

# City of Durham Parish Council

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Dear Councillor,

In accordance with the Local Government Act 1972, I hereby give you notice that a meeting of the **FULL COUNCIL** will be held in the **LANTERN ROOM, DURHAM TOWN HALL, MARKET PLACE, DURHAM, DH1 3NJ** on **THURSDAY 28<sup>TH</sup> OCTOBER 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 27<sup>TH</sup> SEPTEMBER 2021**
- 4. PUBLIC PARTICIPATION**
- 5. COMMITTEE UPDATES**

- **Planning Committee minutes from meetings held on 17 and 28 September 2021**

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

- Update following the verdict of the Inspector into the de-registration of the former coach park at the Sands as common land.

- **Environment Committee minutes from meetings held on 14 September 2021**

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

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

- Update on COP26 Durham event

- **Licensing Committee minutes from meeting held on 20 September and 4 October 2021**

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 22 June 2021**

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

<https://cityofdurham-pc.gov.uk/agendas-minutes/business-committee/>

- Proposal to host a Christmas event to support local businesses

**6. CHAIR'S UPDATE**

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 27<sup>th</sup> September 2021.

**7. DCC CONSULTATION ON LOCAL HERITAGE LIST**

**8. CONSIDERATION OF PARISH COUNCIL SUPPORT FOR DURHAM COUNTY COUNCIL'S CAMPAIGN TO ADDRESS BEGGING IN THE CITY**

**9. UPDATE ON PLANNING FOR REMEMBRANCE SUNDAY EVENT 2021**

**10. DURHAM CITY CHARTER TRUST**

**11. PROPOSAL TO DURHAM COUNTY COUNCIL ON DURHAM TOWN HALL**

**12. ANTI-SOCIAL BEHAVIOUR AND NOISE: CONSULTATION PAPER**

**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 27<sup>th</sup> September 2021 at 19:00 in the Lantern Room, Durham Town Hall.**

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

**Also present:** Parish Clerk Adam Shanley and Mr John Ashby, Mr Jonathan Lovell and Mrs Linda Lovell (members of the public).

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

Apologies were received from Councillors R Hanson and G Holland.

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

Councillors L Brown, D Freeman, R Ormerod and E Scott declared an interest in the discussions at item 5 of the Agenda relating to the de-registration of the coach park as common land and took no part in the discussions on this item.

## **3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 22<sup>ND</sup> JULY 2021**

The minutes of the meeting held on 22<sup>nd</sup> July 2021 were unanimously **agreed** as a true and accurate record of proceedings.

## **4. PUBLIC PARTICIPATION**

None received.

## **5. COMMITTEE UPDATES**

### **• Planning Committee**

Cllr L Brown presented the minutes from meetings of the Parish Council's Planning Committee held on 9 July, 26 July, 6 August and 3 September 2021. There being no queries from Members, Cllr L Brown moved on to Committee reports.

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

In view of Cllr L Brown's declaration of interest on this item, the Parish Clerk provided an update on this.

The Clerk advised that the Council is still awaiting the verdict of the Inspector following the public inquiry into the de-registration of the former coach park as common.

The Clerk advised that a meeting between the Council's barrister, the Clerk and Chair of the Parish Council and representatives of the Freemen had taken place earlier in the week at the request of the barrister. The meeting was to discuss the possibility of submitting a further representation to the Inspectorate on the issue of the potential sale of the County Headquarters building. A number of local press articles were indicating that there is a possibility that the building may in fact be sold to a third party and that the building is no longer to be used as the new County Headquarters. A published Cabinet report also suggested this to be the case though the third party is not mentioned in this report.

The Clerk advised that the barrister had indicated that the Inspectorate ought to be made aware of this as this was materially important to the outcome of the inquiry and proposed that a follow-up letter to the Inspectorate be submitted.

The Clerk advised that both the Parish Council representatives and the Freemen representatives at this meeting had decided against submitting a further representation to the Inspectorate and had instead agreed to await the outcome of the inquiry.

The Clerk reminded Members that the point about the potential alternative use of the building had been made to the Inspector at the time of the inquiry when some of the objecting parties had sought an adjournment to the inquiry on that basis. This argument had been rejected by the Inspector at the time.

Members **agreed** that the Parish Council should await the outcome of the inquiry with no further action.

### **Proposal to amend the membership of the Parish Council's Planning Committee**

Cllr L Brown advised that Cllr R Friederichsen has now resigned from the Parish Council's Planning Committee and, as such, there is now a need to increase the Committee's membership by 1 member.

The Clerk reminded Members that the agreed Terms of Reference for the Committee limits the total number of Councillors on the Committee to six Members.

Cllr R Ormerod proposed that Cllr S Walker join the Committee and this was seconded by Cllr D Freeman.

Cllr V Ashfield proposed that Cllr G Nair join the Committee and this was seconded by Cllr R Friederichsen.

Members voted on this and it was **agreed** by majority vote that Cllr S Walker become the additional Member on the Planning Committee.

## **Proposal to create a Supplementary Planning Document on tree protection**

Cllr L Brown presented a proposal on a Supplementary Planning Document on tree protection. Cllr L Brown reminded Members that, in January 2021, the Parish Council committed a budget of £4,000 to delivering two SPDs – a good design guide and a tree protection SPD, which are intended to be linked to the Durham City Neighbourhood Plan.

Cllr L Brown advised that the County Council has also indicated its desire to create a design guide for the entirety of County Durham, with the intention of having this formally adopted by 2024.

Cllr L Brown reminded Members that the Parish Council had placed a lot of importance on the protection of trees in the parish and this was the Planning Committee's way of doing something to ensure that developers were obliged to replace trees which are felled as part of planning schemes.

Cllr L Brown advised that the Committee had been working with Jo-Anne Garrick, its planning consultant, on this and Jo-Anne has quoted £2,000-£3,000 for her services in helping to deliver this SPD. Cllr L Brown also advised that a Working Group – including Michael Hurlow and Sue Childs – is proposed for the delivery of these SPDs.

Members **agreed** to deliver the proposed tree protection SPD and to the creation of the Working Group, with delegated responsibility to deliver the proposed SPDs as part of the Neighbourhood Plan. Members also **agreed** to the proposed next steps as set out in Cllr Brown's report, including the contracting of Jo-Anne Garrick's services for this work.

### **•Environment Committee**

Cllr C Lattin presented the minutes from the meeting of the Parish Council's Environment Committee held on 13 July 2021. There being no queries from Members, Cllr C Lattin moved on to Committee reports.

### **Report on climate action by the Parish Council**

Cllr R Friederichsen presented a report on climate action by the Parish Council. Cllr R Friderichsen advised that his report follows up on previous climate change-related discussions and decisions made by the Parish Council as well as the Environment Committee and proposes a set of follow up actions. All ongoing and proposed actions flow from the Parish Council's declaration of a climate emergency PC in March 2019. In addition, this report follows up on priorities for the city identified in 'Looking Forwards'.

Cllr R Friederichsen advised that his report is divided into three chapters, each of which submits one or several suggestions for the PC to discuss and approve. Chapter 1 proposes to start developing the Terms of Reference for a dedicated role of Climate Lead to increase the PC's efficiency and effectiveness of tackling the climate emergency. Chapter 2 proposes short term actions surrounding the

COP26 climate talks. Chapter 3 suggests a tool and process to monitor the PC's path to net zero.

Cllr R Friderichsen advised that the Environment Committee nominated and proposed that authority be delegated to him to lead and coordinate COP26 and Carbon accounting-related activities as the temporary Parish Council Climate Lead. The Environment Committee committed to supporting the temporary Climate Lead in developing a Terms of Reference document for a Council-wide Climate Lead role. The Climate Lead's responsibility will be to support the Chair of the Parish Council and Committee Chairs and to help coordinate the Council's climate-related actions based on the existing division of work between Parish Council Committees and Full Council.

The Clerk advised that this Lead role would not supersede the Standing Orders of the Council and all decisions would need to be made by Council and this role does not allow the Climate Lead to make decisions on behalf of Full Council.

Members **agreed** that Cllr R Friederichsen be the Environment Committee's temporary Climate Lead, not Full Council's Lead, during the COP26 event. Members also **agreed** to delegate to the Environment Committee responsibility for the development of a Terms of Reference document for a Full Parish Council Climate Lead, to be reviewed and submitted for approval by the Parish Council in either December 2021 or January 2022.

Cllr R Friederichsen reminded Members that the 26<sup>th</sup> UN Climate Change Conference of the Parties (COP26) is taking place in Glasgow in November 2021. Cllr R Friederichsen advised that, at its last Committee meeting, the Environment Committee discussed in detail and expressed its support for marking this event with a set of activities in Durham.

Cllr R Friederichsen advised that the proposed activities are the result of prior discussions between Members of the Environment Committee with a group of key local stakeholders through the Durham Climate Co-ordination Action (DCCA) Group, chaired by Kirsty Thomas. Cllr R Friederichsen advised that, from those discussions, it is clear that DCCA is hoping that the Parish Council will contribute to marking COP26 locally and thereby showing its support for local climate activists and strong outcomes from COP26. A number of groups have already announced their intention to organise a range of activities in Durham on 6<sup>th</sup> November.

Cllr R Friederichsen proposed that the details of the Parish Council's contribution to COP26-related activities in Durham will be planned and delivered by a "Task and Finish" group for which he and Cllrs R Hanson and V Ashfield are volunteering. Cllr R Friederichsen advised that these activities are likely to include erecting a marquee / gazebo (or both) in Millennium Place and hiring an indoor venue for a more in-depth event focusing on school and University students but open to the general public.

Cllr R Friederichsen reminded Members that the Environment Committee has previously agreed a budget of £1,500 for "Climate Lobbying", £1,000 for "Encouraging Walking, Cycling & Sustainable Travel"; and £1,000 for "encouraging electric vehicles" and proposed that these budgets be allocated to this event and the Task and Finish Group is delegated the authority to plan activities within budget on behalf of the Parish Council.

The Chair advised that he had viewed the Environment Committee meeting where this was discussed and the agreed budget had been £1,500 in total for the event. Cllr V Ashfield advised that there may be elements of the event which encourage walking, cycling & sustainable travel as well as encouraging the use of electric vehicles and therefore, if agreed at this meeting, these could be spent as was originally envisaged within their agreed budgets of £1,000 each. It was agreed that £1,500 be allocated towards this event and any additional expenditure from the other budgets should be delegated to the Parish Council's Environment Committee to decide upon should these budgets be required for the event.

The Clerk stressed that he was currently working on five large events between now and Christmas and did not have capacity to be involved in the management of a further event. The Clerk also stressed that all events are required to go through a Safety Advisory Group application, include a risk assessment, budget, etc. It was unanimously **agreed** that the Task and Finish Group be given responsibility for arranging all of this.

Cllr R Friederichsen advised that the Environment Committee had also discussed in detail and agreed to propose to Full Council an identified tool to monitor the Parish Council's path to net zero greenhouse gas emissions and the production of an emissions baseline.

Cllr R Friederichsen advised that he had identified the Greenhouse Gas Accounting Tool, which has been produced by Local Partnerships, working with the LGA, to help local authorities establish their baseline greenhouse gas emissions over a single reporting year, providing focus on scope 1 and 2 emissions with some development on scope 3 data sets. A full copy of the Tool was included with the Agenda.

Cllr R Friederichsen also advised that the Environment Committee had also agreed that the Parish Council needs to develop Councillors' capacity to a) reach the Parish Council's commitment to carbon neutrality, and b) to be able to influence and lead local residents, businesses and organisations on that challenging journey. Cllr R Friderichsen advised that the Environment Committee discussed and agreed on the need for all Councillors to receive training and identified a targeted, one day "Carbon Literacy" training at the cost of between £450 and £650 as a suitable way of addressing this training need.

Members **agreed** to adopt the existing greenhouse gas Accounting Tool developed by Local Partnerships.

Members also **agreed** to task the Clerk and the Environment Committee's Climate Lead to produce a 2020 baseline of the PC's greenhouse gas emissions and a draft road map towards net zero by the end of October 2021.

Members also **agreed** that the Environment Committee's Climate Lead organises Climate Literacy training, within the specified budget, for all Parish Councillors and staff and for the training to take place as soon as feasible.

### **Proposal to tackle recycling contamination**

Cllr V Ashfield presented a report on tackling recycling contamination. Cllr V Ashfield reminded Members that the Parish Council has made promoting recycling a key aim of the Parish Council as part of its programme of work this year. In January, Council agreed to allocate £1,000 towards this priority as part of the Environment Committee's budget.

Cllr V Ashfield advised that it was clear that this is a big issue in Durham and it is clear that a major factor in this issue is public education and awareness of these issues. Cllr V Ashfield advised that, at its last Committee meeting, the Environment Committee proposed the production of an (already designed) self-adhesive A4 poster to go on ever domestic recycling bin in the parish, advising members of the public what items can go into this bin. At present, there are circa. 8,500 residential properties within the parish (with different bins) and the logistics of arranging this would require the support of DCC's waste team. Cllr V Ashfield advised that the Parish Clerk has proposed this to the Waste Operations Manager at DCC and he has advised that he is in the process of arranging a similar public awareness project alongside the Director of Service and has committed to involve the Parish Council in this.

Cllr V Ashfield volunteered to take a lead on this project and the Council is recommended to delegate responsibility to work and liaise with DCC on this project to both the Clerk and Cllr V Ashfield. Cllr V Ashfield advised that, as part of this delegation, it may also be sensible to delegate responsibility of the budget agreed by Full Council to the Environment Committee so as to progress this as swiftly as possible.

Members **agreed** to support all efforts by DCC and the Parish Council to tackle contamination of recyclable waste, including a public awareness campaign.

Members **agreed** to delegate organisational and budgetary responsibility (within the agreed budget for this priority) to the Clerk and the Environment Committee, including Cllr V Ashfield, to lead on discussions with DCC and efforts to tackle this issue.

Cllr E Scott asked to be sent a copy of this sticker for the bins and she would be happy to propose this to her Cabinet colleague Cllr Mark Wilkes.

- **Licensing Committee**

Cllr S Walker presented the minutes from meetings of the Parish Council's Licensing Committee held on 2 July, 30 July and 6 September 2021. There were no queries from Members.

- **Business Committee**

Cllr E Scott presented the minutes from the meeting of the Parish Council's Business Committee held on 22 June 2021. There being no queries from Members, Cllr E Scott moved on to Committee reports.

### **Proposal to host a roundtable meeting with landlords in Durham City**

Cllr E Ashby reminded Members that, in January 2021, to help the Council understand how it could best support the Durham's independent retailers' and hospitality businesses' contribution to the city's economy, the Council initiated a well-attended and productive roundtable discussion involving a wide cross section of local business managers and owners in the City.

Positive feedback from that first meeting and subsequent opportunities for partnership working suggest that, because residential property management businesses also constitute a large part of economic activity within the Parish, a roundtable meeting with representatives of that sector could be similarly beneficial.

Cllr E Ashby advised that having a clearer understanding of the drivers of, and constraints upon, the workings of this part of the local business community would be very helpful when proposals come before the Council's various committees. In addition, the hope would be that consequent ongoing contacts with both residential agents and private landlords would be helpful to the businesses themselves and, potentially, other Parish stakeholders as well.

Cllr E Ashby advised that the aim is to build a participative and positive approach by all parties to understanding and managing the factors influencing the residential property market in the Parish.

Cllr E Ashby also presented a proposed Agenda for such a meeting and suggested that this meeting could take place in the new year. Members **agreed** to the Business Committee hosting a roundtable discussion with private landlords in Durham in the new year, as set out in the report provided.

- **Personnel Committee**

Cllr E Scott presented the minutes from the meeting of the Parish Council's Personnel Committee held on 11 March 2021. There being no queries from Members, Cllr E Scott moved on to Committee reports.

### **Proposed new job specification for Assistant to the Parish Clerk role**

Cllr E Scott reminded Members that the Parish Council has been recruiting for a new Assistant Parish Clerk since the resignation of the former Assistant Clerk earlier this year.

Cllr E Scott advised that a job description was agreed at Full Council in July 2021 for this role and, as per the agreement taken at Full Council, the requirement of previous experience within the Parish/ Town Council sector was removed from the job description, with the hope that this would attract a wider range of candidates for this position.

Cllr E Scott advised that the salary scale applied to this role followed specialist HR advice based on the job description agreed by the Council.

Cllr E Scott advised that the role has been advertised on the Parish Council's website, DCC's intranet, the North East Jobs website and CDALC's website as well as their weekly bulletin. The closing date for applications was 27<sup>th</sup> August 2021 and, to date, 3 applications have been received for this role.

Cllr E Scott advised that the Personnel Committee Members have reviewed each application and agreed that none of the applications are suitable for this role. Cllr E Scott advised that the job description had therefore been amended as set out in the report provided and proposed that Members agree to this.

Cllr E Ashby expressed concerns that this role seemed to be attached solely to the Environment Committee, when there is a lot of other work happening across Council with other Committees too. Cllr E Ashby asked that the job description be amended including amending the job title to "Community Engagement Officer". Cllr E Ashby also expressed concern that the job description proposed may attract a higher salary than envisaged.

It was **agreed** that the Clerk should amend the job description and that this be put back to the Personnel Committee for approval, with further advice on salary being sought from DCC's HR team.

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

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 22<sup>nd</sup> July 2021.

The Chair asked Members, as a point of courtesy, if they could make the relevant Chairs of Committees aware that they wish to attend Committee meetings they do not sit on and also advise which items they'd like to discuss.

The Chair reminded Members about the ongoing discussions relating to ASB and advised that he and John Ashby, in his role on DURF, would be meeting soon to look into this with partners.

The Chair asked Members to be aware that the Clerk will be out of the office from Wednesday this week until Monday next week.

The Chair expressed his delight that the Parish Council had been successful in its grant of £20,000 towards the restoration of the Neville's Cross – a very important part of our parish's heritage – this has taken a number of months' worth of work and we will be hosting a commemorative walk in October to mark the 875<sup>th</sup> Anniversary of the Battle of Neville's Cross. The Chair advised that the Clerk will be sending out further details of this in due course.

The Chair advised that planning is well underway for the Remembrance Sunday event and the Parish Council looks forward to hosting this once again this year. The Chair reminded Members that a fundraising dinner for the parade will be taking place on 9<sup>th</sup> October at the Gilesgate TA centre, hosted by Arthur Lockyear, all Members have received information about this event and are invited to attend.

The Chair advised that the Parish Council was very concerned earlier this month to see the fire which took place at Milburngate. The Chair advised that he was pleased that nobody was fatally hurt in this fire. The Parish Council understands that a review by the Health and Safety Executive is being undertaken and he has asked the Clerk to ensure that the Parish Council is informed of the outcome of that review. A gas explosion has been ruled out as the cause of the event as was originally being reported.

The Chair advised that a royal visit from the Duke of Gloucester is to take place tomorrow for the opening of Milburngate.

The Chair advised that work on the restoration of the Ruth First mural is almost complete and the restored mural will be ready in mid-October. After which the Parish Council hopes to host an official opening event. This was again another successful Section 106 project from the Parish Council and the Chair advised that he is looking forward to seeing that unveiled.

The Chair reminded Members that the Parish Council has agreed to meet later this year to carry out a review of the Parish Council's strategy. The Chair advised that he is hoping that this can take place in November – well in time for the Parish Council's budget setting process over December/ January.

The Chair advised that Christmas is nearly upon us and he is delighted the Parish Council will be working with the new BID manager and others on events, not least events over Christmas which bring a real vibrancy to the City as well as the benefit to City centre businesses. The Chair advised that he understands that a meeting with relevant stakeholders is to take place next week about Christmas.

The Chair reminded Councillors that this week is Welcome and Orientation Week (formerly Freshers' Week) and the Parish Council has worked non-stop over the last few weeks to launch the Shhh campaign – a really huge logistics exercise all round – the Chair particularly thanked Cllrs Ashby, Ashfield and Lattin as well as the Neighbourhood Warden team for their support in working with the Clerk to get signage, beer mats and more out across the City; including businesses, University colleges, PBSAs and other parts of the City.

The Chair advised that a review has been undertaken with regards the future of the DLI Museum – the Chair advised that he understands that a decision on what the future use of that building will be, will be debated and decided at this week's

Cabinet meeting at DCC. The Chair advised that he looked forward to DCC engaging with the Parish Council on this matter.

## **7. OUTCOME OF THE PARISH COUNCIL EXTERNAL AUDIT FOR 2020/21**

The Clerk reminded Members that, each year, the Parish Council undergoes two sets of audits - one internal audit and one external audit. These audits are a legal requirement which assess the Parish Council's policies, standing orders, financial regulations, VAT returns, cashbook, bank statements, minutes, website and more to ensure good governance and compliance.

The Clerk reminded Members that, earlier this year, the Internal Auditor carried out a review of the Parish Council's workings and provided a positive report, as provided to Members.

The Clerk advised that Mazars LLP have now completed their external audit for the year ended 31 March 2021 and have certified the Annual Governance and Accountability Return. No issues – including any minor issues – have been identified in the external audit review. As such, the Accounts and Audit (England) Regulations 2015 set out what the Parish Council must do at the conclusion of this audit.

The Clerk advised that the Parish Council is required to publish a statement:

- that the audit has been concluded and that the statement of accounts has been published;
- of the rights of inspection conferred on local government electors by section 25 of the Local Audit and Accountability Act 2014; and
- the address at which, and the hours during which, those rights may be exercised.
- Keep copies of the Annual Governance and Accountability Return for purchase by any person on payment of a reasonable sum.
- Ensure that the Annual Governance and Accountability Return remains available for public access for a period of not less than five years beginning with the date on which the Annual Governance and Accountability Return was first published.

In noting the outcome of this audit, Members also thanked the Parish Clerk for his exceptional work over the last year.

## **8. MOTION BY CLLR R ORMEROD ON SUPPORTING REFUGEES AND ASYLUM SEEKERS**

Members unanimously **agreed** the following motion by Cllr R Ormerod:

*"This council notes with sadness and concern the events taking place in Afghanistan in recent weeks.*

*This council commends Durham County Council on agreeing to be part of the Government funded ARAP (Afghanistan Relocation and Assistance Programme)*

*which is targeted at those Afghan nationals that have supported the British mission in the region and notes that families have now started to arrive into County Durham as part of this scheme.*

*If and when refugees are located in the City of Durham Parish Council area, this council agrees to do all it can to help the families settle into their new homes, and come to terms with the significant life changing events they have gone through.*

*This council supports Durham City of Sanctuary in its efforts supporting both newly located as well as settled refugees and asylum seekers across the county as they integrate into living in Durham."*

**Proposer:** Cllr R Ormerod

**Seconder:** Cllr R Friderichsen

## **9. MOTION BY CLLR E ASHBY ON WELCOMING NEW STUDENTS TO DURHAM CITY**

Members unanimously **agreed** the following motion by Cllr E Ashby:

*"This Council forthwith issues a public statement [by live media if possible] welcoming both returning and new students to the city at the start of this new term and offering a warm invitation to join with their neighbours and other residents in working together to enhance Durham's reputation as 'the best place to live, work and study'".*

**Proposer:** Cllr E Ashby

**Seconder:** Cllr V Ashfield

In agreeing this motion, it was also **agreed** that Cllrs C Lattin and G Nair should be part of producing a welcome video to all new and returning students to Durham.

## **10. SECTION 106 CONSULTATION – ARTICHOKE TRUST APPLICATION**

Members considered the full application from Artichoke on the use of public art funding for the "lampounette" art piece. Having initially supported this, a number of queries were raised and have not been answered to the Council's satisfaction. Furthermore, Cllr E Scott advised that the position of the piece had now changed to be located at the front of the County Headquarters building.

Cllr E Scott reminded Members that condition 24 of the planning permission for the new County HQ building requires the County Council to provide, within 6 months of the commencement of development, details of a scheme of public art. The condition goes on to state that such a scheme must be implemented prior to the first occupation of the building.

Cllr E Scott and other Members expressed concerns about the legal implications associated with the use of Section 106 funding from another development within the Elvet and Gilesgate division, in order for the County Council to discharge a planning condition on its own application.

It was **agreed** that the Parish Council should withdraw its support for this application and the Clerk should write further to DCC to advise this.

## **11. REPORT FROM PARISH COUNCIL REPRESENTATIVES ON LOCAL ORGANISATIONS**

Cllr C Lattin provided the following report to the Council on the latest meeting of Durham University's Community Engagement Lived Environment Sub-group:

### **Report of meeting on Monday, 6<sup>th</sup> September 2021**

**Chaired by:** David Loudon.

**Also present:** Matthew Wright, John Lowe, John Ashby, Rebecca Eves, Trudy Smith, Yvonne Flynn, Jonah Graham (student rep) Chris Hindmarsh, Carole Lattin (CODP).

1. No meetings have taken place for over a year
2. The terms of reference were reviewed and approved
3. The Estates masterplan update for 2021 – 2022 was presented. It was reported that the university is currently 1,478 students over capacity because of inflated grades awarded over the summer. The university is compelled to take all students meeting entry requirements. Grants of £5,000 are being offered to those students willing to defer and those still intent on coming are being housed in PBSAs. The current estimate is 1,000 over capacity.
4. The university is currently reviewing its target of 50% of 2027 students living in college accommodation. Four to six new colleges will be built over the lifetime of the strategy.
5. Several PBSAs have entered into a management plan with Durham Colleges whereby they come under the aegis of a college and its principal. A full list of these is not yet available nor was there any indication of the criteria applied in selection. There are many new and proposed private PBSAs who are not subject to any university involvement.
6. Concern was expressed about housing standards in the private sector. It is agreed that housing standards and housing in general is an area of mutual interest to all members Efforts are underway to secure a tenants' agreement and to implement a Sheffield type of landlord agreement which would impose a compulsion for better standards, safety etc and effectively license properties. The Student Union has established a Tenants' Union.
7. DU is looking for improved community outcomes. For example, they will impose on their contractors a requirement to use local apprentices and SMEs in the locality where feasible. Student facilities are to be more open to community use and an Open Day will be arranged to display what is available especially in the new Maths and Computing facility. They guarantee a community consultation and input into the design of buildings.
8. The university is aware of residents' concerns around use of the city's infrastructure. The university has a goal to improve the environmental sustainability and ease of travel around University estate and city locations.

9. DU will ensure a safe campus environment. Ventilation in its buildings is underway.

**End of report**

**12. DISCUSSION ON POTENTIAL USES OF SECTION 106 FUNDING  
WITHIN THE CITY OF DURHAM PARISH AREA**

The Chair closed the meeting at this stage so as to allow roundtable discussions between Councillors to take place in an informal setting with no formal decisions taking place.

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  
(28<sup>th</sup> October 2021)**

## **ITEM 5: UPDATE ON COP26 DURHAM EVENT**

Report for City of Durham Parish Council Meeting - Thursday 28<sup>th</sup> October 2021, submitted by Cllrs Victoria Ashfield, Robert Hanson, and Rupert Friederichsen.

### **Purpose:**

This report is intended to bring Members up to date about the progress made regarding the preparations for the contribution in the city of Durham to the Global Day of Action on 6<sup>th</sup> November.

### **Background:**

Rupert Friederichsen, Robert Hanson and Victoria Ashfield have been working on this project on behalf of the Environment Committee and Rupert and Victoria have joined the meetings of Durham Climate Action Network which is co-ordinating the events which a number of organisations are planning.

### **Arrangements to Date:**

The following events have so far been confirmed:

The event will be held in the Market Place in the city, in the Town Hall and in St Nicholas's Church. Formal events will start at 11am when there will be a rally in the Market Place: A crowd will demand strong outcomes from the COP26 talks; volunteers will hand out the programme for the day and other leaflets and we are expecting a Drumming Band.

**Speeches outside St Nicholas's Church will begin at 11.30** introduced by Victoria Ashfield and speakers will include Mary Foy MP;

The speakers will be interspersed by songs from the Durham Climate Choir. Speeches will end at about 12.45 followed by songs from the County Durham Socialist Choir.

**Also at 11.30** there will be a Children's workshop held in St Nicholas's Church Lower Hall. This will be repeated in the afternoon.

In St Nicholas's Church upper Hall from 11.30 – 4pm there will be a Climate Fair with representatives from up to 30 organisations displaying their contribution for reducing climate change.

### **In the Main Hall of the Town Hall there will be 3 successive events:**

1pm – 1.55 Sixth Formers' Discussion: What should we be doing in Durham? Led by 4 local experts

2.15 – 3.30 An open discussion introduced by a Panel of "Experts" followed by Q&A from the audience

3.30 – 4.00 Mark Siddall (Responsible Retrofitting)

**Invitation to councillors:** All Parish Councillors are warmly invited to attend the event. If councillors are available on the day to contribute to running the event, that would be much appreciated; please contact Rupert Friederichsen to discuss details.

**Budget:** Room hire will cost approx. £600 and numerous smaller spending items are yet to be finalised; we are exploring the possibility of producing a film of the event. We anticipate staying within budget.

## **ITEM 5: PROPOSAL TO HOST A CHRISTMAS EVENT TO SUPPORT LOCAL BUSINESSES**

Members will be aware that the Parish Council has agreed a total budget of £6,000 towards events for this financial year. In agreeing this budget, Christmas and Remembrance were specifically highlighted as events which the Parish Council would look to organise. In addition to this budget, a £15,000 contingency fund was also agreed by Council, which remains unspent.

Members will also be aware that the Parish Council's Business Committee has recently taken over responsibility for managing events on behalf of the Parish Council and this was added to the Committee's Terms of Reference in May 2021, following an annual review by the Clerk and Councillors.

Planning for Christmas events started earlier this month and representatives of the Parish Council's Business Committee as well as the Council's Retail Consultant Graham Soult have met with key stakeholder representatives of the business community in Durham to arrange events in the lead up to Christmas. These meetings have included Prince Bishops Place, Durham Markets Company and Durham BID.

The main calendar for Christmas-themed events in the City, in addition to activities from other stakeholders and individual businesses, is as follows:

**28<sup>th</sup> November 2021** – the official Christmas light switch on event will be taking place in the Market Place, this is being delivered and organised by Durham BID and it is hoped that a local celebrity might be available to carry out the switch on. Amongst the lights this year, there is intended to be a brand new Christmas tree erected by St. Nicholas' Church in the Market Place.

**3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> December** – the Christmas Festival at Palace Green will be taking place, this is organised and delivered by the Durham Markets Company in partnership with Durham University and Durham Cathedral.

**Every weekend in December leading up to Christmas** – the usual outdoor market in the Market Place will be taking place. In addition to which, the Christmas farmers and producers' market will be taking place on Thursday 16<sup>th</sup> December and an additional festive outdoor market will be taking place on Tuesday 21<sup>st</sup> December.

**Every weekend in December leading up to Christmas** – Prince Bishops Place will be installing its usual Santa's grotto and this year this will hopefully be supplemented by a singing tree.



**11th and 12th December** – Prince Bishops Place is currently hoping to have two Paw Patrol characters in the City. Further details about these characters can be found here: <https://www.rainbowproductions.co.uk/paw-patrol/>  
The cost for 2 days is: £4285 (1 character) and £6345 (2 characters) and it is hoped that the Parish Council might be able to provide £2,000 part-funding for 2 characters on Sunday 12th December. The suggestion for this element of Christmas was made by the Prince Bishops Place Marketing team who have promoted this elsewhere in County Durham. The event involving these characters was a meet and greet with a 250 family restriction and all of the bookings went within 24 hours. It is hoped that this will attract a greater footfall from young families to the City in the run up to Christmas.

**12<sup>th</sup> and 19<sup>th</sup> December** – Durham Markets Company is hoping to host Christmas-themed arts and crafts events and is also arranging for some street entertainment (LED jugglers) and storytelling over these days. It is anticipated that the total cost for these events, with all materials for arts and crafts included, will be £1,200. This will be organised and managed by the Durham Markets Company.

**19<sup>th</sup> December** – Durham University's Choir has confirmed that they will be able to provide a Christmas carol service on this date at no charge.

**19<sup>th</sup> December** – Durham BID is looking to hire either the Christmas Grinch or some other Christmas-themed street entertainment which will move around the City on the 19<sup>th</sup>. Further details about this can be found here: <https://www.stage-invaders.co.uk/stage-invaders-gallery> . The total cost for this is £2,500 and it is hoped that this cost will be met by the Parish Council. The benefit to having a street entertainment of this nature is that it will be mobile, moving around the City so that all areas of the City and not just the Market Place can benefit from this. Durham BID's Manager has previous experience of this company and this sort of entertainment and highly recommends this.

It is also proposed that the Parish Council funds £200 worth of Facebook advertising to promote these events as opposed to the advert in Living North this year which last year cost approx. £650.

The Parish Council is also investigating the possibility of setting up a charity gift wrapping stall at the market events taking place over the Christmas season, where volunteers can wrap gifts for a donation towards a local charity. The wrapping materials could be funded by the Parish Council, which could ensure that all materials are environmentally friendly. The Clerk has made enquiries and, to date, this is not a service provided elsewhere in the City by local charities.

All of these events will be hosted in accordance with the most up to date Covid-19 guidance from the Government and external partners such as the City Centre Manager and Visit County Durham will be engaged to help promote these events.

In addition to those events listed above, the Parish Council’s Environment Committee will also be hosting its annual “Best Business Christmas Frontage” Awards again this year.

The Parish Council will also be hosting its annual Christmas Civic event in the Town Hall this year on 9<sup>th</sup> December 2021; this is a very good event which gives the Parish Council the opportunity to thank all those volunteers and organisations who have worked with us over the last year.

<p><b>DECISIONS REQUIRED</b></p>	<ol style="list-style-type: none"> <li>1) For Members to agree to working in partnership with key stakeholders on the hosting of Christmas events.</li> <li>2) For Members to agree to provide funding for the Christmas events, as set out in the above report as follows: <ul style="list-style-type: none"> <li>• <b>£1,200</b> – arts and crafts, street entertainment (LED juggler and storytelling) delivered by DMC – 12th and 19th December</li> <li>• <b>£2,000</b> – paw patrol on 12th December, in partnership with PBP.</li> <li>• <b>£2,500</b> – Grinch/ Christmas-themed street entertainment character, liaising with Durham BID – 19th December</li> <li>• <b>£200</b> – Facebook advertising</li> </ul> </li> <li>3) For Members to delegate organisational responsibility for these events to the Parish Clerk and the Parish Council’s Business Committee.</li> </ol>
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## **ITEM 7: DCC CONSULTATION ON LOCAL HERITAGE LIST**

Durham County Council is consulting on the production of a local heritage list. Further details of which can be found here: <https://www.durham.gov.uk/localheritagelist>

The Local List is a pilot project funded by the Ministry of Housing, Communities, and Local Government. The aim is to connect with communities across the county and take nominations for non-designated heritage assets or NDHA's. These can be buildings, green spaces (such as parks), street furniture (such as benches, street signs, sculptures), archaeological sites, or maritime heritage. Importantly what makes them a non-designated heritage asset is that they have heritage value but are not already covered by existing protection such as a listed building or scheduled monument. From here on out these will be referred to simply as "assets". Due to the size of County Durham and the vast amount of potential for the list, the decision was made to start with eight pilot areas, this enables us to ensure that the processes are correct before making it available to the wider county. These initial pilot areas include:

- Bishop Auckland
- Durham City
- Sacriston
- Seaham
- Sedgefield
- Shotley Bridge
- Staindrop and Raby
- Stockton & Darlington Railway including Shildon

(Durham City has had its own bespoke boundary created for this pilot).

The following are the broad criteria we are looking for in the nominations.

### **1. Age and Rarity**

Age refers to how old the asset is, rarity is how unique aspects of the asset are within County Durham.

### **2. Group Value**

Does this asset form part of a group of assets which collectively contribute to making an attractive scene or place?

### **3. Architectural or Artistic Interest**

These are assets that are either good examples of architectural or artistic styles, or perhaps utilised a rare material or innovative techniques to make them. Perhaps a locally or nationally important artist or architect designed the asset.

### **4. Historic Interest**

These could be assets that are important to the history of the area. Is it connected with important local people, events, or businesses?

### **5. Archaeological Interest**

These are assets that have archaeological significance or can be shown to have archaeological potential.

The deadline for submissions is 5.00pm on Sunday 21 November 2021.

After this nomination period has closed, we will be working hard to add as many of your submissions to the Historic Environment Record as possible. These will then go to an independent panel to assess whether they qualify for the Local Heritage List.

<b>DECISION REQUIRED</b>	For Members to consider and agree any assets which they'd like to include in the Local List, as set out in the above report.
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**ITEM 8: CONSIDERATION OF PARISH COUNCIL SUPPORT FOR DURHAM COUNTY COUNCIL’S CAMPAIGN TO ADDRESS BEGGING IN THE CITY**

As Members are aware, the Parish Council has been contacted by Durham County Council to request that the Parish Council logo be added to a campaign being run by Durham County Council on the issue of addressing begging in the City.

The inclusion of the Parish Council’s logo would clearly be an endorsement of this campaign and the Clerk contacted Members in advance of this meeting to seek their views on this request.

The Parish Council was asked for a response on this by 22<sup>nd</sup> October, however it is clear from feedback from Members that this issue is too complex to be made via e-mail alone and it is now on this Agenda for Members to debate. The deadline for responding to this request is now 29<sup>th</sup> October 2021.

Begging has been a long-standing and complex issue for a number of years in Durham City, as it is in other Cities across the UK.

The proposed campaign poster has been circulated to Members and the Clerk has pointed out a number of typo errors in this campaign to the County Council.

A representative of Sanctuary 21 – the charity named on this campaign – was invited along to this meeting but is unable to attend.

<b>DECISION REQUIRED</b>	For Members to consider and decide on whether to support the campaign on begging in the City as proposed by Durham County Council.
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## **ITEM 9: UPDATE ON PLANNING FOR REMEMBRANCE SUNDAY EVENT 2021**

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 has now gained the agreement of the County Council that this should once again take place and will be a formal agreement going forward.

The risk assessment also includes an element specific to Covid-19. The current national picture is looking concerning as case numbers increase and this is being monitored regularly by the 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. The Clerk has now contracted the services of Nerams Ltd (DCC's preferred supplier) at a cost of £633.60. 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.

The Town Hall will 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. A letter drop will be taking place on 2<sup>nd</sup> November to all traders in the area.

#### **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 will 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.

A meeting has taken place with the Cathedral who have indicated that they will be limiting the numbers attending the service to 900 – 500 from military and civilian organisations and 400 from the general public. The public will be expected to show Covid-19 passports and all participants will need to show that they have undertaken a lateral flow test and received a negative test result on the Sunday morning.

Access to the service is to be managed by the Cathedral staff.

#### **Miscellaneous**

Last year, the Parish Council worked with local WIs to have a knitted poppy display in place at the Town Hall. The County Council agreed to store this within the Gala Theatre and this is currently being looked for following the renovation of the Gala.

DCC has agreed to produce a cascading poppy display for the Friday and Saturday nights ahead of Remembrance Parade. 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.

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 Clerk is requesting heights from Councillors.

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

<b>DECISION REQUIRED</b>	For Members to note the above report and the preparations being made for this event.
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## **ITEM 10: DURHAM CITY CHARTER TRUST**

### **Introduction: the Mayor of Durham City**

The position of the Right Worshipful the Mayor of Durham City dates back to 1602 and it is ranked 5<sup>th</sup> amongst Mayoralities in England. It is a nationally and locally important civic function and deserves the full attention of a single person and the support of a Deputy Mayor. Its assets are considerable and belong to the Charter Trustees.

### **Durham City Council**

Durham City Council was a non-metropolitan district council which was abolished in 2009. In the absence of an elected body for this area, Durham City retained its city charter status through the appointment of a Charter Trust whose purpose was to ensure the continuation of the civic traditions. This was under Section 246 of the 1972 Local Government Act which makes arrangements for the "*preservation of powers, privileges and rights of existing cities or boroughs*" through a charter and the appointments of trustees to exercise stated powers under the Act. For Durham this included appointing from their number a Mayor and a Deputy Mayor alongside the appointment of 8 offices of dignity<sup>1</sup> for, as the explanatory memorandum to the Charter Trustees' regulations 2009 states, "*the benefit of local residents*"<sup>2</sup>.

When Durham City Council was abolished, its divisions - and the number of seats in parentheses - were as follows:

Bearpark and Witton Gilbert (3)  
Belmont (2)  
Brancepeth, Langley Moor and Meadowfield (2)  
Brandon (3)  
Carrville and Gilesgate Moor (3)  
Cassop-cum-Quarrington (3)  
Coxhoe (3)  
Crossgate and Framwelgate (3)  
Deerness (2)  
Elvet (3)  
Framwellgate Moor (3)  
Neville's Cross (2)  
New Brancepeth and Ushaw Moor (3)  
Newton Hall North (2)

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<sup>1</sup> Pant Master; Billet Master; Macebearer; Swordbearer; Deputy Bearer; Assistant Bearer; Honorary Judicial Recorder; Recorder; Mayor's Chaplain.

<sup>2</sup> The legislation and regulations for these Charter Trustees were defined in "The Charter Trustees Regulations 2009". These Regulations had evolved through the Local Government Act 1972, the Charter Trustees Order 1974, Charter Trustees Act 1985, the Local Government Act 1992, and the Charter Trustees Regulations 1996. By 2009 the guiding principles of the Charter Trustees were well established: "*In England and Wales, charter trustees are set up to maintain the continuity of a town charter or city charter after a district with the status of a borough or city has been abolished, until such time as a parish council is established.*"

Newton Hall South (2)  
 Pelaw and Gilesgate (3)  
 Pitlington and West Rainton (2)  
 St Nicholas (2)  
 Shadforth and Sherburn (3)  
 Shincliffe (1)

## **CHARTER TRUST APPOINTMENTS**

Administrative responsibility lay with Durham County Council (DCC). The current Administration have begun the work in disengaging the role of the Charter Trust as a subordinate function, both in terms of the linkage between the DCC Chair and the post of mayor and in terms of membership of the Charter Trust.

The slight anomaly of some of the appointments involves 3 divisions that marginally overlap into the boundaries of the former Durham District Council: Trimdon and Thornley (Shadforth Parish); Esh and Witton Gilbert (Witton Gilbert Parish); and Willington (Brancepeth Parish).

## **CHARTER TRUST PRECEPTING**

The Trust is funded, like DCC and parish councils, through a precept. The Trust sets its precept which is submitted directly to DCC; income from precept since 2009 is as follows:

<b>Financial Year</b>	<b>Precept</b>	<b>Council Tax Band D</b>
2021/22	£49,330.00	£1.90
2020/21	£49,539.00	£1.90
2019/20	£49,192.00	£1.90
2018/19	£49,186.00	£1.90
2017/18	£47,534.00	£1.90
2016/17	£46,788.00	£1.90
2015/16	£45,948.46	£1.90
2014/15	£45,234.00	£1.90
2013/14	£90,645.00	£3.80
2012/13	£103,032.00	£3.80
2011/12	£115,485.00	£4.29
2010/11	£134,190.00	£5.00
2009/10	£132,155.00	£5.00

The funds received are primarily spent on the Charter Trustees rather than for the benefit of the residents of the City of Durham and surrounding areas, and in particular on the office of the Mayor. In 2013 DCC chose to introduce charter trustees from outside the Durham City Council boundaries which enabled them to change the selection of the Mayor of Durham and coalesce this post with that of the Chairman of the County Council whose costs were then paid for by the Charter Trust.

The last proposed budget (for 2021/22) allocated expenditure<sup>3</sup> as follows:

<b>PURPOSE</b>	<b>£</b>
Mayor/deputy mayor allowance	5000.00
Renting Town Hall	3734.00
Transport inc mayoral car and expenses for 8 offices	10864.00
Mayor hospitality	17670.00
Admin	32240.00
Other	1723.00
<b>TOTAL</b>	<b>71231.00</b>

There is a current reserve balance of just under £50,000

## **THE CITY OF DURHAM PARISH COUNCIL**

The City of Durham Parish Council became a recognised legal entity in its own right on 1st April 2018 and the first elections to the Parish Council took place on Thursday 3rd May 2018. While Section 246 of the 1972 Local Government Act makes arrangements for a Charter Trust it also states that:

*(3) Where by virtue of Part I or II of this Act, the area of an existing city or borough on 1st April 1974 becomes a parish in England or becomes a community in Wales having a separate community council, any powers to appoint local officers of dignity exercisable immediately before that date by the corporation of the city or borough shall be exercisable on and after that date by the parish or community council.*

*(8) If an area or part of an area for which charter trustees have been constituted under subsection (4) above becomes, or becomes comprised in, a parish or a separate community council is established for a community consisting of such an area, that subsection shall cease to apply to the area or part and accordingly the charter trustees shall cease to act therefore.*

In the case of the City of Durham the establishment of the Parish Council was not fully aligned with the old Durham City Council boundaries for those areas not already part of another Parish Council. Newton Hall was excluded because they have never been parished and do not want to be parished because they enjoy all the benefits of a parish through Framwellgate Moor without being precepted for that parish council. A small area of Sherburn Road Estate is also not parished. On the basis of these two areas DCC has argued that, to ensure appropriate representation of any area that remains unparished, the Charter Trust should continue.

## **WHAT THIS MEANS FOR THE FUTURE OF THE CHARTER TRUST**

In the 2019 House of Commons Briefing Paper 04827 [Parish and town councils: recent issues] notes that Charter trustees are now a 'residual category...where a new parish or town council is established for an area with charter trustees, the new body takes on their role and the charter trustees are discontinued'.

<sup>3</sup> No supporting papers explaining how costs were determined were included with the report. The Annual Governance and Accountability Return 2019/20 also does not provide further information

While the Parish Council is aware that the mapping of its boundaries against those of the old City Council leaves small unparished pockets on the outskirts of the City, the City itself is now fully parished and all the offices of dignity should pertain to the City itself. The Parish Council has therefore sought to investigate how this situation should be resolved in the light of the intention of the legislation and the requirements of regulation 15(2)(a) of the Local Government (Parishes and Parish Councils) Regulations 2008 (S.I. 2008/625).

In doing so, the Parish Council received the following advice from Ministry of Housing, Communities and Local Government (MHCLG):

*MHCLG are not able provide definitive answers to these questions as the department does not issue legal advice. It is the responsibility of the local authority concerned to ensure it acts within the law. I would direct the City of Durham Parish Council to clarify their legal position following a review of the following legislation: Charter trustees established following local government restructuring under Part 1 of the Local Government and Public Involvement in Health Act 2007: <https://www.legislation.gov.uk/ukpga/2007/28/contents#>*

*Regulation 15 of the Local Government (Parishes and Parish Councils) (England) Regulations 2008/625 makes provision for the dissolution of charter trustees following the establishment of a parish council or councils for the entire charter trustees' area: <http://www.legislation.gov.uk/uksi/2008/625/regulation/15/made> I would also encourage City of Durham Parish Council to clarify with Durham County Council the final recommendations set out in the Community Governance Review regarding Charter Trustees and parished areas.*

*It is for the principal council to establish new parish councils and that the Government has no role in either the establishment of parishes or the dissolution of charter trustees, and therefore Durham County Council are responsible for any specific information about parishes or charter trustees in that council's area.*

While the responsibility for unparished areas lies both with the residents of those areas and DCC should offer them the opportunity to be included in a parished area to ensure participation and representation, this would not necessarily be achieved by perpetuating the Charter Trust which (i) has not and does not offer any means for participation and representation and (ii) performs a ceremonial role in maintaining civic traditions that more rightly should be incorporated with the participation and representation roles now performed by those parish councils that cover the old Durham City Council. This would bring the office of Mayor and Deputy Mayor, as well as the 8 offices of dignity, within the responsibility of those elected officials at county and parish levels most associated with, to quote DCC own website's words, 'the continuation of the civic traditions for the City of Durham' and 'the Durham City boundaries'.

### **Proposal**

The proposal is therefore that the Charter Trust be abolished and the Mayoralty of Durham City comes to the Chair of the City of Durham Parish Council or to a joint committee comprising the adjacent councils (depending on whether the Parish Council decides that the mayoralty is solely for the Parish Council or those parish councils that were once covered by the former Durham City Council). The existing funding sat with the Charter Trust shall be transferred to the Parish Council or to the joint committee, depending on the above.

**DECISION  
REQUIRED**

For Members to agree to the above proposal and request that Durham County Council takes steps to deliver this as soon as possible.

## **ITEM 11: PROPOSAL TO DURHAM COUNTY COUNCIL ON DURHAM TOWN HALL**

Members are asked to consider a proposal to Durham County Council that the Town Hall be turned into a community hub for the City.

The Parish Council has agreed, through the '*Looking Forwards*' document, to seek to establish a community hub for the parish and it is proposed that the Town Hall be considered as a business case for such a use.

*Looking Forwards* set out that an overarching requirement in encouraging creativity is to develop a City Centre Hub which provides welcoming spaces for meetings, courses and events where people can think, plan and act with imagination. A City centre facility which advertises all that the City has to offer would be a focal point for the whole community, including permanent residents, students and visitors. This central facility is more fully described in Initiative 20 'The Development of a City Centre Hub' as follows:

**"The Proposal:** During the process of consultation for the City of Durham Neighbourhood Plan there was a huge response from the public for the need for a central facility for sharing local information and for the provision of rooms for hire for meetings, courses and other events. A common response was 'no-one knows what's on.' In the 2017 Pre-Submission consultation, for example, the Durham Pointers committee wrote: "The proposed central hub offers the potential to provide a much-needed central information point which could hold and disseminate information on local county attractions and community events. Any such provision should embrace all modern media methods for the distribution of information but should also be a place for face-to-face encounters."

This initiative will begin the process of creating a new City Centre Hub. It is vital to make a start, however modest, and to build quickly on success in growing community use and support. The use of a small room could lead to integration with an existing compatible use, or to making use of an empty but publicly accessible building. Information sharing would make it possible to show in one place what the City has to offer, including courses, what's on at the theatres and cinemas, events, festivals, rooms for hire, information about independent shops, what University lectures are accessible to the general public. Looking for a room to hire? Then the City Centre Hub will provide that information from venues across the City. Where are the book clubs in the City? Again, the City Centre Hub will draw together that information from across the City. What's on tonight? You'll find out at the Hub! As well as the provision of information by printed leaflets and notices, a website, that would automatically harvest data from other the websites of other organisations, could be set up and managed by local volunteers. In addition, with sufficient finance, there could be a café and meeting rooms there.

The City Centre Hub would be at the centre of a Hub and Spoke network model, working with existing venues across the City, where rooms for meetings, courses and events already exist. These include the Miners' Hall, Redhills, (with its own ambitious plans for expansion as a hub for performance, practice and learning, as well as a place where community groups could meet and organise), Alington House, Shakespeare Hall, Clayport Library, Town Hall, Waddington Street Centre,

Churches, cafes. The benefit of this whole City approach for the users is that once mapped out they will know what is available in each venue, what is distinctive, what is their function, which groups do they serve. The benefits for the individual venues are recognition of the work of the other venues, the recognition of potential gaps in provision and support and advice for each other.

**Public Engagement:** Supported by the Parish Council, a group of key stakeholders will be created to support this initiative, in order to write a feasibility study, a business plan, identification of potential funding sources, finding possible sites, engaging with the local community”.

Since the formation of the Parish Council, a number of requests have been made to the Parish Council to assume responsibility for the Hall. Any such request would need to be considered and worked through with the County Council.

At present, the Town Hall includes the council chamber which was the meeting place of the municipal borough of Durham and Framwellgate until 1974 and then of Durham District until it was dissolved in 2009; it remains the meeting place of the mayor and aldermen of Durham, who are now appointed by charter trustees.

The Town Hall is listed as one of the cultural assets of the County and it is hoped that turning this into more of a community hub will enhance this status in the City.

At present, the current office arrangements for the Parish Council are temporary and the Parish Council has a rolling monthly lease with the County Council for the use of the office and part of the corridor outside the Clerk’s office. The office has no windows or landline facility and is limited to library opening times. With the prospect of additional staff joining the Parish Council, it is not envisaged that this is a suitable long-term arrangement and it is therefore proposed that the Parish Council requests a more suitable office arrangement within the Town Hall.

In addition to which, Durham City currently has no Tourist Information facility nor (until recently) a Durham World Heritage Centre. All of which may be considered as part of a request to the County Council, subject to discussions with relevant third parties.

<b>DECISION REQUIRED</b>	For Members to agree to request that Durham County Council considers a business case to turn the Town Hall into a community hub building.
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## **ITEM 12: ANTI-SOCIAL BEHAVIOUR [ASB] AND NOISE: CONSULTATION PAPER**

### **1. INTRODUCTION**

#### **1.1 Purpose**

In view of permanent 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 – these are summed up in the box as a snapshot of what life can be like for permanent residents. Rather it is to 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 Consultation**

The Parish Council prepared the consultation paper whose first draft was discussed at its meeting in July 2021. It has been discussed, amended and endorsed by the Parish Council, the Parish Council's Residents and Community Associations Forum and those associations most affected by the issues: Elvet Residents' Association, Crossgate Community Partnership, Whinney Hill Community Group and St Nicholas Community Forum. They have all reviewed the documents and are supportive of its intentions. The Secretary of Durham University and Residents Forum (DURF) has been actively involved in drafting the paper – and it is expected to go for discussion to DURF in due course. This version of the paper reflects the consultations and proposals to date.

#### **1.3 Context**

The issues of antisocial behaviour (ASB) and noise, and associated transient noise, are probably the lead issues identified by permanent 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 in the Durham University and Residents Forum (DURF) and the University's Community Engagement Task Force (CETF).

It must be stressed that the issue is existential for the residents of the city with an increasing number reporting 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 permanent 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.

## **1.4 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 consultation paper 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 towards the City of Durham parish boundaries. 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. This consultation paper also recognises pockets of good practice, including, primarily by the University with its decisions to fund additional Police capacity, set up the Covid (now Community) Response Team (CRT) and the introduction of a non-academic disciplinary procedure.

Nevertheless concerns from permanent residents reflect common concerns, and have increased at a time despite a number of ASB procedures in place and official commitments to respond but where existing powers, resources and responses are inadequately coordinated and implemented. Nevertheless, both the Leader of the new DCC Joint Administration and the new Police and Crime Commissioner have raised the ASB issue as a priority. The increase in

precept for the police was also 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 do not appear to have 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 2021 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 intended 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. This may be unlikely to absorb increased numbers since only pricing would make such an option attractive to returning students. 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 will 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 HMO 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 take a robust view both of the overall balance of communities and of student occupancy density when considering 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 reviewing planning applications; 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. DCC 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 a police presence on the streets of the City other than in the 'night-time' economy areas and the fact that DCC 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 noise 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 (PSPN) 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.

- The University's CRT take a more proactive role in offering a presence to discourage transient noise (including a direct means to be contacted as the issue occurs).
- 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 for all Freshers.
- The 'Shh' campaign signage should be visible in any street where a complaint has been identified by 101, DCC or the CRT, as well as Pinpoint.
- Where the University entering into any agreement with a PSBA the PBSA should be contractually required to provide a management plan to actively promote the 'Shh' campaign and issues of transient noise.

## **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:

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 PSPN, 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 only 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 of those residents who not disillusioned with the current procedures call 101 which should, if officers are unavailable to attend, pass 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 with 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 in early to mid-2019; there has been no formal statement or MoU on respective responsibilities to understand what was the expectation over enforcement of the legislation, how, and by whom. DCC's approach to noise has been one of requiring on-line complaints with supporting diary/documentation covering a number of days. For ASBs, 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, it is issued sometime after the event and the complainant is only notified of the fact of a response but no information as to what that response was.

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 – consistently and as soon as possible – respond to ASB incidents; the issue of CPWs and the possibility of a CPN provided a working management process and clear statement of intent to address ASB. 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 (undisclosed) decision to pass lead responsibility for the enforcement of the 2014 Act to DCC in early to mid-2019.

Information on the MoU or protocols to understand what was the expectation over enforcement of the legislation, how, and by whom has not been made available. Efforts by DURF to reach an agreed flow-chart representing how the University, the Police and DCC 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. Another has been about the co-option of the CRT into roles and responsibilities that more properly lie with statutory services and, despite its work, the continuing inability to affect meaningful or lifestyle change either in the immediate or medium term.

### 5.3 Potential Responses

- The police and DCC provide information on the transfer to lead responsibility and what that entailed for the latter.
- Consideration be given to the re-introduction of the police-led enforcement regime supported by the previous Chief Constable and the previous Police and Crime Commissioner which was welcomed by residents and which had an identifiable influence on achieving the intentions of the legislation.
- 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.
- Police officer contact details and feedback arrangements are put in place so that those reporting to 101 are notified of the outcomes.
- The police online chat facility is available on a 24-hour basis.
- 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 of 2021; 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 resources, such as surveillance vans or lamppost noise monitors, for information-gathering purposes.
- DCC, the University and the police to enter an information-sharing scheme that would allow for the identification of properties where there are recurring ASB complaints so that (i) DCC can enforce its powers under section 16 of the Licencing Conditions for HMOs under the 2004 Housing Act, (ii) 101 have direct contact with the CRT or DCC who should reconsider the use and deployment of Neighbourhood Wardens under the 2014 Act at times and locations where the legislation is being breached and (iii) the University can invoke its non-academic disciplinary procedures. A prerequisite of this response is an up-to-date and published HMO register.
- the DCC City Safety ASB Sub-Group discuss (i) the question of current ownership of the implementation of the legislation and (ii) the introduction of a public spaces protection notice (PSPN) in those parts of the City where ASB is now known to be a significant and recurring issue along the lines of those intended to manage public drinking (itself a contributor to ASB among students).
- All main letting agents in Durham City are written to, asking them to take steps to underline ASB, 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, the police and DCC consider a Single Point of Contact for residents' reporting so that one organisation collates and assesses data from itself, the police and the County Council to build up a profile of persistent misconduct.
- The University remove all reference to the work of the CRT from any student satisfaction survey – staff are unlikely to properly confront and report back on student behaviour if their performance is to be judged as 'positive' by those whose behaviour they are required to police.
- Recognising the requirements of data protection legislation, the University, DCC and the police state what action has been initiated in relation to a complaint.

## **6. OWNERSHIP**

### **6.1 The issue: an absence of ownership and joined-up working**

It is clear from discussions among residents groups and with individual organisations that current levels of concern and frustration are partly caused by (i) the apparent reluctance of any one organisation to apply its allotted powers or authority in ways that would not be acceptable if the conduct in question occurred in any other residential area of Durham County and (ii) none of the organisations has sought to agree to coordinate and share their various powers and resources for a collective approach.

### **6.2 Potential responses**

The potential responses above sometimes overlap; sometimes they depend on the input and cooperation of other organisations. In order to bring coherence and complementarity to resolving the issues, the Note proposes that:

- All four organisations – DCC, the police, the OPCC and the University - set up a taskforce along with the Parish Council as soon as possible to agree a common approach for the City.
- All four organisations agree a central point for the collection and collation of problem streets or houses for a targeted response.
- The note to all households from the police and DCC Environment about the formal requirements on waste, waste collections, noise and ASB as an expectation of residency in the City be re-instated.
- Once the taskforce meets, DURF is provided with the information to draft simple one-page 'what to do if' leaflet representing how the University, the Police and DCC would deal with an ASB/noise complaint so that all residents know who is responsible for what, how they should be contacted (accompanied by appropriate phone and email contacts), and how they will receive feedback on their complaint. This should be provided to all residential, PBSA and HMO addresses in the City.

## **7. 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 DCC 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.

## **8. CHOICE OF RESPONSES AND OWNERSHIP**

The intention of the consultation paper is to promote discussion among relevant parties 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 paper is to seek to agree these responses and invite an organisation, whether the Office of the Police and Crime Commissioner or DCC 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. The Parish Council considers that, unless such requests led to ownership, commitment and enforcement, the issues of ASB and noise will not only continue but that the levels of concerns can only worsen, further debilitating the relationships between the residents of the City and the organisations they look to, to deliver meaningful responses that are within their powers under the legislation designed to safeguard the rights and quality of life of the residents.