are aware, 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 this Application.

Firstly the Freeman and the PC take exception to the remark that they are being disingenuous. They are bodies with a duty to act in the interests of those with quasi-public and public rights and take this duty seriously.

The latest contact from the caseworker (by e-mail of 27 December 2019) states the exchange of correspondence is at a close and "We are satisfied that we can proceed to determine the application without the need for further correspondence or for a public inquiry or hearing". The Freeman and Parish Council are astounded by this decision.

The Freeman and PC would also want the Inspector to be aware that since the last exchange of correspondence the Council has erected a permanent fence around the Release Land which is set into concrete in and around the existing trees. This is a trespass to the common land, an interference with the commoners and public rights and has been undertaken with disregard for the health and future of the trees.

The 2007 Regulations set out a procedure for determination of applications for exchange of common land. Whilst I accept that under Regulation 6 the Secretary of State is empowered to decide whether the application is to be heard on the basis of written representations, hearing or public inquiry this decision must be subject to the rules of natural justice. It is plain from the correspondence that this application is contentious, of more than local significance and has attracted widespread objections. In my submission this application should be decided following a hearing/public inquiry. This is supported by Gadsden on Commons and Greens 2nd edition.

Secondly, I would submit there are significant matters of fact which are in contention between the parties and if the Inspector proceeds to decide the application absent a forum where evidence can be heard and make the relevant findings of fact then that decision will be *ultra vires* and vulnerable to judicial review from either side.

The Council's assertion that there are no factual disputes or any significant legal points at play illustrates lack of appreciation of due process and the legal framework for this application. The Council's submissions are a hotch-potch of mistakes of fact and unfounded assertions. The claim by the council that works already undertaken on the release land are irrelevant to the merits of the application exemplifies the lack of respect for the commoners and public rights which date back over 800 years.

The Council's latest response contains errors of fact and for the Inspector to rely on it would amount to an error of law. By way of example the council asserts that the parking at the Replacement Land is not *substantially* different to the Release Land¹ which is factually incorrect. Secondly the council states there are no GCN on the Replacement Land², despite the ecological report for the new Police HQ recording the presence of newts in Pond 9 which is either on or directly abutting the Replacement Land. It follows that using the Replacement Land for public access may harm protected species. Finally there are worn paths across the Replacement Land and notices asking people to keep off it which are inconsistent with the Council's assertion to the contrary.

These are all issues which must be based on reliable findings of fact and weighed in the balance by the Secretary of State. The Council's first supporting statement states that "an evaluation of the replacement land in terms of quality and quantity *will be carried out*"³. Given the lack of any proofs of evidence or witness statements (on either side) it is difficult to see how the Inspector can make the assessment under s.16.

As to legal submissions, the Council's case is still that "the benefits of the new Council HQ at The Sands are so significant that the public benefit in securing these benefits outweighs any relevant harm arising from the loss of the Release land as common land". Firstly it is the Council which insists on conflating the merits of the new HQ with the loss of common land, whereas the Freeman and PC are confining themselves to relevant material considerations set out in s.16. Moreover the Release Land is not even needed to deliver the HQ project.

Notwithstanding the decision on whether a hearing should take place. If there is no hearing it is an inordinate length of time to wait 8 months for a site visit to be arranged. Given the county council has enclosed the common land the Objectors ask that this matter is placed before an Inspector for an expedited consideration.

Ends

DECISION REQUIRED	Councillors are asked to note the above response and await a reply from the Planning Inspectorate on this matter.
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¹ Response to objectors' further comments §2.12

² *Ibid* §2.14

³ Supporting Statement §3.6

ITEM 5: Amendment to Planning Committee Terms of Reference – Traffic Regulation Orders

The Parish Clerk has enquired whether the Planning Committee might assume responsibility for considering consultations on Traffic Regulation Orders (TROs), which do not currently fall under the remit of any Parish Council Committee.

A typical Traffic Regulation Order would follow the below procedure:

- Request from local County Councillor/ Parish Council/ Resident
- Will be investigated and initial proposals created
- This will go to statutory consultees – County Councillor/ Parish Council/ Emergency services etc for 21 Days (legal process)
- Amendments may be made from comments received and will go back out for 21 days consultation this can happen a number of times
- Directly affected frontages will then be consulted with a plan and cover letter – residents/ businesses that are in close proximity to the proposals for 21 days (none legal process)
- Amendments may be made from comments received and will go back out for 21 days consultation this can happen a number of times
- It will then go to the Formal Consultation where the proposals will be advertised online, on site and in the local press for 21 days (legal process)
- Amendments may be made from comments received and will go back out for 21 days consultation this can happen a number of times
- If there are no objections after this time the scheme will be sealed by the legal dept and works ordered which can be from 6-10 weeks lead time
- If there are objections during the consultation it will then go to a Highways Committee meeting where elected members make a decision considering all objections – Committee meetings usually run once every 2 months so this can add delay to the introduction of the TRO
- Once it has passed committee the works will be ordered which can be from 6-10 weeks lead time.

The Parish Council Planning Committee considered this at its meeting on 24th January and agreed to take responsibility for responding to these consultations, subject to Full Council approval.

Should Councillors agree that the Planning Committee should take responsibility for these consultations, the Planning Committee's Terms of Reference will need to be amended accordingly.

The following is a proposed addition to the existing Planning Committee Terms of Reference:

"The Planning Committee will consider all new Traffic Regulation Order consultations for sites in the City of Durham Parish and has delegated

powers to make representations on them and represent the Parish Council at County Council Highways Committee Meetings.”

Councillors are reminded that all Parish Council Committees’ Terms of Reference will be formally reviewed at the Parish Council’s Full Council meeting in May.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) Councillors are asked to agree to the Planning Committee assuming responsibility for responding to Traffic Regulation Orders in the parish.2) Councillors are asked to agree to the proposed addition to the Planning Committee’s Terms of Reference as set out above.
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CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Environment Committee held on 14th January 2020 in Room 1, Alington House. Durham. DH1 3ET.

Present: Councillors V Ashfield (in the Chair), E Ashby, L Brown, J Elmer and M Ross.

Also present: Parish Clerk A Shanley.

1. APOLOGIES FOR ABSENCE

Apologies received from Cllrs J Atkinson, S Cahill and D Freeman.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received.

3. TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 26th NOVEMBER 2019

The Minutes of the meeting held on 26th November were unanimously agreed as a true and accurate record of proceedings.

4. PUBLIC PARTICIPATION

None received.

5. UPDATE ON ENVIRONMENT COMMITTEE BUDGET FOLLOWING FINANCE COMMITTEE MEETING ON 7TH JANUARY 2020

The Chair reported that the following had been agreed at the Finance Committee meeting as the Environment Committee's budget for 2020/21:

Item of potential expenditure	Cost (£)	
	Item	Sub-total
PRIORITY 1: 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	
PRIORITY 2: Involving young people		
Terracycle project	£1,500	
Establishing a City-wide youth Environment Committee	£5,000	
PRIORITY 3: Heritage		
Development of Durham heritage app	£5,000	
PRIORITY 4: Business frontages		

Frontage awards + Christmas event	£3,000	
PRIORITY 5: Noise		
Developing the Quiet Zone proposal	£2,000	
PRIORITY 6: A167		
Developing project from 2019-20 on domesticating the A167	£3,500	
TOTAL PROVISION IN 2020-21 AGAINST PRIORITIES		47,000

6. DISCUSSION OF OPTIONS FOR ORGANISATION OF ENVIRONMENT COMMITTEE MEETINGS HENCEFORWARD

The Chair reported that the weight of the work created by the Environment Committee requires more frequent meetings. The Chair also advised that the availability of some committee members makes both daytime and evening meetings difficult. The Chair advised that she would like the Environment Committee to split its focus on "Proactive" and "Reactive" work and divide both into two separate meetings which would take place once per month, i.e. a meeting of the Environment Committee once every two weeks but with a split focus. This was not agreed.

It was agreed that the Environment Committee should meet once every two weeks. The afternoon meetings would commence at 14:00pm and the evening meetings would commence at 17:15pm.

The Clerk advised that he would circulate dates and timings of meetings up until May.

7. ACCREDITED LANDLORDS PROJECT

The Chair reported on the proposed licensing scheme for landlords in County Durham.

The Chair advised that a 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. The Chair advised that such a scheme was under consideration for County Durham with Durham City being a priority area due to the number of student HMOs in the Parish area.

The Chair advised that, 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.

Members considered the report before them and it was agreed that the following recommendations should go to Full Council in January as part of a cross-Committee approach:

- 1) Councillors are asked to express support for the County Council's intention to seek a Selective Licensing Scheme covering the whole County.
- 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.
- 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.
- 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.

8. DISCUSSION ON PROPOSED SECTION 106 APPLICATION PROJECT – ALINGTON HOUSE, RITSON HALL

The Clerk advised that he had circulated details of a proposed section 106 project involving the refurbishment of Ritson Hall as agreed at the last Environment Committee meeting.

Following majority agreement with the proposed project, the Clerk advised that he had discussed the project with Alington House, the Planning Department at DCC and had also received quotations for a design to be made of the proposed new Hall to accompany an application for section 106 monies from the Elvet and Gilesgate Ward. The Clerk presented the report including a proposed business case from representatives of Alington House towards the project.

The Committee considered the report and felt that the business case would not be sufficient for a section 106 project.

The Committee also felt that the use of the proposed section 106 monies would not be sufficient in addressing various wider issues with the Hall.

The Committee agreed not to progress this further and the Clerk advised that he would remove this from the Agenda.

9. DISCUSSION OF ENVIRONMENT COMMITTEE PRIORITIES:

Members considered all items within the Committee report still outstanding. The Clerk advised that he and the Chair had a meeting with the Freeman on 20th January 2020 in order to progress the proposal of tree planting at the Sands. The Clerk advised that there were to date no further updates on the proposed Quiet Zone, however work was underway at investigating how this would work if applied.

Cllr E Ashby advised that she and the Clerk had met with Jess Dunning from Durham Students Union to progress the proposal of the Good Neighbour scheme. At the meeting with Jess, Cllr E Ashby advised that it had been agreed that the PBSAs would be approached to see if they would accommodate the snow clearing equipment so that these could be accessed by the volunteer students.

Cllr E Ashby also advised that Jess and the Clerk had agreed to be the initial points of contact for reporting any areas badly effected by ice or snow.

Cllr E Ashby also reported that an informal meeting with the volunteer students was being organised to meet with them and discuss the possibility of carrying out a small competition to see which teams reacted the quickest to a "call for assistance" from the coordinator on a particular area (bus shelters and bus stops proposed) and a small prize given to the winning team.

The Clerk advised that he had purchased the equipment as agreed at the last Environment Committee meeting to facilitate the snow clearing.

On the A167 project, the Clerk advised that he had received a report from the Officer at the County Council looking into this on behalf of the Parish Council to state that she had looked at the proposals for the A167 a number of times in the last year or so and that she is unable to find any new ideas for improvement of the A167 that the parish Council could deliver on. The Clerk advised that new updates on this priority would be unlikely until a decision is made on the relief roads proposals but that he would continue to keep in dialogue with the officer on this.

The Clerk reported that the Durham City Heritage app was progressing well with the app developer the Council had selected at the last Full Parish Council meeting.

10. AOB

Cllr L Brown reported that she had recently attended a meeting of the Environment and Sustainable Communities Overview and Scrutiny Committee at the County Council and wished to draw to the Committee's attention the report on air quality.

Cllr L Brown advised that the report had been considered very poorly at the Environment and Sustainable Communities Overview and Scrutiny Committee as air quality levels were still very poor despite the AQMA being introduced in 2011.

It was agreed that the Clerk should invite the officer responsible for air quality to a future Environment Committee meeting.

11. DATES OF FUTURE MEETINGS.

The Clerk advised that he would circulate the agreed dates and times to the Committee.

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

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Environment Committee held on 28th January 2020 at 14:00pm in DCC meeting room, Clayport library building. Durham. DH1 1WA.

Present: Councillors V Ashfield (in the Chair), E Ashby, L Brown, S Cahill, D Freeman and M Ross.

Also present: Parish Clerk A Shanley.

1. APOLOGIES FOR ABSENCE

Apologies were received from Cllrs J Atkinson and J Elmer.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received.

3. TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 14th JANUARY 2020

The Minutes of the meeting were accepted as a true and accurate record of proceeds with the amendment to the statement regarding the split of the Committee working being agreed as proactive and reactive. It was instead **agreed** that the Agenda would be organised according to the timetable under discussion on item 7 of the current Agenda (28th January 2020).

4. PUBLIC PARTICIPATION

None received.

5. DCC AIR QUALITY PRESENTATION: QUESTIONS FOR DAVE GRIBBEN AND PROPOSALS FOR JOINT ACTION WITH DCC

It was **agreed** that the following queries would be put to Dave Gribben at the next Tuesday meeting (3rd march 2020) of the Environment Committee:

- Why are there no up to date figures published regarding the Air Quality Management Area (AQMA)?
- What is the County Council doing to ensure that bus operators are switching to electrical buses?
- Can we have more green walls in Durham City?
- Can there be a limit on the number of HGVs entering the City centre?
- What is the County Council doing to enforce the ban on students bringing vehicles to the City?
- Can we have more electrical vehicle charging points in the Parish?

It was **agreed** that Dave Gribben would be invited to the 3rd march Environment Committee meeting.

6. PROPOSALS FOR NEW BUS STATION ON NORTH ROAD – ENVIRONMENT CONSIDERATIONS

No further comments on the bus station were put forward beyond those expressed at the Full Council meeting during the presentation by Dave Wafer. The Clerk advised

that he would be circulating a response to the consultation next week for Full Council approval.

7. TIMETABLE FOR ENVIRONMENT COMMITTEE 2020/21 WORK

The Chair presented a programme of work for the Environment Committee for the year ahead.

It was **agreed** that the Clerk should contact Andrew Jackson at the earliest convenience to discuss plans for Durham in Bloom 2020. The Committee advised that they would like to take a more proactive part of the planning for Durham In Bloom as part of the proposed increased funding.

It was also **agreed** that an alternative frontage award should be investigated outside that of Christmas. The Clerk advised that he would contact Carole Feenan and Adam Deathe to find out about other such awards throughout the year to ensure there is no duplication.

It was also **agreed** that the bike racks/ planters should be added to the programme for consideration. Cllr E Ashby advised that bike racks/ planters were still possible to procure from Victoria Lloyd-Gent at Durham County Council.

8. DISCUSSION OF ENVIRONMENT COMMITTEE PRIORITIES:

• Consideration of Neighbourhood Warden report

Committee Members felt that the latest Neighbourhood Warden report needed to be improved and needed to include figures of exactly what had been carried out and achieved in the Parish. The Chair advised that she would be producing pro-forma for the Warden to complete as part of their reporting.

• Tree planting update

The Chair advised that the Freeman had agreed to allowing the Parish Council hold a community tree planning event at the Sands in February. The Freeman are keen to take an active role in this and will be part of the event. The Freeman are also keen to do tree planting at the riverbanks to further deal with the issue of flooding.

It was **agreed** that the tree planting event should take place on 14th February and that the Clerk should submit an order for rowan, birch, silver birch, hornbeam, maple, aspen and black poplar for the event.

It was also **agreed** that the Clerk should produce a poster for the event and also source the tools to carry out the planting.

• Setting up a new city-wide youth Environment Committee

The Chair advised that she had visited a number of schools who are keen to participate in the City-wide Youth Committee. The Chair advised that there were a number of matters which will need to be sorted in preparation for a first meeting in the half-term holidays and that she, Cllr M Ross, S Cahill and the Clerk would arrange as a working group.

9. AOB (Please note for discussion only, not decision making)

10. DATES OF FUTURE MEETINGS

AFTERNOONS ON (Tuesday 2pm - 3.30)

28 Jan - CLAYPORT LIBRARY (DCC meeting room)
3 March - CLAYPORT LIBRARY (DCC meeting room)
31 March - CLAYPORT LIBRARY (DCC meeting room)
28 April - CLAYPORT LIBRARY (DCC meeting room)
EVENINGS ON (Wednesday 5.15 - 6.45pm)
12 Feb - CLAYPORT LIBRARY
18 March - CLAYPORT LIBRARY
15 April - CLAYPORT LIBRARY
13 May - CLAYPORT LIBRARY

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 5: ESTABLISHING A YOUTH ENVIRONMENT WORKING GROUP

Cllrs V Ashfield and M Ross have been working together with local schools with the aim of establishing a city-wide Youth Environment Working Group.

The Council is reminded that the Environment Committee has been working with local schools in the parish on an innovative new recycling project known as "terracycle". Local schools in the parish also participated in the recent tree planting event at the Sands.

The school children are extremely keen to get involved in more environmental projects in the city, hence the proposal of establishing this group in order to tackle environmental issues at the forefront of young people's minds.

The schools have been approached about this proposal and are very enthusiastic about it. So far, the following local schools have said that they wish to be involved in this Working Group: St Leonard's Catholic Secondary School, Durham Johnston School, Durham Sixth Form Centre, St Margaret Church of England School, Neville's Cross Primary school, St Oswald's Church of England Primary school, Durham Girls' High school and Durham school.

Originally it was proposed that there be two separate Working Groups: one for primary schools and the other for secondary schools but the primary schools are confident that their children can participate as actively and robustly as secondary school pupils.

Councillors will be aware that a key part of the Parish Council's agreed strategy for 2019/20 states: *"The Parish Council recognises that young people are also a key stakeholder in our community and one priority for the Parish Council is to involve young people in the work which we do for our local community. We are already working with schools and in particular the various School Councils to identify young people's ambitions for their area and how we might best support these ambitions."* Such a group being formed would support this commitment of the Parish Council.

If the Council agrees to the formation of this Working Group, it is proposed that each of the schools participating in this would have two representatives attend the meetings selected from the pupil body as the school decides. A member of staff from each school would also attend with the representatives from their school.

It is proposed that no fewer than five meetings of the Working Group take place throughout the year and these meetings will alternately take place in each of the five schools which have agreed to host these meetings. The meetings will take place during school time and will likely last approximately 1 and a half hours.

Councillors are reminded that £5,000 was agreed as part of the Council's budget for 2020/21 towards involving young people in environmental initiatives. It is proposed that this could be used towards a project or projects proposed by the Youth Environment Working Group and agreed by the PC's Environment Committee.

In view of this proposal involving working with children, a safeguarding policy and risk assessment also accompany this report for Full Council agreement. The Clerk has asked that the safeguarding team at Durham County Council also review these and the Parish Council is recommended to agree to their recommendations to both documents and any other advice they may be able to provide.

The Parish Council would likely need to fund a Full DBS check of all of its own members who participate.

The cost for this would be £23.00 per person.

The Parish Council's Environment Committee has also agreed Terms of Reference for this Working Group and this is attached to this report.

This group is a Working Group only and not a sub-committee of the Environment Committee, however the Code of Conduct for Councillors would still apply.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) For Members to agree to the establishment of the Youth Environment Working Group.2) For Members to agree to the Safeguarding Policy attached to this report.3) For Members to agree to the Risk Assessment of the meetings of the Working Group attached to this report.4) For Members to agree the Terms of Reference for this Working Group attached to this report.5) For Members to await and agree to consider recommendations and advice from Durham County Council's Safeguarding team on the work of this Group.
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ITEM 5 (CONTINUED): CITY OF DURHAM PARISH COUNCIL YOUNG PEOPLE'S ENVIRONMENT WORKING GROUP

The Parish Council has created a Young People's Environment Working Group which will report to the Council's Environment Committee on all environmental issues affecting young people in the City of Durham Parish area. It will consist of two representatives of each of the schools and representatives of the Council's Environment Committee. The Working Group will meet five times a year, with the membership being reviewed in April of each year.

The Council has assigned to the Young People's Environment Working Group the following terms of reference: -

1. To hold meetings in May, October, December, February and April (second half of each half-term);
2. To discuss matters relating to the following:

Climate matters:

- To advise the Parish Council's Environment Committee on issues relating to climate change and appropriate means of minimising human impact by residents of Durham City;
- To advise the Committee on ways to work pro-actively with all partners and other related agencies to improve climate matters locally and to encourage adequate regard to wider environment and climate issues;
- To make appropriate representation to the Committee regarding any incident, event or action which is deemed to be detrimental to the health of the community in its area, in particular with regard to traffic issues and air quality;
- To recommend to the Committee actions which schools and their personnel could take to reduce their carbon footprint;
- To encourage whatever action is within the powers of schools, collectively and individually, to minimise the impact or reduce the environmental factors harmful to our world;

Open spaces, woodland and commons:

- To consider the use of open spaces, woodlands, amenity areas (including children's play parks), village greens and commons in the City of Durham Parish area and recommend appropriate improvements;

Streets, footways and passages

To consider and make recommendations to the Committee in relation to:

- lighting of and repair to footways, streets and bridleways;
- littering and general untidiness of the area;
- matters relating to traffic calming measures and other road safety matters including the provision of pedestrian and cycle paths, cycle racks and electric charging points;
- the provision and maintenance of bus shelters and the bus station.

Within the budget determined by the Parish Council, the Young People’s Environment Working Group may engage in relevant activities related to the above as agreed at formal meetings of the Parish Council.

- The Council** refers to The City of Durham Parish Council
- The Committee** refers to the Environment Committee of the Council
- The Working Group** refers to the Young People’s Environment Working Group

ITEM 5 (CONTINUED): CITY OF DURHAM PARISH COUNCIL SAFEGUARDING POLICY

SECTION 1

Introduction

Everyone has a duty to safeguard children, young people and vulnerable adults. This policy promotes good practice in safeguarding for those using Parish Council facilities and those involved in any of the activities of the Parish Council.

Definitions

Children and young people: Anyone under the age of 18 years

Vulnerable Adult: Anyone over 18 who is:

- Unable to care for themselves
- Unable to protect themselves from significant harm or exploitation
- Or may be in need of community care services

To whom this policy applies

- This policy applies to anyone working for or on behalf of the City of Durham Parish Council whether in a paid, voluntary or commissioned capacity.
- This policy also applies to any individual using the Parish Council facilities for the purposes of delivering any service to children, young people or vulnerable adults.

SECTION 2

Promoting a safe environment

In order to promote a safe environment for children, young people and vulnerable adults, the Parish Council will:

- Provide safe facilities and do regular safety and risk assessments.
- Ensure that employees, councillors and leaders of activities of the City of Durham Parish Council are aware of the safeguarding expectations.
- Ensure that the policy for users of parish facilities includes a requirement that they are safe to work with children, young people and vulnerable adults. (e.g. any adults who have regular unsupervised contact with children, young people or vulnerable adults during the course of their duties should undergo appropriate Disclosure and Barring Service checks.)
- Ensure that attendees at functions or events organised by the City of Durham Parish Council are aware that parents are responsible for their children's safety and the location of a dedicated safe place for lost children is clear.
- Ensure that leaders of events/functions/meetings make their members aware of the Parish Council's safeguarding policy and ensure that it is followed throughout the event.
- Ensure all adults involved in events/functions/meetings have valid enhanced DBS checks as appropriate and know where the first aid box is.
- Do risk assessments for individual activities.

SECTION 3

Safe working practice

All those involved in City of Durham Parish Council activities must follow the safeguarding policy and procedures at all times. They must:

- Never leave children, young people or vulnerable adults unattended with adults who have not been subject to a Disclosure and Barring Service (DBS) check.
- Plan activities to involve more than one person being present or at least in sight or hearing of others. Alternatively, record, or inform others of their whereabouts and intended action.
- Where possible, have male and female leaders working with a mixed group.
- Ensure registers are complete and attendees are marked in and signed out (all children must be collected by a teacher/parent/carer/ guardian).
- Ensure that photos or videos of individuals are not taken without written permission from parents/ carers.
- Ensure all staff and volunteers have access to a first aid kit and telephone and know fire procedures. Ensure that where a child, young person or vulnerable adult needs assistance with toilet trips and when first aid is required, that this is carried out in pairs or in the latter case, that it is carried out where they can be seen.
- When working outside, ensure activities, breaks and clothing are suitable for the weather conditions and that shelter is available where possible.

Expectations of behaviour

All those involved in City of Durham Parish Council activities should:

- Ensure that communications, behaviour and interaction with users should be appropriate and professional.
- Treat each other with respect and show consideration for other groups using the facilities.
- Refrain from any behaviour that involves racism, sexism and bullying and in addition to report any instances of such behaviour to group leaders, parish councillors, the parish clerk or parents and carers, as appropriate.

SECTION 4

Allegations against staff and volunteers

- All staff and volunteers should take care not to place themselves in a vulnerable position with a child or vulnerable adult.
- If an allegation is made against a member of staff or volunteer, the person receiving the allegation will immediately inform the Chair of the Parish Council.
- All staff and volunteers should be aware of their duty to raise concerns about the attitude or actions of colleagues and appropriate advice should be sought from Durham County Council's Safeguarding Team.

What should be a cause for concern

Staff and volunteers should be concerned by any action or inaction, which significantly harms the physical and/or emotional development of a child or vulnerable adult. Abuse falls into four main categories:

1. Physical Abuse
2. Emotional Abuse

3. Sexual Abuse

4. Neglect

All staff and volunteers coming in to contact with children need to have an awareness of safeguarding. Training can be booked through contacting the Clerk of the Parish Council.

This policy will be reviewed annually at the Parish Council's Annual Meeting in May.

CITY OF DURHAM PARISH COUNCIL

Minutes of a meeting of the Licensing Committee held on Friday 31st January 2020 at 14:00 in Office 2, Clayport library building, 8 Millennium Pl, DH1 1WA.

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

Also present: A Shanley (Clerk), Brendan McKeon, Mike Costello and Josephine Cundy (all three members of the public)

Cllr L Brown in the Chair

1. TO RECEIVE ANY APOLOGIES FOR ABSENCE

Apologies were received from Cllr A Doig

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received

3. PUBLIC PARTICIPATION

Brendan McKeon, Mike Costello and Josephine Cundy all advised that they were concerned about the Jovial Technologies Ltd application and that they would be submitting an objection to this application.

4. TO APPROVE THE MINUTES OF THE LAST LICENSING COMMITTEE, HELD ON 29th NOVEMBER 2019

The Minutes of the meeting held on 29th November 2019 were unanimously **agreed** as a true and accurate record of proceedings.

5. DISCUSSION WITH STEPHANIE KILILI, POLICY OFFICER AT THE OFFICE OF THE POLICE, CRIME AND VICTIMS' COMMISSIONER ON LICENSING ISSUES

The Clerk advised that Stephanie was unable to make the meeting. The Clerk also advised that he was hoping to have a member of the licensing team at Newcastle City Council come to speak to the Parish Council Licensing Committee regarding the introduction of the late-night levy in Newcastle in order to ascertain the challenges and feedback from this levy being introduced.

6. UPDATE ON RECENT LICENSING APPLICATIONS

The Chair thanked Cllr E Ashby for representing the Parish Council at the hearing regarding the 19-20 Elvet Bridge application. The Chair advised that the application was limited to the licensing framework hours as set out in Durham County Council's Licensing Policy Statement.

7. TO CONSIDER THE FOLLOWING LICENSING APPLICATION:

Application for a new premises license by Mitchells and Butlers Leisure Retail Limited at Half Moon Inn. 86 New Elvet. Durham. DH1 2AQ

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

Application for a new premises licence by Jovial Technologies Limited at Suites 11 and 12 Crossgate Centre Durham. DH1 4HF

It was **agreed** to object to this application on the grounds of breaching the licensing objectives: public safety, protection of children from harm, preventing a public nuisance and preventing crime and disorder.

It was also agreed that the local MP and Durham University should also be contacted about this application and that the objection letter of the Parish Council be circulated and published.

Application for a new premises licence by Penny Petroleum Partnership 1 at Barmoor Service Station. A167 Croxdale. Durham DH6 5HS

The Chair advised that she had asked for this on the Agenda despite the premises not being in the Parish Area as she was concerned about alcohol being delivered as part of the application. The application does not include delivery of alcohol and it was **agreed** to note this application.

8. REPORT ON BALANCE BETWEEN RE-ACTIVE AND PROACTIVE LICENSING WORK

Cllr E Ashby advised that there was a lot of work taking place on licensing in the city centre and she would like to find out more about this. Cllr E Ashby advised that she'd like to find out more about Pubwatch, the role of the City Centre Manager, why there was a growth in Thursday's night time economy as opposed to that of Wednesdays.

Cllr E Ashby advised that she'd also like there to be other issues like the wider work around licensing to be looked at when no matters for consideration were on the Agenda, such as new licensing applications.

Cllr R Cornwell advised that he felt that the Licensing Committee should also have a set of ground rules about how the Committee functions in the same way the Planning Committee does.

9. ROLE OF THE LOCAL AUTHORITY IN ENFORCING LICENSING PERMISSION/ CONDITIONS.

Cllr E Ashby asked what role the Local Authority took on enforcing licensing conditions. Cllr E Ashby advised that she felt that the Parish Council had a role to play in this and felt that, in its next round of budgeting, could look at contracting someone to test that conditions to license applications are being upheld.

Cllr R Cornwell advised that he felt a late-night levy; 30% of which paid to the Local Authority may go towards this if such a levy were introduced for just Durham City.

The difficulty with such a levy is that it must be applied County-wide despite amendments in Parliament to change this to be for specific geographical areas only.

The Clerk advised that he would write to Mary Foy MP to seek her support in chasing this amendment to the legislation up. The Clerk also reminded Committee Members that Mary Foy is invited to a future meeting of the Full Parish Council where it is hoped the Parish Council may be able to lobby for Mary Foy's support on a range of issues; including this specific one.

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

ITEM 7: PARISH COUNCIL STRATEGY 2020/21

There is a need for the Parish Council to begin formulating its strategy for the year ahead.

The Parish Council budget agreed in January 2020 sets out a series of projects Councillors are hoping to deliver for 2020/21. The Parish Council strategy should underpin the priorities identified in this budget and should also be a statement of the Parish Council's vision for the parish, its purpose, values, objectives and key priorities.

Councillors are also reminded that the Parish Council formally agreed the document **Looking Forward** in 2019. This a companion document to the Neighbourhood Plan consisting of community initiatives arising out of public consultation. The document sets out 22 initiatives for action resulting from a process of consultation with the community on ways of creating a satisfactory future. These initiatives are of widely different nature, scale and complexity and this document is included in these papers as a guide to considerations for the Parish Council strategy for 2020/21.

The Clerk has also included a review document of the existing Parish Council strategy for 2019/20, which indicates the initiatives agreed in this document and whether these have been achieved to date or not.

A copy of the existing strategy is also included with this report.

A draft version of the strategy will be presented to the public at the annual meeting of the parish and members of the public will be asked to give their feedback on this strategy.

DECISION REQUIRED	Councillors are asked to consider proposals that they wish to have included in the Parish Council strategy for 2020/21.
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ITEM 8: PROPOSAL TO ESTABLISH A PARISH COUNCIL STANDING WORKING GROUP OF COMMUNITY AND RESIDENTS ASSOCIATIONS

Report by Cllr A Doig.

The City of Durham has a number of community and residents' associations. Several have a presence on the Parish Council through elected members who are association officeholders or members.

The only other local bodies where associations have representation are the Durham University and Residents Forum (DURF), where all are represented, and the University's Community Engagement Task Force (CETF) where a lesser number are on both the main committee, as are 2 Parish Council members, and a number of sub-committees.

Both DURF and the CETF are managed by the University and some residents' associations have reported slow progress in relation to the business of both and little by way of concrete action that is to the benefit of residents. While the DURF agenda is supposed to be agreed in conjunction with its secretary, currently a member of a community association, and while the CETF agenda may accept business from associations, the overall membership of both, the chairing of both and the implementation of any business or actions from both lie primarily within the responsibility of the University.

The various community and residents' associations do not meet as a group on a regular basis, even where items of interest are shared, and the residents' side of DURF has only even pre-convened once in recent history to seek a common voice on specific issues.

Given the role of the Parish Council in representing residents of the City and the value in both establishing agendas reflecting residents' issues, as well as having an early insight into residents' views, whether it is student noise or the Parish Council strategy, there is an argument to open up communications through a Parish Council Standing Working Group of Community and Residents Associations. Further, and notwithstanding the continuing engagement with both DURF and the CETF, there is scope for establishing a such a working group to facilitate dialogue and common approaches to shared areas of interest where the Parish Council has a role in representing or leading on such areas.

It is not intended to demand a constant interaction - twice or three times a year for meetings would be a starting point - and nor is it expected that the Working Group will be the sole or main conduit of communications with residents, but the proposal would not only facilitate the work of the Parish Council but also allow the associations to develop a collective voice to areas of interest that affect them all.

DECISION REQUIRED	Councillors are asked to vote on whether they wish to establish a Parish Council standing working group of community and residents' associations as set out in the above report.
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ITEM 9: REPORTS FROM REPRESENTATIVES ON LOCAL ORGANISATIONS

REPORT BY CLLR E ASHBY ON THE MEETING OF DURHAM UNIVERSITY COMMUNITY ENGAGEMENT TASK FORCE - ECONOMIC SUB GROUP

Friday 17 January 2019 11am -12 noon.

Present: Tim Hammond (Chair), Andrea Cairns, Rebecca Morris, Helen Deacon, Esther Ashby, Hannah Shepherd, David Evans, Adam Deathe, Marek Tokarski, James Cook, Sarah Slaven.

Apologies: Andrew Jackson, Malcolm Reed and Colin Wilkes.

1. Introductions and apologies

TH welcomed Andrea, in attendance following discussion at the last meeting about representation on the Group from University Estates and Facilities.

2. Update on previous actions

I. Biggar report.

TH had shared MR's report and presentation with Group members.

II. Maximising spend in Durham City.

AD and CW had met with HS and DE and are researching what students need in starter kits and sourcing these from local suppliers. The BID loyalty card was proving very popular including those handed out free at Fresher's Fair by HS. EA sought to reassure members that the 'immense hostility to students from some residents' mentioned by AD was not at a personal level but an expression of despair at the rapid increase in their numbers due to the University's expansion plans.

III. Economic Impact and Communications.

TH circulated a document pulling together all the presentations from previous sub group meetings.

IV. Memorandum of understanding.

Sarah Slavin present to share this document with members as BA not available.

V. see 1 above.

3. Memorandum of Understanding for the Strategic Partnership between Durham University and Durham County Council.

Sarah talked members through the 4 objectives in the MOU: Economic Development, Research, Culture and Heritage, Place and Communications. Discussion centred on the primacy of Economic Development e.g. the potential for Netpark work expanding to Durham City and developing a heat networks strategy. **There is a Cabinet meeting in February/ March on Climate issues focusing on opportunities as well as the 'stop doings'**. On Culture and Heritage EA stressed the need for both DCC and the University to take account earlier rather than later of the strength of attachment residents have to their local communities. Delay in engaging the public is more likely to be met with resistance no matter how worthwhile the proposal. She also

wondered if U.E and F might in future be able to offer accommodation for the Parish Council. Use of the city centre BID totems to further promote University/DSU events is under consideration.

4. Forward Planning and next actions.

Deferred due to lack of time.

ITEM 10: PROCEDURES FOR CO-OPTION OF A COUNCILLOR

1. Introduction

This document sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of Members to the City of Durham Parish Council. The co-option procedure is entirely managed by the Parish Council and this will ensure that a fair and equitable process is carried out.

2. Co-option

The Co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (byelection) has been called. A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of the full council committee or a committee or to attend as a representative of the Council a meeting of an outside body.

The City of Durham Parish Council has to notify the County Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten electors write to the County Council stating that an election is requested.

If a by-election is called, a polling station will be set up by the County Council and the people of the parish will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The City of Durham Parish Council will pay the costs of the election. The people of the parish have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the electoral officer will advise the clerk of the closing date.

If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward, they are duly elected without a ballot.

If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advised by the County Council, the Parish Council is able to co-opt a Councillor.

3. Confirmation of co-option

On receipt, of written confirmation, from the Electoral Services Office from the County Council, the casual vacancy can be filled by means of Co-option, the Parish Clerk will:

- Advertise the vacancy for one week on the Council notice boards and website
- Advise Parish Councillors that the co-option procedures have been instigated

The Parish Council is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

However, it is not desirable that electors in a particular ward be left partially or full underrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient councillors to share the workload equitably, to provide a broad cross-section of skills and interests or to achieve meeting quorums without difficulty.

Councillors elected by co-option are full Members of the City of Durham Parish Council.

4. Eligibility of Candidates

The Parish Council is able to consider any person to fill a vacancy provided that:

- He/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles (direct) of the parish.

There are certain disqualification's for election, of which the main are (see Local Government Act 1972):

- holding a paid office under the local authority;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and
- being disqualified under any enactment relating to corrupt or illegal practices.

Candidates found to be offering inducements of any kind will be disqualified.

5. Applications

Members may point out the vacancies and the process to any qualifying candidate(s).

Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of providing a short summary of their experience, both work experience and personal.
- Confirm their eligibility for the position of Councillor within the statutory rules.

Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'. Copies of each candidate's application will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full Council along with the Agenda, when the co-option will be considered. All such documents will be treated by the Clerk and all Councillors as strictly private and confidential.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of the City of Durham Parish Council. Candidates will also be informed that they will be invited to speak about their application at the meeting.

6. At the Co-option Meeting

At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to Members, give information on their background and experience and

explain why they wish to become a Member of the Parish Council. No questions will be taken from current Members of the Parish Council.

This part of the process may be prejudicial and the Council will therefore resolve to exclude the members of the press and public (including other candidates).

As soon as all candidates have finished giving their submissions, the council will proceed to a vote on the acceptability of each candidate, with each candidate being proposed and seconded by the councillors in attendance and a vote by secret ballot taking place. The vote will be recorded so as to show whether each Councillor present and voting gave his/her vote for or against that question.

In order for a candidate to be elected to the Parish Council, it will be necessary for them to obtain an absolute majority of votes cast. If there are more than two candidates and there is no candidate with an overall majority in the first round of voting, the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chair of the meeting will have the casting vote.

After the voting has been concluded, the Chair will declare the successful candidate duly elected and after signing their declaration of acceptance of office, the new Councillor may take his/her seat immediately.

The Clerk will notify Electoral Services of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' form. The form should be handed to the Clerk for forwarding to the Monitoring Officer at Durham County Council.

If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.

DECISION REQUIRED	Councillors are asked to agree to the procedures for co-opting a Parish Councillor as set out in the above report.
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ITEM 11: MOTION BY CLLR R ORMEROD ON BUS SERVICES VIA WHINNEY HILL

The following motion has been put forward by Cllr Richard Ormerod in relation to bus services via Whinney Hill:

MOTION

"The City of Durham Parish Council notes with regret the cancellation of the 58 bus service which long served the residents of the Whinney Hill area. Because of its detrimental impact on local people this Council calls on Durham County Council to re-examine its contracting of bus routes in order that it can facilitate a service via Whinney Hill to meet the needs of residents."

DECISION REQUIRED	Councillors are asked to formally agree the motion and request that the Clerk write directly to Durham County Council accordingly.
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