

City of Durham Parish Council

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Date of Summons: 22nd September 2023

SUMMONS

To all Members of the City of Durham Parish Council: Councillors E Ashby, V Ashfield, L Brown, N Brown, A Doig, D Freeman, R Friederichsen, R Hanson, G Holland, C Lattin, G Nair, R Ormerod, E Scott, S Walker and H Weston.

You are hereby summoned to attend the **Meeting of the Council** to be held in the **Main Hall of the Merryoaks Community Hall, Park House Rd, Durham DH1 3QF on Thursday 28th September 2023 at 7:00pm** for the purpose of transacting the following Agenda business as shown.

Members of the public and press are also cordially invited to attend. Members of the public may address Council, Committee or Sub-Committee meetings for up to three minutes, with the agreement of the Chair of the meeting, provided that the statement is related to an item on the agenda. The speaker should approach the Clerk before the meeting commences to request to speak during the meeting.

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities, Health & Safety, Civility and Respect and Human Rights plus Social, Economic and Environmental matters.

Yours faithfully,

A. Shanley

Mr Adam Shanley
Clerk to the City of Durham Parish Council

AGENDA

- 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 ANNUAL COUNCIL MEETING HELD ON 27TH JULY 2023**
- 4. DISCUSSION WITH STEPHEN REED ON DURHAM COUNTY COUNCIL'S SECTION 106 PROCESS**
- 5. PUBLIC PARTICIPATION**
- 6. COMMITTEE UPDATES**

- Planning and Licensing Committee minutes from meetings held on 21st July and 1st September 2023**

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

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

- Report on the first draft proposals for the Conservation Area boundary as part of the production of the Conservation Area Management Plan.
- Proposal to adopt a new protocol for site visits for new planning/ licensing applications in the parish area.

- Environment Committee minutes from meetings held on 11th July 2023**

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

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

- Proposal to adopt the new Allotment Policy and Tenancy Agreements in respect of the Council's North End Allotment site.
- Proposal to produce a mural on the wall at East Atherton Street as part of a project to celebrate women's history in Durham City.

- Business Committee minutes from meetings held on 18th July 2023**

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

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

- Proposal to support the Uniformed Services Fun Day and Youth Market events during the Autumn half-term holidays.

- Report on planning for the Remembrance Sunday 2023 event.
- Proposal to produce and distribute a leaflet to support local independent businesses.

7. CHAIR'S UPDATE

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 27TH July 2023

8. SECTION 106 FUNDS - DRAFT PROPOSALS FOR A CONSULTATION CODE OF PRACTICE

9. COMPLETION OF THE PARISH COUNCIL'S EXTERNAL AUDIT 2022/23

10. PROPOSAL TO FUND THE NIGHT TIME SAFETY HUB IN DURHAM CITY

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.

11. NOMINATION FOR THE FREEDOM OF THE PARISH AWARD

12. OUTCOME OF THE CLERK'S FORMAL APPRAISAL BY PERSONNEL COMMITTEE

City of Durham Parish Council

Minutes of the annual meeting of the City of Durham Parish Council held on Thursday 27th July 2023 at 19:00 in the Merryoaks Community Hall, Park House Road. Durham. DH1 3QF.

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

Also present: Parish Clerk Adam Shanley, 3 members of the public and Michael Ashurst and Ashleigh White (Durham Police).

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

Apologies were received from Councillors L Brown, E Scott, H Weston, R Hanson, R Friederichsen and G Nair.

14. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received.

15. APPROVAL OF THE DRAFT MINUTES OF THE ANNUAL COUNCIL MEETING HELD ON 22ND JUNE 2023

The minutes of the meeting held on 22nd June 2023 were unanimously **agreed** as a true and accurate record of proceedings.

In agreeing the minutes, Councillor E Ashby raised concerns regarding the process by which the Armed Forces Champion for the Council had been appointed. Councillor E Ashby also asked that consideration be given for the appointment of a Youth Champion for the Council.

16. DISCUSSION WITH DAVE CLARKE, INSPECTOR FOR DURHAM CITY AND ASHLEIGH WHITE, SAFER STREETS COORDINATOR ON OPERATION LENTIL

The Chair welcomed Ashleigh White and PCSO Michael Ashurst to the meeting and thanked them for their work in the City. The Clerk advised that Dave Clarke had submitted his apologies for this meeting.

Ashleigh began by confirming that the two additional officers as part of the Operation Lentil project in the City began in early April and they were already a visible presence around the City and its surrounding residential areas. Ashleigh highlighted the recent reports from Operation Lentil and the successes of these additional officers on a night time in the City.

Ashleigh advised that he was aware that the additional officers had already dealt with a number of incidents since commencing and having the additional resource for the City meant that issues were being dealt with much quicker than they were prior to the Operation.

Ashleigh took the opportunity to thank the Parish Council and local residents for their ongoing support with this Operation and advised that time will tell what difference this makes for the City in addition to the work already being done by the Parish Council and others on the Safety Hub.

The Clerk highlighted the exceptional amount of work which Dave Clarke and Ashleigh White had put into this Operation and their ongoing work to make the City a safer and more pleasant place for residents.

Members thanked Ashleigh White for her work and agreed that this additional visible presence was really having a positive impact on the City.

Ashleigh highlighted that the big issue in the City at present is the issue of nuisance begging and expressed disappointment that DCC had not pursued a PSPO against begging in the City centre. Ashleigh advised that she is presently working with the Police, Durham BID and others in order to build up an evidence base to go back to DCC on this to try once more for a PSPO. Ashleigh highlighted that part of this evidence included impact statements from businesses and members of the public.

Walia Kani asked how a member of the public might go about submitting an impact statement for nuisance begging. Ashleigh advised that the Parish Council's PinPoint system was a good tool for this, otherwise she would be happy to speak with any resident about this.

Ashleigh also highlighted that she and the Police are carrying out some proactive work ahead of Fresher's Week, e.g. the promotion of the Ask for Angela campaign, Operation Hydrate, etc.

The Chair took the opportunity to thank Ashleigh for her presentation and for her work on safety issues in the City.

At this point, Ashleigh thanked Members for their time and left the meeting.

17. PUBLIC PARTICIPATION

None received.

18. COMMITTEE UPDATES

• Planning and Licensing Committee

Councillor G Holland presented the minutes from Planning Committee meetings held on 9th and 28th June and 7th July 2023. There being no queries from Members, Councillor G Holland moved on to Committee reports.

Report on the production of a settings study for the Durham Castle and Cathedral World Heritage Site.

The Clerk advised that, in 2020 a minor modification - an extension to the boundary of the World Heritage Site (WHS), was submitted to ICOMOS, the body which oversees WHS matters for UNESCO. The proposed boundary extension was put

forward in consultation with relevant stakeholders, including DCC and the Parish Council.

The Clerk highlighted that the recommendations from ICOMOS raised matters which were felt needed to be addressed through development of a more robust evidence base. Following discussions with Historic England, the Clerk advised that DCC feel that this evidence base should be in the form of a setting study which would provide support to any proposed changes to the WHS site boundary etc.

Councillor G Holland advised that the study would also be instrumental in supporting the production of the Durham City Conservation Area Management Plan, as well as function as an evidence base for planning decisions through the development management process.

The Clerk advised that the setting study, if approved, would be produced by an independent consultant commissioned by DCC, given its statutory role as the Local Planning Authority, particularly in terms of the protective measures toward the integrity of the WHS included within the County Durham Plan. The brief will also be agreed by the WHS committee members and key partners, notably the Parish Council.

The Setting Study would inform and support changes to the WHS Boundary as well as providing an evidence base to consider questions raised by ICOMOS previously including:

- a) A proposed minor modification to the boundary of the WHS, which may or may not vary to that previously put forward.
- b) Proposals relating to the consideration of a buffer zone,
- c) Details of how the revised area of the WHS would be protected, and what amendments to policy would be required if necessary.

The Clerk highlighted that the total costs for this project will be £30,000.

The Clerk advised that Durham County Council has committed £10,000 towards this setting study. The World Heritage Site Coordinator has also confirmed that she is confident at being able to secure £5,000 from Durham Cathedral, Durham University and Historic England. The Clerk advised that the remaining £5,000 is being requested from the Parish Council.

Councillor G Holland highlighted that the Committee had received an excellent presentation by David Sparkes (DCC) on this matter and had agreed to give this study every support.

Members unanimously **agreed** to fund this study to a cost of £5,000.

• **Environment Committee**

Councillor C Lattin presented the minutes from the Environment Committee meeting held on 13th June 2023. There being no queries from Members, Councillor C Lattin moved on to Committee updates.

Proposal to launch a Green Business Award for businesses in Durham City

Councillor C Lattin reminded Members that the Parish Council had agreed a fund of £1,000 towards launching a Green Business Award in the City of Durham parish area as part of the Environment Committee's budget for 2023-24.

Councillor C Lattin advised that the City of Durham *Green Business Award* is a new initiative by the Parish Council aimed at celebrating and promoting local independent businesses that are making positive changes for the environment while helping local independent businesses become more eco-friendly.

Councillor V Ashfield advised that a further intention of the award is to recognise businesses in our city who are real recycling champions as part of this scheme with the offer of a recycling champion branded window sticker for your business frontage.

Councillor C Lattin advised that the Environment Committee wishes to celebrate a winning business which goes above and beyond in our joint aim of tackling climate change. A cash prize of £1,000 for the winning business is available as well as the chance to be named "Durham City Green Business of the Year 2023".

To take part, businesses will be asked to complete a form electronically either by retrieving a Word copy of the application form via the Parish Council's website or via a Google Forms questionnaire.

The Clerk highlighted that the content of this form had been shared with all Councillors and the Environment Committee recently agreed its content at its last meeting in June 2023.

Councillor C Lattin also advised that it was proposed that the judging of all applications should be delegated to the Parish Council's Environment Committee.

Members unanimously **agreed** the content of this Award process and **agreed** to launch this Award in late September 2023.

• Business Committee

Councillor R Ormerod presented the Business Committee minutes from the meeting held on 16th May 2023. There being no queries from Members, Councillor R Ormerod moved on to Committee reports.

- Proposal to support the work of the ShopWatch organisation

The Clerk reminded Members that ShopWatch has been operating in Durham City in one form or another for some time now. The scheme has developed further since November 2022 through the work of the PCSO for Durham City Michael Ashurst and both the Police and daytime economy businesses in Durham are keen to continue this work.

ShopWatch is a partnership network of businesses in Durham City, linked by radio to each other and the police. This scheme operates in most major cities, towns and shopping centres across the country, and collaborating with local councils and

the police, ShopWatch has a purpose to deter and ultimately assist with the prevention of antisocial behaviour within public spaces as well as increasing personal safety and confidence amongst many retailers and their customers.

The Clerk advised that, since ShopWatch began developing in November 2022, Durham has noted a reduction in shoplifting crime within the City. This has had a positive impact on local businesses by decreasing losses of stock as well as creating a safer environment for customers. Having a live form of communication between businesses and the police is clearly central to the success of this scheme.

The Clerk highlighted that ShopWatch meets at the end of every month in Durham Town Hall and this is an important network of businesses which is well-attended and where feedback can be provided to the Police by retailers and the Police can also share intelligence to retailers (e.g. recent banning orders for individuals found guilty of an offence, etc.).

PCSO Michael Ashurst advised that the Police are looking to expand the ShopWatch scheme further by providing approximately 14 licensed radio sets (provided by the company Apex who currently operate the scheme) to some of the smaller independent businesses in the City.

Michael advised that these businesses have expressed an interest in being part of this scheme and it is hoped that supporting businesses with the hire costs for a radio set for a 12-month period will incentivise them to continue with this scheme into the future. This will also allow businesses to assess the radio link while protecting their business by using the radio.

Michael advised that provision of additional radio sets will also increase the coverage of the scheme across the City, thereby making this safer for businesses and visitors as well as growing the network of small businesses actively engaged in public safety within the City.

Michael asked if the Parish Council would consider providing funding for these 14 radios at a total cost of £1,680.00. Councillor R Ormerod highlighted that the Business Committee has agreed this as a recommendation to Full Council.

Members unanimously **agreed** to support the expansion of the ShopWatch scheme and fund the hiring of 14 radios.

- Proposal to improve the Fowler's Yard area of the City

The Clerk reminded Members that improving the public realm and promoting businesses within the Fowler's Yard area of the City has been discussed at previous Committee meetings. At the Business Committee meeting in May, it was agreed that a Working Group of stakeholders should be established in order to assess what actions can be taken to positively promote this hidden gem of our City.

The potential of Fowlers yard to play a key role in the City's business, cultural and visitor economies has long been recognised but never realised.

At the May meeting of the Business Committee, the Committee received and welcomed a report by Councillor E Ashby which set out a number of proposals for working towards Fowler's Yard and Back Silver Street enhancement.

Since this meeting, the Clerk advised that there has been some extensive work by partners to look to see what can be done to improve the overall appearance and user experience of this part of the City.

There were summarised as follows:

Lack of signage

- It has been highlighted that there is a lack of signage within the public realm, particularly from Lower Claypath to the corner of St. Nic's Church to let pedestrians know that Fowler's Yard exists.
- Sarah Billingham (DCC) is arranging for a new fingerpost sign to be installed on the sign at the corner of St. Nic's to say "Fowler's Yard Artisan Crafters".
- In addition, Colin has requested the installation of a further fingerpost sign on the grass verge on the corner of Back Silver Street to include details of the Indoor Market (which includes information about the lift and the toilet facilities). Sarah is investigating this.
- The bin at Silver Street could be moved elsewhere on Silver Street to make the sign for Fowler's Yard more visible.

Bins

- There is a proliferation of bins within Fowler's Yard itself. New yellow painted hatching has been painted on to the road and this has improved the positioning of the bins so as to allow the collection lorry to make a U-turn once the litter is collected. It has also freed up space within the public realm and made the area look marginally tidier with the positioning of the bins more aligned.
- It is clear that a number of businesses do not have enough space capacity within their allotted bins and their bins are regularly overflowing. The Parish Council's Neighbourhood Warden team is liaising with businesses concerned to seek a solution but preferably for more collections to be paid for.
- The Parish Council has met with the owners of Fowler's Yard and, long-term and subject to planning approval, they are hoping to develop the site such that most of the industrial bins can be housed internally. Members will need to consider that there are heritage impact implications for these proposals insofar as the present site allows for a largely unblemished view of the World Heritage Site from the riverside.
- The Parish Council's Environment Committee is hoping to launch a Green Business Award in August and this includes a criteria for waste management as well as recycling and other criteria. It is hoped that this will inspire positive change for improvements to the public realm re: bins etc.
- Although the Neighbourhood Wardens have labelled a number of bins, a small few remain unlabelled and it is essential that these be identified so that action can be taken against anyone allowing their bins to overflow, etc.

Flytipping

- Colin at Durham Markets Company has reported incidents of fly tipping within his designated waste area and this is a continuing problem which must be addressed by identifying those who do this. Colin has received a quotation for a CCTV camera pointing at the bin area and has asked if the Parish Council might be in a position to offer some match funding towards this. The total cost for this camera is £1,341.06 and Colin will pay £500 towards this. It is felt that this will help to make the entrance to Fowler's Yard from St. Nic's a more attractive entrance.

General public realm appearance

- The Parish Council's Environment Committee has sufficient funding available to fund additional planters and this could help improve the public realm if adopted by local businesses in the area.
- The Durham City Theatre windows facing onto Fowler's Yard are in a terrible condition. The Clerk has met with representatives of the Theatre on-site and this is not only causing an issue from a public realm perspective but also causing a serious issue of damp to the upper floors of the Theatre. The Clerk will look to support the group with an application to the Durham AAP and with planning etc. if this is acceptable to the Committee.

Members thanked the Clerk and the Chair for their continued work on these issues. Members unanimously **agreed** to support the purchase of a CCTV camera (costs in full) to the rear of the Durham Markets Hall in order to tackle the issue of fly tipping to the rear.

- Proposal to support the Children's Book Festival event over the summer holidays

The Clerk reminded Members that the Parish Council has agreed a total budget of £25,000 for this financial year towards hosting events in the City.

The Clerk highlighted that the Parish Council and the Durham Markets Company have established a very close working relationship to deliver events for the City. As such, the Parish Council has received this request for support to once again host the Durham City children's book festival in 2023 from the Markets Company.

The Clerk advised that, in 2021 and 2022, with the support of Parish Council, the Markets Company hosted this children's book festival and this had proved to be a popular family day event.

The Clerk advised that this event was very well received with a mix of authors and illustrators throughout the city centre alongside free children's entertainment.

The Clerk advised that the rationale behind the event is not only to encourage children to engage in reading and illustrations in a safe, non-competitive space, but to provide an event in these constrained times which is mostly free at the point of delivery and encourage more families back into the city centre with something for them to amuse and occupy their children.

The Clerk highlighted that, with the event running over 2 days, the cost of putting on such an event has significantly increased and the Markets Company has requested financial support from the Parish Council in the region of £4,300.

Councillor R Ormerod advised that he really supported this event and had previously done so through his local Members fund. Members took the opportunity to formally record thanks to Colin and Alice for their work on this terrific event.

Members unanimously **agreed** to support the Children's Book Festival with the proposed funding of £4,300.

- **LNER consultation on the proposed closure of the Ticket Office at the Durham Station**

The Clerk reminded Members that LNER is currently proposing to close Ticket Offices across the country and this includes the Ticket Office at Durham Railway Station. In order to assess the public view of these proposals, LNER has launched a consultation and is seeking views by no later than 26th July 2023.

The Clerk highlighted that he had written to all Members advising that the Business Committee was proposed to respond to this consultation on behalf of Full Council as the deadline for responses is prior to this Full Council meeting. The Clerk confirmed that Members were content with this arrangement.

Since announcing these proposals, Members advised that they were aware of a strong reaction online in Durham with members of the public exceptionally keen to see the Ticket Office retained. Local Members of Parliament have also objected to these proposals.

The Clerk advised that independent passenger watchdog Transport Focus is facilitating the consultation.

Councillor R Ormerod advised that he had received particular concern from members of the public regarding the impact of these proposals on more elderly and/or disabled users of train services.

The Clerk confirmed that the response to this consultation had now been submitted ahead of the original deadline, but that the Government had now extended the timeframe following concerns about the way the consultation had been run to date.

In addition to agreeing to respond to this consultation, Councillor R Ormerod advised that the Business Committee has also agreed to recommend to Full Council that the Council seeks an urgent meeting with the Rails Minister regarding these proposals.

Members unanimously **agreed** the response to this consultation by the Parish Council's Business Committee, as provided within the report.

Members also **agreed** to liaise with the MP's office in order to seek a meeting with the relevant Minister to express the Council's concerns regarding these

proposals and also to investigate the future use of the ticket office, if the consultation proposals went ahead as planned.

Councillor G Holland advised that he felt that the Parish Council should also be more proactive in gaining some TV and press coverage on this issue to further add the pressure to see these proposals scrapped.

- To consider recent correspondence from local businesses regarding a PSPO on nuisance begging in the City

The Clerk reminded Members that approximately 80 independent market traders had collectively written to the County Council to request that they reconsider introducing a PSPO against begging in Durham City.

The Clerk highlighted that Durham Markets Company had submitted this letter directly to the County Council but also copied this to a number of partner organisations, including Durham Police and Crime Commissioner, Durham Police and the Parish Council.

Councillor R Ormerod highlighted the issues of begging and its associated anti-social behaviour in the City and advised that he was aware that the traders are calling for swift and meaningful action on the issue by partner organisations.

Councillor R Ormerod advised that he fully supported the call by the businesses to see a PSPO against this activity in the City. This was echoed by Councillors D Freeman and V Ashfield.

Councillor R Ormerod advised that the last Business Committee meeting had agreed to propose to the Full Council that the Parish Council writes formally to the Chief Executive of DCC to ask that the issue be re-visited, perhaps with a different set of wording as the previous proposal of "aggressive begging" was not seen as appropriate.

Members unanimously **agreed** to write directly to DCC urging them to consider adopting a PSPO on nuisance begging and its associated anti-social behaviour.

19. CHAIR'S UPDATE

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 22ND June 2023, as follows:

The Chair advised that plans for Durham County Council's new County Headquarters are once again in the news this week. The Chair remarked that the Cabinet met yesterday to discuss proposals to purchase and extend the Rivergreen building at Aykley Heads. If approved, the Council is hoping to have a new Civic Centre for our County by Spring/ Summer 2025.

The Chair expressed his disappointment that the Milburngate development appears to be in a state of paralysis at present with one of the businesses recently stating publicly that they have "little confidence of opening this year". The Chair

advised that the developers have recently appointed a specialist construction management team to undertake a technical review of works to date and this will hopefully help to establish a new timetable for completion.

The Chair took the opportunity to warmly welcome the new Chair of Durham BID Matthew Booth of Discovering Durham CIC to his role. The Chair advised that Matthew recently attended a meeting of our Parish Council's Business Committee and expressed that it was heartening to read Matthew's email after this meeting; highlighting the exceptional work of this Committee. The Chair advised that Matthew has already hit the ground running and is trying to lobby the County Council to make this year the finale year for Lumiere and divert the substantial funding for this four-day festival to events which support the daytime economy of Durham throughout the year. The Chair advised that Durham BID is presently undergoing a governance review and he wished Matthew and Paul well with this endeavour.

The Chair also took the opportunity to welcome the new Chief Operating Officer of Durham Cathedral Guy Sampson to his new role. The Chair remarked that the Parish Council and Durham Cathedral have developed a very strong working relationship thanks to events such as Remembrance and the Coronation. The Chair advised that he looked forward to working with Guy and his team and wished Amanda Anderson well in her new role at Ripon Cathedral.

The Chair took the opportunity to thank all Members and volunteers who took part in the weekend's activities of replanting the planters in the Viaduct Area. The Chair advised that Councillors Lattin, Ashfield and Brown braved the rain with other volunteers and expressed his happiness to see these planters looking so good in this part of the city.

The Chair advised that he was aware that the Clerk had also asked for volunteers to support him with the distribution of the heritage trail and 7 Hills maps on 2nd August. The Chair advised that he and the Clerk found some free time yesterday and managed to get these maps out to the various locations and therefore there is no need for Members' support with this delivery effort. The Chair thanked those who had volunteered to help.

On behalf of the Full Council, the Chair took the opportunity to wish the Lord Lieutenant Mrs Sue Snowdon a very speedy recovery from a rather nasty fall. The Chair advised that Mrs Snowdon had worked with the Council on many events and he was pleased that the Clerk had already sent her flowers and a card expressing our well wishes.

The Chair also highlighted that Councillor Ashby's report from the latest CDALC meeting had demonstrated that the horrendous reality of the financial pressures DCC is facing as an Authority. The Chair advised that, whilst this Council is not impacted by the proposed changes to the LCTRS grant, other Parish and Town Councils so clearly will be. However, the Chair highlighted the indicative change to our Tax Base for Financial Year 2024/25. The Chair remarked that the reduction is such that the Council's starting position for FY 2024/25 is approximately £9,000 less than this current financial year. The Chair advised that the Council will need

to bear this in mind during the budget setting process between November and January.

The Chair also thanked the Environment Committee and the Planning and Licensing Committee for their joint work on the issue of Public Rights of Way. The Chair highlighted that the Parish Council has responded positively to the Public Rights of Way Improvement Plan. However, this plan did not provide a condition survey of the existing network and this is a noticeable gap in the plan. The Chair expressed his delight that the Clerk has worked with the Rights of Way team and has created an easy-to-use survey and is arranging a volunteering day for groups such as Durham Ramblers to go out and inspect the condition of each Public Right of Way. This will be taking place in October with the offer of a meal and a drink in the pub afterwards.

The Chair reminded Members that the Council will be carrying out a formal Staff Appraisal with the Clerk on 9th August. The Chair advised that the Clerk has asked Members to provide feedback directly to him (the Chair) by 4th August in advance of this.

The Chair reminded Members that Stephen Reed will be attending the September Full Council meeting in order to discuss the issue of Section 106 funding with the Council. The Chair advised that it will be great to welcome Stephen to this meeting and expressed his hope that this provides further clarity on the application and funding process.

The Chair took the opportunity to thank Durham University's Vice-Chancellor for her recent briefings regarding the future Strategy for the University. The Chair remarked that this set out some very interesting information relating to student numbers, a desire to re-balance the undergraduate/ postgraduate split as well as a desire to diversify the numbers of overseas students to include more students from USA, Malaysia, etc.

Finally, the Chair wished all present a lovely holiday and break over August and look forward to seeing you all in September.

20. REQUEST FOR A CONTRIBUTION TOWARDS THE MAYOR'S CHARITY APPEAL

The Clerk advised that the Parish Council has received correspondence from the Mayor's PA at Durham County Council on behalf of newly elected Mayor of Durham City Councillor Lesley Mavin, asking if the Council would consider supporting this year's Mayor's Charity Appeal.

The Clerk advised that, following her election as Mayor in May 2023, Councillor Mavin announced that any funds raised during her Mayoral year would be channelled towards St. Cuthbert's Hospice in Neville's Cross.

The Clerk advised that no specific amount has been requested in the letter from the Mayor's PA and any offers of a donation will be gratefully received and acknowledged. In both 2020 and 2022, the Clerk highlighted that the Parish Council had supported the previous Mayors' appeals with a donation of £500 towards the Fire Fighters Charity and Durham Samaritans respectively.

The Chair advised that the Hospice itself has recently launched a public appeal for donations towards the cost of energy to keep the Hospice running.

Members unanimously **agreed** to support the Mayor's Charity Appeal for St. Cuthbert's Hospice with a donation to the appeal of £500.

21. PROPOSAL TO ADOPT THE GENERAL POWER OF COMPETENCE

The Clerk highlighted that Town and Parish Councils have many specific powers, for example to provide open spaces and recreational facilities, and there is also the general power in section 137 Local Government Act 1972 to spend up to a certain limit for 'purposes not otherwise authorised'.

However, the Clerk advised that the Government included a 'general power of competence' in the Localism Act 2011 with the intention that local authorities would no longer have to identify a specific power, and that the risk of challenge would be further reduced.

The general power of competence is the 'power to do anything that individuals generally may do'. It is specifically stated that this includes things that are unlike anything else the local authority does, or unlike anything that other public bodies do.

The City of Durham Parish Council satisfies all the conditions for adoption of the General Powers of Competence as:

- All 15 Councillors were elected at the election in May 2021;
- The Clerk holds the CiLCA qualification;
- The Clerk has passed the 2012 CiLCA module on the Power of General Competence

Members considered the report provided to Council and unanimously **agreed** to pass the following resolution:

"The Parish Council resolves from 27th July 2023, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012, to adopt the General Power of Competence".

22. PROPOSAL TO SUPPORT THE EXCAVATION OF THE FLASS WELL AHEAD OF THE 50TH ANNIVERSARY OF THE FLASS VALE PROTEST PICNIC

The Clerk reminded Members that the Friends of Flass Vale are organising a 50th Anniversary event for the Flass Vale Protest Picnic; a resident-led movement which helped to safeguard the Flass Vale from development and retain this precious resource as an important green lung in the heart of our City.

The Clerk highlighted that Members have already agreed to support this event with a small donation of £300 towards Hall hire and catering.

In conjunction with this event, Councillor Liz Brown has also been working to carry out some environmental improvements to the area; including restoring the path leading to the Flass Well through her Members' local schemes funding. Part of this work also includes the excavation of the Flass Well (owned by Redhills).

The Clerk advised that the works are set to commence on 7th August 2023 and all running smoothly, will take approximately 1 week to complete, ensuring that this will be ready for the 50th Anniversary. It is hoped that the event could include an official opening of this ancient Well.

In addition, the University is also hoping to produce an interpretation board to show the history of the Well and its historical importance to residents, visitors, etc.

The Clerk advised that the total costs of the project are as follows:

Excavation, post-excavation works and reporting £6,580

Interpretation

Research and design £900

A2 Oak lectern interpretation panel £1,100

Total: £8,580

The Clerk highlighted that both Councillors Brown and Scott are providing £2,000 each in funding towards this work and the Parish Council has been asked if it might also consider providing £2,000 towards this work, with the remaining funding coming directly from Redhills.

Members unanimously **agreed** to support this project at a cost of £2,000.

23. REPORT FROM PARISH COUNCIL REPRESENTATIVES ON LOCAL ORGANISATIONS

Councillors R Ormerod and E Ashby presented the following report to Members of the most recent meeting of CDALC Larger Council's Forum held on Thursday 20th July 2023:

Before beginning, the meeting observed a minute's silence to respect the passing of. Cllr Bob Flemming.

Cllr Mrs Quinn, Shildon Mayor, welcomed and informed Members about the staff, resources and workload of the Council, emphasising the excellent relationship between Members and their Clerk.

Minutes of the 26th May. Item 9 C of D did not seem to be on the list of c20 councils signed up to the Civility and Respect Pledge.
Item 11 Update on Levelling Up and Regeneration Bill has been through the House of Lords and NALC will continue to lobby at the next stage in the House of Commons.

DCC Housing Strategy Consultation Much anger expressed at Aug. timing and very short notice for this by DCC. Discussion included examples of complete inability to engage, never mind deal with, landlords of mismanaged properties in already badly deprived areas; need for better infrastructure in new housing developments to be written into the County Durham Plan.

Cost of Insurance premiums – wide range of hikes discussed. **Agreed** best to go for long term agreements, look for offers with add on support and advice or one with Health and Safety College attached. **Agreed** Clerks should work together to combat lack of competition in Local Government rates.

Local Tax Reduction Scheme Grant. Eye watering figures. Scribbled notes include

- 2.1% pay rise takes 2.6m council tax income.
- 10% workforce cut = 3K less people.
- Gov can only give grant to CC's, not town /parish.
- Adult & Childrens services use 60% - last year overspent by £1.4m
- Reserves last year down by £38m.
- Home School t/s alone used up £29.2m this year.
- LCTRS down by 50-25 over 2 years (is that millions or %?)

Taxing absentee landlords will double after 2 years, treble after 5 empty, but huge rate for 10 years not under consideration. Taxing second homes is still being consulted on before Cabinet decision.

All still at draft level – Members will make decisions at November Cabinet.
COUNCILS PLEADED WITH TO RESPOND BY SEPTEMBER DEADLINE

End of report

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

Signed,

Chair of the City of Durham Parish Council
(28th September 2023)

ITEM 6: REPORT ON THE FIRST DRAFT PROPOSALS FOR THE CONSERVATION AREA BOUNDARY AS PART OF THE PRODUCTION OF THE CONSERVATION AREA MANAGEMENT PLAN

As Members are aware, the Parish Council is a funding partner, along with Durham County Council, for the production of a Conservation Area Management Plan.

The principal aim of the Management Plan is to improve the understanding of the conservation area and establish a positive strategy for its preservation and enhancement. The Plan will include a costed Management and Maintenance Action Plan which specifies the resources which will be required to maintain the upkeep of the Conservation Area over the longer term and ensure that it is a shared and deliverable vision.

A monitoring framework will be included to measure success. The plan will promote a proactive culture for conservation within the local community by which the historic environment will be safeguarded for the enjoyment of future generations. In the process, this can enable appropriate economic growth and bolster cultural identity through emphasising the local distinctiveness of the area.

The Management Plan will also outline the risks which are currently facing the conservation area, set out policies and proposals for the area's improvement through regeneration, design and development guidance, tree management and green infrastructure enhancement and development, monitoring and enforcement.

The fundamental aim of this Management Plan is to provide guidance through policy statements to enable the effective management of change and secure the preservation and enhancement of the special character and appearance of the Conservation Area.

On 1st September 2023, the Planning and Licensing Committee met with the lead officer for this work to receive an update on progress.

The County Council has now completed the character assessment and condition survey works for each street in the Conservation Area and has produced a heat map showing where there are identified issues in each street. Each street now has its own heritage rating as either: optimal, fair, poor or very poor and the reason for this is stated in the report.

The Council has also completed its identification and analysis of key views of the World Heritage Site and scored these based on their perceived importance. These relate to public views as opposed to private views from a particular property.

The coverage of the Article 4 Direction (relating to building materials and design, etc) is proposed to be expanded in order to protect surviving features and characters.

Another aspect of this work includes a review of the current Conservation Area Sub-Character Areas and their respective boundaries as well as the boundary of the Conservation Area in its entirety.

In late August, the County Council presented its draft proposals on the respective boundaries and this includes a number of highlights:

- The Conservation Area will now be extended to take in Durham City South (Hill Colleges) as well as an area East of Old Durham Gardens.
- The Sub-Character Areas are also being increased to form 7 areas (as opposed to the existing 5) with more concise and distinguishable conservation areas based on character and significance, aligning with the historic narrative of the old boroughs, established by 1250 that were independent single street settlements under the ownership of the Bishop.

The Clerk has drafted the following response which to the draft proposals and this has been approved in writing by Members:

The City of Durham Parish Council writes to formally congratulate and thank you for a terrific set of proposals in respect of the Durham City Conservation Area boundary. We are aware of the enormous amount of work which you and your predecessor Rebecca Taylor have put into this review.

The Parish Council is proud to be a funding partner for the Conservation Area Management Plan and we thank you for your positive and extensive engagement with us throughout the production of this document.

The Parish Council wishes to make the following observations:

- *As a general point, the Parish Council wholeheartedly supports the sub-division of the different character areas as proposed within this document. This allows for smaller, more concise and distinguishable conservation areas based on character and significance as well as aligning with the historic narrative of the old boroughs.*
- *Moreover, we fully support the inclusion of a number of the University's Hill colleges as part of proposals for the newly formed Durham City South Character Area. This Character Area includes a high number of non-designated heritage assets, including Grey College, St Aidan's College, St Mary's College, Trevelyan College and Van Mildert College. The document sets out clearly the reasons for this inclusion, with particular reference to building form and design as well as their relationship, views and visual connection to the World Heritage Site.*
- *Whilst the Parish Council has a relatively neutral view on the removal of the housing estates at the Sands, concerns have been raised with us regarding the protected status of a number of the trees in this area. A number of these trees form part of the wider landscape setting of the area next to the Sands, contributing a strong element to the local skyline. They are an integral part of the area's setting and have substantial amenity value as well as creating a green leafy feel to the area. Has the Council's Trees Officer*

been consulted on this aspect of the proposals and what advice are they able to provide regarding the ongoing protection for these trees?

- In addition, we note from your correspondence with the Gilesgate Residents Association (GRA) that the boundary has now been slightly amended so that West View is now re-included. As you have identified, this is an historic terrace of 1915, has its own character and the lane it fronts is shown on the 1st edition OS map c.1860. The Parish Council fully supports this amendment.*
- Similarly, we welcome the re-inclusion of Chapel Mews and St. Luke's Mews in this part of the Conservation Area. Whilst the housing is of no special historic significance, the burgage plot pattern is legible and an important part of the historic plan form of Gilesgate and the brick garden walls are an important historical boundary feature.*
- The Parish Council very much hopes that McNally Place and Green Lane may also be included within the Conservation Area boundary for Gilesgate. Although, we would not support the inclusion of the Esso garage. Historic England make it clear in recent correspondence that conservation areas should be designated where there is "sufficient special architectural or historic interest not to devalue the concept of conservation (NPPF paragraph 186)". The inclusion of the Esso garage and this part of Sunderland Road would certainly seem to meet this criterion.*
- In addition, the Parish Council objects to the removal of part of St. John's Road as part of these proposals. Firstly, it is unusual to split the boundary in a street. Recent planning applications in this area have also been refused due to their inappropriate harm in this part of the Conservation Area and we would not wish to remove any protections at all to this part of the Conservation Area. Records show that the houses were built sometime in the 19th Century and these form a typical Edwardian terrace that is identified in the Council's adopted Conservation Area Character Appraisal as making a positive contribution to the Conservation Area adding to its architectural richness and character.*
- Finally, the Parish Council feels it must object to the removal of Farnley Hey Road from the Crossgate Character Area. This area was developed in the Edwardian period and is a straight wide impressive road running north to south at right angles to The Avenue. Large detached Edwardian /Arts and Crafts Villas (Hillcrest, Farnley Hey and The Tower) appeared within the street scene with extensive grounds and outstanding views. The Parish Council believes that this warrants re-inclusion in this part of the Conservation Area and would be concerned at any loss of protection for this street.*

Many thanks for the opportunity to comment on these proposals. We look forward to working with you as this project progresses.

End of response

Lee Hall has confirmed that the Council is looking to have all feedback from the initial proposed by the beginning of October 2023 and will thereafter review this. Lee advised that the first draft of the Conservation Area Management Plan would go out to public consultation in the 1st quarter of 2024.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) For Members to agree the response to the draft proposals on the Conservation Area boundaries as set out in the above report.2) For the Planning and Licensing Committee to continue to work positively with DCC in the production of this Management Plan and await further information on the formal public consultation in 2024.
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ITEM6: PROTOCOL FOR SITE VISITS FOR NEW PLANNING AND LICENSING APPLICATIONS IN THE PARISH AREA

The City of Durham Parish Council has created a Planning and Licensing Committee, which will consider and make representations on new planning and licensing applications for sites in the City of Durham parish area, or which will have a significant impact on the parish. The Committee has delegated authority to respond to new applications on behalf of the Parish Council as a corporate body.

Although the City of Durham Parish Council is not the decision-maker on new planning and licensing applications, it has an important duty to discharge in representing its residents in assessing new applications. In the case of new planning applications, the Parish Council is a statutory consultee on planning matters which occur in our area.

The final decision on all new planning and licensing applications rests with Durham County Council as both the Local Planning Authority and Licensing Authority.

Introduction

1. Site visits by the Planning and Licensing Committee can be helpful in reaching a decision on issues where site circumstances are fundamental to the decision.
2. Members will have access to any application which is to be considered by the Planning and Licensing Committee and can discuss this with the Clerk prior to the meeting.
3. Where site visits are considered appropriate, Committee site visits should:
 - focus precisely on the observation of site factors which are relevant to the consideration of the application;
 - not be an opportunity for lobbying, public address, submission of new information etc;
 - not be used purely as an opportunity to defer consideration (if there is a good reason to defer consideration of an application, this should be done openly at the Committee meeting);
 - always involve the Clerk or another appropriate officer of the Parish Council;
 - be carefully conducted so that Members cannot be accused of bias to any of the parties involved
 - not go ahead if it is known in advance that a Member or Clerk/ Officer will be attending unaccompanied.
4. A site visit should only be arranged where a proposal is contentious or particularly complex and where the potential impact of the proposed development is a crucial factor which the Committee may find it difficult to visualise or assess from the plans and photographs made available on the Council's planning portal¹ and other supporting material. The purpose of a Committee site visit should only be to gain further information on a specific issue(s) or to assist Members in gaining a better understanding of the proposal.

¹ [Simple Search \(durham.gov.uk\)](http://simplesearch.durham.gov.uk)

5. Where a proposal is clearly contrary to national or Development Plan policy it should be refused for reasons of principle unless material considerations indicate otherwise. A site visit will not normally be appropriate in the absence of any overriding clear and convincing material considerations, except if necessary to decide whether particular local circumstances warrant the inclusion of additional reasons for refusal.

6. No minutes will be taken of the site visit and no recommendation will be made back to the Committee, as the purpose of the site visit is simply to assist in the decision-making process. Members of the Committee should endeavour to attend site visits to ensure they are fully apprised of all the relevant information prior to considering the application concerned but if all Members cannot attend this will not be a reason to defer a decision on how to respond to the application.

Pre-Committee Site Visits

7. For major/particularly contentious applications, a site visit may be recommended by the Clerk or any Member in advance of a decision on how to respond to the application. In such cases, the Clerk or Member should make a recommendation to the Chair of the Committee (in the cycle before the meeting at which it is intended to consider the application or earlier) that a site visit be undertaken prior to considering the application.

8. If the consultation timeframe allows for a decision to be deferred to the next meeting, any Member may propose that a site visit be undertaken at the relevant Committee meeting. Where there has been no pre-Committee site visit, the Committee may decide that a Member site visit is required in respect of a specific planning/ licensing application or enforcement matter.

9. In all circumstances, the Clerk or Members must state their reasons for recommending a site visit. The reasons for the decision (either way) will be clearly recorded in the minutes of the meeting.

10. A site visit cannot be requested by the applicant/agent or member of the public.

Organisation of Committee Site Visits

11. The organisation of the site visit will fall to the Clerk or relevant officer of the Parish Council. The Clerk/ Officer will send relevant communications inviting the following bodies to the site visits:

- all Members of the Committee
- the Ward Members
- The applicant/agent

12. Other third parties will not be invited to attend a site visit. However, there may be exceptional circumstances where the Chair of the Committee does allow for third parties to attend the site visit. If this does occur then the third parties will be expected to make their own transport arrangements for the visit.

13. No opportunity for speaking will be afforded to any party other than Members of the Committee who attend the site visit unless specifically requested by the

Committee Chair in order to answer questions of fact. This will be pointed out by the Chair at the beginning of the site visit.

14. The Clerk or relevant officer of the Parish Council must always attend a site visit.

Format of Committee Site Visits

15. For major applications, the Clerk or relevant officer of the Parish Council should prepare a briefing note for Members providing a description of the proposal, a brief summary of any consultee and public responses and identifying the key issues raised by the proposal. This should be circulated in advance of the site visit wherever possible.

16. On assembling at the site at the time specified, the Committee Chair will open the meeting and advise those present of the purpose of the site visit in line with this protocol and of the procedure to be followed, so that all are aware that it is a fact-finding exercise only and that no decision will be taken until the relevant Committee meeting.

17. Members should stay close together and should not engage in discussion individually or in small groups with others who may be present. Any request for Members to express a view or offer of hospitality should be politely declined.

18. The Clerk or relevant officer of the Parish Council will describe the development and point out/explain the issue(s) which Members have come to view, making use of relevant plans when appropriate.

19. Members should address any questions of clarification through the Chair.

Committee meeting following the site visit

20. All members of the Committee, including any who were not able to attend the site visit, are entitled to participate in the discussion and vote when it is reported back to Committee.

Appeal site visits

21. If a planning decision is appealed, the Planning Inspector (appointed by the Secretary of State) will undertake a site visit. For smaller sites, or ones where the site is viewable from public vantage points, the Inspector may make an unaccompanied visit. Where that is not possible, the Inspector will make an accompanied visit with representatives from each side present, as well as any third parties who may have requested to be present.

22. The site visit will follow a similar procedure to the Committee site visit, with the Inspector able to ask for clarification from either party. Sometimes, if the appeal is being determined by way of a Public Inquiry, or a Hearing, the Inspector may leave the Inquiry or Hearing 'open' for the duration of the site visit, and will allow representations to be heard from both parties on site.

23. In all cases, the Inspector will decide the time and date of the site visit, and will set out on what basis the visit will proceed.

DECISION REQUIRED	For Members to approve the proposed protocol for site visits for new planning/ licensing applications in the parish area, as set out above.
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ITEM 6: Proposal to adopt the new Allotment Policy and Tenancy Agreements in respect of the Council's North End Allotment site.

Members are reminded that the City of Durham Parish Council agreed to take over the ownership of the North End Allotment site at Larches Road in early 2019 from Durham County Council. This was required by the Local Government (Parish Councils & Parishes) Regulations 1990. At the time, this was the only allotments site under the ownership of the County Council in parish area and the County Council is unable by law to maintain ownership and management of the site with the existence of a Parish Council.

Other allotment sites in the parish – such as St. Margaret's Allotment site – are privately owned.

In late August, the Parish Council's solicitor informed the Council that Land Registry has now formally completed the transfer of the site to the City of Durham Parish Council and the Council is now the owners of this site.

Although this has taken a significant amount of time to finalise, there has been a significant amount of work and engagement carried out prior to this transfer with the North End Allotment Association to ensure that we have a policy and tenancy agreement all parties are content with. These need to be formally agreed by the Parish Council and all new tenancy agreements are to be signed.

In February 2019, the Parish Council agreed to mirror DCC's policy on allotments which was adopted by Cabinet earlier this year. However, this policy includes allowing livestock and beekeeping on their sites as well as other issues - something the Allotment Association is unhappy with for this particular site given its location within a Local Nature Reserve.

The Parish Council's Environment Committee met with representatives of the Association at its meeting in September to consider the draft proposed changes. Although there was some question over a proposed ban of chemical pesticides and herbicides on the site, this has now been dealt with as set out in this policy and tenancy agreement.

Under the current agreement, the Association decide on the rent for each plot. They collect and retain the fee for all sites and are responsible for the maintenance of the site and any repairs which may be required.

The site is extremely well-maintained and remains a hugely positive feature in the community of North End.

The Parish Council recently funded a sedum-roofed shelter and water butts for the Association and these have brought significant benefits to the site.

A copy of the new policy and tenancy agreement have been circulated to Members for their approval. Once approved, the Clerk and Association will look to have all new tenancy agreements signed within 2-3 weeks.

DECISIONS REQUIRED	1) For Members to note that the formal transfer of the land has now been completed and the City of
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	<p>Durham Parish Council is the official owners of the site.</p> <p>2) For Members to approve the content of the new Allotment policy and tenancy agreements, as provided to Members, and to instruct the Clerk to arrange for all new tenancy agreements to be signed forthwith.</p>
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ITEM 6: PROPOSAL TO PRODUCE A MURAL ON THE WALL AT EAST ATHERTON STREET AS PART OF A PROJECT TO CELEBRATE WOMEN'S HISTORY IN DURHAM CITY

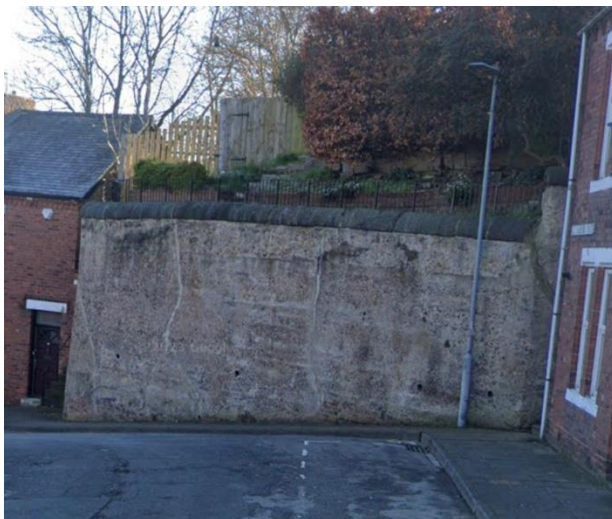
The Durham Women's Banner Group is organising a special 40th Anniversary of the Miners' Strike 'Women Against Pit Closures' event in March 2024.

The event will commence with a special service in Durham Cathedral and will then be followed by a procession with banners down to the Town Hall.

As Members are aware, the promotion of women's history in Durham City is a priority for the Parish Council and we have worked positively with the Women's Banner Group on several other initiatives such as: the restoration of the Ruth First mural, the blue plaques for the first 3 female graduates of Durham University as well as the plaque for the renowned photographer Daisy Edis.

Running alongside this project, the Environment Committee has been making efforts to improve the wall at East Atherton Street, shown in image 1 below. The wall is of very poor quality and has a detrimental impact upon the street scene in this part of the City. Previous efforts to plant hanging plants above the wall in the rear private garden above have not been progressed due to health and safety issues.

Image 1 – Wall at East Atherton Street



At its latest meeting, the Parish Council's Environment Committee agreed to support the painting of a mural on this wall.

The Clerk has investigated whether a planning application would be required to paint the wall and has had it confirmed that, so long as it is clearly not an advert, this would be Permitted Development under Schedule 2, Part 2, Class C which relates to the painting of a building and therefore does not require planning permission.

From a conservation point of view, as part of the Conservation Area Management Plan survey work in this area, the Conservation Officer has identified this section

of poorly render brick wall as being a visually stark/harsh boundary and out of keeping as a connection between the 2 Victorian former mine workers terraces.

Conservation has also expressed the view that they would prefer for the mural to have a mining-related theme to its design so that it directly relates to the heritage of this part of the city. Conservation has also confirmed that any works to this wall may give the street an upgraded heritage value in the Management Plan.

As Members are aware, the Parish Council has previously funded the work of Lewis Hobson, a local artist from Durham Spray Paints, at St. Oswald's play park (see image 2 below). Lewis is keen to do more projects to promote women's history in the City and the Women's Banner Group are keen to progress this project further.

Image 2 – example of work by Durham Spray Paints



Lewis has indicated that the total cost for design, rendering and paint works will be approximately £1,000 in total. If approved by Members, it is proposed that the Environment Committee and representatives of the Durham Women's Banner Group be delegated responsibility to agree the design.

Prior to commencing this work, the Environment Committee hopes to carry out a consultation with the residents of East Atherton Street.

It is also hoped that the mural might be unveiled as part of the event in March 2024.

DECISIONS REQUIRED

- 1) For Members to fund the work of Durham Spray Paints for a mural on the wall at East Atherton Street, subject to the outcome of a public consultation with residents on this street.
- 2) If 1) is approved, for Members to agree to delegate responsibility to the Environment Committee for the delivery of this project.

ITEM 6: PROPOSAL TO SUPPORT THE UNIFORMED SERVICES FUN DAY AND YOUTH MARKET EVENTS DURING THE AUTUMN HALF-TERM HOLIDAYS

As Members are aware, in agreeing its budget for financial year 2023/24, Members approved an allocation of £25,000 towards the hosting of events in the City.

Hosting events in the City is rightly identified as one of the key aspects of the Parish Council's work – through its Business Committee – to increase footfall into the City centre.

To date, the Parish Council has delivered a series of Coronation events, supported Durham Pride, the National Youth Market competition, the Children's Book Festival 2023 and planning for the Remembrance Day parade is well under way.

The Autumn half-term holidays will run between Friday 27th October to Monday 6th November 2023. This has generally been a relatively quiet period for events in the City. In light of this, the Parish Council's Business Committee has been working with partners the Durham Markets Company to host the following series of events over the week:

Youth Market - October 30th

An outdoor market to promote and celebrate local young entrepreneurs aged 16-30 and provide a supportive space to test ideas as well as the opportunity to sell in front of a buying public with minimal overheads (the gazebos will be provided free of charge). Working in conjunction with the Northern Lass Lounge who will be promoting their Lounge Generation programme to provide support for girls aged 16-17 who would like to run their own business. I will also be advertising this opportunity to Durham University and local colleges.

Free family entertainment such as face painting, arts and crafts and a family treasure trail will be provided during both events to encourage families to visit the city centre for a fun and affordable day out.

Uniformed Services Fun Day - November 1st

An opportunity for blue light services to engage with members of the public in a fun, free family setting.

The Markets Company has asked for a total of £1,300 towards support for entertainment, advertising and other miscellaneous expenses for these events. In agreeing its events budget for 2023/24, the Parish Council's Business Committee specifically allocated £2,500 towards the Autumn half-term holidays for events so there is more than sufficient funding available for this.

DECISION REQUIRED	For Members to agree to support the Autumn half-term holiday events in the City, as set out in the above report, at a cost of £1,300.
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ITEM 6: REPORT ON PLANNING FOR THE REMEMBRANCE SUNDAY 2023 EVENT

As Members are aware, the City of Durham Parish Council has agreed to have civic responsibility for the Remembrance Sunday event in Durham City. In January 2023, Members approved a total budget of £25,000 towards events in the City, with the Remembrance parade being a key aspect of the Council's calendar of events for financial year 2022-23.

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 organise 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 DCC Highways 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 the temporary occupation of the Marketplace. Both Durham University and DCC are aware of the event taking place this year as usual and this is a formality. As is custom, the Mayor's office has also arranged for a dais to be installed on the day in the Market Place. The Mayor's office will be funding this, although the Clerk has made arrangements for a new and more substantial dais for the 2023 following feedback that the previous dais needs replacing.

Health and safety:

The event is covered by the Parish Council's own public liability insurance. The Clerk has carried out a Risk Assessment for the event. 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. The County Council has agreed to fund the installation of the necessary HVMs going forward.

There will also be a need for crowd management control in order to facilitate the day. The Parish Council usually contracts 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 2023 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 is also hoping to arrange for Jill Woods, DCC's former Safety Officer for the event to attend on the day and to carry out a pre-event assessment and walkthrough. 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 2nd 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 now taken place with the Cathedral and army personnel to run through the order of service and arrangements on the day. Access to the service is to be managed by the Cathedral staff.

Miscellaneous

The Parish Council's Parade volunteer Arthur Lockyear continues to support this event with fundraising and working with the Parish Council to enhance the parade. Arthur is hoping to once again gain funding for 4 bands and catering after the event. The Parish Council has usually supported the costs for this.

The costs this year are expected to be as follows:

Donation to Band and Bugles, Police Brass Band, University Brass Band and possibly Pipes and Drums of 4th Battalion Royal Regiment of Scotland - £ 300 x 4 = £ 1,200.

Catering 2023 parade £ 1,195.25 (based on 2021 and 2022 costs).

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 2022 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 11th November 2023.

**DECISION
REQUIRED**

For Members to note the above report and the preparations being made for this event and to delegate all organisational and budgetary responsibility for this event to the Clerk.

ITEM 6: PROPOSAL TO PRODUCE AND DISTRIBUTE A LEAFLET TO SUPPORT LOCAL INDEPENDENT BUSINESSES

As Members are aware, one of the Parish Council's key aims is to support local independent businesses in Durham City.

As part of this priority, the Business Committee has discussed the production of a leaflet, to be distributed around the City of Durham parish area (as well as the unparished part of Gilesgate) to try and encourage more usage of the great variety of local independents Durham City has to offer.

The focus of this leaflet is around supporting retail businesses as opposed to other uses such as food and drink/ hospitality businesses and to try and alter consumer habits away from online shopping/ retail and more towards using existing premises within the City.

The messaging of this campaign comes directly from the Totally Locally campaign which has also provided stats specific to Durham. The intention of the messaging is to be as direct as possible in a positive way but the general message of 'use them or lose them' is clear from the leaflet.

A number of draft designs have been considered by the Business Committee and the latest design before Members is the one which the Committee has agreed on for page 1 of this leaflet.

Page 2 of this leaflet seeks to inform the public of a number of funding and training opportunities which are presently available through the County Council's economic development and regeneration teams, in a bid to improve existing services and premises as well as attract more uses for the City. Its content has been provided by Durham County Council and Members approved this at the meeting.

The total cost for the production of 10,000 of these leaflets is £485 and the delivery costs are £38/1,000 leaflets. The cost for the delivery has been reduced by £60/1000 leaflets as the Clerk has timed its production and distribution at the same time as the delivery of the "*What to do if you have a local issue in Durham...*" leaflet.

The total cost for this project being £865.

If approved, it is intended that these leaflets will be distributed together in mid-October 2023.

DECISION REQUIRED	For Members to agree to the production and distribution of this leaflet to support local independent retailers, as set out in the above report.
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ITEM 8: SECTION 106 FUNDS - DRAFT PROPOSALS FOR A CONSULTATION CODE OF PRACTICE

1. Section 106 Agreements (a.k.a. as "Planning Obligations") aim to balance the pressure created by the new development with improvements to the surrounding area ensuring that where possible the development would make a positive contribution to the local area and community, particularly to offset or meet the costs that would otherwise fall on the public purse for the consequential need for additional school places, extra demands on the health service, highway improvements and so on.
2. There is no legal requirement for consultations outside of the local planning authority, so the City of Durham Parish Council welcomes being a consultee by the County Council on applications for deploying Section 106 funds. This is described by Durham County Council as being in accordance with 'Standard Procedures'.
3. This is a very enlightened approach, and the principle of hearing views from interested parties is very much in line with the broad thrust that began with the Skeffington Report of 1969 of seeking wider public engagement in decision-making, especially from those interests that might be directly affected by the proposed development.
4. The Parish Council suggests that consideration by the County Council of Section 106 applications would be beneficially informed if the current 'Standard Practice' were to be expanded to include the relevant local community group, and also that the steps by which Section 106 applications are invited or initiated and then evaluated and ultimately decided upon were set out in relation to such consultations. This would fulfil the clear intentions set out in the County Council Cabinet Report of 2009 on handling Section 106.
5. This suggestion is in effect for a 'Code of Practice' that the County Council would follow, as it already does under its 'Standard Procedures' for consulting Parish Councils. It would include an administrative adjustment by which not only the local County Councillors and the relevant Town or Parish Council and Area Action Partnership are notified but also the relevant community or residents association. That notification would enable the community group to take a view as to whether it wishes to offer feedback on some aspects of the application or indeed whether or not it meets the local community's aims and objectives. For convenience, a list of properly constituted residents' associations whose areas are wholly or significantly within the City of Durham Parish Council area is attached to this note.

6. Whilst such a Section 106 Consultation Code of Practice would be for County Durham it is recognised that much of the Section 106 funds arises from Durham city developments. So, it would probably be prudent to have an opt-in arrangement by which Town and Parish Councils and residents groups are offered the opportunity to opt-in to the scheme rather than seek to operate it across the whole County.
7. It is also important that Parish Councils and residents' groups recognise that some Section 106 funds are held back until a trigger-point is reached, such as when the first occupant of a residential development project takes up residence. Accordingly, whilst the proposed deployment of part or all of the corresponding S106 funds can be agreed, the actual spend will not take place until that trigger-point has been reached.
8. One additional way of obtaining wider engagement is through the County Council's web-pages. A very recent example is the Sedgefield and Fishburn Section 106 community funding consultation that invited views on three possible projects in the locality.
9. If the above proposal is thought to be worth pursuing then it should be put to the County Durham Association of Local Councils and to the fourteen Area Action Partnerships to gain their views. This would discover whether the use of Section 106 funds is of general interest across the County or mainly is of interest to particular areas. It would also bring out any practical issues such as difficulties in having to respond within 21 days.

DECISION REQUIRED	For Members, having considered this report, to decide on the actions set out paragraph 9 above, namely to forward this report, suitably amended, to the County Durham Association of Local Councils and to the 14 Area Action Partnerships in County Durham seeking their views on its suggestions.
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Residents' associations whose areas are wholly or significantly within the City of Durham Parish Council area

The following community groups and residents' associations fall wholly or significantly within the City of Durham Parish Council area and participate in the Community Residents' Association Forum. They all have formal constitutions with annual elections of honorary officers, and hold regular inclusive meetings to which all residents (including students) are welcome.

Residents Association	E-mail point of contact
Gilesgate Residents' Association	gilesgateresidents@gmail.com
Elvet Residents Association	churchst26@gmail.com
Crossgate Community Partnership	contact@crossgate.durhamcity.org.uk
Sheraton Park Residents' Association	spracommittee@gmail.com
St. Nicholas Community Forum	jcgeorge@hotmail.co.uk
Mount Oswald Residents' Association	mountoswaldra@gmail.com
Sidegate Residents' Association	angelatracy49@icloud.com

ITEM 9: COMPLETION OF THE PARISH COUNCIL'S EXTERNAL AUDIT 2022/23

As Members are aware, 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.

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.

Mazars LLP have now completed their external audit for the year ended 31 March 2023 and have certified the Annual Governance and Accountability Return. No 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.

In summary, 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.

DECISION REQUIRED	For Members to note the conclusion of the external audit for 2022/23 and to instruct the Parish Clerk to take all appropriate action, as set out in the above report.
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ITEM 10: PROPOSAL TO FUND THE NIGHT TIME SAFETY HUB IN DURHAM CITY

As Members are aware, the Parish Council is a funding partner for the City Safety Hub at St. Nicolas Church. In setting its budget for 2023/24, the Council agreed to provide an additional £10,000 worth of funding for the hub for this financial year. This is in addition to the funding provided in 2022/23 of £10,000.

Other funding partners include: Durham County Council, Durham Police, Safer Streets (national) funding through the OPCC, Durham BID and Durham University.

Background to the hub

In Summer 2021, the Home Office invited applications for the latest round of Safer Streets (SS3) funding. The initiative was aimed at implementing improvements for the safety of public spaces. Shortly after release, another funding opportunity linked to Safer Streets was launched.

This opportunity was specifically aimed at the Safety of Women and Girls at Night (SWaN). The same organisation could not bid for both funds, so working in partnership, the Police and Crime Commissioner's office applied for SS3 and DCC applied for the SWaN funds.

Although the projects complimented each other, the SWaN bid could not contain any matters applied for under SS3. The spend on both bids had a challenging target date and was to be delivered by the end of March 22 and the funding could not be carried forward beyond that date. In November 2021, it was announced that the SWaN bid had been successful although SS3 had not.

The SWaN bid had four key elements

1. The appointment of a co-ordinator to oversee and deliver the project
2. Delivering vulnerability training to key staff working in the night time economy and situational awareness training to University Students
3. Deliver a Comms campaign highlighting the issue of safety of women and reporting of sexual harassment
4. Deliver a night hub on a Wednesday, Friday and Saturday nights which could provide a safe space for women should they feel at risk or vulnerable. The Hub would also be manned by staff of DCC who would also assist others in the night time economy when required

The original plan was to secure a retail unit and refit it to suit. Due to the complexities of securing a unit and the costs of refit, this option very quickly became impractical so an alternative solution was sourced.

Positive liaison with St Nicholas Church resulted in an agreement to use that venue for the night hub. The venue is already used by Durham Street Lights and it was agreed that a room in the church could be suitably adapted to meet the needs of the hub.

Staff from the Community Protection Service volunteer to man the hub as well as employing two SIA registered security staff. In addition, officers at the Durham

City Medics, a local charity based in Chester le Street, also support the hub's operation.

The Safety Hub in operation

Since opening on the 5th February 2022, the hub has proven to be a positive and at times life-saving facility for Durham City on the busiest three nights of the week. Working between the hours of 8pm and 3am they have provided necessary support, assistance, and guardianship not only to females in a vulnerable or at-risk state, but also males in a similar situation. The hub has dealt with over 3,500 incidents since launching and these can range from the most serious life-threatening issues to the every day care and wellbeing facility.

The latest (confidential) report from August 2023 of the hub's operations and incident log has been sent to Members.

The running costs for the hub are approximately £130,000 per annum. This includes staffing, training, room hire, equipment and campaign materials.

Funding the hub

The hub is fully funded till the end of 2023.

To date, the University has committed a further £10,000 thereafter and Durham BID has given a verbal commitment to continue to support the hub.

More worryingly, the criteria for Safer Streets funding has changed and cannot fund ongoing operations such as the hub. There is therefore a need to consider the long-term sustainability of the hub.

At a recent PubWatch meeting, representatives of the licensed night-time economy emphasised the huge benefits of the hub in the City and its Chair indicated that he may be able to secure corporate sponsorship for the hub.

It has always been the hope of the Parish Council that the hub could be funded into the long-term by the trade itself.

In the meantime, DCC staff who run the hub are looking for funding from partners.

DECISION REQUIRED	For Members to approve the allocation of £10,000 towards the continuation of the City's Safety hub.
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