

City of Durham Parish Council

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Join Zoom Meeting
<https://us02web.zoom.us/j/89222928482>
Meeting ID: 892 2292 8482

Dear Councillor,

In accordance with the Local Government Act 1972, I hereby give you notice that a meeting of the **FULL COUNCIL** will be held **via Zoom** on **Thursday 22 July 2021 at 7:00pm** to transact the following business:

- 1. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES FOR ABSENCE FROM TODAY'S MEETING**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**
- 3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 24TH JUNE 2021**
- 4. PUBLIC PARTICIPATION**
- 5. COMMITTEE UPDATES**

- **Planning Committee minutes from meetings held on 11 June and 25 June**

Copies of all approved minutes from these meetings can be found here:

<http://cityofdurham-pc.gov.uk/agendas-minutes/planning-committee/>

- Update on the application to de-register the former coach park at the Sands as common land.

- **Environment Committee minutes from meetings held on 9 June**

Copies of all approved minutes from these meetings can be found here:

<http://cityofdurham-pc.gov.uk/agendas-minutes/environment-committee>

- Motion by Cllr R Friederichsen on climate change
- Proposal to improve "unloved" areas of Durham City

- **Licensing Committee minutes from meeting held on 4 June**

Copies of all approved minutes from these meetings can be found here:

<http://cityofdurham-pc.gov.uk/agendas-minutes/licensing-committee/>

- **Business Committee minutes from meeting held on 9 February**

Copies of all approved minutes from these meetings can be found here:
<https://cityofdurham-pc.gov.uk/agendas-minutes/business-committee/>

6. CHAIR'S UPDATE

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 24th June 2021.

7. REQUEST TO SUPPORT THE MAYOR OF DURHAM CITY'S CHARITY APPEAL

8. ADOPTION OF PARISH COUNCIL COMPLAINTS PROCEDURE

9. CONSULTATION OF SECTION 106 APPLICATION – LOWES BARN COMMUNITY PROJECT

10. CONSULTATION BY LNER ON PROPOSED NEW TRAIN TIMETABLE

11. ANTI-SOCIAL BEHAVIOUR AND NOISE OPTIONS PAPER

12. PERSONNEL MATTERS

- Recruitment of a new Assistant Parish Clerk for the Council.
- Proposal to increase the membership of the Parish Council's Personnel Committee.

13. REPORT ON REMEMBRANCE SUNDAY EVENT 2021

14. REPORT FROM PARISH COUNCIL REPRESENTATIVES ON LOCAL ORGANISATIONS

- Report by Cllr L Brown on the latest meeting of the Durham Access for All Group.

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.

- Report by the Clerk on the latest meeting of the Durham City Safety ASB Sub-Group.

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 Parish Council held on Monday 24th June 2021 at 19:00 via Zoom.

Present: Councillors A Doig (Chair), L Brown, R Ormerod, V Ashfield, R Friederichsen, C Lattin, G Holland, D Freeman, S Walker, G Nair, N Brown, E Ashby, H Weston and R Hanson.

Also present: Parish Clerk Adam Shanley and Assistant Parish Clerk Caroline Thompson, Des Ward, Kirk Lester, Vicky Mattless, Ruth Chambers, Joanne Strachan, John Ashby and Janet George (Members of the public)

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

Apologies were received from Cllrs E Scott and H Weston

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

Cllr A Doig declared an interest under item 8 in relation to the award of grants to local community and voluntary organisations; specifically the applications from St. Cuthbert's Hospice, Alington House, Shakespeare Hall, Merryoaks WI and St. John's Brownies and took no part in the discussion or vote on this item.

Cllr A Doig also wished to declare at this stage an interest in the planning application for St Johns Road DM/21/01789/FPA which will appear on the planning committee agenda tomorrow.

Cllr L Brown declared an interest in the item relating to the de-registration of the former coach park as common land and left the meeting when this was discussed.

3. APPROVAL OF THE DRAFT MINUTES OF THE ANNUAL COUNCIL MEETING HELD ON 17TH MAY 2021

The minutes of the meeting held on 17th May 2021 were unanimously agreed as a true and accurate record of proceedings.

4. PUBLIC PARTICIPATION

The Chair welcomed members of the public to speak for 15 minutes. All members of the public present advised that they wished to discuss the issue of anti-social behaviour in Durham City.

Vicky Mattless spoke first raising her concerns about anti-social behaviour in the city. Vicky advised that she had spoken to BBC Radio Newcastle last week, regarding the fact that she and her partner had to stay overnight in a hotel and place their family pet in a kennel due to the extent of anti-social behaviour in the area she lives. Vicky advised that she felt that nothing has changed and things have escalated with the University putting on social events for students and no consideration had been given to residents within that programme of

events. Vicky stated that she accepts students should have a social life, and normally at this time of year these events are short-lived, but residents are now into week 4 of anti-social behaviour and the situation is getting worse. Vicky advised that she has not had a decent night sleep in a month. Vicky advised that something fundamental needs to change.

Ruth Chambers advised that she felt that the response from the University's CRT team is failing as they can't be everywhere. Ruth advised that there are problems at Whiney Hill, the Viaduct area and Gilesgate. Ruth also advised that there are problems getting through to 101. Ruth advised that she felt that the behaviour over the last four weeks is out of control and she felt that there needed to be a public recognition of the problems by the University.

Kirk Lester advised that he felt that the issues of anti-social behaviour related to students is getting worse. Kirk advised that he and his family are woken most evenings in the early hours.

Janet George advised that she is becoming very distressed at reports of the amount of anti-social behaviour from students in residential areas. Janet urged all in attendance to look at Durham City Matters as the evidence of the community feeling on this issue. Janet advised that the main issue is to do with the numbers of students living in residential areas. Janet advised that she felt that the police have withdrawn their support and the 101 system isn't effective. Janet advised that she felt that there ought to be a user-friendly email for residents to get in touch with the relevant authorities.

Janet advised that she felt that CCTV should be deployed to help building an evidence base of the issues residents are facing. Janet also advised that the landlords of student dwellings should also take more responsibility for the behaviour of its tenants.

Janet advised that she felt that the City needs a PSPO against noise. Janet advised that the issues are getting worse for residents.

Joanne Strachan expressed concern at the levels of HMOs in the Gilesgate Bank area and the noise associated with these properties. Joanne also advised that she has had a negative experience with 101 and feels that the University do nothing to resolve the behaviour.

Joanne also advised that residents are not getting any feedback from calls to 101 or from the University. Joanne suggested that DCC put in place late night wardens to help tackle this issue.

Joanne also advised that she felt that landlords should take responsibility for noise, waste and carparking. Joanne also suggested a cap be placed on the number of people living in HMOs in the City as they need restricting especially on Gilesgate bank.

Des Ward expressed his concerns and advised that he agreed with what everyone had said.

Cllr A Doig advised that he, Cllr L Brown and the Clerk will be meeting with the new Police, Crime and Victims Commissioner in the coming days to raise these concerns and to seek solutions to these issues.

Cllr A Doig also advised that DURF are working on an action plan to tackle ASB. The Chair will prepare a working brief for the next meeting in July and address those issues raised today.

John Ashby agreed with Cllr Doig's report regarding the efforts of DURF to create an action plan against ASB. John Ashby also advised that the policy on extensions to HMOs was now in force but the issues raised about Gilesgate Bank might be a legacy of applications granted prior to the adoption of the County Durham Plan. John Ashby advised that the new Police and Crime Commissioner, the new Vice Chancellor of Durham University and new Leader of Durham County Council are key to the solutions on these issues.

The Chair thanked members of the public for their participation. At this point, the members of the public present left the meeting.

5. COMMITTEE UPDATES

• Planning Committee

Cllr L Brown presented the Planning Committee minutes from meetings held on 16 April, 30 April and 28 May 2021. There being no questions from Members, Cllr L Brown moved to Committee reports.

Update on the progress of the Durham City Neighbourhood Plan

Cllr L Brown highlighted that the County Council has now formally adopted the Durham City Neighbourhood Plan and took the opportunity to thank all those involved in the production of this Plan.

The Clerk also advised that the Parish Council had been invited by UNESCO to provide a presentation to their body on how the Neighbourhood Plan protects the World Heritage Site in the city. The Clerk thanked Sue Childs, John Lowe and Jane Gibson who carried out the presentation.

Update on the application to de-register the former coach park at the Sands as common land

In light of the sensitivity of this item, the Chair proposed that this item be moved to closed session, this was seconded by Cllr D Freeman and agreed by all.

Environment Committee

Cllr C Lattin presented the minutes from the meeting held on 16 March 2021 to the meeting. There being no queries from Members, Cllr C Lattin moved to Committee reports.

Proposal to support the 7 Hills of Durham heritage project

Cllr C Lattin reminded Members that the Parish Council has agreed a budget of £4,000 towards promoting the heritage of the City. In agreeing this budget, there was also a specific reference to support for the Seven Hills of Durham proposal.

Cllr C Lattin advised that this is a trail which has been produced by a member of the former Neighbourhood Plan Working Party and author of the Looking Forwards document David Miller and is intended on promoting areas of Durham which are steeped in heritage and history.

Cllr C Lattin advised that the Parish Council's Environment Committee has been working with David Miller for a number of months now on this concept and has been liaising with the Rights of Way team at DCC, as well as third party landowners in order to gain the necessary permissions for use of areas of land as part of this trail.

Cllr C Lattin advised that the latest version of the route of this trail has been produced in an electronic format which can be viewed via the link here:
<http://maps.durhamcity.org.uk/Parish/SevenHills.php>

Cllr C Lattin advised that there is a requirement for the Parish Council to fund the installation of some way markers as part of the trail at land at St. Aidan's college and at Whinney Hill; both of which are owned by the University as well as a pedestrian gate at the land at Whinney Hill.

Cllr C Lattin also presented 3 proposals and quotes for the production of the map for this trail.

Members **agreed** to support the 7 Hills of Durham trail project as set out in the report provided.

It was **agreed** that the Parish Council should fund the installation of the way markers and the gates and responsibility be delegated to the Clerk to find an appropriate supplier to carry out this work.

It was also **agreed** to delegate responsibility to the Parish Council's Environment Committee to decide on the supplier for the production and printing of the map, in order to allow Members more time to consider the previous examples of work carried out by each of the companies tendering for the work.

It was also **agreed** to fund the digitalisation of the trail as part of the Parish Council's heritage app.

Proposal to support the Shhh...11pm-7am campaign

Cllr C Lattin reminded Members that a budget of £3,000 towards noise abatement was agreed by Full Council in January 2021 as part of the Environment Committee's budget for this financial year.

As part of the Parish Council's efforts on this, Cllr C Lattin advised that the Environment Committee has already established, alongside Durham Students Union, the "PinPoint" ASB logging tool. In addition, building on 24 months' work by local residents and the University's Community Engagement Officer, Members last year approved a Shhh...campaign involving posters agreed by all key City stakeholders to be installed at key entrances to the City such as the railway station, BID totems, the new bus station (when open).

Cllr C Lattin advised that, in order to supplement this work, a proposal has been put forward that the Parish Council looks to fund some additional signage on lamp posts in key hotspot areas in the City at risk of late night noise disturbance.

Cllr C Lattin advised that the proposed design has been used in connection with the University's racecourse event, where it was agreed that it would be installed at the entrance and exit of the racecourse.

Cllr C Lattin advised that, at the most recent Environment Committee meeting, taking resident feedback and PinPoint data into account, Members agreed that the key hotspot areas are:

The Viaduct area, Claypath, Whinney Hill and Sheraton Park.

However, the Whinney Hill Residents Group has indicated that they do not wish to have these signs in their area.

Cllr C Lattin advised that Elvet Residents Association has indicated that there is a particular issue of late night noise disturbance in their area and it may be that Members may wish to make this a target area for these signs too.

The Clerk advised that, if approved, he would be required to submit an application to Durham County Council to acquire a "license to occupy" for the relevant lamp posts. The Clerk advised that the costs associated with this scheme had been provided on the basis of the signage being temporary and made from Corex material. Cllr E Ashby advised that she felt that the signage should be more permanent and therefore made from plastic.

Cllr C Lattin advised that it is expected that this scheme will be delivered in around September 2021 if approved at this Full Council meeting.

Cllr C Lattin also recommended that the work be taken forward by the Environment Committee and any other Councillor keen to be part of the scheme.

It was **agreed** to fund the signage as set out in the report and to delegate responsibility to the Parish Council's Environment Committee to decide on exact locations for these signs.

• **Licensing Committee**

Cllr S Walker presented the minutes from the Licensing Committee meetings held on 12 March, 23 April and 25 May 2021. There being no queries from Members, Cllr S Walker moved on to Committee reports.

Proposal to request an online public licensing portal is established by the County Council

Cllr S Walker reminded Members that the Parish Council, in November 2019, requested that the County Council takes steps to establishing a new online licensing portal, so as to make licensing more accessible and transparent to the public.

At that time, the Parish Council took the view that a public search site, for example that provided by IDOX and which mirrors the County Council's own planning portal, was imperative to ensure transparency for alcohol licensing in County Durham. Such a site would allow members of the public the ability to search, comment on and track applications made in their locality and would further increase public awareness of such applications. Cllr S Walker advised that this is also a view expressed by the new Licensing Committee.

Cllr S Walker advised that other local authorities across England do operate an online licensing portal.

Cllr S Walker advised that the Parish Council had been advised that an online portal would not be possible in 2019. Cllr S Walker advised that the Licensing Committee felt that the new administration at County Hall ought to be asked to establish this.

It was **agreed** to write to the County Council and request that an online licensing portal be established as a priority.

Proposal to host an online licensing training session for Councillors and members of the public

Cllr S Walker advised that, at its recent meeting, the Licensing Committee considered a proposal that the Parish Council organises a Licensing training event for both Parish Councillors and local residents and felt this could be of benefit.

Cllr S Walker advised that the Licensing Committee would seek to use its allocated budget to fund a training provider to attend.

In order to facilitate this event, the Clerk has contacted the Institute for Licensing and asked if they may be able to provide a licensing specialist to provide training for 2-3 hours to both members of the Parish Council and members of the public. The Institute offered two options for trainers for this event and this was reported to Members.

Cllr S Walker advised that it is envisaged that this training will take place via Zoom – this is both safer during Covid-19, allows for a greater attendance and cuts costs for travel etc. It is also envisaged that this training event will take place in mid-July and will be on an evening (most likely from 6pm) with the exact date to be confirmed, if approved.

The Clerk advised that, if agreed to be opened up to the public, it would be preferable that the event is made bookable via an online ticketing system (free

of charge), with only those members of the public who have booked a ticket being permitted into the training. It was also proposed that the number of attendees should be limited to 50.

Members **agreed** to the Parish Council hosting an online licensing training event in mid-July for both Members and the public.

Members also **agreed** to the use of an online ticketing system for members of the public and agreed a maximum capacity of 50 participants for this event.

Members also **agreed** that David Lucas should be asked to deliver the training at the cost set out in the report.

• **Finance Committee**

Cllr A Doig presented the minutes from the Finance Committee meeting held on 11 January 2021. There being no questions from Members, Cllr A Doig moved on to the next part of the Agenda.

6. CHAIR'S UPDATE

The Chair took the opportunity to welcome the new administration at County Hall and congratulated the new Mayor of Durham City Cllr Arnie Simpson and also Cllr D Freeman on becoming Deputy Mayor of Durham City. The Chair wished both the best of luck in their new roles.

7. ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN FOR 2020/21

The Parish Clerk provided a summary of the Parish Council's finances over financial 2020-21 as follows:

The Parish Council's sole source of income for the Financial Year 2020-21 was its precept, which generated an income of £154,488.

A refund of VAT paid in the Financial Year 2019-20 was paid to the Council. This totalled £7,743.89.

A refund of the £250 deposit was also made to the Council from the Spitfire company originally contracted for the Battle of Britain event as they cancelled on us at the last minute and an alternative provider had to be found.

Total expenditure for the Financial Year 2020-21 was £157,138. Covid-19 has clearly had an impact on some of the operations of the Parish Council and the ability to deliver on projects such as the Youth Environment Working Party where Council committed a budget of £5,000 towards eradicating single plastic usage. This fund, along with other payments of £31,000, have been ringfenced from the previous financial year in order to support their delivery in this financial year.

The pandemic has also created savings during the financial year, with £5,500 saved through office rental costs and the Parish Council working via Zoom – this

form of operation has created not only financial savings but significant time savings for the Clerk and Councillors when attending meetings, etc.

In spite of the pandemic, the Council largely continued with its programme of work, with Committees such as the Business Committee, Planning Committee and Environment Committee delivering projects to improve the Parish.

The Parish Council committed a significant, additional proportion of its funds for 2020-21 to supporting local voluntary and community organisations, with the small grants budget increasing to £24,475 and a new Covid-19 business resilience fund of £30,000 being established to support local businesses in the City with the additional costs of making their premises Covid-safe as the Country came out of the first lockdown. In many cases, the funding from the Parish Council in the way of grants has been a lifesaver for many of the local organisations we cherish in the city.

This financial year, the Parish Council has agreed a budget of £174,040.00, with the underspend from the previous financial year funding the additional expenditure required given the decision to freeze the precept for the third year in a row.

An independent internal audit of the Parish Council's finances, and operations has been carried out and the auditor has again commended the Parish Council on its good governance and management arrangements and has also commended the Parish Council for continuing with its programme of work during what has been an unprecedented and difficult year for everyone.

The Chair thanked the Clerk for this report.

- (i) Members **agreed** all actions arising from the report of the internal auditor 2020-21
- (ii) Members **approved** the annual governance statement 2020-21
- (iii) Members **approved** the draft annual accounts for 2020-21
- (iv) Members **approved** the register of assets 2020-21
- (v) Members **approved** the accounting statement and explanation of variances 2020-21.

8. 2021/22 ALLOCATION OF GRANT FUNDING TO LOCAL VOLUNTARY AND COMMUNITY ORGANISATIONS.

Members **agreed** the allocation of grants as follows:

Organisation	Project	Amount requested	Amount agreed at Full Council
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Harbour	<p>Funding to help clients who have left a domestic abusive relationship and they have found their own safe place to live, often starting from scratch.</p> <p>We would use the grant to purchase essential items for people engaging with our organisation.</p> <p>Monies would be allocated to clients whose daily living costs being equal or very close to their income, leaving little spare for buying essential items. Each client would be assessed individually and we would allocate a maximum spend on per client of £250 to enable us to help at least 6 families or individuals.</p>	£1,500	£3,000
St. Cuthbert's Hospice	Refreshing and repairing the gardens of the Hospice as a place of tranquility. Also re-designing to make the gardens suitable for bereaved children.	£2,250	£2,250
Alington House	Refurbishment of the Main Hall of Alington House	£1,500	£1,500
Boccia Durham	To purchase 5 extra sets of boccia balls and extra referee equipment x 4 (one for each court) to help all our members compete at the highest level they choose to achieve. We would like to also purchase a ramp and stool but the boccia balls need to be the priority.	£2,000	£2,028
Durham Hospital Radio	The current project is a mixture of improvements to the DHR studios and also the siting of ceiling speaker systems in a number of areas within the hospital in order to improve the quality of the service to the patients and their families. The project would allow for the installation of an additional studio in the DHR location providing more flexibility for the presenters for training and broadcasts in a safer working socially distant environment. The ceiling speaker installations in 5 areas would allow the station to reach a wider audience within the hospital. Improvements of studio soundproofing is also included in the project.	£3,000	£3,000

DMC 4 Durham CIC	<p>1 A contribution towards the costs of creating and airing a monthly podcast from Totally Locally Durham involving local people, local businesses and local community initiatives to promote what the city has to offer.</p> <p>2. A contribution towards a series of family events on Summer Sundays in August on a variety of themes to attract additional footfall into city centre.</p>	£2,000	£2,000
Durham Community Association (Shakespeare Hall)	Purchase of a Printer/copier/scanner and 4x hand dryers	£966	£966
Durham Fringe	<p>From our analysis, audiences for the Fringe Festival are likely to come from within 45 minutes of the City Centre. To attract the most diverse audience possible we want to keep ticket prices as low as possible.</p> <p>To achieve this, the Festival is seeking funds from supportive organisations and individuals to help us reduce our ticket prices from £8.00 to £5.00. The cost of this price reduction, on the assumption that we sell 50% of tickets to performances, is £18,000.</p>	£1,000	£1,000
Merryoaks WI	To purchase a Cloud Book, mobile projector and 4G router, allowing members to fully benefit from the presentations given by monthly speakers and our own discussions and presentations on WI resolutions and proposals. At present we are reliant on the speaker having their own equipment which is not always the case.	£550	£550
St. John's Brownies	The unit has been open since 1930 and this year wishes to mark 91 years of St John's Brownies with a special birthday celebration.	£250	£250
St. Margaret's Centre	The replenishment of consumable materials used in the craft room, woodwork and horticulture departments at the centre.	£1,000	£1,000
St. Nic's Church	To develop a "friendship café" in order to tackle loneliness in the City with a social justice emphasis built around it, involving	Whatever contribution is available.	£0

	activities etc and enabling support from DCC and others.		
The Finchale Group	Funding of an access path to the Finchale Gardens - a place of peace and tranquillity in an industrial estate.	£1,000	£0
		Total agreed	£17,544

Members also **agreed** that a further application window should be opened in October 2021 for the remaining £2,456.

9. ADOPTION OF NEW RECOMMENDED CODE OF CONDUCT FOR COUNCILLORS

Members **approved** the new code of conduct for Councillors as follows:

The City of Durham Parish Council Code of Conduct for Members

1. The City of Durham Parish Council (“the Council”) has adopted the following code which has effect from 24 June 2021 and will be reviewed annually. The Code which sets out the conduct that is expected of elected and co-opted members of the Council when they are acting in that capacity.
2. This means the code applies whenever you:
 - (a) conduct the business of the Council (including the business of your office as an elected councillor or co-opted member); or
 - (b) act, claim to act or give the impression you are acting as a representative of the Council.
3. ‘Co-opted member’ means any person who is a member of any committee or working group of the Council with a right to vote but is not one of its elected members

Part 1 – General Conduct

4. Members and co-opted Members of the City of Durham Parish Council (“the Council”) are expected to undertake their duties as follows:
 - 4.1 Represent the community and work constructively with employees and partner organisations to ensure the area is a safer place to live, work and visit.
 - 4.2 Behave in a manner that is consistent with the following principles to achieve best value for residents and maintain public confidence in the Council:
 - (a) **Selflessness:** act solely in terms of the public interest and not act in such a way as to gain financial or other material

benefits for themselves, their family or friends;

- (b) Integrity:** not placing themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties;
- (c) Objectivity:** make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits;
- (d) Accountability:** be accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;
- (e) Openness:** be as open as possible about all the decisions and actions they take, and give reasons for decisions and restrict information only when the wider public interest or the law clearly demands;
- (f) Honesty:** declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.
- (g) Leadership:** promote and support these principles by leadership and example.

4.3 Act in accordance with the principles in paragraph 4.2 and, in particular:

- (a) Champion the needs of residents - the whole community and all constituents, including those who did not vote for them - and put the public interest first;
- (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially;
- (c) Not allow other pressures, including the financial interests of themselves or others connected to them, to deter them from pursuing the interests of the Council or the good governance of the Council in a proper manner;
- (d) Exercise independent judgement and not compromise their position by placing themselves under obligations to outside individuals or organisations who might seek

to influence the way they perform their duties as a Member / Co-opted Member of the Council;

- (e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit;
- (f) Be accountable for decisions and cooperate when scrutinised internally and externally, including by local residents;
- (g) Contribute to making the Council's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding the Council to account but restricting access to information when the wider public interest or the law requires it;
- (h) Behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including on the use of the Council's resources;
- (i) Value colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government;
- (j) Always treat people with respect, including the organisations and public they engage with and work alongside;

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. Members should express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. Members must not, however, subject individuals, groups of people or organisations to personal attack.

Members should treat members of the public politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members. Members equally have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, Members may stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Members, where appropriate action could then be taken under the Code of Conduct, and Council employees, where concerns should be raised in line with the Council's relevant protocols;

- (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Council;
- (l) Not disclose information given to them in confidence by anyone or information acquired, which they believe, or ought reasonably to be aware, is of a confidential nature, without express authority and/or unless the law requires it.

- (m) Not to bully or harass any person (including specifically any council employee) and you must not intimidate or improperly influence, or attempt to intimidate or improperly influence, any person who is involved in any complaint about any alleged breach of the code of conduct.

Bullying may be characterised as: offensive, intimidating, malicious or insulting behaviour; or an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone.

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

Bullying and/or harassment may take many forms, it could include but is not limited to age, disability, gender reassignment, race, religion, belief, sex and/or sexual orientation.

- (n) Not to bring the role of Member or Council into disrepute and be aware that the actions and behaviour of a Member are subject to greater scrutiny than that of ordinary members of the public;
- (o) To hold the Council and fellow Members to account and constructively challenge and express concern about decisions and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct.

4.4 It is expected that Members will at all times comply requests as part of Code of Conduct investigations and any arising outcomes. Members will not submit malicious or trivial complaints.

4.5 Where it is alleged that a Member has failed to act in accordance with the Code, a complaint will be presented to the Monitoring Officer for consideration in accordance with the Local Assessment Procedure and where necessary the Local Determination Procedure.

Part 2 - Registration of interests

Register of Interests

5.1 Members must:

- (a) register and, where appropriate, disclose those disclosable pecuniary interests that they are obliged to declare under the Localism Act and associated regulations; and
- (b) register any body of which they are a member (or in a position of general control or management) to which you were appointed or nominated by the Council; and
- (c) register details of their membership of any organisation or body whose rules or requirements of membership could be regarded as suggesting a degree of loyalty to that organisation or body. This could arise by reason of an organisation

having an obligation of secrecy about its rules, its membership or conduct and/or a commitment of allegiance or support to that organisation or body. Such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect; and

- (d) register details of my membership of any trade union within the meaning of Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.

5.2 Registration of interests shall be completed by provision of details upon a signed prescribed form which is submitted to the Monitoring Officer at Durham County Council. Members must ensure they keep the register updated and acknowledge that its contents will be published on the Council's website and will be open to the public to inspect.

6. Disclosable Pecuniary Interests Entered on the Register

If Members are present at a meeting of the Council and:

- (a) they are aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; and
- (b) the interest is entered in the Council's register

they may not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have such an interest; and they must leave the room where the meeting is held while any discussion and or voting takes place.

7. Disclosable Pecuniary Interests NOT Entered on the Register

7.1 If Members are present at a meeting of the Council and:

- (a) aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; **and**
- (b) the interest is not entered in the Council's register,

they must disclose the interest to the meeting. Furthermore, they may not participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote taken on the matter at the meeting and must leave the room where the meeting is held while any discussion and or voting takes place.

7.2 If an interest referred to in 5.1(a) above is not entered on the Council's register and is not the subject of a pending registration, Members must notify the Monitoring Officer at Durham County Council of the interest within 28 days of the date of the disclosure.

- 7.3 Members with the power to discharge a Council function acting alone will have a disclosable pecuniary interest in any matter to be dealt with or being dealt with by them in the course of discharging that function:
- (a) they may not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by them);
and
 - (b) if the interest is not entered on the Council's register and is not the subject of a pending registration, they must notify the Council's Monitoring Officer of the interest within 28 days of becoming aware of the interest.

8. Sensitive Interests

- 8.1 This applies to a situation where a Member considers that the disclosure of the details of your interest – including that of your spouse or partner – could lead to you, or a person connected with you, being subject to violence or intimidation.
- 8.2 In such circumstances you should share your concerns with the County Council's Monitoring Officer. If the Monitoring Officer agrees with you, then the details of the interest will not be included in the Council's published Register of Interests, but the Register may state that you had registered an interest the details of which had been withheld under Section 32 of the Localism Act 2011.
- 8.3 If the Monitoring Officer has accepted that you have a sensitive interest under Section 32 of the Localism Act 2011, you should declare the existence of the interest at any meeting at which you are present but you need not declare the details of the interest.
- 8.4 If circumstances change and the information excluded from the Register on the grounds of sensitivity is no longer sensitive information, the Member must notify the Monitoring Officer within 28 days.

9. Other Relevant Interests

- 9.1 Members may have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:
- (a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of them or a member of their family or a person with whom they have a close association, or an organisation or body under paragraph 5.1(b), 5.1(c) or 5.1(d) above, to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which they have been elected or otherwise of the Council's administrative area; **and**
 - (b) the interest is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest.
- 9.2 Members with an Other Relevant Interest as described in 9.1. above:
- (a) must make a verbal declaration of the existence and nature of that

interest at or before the consideration of the item of business or as soon as the interest becomes apparent; **and**

- (b) must not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have an Other Relevant Interest at any meeting at which they are present and will leave the room where the meeting is held while any discussion or voting takes place.

10. **Gifts and Hospitality**

- 10.1 Members must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which they have been offered as a member from any person or body other than the Council, whether the offer is accepted or declined.
- 10.2 The Monitoring Officer will place any notification received under paragraph 10.1 on a public register of gifts and hospitality.
- 10.3 The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality has been approved by the Council for this purpose.

10. PROPOSAL TO AMEND THE MEMBERSHIP OF THE PARISH COUNCILS FINANCE COMMITTEE AND LICENSING COMMITTEE.

It was agreed that Cllr A Doig should join the Licensing Committee, proposed by Cllr D Freeman and seconded by Cllr Holland.

It was agreed that Cllr L Brown should join the Finance Committee, proposed by Cllr R Ormerod and seconded by Cllr D Freeman.

11. TO DECIDE ON THE MEMBERSHIP/REPRESENTATIVES OF THE FOLLOWING BODIES:

It was **agreed** that Cllrs V Ashfield, L Brown and E Ashby would be the Parish Council's representatives on Durham County Council's landlord licensing task and finish group.

It was **agreed** that Cllrs R Ormerod, V Ashfield and R Friederichsen should be part of the Parish Council's newsletter editorial group.

It was **agreed** that Cllr E Ashby should be the Parish Council's representative on Durham University's PBSA liaison group

It was **agreed** that Cllr E Ashby should be the Parish Council's representative on Durham University's Community Engagement Task Force, Economic sub-group.

12. REPORT FROM THE RECENT COMMUNITY RESIDENTS' ASSOCIATION FORUM.

Cllr A Doig advised that he had attended this meeting and reported that the Committee Association would be more responsive and the training package written for the Parish Council on planning matters would be made available to all representatives on this forum in order to assist residents with formulating planning objections to new applications such as new HMOs in the parish, where applicable.

Cllr A Doig advised that the Gilsgate representative Mr Richard Hornby had proposed a mandatory training schedule to be made available at the University for students on how they interact with members of the public and their neighbours.

A future meeting will be proposed to further discuss these items.

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.

Update on the application to de-register the former coach park at the Sands as common land

Cllr L Brown left the meeting at this stage.

The Chair advised that the new administration at Durham County Council had been asked by the Parish Council to withdraw the application to have the former coach park at the Sands de-registered as common land. The Parish Council, along with the Freemen had met with representatives of DCC including the respective barristers and this meeting concluded with the understanding that the application will not be withdrawn by the County Council.

The next date of the public inquiry is therefore set to take place on 1st July 2021.

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

Signed,

**Chair of the City of Durham Parish Council
(22nd July 2021)**

ITEM 5: MOTION ON CLIMATE CHANGE BY CLLR R FRIEDERICHSEN

Cllr Rupert Friederichsen wishes to proposed the following motion to Full Council.

Given that this is very much aligned to the programme of work and commitments of the Parish Council's Environment Committee, it is proposed that the wording of this motion be debated by the Environment Committee ahead of it going to Full Council.

Motion - A Partnership between Local Government and National Government to tackle Climate Change

Background

In 2018, at COP24, the UK Government signed up to having 'domestic institutional arrangements, public participation and engagement with local communities' so localities can play their part in delivering the UKs 'Nationally Determined Contributions' in the Paris Climate Agreement.

In May 2021 Alok Sharma MP, President of COP26 said collaboration would be a key objective of the climate summit

"Governments, business and civil society (sometimes called 'non-state actors' and including local government) need to work together to transform the ways we power our homes and businesses, grow our food, develop infrastructure and move ourselves and goods around"

Despite these agreements and statements there is still no formal relationship allowing a joint partnership working between Local and National Government on climate action.

The Motion

This Council resolves to:

- in this year of COP26 add our voice to calls by the Local Government Association and the Association of Directors of Environment, Economy, Planning and Transport & others for a joint local & national government Task Force to plan action to reach 'net zero' emissions. Such a partnership can set appropriate regulations, benchmarks and targets and create the much needed long-term funding mechanisms to enable local communities and economies to decarbonise whilst remaining resilient and sustainable.

- write to Alok Sharma MP, President for COP26, the Prime Minister and the Leadership Board of the LGA informing them of our support for a joint Local/National Government Climate Change Partnership Taskforce and asking for one to be established as soon as possible.

**DECISION
REQUIRED**

For Members to agree to support the above motion.

ITEM 7: REQUEST TO SUPPORT THE MAYOR OF DURHAM CITY'S CHARITY APPEAL

The Parish Council has received correspondence from the newly elected Mayor of Durham City Councillor Arnie Simpson, asking if we would consider supporting this year's Mayor's Charity Appeal.

Following his election as Mayor on 15 June, 2021, Cllr Arnie Simpson announced that any funds raised during his Mayoral year would be channelled towards NHS Charities Together.

The funds raised by NHS Charities Together enable the health service to go above and beyond what would otherwise be possible. The Charity's national reach means that they can ensure funds get spent where they are most needed. Through the charity's 240 member charities covering the UK the charity funds projects that improve services for patients and help NHS staff and volunteers both practically and emotionally so that they can continue with their vital life-saving work.

The Charity also provides support for member charities through nationwide fundraising and advocacy campaigns, specialist advice and guidance, bespoke conferences and training opportunities.

This Charity has gained particular national attention over the course of the Covid-19 pandemic and the work of the late Captain Sir Tom Moore.

No specific amount has been requested in Cllr Simpson's letter and any offers of a donation will be gratefully received and acknowledged.

In December 2020, the Parish Council supported the previous Mayor's appeal with a donation of £500 towards the Fire Fighters Charity.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) For Members to agree to support the Mayor's Charity Appeal for NHS Charities Together.2) If 1) is agreed, for Members to agree an appropriate donation to the Mayor's Charity Appeal.
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ITEM 8: CITY OF DURHAM PARISH COUNCIL COMPLAINTS PROCEDURE

Introduction

The City of Durham Parish Council wants to provide excellent quality services for the residents of our area. However things can sometimes go wrong. If they do, we need to know so we can put them right and learn from them.

The Parish Council sees all customer comments and feedback as a good way of evaluating its services. Complaints and comments are an important part of this process and help us to learn and develop. The Parish Council aims to use this information to help drive improvements forward.

The Parish Council aims to ensure that all written communication is clear, concise, simple to understand, jargon-free and available in larger print if required.

Our Promises to you

- You will receive a prompt, courteous and efficient service;
- You can expect a full and fair investigation of your comment or complaint;
- We will be happy to explain procedures to you if you are unsure about anything;
- Your confidentiality will be respected at all times;
- Your personal information will be kept in line with Data Protection;
- You will be kept informed of progress and the outcome of your complaint, as outlined below;
- We will make it easy for customers or those acting on their behalf to make a complaint or pass on comments about a service;
- We will try to resolve complaints, put things right where appropriate and take any action necessary to prevent recurrence as soon as practicable;
- We will monitor comments and complaints and provide feedback to council so that trends are highlighted and can be taken into account when decisions are made.

What is a complaint?

A complaint is an expression of dissatisfaction with a response, a lack of response, the standard of service you have received or disrespect from a council employee that cannot be resolved through the normal day to day operational processes of the service involved.

A complaint can only relate to a service that the council already provides. It can't relate to requests for new services or services provided by other local authorities. However, information provided may highlight gaps in service provision that may be relevant to future consideration and should be recorded and actioned as a comment.

The following list is a guide to the range of complaints which are covered by this Complaints Policy:

- Failure to provide a service or to achieve an acceptable standard.
- Issues regarding the attitude of staff and or their actions, or lack of actions.
- Dissatisfaction with the manner in which council policy and procedure has been carried out.
- Discrimination.

What is not a complaint?

The following are excluded from this Complaints Policy:

- A request for service
- A request for information or an explanation
- An insurance claim against the council
- Criticism of council policy
- A matter which is, or may be, the subject of court or tribunal proceedings

Complaints about Councillors

Any complaint about councillors' conduct can only be dealt with by reporting details to Durham County Council's Monitoring Officer. The Parish Council cannot legally deal with these issues.

Compliments and Comments

Compliments - thanking the Council for something done, or done particularly well.

Comments - We recognise that sometimes members of the public simply want to register a comment about a council service, and do not wish to pursue a complaint. In this case we will ensure a record of the comment is maintained and appropriate action is taken on the comment. Where compliments/comments are received by the Council an acknowledgement will be communicated by the clerk within 3 working days.

What do I do if I am unhappy with the council?

You can write to us with details of your complaint. We will send you an acknowledgement and inform you who is dealing with your complaint within three working days of receiving your complaint.

There are two stages to the Council's complaints procedure:

Stage One

Your complaint will be acknowledged within three working days of contacting us. Your complaint will be investigated by the clerk and a reply provided to you within ten working days.

If you are unhappy with your reply you can appeal to the Council, which leads to Stage Two.

You may choose to appeal because:

- you think a finding or penalty is unfair
- additional new evidence comes to light – hearsay or unsubstantiated evidence cannot be accepted
- you think the stage one procedure was not used correctly

Stage Two

You may appeal to the Council's Complaints Committee whose Members are drawn from the Council. We will let you know that we have received your appeal within three working days of you contacting us.

The Parish Council's Complaints Committee will consider the evidence, based on the criteria set out above, and provide a final response. If it is considered necessary you will be invited to attend and discuss your complaint with Committee Members. These members will not have been involved in the original complaint and they will determine if there is a valid reason for appeal.

The Parish Council's Complaints Committee decision will be communicated to you through the Clerk within fifteen working days.

If the Council's Complaints Committee determines there is no valid reason for the appeal there is no further right of appeal at this stage.

This will be the final decision and the case will be closed. There is no further right of appeal.

How do we make sure everyone is treated fairly?

We recognise and value all of the people in the City of Durham Parish area and want to make sure that everyone can use the complaints system. We want to make sure we treat you fairly when making any complaint about us.

The information you give is confidential. We only use it to check that we treat all groups of people fairly and we do not discriminate against you.

If part of your complaint is about equal opportunities or discrimination, please tell us. We will make sure we look into that for you.

Vexatious/Repetitive Complaints

The Parish Council may choose to give a decision on a complaint, without a formal investigation, where it considers the complaint to be deliberately vexatious or repetitive.

How can I complain?

You can write to the Parish Clerk providing full details of the service you are complaining about.

Please send all written complaints to: -

City of Durham Parish Council
Office 3
Clayport Library Building
8 Millennium Place
Durham
DH1 1WA

or e mail to parishclerk@cityofdurham-pc.gov.uk

**DECISIONS
REQUIRED**

- 1) For Members to agree to formally adopt the above complaints procedures.
- 2) If 1) is agreed, for Members to agree the membership of the Parish Council's Complaints Committee.

ITEM 9: SECTION 106 PROJECT APPLICATION – LOWES BARN COMMUNITY PROJECT

Members are reminded that the Lowes Barn Community Project has submitted an application for Section 106 funding for £69,759 towards the construction of a new community centre in the Neville's Cross part of the parish. All necessary paperwork is attached to this Agenda.

Under S106 of the Town and Country Planning Act 1990, as amended, contributions can be sought from developers towards the costs of providing community and social infrastructure, the need for which has arisen as a result of a new development taking place. This funding is commonly known as 'Section 106'.

There are a number of developments in our Parish which have attracted Section 106 obligations from developers for a variety of purposes and community groups can apply for this funding. The Lowes Barn Community project is one such community group who have been working on this proposal for a number of years now.

Planning permission for the community centre was granted in July 2020 and the application for the centre was one which the Parish Council's Planning Committee supported. Members are also reminded that the Parish Council recently supported the project with a grant award of £4,980.

The Section 106 currently available within the Neville's Cross division includes:

£150,000 for open space / recreation / sport purposes within the Neville's Cross division arising from the Police HQ development (planning application 8/CMA/4/73).

£3,370 for public art purposes within the Neville's Cross division arising from the Sheraton Park development (planning application CE/13/01667/FPA)

£7,998 for open space / recreation / sport purposes within the Neville's Cross division arising from the Potters Wynd development (planning application 4/12/01083/FPA)

£41,000 - £26,000 for public art and the remaining funds for open space / recreation / sport purposes – within the vicinity of the Durham Johnston Annexe – arising from the Durham Johnston Annexe, Redhills Lane application (planning application 11/00993/FPA)

£17,391 for open space / recreation / sport purposes within the Neville's Cross division arising from the Flass vale Mews, Ainsley St development (planning application DM/20/00069/FPA)

The deadline for responding to the application is 23rd July and therefore Members have been given advance sight of the application and the below response is proposed:

The City of Durham Parish Council wishes to congratulate the Lowes Barn Community Project on its excellent work and a thorough application.

The Parish Council wholeheartedly supported the planning application for this development in 2020. Once constructed, this community centre will represent the culmination of thousands of volunteer hours of work carried out by a small, dedicated team of 6-7 Trustees of the Lowes Barn Community Project (LBCP) and 8 volunteers. Funding has been made possible thanks to previous Section 106 applications and support from the local County Council Ward Members and previous Ward Members.

The Parish Council also applauds the Trustees on the identification and pursuit of external funding from the National Lottery and the Bernard Sunley Charitable Foundation.

The merits of this project are clear - the provision of a community centre in this location is of significant importance to local residents and to the City of Durham parish area as a whole. The social aspect of the proposal in a sustainable location carries significant weight in favour of the Parish Council's support for this project. The proposed location of the centre is both practical and also helps to ensure that the space can be adopted by the local community and encourage a wide range of individual and group outdoor pursuits and recreation; facilitating social interaction and supporting a healthy and inclusive community.

This application is seeking to access almost all of the Section 106 funding within the Neville's Cross division however and the County Council will be aware that the Parish Council currently has a competing, live application for use of the Section 106 funding from the Durham Johnston Annexe public art fund towards the restoration of the Neville's Cross. This year is an important year for this monument as we mark the 875th Anniversary of the Battle of Neville's Cross. The Parish Council believes that this project has substantial public benefit in terms of the heritage of this part of our parish and the Council has been working with the County's Environment and Design team for some time in order to deliver this project. The Parish Council's project is deliverable within a matter of months.

There is a requirement that £26,000 of the Durham Johnston Annexe fund be allocated towards public art within the vicinity of the Annexe itself. This application does not appear to fit the requirement for this element of the funding though the Parish Council feels that the centre would benefit those within the local community in much the same way.

It is the Parish Council's hope therefore that the County Council may be able to accommodate both applications in such a way that helps to deliver each project. The Parish Council hopes that all of the funding applied for towards the restoration of Neville's Cross may be awarded as soon as possible and the remaining funding be allocated towards the Lowes Barn Community Project.

DECISIONS REQUIRED	<ol style="list-style-type: none"> 1) For Members to agree to support this application. 2) For Members to approve a response to this application as set out in the above report.
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ITEM 10: CONSULTATION BY LNER ON THEIR PROPOSED NEW TRAIN TIMETABLE

London North Eastern Railway (LNER) has begun an eight-week public consultation to seek views on its proposed significant timetable change and uplift from May 2022.

LNER's proposed follows over a decade of planning and investment in LNER's new Azuma trains and Network Rail's modernisation of the East Coast's tracks. It aims to support the economies and communities along its East Coast route, providing more services, more seats and reduced journey times and high levels of reliability on long distance services between London, the North of England and Scotland, as an even more sustainable alternative to air and road.

The timetable will see LNER's five trains per hour into and out of London King's Cross increase to six, enabling the introduction of new, faster services throughout the day. There will be 39 additional LNER services per weekday and more at the weekend too. London-Edinburgh services will be around 15 minutes faster with up to 1,500 more seats per day, each way; and London to Newcastle services will be around 10 minutes faster, with up to 7,500 more seats per day, each way.

By adding extra capacity to and from York, LNER is also putting in a building block for a regular Middlesbrough service once local infrastructure work is complete.

The proposed May 2022 timetable has been developed by Network Rail with all train and freight operators on the East Coast Main Line. It has involved balancing long-distance, high-speed, regional and local services, alongside the needs of the rail freight sector. It is based on investment into the East Coast Main Line as well as decisions by the rail regulator in 2016 on how the route's finite capacity is to be used and the consultation on our predecessor franchise.

The public consultation is open from 11 June to 5 August 2021 to seek the views on the proposed timetable.

Durham has for some time been the second busiest railway station in the north-east, with only Newcastle generating more passenger journeys. LNER's consultation document shows conclusively that Durham has more passengers and generates more revenue on its route than Darlington, despite currently having about half the number of London trains.

LNER currently operates one train per hour to and from Durham. Under the new timetable:

- There will be an increase of services running to and from London's King's Cross, York and Newcastle to three trains every two hours Monday to Saturday. This is broadly the same level of service that is provided on Sundays.
- There will be new hourly direct services to and from Stevenage and Grantham all week round.

- LNER services to and from Alnmouth, Northallerton and Darlington will continue to run with no changes in their frequency.
- There will be a slight reduction in services running to and from Peterborough, Newark North Gate, Doncaster and Edinburgh to a train every other hour. Edinburgh will still have an hourly service with CrossCountry running.
- There will be significant journey time enhancements to and from key destination cities of London and York.
- There will be minor journey time enhancements to and from key interchanges at Doncaster and Peterborough.

The proposals have been received negative coverage in the local press as the changes to the service also involve:

- The frequency of trains between Newcastle and Manchester via Darlington being halved from two trains per hour to just one.
- The number of trains to London from Darlington being cut by three trains per day.

The Clerk made Members aware of this consultation and the response of the former Director of Transport Scotland to these proposals and asked Members for their views on this.

Members felt that the Parish Council should respond positively to this consultation, given that these proposals will involve a 50% increase in service for Durham; something which Durham residents will benefit from significantly and the changes also respond according to customer demand for these services.

Members felt that the focus of the Parish Council's response should also include matters such as reducing train fares and promoting use of public transport to tackle climate change.

DECISION REQUIRED	For Members to agree to respond positively to this consultation as set out in the above report, highlighting the benefits this will bring to Durham City and its residents.
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ITEM 11: ANTI-SOCIAL BEHAVIOUR AND NOISE OPTIONS PAPER

1. INTRODUCTION

1.1 Purpose

In view of residents' concerns about ASB and noise in residential areas of the City, and notified to the Parish Council and individual County and Parish councillors, this Note is intended for the purpose of consultation to consider the main issues. The intention is not to rehash the issues but discuss (i) possible realistic responses in the short- and medium terms and (ii) which organisations may be approached to engage in discussions over and the implementation of, individually or collectively, such responses.

1.2 Context

The issues of antisocial behaviour (ASB) and noise, and associated transient noise, are probably the lead issues identified by residents of Durham City through social media, mainstream media, reports to the Parish Council and its Parish Council's Community and Residents Forum, and discussions on the Durham University and Residents Forum (DURF) and the University's Community Engagement TaskForce (CETF).

It must be stressed that the issue is existential for the residents of the city with an increasing number reporting – on both social and mainstream media - disturbed sleep, street noise, and on occasion regular or repetitive house and party noise, primarily during University term-time. It is recognised that the issues are present in other university towns and cities. It is also accepted that the issues do not encompass the entire student body, and nor do they affect all areas of the City in the same way. At present the issues appear to derive primarily from returning undergraduates in the private rented sector, and particularly identifiable in areas where the balance of occupancy is tilted towards student occupancy.

The policy pursued by the University of expansion in student numbers without commensurate and simultaneous increase in College accommodation to absorb increasing numbers of returning students and the continuing expansion of houses of multiple occupancy (HMO) in the private rented sector for the student market (taken from a limited stock) has resulted in the City of Durham Parish population being now about 18,000 students and 10,000 year-round residents. It has meant that there are few, if any, areas of residential housing within the Parish Council area that do not have a growing number of HMOs or experienced transient noise. The policy means that the current issues around ASBs and noise are not likely to go away, and nor are they likely to remain confined to particular areas of the City.

1.3 Summary

In summary the issues have been heightened in the past 3 years by:

- the increasing number of undergraduate students being recruited by the University, the consequential implications for HMO demand within the City

boundaries and the implications for sustainable, integrated and balanced communities sought by the National Planning Policy Framework (also reflected in the County Plan and the Neighbourhood Plan);

- the pressures on the physical layout and environment of the City; and
- the increased movement of students through residential areas to PBSA and private rented sector accommodation further out from the City centre.

Added to this, for this year, the effect of Covid restrictions - online teaching, the high levels of returning students who ignored University advice to stay away, and the marked presence of socialising – have underlined a number of concerns and also essentially stress-tested the current arrangements to manage ASB and noise. These have been found wanting, and It is important that appropriate, tailored and proportionate responses are considered to address what is becoming a new 'normal' in terms of ASB and noise.

2. RESPONDING TO CONCERNS

This Note is an attempt to summarise issues concerning procedures and responses to see if an agreed agenda might lead to some concrete action. It is recognised that not all concerns apply equally to all parts of the City; Gilesgate reports a much more constructive environment, reflected in the student:resident ratio and the ability to reach out to students. The Claypath area is subject to significant transient noise issues since 2 PSBAs opened. Sheraton Park reports both noise and the unplanned expansion and conversion of HMOs in what were – by covenant – built as family homes. Whinney Hill and the Hawthorn Terrace/Byland Lodge areas suffer multiple concerns.

Nevertheless concerns from residents reflect common concerns, and have increased at a time when there are a number of ASB procedures in place and official commitments to respond; both the Leader of the new DCC Joint Administration and the new Police and Crime Commissioner have raised the issue as a priority. The increase in precept for the police was in part proposed for a better 999 and 101 service, maintenance of PCSO numbers and a visible neighbourhood policing in communities. While these priorities have yet to be translated into practice, the current responses to the concerns have neither resolved the concerns nor reassured residents that their circumstances will improve any time soon.

Unless the question of improved and tailored procedures, as well as coordinated responses and shared ownership, are addressed in the round, then it is not expected that the causes of the concerns will diminish. Further the culture of student ASB which has gone relatively unchecked during the past academic year is likely to become embedded this coming year, in part because the lack of response and in part because – from anecdotal evidence - the likely greater return of second- and third-year students for the summer will perpetuate such behaviour outside term-time. Many residents consider that there is an opportunity to learn from experience, review what works and what does not, and then propose responses that are realistic and realisable if every organisation involved is committed to responding collectively and positively to residents' concerns.

The Note is intends to facilitate discussion on possible responses in relation to three aspects of the same set of issues. The first is the capacity of the City to absorb the expanding 'studentification' of parts of the City.

3. THE CITY AND THE PRIVATE RENTED SECTOR

3.1 The Issue

The increase of HMO accommodation in the private rented sector has been noticeable, including new areas such as Mount Oswald and areas previously seen as established residential areas such as Sheraton Park. There is an increase in major extensions of existing HMOs into larger properties, particularly in areas such as Whinney Hill. The University is committed to expansion of undergraduate numbers that reflects its financial model; nothing in its 10-year strategy suggests any consideration would be given to options other than growth – in the physical estate, in student numbers, and so on. One concrete response by the University is an intention to expand the number of colleges which is problematic – since only pricing would make such an option attractive to returning students – in terms of absorbing the increased numbers. Another response is the identification of new PBSAs on the University estate, but this too depends on the private sector be able to set viable prices.

It is known that home undergraduate returning students still prefer the private rented sector to staying in college and that, even if a proportion opted to continue in college, there will be a year-on-year increase in demand. This in turn is fuelling the developer pressures for properties to convert. In addition to the numbers of C3-to-C4 applications, developers and landlords are now converting family homes into 2 bed flats using Class C3 to avoid failing to secure planning consent for conversion to a C4 (MHMO) status; other developers simply pay the council tax and avoid having to apply for C4 permission. This year has seen both an expansion into the traditional residential areas as well as conversion of existing HMO properties to extend the size under permitted development, with a number of notable examples receiving social media attention.

3.2 Potential Responses

The demand continues despite an Article 4 Direction covering most of the City, and currently proposed for extension to parts of Gilesgate and Mount Oswald (but only to take effect for 2022). It is the responsibility of the County Council's Central and East Planning Committee to enforce Article 4 effectively, ensure that the most up-to-date and robust data on student occupancy is used, and consider student occupancy density over a certain percent as grounds for being minded to approve an application. It is also important that Community and Residents Associations review all planning applications in their areas and ensure objections are submitted to the Parish Council and the County Council as well as ensuring that County and Parish councillors are aware of their concerns.

- The Parish Council has already offered community associations training in planning; this should be an annual service.
- County and Parish councillors should undertake a joint commitment to support community objections and press for a more rigorous use of the Article 4 direction. The County Council enforcement staff have already undertaken action against unlawful or non-approved conversions; further action is needed and a clear policy statement should be made on taking robust action.

- In many applications there is a requirement to indicate evidence that the application is responding to a demand; the University should respond to every application where this evidence is claimed to state the case for or against such demand.

4. TRANSIENT NOISE

4.1 The Issue

Transient noise is by its nature difficult to police with the absence of police on the streets of the City other than in the 'night-time' economy areas and the fact that County Council wardens do not operate outside day-time hours or at weekends. Not all the noise is student-related but has increased as private rented sector accommodation and PBSAs expand outside the immediate city centre area. One of the bigger sources of complaint in terms of evening and night movements back to PBSAs is that the size of the groups is larger (and more frequent) so that the likelihood of noise is both greater and takes place over a longer period of time. Neither the police nor the County Council consider transient or street can be addressed and the PSBAs are varied in terms of their willingness to put up appropriate advice notices.

4.2 Potential Responses

- The Parish Council will continue, probably with a redesigned form, to promote the signage if only as a visible reminder. The signage – once terminology is agreed – will be placed in areas identified by local residents as hot spot areas.
- The law of relevance - the Anti-Social Behaviour, Crime and Policing Act 2014 – allows for the County Council to impose a public spaces protection notice (PSPO) which seeks to address ASB activities which are detrimental to the quality of life of those in the locality, where it is likely that activities will take place and that they will have a detrimental effect, is, or is likely to be, persistent or continuing in nature, and is, or is likely to be, unreasonable. Breaches allow for fixed penalty notices to be issued. The County Council may wish to consider the use of such Notices for the most-travelled routes through resident areas.
- DURF produce a simple one-page 'what to do if' leaflet agreed by all parties in terms of ASB and noise complaints, in terms of who to contact for what compliant, how to escalate a complaint, possible responses, accompanied by appropriate phone and email contacts.
- The University's CRT take a more proactive role in offering a presence to discourage transient noise.
- The Livers Out leaflet mentions noise – this could be made more explicit.
- The issue should be an explicit part of the proposed student awareness/induction to the community course (see below)

5. HOUSE AND STREET NOISE

5.1 The Issue

This has been – and is - the largest single area of concern and one where, despite procedures in place, the various organisations involved do not act in

concert. There are 3 laws of relevance. Section 5 of the 1986 Public Order Act addresses the use of disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby. The Anti-social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as conduct that has caused, or is likely to cause, harassment, alarm or distress to any person, or conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or conduct capable of causing housing-related nuisance or annoyance to any person. Finally the Licencing Conditions for HMOs under the 2004 Housing Act, and used by the County Council, specify that two of the conditions are:

15. The Licence holder shall ensure that at all times gardens, yards, and other areas within the curtilage of the dwelling are kept in a clean and tidy condition and free from infestations; and,
16. The Licence holder shall take all reasonable and practical steps to prevent, or where appropriate reduce, anti-social behaviour by persons occupying or visiting the dwelling. If requested, written notification of any such steps shall be given to Durham County Council within 10 working days from the date of the request.

Depending on the agency responsible for enforcement, under both Acts criminal sanctions are ultimately applicable but, as well as a PSPO, the latter also relies on community protection warnings (CPW) and community protection notices (CPN) for ASB.

5.2 The Procedures

The University has operated an effective Community Response Team (CRT) whose role has been to respond to reports of breaches of Covid regulations but is now very much one of awareness-raising and advice rather than enforcement for ASB, noise and other complaints. It does work outside hours and weekends, but does so during term-time. The University does have, and applies, a non-academic misconduct procedure although outcomes are specified in general terms. In relation to breaches of the relevant legislation, few if any residents call 999 although they have that option. Most call 101 which if officers are unavailable passes the complaint to the University's CRT who visit the premises causing the disturbance. There is an on-line 101 chat service available. 101's lack of immediate responses (and often a lack of awareness both of the right to a response under legislation and on occasion an awareness of the CRT), the limited periods that the on-line chat is live, the limited visits by police and the lack of communication to complainants summarise a number of concerns about the demonstrable adequacy of current responses.

The relevant legislation allocates powers to local authorities. The police transferred the lead on ASB to the County Council two years ago; there has been no formal statement or MoU on respective responsibilities. The County Council approach has been one of requiring on-line complaints with supporting diary/documentation covering a number of days. There is no provision of on-call, or evenings or weekend availability of Neighbourhood Wardens who have powers to issue CPWs and CPNs. If a response is forthcoming currently, it is issued some time after the event and the complainant is only notified of the fact of a response but no further information.

Part of the current concerns over the adequacy or effectiveness of responses from the relevant organisations is that these have fallen short of the standard set previously when support was given by the then Chief Constable and the Police and Crime Commissioner who provided a PCSO and a warranted officer to attend ASB incidents; the issue of CPWs and the possibility of a CPN provided a working management process. That process was and still is considered by the community as having been highly successful by virtue of timely response, sustained and consistent application, and a build-up over a period of five years of awareness within the student body, all of which has been lost through the transfer between the police and the County Council initiated two years ago. Efforts by DURF to draft a flow-chart representing how the University, the Police and the County Council would deal with an ASB/noise complaint was initiated but limited resources, an unwillingness to work to a common approach and disparate processes within those bodies have prevented the flow-chart from either representing reality or delivering the desired outcomes. One consequence among residents has been an inability to establish who is responsible for what, how they should be contacted, and the effectiveness of the response in addressing the issue.

5.3 Potential Responses

- The police and the County Council provide information on the transfer to lead responsibility and what that entailed for the latter.
- 101 staff are provided a single script on ASB reports in terms of the expectations laid out in the legislation and provided with clear guidance on the role of and referrals to the CRT.
- The University has approved funding of the CRT for term-times until July 2022. Consideration should be given to the extension of this out of term-time in view of the fact the University itself estimates that 3,500 – 5,000 to be staying or returning over the summer; the overwhelming majority will be in the private rented sector.
- The County Council change their ASB procedures to allow rapid responses, including out-of-hours working, deployment of Neighbourhood Wardens, and consider deploying their surveillance vans for information-gathering purposes.
- If the University and the County Council are in the process of agreeing an MoU on sharing information on ASB and noise complaints, then section 16 of the Licencing Conditions will allow the County Council to request written notification of ASB steps from landlords within 10 working days from the date of the request. A prerequisite of this response is an up-to-date and published HMO register.
- The City Safety ASB Sub-Group provide information on intended procedures to address the concerns, including use of a PSPO in selected areas of the City along the lines of those issued to prevent public drinking.
- All main letting agents in Durham City are written to, asking them to take steps to underline noise and other clauses in contracts.
- The police and University inform all letting agents and, where identifiable, landlords, where there have been 2 or more complaints over 2 or more weeks about ASB and noise.
- The University inform all letting agents and, where identifiable, landlords, where action has been taken against a student under the non-academic conduct procedures for ASB and noise.

- The University and the County Council use their information to contact student landlords in cases of regular or persistent misconduct asking they invoke any tenancy agreements relating to noise and ASB.
- Complainants encouraged to use the Parish Council and DSU online PinPoint app to help build up a noise profile.
- The University and the County Council consider a Single Point of Contact for residents' reporting to 101 or to the County Council so that one organisation collates and assesses data from itself, the police and the County Council to build up a profile of persistent misconduct.
- Recognising the requirements of data protection legislation, both the University and the County Council state what action has been initiated in relation to a complaint.

6. FUTURE DEVELOPMENTS

A number of associated initiatives should take place, including consideration of:

- *A mini-conference:* on town-gown issues this summer to allow concerns to be voiced and responses considered which has been proposed by DURF.
- *Landlord Licensing Scheme:* for Durham City is pursued by the County Council and used to require landlords to ensure their tenants act responsibly as part of registration for the scheme.
- *Web-based content for students living-out:* the need for a mandatory 'skills-for-living-out' or 'community matters' course along the lines of the 'consent matters' course. It would aim to provide an understanding of expectations by students and by the local community. Development of the course would need to be led by the University and must include DSU.

7. CHOICE OF RESPONSES AND OWNERSHIP: FOR DISCUSSION

The intention of the Consultation Note is to promote discussion among relevant parties – DURF, residents associations, community associations, and the Parish Council – to consider possible responses, largely 'owned' by different organisations, to determine 2-4 immediate responses and 2-4 medium-term responses to be pursued collectively across organisations as soon as possible.

Much of the concern about failings in current procedures is the absence of ownership of the overall approach across organisations. The intention of the Consultation Note is to seek to agree these responses and invite an organisation, whether the Office of the Police and Crime Commissioner or the County Council to take the lead or ownership of the issues and possible responses, so that common purpose and concrete action among all interested parties may be reached as soon as possible.

ITEM 13: REPORT ON REMEMBRANCE SUNDAY EVENT 2021

As Members are aware, the City of Durham Parish Council has agreed to take over civic ownership of the Remembrance Sunday event in Durham City. Members have also agreed a budget of £6,000 towards hosting events this financial year with the Remembrance event and Christmas specifically highlighted as key events for the Parish Council.

The below report acts as an update to Members on the planning for the event to date.

Road and traffic matters:

The Clerk will be submitting a road closure order for the event; this is done free of charge by the County Council as per their own policy for Remembrance Sunday. The Clerk is also arranging for the County Council to arrange the alternative public transport route during the timing of the event. This only affects Claypath services which divert via Leazes Road. The Clerk is organising the traffic management support (including four road closed signs and advances) and Dave Lewin has confirmed that he will attend the event to organise this on the day at no additional charge to the Parish Council.

The closure points between 9:30 – 13:00 would be:

1. Framwellgate Bridge (no entry signs near fighting cocks PH)
2. North Bailey just below the entrance to Hatfield College Car Park
3. Claypath junction with Providence Row
4. A690/ One-way slip (side of library)
5. Two-way slip above Prince Bishops mini-roundabout

Use of land:

The Parish Clerk is seeking permission from the University for the temporary occupation of Palace Green and from the City Centre Manager for the temporary occupation of the Marketplace. Both are aware of the event taking place this year as usual and this is a formality. The Clerk has also been in contact with Artichoke (the company who organise Durham Lumiere) as it is expected that they will have an installation in place during the event around the Lord Londonderry statue. Artichoke will be providing their own separate risk assessment for this and have also confirmed that they will manage the safety and security aspect of this installation on the day of the event. As is custom, the Mayor's office has also arranged for a dais to be installed on the day. The Mayor's office will be funding this.

Health and safety:

The event will now be covered by the Parish Council's own public liability insurance. The Clerk has ensured that the insurance also covers Covid-19 though the event will be taking place long after the Government's present roadmap out of restrictions from Covid-19 and it is expected that large scale events will be able to take place by the timing of this event.

The Clerk has carried out a Risk Assessment in conjunction with the County Council's Events Safety Manager. In addition, the Police will be carrying out their own security assessment (SECCO assessment) for the event. What level of Hostile Vehicle Mitigation (HVMs) methods installed on the day depends on the outcome of the police's SECCO report. In 2019, the County Council agreed to fund the installation of the necessary HVMs and the Clerk is currently seeking to make this an ongoing formal arrangement with the County Council.

There will also be a need for crowd management control in order to facilitate the day. In 2019, the Parish Council contracted the services of Showsec (preferred supplier of DCC) at a cost of £454.03 for this and the Clerk is arranging for this to happen for the 2021 event.

The Parish Council will also need to fund the medical provision on the day. In 2019, the Parish Council contracted the services of Nerams Ltd (DCC's preferred supplier) at a cost of £432.00. It is expected that the same service will be requested for the 2021 event. The Clerk has also arranged for the police to be on hand on the day to manage any incidents of disruption or anti-social behaviour. The Clerk has also arranged for Jill Woods, DCC's Safety Officer to attend on the day and a pre-event assessment and walkthrough will be carried out.

It is also hoped that the Town Hall may once again be used as a meeting point for missing persons if needed.

Notification of event:

The Clerk will also be letting local traders in the affected area know about the plans for the event and the event will also be publicised on the Parish Council's website and Facebook page.

Service at the Cathedral and the parade:

The order of service within the Cathedral would be managed entirely by the Clergy of the Cathedral and the Parish Council would not have any involvement with this but the seating of the Parish Councillors will be arranged with the Cathedral.

The Parish Council would be expected to lay a wreath on Remembrance Day and the Chair of the Council would do this on the Council's behalf. The Clerk has arranged for the wreath to be provided.

Durham City Parish Councillors now form part of the official procession from the Cathedral to the Town Square with their position in this procession is to be determined in due course.

Miscellaneous

Last year, the Parish Council worked with local WIs to have a knitted poppy display in place at the Town Hall. It is expected that this will also be on display for this year.

Artichoke has also agreed to carry out a cascading poppy light display against the Town Hall, subject to DCC permissions. It is hoped that this will enhance the poppy display even more so than the red lighting used at last year's event.

Local volunteer Arthur Lockyear continues to support this event with fundraising and working with the Parish Council to enhance the parade.

It is hoped that a fundraising dinner may take place in October (hosted by Arthur Lockyear) to support the event and Members will be invited to this event.

Arthur also hopes to host a curry for participants of the parade after the event.

In previous years, Parish Councillors involved in the event have worn cloaks provided by a local supplier. It is expected that this will again be done for the 2021 event.

The Festival of Remembrance event is expected to take place in the Cathedral on the evening of Saturday 13th November 2021.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) For Members to note the above report and the preparations being made for this event.2) For Members to delegate budgetary and organisation responsibility for this event to the Parish Clerk.
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