

# 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 the annual meeting of the **FULL COUNCIL** will be held in the **MEETING ROOM, ST. CUTHBERT'S HOSPICE, PARK HOUSE ROAD, DURHAM DH1 3QF** on **THURSDAY 24<sup>th</sup> NOVEMBER 2022 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> OCTOBER 2022**
- 4. PRESENTATION BY DURHAM COUNTY COUNCIL ON THE SAFETY OF WOMEN AT NIGHT HUB**
- 5. UPDATE FROM THE LOWES BARN COMMUNITY CENTRE PROJECT ON THE DEVELOPMENT OF THE COMMUNITY CENTRE**
- 6. PUBLIC PARTICIPATION**
- 7. COMMITTEE UPDATES**

- **Planning and Licensing Committee minutes from meetings held on 14<sup>th</sup> and 28<sup>th</sup> October 2022**

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

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

- Verbal update on the Sniperley Park developments

- **Environment Committee minutes from meetings held on 11<sup>th</sup> October 2022**

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

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

- **Business Committee minutes from meetings held on 15<sup>th</sup> September 2022**

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

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

• **Finance Committee minutes from meetings held on 21<sup>st</sup> June 2022**

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

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

- Response to DCC budget 2023/24 consultation

**8. CHAIR'S UPDATE**

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 27<sup>th</sup> October 2022.

**9. EXECUTIVE SUMMARY OF RESIDENT FEEDBACK TO PARISH COUNCIL CONSULTATION**

**10. PARISH COUNCIL STRATEGY 2023/24**

**11. UPDATE ON PAY SCALES FOR 2022/23 PAY SETTLEMENT**

**12. MOTION BY CLLR S WALKER ON WHITE RIBBON DAY**

**13. MOTION BY CLLR R ORMEROD ON THE PARK AND RIDE SERVICES**

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

**14. LICENSE REVIEW APPLICATION**

**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 Thursday 27<sup>th</sup> October 2022 at 19:00 in the Lantern Room, Durham Town Hall, Market Place. Durham. DH1 3NJ**

**Present:** Councillors L Brown (in the Chair), V Ashfield, E Ashby, C Lattin, N Brown, R Hanson, G Holland, G Nair, R Ormerod, S Walker and H Weston.

**Also present:** Parish Clerk Adam Shanley and Mr John Ashby and Ms Lynda Delf (members of the public).

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

Apologies were received from Cllr A Doig, E Scott, D Freeman and R Friederichsen.

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

None received.

## **3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 29<sup>TH</sup> SEPTEMBER 2022**

The minutes of the meeting held on 29<sup>th</sup> September 2022 were unanimously **agreed** as a true and accurate record of proceedings.

## **4. PUBLIC PARTICIPATION**

Mr John Ashby advised that he was attending the meeting with a general interest in all Agenda items.

Ms Lynda Delf advised that she was attending the meeting as a representative of the Elvet Residents Association with a general interest in all Agenda items.

## **5. COMMITTEE UPDATES**

### **• Planning and Licensing Committee**

Cllr G Holland presented the minutes from the Planning and Licensing Committee meetings held on 16<sup>th</sup> and 30<sup>th</sup> September 2022. There being no queries from Members, Cllr G Holland moved on to Committee updates.

### **Verbal update on the inquiry into the Sniperley Park developments**

Cllr G Holland advised that the Parish Council continues to oppose the developments at Sniperley and has set out its position in a Statement of Case to the Inspector.

Cllr G Holland advised that the Rule 6(6) Parties of the inquiry will be meeting tomorrow to discuss their approach to the inquiry in January 2023 and also

advised that the Rule 6 (6) Parties would be meeting with County Council officers to discuss where they might be able to strengthen the case of the Council at the inquiry.

Cllr G Holland advised that he felt it is significant that the Inspector has now refused to accept the amendments to the proposals from both developers as part of the appeal process and that the Parish Council is awaiting a follow-up response to this ruling from the developers.

- **Environment Committee**

Cllr C Lattin presented the minutes from the Environment Committee meeting held on 13<sup>th</sup> September 2022. There being no queries from Members, Cllr C Lattin moved on to Committee updates.

### **Proposal to purchase an electric vehicle charging point for the parish area**

Cllr C Lattin advised that the Environment Committee has recently met with the EV projects officer at DCC as it has been identified that there is an additional need to install more EVCPs in Durham City where there is currently low provision.

Cllr C Lattin advised that, under the current funding model, 25% community funding towards the costs of the charging unit (£3,000) can attract the remaining funding through either the SOSCI, OZEV and/or LEVI fund. DCC will also cover the costs for installation and maintenance will be funded through the money raised through charging.

Cllr C Lattin highlighted that, by 2030, the sale of all new petrol and diesel cars will be banned and there is therefore a need to be forward thinking about provision in areas such as Durham City as we are moving towards Electric Vehicles. 20% of new cars being purchased are electric.

Cllr C Lattin advised that the Parish Council's Environment Committee recently considered this proposal and agreed to support the funding of a new EVCP in the parish at a cost of £3,000 with the remaining funding coming from one of the schemes identified in the report.

Cllr C Lattin advised that one stipulation for the installation of an EVCP is that this must be located on DCC owned land. Cllr C Lattin advised that the Environment Committee agreed to propose the A691 layby outside St. Cuthbert's Church as a potential site and Tracy (EV project officer) is presently investigating this as an option but initial investigations suggest that this would be possible as a site.

Cllr E Ashby asked if the proposals to transform some redundant telephone boxes in the City was still going ahead. The Clerk advised that he would check on this with the officer and report back on this.

Cllr L Brown asked if the grant funding would still be available for the foreseeable future if the Parish Council wanted to fund more EVCPs. The Clerk advised that he would check on this with the officer and report back on this.

Members **agreed** to fund the costs of a rapid charge point as set out in the report to Council. Members also **agreed**, in the event that the proposed location is not possible, to delegate to the Environment Committee the responsibility of selecting a suitable alternative site for the charge point. The vote on this item was as follows: 8 votes in favour, 1 vote against and 1 abstention.

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

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 29<sup>th</sup> September 2022 as follows:

The Chair thanked everyone who was involved in this month's City-wide litter picking event. The Chair advised that it was really great to see such a wonderful turnout for the event and the weather stayed sunny throughout. The Chair thanked the Environment Committee for arranging this event which resulted in 24 full bags of litter being taken of our streets. Well done everyone!

The Chair reminded Members that there is consultation underway at present with Parish and Town Councils on how DCC engages with local communities, including via its AAPs. There is a virtual event on 1<sup>st</sup> November – limited to two representatives per Parish Council – and the Chair advised that she understood that Cllr Ashby and the Clerk have already signed up for this event.

The Chair advised that the County Council is running a pre-planning consultation on the future of the DLI museum. The Chair advised that the Parish Council has been consulted on this and there is to be a drop-in event on 1<sup>st</sup> November at the Town Hall on the plans. The Chair asked everyone to please channel all comments via Cllr Holland who is kindly drafting our response to this issue. All comments must be submitted to the Council by 4<sup>th</sup> November please.

The Chair advised that Durham BID has recently reached out to the Parish Council to request that a representative join its board. The hope is that this will encourage more partnership working on things like events in the City – the board has asked that this be an officer only as their terms of reference do not allow a Councillor. The Chair of the Parish Council has therefore asked the Clerk to join the board as our representative and the Chair expressed the hope that Members will support this.

The Chair expressed her delight at seeing that the Environment Committee's project to produce a mosaic for the University Hospital of North Durham has finally been completed and the mosaic was unveiled last week at a small event which included the Chair of the Trust and the Deputy Chief Executive of the Trust. The Chair advised that she felt that the mosaic looked stunning and thanked the artist Susan Warlock for this brilliant work and everyone involved in making this happen. The Chair expressed her hope that it brightens patients' and staff members' day when at the hospital.

The Chair reminded Members that DCC is presently consulting on its budget proposals for 2023-24. The Clerk has circulated details of this and the Parish Council's Finance Committee will be commenting on this on behalf of Full Council.

The Chair asked anyone outside the Committee who wishes to add to this, to please contact the Chair of Finance Committee Cllr Doig.

The Chair expressed her shock at reading the news articles regarding students queuing for hours for accommodation. The Chair advised that the University's expansion policy and agents releasing properties too soon are clearly being raised as key issues in this. The Chair advised that she felt that we must engage with the Universities and other partners on this important matter and more updates will follow on this in due course.

The Chair thanked everyone involved in the Warm Spaces Working Group – set up last month – and advised that a number of meetings have taken place and it is clear that provision of inventory to support people in the home is where the Parish Council can add the most value. This is in addition to the support the County Council is offering to local organisations setting up as a Warm Space. The Chair advised that this work is even more urgent given that the Government is looking to withdraw support for the Energy Price Guarantee from April next year.

The Chair thanked everyone involved in the Councillors' Away Day event earlier this month. This was a really good opportunity for Councillors to give their views on the direction of the Council over the coming year and the Chair advised that she was pleased a paper on this meeting is included later on in the Agenda.

Finally, the Chair thanked the Parish Council's Business Committee on a fantastic set of events this week to fill the half-term gap in events. Footfall during this week has been excellent so far and it was great to see Paw Patrol on at Prince Bishops yesterday and today and to see so many families enjoying everything the City has to offer. The Chair expressed the hope that the increased footfall translates into more cash behind the tills at many of our City premises.

## **7. DCC CONSULTATION ON DRAFT STRATEGY TO TACKLE ANTI-SOCIAL BEHAVIOUR**

The Clerk advised that the Safe Durham Partnership has worked to prevent and tackle ASB, since its formation in 2009, and is continually reviewing the way in which it achieves this goal. The Clerk highlighted that the SDP has been working with partners to develop a draft strategy which outlines a proposed approach to tackling ASB over the next three years.

The Clerk advised that the draft strategy has been shared with Members for their consideration and the matter was also discussed at the recent CRAF meeting in October.

The Clerk advised that Members were keen that the City of Durham Parish Council responds to this consultation. Thereafter, the feedback from the consultation will be considered and the strategy will be updated before it is agreed and adopted by the Safe Durham Partnership in the new year. An action plan will then be developed based round each of the eight principles.

Members unanimously **agreed** the response to the draft ASB Strategy as follows:

“Thank you for the opportunity to respond to the draft anti-social behaviour strategy (2022-25) which has been developed by the Safe Durham Partnership.

The Anti-social Behaviour, Crime and Policing Act 2014 brought enhanced powers to the local authority, police and partners. Since then, different agencies across County Durham have independently developed their own approaches to responding to and preventing anti-social behaviour. Having a clear and consistent approach across partners will hopefully result in clear accountability for the various agencies and effect joint working, as well as an opportunity to review the full circumstances surrounding the causes of anti-social behaviour, which can often be complex in nature.

Firstly, it is right that this strategy recognises that the impact of anti-social behaviour can be devastating to residents, businesses and visitors. For victims and the wider community, it can become a destructive, cumulative issue leading to a poor quality of life for those concerned. We would emphasise that anti-social behaviour, includes uncivilised behaviour including: house noise, transient noise, fly tipping, littering, intimidating behaviour, group behaviour and more.

### **The need for a City of Durham specific approach**

The Parish Council supports the S.M.A.R.T approach to anti-social behaviour which this strategy advocates. However, the Parish Council would observe that this strategy provides an overarching strategic approach and eight guiding principles relevant to the entire County on how the various agencies will respond to anti-social behaviour.

With an ever-expanding night-time economy without additional policing to respond to issues this causes and a rapid growth in University student numbers, the issues facing the City of Durham parish area do not necessarily reflect the same issues taking place across other parts of the County. Therefore, in order to ensure the effective delivery of this strategy and public confidence in our ability to address issues, it is imperative that more localised action plans which take account of and respond to the specific issues within a particular locality are also developed by the different partners.

The issues of anti-social behaviour and noise, and associated transient noise, are probably the lead issues identified by residents of Durham City through social media, mainstream media, reports to the Parish Council and its 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 – on both social and mainstream media - disturbed sleep, street noise, and on occasion regular or repetitive house and party noise, primarily during University term-time. It is recognised that the issues are present in other university towns and cities. It is also accepted that the issues do not encompass the entire student body, and nor do they affect all areas of the City in the same way. At present the issues appear to derive primarily from returning undergraduates in the private rented sector, and particularly identifiable in areas where the balance of occupancy is tilted towards student occupancy.

The policy pursued by the University of expansion in student numbers – particularly undergraduate students - 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 approximately 20,000 full time students and 9,000 year-round residents. It has meant that there are few, if any, areas of residential housing within the Parish Council area that do not have a growing number of HMOs or experienced transient noise. The policy means that the current issues around ASB and noise are not likely to go away, and nor are they likely to remain confined to particular areas of the City. Indeed, the Parish Council is well aware that surrounding areas are experiencing a spread outwards of students into, for example, Gilesgate Moor, Belmont, Carrville and some of the nearby villages.

In addition to which, the Viaduct and North Road areas in Durham City continue to present significant policing challenges, with 1,221 recorded crimes and incidents on North Road in the last 12 months alone.

### **Working in partnership to address anti-social behaviour**

The Parish Council very much welcomes the multi-agency approach to addressing anti-social behaviour which this strategy advocates. In addition to those partners listed in the Safe Durham Partnership, the Parish Council would stress that the local Parish and Town Council sector, the University (in the case of the City), the third sector and local community residents' associations must also be recognised as important stakeholders in the delivery of this strategy. As the organisations closest to their communities, these partners can very often reflect the views of local residents' most accurately.

The Parish Council is pleased to be an active member of the City Safety Group which you chair and we have worked proactively with partners on a range of schemes to address anti-social behaviour and safeguarding issues; most notably through the establishment of the Safety of Women at Night hub at St. Nicholas Church.

Furthermore, it is clear that any strategy and/or policy on anti-social behaviour needs to have an effective penalty system included for non-conformity and any initiatives set out within the strategy must be properly funded – either through statutory bodies who have a duty to respond to anti-social behaviour and/or key players within the City such as Durham University. As the Council has set out in its FOI response (ref: 3376482), in the financial year 2019/20, a total of £7,429,000 was lost in Council tax revenue due to Class M and Class N (student) exemptions. The figure for 2020/21 has increased by £1,368,335 to a total of £8,797,335.

### **Putting the victim at the heart of the response to anti-social behaviour**

A key focus of this strategy is to provide effective support to victims of anti-social behaviour. The strategy seeks to ensure that partners better understand the



impact this behaviour can have on the lives of residents and ensure safeguarding processes are in place to protect those most vulnerable from further harm. The Parish Council entirely supports this approach.

Accessibility to support and effective responses and feedback by relevant agencies are key pillars to this approach. The 2021/22 increase in precept for the police was in part proposed for a better 999 and 101 service, maintenance of PCSO numbers and 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.

Clearly more work is needed on this front. For too long, residents of our own parish have felt that their concerns go unresolved and a victim-centric approach has not been delivered.

The Parish Council would stress the need for an enhanced DCC neighbourhood warden and noise nuisance action team service post-10pm in the City as a means of addressing residents' concerns.

The Parish Council would be grateful to receive any further information on which organisation(s) will co-ordinate the Victims Advocacy Service for instance – specified within this strategy – and what specific powers they will have to speak up on behalf of victims.

### **Definition of anti-social behaviour**

For the reasons set out in this response, the Parish Council very much welcomes that environmental and noise disturbance are identified as anti-social behaviour for the purposes of this strategy. Both are enormous and complex issues in our parish.

The Parish Council completely rejects the statement in this strategy that a "*one off incident where evidence cannot be obtained due to the behaviour not being repeated*" is not considered anti-social behaviour.

Anti-social behaviour is defined as "*behaviour by a person which causes, or is likely to cause, harassment, alarm or distress to persons not of the same household as the person*" (Antisocial Behaviour Act 2003 and Police Reform and Social Responsibility Act 2011). Whether an incident is supported by evidence (an onus clearly placed on the victim to provide) and/or repetitive is irrelevant and this should be removed from this strategy.

### **The role of private-sector landlords**

For the City of Durham parish, 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 also an increase in major extensions of existing HMOs into larger properties, particularly in areas such as Whinney Hill.

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.

This expansion in HMOs across the City of Durham Parish area is undoubtedly fuelling the existential issues of anti-social behaviour across the City.

For many years, a missing component in addressing these issues has been the role and involvement of landlords. The Parish Council therefore welcomes the fact that private rented sector landlords are identified as a key stakeholder in anti-social behaviour as part of this strategy. The strategy sets out the responsibilities of landlords and this is also welcomed.

That being so, this strategy appears to be focused solely on those landlords who fall under the selective licensing scheme only as opposed to landlords more generally. Whilst the strategy is correct in highlighting that selective licensing began on 1<sup>st</sup> April 2022 and covers 42% of the private rented sector in County Durham, no part of the City of Durham parish area is covered by this licensing scheme.

When looking at the issue of selective licensing, the County Council's consultative report of 2020 recognised that most of the County's HMOs are in Durham City. It read:

*"County Durham is home to Durham University which is regularly ranked in the top ten in the University Guide League nationally, and in the top 100 internationally, and as such attracts many students from around the country and the world. In recent years the University has also expanded its capacity increasing the number of registered students to 18,700 in total from 14,300 in 2003/04. This has led to an increased demand for off-site accommodation mainly found in the form of local residential properties that have been registered as HMOs. More*

*recently there has also been an increase in building single large-scale developments of privately owned and run accommodation blocks within the Durham City area."*

The report goes on to note that (at that time) there were 790 registered HMOs within County Durham with 766 or 97% located in and around Durham city centre.

In spite of this, Durham City did not meet the criteria for selective licensing. The Parish Council submits that this matter should be reassessed by the County Council and would be happy to produce a separate report outlining the justification for this.

Additionally, mandatory licensing (i.e. those with five or more separate tenants) covers approximately only 25% (as of November 2021 - 821 licensed properties (under the provisions of s.232 of the Housing Act 2004) out of a total of 3,307 properties that have Class N Student exemption from paying Council Tax) of the HMOs within the City of Durham parish area. This adds further weight to our argument that continuing the proposed voluntary scheme does not begin to provide the level of enforcement required for tenant protection and landlord standards here. Added to which, such a scheme is not self-financing and there is certainly a capacity issue within DCC where more staff to proactively enforce the rules are desperately needed.

Condition 16 of the mandatory scheme is clear that:

*"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".*

The Parish Council has long concluded that, alongside the County-wide selective licensing scheme, there needs to be an equivalent compulsory, self-financing additional licensing scheme for Durham City to address the facts that virtually all of the County's HMOs are in Durham City, that the associated anti-social behaviour problems are extensively documented and that the voluntary scheme currently in place is demonstrably not adequate.

Furthermore, there is no information within this strategy as to how often and by what means the Safe Durham Partnership and/or ASB Strategic Group will engage with landlords in addressing issues of anti-social behaviour and this should be specified.

### **Promoting the community trigger**

The Community Trigger is the name generally applied to the Response to Complaints section of the 2014 Act and enables victims to require agencies to carry out a review of their response to the anti-social behaviour they reported where they feel they did not get a satisfactory response.

Relevant bodies must carry out an ASB case review if:

- that person, or any other person, makes an application for such a review (activates the Community Trigger); and
- the relevant bodies decide that the threshold for a review is met.

Each Local Authority area sets its own threshold and this should be specified within this strategy.

**The Parish Council entirely supports the proposed promotion of the community trigger and hopes that relevant agencies will not view this as an additional complaints process but rather an opportunity to learn from different cases and how to respond accordingly.**

**At present, the community trigger, its process, threshold, etc. are not proactively promoted enough by the relevant agencies – particularly in non-online formats – and the Parish Council therefore supports the proposed promotion work the strategy advocates and the fact that statistics around community trigger will be actively published, which they are not at present. "**

End of response

## **8. TO CONSIDER THE ADOPTION OF A DIGNITY AT WORK POLICY**

Members unanimously **agreed** to the adoption of a dignity at work policy as follows:

### **City of Durham Parish Council Dignity at Work Policy**

#### **1. Purpose and scope**

##### **1.1 Statement**

In support of our value to respect others, the City of Durham Parish Council will not tolerate bullying or harassment by, or of, any of its employees, officials, Members, contractors, visitors to the council or members of the public from the community which we serve.

The City of Durham Parish Council is committed to the elimination of any form of intimidation in the workplace. This policy reflects the spirit in which the council intends to undertake all of its business and outlines the specific procedures available to employees and members in order to protect them from bullying and harassment. It should be read in conjunction with the adopted Members' Code of Conduct.

The council will issue this policy to all employees as part of their induction and to all Members. The council may also wish to share this policy with contractors, visitors and members of the public.

##### **1.2 Definitions**

## Bullying

*"Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress."*

## Harassment

*Harassment is "unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This usually covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age".*

These definitions are derived from the ACAS guidance on the topic.

Bullying and harassment are behaviours which are unwanted by the recipient. They are generally evidenced by a pattern of conduct, rather than being related to one-off incidents. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, mental health issues, lack of respect for others, turnover, damage to the council's reputation and ultimately, legal proceedings against the council and payment of legal fees and potentially unlimited compensation.

**1.3 Examples of unacceptable behaviour** are as follows (this list is not exhaustive):

spreading malicious rumours, insulting someone, ridiculing or demeaning someone, exclusion or victimisation, unfair treatment, overbearing supervision or other misuse of position or power, unwelcome sexual advances, making threats about job security, making threats of physical violence against a person or their family, deliberately undermining a competent worker by overloading work and/or constant criticism, blaming a person for others' mistakes, preventing an individual's promotion or training opportunities.

Bullying and harassment may occur face-to-face, in meetings, through written communication, including electronic communication such as e-mail or on social media or by telephone. It may occur on or off work premises, during work hours or non-work time.

## **1.4 Penalties**

Bullying and harassment by any employed persons can be considered examples of serious misconduct which will be dealt with through the council's disciplinary procedures at gross misconduct level and may result in summary dismissal from the council.

If elected members are bullying or harassing employees, contractors, fellow councillors, or others then a referral through the standards process in place at the time reported as a contravention of the Member's Code of Conduct could be an appropriate measure. If an employee is experiencing bullying or harassment from a third party the council will act reasonably in upholding its duty of care towards

its own employees. In extreme cases, harassment can constitute a criminal offence and the council should take appropriate legal advice, sometimes available from the council's insurer, if such a matter arises.

## **1.5 The Legal position**

Councils have a duty of care towards all their workers and liability under common law arising out of the Employment Rights Act 1996 and the Health and Safety at Work Act 1974. If an employer fails to act reasonably with regard to this duty of care by allowing bullying or harassment to continue unchallenged an employee may decide to resign and claim 'constructive dismissal' at an Employment Tribunal.

Under the Equality Act 2010 bullying or harassment related to one of the protected characteristics covered by the act (age, gender, marital status, sexual orientation, race, religion, belief, colour, disability) can be considered unlawful discrimination which could lead to an Employment Tribunal claim for discrimination against the corporate employer, the council and the perpetrator(s) as individual named respondents.

The legal definition of "Third Party Harassment" has been introduced which makes the employer vicariously liable for harassment from other parties such as parishioners, contractors etc and it must take reasonable steps to manage such situations which could include seeking legal redress on behalf of an employee or member of the council.

In addition, the Criminal Justice and Public Order Act 1994 and Protection from Harassment Act 1997 created a criminal offence of harassment with a fine and/or prison sentence as a penalty and a right to damages for the victim. A harasser may be personally liable to pay damages if a victim complains to an Employment Tribunal on the grounds of discrimination. The 1997 Act was originally designed to assist in stalking situations but case law has demonstrated that it can be relevant to employment disputes. For instance: employers can be vicariously liable for harassment received in the workplace, where the conduct is viewed as 'serious', or oppressive incidents which are separated by long time periods and that damages for personal injury and distress can be awarded under the act.

## **2. Process for dealing with complaints of bullying and harassment**

### **2.1 Informal approach**

Anyone (employee, contractor, member or visitor) who feels he or she is being bullied or harassed should try to resolve the problem informally, in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour, or an intermediary, that their conduct is unacceptable, offensive or causing discomfort. Anyone concerned about being bullied or harassed is encouraged to maintain a journal or other record of the incidents.

### **2.2 Formal approach**

#### **2.2.1 Employees**

Where the employee feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally, initially with the chairman of the staffing committee or another member of the staffing committee if more appropriate. It may be appropriate for the complaint to be put in writing after the initial discussion, as this will enable the formal grievance procedure to be invoked. The employee will be expected to provide evidence of the conduct about which he or she is complaining.

### **2.2.2 Others**

Any other party to the council, other than an employee, who feels he or she is being bullied or harassed should raise their complaint with the council, where possible, if an informal notification to a member has been unsuccessful at eliminating the problem. The complaint should then be investigated and a meeting held to discuss the facts and recommend the way forward. A member of the public who feels he or she has been bullied or harassed by any members or officers of a council should use the council's official complaints procedure. It is important that the member(s) being complained about do not prevent the council operating impartially in its investigation and decision-making in this regard.

### **2.3 Grievance – employees only**

A meeting to discuss the complaint with the aggrieved party will normally be arranged within five working days of a written complaint being received and will be held under the provisions of the council's grievance procedure. This meeting will be to discuss the issues raised and a way forward for the member(s) of staff involved. Employees have a right to be accompanied by a work colleague or a trade union representative at this meeting.

A full investigation of the complaint will be held by an appropriate person as appointed by the staffing committee of the council which is handling the process.

It may be appropriate for an external investigator to be involved in order to maintain objectivity and impartiality.

An action plan should be made available to the aggrieved employee to demonstrate how the problem is to be resolved.

It may be decided that mediation or some other intervention is required and the council should contact NALC, an employer's body or ACAS to this effect.

The employee will have a right of appeal. At all times, the confidentiality of the grievance will be of paramount importance in order to maintain trust in the process hence details of the full grievance will not be shared with the full council without prior approval by the aggrieved. The council will commit not to victimise the complainant for raising the complaint once the appropriate dispute resolution process has been concluded.

### **2.4 Disciplinary action**

Following a grievance hearing or investigation into allegations of bullying or harassment against an employee, a full report will be made to all parties and this

may result in disciplinary action being taken against the perpetrator of the alleged action/behaviour.

For an employee found to have been bullying/harassing others this will follow the council's disciplinary procedure under the ACAS Code of Practice on Dispute Resolution and would normally be treated as gross misconduct.

For members reasonably believed to have been bullying or harassing another person(s) whilst undertaking council activities, a referral to the County Council's standards process should be made. Neither the Parish Council as a corporate body nor any of its employees/members may seek to replace the standards process in any way.

There may also be a referral to the police under the Protection from Harassment Act 1997, or a claim to an Employment Tribunal for Third Party harassment (for harassment relating to one of the protected characteristics under the Equality Act) in the most extreme cases. This list is not exhaustive.

False or malicious allegations of harassment or bullying which damage the reputation of a fellow employee/member will not be tolerated and will be dealt with as serious misconduct under disciplinary procedures (for employees) and/or a referral to the standards process (for members).

All parties to the council have a responsibility to ensure that their conduct towards others does not harass or bully or in any way demean the dignity of others. If unacceptable behaviour is observed then each individual can challenge the perpetrator and ask them to stop.

Bullying is more likely to be complained about when individual members criticise staff, often without objective evidence, without the mandate from the corporate body of the council and in environments which are open to the public or other employees or by way of blogs, Facebook comments, or in the pub or local playground. The council undertakes to share its policy with all members and workers and request that each party signs to demonstrate acceptance of its terms. All new members and employees will be provided with a copy of this policy.

**Date adopted:** October 2022

**Date to be reviewed:** May 2023

End of Policy

## **9. MOTION BY CLLR V ASHFIELD ON THE RECENT NALC AWARDS**

Members unanimously **agreed** the following motion. Proposed by Cllr V Ashfield and seconded by Cllr S Walker:

*"This Council would like to offer its congratulations to our Parish Clerk for his recent success in the NALC Council awards. Adam's fantastic contribution to the work of our Council has received national recognition. May we take this*



*opportunity again to thank him for all he does for the City of Durham Parish Council."*

## **10. REPORT ON CHRISTMAS EVENTS PLANNING 2022**

The Clerk reminded Members that the Parish Council has agreed a total budget of £22,000 towards events for this financial year. As part of this, Christmas has been identified as a key season for events in the City and the Parish Council has previously supported Christmas events as a way of promoting footfall to the City during the festive season.

The Clerk advised that planning for Christmas events started earlier this month and representatives of the Parish Council 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, Milburngate and Durham BID.

The Clerk set out a report including a timetable of events over the festive period and the associated costs for each event, highlighting where

Members unanimously **agreed** to working in partnership with key stakeholders on the hosting of Christmas events. Members also unanimously **agreed** to provide funding for the Christmas events, as set out in the report as follows:

- **Sponsorship for the Christmas Festival - £3,000**
- **Provision of music for the Christmas markets - £750**
- **Supporting Durham BID's Grinch event - £1,000**
- **Supporting Prince Bishops virtual Santa sleigh ride - £1,000**
- **Costs for advertising these events - £300**
- **Cost of GOBO projection - £1,850**
- **(Total - £7,900)**

Members unanimously **agreed** to delegate organisational responsibility for these events to the Parish Clerk and the Parish Council's Business Committee.

## **11. REPORT FOLLOWING THE COUNCILLORS' AWAY DAY ON 20<sup>TH</sup> OCTOBER 2022**

The Chair took the opportunity to thank all those Members who took an active part in the Councillors' away day event on 20<sup>th</sup> October 2022.

The Chair highlighted that the intention of this event was to provide an open and informal discussion amongst Members on the operation of the Parish Council and the priorities for the Council into the future.

During the discussions, Members identified the following key priorities for the parish:

- Members identified additional late-night policing for safeguarding in the parish as a top priority for local residents.

- Members expressed the desire to continue the Safety of Women at Night hub in the City centre.
- Members expressed the desire to do more in terms of tackling climate change, with key areas such as promoting active and sustainable transport and travel, the climate as a key consideration in the production of the Conservation Area Management Plan, working with landlords on making HMO properties more energy efficient, holding DCC accountable on the delivery of its Climate Emergency Plan and adding to and maintaining woodlands identified as part of this work.
- Members expressed the desire to continue and expand the Parish Council's offer of free planning and licensing training for local residents.
- Members identified car parking as a major problem in certain residential streets of the City – Members expressed the hope of potentially funding an enhanced service to identify fake permits and tackle parking permit abuse.
- Members expressed the desire to advertise the work of the Parish Council more, examples of how to do this being the use of local media such as a page and/or column in the Durham Advertiser and Palatinate, improving the Council's website and providing simpler newsletters to residents.
- Members expressed the desire to have a Parish Council funded full-time Neighbourhood Warden and to lobby the County Council on post-10pm provision of this service.
- Members expressed the desire to launch a campaign to attract more funding from the late-night licensed economy and private sector landlords towards Council activities.
- Members agreed that the Parish Council should try and meet in different locations as a Full Council each month e.g. in local schools (particularly primary schools) in order to promote the work of the Council and to be present in all parts of the parish.

Members discussed the precept for financial year 2023/24. The formal budget setting process begins on the Council in November and – whilst entirely recognising the impact of increased costs of living on residents at present - Members generally agreed that the precept would need to change in the forthcoming financial year in order to deliver on some of the identified priorities.

The Chair highlighted that the matter had been discussed at a recent CRAF meeting and there was a general agreement and understanding that the precept would need to change this coming financial year.

Members felt that any change should firstly be consulted on with the public. Given that the formal budget setting process begins in November, it is proposed that the Parish Council launches this consultation – in both online and hard copy format – as soon as possible.

Members unanimously **agreed** to launch a public consultation – with its content also **agreed** at the meeting - on the Parish Council's work and priorities and to seek views on increasing the precept.

## **12. ADOPTING THE HONORARY FREEDOM OF THE PARISH SCHEME**

Members **agreed** to adopt the honorary freedom of the parish scheme based on the criteria below. The vote on this item was as follows: 6 votes in favour, 5 abstentions and 1 against.

### **1. Introduction**

This document sets out the criteria, procedure and arrangements relating to the selection and appointment process for Honorary Freemen, Honorary Freewomen and the Granting of Freedom of the Parish to individuals.

### **2. Granting the Freedom of the Parish**

Granting the Freedom of the Parish is the highest honour that a Parish Council can bestow. Although it carries no powers, rights or privileges, those who receive the honour are able to use the title of Freeman or Freewomen.

As this is the highest honour that the Parish Council can grant it should be used sparingly and should not be given too often in order to preserve its status and value. The award of the Freedom of the Parish is separate to the Parish Council's Good Citizen of the Year Award.

### **3. Criteria**

There is no statutory guidance that sets out any criteria for the appointment of Freemen and Freewomen. As the Freedom of the Parish is awarded in recognition of exceptional service to the Parish, it would be inappropriate to set out strict judging criteria. Instead, guidance on the attributes that successful candidates would be expected to have demonstrated is outlined within this policy.

### **4. Cost**

Section 249 (9) of Local Government Act 1972 allows Councils to spend "such reasonable sum as it thinks fit" on presenting an address to a Honorary Freeman or Honorary Freewoman. A commemorative 'scroll' or certificate will be provided. Currently there is no budget provision for this but under the S137 of the Local Government Act 1972 the costs of the scroll and frame can be allocated.

### **5. Legislation**

5.1. Section 249 (5) of Local Government Act 1972, as amended by Section 29 of the Local Democracy, Economic Development & Construction Act 2009, allows the Council of a relevant authority (including a Parish Council) to admit to be honorary freemen or honorary freewomen of the place or area for which it is the authority:

- a. Persons of distinction, and
- b. Persons who have, in the opinion of the authority, rendered eminent service to that place or area.

5.2. A resolution must be passed:

- a) At a meeting of the Parish Council that has been convened especially for the purpose and where notice of the object of the meeting to pass a motion relating to the granting of the award has been given; and
- b) By not less than two-thirds of the members of the Council who vote on it.

## **6. Procedure for Granting of Freedom of Hurst Green**

6.1a. Any Parish Councillor may nominate to the Council individuals, who in their opinion, have rendered eminent services to the Parish and who should be considered to be granted the Freedom of the Parish.

6.1b. A member of the public may petition any Parish Councillor to nominate an individual to the Council individuals for consideration.

6.2. Individuals who have profited from their service would not normally be eligible, however this is subject to the discretion of the Council.

6.3. The nomination for the Honorary title will be considered at the next Ordinary Meeting of the Council. The agenda item will be discussed in private, and the public and press will be excluded. The name(s) of the individual(s) must not appear in the agenda or minutes of the meeting. The following procedure shall be adopted:

- a) The Chair shall open the agenda item and remind the Members of this Policy Document giving guidance on those criteria for suitable nominations.
- b) The Chair shall invite the Member(s) ('the sponsor) to present the application for nomination. The Member(s) of the Council making a nomination for the Honorary title should be able to demonstrate to the Council that the criteria listed in section 7 below have been met.
- c) The Chair shall invite all Members to discuss and debate the merits of the nomination.
- d) The Chair shall then invite the Council to pass a resolution in support of convening a meeting especially for the purpose of passing a motion relating to the granting of the award.

6.4. The Chair (or another nominated Councillor) shall prior to the issuing of the meeting calling notice for the purpose of passing a motion relating to the granting of the award, informally enquire with the proposed individual as to:

- a) whether or not they are prepared to accept such an award.
- b) whether they are aware of any reason that their acceptance of the award may, or could be considered by a reasonable third-party, to bring the parish or the Parish Council into disrepute.

6.5. The Parish Council will convene a meeting of the Council especially for the purpose, and where notice of the object of the meeting to pass a motion relating to the granting of the award to a specific individual(s) has been given. The following procedure shall be adopted:

1. The Chair shall open the meeting and remind the Members of this Policy Document which gives guidance on the criteria for suitable nominations.
2. The Chair shall invite the Member ('the sponsor) to present the application for nomination. The Member(s) of the Council making a nomination for the Honorary title should be able to demonstrate to the Council that the criteria listed in section 7 below have been met.
3. The Chair shall invite any members of the public who wish to speak in relation to the nomination to speak, subject to the following criteria:
  - a) Council Standing Orders shall be followed
  - b) each member of the public may speak for a maximum of 3 minutes, and whom may speak only once during the meeting
  - c) members of Council may ask questions (with the agreement of the Chair), to the member of the public who is speaking, however, questions to the member of the public who is speaking, from other members of the public are not permitted.
4. The public and any press shall then be excluded from the meeting.
5. The Chair shall invite all Councillors present to discuss and debate the merits of the nomination.
6. The public and any press shall then be invited to return for the remainder of the meeting.
7. The Chair shall then invite the Council to pass a resolution granting the award, which should recite the particular grounds and details of the public services rendered by the potential recipient.
8. If the Council passes the resolution by no less than a 2/3rds majority then the resolution shall be recorded in the Council Minutes in the usual way.

6.6. If the motion is passed, the Chair, in consultation with the Parish Clerk, shall then make arrangements for the formal presentation of the 'Freedom' which will be marked by the giving of a framed certificate, in line with the following:

1. Albeit that the bestowing of the Freedom of the Parish actually occurs at the point the Parish Council resolves to grant the Freedom; the presentation ceremony marks the occasion in a public and dignified way.

2. It is expected that the occasion for the presentation ceremony shall be sufficiently prominent and visible to members of the public, for example at the annual Parish assembly, village fete or another public event.
3. The presentation would usually be made by the Parish Council Chairman with other Councillors present.
4. Following the presentation, an opportunity should be provided for the recipient to reply.
5. After the formal proceedings come to an end it will be usual to adjourn for a reception. This gives an opportunity for the public and invited guests to offer their congratulations to the newly appointed Honorary Freeman/Honorary Freewoman.
6. Photographs should be taken to record both events and placed on the Parish Council website and within the Council's archive.

6.7. The roll of Honorary Freemen / Freewomen shall be maintained by the Parish Clerk.

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

#### **Report by Cllr C Lattin on Durham University's Community Engagement Task Force's Lived-Environment sub-group.**

Cllr C Lattin provided the report on the latest meeting of Durham University's Community Engagement Task Force's Lived-Environment sub-group as follows:

Meeting held on Thursday, October 12<sup>th</sup> 2022

**In attendance:** David Loudon (in the chair) Hannah Shepherd, Chris Hindmarsh (University project manager), Yvonne Flynn (University Sustainability Manager), Matthew Deakin (Senior Manager student accommodation), Laura Curran (Student rep), Alice Wilkes (Durham Markets), Matthew Wright, Walia Kani (DURF), John Lowe (City of Durham Trust), Charley Murdoch (Minutes)

#### **Estates Update**

- Burdon House is being refurbished to provide accommodation for professional services. The aim is for it to open early 2024
- Ongoing refurbishment of Chemistry and Bio sciences. The refurbishment of Maths is also ongoing and will offer space to the Department of Education of Hild Bede while that site is re-developed.
- There will be another new college on the Hild Bede site, in addition to Hild Bede itself. The planning application has just gone in.
- Business School, The Sands. The intention is that contractors will be able to start in early 2023 with a handover in 2024. The university will engage with relevant organisations over routes and traffic management for contractors to the site and there will be opportunity for residents to meet with contractors. This is because there have already been expressions of concern from residents.

- The University Estates Masterplan is being refreshed.
- There will be an unveiling ceremony for the blue plaque at HildBede.
- They hope to provide cycle routes down Quarryheads Lane and elsewhere. They are waiting for DCC to firm up their proposals for the crossroads at Whitechurch. David expressed disappointment that DCC and the Police never attend this meeting.
- Kingsgate Bridge has been cleared of leaves.

### **Biodiversity Strategy**

- This is the first time the university has developed something like this and it is still currently embargoed. They are very proud of it. There will be a launch January 2023 and a special presentation to the Lived Environment group.

### **Erroneous suggestion of shortage of student accommodation in the City**

- In response to a question from Walia Kani, Matthew Wright confirmed that he had written to DCC planning department, explaining and clarifying that it was only this year that there was a shortage of student accommodation because of the relocation of HildBede students. This will be explained to potential developers.

### **Spigot Mortar Gun Emplacement at Maiden Castle**

- Since I brought this historic artefact to the notice of Quentin Sloper at Maiden Castle, everyone at the university with an interest has been to find it! They have decided, and already started, to clear the ground around it and a tree has been removed. The intention is to research its background, hopefully find some old photographs of it in use, and install a storyboard.

### **Weir At Prebends Bridge**

- There has been a lack of clarity about who owns this weir. It is confirmed that it is the responsibility of the Cathedral. Discussions are taking place about potential bids to conduct a feasibility study for its restoration and for fish passes as part of the Riverbanks improvement.

### **Warm Spaces**

- This was a most positive discussion. University senior managers said they were very supportive of opening up their premises to local residents who were suffering from fuel poverty and the impact of the cost-of-living crisis. David Loudon said he had discussed it with the Vice Chancellor who is keen to contribute as best the university can. He will commission a list of all university sites already open to the public and send them to the Warm Places working group. The University is also keen to support its own students of course, and they have a Cost-of-Living Group. They are providing breakfast clubs in the

student union and the library. Laura Curran on behalf of the students said that they would welcome residents into the union building. They agreed also to consider what could be provided in PBSAs under their management.

End of report

### **Report on the last meeting of the Parish Council's Community Residents' Association Forum meeting.**

The Clerk presented the minutes of the last meeting of the Parish Council's Community Residents' Association Forum meeting as follows:

#### **Minutes of the Community Residents' Association Forum meeting held on Thursday 18<sup>th</sup> October 2022**

**Present:** Adam Shanley and Alan Doig (City of Durham Parish Council) Richard Hornby and Carole Lattin (Gilesgate Residents Association), Alan Hayton and Des Ward (Whinney Hill Community Group) Roz Layton (Elvet Residents Association), Sarah Wilkinson (Crossgate Community Partnership), David Rosser (Sheraton Park Residents Association), Mike Costello (Distressed Residents in the Viaduct Area), Janet George (St. Nicholas Community Forum), Walia Kani (Durham University Residents Forum) and Dave Clarke (Durham Police).

Alan Doig in the **Chair**

#### **1. Welcome and apologies**

Apologies were received from Simon Priestley (Crossgate Community Partnership) and Kirk Lester (St. Nicholas Community Forum). The Secretary advised that Sarah Wilkinson and Janet George had been nominated by both respectively to represent each Residents' Association at this meeting.

#### **2. To receive and approve as a correct record the minutes of the Forum meeting held on 28<sup>th</sup> July 2022**

The minutes of the meeting held on 28<sup>th</sup> July 2022 were unanimously **agreed** as a true and accurate record of proceedings, subject to the reference to "City" being amended to "parish" under item 5 of the minutes.

In approving the minutes, the Secretary noted that whilst DCC had acted swiftly to address a number of the issues raised regarding the doitonline service, the request to add "bins left out" as a reporting option had not yet been achieved. The Secretary advised that he is continuing to pursue this matter with DCC.

Carole Lattin also highlighted under item 7 of the minutes that a number of meetings were taking place regarding the issue of Warm Spaces. Carole advised that David Loudon, at the last Lived Environment sub-group, had confirmed that the University is keen to help use its estate as part of efforts around Warm Spaces, which is very positive news.



Richard Hornby also added that Gilesgate Residents Association is doing a lot of work to publicise where there is Warm Spaces provision in the Gilesgate area.

The Secretary advised that the City of Durham Parish Council is focusing on support at home for the most vulnerable residents.

Under item 7, Mike Costello also proposed that CRAF writes formally to DCC to express its unhappiness at the lack of protection for the land which was the former coach park at the Sands since its de-registration. The Convener advised that he would raise this during one of the regular meetings the Parish Council and the Freemen are having with DCC on this subject.

### **3. Update on progressing the Operation OAK initiative for Durham City**

The Convener reminded Members of the ongoing efforts to provide real time late-night policing of the parish.

The Convener highlighted that the Secretary is due to have a meeting with the Police and Crime Commissioner Joy Allen about this alongside Dave Clarke, Durham City Neighbourhood Inspector.

Dave Clarke advised that he had looked closely into Operation OAK in Newcastle (Jesmond) and confirmed that this is an addition safety operation led by Northumbria Police and which is jointly funded by both Newcastle and Northumbria Universities.

Dave advised that to initiate a similar model in Durham would require approximately £150,000 and it would need to be covered through overtime from existing officers with the Police as opposed to newly recruited officers.

Dave also highlighted that the University's Community Response Team (a private security firm) is responding to issues within the parish within 30 minutes; something his officers would not be able to do as he presently only has 3 officers covering the City.

Alan Hayton advised that he would like to see a return to the previous system under PCSOs Kay and Rebecca, which did work and which had public confidence.

Walia Kani also highlighted that a number of residents were advising her that they are not receiving feedback from the Nuisance Action Team once a complaint is made. Dave advised that the Police have a similar issue in terms of feedback.

Richard Hornby advised that he felt that the University has a duty of care to its students to provide additional policing from a safety perspective.

The Secretary asked if additional provision from a safety perspective could be delivered if the Parish Council were to put in additional funding. Dave advised that he believed this would be possible and highlighted that Safer Streets 4a) funding may be applicable to this scheme.

The Convener asked the meeting for their views if the Parish Council increased the precept in order to deliver this additional provision. The increase to the Band D

charge being around £12. Forum Members advised that they would need to take this back to their membership to discuss further.

It was highlighted that the City of Durham parish precept is very low and has not been increased since the inception of the Parish Council.

The Convener also highlighted that he felt that the funds raised through the Charter Trust could be re-allocated towards such a project.

The Forum **agreed** that the Secretary should meet with Joy Allen and Dave Clarke next week to explore options for additional safety across the parish through making the Safety Hub in the City centre a more mobile operation and for police to be on active patrol throughout the parish area.

#### **4. Durham County Council consultation on draft ASB Strategy**

The Forum considered the draft ASB Strategy by Durham County Council.

The Forum felt that this Strategy was very light on specific details relating to how certain services – such as better call handling, victims support, etc would be delivered.

The Forum also felt that more proactive work was needed around promoting and publishing stats relating to the community trigger referenced within the Strategy.

Alan Hayton highlighted that a lot of the actions referenced in the Strategy required the work and support of the Police in order to deliver.

Alan Hayton also advised that late-night noise disturbance should be seen as a key aspect of ASB for the City.

The Forum agreed that the Strategy was not specific to the City which has its own unique issues of ASB because of the demographic of the population, size of late night economy, etc. The only reference to the City in the Strategy at all being the PSPO on alcohol seizures.

The Forum agreed that PSPOs were an important tool to tackle ASB but highlighted that PSPOs which had previously been consulted on – e.g. aggressive begging – had not been introduced by DCC in spite of the support for this from the Police.

The Forum also highlighted that private landlord – whether licensed or not – formed an important part of addressing ASB in the parish area.

Mike Costello asked that, in the absence of selective licensing, the Parish Council should pursue DCC getting approval for “additional licensing” of HMOs; a matter he has been pursuing since 2010 when the proposal was first introduced.

The Convener advised that the Parish Council would be drafting a formal response to the ASB Strategy consultation this week, ready for approval by the Parish Council at its meeting next week.

Mike Costello asked for sight of this draft response before it was sent to the Parish Council. The Convener advised that this would depend on the Secretary’s time to do this.

## **5. Report by the Forum Convener on operation of CRAF into the future**

The Convener thanked Alan Hayton for raising important matters as to the operation of CRAF going forwards and advised that he would be bringing a formal written paper on this matter to the next meeting of CRAF for Forum Members' consideration.

## **6. Dates of future meetings in January 2023 and April 2023**

The Convener advised that the Secretary would be in touch in due course with a confirmed date in January 2023 for the next CRAF meeting.

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

Signed,

**Forum Convener  
(January 2023)**

End of report

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

## **14. CELEBRATING THE 80TH ANNIVERSARY OF THE CITY OF DURHAM TRUST**

The Council unanimously **agreed** to celebrate the 80<sup>th</sup> Anniversary of the City of Durham Trust through an award to one of the prominent and longstanding members of the Trust and to consider a proposal at the next meeting of supporting a Heritage Trail map.

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  
(24<sup>th</sup> November 2022)**

## **ITEM 9: EXECUTIVE SUMMARY OF RESIDENT FEEDBACK TO PARISH COUNCIL CONSULTATION**

At the Full Council meeting in October, following a report from the Councillors' away day in October, Members approved the launch of a public consultation exercise. This consultation focused on the work of the Parish Council to date, what residents viewed as their priorities for the parish area and how the Parish Council can best communicate the work it does in the community with local residents. The consultation also sought residents' views on whether they would be willing to pay a higher precept in the financial year 2023-24 in order to fund solutions to local issues.

The Parish Council's precept has been frozen at a Band D charge of £34.87 since 2018. Parish and Town Councils in County Durham are yet to receive confirmation from the County Council on the tax base for each parish for 2023/24. Although the City of Durham Parish Council area has a high population, its tax income is lower than areas of similar size due to the significant number of properties exempt from Council tax because of their use as student accommodation.

The Band D charge in the City of Durham parish area remains one of the lowest in County Durham.

The consultation ran between 28<sup>th</sup> October to the 17<sup>th</sup> November. Consultation responses could be submitted either electronically and/or hard copies returned to a dedicated feedback forms box located upstairs in Clayport library.

The consultation has been advertised on social media, the Parish Council's website and via local Residents Associations of the City of Durham parish.

In launching this consultation, it was agreed that the Finance Committee should initially assess the feedback received from this consultation in considering the ongoing budgeting process for the Parish Council for 2023-24. The purpose of this report is therefore to provide an executive summary of responses received from the consultation.

To date, a total of 91 responses have been received from residents of the parish to this consultation.

A summary of the responses received to each question is below:

### **How would you rate the City of Durham Parish Council's performance since it was founded in 2018? Please provide details.**

From the 91 responses received to this consultation:

40 rated the performance of the Parish Council since 2018 as being either excellent or very good. Positive feedback in particular was received in relation to the Council acting on behalf of residents' concerns in relation to the County HQ building, the Council's work in planning and in improving the local environment.

27 respondents rated the performance of the Parish Council as being either good or OK.

10 respondents rated the performance of the Parish Council as being either 'not good or poor'.

In both cases where the response on the performance of the Parish Council has been either 'good to OK' or 'not good to poor', respondents have highlighted that their main concerns appear to be beyond the powers of the Parish Council to directly act on or general statements about issues such as studentification, the perceived state of the City centre, etc. have been included.

14 of the 91 responses did not answer this specific question.

### **What would you most like to see the City of Durham Parish Council prioritise over the next year?**

The main issues highlighted through this consultation were as follows (in order of priority):

- Addressing the studentification of the parish area
- Making the community safer and addressing anti-social behaviour such as noise and late-night anti-social behaviour.
- Improving the cleanliness and appearance of the parish area.
- Improving the condition of footpaths within the parish area.
- Improving publicity for events in the City centre and promoting tourism.
- Tackling car parking issues and the lack of car parking spaces for residents.
- Attracting more independent retailers in the City centre.

### **What do you feel are the additional issues in the City of Durham Parish area and would you be prepared to pay a small increase in the Parish Council's precept to fund solutions?**

Additional issues highlighted through this consultation were as follows:

- Reducing traffic in and around the City centre (traffic along the A167 at school pick-up and drop-off times was specifically highlighted).
- Need for a greater police presence (both day time and night time) and for night time Neighbourhood Wardens.
- Improving the air quality of the City centre.
- Addressing the anti-social behaviour and street scene appearance of North Road.
- More events for families in the City centre.
- More community art space in the City.
- All new homes should be carbon neutral with solar panels, etc.

From the 91 responses received to this consultation:

40 said that they would be willing to pay an increase in the precept.

19 said that they would not be willing to pay an increase in the precept.

32 of the 91 responses did not answer this specific question about an increase in the precept.

**What are the best ways for the Parish Council to keep residents updated on its work in the community? (For example, public meetings, website, newsletters...)**

A mixed response was received to this particular question, with most respondents highlighting that use of electrical communications such as Facebook, the website and emails are low cost and efficient ways of communicating with residents.

Others preferred more public meetings, a Parish Council newsletter and more advertising in the local press.

Some respondents highlighted the need for responses to emails from elected Members.

**Other matters**

11 responses were received from residents outside of the parish area and are therefore not included for consideration as part of this report.

A full copy of all responses can be made available to Members upon request.

<b>DECISION REQUIRED</b>	For Members to note the above report and to consider this in future strategy and budget considerations.
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## **ITEM 10: PARISH COUNCIL STRATEGY – FULL PARISH COUNCIL PRIORITIES 2023/24**

Councillors are reminded that the Parish Council has agreed to formulate its strategy for 2023/24 ahead of the budget setting process in January 2023.

The aim of the Parish Council’s strategy is to give local residents, Councillors and Officers a clear understanding of what the council is trying to achieve and how it intends to deliver its aims and objectives. The strategy sets out what the areas of development or change the Council intends to focus on over the next year outlining those areas of service that are identified as priority aims and objectives.

As part of this, all Parish Council Committees are being asked to agree their priorities for the forthcoming financial year so that this can feed into the Parish Council’s budget agreement.

The Parish Council’s Finance Committee met earlier this week to discuss the draft budget proposals from Committees.

Last year, the Parish Council agreed the following overarching priorities for Full Council:

1. Being an ambitious voice for the city
2. Enhancing the physical and mental wellbeing of our residents and addressing inequalities in our parish
3. Upholding the Neighbourhood Plan and representing the parish on planning matters
4. Creating a positive environment for businesses and encouraging tourism to improve prosperity of parish
5. Taking action to combat the climate and ecological emergencies.

Within the scope of these overarching aims of the Council; a number of the Parish Council’s Committees have agreed their priorities for 2023/24. However, Members may wish to alter these overarching aims of the Council in view of the resident consultation feedback.

### **Looking Forwards**

The ‘Looking Forwards’ document has also been included as part of this work. ‘Looking Forwards’ is a companion document to the Durham City Neighbourhood Plan and has been developed by the City of Durham Parish Council Neighbourhood Plan Working Party. It is built on the aspirations and views as expressed by local people for their City during the five years of preparation of the Plan. It looks forward to greater involvement of the community in making Durham a more creative and sustainable City.

<b>DECISION REQUIRED</b>	For Members to agree the overarching priorities for the Full Parish Council for 2023/24.
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## **ITEM 11: UPDATE ON PAY SCALES FOR 22/23 PAY SETTLEMENT**

The National Association of Local Councils (NALC) has been advised by the Local Government Association that agreement has now been reached on the pay award for local government services ('Green Book') employees, covering the period 1 from April 2022.

### **Pay**

An agreement has been reached that all pay columns will receive an increase of £1,925.00, to be backdated from 1<sup>st</sup> April 2022.

The National Joint Council has agreed that from 1 April 2023, Spinal Column Point (SCP) 1 will be permanently deleted from the National Joint Council pay spine.

### **Annual Leave**

The NJC has agreed that from 1 April 2023, all employees covered by this National Agreement, regardless of their current leave entitlement or length of service, will receive a permanent increase of one day (pro rata for part-timers) to their annual leave entitlement. This may require, in some organisations, that a local agreement has to be reached in order for the extra day to be applied. The NJC's full expectation is that the additional day's leave will be applied for all NJC staff, regardless of existing local arrangements.

### **Joint work**

The NJC has also agreed to enter into discussions on homeworking policies, mental health support and maternity etc leave.

Sufficient funding for this increase was allocated by the Parish Council in January 2022.

If approved, all pay arrears will be paid in the November 2022 payroll window.

<b>DECISIONS REQUIRED</b>	<ol style="list-style-type: none"><li>1) For Members to accept the £1,925 increase to the Clerk's salary.</li><li>2) If 1) is agreed, for Members to make the necessary arrangements for arrears to be paid in the November 2022 payroll window.</li></ol>
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**ITEM 12: MOTION BY COUNCILLOR S WALKER ON WHITE RIBBON DAY**

Councillor S Walker wishes to propose the following motion to the Parish Council on White Ribbon Day and violence against women.

**The motion**

*This council supports the aims of White Ribbon Day and encourages its members and the wider community of the City of Durham to make the White Ribbon Promise to never use, excuse or remain silent about violence against women.*

<b>DECISION REQUIRED</b>	For Members to agree to the above motion.
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**ITEM 13: MOTION BY CLLR R ORMEROD ON THE PARK AND RIDE SERVICES**

Councillor R Ormerod wishes to propose the following motion to the Parish Council on the County Council's Park and Ride services

**The motion**

*This council urges Durham County Council to extend and expand park and ride services serving Durham City and to introduce electric buses as soon as possible, in the interests of reducing pollution and congestion in our city.*

<b>DECISION REQUIRED</b>	For Members to agree to the above motion.
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