

CITY OF DURHAM PARISH COUNCIL

Minutes of the meeting of the City of Durham Full Parish Council held on Thursday 22nd April 2021 at 18:00 via Zoom.

Present: Councillors A Doig (Chair), V Ashfield, L Brown, S Cahill, R Cornwell, D Freeman, G Holland and M Ross.

Also present: Parish Clerk Adam Shanley and Mr Colin Wilkes (Durham Markets Company).

1. TWO-MINUTES SILENCE IN MEMORY OF HRH PRINCE PHILIP, THE DUKE OF EDINBURGH

The meeting began by observing a two-minutes silence in memory of HRH Prince Philip, The Duke of Edinburgh, who sadly passed away on Friday 9th April 2021.

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

Apologies were received from Cllrs E Ashby, J Ashby, E Scott, R Ormerod and J Elmer.

3. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

Cllr D Freeman declared an interest in item 11 on the Agenda as a member of SNCF.

Cllrs A Doig and L Brown declared an interest in item 11 on the Agenda due to their involvement with the Lowes Barn Community Centre.

4. PUBLIC PARTICIPATION

The Chair welcomed Mr Colin Wilkes to the meeting. Colin advised that he was attending to hear discussions on item 9 of the Agenda.

5. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 25TH MARCH 2021

The minutes of the meeting held on 25th March were unanimously agreed as a true and accurate record of proceedings, subject to amending the sentence: "*Cllr Roger Cornwell advised that the Inspector has now been confirmed as Edward Cussins, who is extremely knowledgeable on common **law** issues*" to "*Cllr Roger Cornwell advised that the Inspector has now been confirmed as Edward Cussins, who is extremely knowledgeable on common **land** issues*".

6. COMMITTEE UPDATES

- **Planning Committee**

Cllr R Cornwell presented the minutes from meetings of the Planning Committee held on 19 March and 1 April 2021. There being no queries from Members, Cllr R Cornwell moved on to Committee reports.

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

Cllr R Cornwell advised that the public inquiry into the application to de-register the former coach park at the Sands as common land is due to commence on 27th April 2021.

Cllr R Cornwell advised that the objecting parties would be holding a pre-inquiry meeting to go over any last minute preparations.

Cllr R Cornwell reminded Members that the Parish Council, the City of Durham Trust and the Durham City Freemen had jointly engaged the services of a Barrister. Whilst the County Council had also engaged the services of a Barrister in order to support their case.

Cllr R Cornwell reminded Members that the inquiry would be livestreamed via YouTube so that members of the public and the press could view the proceedings.

The Chair thanked Cllr R Cornwell for his report.

• Licensing Committee

Cllr L Brown presented the minutes from meetings of the Licensing Committee held on 29 January and 26 February 2021, there were no queries from Members on these minutes.

7. CHAIR'S UPDATE

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 25th March 2021.

The Chair advised that the Annual meeting of the Parish Council would take place on 17th May 2021 after the election.

The Chair reminded Members that the public inquiry into the common land de-registration application is due to commence on 27th April 2021.

The Chair advised Members that the Parish Council had received a number of applications for the Assistant Parish Clerk role and the Personnel Committee will be carrying out a number of interviews on Monday 26th April, with a view to making an offer to an appropriate candidate that week.

The Chair advised that, as discussed at the last Full Council meeting, the Parish Council is organising a Committee to work up a plan for the Queen's Jubilee weekend in June 2022. This Committee will be meeting soon but in light of the sad passing of Prince Philip, the Committee has not felt it appropriate to meet as

yet. The Chair advised that a number of partners were keen to get involved in the organisation of this historic event.

The Chair advised that the competition to recruit the Town Crier for Durham City would be organised via the Parish Council's Personnel Committee.

The Chair advised Members of the plan for after the election. The Chair advised that all successful candidates at the election will be contacted and the Clerk is arranging for Acceptance of Office forms, Register of Interests forms, photographs to be taken (with the most likely venue being St. Nic's Youth Centre) and new email accounts for all new Councillors will be set up on 10th May.

The Chair also advised that the Clerk is arranging for some training to take place to help new Members and the Clerk is also arranging a pack, including copies of the Good Councillors Guide, for all elected Councillors.

In her absence, the Clerk played a recording from Cllr E Scott (Chair of the Parish Council) thanking everyone for their wonderful work since the start of the Parish Council.

8. GOVERNMENT DECISION ON VIRTUAL MEETINGS AFTER 7TH MAY 2021

The Clerk reminded Members that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have permitted Local Councils to meet in a virtual setting since 4th April 2020 (under powers granted by section 78 of the Coronavirus Act 2020) - a month following the beginning of the Covid-19 pandemic and during the first national lockdown.

The Clerk advised that these powers have been essential in allowing the Parish Council to continue with its programme of work and to do so safely. This format has also allowed for cost savings to be made from the booking of rooms and has also freed up officer time from travelling to and from various meetings.

At present, the Clerk advised that the powers under the Coronavirus Act 2020, for Local Councils to meet virtually last up until May 2021. In spite of lobbying from NALC, local Members of Parliament and other bodies for the continuation of these powers, on 25th March 2021, the Minister advised that the powers would cease on 7th May 2021. In his letter, the Minister advised:

Extending the regulations to meetings beyond May 7 would require primary legislation. The Government has considered the case for legislation very carefully, including the significant impact it would have on the Government's legislative programme which is already under severe pressure in these unprecedented times. We are also mindful of the excellent progress that has been made on our vaccination programme and the announcement of the Government's roadmap for lifting Covid-19 restrictions. Given this context, the Government has concluded that it is not possible to bring forward emergency legislation on this issue at this time.

As outlined in the Government's Spring 2021 Covid-19 Response, our aim is for everyone aged 50 and over and people with underlying health conditions to have been offered a first dose of the Covid-19 vaccine by 15 April, and a second dose by mid-July. While local authorities have been able to hold meetings in person at any time during the pandemic with appropriate measures in place, the successful rollout of the vaccine and the reduction in cases of Covid-19 should result in a significant reduction in risk for local authority members meeting in person from May 7, as reflected in the Government's plan to ease Covid-19 restrictions over the coming months.

The letter goes on to state:

Finally, while you do have a legal obligation to ensure that the members of the public can access most of your meetings, I would encourage you to continue to provide remote access to minimise the need for the public to attend meetings physically until at least 21 June, at which point it is anticipated that all restrictions on indoor gatherings will have been lifted in line with the Roadmap. However, it is for individual local authorities to satisfy themselves that they have met the requirements for public access.

This decision is presently the subject of a High Court challenge. Lawyers in Local Government, the Association of Democratic Services Officers and Hertfordshire County Council have asked the High Court to make a declaration on whether they can continue to hold meetings remotely past 6 May.

It has since been confirmed that the hearing will take place on 21 April.

The Clerk also advised that the Government has now launched a call for evidence in order to understand the experience of local Councils across the whole of the UK regarding remote meetings.

The Clerk advised that it has been suggested that the Parish Council may wish to respond positively to this consultation, encouraging the Government to extend these powers to allow for virtual meetings to become legal in perpetuity.

Members **agreed** to note the report provided by the Clerk and to await the outcome of the High Court ruling on virtual meetings.

Members also **agreed** to delegate responsibility to the Clerk to arrange for a safe return to physical meetings after 7th May 2021.

Members also **agreed** to respond to the Government's call for evidence, lobbying for the powers to meet virtually to be extended in perpetuity.

9. PROPOSAL TO HOST A CHILDREN'S BOOK FESTIVAL IN DURHAM CITY

The Clerk reminded Members that, as reported at the March Full Council meeting and at the latest meeting of the business roundtable, the Parish Council has met with representative of the Durham Markets Company and a local author, in order

to investigate the possibility of the jointly hosting a Children's Book Festival in Durham City later this year.

The proposal is to put on a two-day event just after the end of the school summer term, mid-week, in the City Centre, based in the Market Place and then possibly extending out to Clayport Library and Prince Bishop's Shopping Centre to attract children and families into the City as part of a Covid-19 recovery plan for the City centre. The emphasis of the event will be on children's authors and illustrators, mainly local, giving a number of talks and presentations in a marquee in the Market Place.

The 'full event' would see additional entertainment like a petting farm; face painter; Bugs n stuff; music etc. The scaled back event would exclude these and just concentrate on the authors and illustrators.

Each day's events will be centred around 2 authors each giving a separate 90-minute slot, to include reading, Q and A, book buying and signing etc. Ideally, there would be one later slot on the Thursday late afternoon/early evening to allow working parents to join their children. So, a total of 5 authors. There would also be a 'book themed' treasure hunt around the city centre.

If the event is a success, Mr Colin Wilkes advised that the Markets Company envisaged various venues around the City wanting to get involved in future years and in effect paying for their own children's themed events leaving the main marquee in the Market Place to fund.

Mr Colin Wilkes advised that the Markets Company will be applying to the AAP for a grant of just over £5,000, which will leave a shortfall on the 'full event' of around £3000 plus the vat on the marquee invoices to be funded by DMC/DPC.

Mr Colin Wilkes advised that the Markets Company is able to provide £1,300 worth of funding towards the event, as well as staffing etc. and the Parish Council is asked to provide a further £1,786 worth of funding to be allocated towards the marquee, flooring, carpet, tables & chairs.

Members **agreed** to co-host this Children's Book Festival on 22nd and 23rd July 2021 with the Durham Markets Company.

Members also **agreed** to allocate £1,786 towards this event; providing the funding for the proposed marquee, flooring, carpet, tables & chairs.

10. RESPONSE FROM MHCLG ON THE DURHAM CITY CHARTER TRUST

The Chair reminded Members that, at a previous Parish Council meeting, the issue of the Durham City Charter Trust was discussed and it was agreed that the Parish Council should write to the relevant Government Minister seeking clarity on the legislation pertaining to the present arrangement in Durham City, following the establishment of the City of Durham Parish Council.

The Chair reminded Members that Durham City Council was abolished in 2009 and Durham retained its city charter status through the appointment of charter

trustees. Its purpose was to ensure the continuation of the civic traditions for the City of Durham. In addition, the Chair advised that the Trust raises a precept to gather a budget of over £70,000 and members of the public in the City of Durham Parish area have asked why they have been precepted for both a Parish Council and a Charter Trust this year.

The Chair advised that, while the mapping of its boundaries against those of the former City Council leaves small pockets on the outskirts of the City, the City itself is now fully parished.

The Chair advised that the Parish Council has now received the following advice from Ministry of Housing, Communities and Local Government (MHCLG):

"MHCLG are not able provide definitive answers to these questions as the department does not issue legal advice. It is the responsibility of the local authority concerned to ensure it acts within the law. I would direct the City of Durham Parish Council to clarify their legal position following a review of the following legislation:

Charter trustees established following local government restructuring under Part 1 of the Local Government and Public Involvement in Health Act 2007: <https://www.legislation.gov.uk/ukpga/2007/28/contents#>

Regulation 15 of the Local Government (Parishes and Parish Councils) (England) Regulations 2008/625 makes provision for the dissolution of charter trustees following the establishment of a parish council or councils for the entire charter trustees' area: <http://www.legislation.gov.uk/uksi/2008/625/regulation/15/made>

I would also encourage City of Durham Parish Council to clarify with Durham County Council the final recommendations set out in the Community Governance Review regarding Charter Trustees and parished areas.

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

The Chair advised that, following on from this correspondence, the Parish Council had written to the Chief Executive of Durham County Council seeking clarification on the situation. It was **agreed** to await a response to this correspondence.

11. REPORT ON GRANTS AWARDED IN THE FINANCIAL YEAR 2020/21

The Clerk presented a report from all those who had successfully received a grant during the previous financial year. Members noted that this funding, in many cases, had been a lifeline to these organisations during the Covid-19 pandemic.

A number of organisations had yet to provide a report. It was **agreed** that the Clerk should write out to these organisations formally and request such a report. Each organisation has until June 2021 in order to spend the funds as originally

intended. In a number of cases it was **agreed** that this should be extended until December 2021, due to the ongoing Covid-19 restrictions.

12. REPORT ON BLUE PLAQUE AWARDS SCHEME

Members agreed to fund 10 new blue plaques as part of this scheme, provisionally agreeing who would receive a plaque (all subject to the relevant land owner's permission) and the Clerk was tasked with seeking permissions for the erection of these plaques.

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

Signed,

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a surname that appears to be 'Mason'. The signature is written over a horizontal line.

**Chair of the City of Durham Parish Council
(17th May 2021)**