

City of Durham Parish Council

Minutes of the meeting of the City of Durham Parish Council held on Monday 22nd July 2021 at 19:00 via Zoom.

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

Also present: Parish Clerk Adam Shanley, Mr John Ashby and Mr Roger Cornwell (members of the public) and Ms Rebecca Eves and Ms Hannah Shepherd (Durham University).

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

Apologies were received from Cllr Robert Hanson.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

Cllrs A Doig, S Walker, L Brown and E Scott declared an interest in item 9 of the Agenda and took no part in the discussions on this item.

Cllrs L Brown, D Freeman, R Ormerod and E Scott declared an interest in the common land application item of the Agenda.

3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 24TH JUNE 2021

The minutes of the meeting held on 24th June 2021 were unanimously agreed as a true and accurate record of proceedings, with the following amendments:

Item 5 – the sentence "*Cllr E Ashby advised that she felt that the signage should be more permanent and therefore made from plastic*" be amended to "*Cllr E Ashby advised that she had understood that the signage would be made of more enduring material*"

4. PUBLIC PARTICIPATION

Mr John Ashby advised that he was attending the meeting to hear and contribute to discussions on item 11 of the Agenda.

Mr Roger Cornwell advised that he was attending the meeting to hear and contribute to discussions on item 11 of the Agenda.

Ms Hannah Shepherd advised that she was attending the meeting to hear discussions on item 11 of the Agenda and to introduce Rebecca Eves to the Parish Council.

Ms Rebecca Eves introduced herself to the Parish Council, advised that she was looking forward working with the Parish Council during Hannah Shepherd's

maternity cover and advised that she was attending the meeting to hear discussions on item 11 of the Agenda.

5. COMMITTEE UPDATES

• Planning Committee

Cllr V Ashfield presented the minutes from meetings of the Parish Council's Planning Committee meeting held on 11 June and 25 June. There were no questions from Members arising from those minutes.

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

Cllr A Doig advised that he, the Clerk, a representative of the Freemen and the Parish Council's Barrister had met with the representatives of Durham County Council and their Barrister on an informal, without prejudice basis. The question was put to the County Council that they consider withdrawing the Section 16 application to have the land de-registered.

Cllr A Doig advised that the meeting had been without success and had concluded that the legal public inquiry process should be completed. Cllr A Doig advised that the difficulty arises due to the need to provide services, such as utilities and the water sprinkler system, to the building.

Cllr A Doig advised that the public inquiry has now formally ended and the Inspector now needs to consider all evidence submitted and make a judgement on this.

Cllr A Doig advised that he had met with Patrick Conway and discussed a number of outcomes of the inquiry and the eventual use of this land. As a consequence of which, Cllr A Doig advised that he, the Clerk and Patrick Conway would now be meeting the Leader and the Chief Executive of the Parish Council on 2nd August 2021 to go through a number of options with them. The Chair advised that the outcome of this meeting would be reported back to Councillors, but stressed that the outcome of the inquiry will take a number of months not weeks and that the meeting on 2nd August was an informal and without prejudice one.

Cllr A Doig advised that he hoped that a joint statement between the Parish Council, the Freemen and the County Council could be made following the announcement of

• Environment Committee

Cllr C Lattin presented the minutes from the Environment Committee meeting held on 9 June. There being no queries from Members, Cllr C Lattin moved on to Committee reports.

Motion by Cllr R Friederichsen on climate change

Cllr R Friederichsen presented a motion on climate change to Councillors, stressing the urgency of all levels of Government to work together to combat this issue.

Councillors unanimously **agreed** the following motion, as proposed by Cllr R Friederichsen and seconded by Cllr V Ashfield:

This Council resolves to:

- in this year of COP26 add our voice to calls by the Local Government Association and the Association of Directors of Environment, Economy, Planning and Transport & others for a joint local & national government Task Force to plan action to reach 'net zero' emissions. Such a partnership can set appropriate regulations, benchmarks and targets and create the much needed long-term funding mechanisms to enable local communities and economies to decarbonise whilst remaining resilient and sustainable.

- write to Alok Sharma MP, President for COP26, the Prime Minister and the Leadership Board of the LGA informing them of our support for a joint Local/National Government Climate Change Partnership Taskforce and asking for one to be established as soon as possible.

Proposal to improve "unloved" areas of Durham City

The Clerk reminded Members that the Parish Council agreed a budget of £10,000 in January 2021 for the current financial year (2021-22) towards improving unmaintained or "unloved" areas of the City. The Clerk advised that this budget was agreed as part of the Environment Committee's priority to clean and green the City.

The Clerk reminded Members that the £10,000 budget has since been reduced to £7,500 in order to accommodate additional expenditure from the Durham in Bloom budget.

The Clerk advised that, since agreeing this budget, the Parish Council's Environment Committee has been investigating areas which may benefit from improvement has identified that two of these are immediately deliverable this current year – those being the land at John Street and Bridge Street.

Members **agreed** to support the proposal to improve those two areas of land as set out in the report and **agreed** to Contractor A to carry out the work from the beginning of September.

As the second part of this report, Cllr E Ashby presented the "Hallow Green" proposal of greening up the Viaduct Area in the City. Cllr E Ashby advised that Members are aware of the issues in this part of the City and highlighted that greening up areas not only has a benefit in terms of climate benefit but also in residents' physical and mental wellbeing.

Cllr E Ashby advised that this project would build on the Parish Council's project of supplying plants across the community and would involve planting up

containers and small local plots of vacant space to create welcoming and attractive additions to the street scene.

Cllr E Ashby advised that the intention would be to have displays of seasonal varieties, under planted by bulbs for winter continuity, already in place to create a 'community welcome' to students arriving for the new academic year.

Cllr E Ashby advised that, with the Parish Council launching the project from existing budget, the longer term aim would be to access on ongoing support from other stakeholders whether financial or in kind, by way of materials or voluntary/paid help. Volunteers from the community and University staff and student groups would be also encouraged.

Members **agreed** that the remaining budget from this priority would be allocated towards this project. It was **agreed** that Cllrs V Ashfield, S Walker, C Lattin and E Ashby should lead on the Hallow Green project.

• **Licensing Committee**

Cllr S Walker presented the minutes from the Parish Council's Licensing Committee meeting held on 4 June. There were no queries from Members.

• **Business Committee**

Cllr E Scott presented the minutes from the Parish Council's Business Committee meeting held on 9 February. There were no queries from Members.

Cllr E Scott advised that the Book Festival, organised by the Parish Council and the Durham Markets Company had been a great success. The Clerk thanked Members and the Durham Markets Company for their support with this event.

6. CHAIR'S UPDATE

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 24th June 2021.

The Chair advised that the book festival was a great success and thanked Cllrs E Scott and E Ashby for their help and support with this event.

The Chair reminded Members that the Parish Council does not sit as a Full Council in August.

The Chair advised that the Parish Council would be returning to physical meetings from September's Full Council meeting.

The Chair reminded Members that the Parish Clerk is on annual leave from 16th – 31st August and asked that all urgent business be directed to the Chair of the Council.

The Chair advised that he had heard that the planning and licensing training events were very good. Cllrs E Ashby, C Lattin and L Brown advised that they felt that the planning training event was excellent.

The Chair advised that the County Council has submitted an expression of interest to bid for the City of Culture award for 2025. The Chair advised that he looked forward to the County Council engaging with partners on this.

The Chair reminded Members that the Parish Council has submitted a bid for Section 106 funding for the restoration of the Neville's Cross, in advance of the Battle of Neville's Cross Anniversary.

The Chair reminded Members that the Parish Council would be meeting with representatives of Artichoke, the organisers of Lumiere, to discuss a Section 106 application Artichoke is hoping to submit for use of £30,000 worth of funding for a public art installation near to the Sands. The Clerk reminded Members that this is a pre-application discussion only at this stage.

The Chair advised that there would be a meeting of key stakeholders relating to the future of the DLI museum.

7. REQUEST TO SUPPORT THE MAYOR OF DURHAM CITY'S CHARITY APPEAL

The Clerk advised Members that the Parish Council has received correspondence from the newly elected Mayor of Durham City Councillor Arnie Simpson, asking if we would consider supporting this year's Mayor's Charity Appeal.

The Clerk advised that, following his election as Mayor on 15 June, 2021, Cllr Arnie Simpson announced that any funds raised during his Mayoral year would be channelled towards NHS Charities Together.

The funds raised by NHS Charities Together enable the health service to go above and beyond what would otherwise be possible. The Charity's national reach means that they can ensure funds get spent where they are most needed. Through the charity's 240 member charities covering the UK the charity funds projects that improve services for patients and help NHS staff and volunteers both practically and emotionally so that they can continue with their vital life-saving work.

The Charity also provides support for member charities through nationwide fundraising and advocacy campaigns, specialist advice and guidance, bespoke conferences and training opportunities.

This Charity has gained particular national attention over the course of the Covid-19 pandemic and the work of the late Captain Sir Tom Moore.

The Clerk advised that no specific amount has been requested in Cllr Simpson's letter and any offers of a donation will be gratefully received and acknowledged.

The Clerk reminded Members that, in December 2020, the Parish Council supported the previous Mayor's appeal with a donation of £500 towards the Fire Fighters Charity.

Some Members expressed concern that the funding could potentially go to a national fund as opposed to specifically spent in Durham. In addition, other Members expressed concern that this might open the Parish Council up to an obligation to support other national charities outside of its usual grant funding window.

It was highlighted that the £500 provided in December 2020 was primarily due to the issue of Covid-19 and the limited events which could take place during the Mayor's year to raise funds.

It was also highlighted that £2,250 remains unspent from the grant award fund for this financial year and Members suggested that this request might be better to come via the second round of funding, which is due to open at the end of September. It was **agreed** that the Parish Clerk should invite the Mayor to apply for the second round of grant funding at the end of September. 12 votes in favour, 1 against and 1 abstention.

8. ADOPTION OF PARISH COUNCIL COMPLAINTS PROCEDURE

Members **agreed** to the following complaints procedure. In doing so, Members also **agreed** that the Parish Council's Personnel Committee should be responsible for the Complaints Committee.

Introduction

The City of Durham Parish Council wants to provide excellent quality services for the residents of our area. However things can sometimes go wrong. If they do, we need to know so we can put them right and learn from them.

The Parish Council sees all customer comments and feedback as a good way of evaluating its services. Complaints and comments are an important part of this process and help us to learn and develop. The Parish Council aims to use this information to help drive improvements forward.

The Parish Council aims to ensure that all written communication is clear, concise, simple to understand, jargon-free and available in larger print if required.

Our Promises to you

- You will receive a prompt, courteous and efficient service;
- You can expect a full and fair investigation of your comment or complaint;
- We will be happy to explain procedures to you if you are unsure about anything;
- Your confidentiality will be respected at all times;
- Your personal information will be kept in line with Data Protection;
- You will be kept informed of progress and the outcome of your complaint, as outlined below;
- We will make it easy for customers or those acting on their behalf to make a complaint or pass on comments about a service;
- We will try to resolve complaints, put things right where appropriate and take any action necessary to prevent recurrence as soon as practicable;

- We will monitor comments and complaints and provide feedback to council so that trends are highlighted and can be taken into account when decisions are made.

What is a complaint?

A complaint is an expression of dissatisfaction with a response, a lack of response, the standard of service you have received or disrespect from a council employee that cannot be resolved through the normal day to day operational processes of the service involved.

A complaint can only relate to a service that the council already provides. It can't relate to requests for new services or services provided by other local authorities. However, information provided may highlight gaps in service provision that may be relevant to future consideration and should be recorded and actioned as a comment.

The following list is a guide to the range of complaints which are covered by this Complaints Policy:

- Failure to provide a service or to achieve an acceptable standard.
- Issues regarding the attitude of staff and or their actions, or lack of actions.
- Dissatisfaction with the manner in which council policy and procedure has been carried out.
- Discrimination.

What is not a complaint?

The following are excluded from this Complaints Policy:

- A request for service
- A request for information or an explanation
- An insurance claim against the council
- Criticism of council policy
- A matter which is, or may be, the subject of court or tribunal proceedings

Complaints about Councillors

Any complaint about councillors' conduct can only be dealt with by reporting details to Durham County Council's Monitoring Officer. The Parish Council cannot legally deal with these issues.

Compliments and Comments

Compliments - thanking the Council for something done, or done particularly well.

Comments - We recognise that sometimes members of the public simply want to register a comment about a council service, and do not wish to pursue a complaint. In this case we will ensure a record of the comment is maintained and appropriate action is taken on the comment. Where compliments/comments are received by the Council an acknowledgement will be communicated by the clerk within 3 working days.

What do I do if I am unhappy with the council?

You can write to us with details of your complaint. We will send you an acknowledgement and inform you who is dealing with your complaint within three working days of receiving your complaint.

There are two stages to the Council's complaints procedure:

Stage One

Your complaint will be acknowledged within three working days of contacting us. Your complaint will be investigated by the clerk and a reply provided to you within ten working days.

If you are unhappy with your reply you can appeal to the Council, which leads to Stage Two.

You may choose to appeal because:

- you think a finding or penalty is unfair
- additional new evidence comes to light – hearsay or unsubstantiated evidence cannot be accepted
- you think the stage one procedure was not used correctly

Stage Two

You may appeal to the Council's Complaints Committee whose Members are drawn from the Council. We will let you know that we have received your appeal within three working days of you contacting us.

The Parish Council's Complaints Committee will consider the evidence, based on the criteria set out above, and provide a final response. If it is considered necessary you will be invited to attend and discuss your complaint with Committee Members. These members will not have been involved in the original complaint and they will determine if there is a valid reason for appeal.

The Parish Council's Complaints Committee decision will be communicated to you through the Clerk within fifteen working days.

If the Council's Complaints Committee determines there is no valid reason for the appeal there is no further right of appeal at this stage.

This will be the final decision and the case will be closed. There is no further right of appeal.

How do we make sure everyone is treated fairly?

We recognise and value all of the people in the City of Durham Parish area and want to make sure that everyone can use the complaints system. We want to make sure we treat you fairly when making any complaint about us.

The information you give is confidential. We only use it to check that we treat all groups of people fairly and we do not discriminate against you.

If part of your complaint is about equal opportunities or discrimination, please tell us. We will make sure we look into that for you.

Vexatious/Repetitive Complaints

The Parish Council may choose to give a decision on a complaint, without a formal investigation, where it considers the complaint to be deliberately vexatious or repetitive.

How can I complain?

You can write to the Parish Clerk providing full details of the service you are complaining about.

Please send all written complaints to: -

City of Durham Parish Council
Office 3
Clayport Library Building
8 Millennium Place
Durham
DH1 1WA

or e mail to parishclerk@cityofdurham-pc.gov.uk

9. CONSULTATION OF SECTION 106 APPLICATION – LOWES BARN COMMUNITY PROJECT

Members considered the Section 106 application from the Lowes Barn Community Centre Trustees and **agreed** the following response to this response:

"The City of Durham Parish Council wishes to congratulate the Lowes Barn Community Project on its excellent work and a thorough application.

The Parish Council wholeheartedly supported the planning application for this development in 2020. Once constructed, this community centre will represent the culmination of thousands of volunteer hours of work carried out by a small, dedicated team of 6-7 Trustees of the Lowes Barn Community Project (LBCP) and 8 volunteers. Funding has been made possible thanks to previous Section 106 applications and support from the local County Council Ward Members and previous Ward Members.

The Parish Council also applauds the Trustees on the identification and pursuit of external funding from the National Lottery and the Bernard Sunley Charitable Foundation.

The merits of this project are clear - the provision of a community centre in this location is of significant importance to local residents and to the City of Durham parish area as a whole. The social aspect of the proposal in a sustainable location carries significant weight in favour of the Parish Council's support for this project. The proposed location of the centre is both practical and also helps to ensure that the space can be adopted by the local community and encourage a wide range of individual and group outdoor pursuits and recreation; facilitating social interaction and supporting a healthy and inclusive community.

This application is seeking to access almost all of the Section 106 funding within the Neville's Cross division however and the County Council will be aware that the Parish Council currently has a competing, live application for use of the Section 106 funding from the Durham Johnston Annexe public art fund towards the restoration of the Neville's Cross. This year is an important year for this monument as we mark the 875th Anniversary of the Battle of Neville's Cross. The Parish Council believes that this project has substantial public benefit in terms of the heritage of this part of our parish and the Council has been working with the County's Environment and Design team for some time in order to deliver this project. The Parish Council's project is deliverable within a matter of months.

There is a requirement that £26,000 of the Durham Johnston Annexe fund be allocated towards public art within the vicinity of the Annexe itself. This application does not appear to fit the requirement for this element of the funding though the Parish Council feels that the centre would benefit those within the local community in much the same way.

It is the Parish Council's hope therefore that the County Council may be able to accommodate both applications in such a way that helps to deliver each project. The Parish Council hopes that all of the funding applied for towards the restoration of Neville's Cross may be awarded as soon as possible and the remaining funding be allocated towards the Lowes Barn Community Project".

10. CONSULTATION BY LNER ON PROPOSED NEW TRAIN TIMETABLE

The Clerk reminded Members that London North Eastern Railway (LNER) has begun an eight-week public consultation to seek views on its proposed significant timetable change and uplift from May 2022.

LNER's proposal follows over a decade of planning and investment in LNER's new Azuma trains and Network Rail's modernisation of the East Coast's tracks. It aims to support the economies and communities along its East Coast route, providing more services, more seats and reduced journey times and high levels of reliability on long distance services between London, the North of England and Scotland, as an even more sustainable alternative to air and road.

The Clerk advised that the timetable will see LNER's five trains per hour into and out of London King's Cross increase to six, enabling the introduction of new, faster services throughout the day. There will be 39 additional LNER services per weekday and more at the weekend too. London-Edinburgh services will be around 15 minutes faster with up to 1,500 more seats per day, each way; and London to Newcastle services will be around 10 minutes faster, with up to 7,500 more seats per day, each way.

By adding extra capacity to and from York, LNER is also putting in a building block for a regular Middlesbrough service once local infrastructure work is complete.

The proposed May 2022 timetable has been developed by Network Rail with all train and freight operators on the East Coast Main Line. It has involved balancing long-distance, high-speed, regional and local services, alongside the needs of the rail freight sector. It is based on investment into the East Coast Main Line as well

as decisions by the rail regulator in 2016 on how the route's finite capacity is to be used and the consultation on our predecessor franchise.

The Clerk advised that the public consultation is open from 11 June to 5 August 2021 to seek the views on the proposed timetable.

Durham has for some time been the second busiest railway station in the north-east, with only Newcastle generating more passenger journeys. LNER's consultation document shows conclusively that Durham has more passengers and generates more revenue on its route than Darlington, despite currently having about half the number of London trains.

LNER currently operates one train per hour to and from Durham. Under the new timetable:

- There will be an increase of services running to and from London's King's Cross, York and Newcastle to three trains every two hours Monday to Saturday. This is broadly the same level of service that is provided on Sundays.
- There will be new hourly direct services to and from Stevenage and Grantham all week round.
- LNER services to and from Alnmouth, Northallerton and Darlington will continue to run with no changes in their frequency.
- There will be a slight reduction in services running to and from Peterborough, Newark North Gate, Doncaster and Edinburgh to a train every other hour. Edinburgh will still have an hourly service with CrossCountry running.
- There will be significant journey time enhancements to and from key destination cities of London and York.
- There will be minor journey time enhancements to and from key interchanges at Doncaster and Peterborough.

The proposals have been received negative coverage in the local press as the changes to the service also involve:

- The frequency of trains between Newcastle and Manchester via Darlington being halved from two trains per hour to just one.
- The number of trains to London from Darlington being cut by three trains per day.

The Clerk made Members aware of this consultation and the response of the former Director of Transport Scotland to these proposals and asked Members for their views on this.

It was **agreed** that the Parish Council should respond positively to this consultation and support this proposal. In doing so, Members felt that the Parish Council should respond positively to this consultation, given that these proposals will involve a 50% increase in service for Durham; something which

Durham residents will benefit from significantly and the changes also respond according to customer demand for these services.

Members also felt that the focus of the Parish Council's response should also include matters such as reducing train fares and promoting use of public transport to tackle climate change.

11. ANTI-SOCIAL BEHAVIOUR AND NOISE OPTIONS PAPER

The Chair presented the paper on anti-social behaviour, as worked through with local residents and Parish Councillors.

Members felt that this was a very comprehensive report and **agreed** that this should be sent to the Leader of Durham County Council, Professor Graham Towl, Durham Police's Chief Constable and the Police and Crime Commissioner (PCC).

Mr John Ashby advised that he believed this was a good opportunity to try to resolve these issues for the long-term with a new Administration at DCC, a new PCC and a new Vice-Chancellor at Durham University.

Cllr E Ashby advised that another key stakeholder in this issue is the private rented/ landlord sector in Durham City and that she hoped that the Parish Council could begin a positive engagement via its Business Committee with landlords, etc to assist positively with this and other issues in the City. Cllr E Scott advised that she felt that this was a very good idea.

Cllr E Scott also advised that it is now confirmed that Durham Police will have a presence in the new bus station on North Road.

12. PERSONNEL MATTERS

The Council noted that the Assistant Parish Clerk has now resigned from her post on the Council. Members took the opportunity to thank the Assistant Clerk for her work on the Parish Council. In doing so, Members also **agreed** that the Parish Council should immediately publish an advert for a replacement Assistant Parish Clerk.

It was also **agreed** that Cllrs Victoria Ashfield and Grenville Holland should join the Parish Council's Personnel Committee.

13. REPORT ON REMEMBRANCE SUNDAY EVENT 2021

The Clerk provided an update on the preparations for the Remembrance Sunday event this year. Councillors agreed to again take on the responsibility for hosting this event.

The Chair thanked the Clerk for his work and preparations for this event. Members also **agreed** to delegate budgetary and organisation responsibility for this event to the Parish Clerk.

14. REPORT FROM PARISH COUNCIL REPRESENTATIVES ON LOCAL ORGANISATIONS

Cllr L Brown provided an update on the latest meeting of the Durham Access for All Group.

Cllr L Brown advised that the Group had received a report on wheelchair accessible EV charging points in the City.

Cllr L Brown also advised that the Group had expressed its hope that the Parish Council would continue to object to new street trading/pavement licenses and kept up the pressure on tackling A Boards in the 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 were excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the LGA 1972 Act and section 1(2) of the Public Bodies (Admission to Meetings) Act 1960. At this point in time the press and the public were asked to leave the room.

The Parish Clerk provided an update on the work of the ASB sub-group, advising that all organisations were working towards solutions to these ASB issues being reported by local residents. The Parish Clerk specifically highlighted the fact that the Parish Council is due to launch its Shhh campaign ahead of Freshers' Week.

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

Signed,

A handwritten signature in black ink, appearing to be 'A. M.', written over a horizontal line.

**Chair of the City of Durham Parish Council
(27th September 2021)**