

City of Durham Parish Council

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Date of Summons: 22nd March 2024

SUMMONS

To all Members of the City of Durham Parish Council: Councillors E Ashby, J Ashby, V Ashfield, L Brown, N Brown, A Doig, D Freeman, R Friederichsen, R Hanson, G Holland, C Lattin, 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 March 2024 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 COUNCIL MEETING HELD ON 22ND FEBRUARY 2024**
- 4. PUBLIC PARTICIPATION**
- 5. COMMITTEE UPDATES**

- **Planning and Licensing Committee minutes from meetings held on 9th and 23rd February and 8th March 2024**

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

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

- Report on the work of the licensing policy review working group.
- Report on the World Heritage Site Setting Study Project Design Document (attached).

- **Environment Committee minutes from the meeting held on 13th February 2024**

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

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

- Report on the recent project at Laburnum Avenue/ Lawson Terrace.
- Proposal for a blue plaque to commemorate the location of the former Durham City Ice rink.
- Proposal for a blue plaque to commemorate 12 Church Street as the former home of Professor Dame Rosemary Cramp.
- Breathe Clean Air project with three primary schools in Durham City

- **Business Committee minutes from the meeting held on 16th January 2024**

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 Durham City Theatre with the replacement of its windows and improve the aesthetics of Fowler's Yard.

- 6. CHAIR'S UPDATE**

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 22nd February 2024

- 7. MOTION BY COUNCILLORS R ORMEROD AND C LATTIN ON LEAZES BRIDGE**

8. REPORT ON THE FORTHCOMING CONSULTATION ON A PROPOSED PUBLIC SPACE PROTECTION ORDER FOR 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.

9. TO REVIEW ARRANGEMENTS FOR SUPPORTING INDEPENDENT BUSINESSES IN DURHAM CITY

10. GOOD CITIZEN OF THE YEAR 2024 AWARD

City of Durham Parish Council

Minutes of the meeting of the City of Durham Parish Council held on Thursday 22nd February 2024 at 7:00pm in the Main Hall of the Merryoaks Community Hall, Park House Rd, Durham DH1 3QF.

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

Also present: Parish Clerk Adam Shanley and 6 members of the public.

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

Apologies were received and accepted from Councillors H Weston and N Brown.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

Councillor E Scott declared an interest in all of the reports listed for consideration under the Planning and Licensing Committee section of the Agenda and took no part in the discussion or vote on these items.

3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 25TH JANUARY 2024

The minutes of the meeting held on 25th January 2024 were unanimously **agreed** as a true and accurate record of proceedings.

4. PUBLIC PARTICIPATION

The Chair welcomed Ms Debbie Hills to the meeting. Ms Hills thanked the Chair for the opportunity to speak on the matter of Leazes Bridge in Durham City and made the following statement:

"On Thursday February 1st, the County Council issued a new Order for Temporary Footpath Closure of Leazes Footbridge, for repairs. 5 days later the County Council issued a press release saying the Footbridge is, in fact, to be demolished. 2 days later, you, the Parish Council, were able to issue a statement saying:

"the City of Durham Parish Council supports the proposals for alternative walking and crossing arrangements to offset the demolition of the Leazes footbridge"

I recognise Leazes Footbridge is in the peripheral vision of most of you, with perhaps only about 1,000 of your 25,000 constituents living in the bridge's vicinity. Nevertheless, bearing in mind the 22,000 students who range around Durham, and have their medical practice on the other side of the bridge, it is very disappointing that you made this statement before hearing the views of anyone who uses the footbridge.

The footbridge was built in 1974, a direct result of too many students of Hild and Bede injured on this exact stretch of road where you are supporting a new crossing. In 1974 there were far fewer vehicles and only 5000 University students

Had the Parish Council been asked to comment on what motorists and commercial drivers coming in and out of Durham will think of an additional pedestrian crossing on the west side of the A690 / A181 roundabout - you would know that this will cause consternation, indeed uproar, compounding the additional delays already being experienced.

Your Parish Council Committees are charged with delivering your Strategy.

The Environment Committee promotes cleaner air and sustainable travel. Another pedestrian crossing will undermine the SCOOT system.

The Planning Committee, with Environment, wants to protect our World Heritage Site and Conservation Areas, and to improve and protect the appearance of the City and its heritage. The Gilesgate Conservation area document states "As an ancient route/gateway into the City, Upper and Lower Gilesgate are of immense importance."

The Business Committee engages with local businesses, and wants to encourage a variety of them to ensure a wide range of choice for. Every business on Claypath says they are suffering from the closure of Leazes Footbridge and you will find a Save Leazes Footbridge poster in everyone.

The Order for Temporary Footpath Closure of Leazes Footbridge is not the required process, in law, to demolish the bridge.

An Application for Diversion or Extinguishing Public Rights of Way under Section 119 or 118 of the Highways Act 1980 IS, for which

"consent of parish council is required for diversion or discontinuation of highway, traffic signs and other notices"

When the application for Diversion or Extinguishment is made, I'm asking you, to oppose it. Repairs or replacement is the only way forward, which can be paid for under the North East Transport Plan.

A last thought for your moral compasses. The required process to demolish the bridge gives no voice to the 13,500 constituents of Belmont and Carrville, plus the unparished part of Gilesgate and Sherburn Road, who are regular walkers into and out of the City, hopefully to also include the new residents at Bent House Lane. These long-standing communities to the East of the city include a large percentage of Durham's social housing, and disadvantaged residents, who walk both out of necessity and for pleasure."

Ms Janet George and Mr Adrian Darnell both expressed their concerns at the proposed closure of the Leazes Bridge. Mr Darnell advised that he would like to raise further queries with Durham County Council over the review undertaken which had deemed that the bridge could not be repaired.

Councillor Lattin advised that she was aware that the County Council has funding for the replacement of Baths Bridge but not Leazes Bridge and had deemed Baths Bridge as a higher priority for replacement.

Councillor Lattin advised that she did not understand why Leazes Bridge could not be repaired or that both bridges could not be replaced with a cheaper alternative such as wood.

Councillor Ashfield expressed her concerns over pedestrian safety if the bridge were to be demolished and advised that she felt that the Parish Council may have given more time to consider the implications of the closure of the bridge before issuing a public statement.

The Chair thanked members of the public and Members for their contributions to this discussion. The Chair advised that, whilst it was too late to consider a formal motion on this issue, he would be happy to see a formal motion on this matter at the next available Parish Council meeting.

5. COMMITTEE UPDATES

• Planning and Licensing Committee

Councillor G Holland presented the minutes from the Planning and Licensing Committee meetings held on 12th and 26th January 2024. There being no queries from Members, Councillor G Holland moved on to Committee updates.

Verbal report on public inquiry relating to the Sniperley applications

Councillor G Holland invited Councillor J Ashby to open the discussion on this item. Councillor J Ashby noted that the Public Inquiry began on 30 January and the live sessions ended on 21st February. He had attended this Inquiry on behalf of the City of Durham Trust, not the Parish Council, and had attended all the sessions.

Councillor J Ashby advised that the Trust had many, well-documented concerns that he and his Trust colleagues were able to present at the Inquiry across several very intense sessions. Councillor J Ashby highlighted that there were tense moments; one of relevance here is when, in Week 2, the Inspector pointedly commented that she was surprised that no County Councillors and no Chief Officers had attended at all, given that this is the largest and most prestigious development allocation in County Durham.

Councillor J Ashby advised that his overall impression is that the appellants dealt well with the County Council's five putative grounds for refusal, down from 13 grounds that had been put to the County Planning Committee in September 2022. Much was apparently achieved in side-room discussions because of the willingness of the three main parties - the County Council, County Durham Land and Bellway - to find acceptable solutions to the key issues. Indeed, it is to the credit of the County Council that it declared it would have refused the applications as submitted. This provided the opportunity - in the form of the Public Inquiry - for moving the developers very considerably towards what should be a much better development than would otherwise have been the case.

Councillor J Ashby advised that the Trust nevertheless still has grave reservations, for example about the Design Codes presented by the appellants. The County Council's position is that it accepts them; the Trust considers that particularly the Bellway Design Code is not fit for purpose. Sniperley has to be the best housing development ever achieved in County Durham, and Design Codes are crucial for this.

Councillor J Ashby highlighted that the Secretary of State has called in the four appeals to be determined by him, so the Inspector will simply be making recommendations. If the Inspector recommends approval, much will depend on the conditions to govern many crucial matters including layout, design, phasing, roadworks, bus routes, walking and cycling pathways, renewable energy, green spaces and land stability.

Councillor J Ashby also noted that much of the County Council's issues have to do with ensuring actual delivery of a primary school, additional capacity in Framwellgate Secondary School, a local retail and health centre, public transport, the linear park, and compensatory improvements in the remaining green belt. These issues require complex legal agreements and Section 106 funding. Having seen the documents being discussed between the parties, Councillor J Ashby observed that they are not yet finalised. Indeed, the County Council's legal officer has asked for time to obtain agreement from her clients. It is up to the Inspector as to what she recommends to the Secretary of State by way of conditions and Section 106 agreements, perhaps with amendments.

Councillor J Ashby added that the Parish Council had legitimate concerns about significant consequential impacts within its area on education provision, health services and traffic congestion. Councillor J Ashby advised that perhaps the most obscure position at the moment is coping with traffic congestion at Sniperley roundabout and on the A167 from Sniperley to Neville's Cross. The County Council had relied almost entirely on its highway department's assurances that the requirements laid down by the Independent Inspector of the County Durham Plan are met, but the Western Relief Road Action Group is far from convinced. Councillor J Ashby suggested that the Parish Council may wish to pursue this issue.

Finally, Councillor J Ashby wished to put on record that the County Council's Case Officer had acquitted himself admirably, and was praised by the appellants' Barristers for his professional conduct at all times over the past three years that their clients have been involved. He also noted that the Trust had a far better involvement, especially being able to come back and refute mistaken assertions, than is possible in the five minutes, sometimes just two-and-a-half minutes, allowed at County Council Planning Committee although, in fairness, County Council Planning Committees do not and should not last three weeks.

The Chair thanked Councillor J Ashby for his comprehensive report and also for attending each session of the Inquiry in order to provide this report.

Report by Jo-Anne Garrick on strengthening County Durham Plan Policy

The Clerk reminded Members that the Parish Council had commissioned a report by its consultant Jo-Anne Garrick, in order to inform discussions between the City of Durham Parish Council and Durham County Council (DCC) specifically regarding opportunities to strengthen County Durham Plan Policy 16 to better manage the intensification of HMOs within the city.

The Clerk highlighted that Jo-Anne's report was set out such that it provides: a) a background to CDP policy 16, b) a section describing different approaches to the management of HMOs through planning policies and the outcome of planning appeals in those areas; and c) a section which sets out possible policy approaches that the parish council could consider highlighting in discussions with Durham County Council.

The Clerk advised that Jo-Anne's report had highlighted a number of very interesting different policy approaches taken by other Local Authorities, in whose area a University or several Universities have a significant presence.

The Clerk highlighted that the Planning and Licensing Committee had recently met and agreed to adopt the recommendations in full in Jo-Anne's report.

The Clerk also advised that DCC's planning development and planning policy teams had invited the Clerk, Jo-Anne and a Councillor to a meeting with them to discuss this report in more detail.

The Chair thanked the Clerk for his work with Jo-Anne on this matter. Members unanimously agreed to adopt the recommendations with Jo-Anne's report and await further feedback from the Clerk via the Planning and Licensing Committee on the outcomes of the meeting with DCC officers.

Report by the Parish Clerk on appeals data for County Durham.

Members warmly welcomed the research work carried out by the Parish Clerk on the matter of appeals history across County Durham. The Council warmly congratulated DCC on its success at resisting appeals to the Inspectorate against inappropriate development.

The Council also particularly welcomed that the report highlighted the success of the Parish Council in overturning an original recommendation to approve schemes in some cases at application stage and then subsequently at appeal.

Members agreed that the work of the Parish Council's Planning Committee very often involved dealing with issues which were at the heart of residents' concerns.

Members **agreed** to note this report and take the opportunity to thank DCC for their excellent track record in resisting appeals.

• Environment Committee

Councillor C Lattin presented the Environment Committee minutes from the meeting held on 9th January 2024. There being no queries from Members, Councillor C Lattin moved on to Committee reports.

Report by David Miller on the condition of the existing Public Rights of Way network within the parish area.

Councillor C Lattin presented an excellent report from David Miller which set out the outcomes of a survey of the Public Rights of Way (PROW) in the City which includes statutory footpaths and bridleways.

Councillor C Lattin advised that the survey was carried on behalf of the Parish Council by volunteers in order to discover the condition of the network and how well it serves the public on 14th October 2023. The survey is a response to the Council's document 'Looking Forwards - Durham as a Creative and Sustainable City' Initiative 7: Identifying, conserving and Improving Footpaths in and around Durham City.

Councillor C Lattin highlighted that the survey is intended to provide evidence of where the paths require improvement and to report the findings to Durham County Council's Rights of Way team for action to be taken where necessary and possible. This could include both minor maintenance and cases where more significant interventions are proposed, for example to reinstate a path or to seek a Path Creation Order.

In summary, Councillor C Lattin highlighted that the survey has shown that the network of public rights of way (PROW) in the Parish is comprehensive, well used and mostly in good condition with 94% is either in good condition or passable requiring only minor improvements:

- 76% are in the Category of 'good' requiring no action.
- 18% are in the category 'passable/minor problems. The most common fault is the lack of finger posts or obscured finger posts (usually by being overgrown) from the road. The next most common faults are muddy patches or the requirement for minor repairs to surfaces or stiles.
- 6% are in the category of 'difficult or impassable' where more serious problems suggest greater interventions. There are a few instances where reconstruction of surfaces including drainage provision would be desirable. Also, there are a few cases where paths have disappeared largely through disuse that should be examined. There are also instances where path creation could be desirable which are included in this category because of lengthy processes involved.

Councillor C Lattin ended her assessment by taking the opportunity to thank David Miller for this excellent report and the volunteers who worked with the Parish Council in October 2023 on this work.

Members unanimously **agreed** to accept all of the recommendations within the report as follows:

- The City of Durham Parish PROW Survey Report, Analysis and Recommendations, be adopted following the inclusion of any further comments and be forwarded to Durham County Council for support and action.
- Request that Durham County Council reports, taking particular notice of the Parish Council's views that the PROW network is 'the poor relation' to the highway network and that full potential of PROWs be exploited by promoting the most important footpaths as a vital part of getting around the City, improving health and well-being, and enjoying the experience of the City
- A copy of the submitted report be sent to the volunteers with the thanks of this Council.

To consider supporting efforts to improve the drainage of the football field and adjacent adult fitness area at Merryoaks.

Councillor S Walker advised that she had recently presented a report to the Environment Committee in relation to the continued flooding of the football field and adjacent adult fitness area in Merryoaks.

Councillor S Walker advised that the field and adult fitness areas are well used by the local Merryoaks and Neville's Cross communities though it is clear that there is a significant flooding issue occurring within these areas which impacts on their use and enjoyment.

Councillor S Walker highlighted that the land in question is owned by Durham County Council.

Councillor S Walker also advised that, although there is a substantial amount of Section 106 funding (£141,015.20) available within the Neville's Cross Ward from the development of the Police HQ at Aykley Heads (**application ref: 8/CMA/4/73**), this is designated to Sports England who are not minded to use these funds for drainage solutions on existing provision but rather designated towards enhanced provision of sports facilities within the Ward. The latest proposal for the use of this funding towards enhanced provision involves a scheme with Durham School in our parish.

Members were advised that the Parish Council's Environment Committee agreed that this funding could be essential in ensuring that this free and open (albeit existing) provision of open green space for sports and recreation activities is safeguarded into the future.

The Environment Committee has asked if Full Council might consider seeking a resolution to this matter for its residents in the Merryoaks part of the parish. As a first step, the Parish Clerk has approached a

groundworks company to see if they can provide an estimate of the likely costs for rectifying the drainage issues at this field.

The Clerk advised that Environment Committee Members have asked if an approach to DCC might be possible to seek a resolution to this problem either through funding via the S106 funds or otherwise.

Councillor E Scott advised that she felt that the question of using S106 funding from the Aykley Heads development would not be possible. Councillor E Scott also highlighted that it may be possible for the Parish Council to resolve this matter but it all comes down to costs.

It was unanimously **agreed** that the Clerk and Councillor S Walker should work together in seeking a resolution to this matter by speaking with appropriate contractors to get an idea of costs for added drainage to the field.

6. CHAIR'S UPDATE

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 25th January 2024 as follows:

The Chair began by thanking all those involved in last week's fantastic blue plaque unveiling event for Bow Cottage; a really outstanding event. The Chair highlighted that Bow Cottage was the birthplace of the beloved 'Journey' and many other sculptures which form part of an incredible portfolio of works by a great man and which have become outstanding features of the City's cultural heritage and interest. It is only right that we honour this contribution and I know that Fenwick himself was delighted to see such a great attendance; not least from former pupils Sir Brendan Foster and Alan Smith. My thanks to them especially for attending.

The Chair also thanked Members involved in the fruit tree planting taking place across the parish area. The Chair advised that it was great to see the photos of the volunteers – both student and permanent residents alike – planting trees at the top of Lawson Terrace on Saturday. The Chair remarked that it is difficult to believe that that land was only a few months ago an overgrown, impassable mess filled with rubble and the like and now it is a beautiful orchard of fruit trees.

The Chair also thanked Councillor Esther Ashby for her continued leadership in championing the very serious matter of the poor condition of Fowler's Yard in our parish. Whilst a number of our actions have addressed some issues, such as the added CCTV to address fly tipping at the back of the Indoor Market, the additional signage and our Neighbourhood Wardens issuing fines, there are some big challenges still to tackle in this area. The Chair expressed his delight to see that we are moving forward to replace the City Theatre's windows and that the Clerk has been working tirelessly on this and that there is a meeting with the landowner next week to address the proliferation of industrial bins here too. We await the outcomes of both of these matters in due course.

The Chair also thanked DCC Highways team and particularly Kieron Moralee for his support in addressing the parking issues for residents of Diamond Terrace. As Members are aware, the parking provision for these residents had been removed by a developer in the area and this left this group of residents without any parking at all. Kieron and our Clerk have worked out a solution to this at a site visit and the Council is moving forward to formalise this arrangement – an excellent outcome for all concerned and a very welcome note from one resident who has thanked the Parish Council enormously for its support with this matter.

The Chair also thanked Councillors Lattin and Ashby for taking such an active role in the recruitment process for the new Durham University Community Liaison Manager. The Chair advised that he gathered that there were some very good candidates for this role and we await the outcome of this process in due course. We also wish Hannah Shepherd well in her new and more senior role with more of a housing focus; a key issue that the Chair advised that he was sure that Hannah will excel in.

The Chair expressed his deepest regret over the news that Durham Community Association – the tenant charity responsible for the running of the Shakespeare Hall – has recently decided to enter into voluntary insolvency as a charity. The building must legally be used as a temperance Hall for community use though it will be closed to all groups from the end of next week. The Chair advised that he and the Clerk met with the Shakespeare Trust who wish to remain in a landlord only capacity and therefore need another group to come in and help run this facility. It may be possible to consider a multi-agency community resolution to this matter which the Chair advised that he and the Clerk are exploring with various partner organisations.

The Chair expressed his huge congratulations also to the Durham Markets Company and DCC for a super successful set of Lunar New Year events to mark this new year of the Dragon; a symbol of vibrant energy and promising opportunities. Councillor Ashby caught the lettuce on our behalf so it is sure to be a year of prosperity ahead. The Chair advised that he certainly hoped that it is one for the irreplaceable Brian Stobie – an excellent officer at DCC – who has announced he is taking early retirement. The Chair remarked that Brian is a real can-do personality who has been a terrific friend to our Council and we wish him every happiness and success for the future.

The Chair advised that he was aware that there are raging passions over the issue of the demolition of the Leazes footbridge in our City. The Chair remarked that the Council has heard some very impassioned arguments from residents over the last few days and tonight. That said, the Chair advised that there is no getting around the cost implications for either repairing or replacing this footbridge and these are costs which the County Council is unable to bear. The Chair remarked that he stood resolutely behind his previous statement – agreed by this Council – that sadly these difficult decisions are an all-too-frequent reality for Local Authorities up and down the country at present following years of cuts to services from central Government.

On an unrelated matter, the Chair made a plea to all residents in our parish to please be mindful of their communications to both elected Members and our staff. Being a Parish Councillor is a rewarding and volunteering activity but sometimes a challenging one too. The Chair advised that he was especially disappointed some days ago to have sight of an email to one of our Members which manifestly fell below the standards of decency, dignity and respect he expects Councillors to be treated with. Every person here tonight is here because they have a love for our City and a desire to make this the best community it can be. The Chair asked that everyone please be mindful of this.

The Chair also took the opportunity to clarify that the recent press stories regarding the discrepancies between planning and licensing hours for certain premises within the City and the use of the term 'Wild West' were no reflection on any individual officer at DCC and their excellent work with the Parish Council. The Chair welcomed the statement response from DCC that they would be taking any breaches in permissions seriously and thanked them for this.

I am pleased that the Government is now offering all local Councils the opportunity to take advantage of a free framed picture of His Majesty the King. Our Clerk has put in the order for our own portrait and we are open to suggestions for a new home in Durham – for the portrait not our Clerk.

7. INTRODUCTORY REPORT ON THE COUNCIL'S STATEMENT OF LICENSING POLICY CONSULTATION

The Clerk highlighted that Durham County Council has recently launched a consultation on the review of its Statement of Licensing Policy for County Durham.

The Clerk advised that the existing Statement of Licensing Policy runs between 2019-2024. Whilst the Policy applies countywide, its content has particular implications for the City of Durham parish area as home to over 232 active licensed premises.

The licensing policy aims to balance the legitimate needs of businesses and public demand for leisure and cultural activities alongside the need to mitigate against potential adverse effects.

The Clerk reported that Durham County Council is now reviewing its current policy and are looking to understand if the policy provides sufficient and satisfactory information on the four licensing objectives, and in particular:

- the problem of drink spiking
- licensing hours and opening hours
- sexual harassment and misconduct and gender-based violence

DCC also want to know if the public feel that there is anything missing from the policy.

The Clerk reminded Members that the Parish Council's previously stated positions on the current policy is that a Cumulative Impact Policy and a late-night levy on licensed premises are missing features of the existing policy.

In setting its budget for 2024/25, Members approved a fund of £5,000 towards professional support in responding to this consultation. This is a key part of the work of the Licensing Committee and will surely set the parameters for all future applications in Durham for the next five years.

The Clerk advised that he has been seeking a suitable professional to support the Parish Council in responding to this consultation. To date, the Council's former barrister Ms Nicola Allan has advised that she will be able to support the Council with its response to this consultation.

The current consultation is now live and will run until 3rd May 2024.

The Clerk advised that, whilst the Parish Council's Planning and Licensing Committee will be reviewing this in forthcoming meetings, he had discussed this with Councillor S Walker and agreed that the bulk of the work on this consultation should take place as a working group outside of Committee time.

Councillor E Ashby asked that this consultation be a fixed item on the Agenda of the Planning and Licensing Committee until the end of the consultation period. The Clerk confirmed that this would be the case.

Members unanimously **agreed** to a) engage the services of Nicola Allan to support the Council in its response to this consultation, b) re-confirm that its position remains in favour of a Cumulative Impact Policy and a Late-Night levy and c) to take an active role in the working group to help formulate the Council's response and also promote an active public engagement in this policy review process, given its significant implications for the parish and its residents.

8. REPORT ON SECURING THE FUTURE OF THE DURHAM CITY SAFETY HUB

The Chair reminded Members that the Parish Council is a funding partner for the City Safety Hub at St. Nicolas Church. In setting its budget for 2024/25, the Council agreed to provide £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 and the same amount this current financial year.

Since opening on the 5th February 2022, the Clerk advised that 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 (to date) 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 Clerk highlighted that the hub has dealt with nearly 4,000 incidents since launching and these can range from the most serious life-threatening issues to the everyday care and wellbeing facility.

The latest (confidential) report from January 2024 of the hub's operations and incident log has been sent to Members.

The new running costs for the hub are set out below, based on 3 Safer Streets Officers and a running time of 9pm to 3am on Wednesday, Friday and Saturday nights.

	Nightly cost	Weekly cost (based on 3 nights)	Annual cost (based on weekly costs x 52)
Accommodation	£40	£120	£6,240
Safe travel	£15	£45	£2,340
Security	£137	£411	£21,372
(DCC) Safer Streets Officers x 3	£439.20	£1317.6	£68,515
Total	£631.21	£1,893.63	£98,467

The Clerk highlighted that the above costs have been significantly reduced from the previous running costs of the Hub (circa. £130,000) owing to a successful negotiation with St. Nic's Church to reduce their room hire costs.

The above costs also represent the minimum staffing level required for health and safety reasons to ensure the Hub can continue safely for all involved. A dedicated police presence attached to the Hub will likely cost an additional £150/ officer/ night.

The Chair advised that the Durham City Medics have previously carried out their duties free-of-charge as a charity. Their model of operation will soon be changing and they are intending to join forces with the newly established Durham City Street Friends, another group of volunteers working to ensure a safe night time economy in the City. They will remain a cost neutral element to this budget.

Durham County Council, the lead partner behind the Safety Hub, has approached all partners to seek out a more sustainable (3-year) funding model for the Hub.

As such, the below funding model has been suggested based on partnership commitments for the Hub:

Partner organisation	Commitment towards costs over 3-year period
Public Health (DCC)	£60k
Durham PCC (subject to change depending on May 2024 elections).	£60k
City of Durham Parish Council	£30k
Durham BID	£30k
Durham University	£30k
Serious Violence Duty (national funding to be paid in 2024/25)	£50k

Durham AAP (if successful)	£12k
Total	£272k

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

DCC is keen to secure funding over the 3-year period as soon as possible.

Councillors V Ashfield and D Freeman expressed their concerns that the University – a much larger organisation than the Parish Council – has only committed to the same £10,000 per year as the Parish Council and the BID. In light of a larger number of issues dealt with by the hub relating to supporting students, Councillors V Ashfield and D Freeman advised that they would have expected a higher contribution from the University.

This was echoed by Councillor G Holland who advised that he felt that the press should be informed of this low contribution from the University.

Members expressed concerns about making a definitive 3-year commitment at this stage, particularly given that the new Parish Council will be elected in May 2025 and therefore it would be unreasonable to tie the hands of future Councillors to such a commitment.

Members noted that a further £10,000 funding had been agreed for financial year 2025/26 and also unanimously **agreed** in principle only to a further two years' of funding.

9. REPORTS FROM REPRESENTATIVE(S) ON OUTSIDE BODIES

Councillor J Ashby presented the following report on the most recent meeting of the University's Student Housing Strategy Management Group:

- 1. Terms of Reference: these have been amended to re-name the group as the Student Housing Management Group. I queried where the crucial work on a strategy for housing for students would be placed; the answer is that DCC and DU and DSU have together agreed to prepare a housing strategy and an implementation plan for student housing in Durham city. I believe from the response by PVC Jeremy Cook that the stages and outcomes of this work will be shared with the Student Housing Management Group, but I need to check with University's Senior Manager Community Relations and Housing.*
- 2. The University has met with senior officers of the County Council to explore next steps with the draft County Housing Strategy. It was accepted that significant additions are needed to recognise the particular nature of the housing market in and around Durham City caused by the student population. There was less convergence on the University's assertion (and the Parish Council, DURF, DRAF and DSU) that an Additional Licensing Scheme is needed.*

- work remains to be done on evidence of need. It is fair to say that PVC Jeremy Cook felt strongly that the need is obvious.

- 3. There was an update on the well-publicised issue of missing gas and electricity certificates. The Public Register of Licensed HMOs is apparently up-to-date. However, there are still many licensed HMOs whose records are missing. The County Council served 250 Notices before Christmas requiring that the missing certificates be provided. The majority of landlords have complied but there are 13 premises where an up-to-date gas certificate has not been provided to DCC; 47 electricity certificates still missing; and 4 where both are missing. Enforcement action will be taken in early February, and possibly prosecutions thereafter. Publicity may also assist with the outstanding cases.*
- 5. Planning update and policy: CDP Policy 16 review was raised and the Parish Council's consultant's report welcomed. Several possible PBSA schemes have been put to the University at pre-application stage. The University will make formal comments in due course.*
- 6. Durham Students Union (DSU) noted that affordability of accommodation is a more serious issue than ever and are seeking a benchmark such as 50% of income.*

End of report

The Parish Clerk presented a confidential report to Members on the most recent meeting of the Durham BID's board.

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 March 2024)**

ITEM 5: REPORT ON THE WORK OF THE LICENSING POLICY REVIEW WORKING GROUP

As Members are aware, Durham County Council has recently launched a consultation on the review of its Statement of Licensing Policy for County Durham.

The Licensing Act 2003 places a duty on all Local Authorities, as the licensing authority for their respective areas, to review their licensing policies at least every five years.

The existing Statement of Licensing Policy runs between 2019-2024. Whilst the Policy applies countywide, its content has particular implications for the City of Durham parish area as home to over 232 active licensed premises.

Durham County Council is now reviewing its current policy and are looking to understand if the policy provides sufficient and satisfactory information on the four licensing objectives, and in particular:

- the problem of drink spiking
- licensing hours and opening hours
- sexual harassment and misconduct and gender-based violence

DCC also want to know if the public feel that there is anything missing from the policy.

In setting its budget for 2024/25, Members approved a fund of £5,000 towards professional support in responding to this consultation. This is a key part of the work of the Licensing Committee and will surely set the parameters for all future applications in Durham for the next five years.

The Council has now agreed to contract the services of Nicola Allan to respond to this consultation on our behalf.

In order to support the work of responding to this consultation, the Planning and Licensing Committee has established a licensing policy review working group in order that a review of this policy can be given its deserved time not usually possible at a Full Committee meeting.

In order to promote as wide a public engagement of this consultation as possible, the Clerk has designed an information leaflet to be distributed to residents informing them that the consultation is taking place. As the delivery of this leaflet will most likely be just within the pre-election season, the Clerk has sought further legal advice on its content and has had this approved.

The licensing policy review group is committed to progressing a Cumulative Impact Policy and a late-night levy as part of this consultation.

Moreover, the group is keen to look at other aspects of this policy such as how licensees address the issues of fake IDs and drugs in their premises.

The group has also agreed that to meet with DCC and discuss the main bullet points they are particularly interested in reviewing as part of the policy, i.e spiking,

framework hours and gender-based violence. This meeting has been arranged for 28th March 2024.

The group includes partners such as the City of Durham Trust, City shopping centre management (DMC, Riverwalk and Prince Bishops), Dave Clarke and Caroline Dickenson (Police), Ricky Cohen (Durham University) and representatives from DSU have been invited and a representative from Claypath Medical Practice and the health authority will also be invited to the next available meeting.

It is intended to carry out much of the initial work in advance of asking Nicola Allan to commence work on this, so as to have an agreed position on each aspect of the policy and not incur unnecessary additional costs.

The proposed timetable for work on this consultation is set out below:

Timetable for Statement of Licensing Policy consultation

11th March	Initial scoping meeting with Councillors
18th March	Meeting with interested partners
28th March* (please note the Monday timeslot is cancelled this week)	Meeting with Craig Rudman, Head of Licensing at DCC at 11am at Annand House.
1st April	** Bank holiday **
8th April	Full review with all interested partners and commencement of drafting of main responses
15th April	Draft main points to be confirmed
22nd April	Meeting with Nicola Allan to go over main points
29th April	Rubberstamping Nicola's response
3rd May	Deadline for submission of response

*PCC and North East Mayoral elections on 2nd May 2024. Pre-election period commences on 26th March 2024.

The current consultation is now live and will run until 3rd May 2024.

DECISION REQUIRED	For Members to note the above report and to delegate responsibility for responding to and promoting this consultation to the licensing policy review working group.
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ITEM 5: REPORT ON THE RECENT PROJECT AT LABURNUM AVENUE/ LAWSON TERRACE

As Members are aware, the Parish Council has recently funded the clearing of land to the rear of Laburnum Avenue and Lawson Terrace in our parish as well as new fruit trees. It is hoped that the Parish Council can carry out a mass bulb planting exercise in this area later this year too.

Durham County Council sub-contracted the work to clear this site and the contractors have been widely praised for their excellent work.

Equally, the volunteers who have supported us in planting a range of fruit trees did an excellent job and we thank them most gratefully.

Although not broken down to this detail at the time of quoting for the site, DCC officers based their quote for the clearing of the site on an estimate that the vegetation and rubble would be approximately 3 tonnes.

The Clerk was contacted in early March, six months following the clearing works by DCC's estimator who has now confirmed that the site in fact held nearly 30 tonnes of vegetation and rubble – a significant amount higher than that estimated at the time of the quote. As such, DCC has asked if the Parish Council might be able to provide further funding for the works undertaken.

The additional costs incurred were approximately £3,800.

- £2,300 for the tipping costs (originally estimated at £360 for 3 tonnes)
- £1,500 additional handling costs (there was so much in volume that contractors had to lead the plant up to a temporary storage area to allow it to be segregated then loaded by JCB into skips).

The above information was not communicated to the Parish Council during the works and therefore the request for additional funding is retrospective.

The budget assigned for this project is already fully allocated and therefore any additional contribution towards these works will need to be achieved from underspends in other budget areas.

The Clerk has indicated that the Parish Council may be able to provide an additional £1,000 towards these works. At the most recent meeting of the Environment Committee, Members agreed to provide an additional £1,000 towards these works, though stressed that this situation was not ideal and the information set out above and additional tonnage ought to have been communicated to the Parish Council prior to pressing ahead.

Equally, Members commended the contractors for their excellent work and felt that the additional £1,000 funding should be offered as a gesture of good will and a desire to maintain good relations in the event of any future works required.

**DECISION
REQUIRED**

For Members to agree to provide an additional £1,000 funding towards this project, as set out in the above report, as a gesture of goodwill.

ITEM 5: PROPOSAL FOR A BLUE PLAQUE TO COMMEMORATE THE LOCATION OF THE FORMER DURHAM CITY ICE RINK

As Members are aware, the City of Durham Parish Council has funded the production of new blue plaques around the parish area, as part of our aim of promoting the rich and diverse heritage of the City.

These blue plaques seek to celebrate a person, event or building of significance and have been popular with visitors and local residents. In addition to the Parish Council's own scheme, the County Council has also run a similar scheme to celebrate heritage and the two projects have complimented one another.

At a recent meeting of the Parish Council's Environment Committee, Members discussed the possibility of having a blue plaque produced to commemorate the former site of the Durham City ice rink, what is now the passport office.

Icy Smith was well known in the 1920s for selling ice, but as fridges became popular in the 1930s, he decided to build an ice rink (always his dream). He bought the ancient Mill at Freeman's Place at the bottom of Walkergate. He made it provide hydroelectric power for a while. He then knocked down some houses next door and built his ice rink.

Durham's first ice rink opened in 1940. It was a major task to keep it running and Icy Smith often relied on enthusiastic skaters to help with the maintenance.

Men were in short supply during these war years, and one challenge was finding volunteers to protect the rink's marquee from the wind and snow.

Nevertheless, the rink proved a huge success. It was a place where Durham folk could skate for sheer enjoyment, or sit back and watch the ice shows or ice hockey and temporarily escape the worries of the war. Ice hockey was established as a regular aspect of the ice rink's attractions in 1942, and there was a ready supply of individuals with enough talent and experience to ensure its popularity.

They came in the form of Canadian airmen, stationed at air bases such as Middleton St George. Ice hockey was hugely popular among the Canadians, as it still is today, and the Royal Canadian Air Force encouraged competition between the airmen as it was considered good for morale.

Many Canadian professionals came to play at Durham during these war years. They included talented players such as Milt Schmidt, Woody Dumart and Bobby Bauer, all players with the world-beating Boston Bruins, a US side that employed the cream of Canadian talent.

Ice hockey played at Durham was of a particularly unique brand in its early days. The poles supporting the marquee were a major obstacle for the players, but they became an integral part of the game.

Crowds flocked to the ice rink to see the games, even though Icy Smith was not allowed to advertise because it was wartime and the Home Office would not allow the movements of military personnel to be known.

In the event, it was a severe gale and not military action that destroyed the ice rink's marquee in 1944.

A new rink, with a more permanent roof, was now required. In 1945, the war was over, and many Canadians returned home. Some remained, as did Durham's enthusiasm for ice hockey. It was now down to Smith, by then in his sixties, to build the ice rink that the city's skaters desired.

The rink, complete with a permanent roof, opened on the site of the original one at a cost of £64,000. One big problem had been finding wood for constructing the stands that would house the expected crowds. Wood was in short supply at the end of the war, but Smith saw there was a great surplus of wooden coffins, and bought many for use in the rink's construction.

When the final nails went into the former coffins, it would signal the beginning, rather than the end, of a successful era for the rink. Fundamental to this success was the ice hockey team. The Durham Wasps began their life in 1946 and were established by Mike Davey of Ottawa, along with three other Canadians who made Durham their home.

In the 1950s, Smith was so inspired by the success of ice hockey that he established an ice hockey team at Whitley Bay. The Durham Wasps team was split into two to help create the Whitley Bay team, known initially as The Bees, then the Braves, and finally as the Warriors. This created a healthy local rivalry, but also meant that Smith could organise games so well-established teams from Scotland could play both North-East teams in a weekend.

Ice hockey maintained a degree of popularity throughout the Sixties and Seventies, but it was the period from 1982 to 1992 that was the real heyday for the Durham Wasps. The team dominated British ice hockey during these ten years, winning the Heineken Championship four times, the British National League six times, and the Norwich Union cup on three occasions.

Two of the most influential players of this period were the captain Paul Smith, a great grandson of Icy Smith and the Canadian player-coach Mike O'Connor. Sadly, ice hockey in Durham became a victim of its own successes and ambitions. The last days of the Wasps came within only a few years of their greatest era.

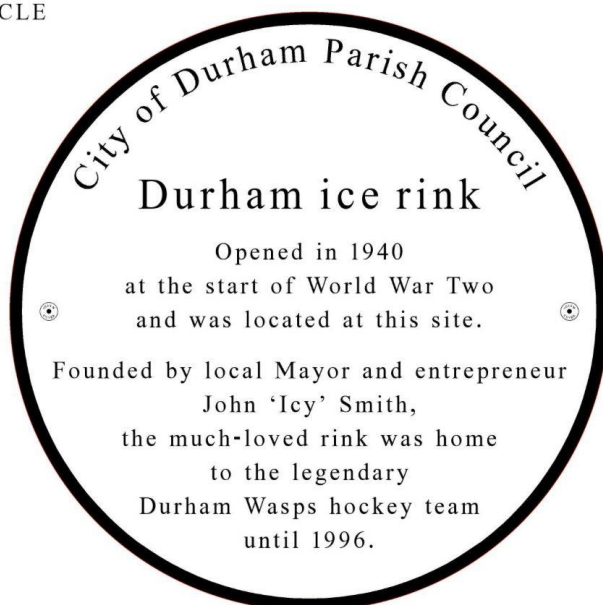
In 1995, Sir John Hall purchased the team as part of the Newcastle United Sporting Club, with the intention of moving the club to a rink that was to be built near St James's Park, in Newcastle. However, planning permission was never granted.

The Durham Wasps first season under new ownership was played at Sunderland's Crowtree Leisure Centre. When they moved to Newcastle Arena the following season, they were renamed the Newcastle Cobras. In the next four years, ownership of the business changed hands twice, with a subsequent name change, first to Newcastle Riverkings and then Newcastle Jesters. The links with Durham were lost forever.

Unfortunately, the departure of the Wasps brought financial difficulties to the Durham rink. It closed on July 8 1996, reopening a year later as a 20-lane bowling alley. Like the ice rink, it proved to be a popular leisure attraction for the people of Durham, but the days of ice skating in Durham City are no more.

A proposed mock-up of the blue plaque has been produced and agreed with Icy Smith's family, as set out below:

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If approved, a blue plaque at the site would be acquired by the same company which provided the other blue plaques and the costs would be approximately £500.

Although the site is itself unlisted, a major challenge to overcome if this blue plaque is approved, will be gaining the consent of the passport office

(the Home Office) for the siting of this plaque on their building. The Clerk is meeting with the estates team at the passport office on 28th March to discuss this with them.

DECISION REQUIRED	For Members to agree to the production of a blue plaque for the site of the former Durham City ice rink, as set out in the above report.
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ITEM 5: PROPOSAL FOR A BLUE PLAQUE TO COMMEMORATE 12 CHURCH STREET AS THE FORMER HOME OF PROFESSOR DAME ROSEMARY CRAMP

As Members are aware, the City of Durham Parish Council has funded the production of new blue plaques around the parish area, as part of our aim of promoting the rich and diverse heritage of the City.

These blue plaques seek to celebrate a person, event or building of significance and have been popular with visitors and local residents. In addition to the Parish Council's own scheme, the County Council has also run a similar scheme to celebrate heritage and the two projects have complimented one another.

At a recent meeting of the Parish Council's Environment Committee, Members discussed the possibility of having a blue plaque produced for 12 Church Street in our parish.



12 Church Street is a Grade II Listed building. Designated on 30th April 1971, the listing notes: *"House. Late C17. English garden wall bond brick (5 and one) with painted ashlar dressings. Welsh slate roof with new brick chimney. 2 storeys, 2 bays. 6-panel door at right in wide architrave under pulvinated frieze and cornice. Tripartite sashes at left and small sash above door have header course lintels. First floor sill band. Steeply-pitched roof has slightly-swept eaves."*

Given the building's listed status, if this proposal is approved, a planning application must be submitted for permission to install this blue plaque.

More significantly, 12 Church Street is the former home of renowned archaeologist and the first female Professor at Durham University, Professor Dame Rosemary Cramp. Professor Cramp lived and worked here from November 1972 until June 1988. It was getting the chair, with the consequent boost in salary, that made it possible for her to buy this house. It is understood that it was getting the chair which was actually the decisive factor that led to her move to Church Street, where

she is said to have loved her little house and its proximity to the churchyard and walks along the river.

From a lifetime's career at Durham University, where she was the first female professor, she led major excavations at the Venerable Bede's twin monastery of Wearmouth-Jarrow, as well as an ambitious project to record every piece of Anglo-Saxon stone sculpture in England – now nearly completed.

Durham was an ideal location for her. Three centuries after the great Anglo-Saxon scholar Bede died in AD735, his remains were moved to Durham Cathedral. He had spent his calling at Wearmouth (on the Wear) and Jarrow (on the Tyne), an area that constituted a medieval European centre of culture and learning now half an hour's drive north-east of Durham.

As Cramp took up her first post in 1955, excavation was getting under way on newly discovered Anglo-Saxon royal halls at Yeavering, in Northumberland; she was able to refer to these in her first, pioneering paper, *Beowulf and Archaeology*, published in 1957 in the first issue of a new journal, *Medieval Archaeology*.

In 1959 she began her own excavation at Monkwearmouth (as Wearmouth is known today), followed by further excavation at Jarrow in 1963. Antiquaries had long been aware of the sites' association with Bede, but had largely dismissed the likelihood of monastic remains surviving.

However, continuing and off at Wearmouth into the 1970s and Jarrow the 90s, Cramp and colleagues revealed remains of large stone buildings that had once boasted lead roofing, painted and sculptured wall decoration, important sculptures and windows with coloured glass – fragments from which exceeded quantities found at any other comparable European site. All this was detailed in two substantial monographs in 2005 and 2006, bringing a close to what Cramp described as "a large part of my life", shared on site by hundreds of students and local volunteers.

She launched a small museum and education programme from her Jarrow excavations, which ultimately grew into Bede's World, a museum and Anglo-Saxon farm with experimental buildings and rare-breed animals, on a reclaimed industrial landscape. This closed in 2016, and immediately reopened under new management as Jarrow Hall and Bede Museum with her passionate support.

Meanwhile she was tracking down finds across England for the Corpus of Anglo-Saxon Stone Sculpture. This monumental undertaking, run from Durham with a large team of specialist consultants and volunteers scouring the country, has to date published 13 volumes, from County Durham and Northumberland (1984) to Derbyshire and Staffordshire (2018). The number of known sites has risen from around 200 to more than 1,000, and more than 3,500 individual stones can be studied in print and online.

Her other excavations included the Hirsel, a church and medieval cemetery in the Scottish Borders, in the early 80s – a unique project in Scotland, bringing her distinctive approach to early Christian archaeology – and a brief investigation at Catterick Garrison, North Yorkshire. There soldiers had found a medieval grave

while raising a signpost, and over four days she revealed part of a Roman building, impressing the commanding officer with her fortitude in the mud and rain.

She was generous with her time advising and steering organisations, which ranged from the Royal Commission on the Ancient and Historical Monuments of Scotland (she was a member for over 25 years) to the British Museum (a trustee for 20 years), and from Durham Cathedral (consultant archaeologist) to the Reviewing Committee on the Export of Works of Art (member) and the Council for British Archaeology (president), among many others.

As such, it is proposed that the blue plaque captures this history with the following wording:

12 Church Street
***Renowned archaeologist Professor Dame Rosemary Cramp lived here
between 1972 and 1988.***
***The first female Professor at Durham University, who established the
University's archaeology department, Professor Cramp led excavations at the
twin monastery of Monkwearmouth-Jarrow, home to the Venerable Bede.***

Given that the rule for blue plaques dedicated to an individual is that the individual being celebrated must have been deceased for at least 20 years, the Environment Committee would prefer to see a dedication to the house where Professor Cramp lived and worked.

If approved, a blue plaque at the site would be acquired by the same company which provided the other blue plaques and the costs would be approximately £500.

Although the Parish Council has previously conducted a public nomination process for awarding such plaques, a number of Members are keen to support this proposal and to mark this important location in this way.

DECISION REQUIRED	For Members to agree to the production of a blue plaque for 12 Church Street, as set out in the above report.
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ITEM 5: BREATHE CLEAN AIR PROJECT WITH THREE PRIMARY SCHOOLS IN DURHAM CITY

As Members are aware, engaging with young people in our parish and promoting clear air and active travel are two key aims of the Parish Council.

In agreeing its budget for 2024/25, the Parish Council agreed a fund of £2,500 towards a project working with young people to promote awareness of clean air (OASES project).

At its last meeting, the Environment Committee received a presentation by OASES, setting out the scope of their Breathe Clean Air project.

The Breathe Clean Air project will enable Durham city schools to engage with Clean Air Day (June 20th 2024). The project will make schools aware of the importance of clean air, and how action to improve air quality benefits human health and reduces greenhouse gas emissions.

It will also investigate the barriers to action - the children will design a survey to establish current knowledge and awareness of the issue and what/why current travel choices are made within their whole school community. OASES staff will work with children and teachers at three schools (St Oswald's, St Margarete's, and Neville's Cross primary schools).

The **aim** of the project is to raise awareness of the co-benefits of reducing air pollution by and for the school community, and encouraging behaviour change. The **objectives** of the project are to

1. Motivate schools, children and parents to take action to reduce school-related air pollution.
2. Investigate the barriers to related action.
3. Identify potential priority areas for follow up to support behaviour change.

The **outputs** will be:

- a) a survey, co-created and analysed with children, and a final report which will be made available to schools and the Parish Council, and which will inform the actions going forwards;
- b) whole-school assembly on the topic (covering key facts, challenges and solutions), and;
- c) two class sessions about the topic at each school.

This project will also establish the potential for follow-up projects that facilitate more direct action; e.g. supporting the increased use of e-bikes to transport children to and from school, creating and supporting walking buses, and other ways to reduce car travel to and from schools.

OASES is able to deliver this project working with one class per year group at each school within the £2,500 budget. However, a number of the schools have 2 classes in a given year group and the Environment Committee is keen to allow full engagement with this project and would therefore recommend an increased fund to fully deliver this project.

In addition to the agreed £2,500, the cost for doing work with an additional class in any school instead of the originally agreed 1 class, will be £220 per class (an additional £1,100)

St Margarets has 2 classes per year group and Nevilles Cross has 6 KS2 classes (3x Year 3-4 and 2 x Year 5-6). All schools have agreed to host OASES for the purposes of this project.

DECISIONS REQUIRED	<ol style="list-style-type: none">1) For Members to agree to support the OASES Breathe Clean Air project.2) For Members to agree to provide a total of £3,600 towards this project.
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ITEM 5: PROPOSAL TO SUPPORT THE DURHAM CITY THEATRE WITH THE REPLACEMENT OF ITS WINDOWS AND IMPROVE THE AESTHETICS OF FOWLER’S YARD.

As Members are aware, improving the quality of Fowlers Yard in our parish is a key aim of the Parish Council’s Business Committee.

Fowlers Yard is an unexpected pocket of creativity, tucked away down on the banks of the River Wear in Durham. It is a unique development of creative workspaces for professional artists, craftspeople and creative businesses. Transformed from their original purpose as stables and warehouses, the buildings have also been used as scout huts, and a recording studio including practice room for musicians.

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.

The Parish Council has already taken a number of actions to improve the public realm and experience of Fowlers Yard. At its July 2023 Full Council meeting, Members approved the installation of a new CCTV camera at the back of Durham Market Hall in order to address the serious concern of fly tipping in this area. The CCTV camera has been operating for some months and Durham Markets Company inform us that this is having a positive impact on reducing this type of activity.

Equally, the County Council installed new fingerpost signage at the corner of St. Nic’s Church stating: “Fowler’s Yard Artisan Crafters”, as a means of further advertising this hidden gem of our City.

The former garages to the rear of 21 Market Place are also set to be redeveloped into a PBSA this year (this includes a significant internal bin store).

Finally, the Neighbourhood Warden team have been actively issuing guidance and, in some cases, Fixed Penalty Notices for side waste and fly tipping to student properties and businesses. The Waste and Refuse team have also reduced the number of 1100 litre bins in the area by 6 in total following a site visit and a commitment to carry out 6 times per week collections in the area, at a total additional annual cost to the Council of approximately £1,800.

Amongst other issues, two pressing matters remain top priorities for the Business Committee:

- a) Tackling the proliferation of bins in the service yard area of Fowlers Yard – with a meeting of all businesses and accommodation providers with a bin(s) in this area planned for after Easter.
- b) Replacing the windows and repointing the brickwork to the façade of the Victorian section of the Durham City Theatre building – the current windows are seriously impacting on the façade of the building and the wider area and are also proving hazardous to the integrity of the building and repair works are deemed urgent.

The Victorian section attached to the south-end of the Theatre is a large-scale warehouse building constructed from handmade brick and incorporating timber

windows painted in red (North elevation) and blue (West elevation). Although this part of the building has been heavily altered over time, with the upper floor rebuilt from modern brick, this section of the building is considered to be of considerable character, appearance and historic interest.

The Clerk recently submitted a planning application for the like-for-like replacement of the windows to this section of the building (application ref: DM/24/00447/FPA) and is awaiting elevation drawings from the Theatre's chosen architect for this application to go live. Equally, the brick repointing is permitted development and does not form part of the application submitted for the Theatre.

In total, the works are likely to cost between £34-£36,000. In order to fund these new windows, the Clerk has reached out to the Council's community economic development team and has a verbal agreement of £20,000 towards these works (with a possibility of a slight uplift if required), on the condition that this does not exceed 70% of the total costs for these works.

Moreover, the Dramatic Society is able to provide £4,000 of its own funding towards these works.

At its most recent meeting, the Parish Council's Business Committee unanimously agreed to recommend to Full Council that the £10,000 funding agreement for the improvements to public toilets instead be allocated to these works.

In light of development pressure in this area, it is recommended that the Parish Council conditions any contribution towards these works, such that there be a requirement to return the £10,000 should the building be sold to another operator.

Delivery of these improvements to this important independent community facility – whose key aim is to provide cultural/ theatrical entertainment at an affordable cost to the public – will give the area a real uplift.

Images of the current condition of the windows





**DECISION
REQUIRED**

For Members to consider the above report and agree to reallocate the £10,000 for toilets improvements to the project to improve the windows and frontage of this part of the City Theatre building, conditioned as per the above report.

ITEM 7: MOTION BY COUNCILLORS R ORMEROD AND C LATTIN ON LEAZES BRIDGE

Councillors R Ormerod and C Lattin wish to propose and second the following motion to the Parish Council on Leazes Bridge:

The motion

This Council:

Notes with sadness and concern the closure of Leazes Footbridge due to structural problems.

Recognises that large numbers of residents of our parish, from Belmont Parish and from the unparished area in between are distressed and inconvenienced by this.

Urges Durham County Council to ensure it has investigated all possible options for repair of the bridge before it commits to demolition.

Understands that if demolition is necessary the cost of replacing the bridge is likely to be very high and not affordable in the next financial year but nevertheless asks that Durham County Council replace the bridge when finances allow.

Accepts that regardless of whether the bridge is repaired or replaced it is likely to remain closed for many months.

That being so, this council asks that Durham County Council provides an alternative crossing point incorporating a signalised crossing facility by upgrading the western side of Gilesgate Roundabout so that pedestrians can be better protected when crossing the A690, and requests a site visit involving officers, Councillors and the Parish Clerk to discuss the proposed route of any such crossing.

DECISION	For Members to agree to the above motion.
REQUIRED	

ITEM 8: REPORT ON THE FORTHCOMING CONSULTATION ON A PROPOSED PUBLIC SPACE PROTECTION ORDER FOR DURHAM CITY

The Antisocial Behaviour, Crime and Policing Act 2014 was introduced in October 2014 which, amongst other things, brought in a range of powers that included Public Space Protection Orders (PSPO). The PSPO replaced dog control orders, designated public place order (DPPO) and gating orders, and create area-based restrictions on quality-of-life issues with the penalty for not complying being a Fixed Penalty Notice (FPN) or prosecution.

A PSPO is made by a Local Authority if satisfied on reasonable grounds that two conditions are met.

The first condition is that:-

(a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality; and

(b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities is, or is likely to be of a persistent or continuing nature, such as to make the activities unreasonable, and therefore justifies the restrictions imposed by the notice.

A PSPO can be an effective tool to tackle anti-social type behaviour in areas where it has been evidenced that there is a persistent and ongoing problem that is having an adverse impact on residents, businesses, and visitors.

Introducing a PSPO for specific activities does not guarantee that the problem will be completely eradicated and should only be used along with a range of other intervention methods including education and, consideration should also be given to the resources to enforce such an order.

Some types of activities can generate negative reputational concerns for both the local authority, Parish Council and the local areas where the PSPOs are proposed/in force.

Following a period of consultation in January 2023, Cabinet decided not to introduce a PSPO in Durham City to control aggressive begging. However, based on the consultation responses, Cabinet recommended that further monitoring of behaviours in Durham City should be carried out.

As a result of this Durham Constabulary have gathered information and evidence around a range of incidents occurring with Durham City which would warrant further controls to tackle anti-social behaviour, crime and blight that takes place in the city.

In response to the additional evidence gathered by Durham Constabulary, a report was presented to DCC's Cabinet in March 2024 and this sets out proposals to undertake a further consultation in relation to the need and support for a PSPO to help control:

- (a) Begging
- (b) Urinating or defecating
- (c) The use of intoxicating substances

Following Cabinet's approval of this report, it is now expected that DCC will be launching a six-week public consultation from 7th May 2024, seeking views on the introduction of this PSPO.

The order may have effect for up to 3 years and the Local Authority must consult with the Chief Officer of the police, the local policing body, and local communities' before issuing the order.

As Members are aware, Durham Police have highlighted the need for such an Order to the Parish Council and are seeking our support in both supporting the introduction of this PSPO but also in making the public aware of the consultation and its implications for the City.

As part of its work on the licensing policy review working group, Members have agreed the content of a leaflet to be distributed around the parish area and unparished part of Gilesgate to make the public aware of this upcoming consultation and also the ongoing consultation into the review of the Council's licensing policy.

The scope of any PSPO could include restrictions on the following:

● **Begging**

- a) Any behaviour that causes nuisance, distress or blight upon the city including nuisance begging such as by a cash point, in a shop doorway or on public transport
- b) All persons are prohibited from approaching other persons in the street in order to beg them for money.
- c) Any activity in the street causing a public nuisance such as obstruction of doorways or pavements, including unreasonable behaviour whilst intoxicated and acting in a threatening, abusive or insulting manner.
- d) All persons are prohibited from sitting or loitering whilst in possession of signage or other items ancillary to, and for the purposes of, begging or soliciting money from passers-by.

● **Urinating or defecating**

- (a) No person shall urinate or defecate in public restricted areas other than by use of a lavatory made available for use by the public.

● **Use of intoxicating substances**

- (a) The ingestion, inhalation, injection, smoking or other use of psychoactive intoxicating substances shall be prohibited in restricted areas.

- (b) Where an authorised person reasonably believes that psychoactive intoxicating substances are being ingested, inhaled, injected, smoked, or otherwise used in a restricted area they will require any person to surrender said substance and any associated items.

The requirement under paragraphs (a) and (b) above shall not apply where the substance:

- I. Is used for a valid and demonstrable medicinal or therapeutic purpose;
- II. Is a cigarette or pipe (tobacco) or vaporised;
- III. Is a food product regulated and not prohibited by food, health, and safety legislation.

It is proposed that the Parish Council offers its full support for the introduction of the PSPO.

Additionally, it is proposed that the Parish Council takes an active and positive role in promoting as wide a public engagement on this consultation as possible as and when this goes live.

DECISIONS REQUIRED	<ul style="list-style-type: none">1) For Members to agree to support the introduction of this PSPO, as set out in the above report.2) For Members to agree to take an active and positive role in promoting as wide a public engagement on this consultation as possible as and when this goes live.
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