

City of Durham Parish Council

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Dear Councillor,

In accordance with the Local Government Act 1972, I hereby give you notice that the annual meeting of the **FULL COUNCIL** will be held in the **LANTERN ROOM, DURHAM TOWN HALL, MARKET PLACE, DURHAM, DH1 3NJ** on **THURSDAY 26th JANUARY 2023 at 7:00pm** to transact the following business:

- 1. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES FOR ABSENCE FROM TODAY'S MEETING**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS**
- 3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 24TH NOVEMBER 2022**
- 4. PUBLIC PARTICIPATION**
- 5. COMMITTEE UPDATES**

- **Planning and Licensing Committee minutes from meetings held on 11th November, 25th November and 9th December 2022**

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

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

- To consider the outcome of the recent licensing application for STACK, 4-6 Silver Street

- **Environment Committee minutes from meetings held on 8th November and 13th December 2022**

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

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

- Report by Cllr R Friederichsen on Climate Emergency Response: Update and suggested actions for 2023
- Proposal to fund the Durham City heritage trail map as part of the 80th Anniversary of the City of Durham Trust

- **Finance Committee minutes from meetings held on 22nd November 2022**

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

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

- 6. CHAIR'S UPDATE**

The Chair will provide a verbal update on matters arising since the Full Parish Council meeting on 24th November 2022.

- 7. UPDATE AND CORRESPONDENCE ON THE DURHAM ACCESS FOR ALL GROUP**
- 8. PROPOSED SERVICE LEVEL AGREEMENT WITH DURHAM POLICE FOR ENHANCED POLICING OF THE PARISH AREA**
- 9. PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY COUNCIL, THE FREEMEN AND THE CITY OF DURHAM PARISH COUNCIL RELATING TO THE DURHAM CITY BEACON**
- 10. PARISH COUNCIL STRATEGY 2023/24**
- 11. PARISH COUNCIL BUDGET FOR THE FINANCIAL YEAR 2023/24**
- 12. PARISH COUNCIL PRECEPT REQUEST FOR THE FINANCIAL YEAR 2023/24**
- 13. ANNUAL REPORT ON PARISH COUNCIL INTERNAL CONTROLS**
- 14. TO REVIEW THE MEMBERSHIP OF THE PARISH COUNCIL'S BUSINESS COMMITTEE**
- 15. REPORT FROM PARISH COUNCIL REPRESENTATIVES ON LOCAL ORGANISATIONS**
 - Report by Cllr L Brown from the latest meeting of the Durham Access for All Group.

And pursuant to the provisions of the above-named Act, **I Hereby Summon You** to attend the said meeting.

Adam Shanley
Clerk City of Durham Parish Council

City of Durham Parish Council

Minutes of the meeting of the City of Durham Parish Council held on Thursday 24th November 2022 at 19:00 in the Meeting Room, St. Cuthbert's Hospice, Park House Road. Durham. DH1 3QF

Present: Councillors A Doig (in the Chair), V Ashfield, E Ashby, C Lattin, N Brown, R Friederichsen, R Ormerod, E Scott, S Walker and H Weston.

Also present: Parish Clerk Adam Shanley, Ms Jennifer Thompson (Lowes Barn Community Centre), Mr Owen Cleugh and Ms Jacqui Toase (DCC) and two members of the public.

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

Apologies were received from Councillors D Freeman, G Holland and L Brown. In receiving and accepting these apologies, the Chair noted that some Members were not present and had not submitted apologies to the Clerk in advance of this meeting. The Chair formally asked that a reminder be sent to all Councillors that apologies must be submitted to the Clerk no later than 24 hours in advance of any meeting of the Parish Council.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

Councillor S Walker declared an interest in Item 5 on the Agenda and took no part in the discussion on this item.

Councillor E Scott declared an interest in Item 13 on the Agenda and took no part in the discussion and vote on this item.

3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 27TH OCTOBER 2022

The minutes of the meeting held on 27th October 2022 were unanimously agreed as a true and accurate record of proceedings.

4. PRESENTATION BY DURHAM COUNTY COUNCIL ON THE SAFETY OF WOMEN AT NIGHT HUB

The Chair welcomed Mr Owen Cleugh and Jacqui Toase to the meeting. Owen and Jacqui began their remarks by thanking the Parish Council for its financial support for the hub earlier in the year. Owen highlighted that the Parish Council was the first organisation to respond to their request for funding and advised that this had helped to save the hub up to the point where the Safer Streets 4 application had been approved.

Owen advised that the hub is now fully funded up to September 2023 thanks to Safer Streets 4 funding. Owen also advised that the hub had worked proactively

with different partner agencies and this had proved to be invaluable from an operational perspective.

Owen reminded Members that the hub operates every Wednesday, Friday and Saturday night in the City centre up till 3am.

Councillor A Doig asked what the total annual running costs for the hub were. Owen advised that the total running costs for the hub for 12 months is £130,000. At present, Jacqui Toase is the only full-time, permanent member of the hub team and the hub is also supported by 14 volunteers.

Councillor A Doig asked if University students were the main users of the hub. Jacqui advised that this is certainly the case for the Wednesday evening but not on Fridays and Saturdays where the hub will deal with a mix of demographics.

Councillor H Weston asked if the hub and its volunteers are especially visible during the night time. Owen confirmed that this is indeed the case and that the hub is well-used with over 960 incidents dealt with since February 2022. Owen advised that it was no exaggeration to say that the hub staff had saved lives.

The Clerk asked if it is likely that the night-time economy trade could fund the hub in its entirety, given the clear benefits of the hub to help police and safeguard those users of the night-time economy of the City. Owen advised that he was aware that the Parish Council favoured a night-time levy but advised that this was beyond his remit to confirm in the future.

Members thanked Owen, Jacqui and the team for their excellent work. At this point, Owen and Jacqui thanked the Council and left the meeting.

5. UPDATE FROM THE LOWES BARN COMMUNITY CENTRE PROJECT ON THE DEVELOPMENT OF THE COMMUNITY CENTRE

The Chair welcomed Mrs Jennifer Thompson to the meeting. Jennifer thanked the Council for the opportunity to update Members on the development of the Lowes Barn Community Centre.

Jennifer advised that the development of the Centre, from concept to the current stage of build had taken many years to get to and over £709,000 in development costs; a lot of which has been provided by local County Councillor and AAP funding. Jennifer also thanked the Parish Council for its generous grant in 2020 to help prepare the ground for development.

Jennifer advised that a company was procured in 2018 to support the development of the Centre. Jennifer advised that the project had suffered from a series of setbacks and delays, primarily due to the cost and supply of build materials following the war in Ukraine, the pandemic and Brexit.

Jennifer advised that the Centre has been changed slightly due to the increase of development costs. Jennifer advised that the Trustees had agreed to forego some storage and one room in the Centre. In doing so, the Trustees had also aimed to make the Main Hall of the Centre as large and user-friendly as possible.

Jennifer advised that there was clearly a gap in the market in this part of Durham for a community centre to bring the community together.

Jennifer advised that the centre was originally due to be completed by 17th December but it is now looking more likely that a completion date of the end of January 2023 will be the handover date.

Jennifer advised that, as soon as the Hall is completed, there will be a need to establish new policies and procedures for how the Hall will operate. The Trustees are also hoping to set up an online booking system for use of the Hall space, etc.

Councillor E Scott congratulated Jennifer and the team for their exceptional work on this project. Councillor E Scott highlighted that she had met with the ASDA Foundation and they are looking to fund similar projects as the Lowes Barn Community Centre development. Councillor E Scott advised that she would link Jennifer in to her point of contact there.

Councillor R Ormerod asked if there were any plans to use the old building for things like storage for instance. Jennifer advised that this had been looked into but it is likely that the Trustees would not wish to take on the added liability of such a building.

The Clerk asked if the Trustees had begun recruiting a Community Centre Manager. Jennifer advised that this is a future project for the Trustees but nothing had commenced yet with the main focus being on the development itself. Jennifer highlighted that Glen Walker joining the project had been invaluable given his expertise in project management, etc.

Members thanked Jennifer for her presentation and work on this project. At this point, Jennifer left the meeting.

6. PUBLIC PARTICIPATION

Both members of the public present advised that they were attending the meeting with a general interest in listening to the discussion on all items on the Agenda.

7. COMMITTEE UPDATES

• Planning and Licensing Committee

Councillor S Walker presented the minutes of the Planning and Licensing Committee meetings held on 14th and 28th October 2022. There being no queries from Members, Councillor S Walker moved on to Committee updates.

- Verbal update on the Sniperley Park developments

The Clerk began his remarks by expressing the thanks of the Chair of the Planning and Licensing Committee for the vast work everyone has put into the developments at Sniperley.

The Clerk advised that the Committee has highlighted this as yet another brilliant example of partnership working between the Parish Council, the City of Durham Trust, the CPRE and WRRAG - partnerships we greatly value as a Council.

The Clerk reminded Members that both County Durham Land LLP and Bellway Homes Ltd have withdrawn their non-determination appeals for both respective planning applications at Sniperley. The Clerk advised that this followed the decision of the Inspector not to allow amendments to the proposals at this stage of the process.

The Clerk advised that both developers have now indicated that they wish to work collaboratively with the County Council on a set of new applications for this new site.

The Clerk advised that the Parish Council is expecting both applications for this site at the start of 2023.

The Clerk confirmed that the Inspector's ruling is that costs will not be awarded in this instance and the Inspector has written to all Rule 6 (6) parties to indicate that no further action will be taken following the withdrawal of both appeals.

The Council thanked the Clerk for this update and **agreed** to await the new applications in due course.

• **Environment Committee**

Councillor C Lattin presented the minutes from the Environment Committee meeting held on 11th October 2022. There were no queries from Members on these minutes.

• **Business Committee**

Councillor E Scott presented the minutes from the Business Committee meeting held on 15th September 2022. There were no queries from Members on these minutes.

• **Finance Committee**

Councillor A Doig presented the minutes from the Finance Committee meeting held on 21st June 2022. There being no queries from Members, Councillor A Doig moved on to Committee updates.

- **Response to DCC budget 2023/24 consultation**

Members unanimously **agreed** the following response to DCC's consultation on budget proposals for 2023/24:

Thank you for the opportunity to comment on the Durham County Council's consultation on its budget proposals for 2023/24. The Parish Council considered all of the documentation included as part of this consultation and wishes to make the following comments.

The financial context and changes to Government funding

Firstly, this is clearly an extremely difficult consultation to have to undertake and the Parish Council accepts that the factors which have led to this consultation are beyond the control of the County Council – increasing demand pressures in social care, crippling cuts to local Government funding from Central Government, significant increases in inflation and interest rates and energy costs.

For a Local Authority to make savings of £37.4million is an incredibly difficult exercise and it is clear from this consultation that every avenue to achieve this without impacting so heavily on frontline services has been explored.

The loss of around 3,000 staff to the Authority since 2010 is a damning indictment of the Government's changes to funding for local authorities and it is a credit to all staff at the County Council who have managed to maintain services since 2010 against this backdrop. It is deeply worrying to hear that further staff reductions are being proposed as part of an £11.8million savings exercise and residents must be assured that this will not impact on services to the most vulnerable in our County.

Changes to central Government funding have had a particularly acute adverse impact on County Durham. In the financial year 2019/20 a total of £7,429,000 was lost in Council tax revenue in Durham due to Class M and Class N (student) exemptions. The figure for 2020/21 has increased by £1,368,335 to £8,797,335. In addition to which £41,174 was also lost due to 'Student Disregards'. Prior to changes which commenced in 2010, central Government funding formula would have filled this gap in funding. This funding has now been removed entirely and this can only have a significant impact on services at the County Council.

The fact that DCC spends over 60% of its total expenditure on caring for our most vulnerable residents simply serves to highlight the life and death demands which Council officers are charged with each day.

Incoming raising proposals

The Parish Council very much welcomes most of the income raising proposals set out at this consultation, particularly taking advantage of selling renewable energy back to the grid. However, the aspect relating to increased demand for planning application services is concerning – does this mean that there will be greater pressure for the County Council to sell its assets for house building outside the scope of the local development plan for the area?

Review of Area Action Partnerships

The Parish Council appreciates the opportunity to comment on DCC's Area Action Partnerships created in 2009 to bridge the (perceived) gap between local communities and the new Unitary authority.

Durham residents have had the chance to see and hear from public service representatives via Board meetings and also vote for community priorities. The Task and Finish groups encourage community involvement but, even in the

compact city, numbers need boosting despite the efforts of the excellent AAP team. Time and venues for meetings can also be a practical difficulty so if the number of AAP's was reduced public engagement could be even lower.

As a way of disbursing public funds the application forms and the system need refining. However, abolishing or cutting the number of AAP's would make the grants process more remote but not necessarily more efficient.

The opportunity for contact between the public and the police, health, fire service, councillors, voluntary groups and other organisations on a regular basis is valued and should remain. There may be a useful role for Parish Councils to be more active in working across the space between the local community and the County Council.

Council tax reduction scheme

Finally, the County Council has shown itself to be a compassionate Local Authority and must be commended for being one of only a few Councils which still retain a Council Tax Reduction scheme for the most vulnerable residents.

We look forward to seeing the results of this consultation in due course.

End of response

8. CHAIR'S UPDATE

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 27th October 2022 as follows:

Firstly, the Chair thanked everyone involved in the unveiling of the blue plaque dedicated to the first 3 female graduates of Durham University over the weekend. The Chair remarked that this was a fantastic event and the Council owes its thanks to the Environment Committee, the Durham Women's Banner Group and St. Hild and St. Bede's college. The Chair advised that he felt that the Council has ensured that women's history in our City is there for all to read about and remember and serves as an inspiration to us all. The Chair advised that he felt that the blue plaques scheme had been terrific and offered a very big thank you to all involved.

The Chair also thanked all those involved in the organisation of the Durham City Remembrance weekend this month. Remembrance Sunday by all accounts was a terrific success and we thank His Majesty's Lord Lieutenant Sue Snowdon for her generous letter to us. The Chair advised that that Sue and others remarked that the event had been the best yet in Durham which is a huge credit to those involved in organising the event. The Chair advised that he placed a wreath at the DLI statue in the Market Place on Armistice Day on behalf of the Parish Council and that he was moved to see the huge numbers of people who attended the event.

The Chair advised that he knew many Councillors were impressed with the stats provided by the Safety of Women at Night hub earlier this month and from Jacqui and Owen's presentation today. The Chair remarked that this goes to show that the investment was worth every penny when we see people safeguarded and given access to care. The Chair advised that he was delighted that the Parish Council

was the first organisation to offer funding in February of this year to ensure that the hub can continue now and into the future.

The Chair reminded Members that the Clerk has circulated details of the Parish Council's Christmas civic event – taking place on 12th December at the Town Hall again this year. The invitation is open to all Councillors and their partners. The Chair remarked that this is a great event which gives us the opportunity to say thank you to everyone for their help and support this year ahead of what we hope will be an enjoyable Christmas break. The Chair asked Members to let the Clerk know if they are able to attend.

The Chair offered his congratulations and thanks to all those involved in ensuring that the right decision was reached over the Sniperley Park developments this month; both developers having now withdrawn their appeals with the Inspectorate. The Chair advised that these proposals would have had a serious impact on our parish, particularly the local road network and services such as GPs and schools. The Chair advised that the Council shall now await the amended proposals from both developers in the coming months.

The Chair expressed his delight to see how successful the 7 Hills trail map has been since its launch. All 5,000 leaflets have now gone out across the Parish area and the University in particular has been supporting the Parish Council in promoting this trail. Huge credit goes to David Miller and the Environment Committee for this project. David is so encouraged by the trail's success; he is now on to the next one as part of our collective efforts to mark the 80th Anniversary of the City of Durham Trust.

Finally, the Chair said a big thank you to all those residents who took an active role in the Parish Council's recent consultation on its priorities and the precept. The Chair remarked that it was good to read some of the feedback received from residents who rate the Parish Council either excellent or very good and of course we'll be considering all feedback in the weeks ahead as we formalise our budget and strategy for 2023/24 as a Council.

9. EXECUTIVE SUMMARY OF RESIDENT FEEDBACK TO PARISH COUNCIL CONSULTATION

Members noted the below executive summary of resident feedback to the Parish Council consultation:

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

From the 91 responses received to this consultation:

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

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

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

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

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

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

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

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

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

Additional issues highlighted through this consultation were as follows:

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

From the 91 responses received to this consultation:

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

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

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

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

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

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

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

Other matters

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

End of executive summary

10. PARISH COUNCIL STRATEGY 2023/24

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

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

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

The Clerk reminded Members that, last year, the Parish Council agreed the following overarching priorities for Full Council:

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

Within the scope of these overarching aims of the Council; a number of the Parish Council's Committees have agreed their priorities for 2023/24. However, the Clerk

highlighted that Members may wish to alter these overarching aims of the Council in view of the resident consultation feedback.

Members unanimously **agreed** that the overarching priorities for the Full Parish Council for 2023/24 should remain as they were for 2022/23 (above).

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

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

The Clerk advised that an agreement has been reached that all pay columns will receive an increase of £1,925.00, to be backdated from 1st April 2022.

The Clerk also advised that the NJC has agreed that from 1 April 2023, all employees covered by this National Agreement, regardless of their current leave entitlement or length of service, will receive a permanent increase of one day (pro rata for part-timers) to their annual leave entitlement.

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

The Clerk reminded Members that sufficient funding for this increase was allocated by the Parish Council in January 2022. If approved, all pay arrears will be paid in the November 2022 payroll window.

Members unanimously **agreed** to accept the £1,925 increase to the Clerk's salary and to make the necessary arrangements for arrears to be paid in the November 2022 payroll window.

12. MOTION BY CLLR S WALKER ON WHITE RIBBON DAY

Members unanimously **agreed** the following motion on White Ribbon Day:

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

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

Members unanimously **agreed** the following amended motion on the park and ride services:

"This Council undertakes to write to the Chair of the Bus Board of Durham County Council to urge the County Council to extend, extend and tailor park and ride services - for example, for hospital visiting, night economy workers, Sunday working and recreational tourism uses - and to introduce electric buses as soon as possible, in the interests of benefitting various user requirements and of reducing pollution and congestion in our 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.

14. LICENSE REVIEW APPLICATION

The Council unanimously **agreed** to allocate a total of up to £3,000 towards legal costs for the review hearing for the Woodman Inn pub.

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

Signed,

**Chair of the City of Durham Parish Council
(26th January 2023)**

ITEM 5: TO CONSIDER THE OUTCOME OF THE RECENT LICENSING APPLICATION FOR STACK, 4-6 SILVER STREET

As Members are aware, the recent licensing application for STACK at Silver Street was recently approved at the Council Council's Statutory Licensing Sub-Committee held on Thursday 19 January 2023.

This is a major proposal within the parish area and the application was the subject of a number of local objections, including local Residents' Associations, the City of Durham Trust and the Parish Council.

No responsible authority (in relation to the Licensing Act 2003) objected to the proposals. The Fire Authority's representation stated:

"No representations will be made to the Licensing Authority subject to the responsible person for the above premises ensuring compliance with the requirements of the Regulatory Reform (Fire Safety) Order 2005.

A suitable and sufficient fire safety risk assessment must be carried out in order to comply with the above Order."

A full copy of the paperwork for this meeting can be found here:

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CIId=249&MIId=14995&Ver=4>

When considering the application, the Parish Council Planning and Licensing Committee had regard to the Licensing Act 2003, the Section 182 Guidance and the County Council's Statement of Licensing Policy 2019 to 2024. In its presented format, the (Parish Council) Committee felt that the proposals would fail to promote the four licensing objectives.

In particular, the Planning and Licensing Committee were concerned about impact in terms of noise disturbance to local residents associated from the roof terrace area of the premises and takeaway food (albeit this is being limited to a cut-off time of 11pm) as well as concerns about the proposed emergency exit of Moatside Lane, which is unlit, on a gradient, extremely narrow and cobbled.

At the time of this Agenda's publication, the County Council had not yet made a copy of the Decision Notice available to all parties.

The Planning and Licensing Committee meeting of 20th January 2023 considered whether an appeal of this decision would be possible and it was agreed that this matter should be put forward to Full Council.

In relation to premises licences, "interested parties", that made relevant representations during the application stage, have the right to appeal against a licensing authority's decision in the courts, if they think:

- The licence should not have been granted
- The licensing authority should have imposed different or additional conditions on the licence
- A licensable activity should have been excluded from the licence

- The licensing authority should not have agreed to the named “premises supervisor” (not relevant for club premises certificate)
- There was a procedural irregularity, and this affected the decision (e.g. the licensing committee had failed to comply with the hearings regulations)

Any appeal must address the likely impact that granting the application may have on any of the four licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm

Appeals should be made in writing to the designated officer for the magistrates’ court for the area where the premises is situated. Appeals have to be made within 21 days from the day the applicant is notified of the licensing authority decision about the application. The licensing authority should notify all interested parties, who made relevant representations, of their decision at the same time; however, appellants may want to check the exact “cut-off” date with the licensing authority.

Some courts have created an “appeals form” to make the process easier; however, there is no set form or procedure, so appellants should contact the relevant magistrates court to check how to make an appeal. A fee of £23.50 must be made to the magistrates’ court on lodging an appeal.

On receiving an appeal, a magistrates’ court has three options. It can:

- Dismiss the appeal
- Substitute the decision being appealed against for any other decision the licensing authority could have made
- Send the case back to the licensing authority and tell them how to deal with it in accordance with directions of the court.

The court may also make such costs orders as it considers fit.

There will normally be an “initial appeal hearing” at the magistrates’ court at least 28 days after the ‘21-day’ period for making appeals. This is when the court will decide whether there is a case to hear, and whether it will hear the case itself or send it back to the licensing authority to deal with. In doing this, the court will consider whether the appeal is valid and whether the case outlined in the appeal has been contested.

Where a court decides to hear the matter itself, it will normally adjourn to a separate “full hearing” date to decide the case, when sufficient court time can be allowed.

If an interested party appeals against a licensing authority’s decision, and they are unsuccessful, the magistrates’ court can award costs against that party if it sees fit. This would mean that the interested party would have to pay the other parties’ legal costs as well as their own. However, the Magistrates Association and the Justices’ Clerks Society has advised that awarding costs for a licensing appeal

should be an exception and not a rule, and any resident with reasonable grounds for appeal should not be penalised.

It is important for Members to consider that there is a financial and reputational risk to the Parish Council if unsuccessful. A recent example of one such unsuccessful appeal involved the (Newcastle) STACK premises in 2018:

(Endless Stretch Limited v Newcastle City Council and Danieli Holdings Limited (Costs), Newcastle Magistrates' Court, 2 October 2018), where District Judge Kate Meek ordered the unsuccessful trade objector appellant to pay the costs of both the local authority and operator respondents, summarily assessing those costs as £28,923 and £57,984 respectively, so a grand total of £86,907. This was on top of what the appellant had paid the QC, senior junior, licensing consultant and cost consultant it fielded for the appeal (and also on top of representation at first instance).

Should Members wish to pursue an appeal, they will need to consider the legal costs for both sides.

Cost estimates for legal representation at the Magistrates Court are being looked into by the Parish Clerk.

DECISIONS REQUIRED	For Members to consider whether to appeal the recent decision by Durham County Council in respect of the STACK (4-6 Silver Street) licensing application.
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ITEM 5: CLIMATE EMERGENCY RESPONSE: UPDATE AND SUGGESTED ACTIONS FOR 2023

By Cllr R Friederichsen

Summary: This report updates Full Council on Durham County Council's current Climate Emergency Response Plan (2022-2024) and its reception by Durham city and county residents. It suggests actions for the City of Durham Parish Council to **contribute to a more effective and participatory local government response** to the climate emergency.

Introduction

An earlier version of this report was presented to the Environment Committee on 8 November 2022. The Committee discussed the report, recommended some changes to it, and agreed for a revised version to be presented to Full Council.

The summer of 2022 has seen an acceleration of the climate crisis. Record temperatures were recorded across the UK, including 36.9 degree Celsius measured on 19 July in Durham City¹. The summer's drought across large parts of continental Europe is thought to have been the worst in 500 years. The continuing acceleration of the climate emergency makes it more urgent than ever to retain the focus on climate action across all areas of the City of Durham Parish Council (CoDPC) and all levels of government. This encompasses mitigation and adaptation measures.

This report applies learning from the Climate Literacy training to the ongoing climate action by Durham County Council (DCC) and CoDPC, with a view to also strengthen citizen engagement in it.

What change targets should local government aim for?

The Centre for Sustainable Energy (CSE) has established a set of 13 change targets which are listed in Appendix 1. This set of targets is useful because it defines what needs to be achieved by local government to help achieve a net zero UK.

The Local Government Association has produced guidance in "A councillor's workbook on the local pathway to net zero" which introduces the notion of "spheres of influence" through which councils operate. Combining the CSE's change targets with the spheres of influence results in the map presented in Appendix 1. It indicates what must be achieved and invites discussion and decision by Councillors of how the CoDPC can best contribute to the effort. The map also allows Councillors to quickly establish whether all 13 key change targets are being addressed.

Durham County Council's Climate Change Strategy and Emergency Response Plan (2022-2024; also known as CERP 2) and its reception by Durham residents

¹ Source: <https://durhamweather.webspace.durham.ac.uk/2022-data-11/> (last accessed on 7 September 2022).

Following County Durham's declaration of a climate emergency, CERP 2² is the second action plan, and was adopted by Cabinet in June 2022³. The 128-page document is a significant step forward from the first climate emergency response plan, it presents a significant level of ambition (see e.g. the section on emissions budget on pages 7-8) and a significant list of actions/projects (pages 100-115) amounting to a stated overall financial commitment of £121m by DCC and its partners (cf. p. 100). An overall independent assessment of the quality of CERP 2 is not yet available, but the Climate Emergency UK's Council Climate Scorecards⁴ provides a comparative framework for assessment and an analysis of DCC's (first) 2020 action **plan**. Climate Emergency UK will carry out a second score card-based analysis of UK principal authorities' climate **action**, likely in 2023. This will, for the first time, provide Parish Councillors an accessible, independent, and comparative assessment of the overall quality of DCC's climate action.

On Tuesday 5 July 2022, Climate Action Durham (CAD) organised a citizens' forum to debate CERP 2 at Durham Town Hall. Around 60 residents attended the event which comprised an introduction by DCC's Corporate Director, Neighbourhoods and Climate Change, Alan Patrickson (Cllr Mark Wilkes delivered a short address by video due to falling ill with Covid), followed by work in four topic-based small groups which were co-facilitated by CAD's citizen experts and DCC officers. The small groups discussed ongoing and planned climate action by DCC and what additional actions residents felt were needed. CAD agreed with DCC representatives to host a follow up event in a year's time and is continuing work to encourage, improve, and add to DCC's climate actions.

The opportunity and need for Durham City Parish Council to support CERP 2 and climate action that goes above and beyond it

This report does not attempt to assess the overall merits and shortcomings of CERP 2. I will only point out important issues in it which invite and require the CoDPC's engagement.

1. **Parish Councils are yet to play a clear and active role in CERP 2 and its successors:** Parish Councils are only mentioned indirectly in CERP 2, in connection with Area Action Partnerships. This almost complete absence of Parish Councils in CERP 2 represents a strategic gap in it because climate action will increasingly require behavioural changes affecting everybody's everyday life and the most local layer of local government should play a key role in effecting behavioural changes by leveraging its close connections to residents.

Suggested action: CoDPC should request clarification from DCC on how they intend to ensure that Parish Councils across the county become active supporters of and contributors to the implementation of CERP 2.

² See <https://www.durham.gov.uk/media/40220/Climate-Change-Strategy-and-Emergency-Response-Plan-2022-24/pdf/ClimateChangeStrategyAndEmergencyResponsePlan2022-24.pdf?m=637925305338470000> (last accessed on 7 September 2022).

³ See <https://www.durham.gov.uk/climatechange> (last accessed on 7 September 2022).

⁴ See <https://councilclimatescorecards.uk/#jump=durham-county-council> (last accessed on 7 September 2022).

2. **DCC must account to residents on adherence to decarbonisation targets:** The concept of carbon budgets is introduced, laudably, in CERP 2 as the overall measure of success of DCC's climate action; this includes accounting for CO₂ sequestration through ecosystem protection and restoration. There is, however, no mechanism set out for Durham citizens to know whether DCC is meeting its decarbonisation targets (see CERP 2, page 8).
Suggested action: CoDPC should request clarification on how all parish councils will be regularly informed about progress as assessed by the Net Zero Carbon Board (see page 87, CERP 2) to ensure accountability. CoDPC should consider what role it wants to play in the 2023 Durham Citizens' Forum on Climate Action which offers a means to inform and engage residents in CERP 2-related efforts.
3. **Reduce air travel:** The need to reduce air travel (change target 7; see Appendix 1) is not mentioned in CERP 2, despite County Durham holding investments in Newcastle Airport. This clear internal contradiction led independent researchers to demand that "County Durham seriously consider strategies for significantly limiting emissions growth from aviation and shipping"⁵. **Suggested action:** CoDPC should request clarification on DCC's position on reducing air travel, the plans for investment in Newcastle Airport, and what action DCC is taking to encourage behaviour change towards less air travel, and the importance of consumption patterns in its climate change communication.
4. **Make key CoDPC work strands address the climate and biodiversity emergencies:** Among the CoDPC's biggest spending items are Durham in Bloom and a retail consultant's advice being offered to Durham city businesses.
Suggested action: For full council to require the Business and Environment Committees to review and amend, if necessary, the contractual arrangements for Durham in Bloom and the retail consultancy support to businesses to ensure they align with the relevant CSE's change targets. This means that future contracts must include as priorities one or several of the overall aims and actions to a) Reduce greenhouse gas emissions, b) support local adaptation to climate change, and c) restore biodiversity and natural carbon sinks.

DECISION REQUIRED	For members to acknowledge the report and agree to the suggested actions under points 1-4 above.
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⁵ Kuriakose et al. (2022) Setting Climate Commitments for County Durham: Quantifying the implications of the United Nations Paris Agreement for County Durham. Tyndall Centre Carbon Budget Reports. Available at <https://carbonbudget.manchester.ac.uk/reports/E06000047/> (last accessed, 24/10/2022).

Appendix 1: Overview map to ensure the Parish Council addresses all change targets using its spheres of influence strategically

	Local government spheres of influence ⁶					
Change targets ⁷	Direct control	Procurement and commissioning;	Place shaping	Showcasing	Convening	Engaging
1. Hugely reduced energy demand from buildings, including heritage assets		Potential area for retail consultant to address.			Potential opportunity to benefit from 2023 Citizens' Forums on Climate Action	
2. Smarter & more flexible management of energy demand, including storage		Potential area for retail consultant to address.				
3. Decarbonised power generation						
4. Decarbonised heat delivery						
5. Reduced private car travel and a comparable increase in active and public transport		Potential area for retail consultant to address.			Ongoing: Partnership work to improve active travel infrastructure	
6. A complete shift to electric vehicles (& an end to petrol & diesel cars & vans)		Ongoing: Budget allocated for electric vehicle charging points. Potential area for retail consultant to address.			Potential opportunity to benefit from 2023 Citizens' Forums on Climate Action	
7. Massively reduced air travel, particularly among frequent flyers						Potential engagement with DCC and residents to accelerate behaviour change.
8. New buildings and developments that achieve net zero emissions (including associated new transport)			Ongoing: Lobbying for Sniperley Park development to be practically net zero, setting an example.			

⁶ Source: A councillor's workbook on the local pathway to net zero, point 3.2 available at <https://www.local.gov.uk/publications/councillor-workbook-local-pathway-net-zero#3-opportunities-for-action>

⁷ Source: Centre for Sustainable Energy, available at <https://www.cse.org.uk/downloads/file/climate-emergency-action-plan-matrix-for-local-authorities.xlsx>

9. Hugely altered consumption patterns, buying less and re-using / repairing more		Potential area for retail consultant to address.				
10. Greatly increased recycling rates to achieve a circular economy model, taking plastics out of the waste stream		Potential area for retail consultant to address.				
11. Altered dietary patterns & reduced food waste		Potential area for retail consultant to address.				
12. Widely adopted land management practices that reduce emissions, increase soil carbon and protect & promote biodiversity		Potential area for Durham in Bloom to address.		Potential area for Durham in Bloom to address.		
13. Widespread, actively managed and planned carbon storage strategies		Potential area for Durham in Bloom to address.		Potential area for Durham in Bloom to address.		

ITEM 5: PROPOSAL TO FUND THE DURHAM CITY HERITAGE TRAIL MAP AS PART OF THE 80TH ANNIVERSARY OF THE CITY OF DURHAM TRUST

As Members are aware, the Parish Council recently launched a 7 Hills trail map of Durham which was designed and created by David Miller. Since the creation of these leaflets, 5,000 have been distributed across the Parish Council area and the user experience feedback received has been overwhelmingly positive.

In order to mark the important 80th Anniversary of the City of Durham Trust, Members agreed to progress the creation of a Durham City Heritage trail map and this has again been designed by David Miller and a copy of this map is included in all hard copies of the Agenda.

Since gaining the endorsement of the Environment Committee and an agreement for a virement of funds from the Parish Council's Finance Committee, the Clerk has been working with both David Miller and John Lowe, Chair of the City of Durham Trust on the design of the works.

Much of the content from the 7 Hills map was able to be re-used by the same designer and this has significantly cut the costs of producing this leaflet. David Miller has confirmed his acceptance of the content of the map as is now produced.

The associated costs for this work are as follows:

Design and artwork

To prepare artwork from supplied images, logos, maps and text for the creation of an A2 leaflet folded to 1/3A4 (DL). Folded map style. Allowing for three iterations presented in PDF format for client approval. Allowing for two days work based on the following: 3 x Review Proofs, 3 x Artwork pass, 3 x Print pass to sign off. £700.00

Printing of 5000 leaflets

Printing 5000 leaflets: Flat: 420 x 420mm Full Colour Double Sided. Material: 115 g/sm Novatech Gloss. Four Colour Process + Seal. Finishing: Trim and Fold to Finished size 105 x 210mm (Half Long Edge, 2x Half Short Edge) £984.10

Delivery to Durham

Delivery to the Parish Council office: £49.00

Total costs (incl. VAT) - £1,882.90

However, the City of Durham Trust has agreed to fund 50% of the total cost of producing this leaflet.

If approved, it is envisaged that the heritage trail map will be distributed to the same locations as the 7 Hills trail map: incl. Clayport Library, Durham Gala Theatre, Durham Museum and Heritage Centre, the Mountjoy Centre, Palatine Centre, Durham Town Hall, Durham Pointers and Palace Green library.

DECISIONS REQUIRED	1) For Members to approve 50% of the associated total costs of producing and printing the Durham City Heritage trail map as part of the 80th Anniversary of the City of Durham Trust. 2) For Members to write formally to David Miller to thank him for his exceptional work on this new leaflet.
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ITEM 7: UPDATE AND CORRESPONDENCE ON THE DURHAM ACCESS FOR ALL GROUP

Members are reminded that the Parish Council is an active partner with the Durham Access for All Group.

Councillor Liz Brown is the official Parish Council representative on the Access for All Group and regularly attends their meetings and reports on the Group's activities to the Parish Council.

The Chair of the Access for All Group has recently written to the Parish Council regarding the future of the Group and his correspondence is set out below.

"At its last meeting, on Wednesday 9 November 2022, the Durham City Access For All Group asked me to write to the City Of Durham Parish Council, drawing its attention to the concerns that it has regarding its continued usefulness. There are only a small number of members of the Group — about ten members — all of whom are volunteers, most of long standing, and some now increasingly elderly. Some have been members for more than forty years. We have not been successful in attracting younger members, though we have made serious and repeated efforts to do so. Some of us think that although special interest groups such as ours played a useful role in the past, our voice now counts for little and is not heard. We are rarely invited to express a view, and when we are we are usually made to think that the purpose of the invitation was so a box could be ticked.

We count ourselves fortunate in having Councillors from both the City and the County among our members. We especially appreciate Councillor Brown's commitment in ensuring that our concerns are drawn to the attention of Parish Councillors. We believe, though, that we could play a more constructive role in ensuring that the City's facilities and services are as accessible as they can be to everyone, whether they be residents or visitors.

Most of the work we have done of late has been in association with DCC's Disability Partnership, some members of our Group being prominent members of that Partnership. It was the Disability Partnership which commissioned the detailed audit survey of many of the City's streets, drawing attention to hazards, obstacles and difficulties that people with disabilities, and others, encounter. The Access Group commented extensively on this audit survey, and hoped that the Disability Partnership would take its recommendations, together with our comments, forward. That though has not happened. We also had hopes that the City's Parish Council would be interested in the audit survey and our comments on it. The Access Group is disappointed that those hopes have come to naught. There are a number of other matters about which our view has been sought. We have been asked to comment on the new footpath from the University's South Road colleges down to the science buildings, on the the development of the Miners' Hall on Redhills, on the creation of a History Centre at the Mount Oswald manor house, and the Cathedral has asked for our advice on proposed developments. More recently, the Disability Partnership has had opportunities to comment on the plans for the new bus station, on the provision of EV charging points in the City, and on the plans for the refurbishment of the DLI. We think that the contributions

members of the Disability Partnership have made would enhance the accessibility of these facilities and venues. But in many of these cases our work has been ignored and even unacknowledged.

The Council will, perhaps, be aware that the Access Group has a continuing concern about the proliferation of pavement obstructions in the City. We are often alerted to the difficulties they create in meeting the objective that the City should be accessible to all people. But there appears to be very little awareness by business owners of the hazard that A-boards and pavement furniture present for visually impaired users of the City streets, and the discomfort that they cause for users of wheelchairs and scooters by forcing them to use uneven parts of the surfaces. (I, for one, avoid using Silver Street because of obstructions.) We are, of course, aware of the business case for these obstructions, but it would appear that little or no notice is taken of the case for ensuring safety and accessibility for all those who use the Durham streets. Poor signage in the City is also an issue on which there has been little or no progress. The Durham Pointers perform an invaluable role in helping visitors and others find facilities, services, and attractions, but they are not always available and cannot be expected to substitute for adequate signage. Again, hopes that the Parish Council would wish to pursue these matters have not been realised.

Important occasions in the City's calendar, the Regatta, Miners' Gala and Lumiere, are not made as accessible as they should be. We understand that the Shopmobility service does not provide mobility aids for these events.

It is our failure to secure progress in so many of the matters mentioned above that has led to the Access Group asking itself whether its useful life is coming to an end, given that its contributions have been, for the most part, fruitless. If there is a need in the City for continued attention to the need to maintain and enhance its accessibility for all, then perhaps some other way of securing that objective is required, for it is doubtful whether the current Access Group can continue much longer.

Since the Access Group was founded, the legislation incorporated into the Equalities Act of 2010 has been enacted, This Act, together with relevant sections of the Building Regulations, impose obligations on developers and owners of premises used by the public. But it seems clear that these legal obligations are often regarded as theoretical rather than practical. Too often, the prevailing view seems to be that so long as people are consulted about accessibility, all is well; it does not matter what they say about accessibility. So there is a continuing need for proper vigilance; laws and regulations are not self-enforcing. Scrutiny is needed, but it may not be wise for it to be provided by a small, increasingly elderly, and increasingly discouraged, group of well-meaning volunteers.

We would be grateful if you could draw this letter and its contents to the attention of City's Parish Council. If there should be any questions that it raises for Members of the Council, I would be happy to try to answer them, or to attend a meeting of the Council if that should be deemed appropriate".

Barry Gower, Secretary, Durham City Access For all Group

To assist Members, the Clerk has produced the following list of actions taken to date by the Parish Council on the important issue of Access for All:

- Ensuring that the City is accessible for all users – regardless of mobility – is of paramount importance to the Parish Council. This forms part of our strategic aims for this year and we are delighted that this also forms part of our overarching council strategy for 2023/24.
- In December 2018, the Durham Access for All Group requested that a Member of the Parish Council join the Access for All Group. At that time, the Group rightly highlighted the new City of Durham Parish Council's role in ensuring that the City and its facilities were as accessible as possible to all. The Parish Council was delighted to respond positively to this request and has each year agreed that a Member of the Parish Council should join this Group. The Parish Council regards the Access for All Group as an important strategic partner and took the opportunity to thank the Group for all its work and advocacy for those with mobility issues in our City.
- In its December 2018 request, the Access for All Group also specifically highlighted the lack, on a 24-hour basis, of a publicly accessible defibrillator in the city centre. Since this time, the Group will no doubt be aware that our four County Councillors on the Parish Council have jointly funded a number of new defibrillators in the City Centre and in the Neville's Cross part of our parish; working in collaboration with Durham County Council, Rotary Groups, etc. to achieve this. The installation of these life-saving devices across our City is fully supported by the Parish Council.
- One of the biggest achievements of the Parish Council since its inception has been to see its Neighbourhood Plan through referendum and adoption stages. We are sure the Access for All Group will have celebrated as we did when this document was finally adopted and this now forms the statutory plan for all new development in our area until 2035. We were delighted that the Access for All Group engaged positively on this Plan during its drafting. This document includes a raft of Policies (DCNP Policies S1, S2, T1, C1, C2, H1, etc) which now make it a planning requirement for all developers to consider the access needs for all users in their schemes.
- In June 2021, the Parish Council responded to the latest signage strategy consultation by DCC in relation to the City centre. Our response focused heavily on ensuring that all signage be uniform in style, easy to understand and – crucially – accessible for all to read. We have recently requested an update on the outcome of this strategy and will continue to engage with the Access for All Group on this.
- Through the Public Sector Equality Duty, the Equality Act 2010 also requires public bodies - including parish councils - to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conducted prohibited by the Equality Act
 - advance equality of opportunity between people who share a protected characteristic and people who do not share it
 - foster good relations between people who share a protected characteristic and people who do not share it.
- This is documented in our Equality and Diversity Policy, which is kept under regular (at least annual) review and is shared with all Councillors. In addition, all Parish Council meetings are held in locations which have full access for all users.
 - The Parish Council is particularly keen to ensure that all public spaces in the parish are made accessible for all – regardless of mobility. This is exactly why we raise this when considering any new development schemes (e.g. supporting the planning application for the new Lowes Barn Community Centre which includes accessible features and facilities) as well as taking proactive action where existing premises need to improve their facilities for access, e.g. we funded the new disabled toilets at St. Oswald's Institute in 2021 and in October 2022 the Parish Council supported an application by Alington House to the AAP's Towns and Villages fund for a new lift giving access to the Ritson Hall.
 - In responding to the consultation on the County Council's Hackney Carriages and Private Hire Vehicles Licensing Policy, the Parish Council specifically highlighted the needs of wheelchair users in this Policy and lobbied the County Council to incentivise more wheelchair accessible vehicles (WAVs) being added to their existing licensed fleet, e.g. through reducing or abolishing the application fee for new WAVs in order to ensure that there is sufficient provision to service the needs of all users in our City centre.
 - You will also be aware that a disability audit was carried out of Durham City in 2019 and 2020 by an inclusive design consultant. This work was commissioned by Durham County Council's Equality and Diversity Officer, Transformation and Partnerships. The aim of this audit was to establish the current level of accessibility in Durham City centre and to identify the barriers and other potential issues which disabled people might experience when visiting the city. The Access for All Group and the Parish Council rightly highlighted that the placement of 'A' Boards on the public highway creates many issues, in particular the potential to present an obstruction and safety hazard to users. This is a substantial problem for those with mobility impairment, such as the blind and partially sighted, wheelchair users and people with prams/pushchairs. As such, the Parish Council has been lobbying the County Council to introduce an A-boards prohibition zone to both Saddler Street and Silver Street.
<https://www.thenorthernecho.co.uk/news/19726231.council-wants-boards-banned-durham-city-streets/>

- The Parish Council regularly engages with local business as and when issues of accessibility for users are brought to our attention by members of the public. The Parish Clerk recently undertook a visit to the WH Smiths/ Post Office site with the Chair of the Access for All Group as well as another member of the public who had raised concerns and has been engaging with the senior management of both organisations to address the access issues raised.

In addition, the issue of the disabled toilets at the Riverwalk site has been highlighted at a number of Parish Council meetings and a representative of the Parish Council is engaging with the site management on this issue to ensure a speedy and satisfactory resolution to these issues.

- We were also delighted to work with the Access for All Group in responding to a recent Section 106 funding application by MGH Card LLP for the provision of an underpass connecting the Riverwalk and Milburngate developments. You will recall that we strongly objected to this scheme as, primarily, the proposal made no provision for disabled access at all. We jointly highlighted that the County Council has duties under both Highway and Equality legislation and must ensure that safe access and movement for all is provided for. A wheelchair seeking to travel from Milburngate to Riverwalk will need to navigate an alternative route, for which there is little provision between these developments. Our Clerk has requested an update on this scheme and will continue to engage with the Access for All Group on this important issue.
- We are extremely keen that all events in the City centre are made accessible for all to enjoy. We are aware that the issue of Shopmobility making provision for the Lumiere and Miner's Gala events has recently been raised at your meetings and we are delighted to have been able to have addressed and resolved this.

DECISION REQUIRED	For Members to consider what further actions to take in order to support the work and future of the Durham Access for All Group.
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ITEM 8: PROPOSED SERVICE LEVEL AGREEMENT WITH DURHAM POLICE FOR ENHANCED POLICING OF THE PARISH AREA

Members are reminded that discussions have been ongoing regarding an enhanced Policing service for the parish area.

If approved by Council, it is proposed that this enhanced policing service for the parish area begins in April 2023 at the start of the new financial year.

The Parish Council has worked proactively with the Durham City Inspector over the last few months and both the Environment Committee and Finance Committee have given their support in principle to the following Service Level Agreement:

Proposed Service Level Agreement
Between
Durham Police and City of Durham Parish Council
For the provision of
Additional enhanced targeted safety patrols

1. Memorandum of Agreement

- 1.1 This service level agreement (**SLA**) is in respect of the provision of additional enhanced targeted safety patrols by Durham Police as detailed in this document.

2. Conditions of Agreement

2.1 Length of SLA

- 2.1.1 The provision of the additionally funded service under this SLA shall commence on the 1st April 2023 for a trial 12 month period with the option to expand or extend through agreement. If the service is not to extend, then one months' notice of expiry will be given.

2.2 Method of Payment

City of Durham Parish Council shall pay for the additional officers (as calculated in accordance with the provisions of paragraph 4 below) only upon receipt of the monthly report to the Council from the dedicated co-ordinator and on a monthly basis within 28 days of receipt of the invoice from the police.

2.3 Variations

The terms of this SLA may only be varied by written agreement signed by both the police and the City of Durham Parish Council.

2.4 Confidentiality

2.4.1 Each Party will provide all information within its control necessary to enable the other to discharge its obligations under this SLA.

2.4.2 Neither Party shall, without the written consent of the other Party, make use of for its own purpose or disclose or allow to be disclosed to any person, (except as may be required by law or by an authorised body in evaluating the work undertaken e.g. external audit), this SLA or any material contained in it.

2.5 Statutory Requirements

Each Party shall comply with all relevant statutory requirements relating to its respective obligations under this SLA including where appropriate statutory time limit.

2.6 Conflicts of Interest

In the event that the police shall identify an issue which it reasonably considers amounts to a conflict of interest, it shall be entitled to refuse to accept, or to return instructions to the City of Durham Parish Council.

2.7 Assignment and Subcontracting

The police shall not transfer or assign this SLA and shall not subcontract the provision of the police service without the prior written consent of the City of Durham Parish Council.

2.8 Monitoring and Liaison

2.8.1 The Police and the City of Durham Parish Council will aim to adhere to the standards set out within this SLA.

2.8.2 Attend monthly meetings (if deemed appropriate by both parties) with a representative of City of Durham Parish Council to discuss progress and policing activity. Policing activity will be predominantly within the pre-defined patrol areas with allowances for operational contingency.

2.8.3 Co-ordinator will provide **monthly** reports for the activity for the City of Durham Parish Council Area.

2.9 Arbitration and Dispute Resolution

2.9.1 If any dispute arises, the police and the City of Durham Parish Council shall first attempt to settle it by referring the dispute to a senior officer of each other who will use reasonable endeavours to resolve the dispute. This will usually be the Neighbourhood Policing Inspector and the Parish Clerk.

2.9.2 The police and City of Durham Parish Council accept and acknowledge that they have a shared responsibility to ensure they make every effort to avoid matters of dispute through regular and constructive dialogue and a common-sense approach to the terms of this SLA and they agree to make every effort to resolve any dispute in connection with this SLA through constructive dialogue.

2.10 Notice and Termination

This SLA may be terminated by either police or the City of Durham Parish Council (in respect of the entire or only part of the police Service) by giving at least one months' written notice to the other.

2.11 Miscellaneous

Nothing in this SLA shall require the police to accept instructions in respect of Services the City of Durham Parish Council, although the policing service can be targeted to key areas based on evidence of additional need, which can be discussed at the monthly partnership meetings.

3. Services to be provided

- This service will be the provision of two additional dedicated police officers at the times stipulated below, to conduct safety patrols in the City of Durham Parish area. The deployment of the resources will assist to enhance safety within the city by visible presence and reacting to incidents within the city centre and surrounding residential areas. The final decision on the deployment of the officers to achieve those aims will be that of the police.
- Policing will be managed entirely by the City Neighbourhood Policing Team Sergeant/ Inspector based on operational need to increase safety by conducting mobile patrols in key City Centre locations. A marked / unmarked vehicle will be supplied by police depending on operational requirement.
- Staffing will be provided by officers working additional shifts on overtime from 10pm – 3am on a Wednesday (Term time), Friday and Saturday evening. The additional patrols will be dependent on police being able to

resource the officers from non-duty staff and may be rest day or additional duty working. If the officers cannot be resourced from additional staff the additional patrols will not be resourced from duty officers and the additional patrols will be suspended for that evening.

- The additional staff will be deployed as a protected resource (whenever possible) in a ringfenced area, deploying to incidents within a set criterion as dictated by the police control room, based on command and control protocols and THRIVE risk assessment.
- The officers will work in conjunction with the current Safety Hub staff within the Market Place, including additional separately funded officers, Citysafe medics and Durham County Council Safeguarding staff. The officers will be at that location at 10pm and be expected to be on patrol in the pre-defined patrol area by 10.15pm unless there is an operational need for them to remain at that location.
- Weekly / Daily briefing will be conducted by Red Sigma briefing tool and all updates and incidents attended will be uploaded onto the Red Sigma page prior to the end of the officers' tour of duty, for collation by the co-ordinator. When not tasked by the FCR, officers will patrol within key patrol areas to achieve targets set on briefing pad.
- All equipment and operations will be in line with agreed risk assessments.
- Appoint a key single point of contact for liaison – Dave Clarke
- Provide opportunities for City of Durham Parish Council the promotion of the enhanced service

City of Durham Parish Council agrees to:

- To ensure all incidents are reported via the 999 / 101 / Livechat system to the police control room to ensure that all incidents are correctly graded and the most appropriate resource deployed based on the THRIVE risk assessment tool.
- Attend monthly meetings (where applicable) to discuss progress and agree priorities / Key patrol areas
- To ensure residents and members are fully aware of the purpose of the additional policing resource and that they understand the limitations and direct link to core policing functions of the prevention and detection of crime.
- To provide a single point of contact for liaison

City centre co-ordinator

Preliminary discussions between Durham City Parish Council and Durham Police Crime commissioner were that a city centre safety co-ordinator may be provided to act as a SPOC between Durham Police, Durham University, Durham County Council and City of Durham Parish Council, in order to ensure confidence and satisfaction in the community and increase positive communication.

Initial indications from the PCC were that the contribution (including on costs) would be £30,000 p.a. and it may be a role employed by Durham Agency Against Crime. The full job description of this role is TBC, but would be similar to a co-ordinator role currently employed by Northumbria Police.

4. Pricing

The Parties acknowledge and agree that the information contained within this paragraph relating to rates and prices is confidential and will not be divulged to any third party without the agreement of all Parties.

- 4.1 City of Durham Parish Council have allocated £50,000 for the provision of 30 hours per week (University term time) 20 hours per week (University holidays), with the addition of other key dates by mutual discussion (for instance Freshers Week or pre-Bank Holiday Sundays). The budget will be monitored in the monthly meeting/report and reviewed after Y1.

5 Authorised staff

The staff respectively authorised by the Durham Police and City of Durham Parish Council to give instructions in connection with the police service are until notified otherwise in writing by either the police or the City of Durham Parish Council to the other:

Police: Dave Clarke

The City of Durham Parish Council: Adam Shanley

DECISION REQUIRED	Members are asked to consider approving the Service Level Agreement with Durham Police, as set out in the above report, and its associated costs of £50,000 from April 2023.
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ITEM 9: PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY COUNCIL, THE FREEMEN AND THE CITY OF DURHAM PARISH COUNCIL RELATING TO THE DURHAM CITY BEACON

Members are reminded that the Freemen have recently funded the creation of a beacon for the City by a renowned artist at a cost of over £10,000. The beacon is set to be completed by the end of February and installed at Jubilee Walk thereafter.

The project has also resulted in significance costs for the County Council with estimates of costs incurred being around £60,000-£70,000 for the project. The scheme gained planning approval in 2022 and is intended to be in place ahead of the Coronation of the new King in May 2023.

The Parish Council has been notified that Buckingham Palace has indicated that they do not wish for beacons to be lit during the May bank holiday weekend but prefer this to happen in June to mark the D Day 80 event.

Representatives from the County Council, Parish Council and the Freemen recently met to discuss a Memorandum of Understanding between all three parties in relation to the ongoing use, maintenance and insurance of the beacon.

The Freemen regard the beacon as a gift to the City and this will be supplemented by two interpretation boards to advertise the project and the artist who has worked on the beacon. The County Council has agreed to take on the maintenance and insurance of the beacon, except the burner unit.

The County Council has asked if the Parish Council would consider taking over this element of the project and also manage any events associated with the lighting of the beacon as set out in the proposed Memorandum of Understanding below.

The Council is currently investigating the possibility of a specialist company providing, storing and installing the fire burner for use during events. It is likely that the total cost for this service will be around £1,000.

The fire service raised concerns regarding the original scheme and requested that the beacon be gas lit only – which is safer than hard fuel alternatives.

The County Council will continue to maintain the Jubilee Walk area as part of the wider DLI Museum project.

Members are asked therefore to consider the proposed Memorandum of Understanding overleaf.

Memorandum of understanding for joint working by organisations

This agreement is dated []

PARTIES

**(1) THE COUNTY COUNCIL OF DURHAM of County Hall Durham DH1 5UL
(Organisation One)**

**(2) THE CITY OF DURHAM PARISH COUNCIL of Office 3 D4.01D Clayport Library
8 Millennium Place Durham DH1 1WD (Organisation Two)**

(3) THE DURHAM CITY FREEMAN of Charity Registration
1160181 (**Organisation Three**)

1. BACKGROUND

1.1 Organisation One and Organisation Two have agreed to work together on the project detailed in *Annex A (Project)*.

1.2 The parties wish to record the basis on which they will collaborate with each other on the Project. This Memorandum of Understanding (MoU) sets out:

- (a)** the key objectives of the Project;
- (b)** the principles of collaboration;
- (c)** the governance structures the parties will put in place; and
- (d)** the respective roles and responsibilities the parties will have during the Project.

2. KEY OBJECTIVES FOR THE PROJECT

2.1 The parties shall undertake the Project to achieve the key objectives set out in *Annex A* to this MoU (**Key Objectives**).

3. PRINCIPLES OF COLLABORATION

The parties agree to adopt the following principles when carrying out the Project **(Principles)**:

- (a)** collaborate and co-operate. Establish and adhere to the governance structure set out in this MoU to ensure that activities are delivered and actions taken as required;
- (b)** be accountable. Take on, manage and account to each other for performance of the respective roles and responsibilities set out in this MoU;

(c) be open. Communicate openly about major concerns, issues or opportunities relating to the Project;

(d) learn, develop and seek to achieve full potential. Share information, experience, materials and skills to learn from each other and develop effective working practices, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;

(e) adopt a positive outlook. Behave in a positive, proactive manner;

(f) adhere to statutory requirements and best practice. Comply with applicable laws and standards including procurement rules, data protection and freedom of information legislation.

(g) act in a timely manner. Recognise the time-critical nature of the Project and respond accordingly to requests for support;

(h) manage stakeholders effectively;

(j) act in good faith to support achievement of the Key Objectives and compliance with these Principles.

4. PROJECT GOVERNANCE

4.1 Overview

The governance structure defined below provides a structure for the development and delivery of the Project.

4.2 Guiding principles

The following guiding principles are agreed. The Project's governance will:

(a) provide strategic oversight and direction;

(b) provide coherent, timely and efficient decision-making; and

(c) correspond with the key features of the Project governance arrangements set out in this MoU.

4.3 Sponsors' board

(a)The **Sponsors' Board** provides overall strategic oversight and direction to the Project. This group will consist of:

Organisation One:

Organisation Two:

Organisation Three;

4.3 'Project' board

(a) The 'Project' Board provides strategic management and direction to the Project. This group will consist of:

Organisation One:

Organisation Two:

Organisation Three;

(b) 'Project' Board: Reporting shall be monthly, based on the minutes from the Project Team Meetings chaired by The Project Manager: Progress during this period; issues being managed; issues requiring help and progress planned next period and/or aligned with the frequency of the 'Project' Team meetings.

(c) Organisational: the Project Board members shall be responsible for drafting reports into their respective Organisations as required.

5. ROLES AND RESPONSIBILITIES

5.1 The parties shall undertake the following roles and responsibilities to deliver the Project:

Role	Organisation One	Organisation Two	Organisation Three
Details	Lead or Assure	Lead or Assure	Lead or Assure
To deliver the works itemised at para 1 of the Key Objectives in Annex A	Assure	Assure	Lead
To deliver the works itemised at para 2 of the Key Objectives in Annex A	Lead	Assure	Assure
To deliver the works itemised at para 3 of the Key Objectives in Annex A	Assure	Lead	Assure

5.2 For the purpose of the table above:

(a) Lead: the party that has principal responsibility for undertaking the tasks set out in Annex A, and that will be authorised to determine how to undertake the task. The Lead must act in compliance with the Objectives and Principles at all times, and consult with the other party in advance if they are identified as having a role to Assure the relevant activity;

(b) Assure: the party that will defer to the Lead on a particular task, but will have the opportunity to review and provide input to the Lead before the Lead takes a final decision on any activity. All assurance must be provided in a timely manner. Any derogations raised must be limited to raising issues that relate to specific needs that have not been adequately addressed by the Lead and/or concerns regarding compliance with the Key Objectives and Principles.

6. ESCALATION

6.1 If either party has any issues, concerns or complaints about the Project, or any matter in this MoU, that party shall notify the other party and the parties shall then seek to resolve the issue by a process of consultation. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Project Board, which shall decide on the appropriate course of action to take. If the matter cannot be resolved by the Project Board within 7 days, the matter may be escalated to the Sponsors' Board for resolution

6.2 If either party receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the Project, without the prior approval of the Project Board (or its nominated representatives) approval not to be unreasonably withheld or delayed

6.3 In respect of requests for information made under the Freedom of Information Act 2000 (FOIA) in relation to the Project, the request shall within 2 days be referred to the other organisation (or its nominated representatives) Each organisation will provide all necessary assistance as reasonably requested by the other organisation to enable the organisation to respond to the Request for Information. Each Organisation will have regard to the other party's reasonable representations in respect of the request when determining how to respond to the request provided that they are received within a timescale which permits the Receiving organisation to comply with the FOIA.

7. INTELLECTUAL PROPERTY

7.1 The parties intend that any intellectual property rights created in the course of the Project shall vest in the party whose employee created them (or in the case of any intellectual property rights created jointly by employees of both parties in the party that is lead party noted in *Clause 5* above for the part of the project that the intellectual property right relates to).

7.2 Where any intellectual property right vests in either party in accordance with the intention set out in *Clause 7.1* above, that party shall grant an irrevocable

licence to the other party to use that intellectual property for the purposes of the Project.

8. TERM AND TERMINATION

8.1 This MoU shall commence on the date of signature by both parties, and shall expire on completion of the Project (works detailed in Annex A)

8.2 Where there is a material breach of this MOU either party may terminate this MoU by giving at least 30 days' notice in writing to the other party at any time.

9. VARIATION

This MoU, including the Annexes, may only be varied by written agreement of the Project Board subject to approval by the Organisations if required.

10. CHARGES AND LIABILITIES

10.1 Except as otherwise provided in Annex A, the parties shall each bear their own costs and expenses incurred in complying with their obligations under this MoU.

10.3 Both parties shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither party intends that the other party shall be liable for any loss it suffers as a result of this MoU.

11. STATUS

11.1 This MoU is not intended to be legally binding, and no legal obligations or legal rights shall arise between the parties from this MoU. The parties enter into the MoU intending to honour all their obligations.

11.2 The parties acknowledge that the Annex may require amendment given the changes in circumstances. Where either party reasonably considers that change to this agreement is required following a change or unforeseen circumstances, the parties shall act reasonably and co-operate in good faith in agreeing such changes.

11.3 Nothing in this MoU is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise either of the parties to make or enter into any commitments for or on behalf of the other party.

12. GOVERNING LAW AND JURISDICTION

This MoU shall be governed by and construed in accordance with English law and, without affecting the escalation procedure set out in *Clause 6*, each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

Signed for and on behalf of ORGANISATION
ONE

Signature:

Name:

Position:

Date:

Signed for and on behalf of ORGANISATION
TWO

Signature:

Name:

Position:

Date:

Signed for and on behalf of ORGANISATION
THREE

Signature:

Name:

Position:

Date:

CONTACT POINTS

ORGANISATION One

Name:

Office address:

Tel No:

E-mail Address:

ORGANISATION Two

Name:

Office Address:

Tel No:

E-mail Address:

Organisation Three

Name:

Office Address:

Tel No:

E-mail Address:

ANNEX A THE PROJECT Project overview

- 1 To mark Her Majesty the Queen's Platinum Jubilee in 2022, the Organisation Three have commissioned and gifted a permanent beacon to the people of Durham City.
- 2 The beacon is to be installed on a site shown on the Plan at Annex B owned by Organisation One and will be a permanent legacy of the City of Durham Platinum Jubilee programme.
- 3 Following installation, the beacon will be owned and maintained by Organisation One who will permit the use of the beacon at events, to celebrate national and civic occasions curated and co-ordinated by Organisation Two

The Key Objectives

1. Delivery of the following works by Organisation Three

Commission the beacon from Bryan Russell a local Blacksmith and fund it's manufacture and fabrication, delivery and testing in compliance with the following standards

1. Planning Permission DM/22/02154/FPA
2. Building Regulations
3. Fire – [Insert standards]
4. [Insert any other appropriate statutory or industry standards.]

2, Delivery of the following works by Organisation One

1. Construction of suitable foundations, access paths, viewing platform, interpretation signage and landscaping to building control and planning requirements.
2. Once delivered conduct routine maintenance of the beacon and the surrounding landscaping however Organisation One will not replace the beacon in the event falls into disrepair or is damaged beyond repair.
3. Carry out annual inspection and testing of the beacon

3, Delivery of events by Organisation Two

1. Be the event owner for event planning management and liability
2. Apply to the Organisation One for an events licence, each time the beacon is to be used. Events licence applications need to be made to Organisation One at least four weeks before the event is due to take place.
3. Organisation Two will provide confirmation of public liability insurance and any other such permissions or consents
4. provide a suitable event plan, any statutory and health and safety certificates consents or permissions including but not limited to sign off by SAG.
5. will provide details of any requirements for parking or access in addition to the event plan.
6. clean up and restore the site to the [either to its pre event condition or to the reasonable satisfaction of Organisation One] following an event.

Annex B **PLAN**

DECISION REQUIRED	Members are asked to consider the above information and whether to accept the Parish Council entering into the above MOU, subject to the feedback from the third party specialist contractor.
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ITEM 10: PARISH COUNCIL STRATEGY 2023/24

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

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

The purpose of this report is to set out the aims and objectives of each Committee of the Parish Council under these five key priorities. Councillors will also be considering budget proposals as part of the report into the Parish Council's budget for 2022/23.

The Finance Committee and Personnel Committee are not included in this as they are Committees which support the day-to-day management of the Parish Council as opposed to delivering projects for the community.

Members have agreed that the five overarching priorities for the Parish Council are:

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

Looking Forwards

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

Committee priorities

The priorities for each Committee in 2023/24 are set out below:

Business Committee

Council priorities	Business Committee Priorities	Looking Forwards initiative(s)
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1. Being an ambitious voice for the city	Engaging with local businesses	Theme 3: A City with a diverse and resilient economy
2. Enhancing physical and mental wellbeing of our residents and addressing inequalities in our parish	Promoting responsible businesses Promoting a good experience for disabled visitors of the City	Theme 3: A City with a diverse and resilient economy
3. Upholding the neighbourhood plan and representing the parish on planning matters.	Supporting new businesses in empty units across the city	Theme 3: A City with a diverse and resilient economy
4. Creating a positive environment for businesses and encouraging tourism to improve prosperity of parish	Marketing Durham as a place to visit Promoting a good experience for disabled visitors of the City Hosting events and contributing through a wider partnership that add footfall to the City centre	Theme 3: A City with a diverse and resilient economy Theme 5: A City with a modern and sustainable transport infrastructure
	Contracting professional support for local businesses in the city	Theme 3: A City with a diverse and resilient economy
	Promoting businesses in the city centre and encouraging a variety of businesses to ensure wide range of choice for visitors	Theme 3: A City with a diverse and resilient economy
5. Taking action to combat the climate and ecological emergencies.	Lobbying for extended hours of the Park and Ride service Lobbying for delivery companies to use alternative, zero-carbon transport Recognising businesses who recycle and use less packaging.	Theme 3: A City with a diverse and resilient economy Theme 6: A City with an enriched community life

Environment Committee

Council priorities 2023/24	Environment Committee priorities 2023/24	Looking Forwards initiative(s)
1. Being an ambitious voice for the city	Engaging with and responding to residents of all ages and backgrounds in environment-related work Mobilise Volunteer groups Work with young people and respond to their concerns	Theme 6: A City with an enriched community life.
2. Enhancing physical and mental wellbeing of our residents and addressing inequalities in our parish	Promote cleaner air, a cleaner river, green spaces, and streets for living across the city. Reduction in light pollution. Reduction in night time noise. Sustainable travel	Theme 1: A City With A Sustainable Future Theme 5: A City With A Modern And Sustainable Transport Infrastructure
3. Upholding the neighbourhood plan and representing the parish on planning matters.	Work with all relevant committees to ensure the climate and ecological emergencies are considered in all planning matters. To fight for zero-carbon, sustainable housing and businesses	Theme 4: A City with attractive and affordable places to live
4. Creating a positive environment for businesses and encouraging tourism to improve prosperity of parish	Improve and protect the appearance of the city and its heritage. Improve the quality and appearance of the River Wear. To lobby for more space for the re-establishment of a tourist information centre.	Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
5. Taking action to combat the climate and ecological emergencies.	Be proactive and collaborate with all partners (including Parish Council committees, Durham County Council, residents, developers, landlords, and other businesses) to coordinate our impact on the climate and ecological emergencies and	Theme 1: A City With A Sustainable Future Theme 5: A City With A Modern And Sustainable Transport Infrastructure

	increase community resilience. Encourage sustainable travel Increased awareness and action on climate change. Tackle the ecological emergency	
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Planning Committee

Council priorities 2023/24	Planning Committee priorities 2023/24	Looking Forwards initiative(s)
1. Being an ambitious voice for the city	Representing the Parish as a consultee on planning matters	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
	Consulting the Parish on planning matters	Theme 1: A City With A Sustainable Future
2. Enhancing physical and mental wellbeing of our residents and addressing inequalities in our parish	Ensuring schemes deliver the required levels of affordable housing and adapted housing for the disabled and elderly.	Theme 4. A City With Attractive And Affordable Places To Live
	Promoting the creation and adoption of new Public Rights of Way and ensuring that they are accessible to all.	Theme 2: A Beautiful And Historic City Theme 5: A City With A Modern And Sustainable Transport Infrastructure

	Protecting our green infrastructure and assets within our parish boundary and ensuring that they are used to the best possible public benefit.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
3. Upholding the neighbourhood plan and representing the parish on planning matters.	Upholding the development plans for the area i.e. Neighbourhood Plan and County Durham Plan.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
	To maintain and develop an evidence-base to update the Neighbourhood Plan and comment on planning applications.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
	Protecting our World Heritage Site, Conservation Areas and designated and non-designated heritage assets.	Theme 2: A Beautiful And Historic City

	Delivering a Conservation Area Management Plan	Theme 2: A Beautiful And Historic City
	Protecting against overdevelopment	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
4. Creating a positive environment for businesses and encouraging tourism to improve prosperity of parish	Supporting accommodation above retail units in the City centre.	Theme 1: A City With A Sustainable Future Theme 4: A City With Attractive And Affordable Places To Live
	Supporting tourist attractions and transport infrastructure for the visitor economy	Theme 1: A City With A Sustainable Future
5. Taking action to combat the climate and ecological emergencies.	Putting green future at the heart of planning considerations	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
	Resisting schemes which do not deliver net zero by 2030 and supporting those which do.	Theme 1: A City With A Sustainable Future

Licensing Committee

Council priorities 2023/24	Licensing Committee Priorities 2023/24	Looking Forwards initiative(s)
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1. Being an ambitious voice for the city	Representing the Parish on licensing matters	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
2. Enhancing physical and mental wellbeing of our residents and addressing inequalities in our parish	Ensuring that all new licensing applications and existing premises promote the four licensing objectives.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
	Empowering our residents to make informed representations on licensing matters.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
	Supporting a cumulative impact policy for the parish Supporting a late night-levy on licensed premises in the parish.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
	Making licensing as open as possible through hosting an online licensing map	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
	Making the City more accessible to all by representing the needs of all users in relation to pavement and outdoor seating applications.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
3. Upholding the neighbourhood plan and	Ensuring that the objectives of licensing and planning are aligned.	Theme 1: A City With A Sustainable Future

representing the parish on planning matters.		Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
4. Creating a positive environment for businesses and encouraging tourism to improve prosperity of parish	Promoting the early evening economy to families and tourists	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
5. Taking action to combat the climate and ecological emergencies.	To encourage all new taxi licenses granted by DCC to be for low emissions/ electrical vehicles only.	Theme 1: A City With A Sustainable Future

DECISION REQUIRED	Members are asked to approve the Parish Council Strategy for 2023-24 as set out above.
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ITEM 11: PARISH COUNCIL BUDGET FOR THE FINANCIAL YEAR 2023/24

As Members are aware, there is a need for the Parish Council to have agreed its budget and to submit its precept request for the forthcoming Financial Year by the end of January 2022. In order to support this work, all of the Parish Council's Committees met last year and have submitted the following budget proposals for their work from April 2022.

As with previous years, the Parish Council's Finance Committee met in early January and approved the below as a proposed budget for Full Council for the Financial Year 2023/24.

Planning and Licensing Committee

Item of potential expenditure	Cost (£)
PRIORITY 1: Representing the parish on planning and licensing matters	
Professional support in responding to planning applications and licensing hearings	5,000.00
PRIORITY 2: Improving the licensed economy	
Enhanced drug searching scheme with Durham Police	600.00
PRIORITY 3: Hosting (separate) planning and licensing training events with the community	
Hosting a licensing training event	1,000.00
Hosting a planning training event	250.00
PRIORITY 4: Review of HMO licensing arrangements	
Production of a report into HMO licensing options	5,000.00
PRIORITY 5: Delivering a Conservation Area Management Plan	
Conservation Area Management Plan	5,000.00
TOTAL PROVISION IN 2023-24 AGAINST PRIORITIES	16,850.00

Environment Committee

Item of expenditure	Cost (£)
PRIORITY 1: Additional policing and safety for the parish area	
Enhanced SLA with Durham Police for late night policing	50,000.00
Safety of Women at Night hub	10,000.00
PRIORITY 2: Noise abatement	
Building on the Shhh campaign	2,000.00
PRIORITY 3: Clean Air, Clean and Green City	
Durham in Bloom	8,000.00
2 x Electric Vehicle Charging Points (Clean Air and Active Travel)	6,000.00

Tackling residential car parking in the City	0.00
PRIORITY 4: Appearance of the City	
Neighbourhood Warden SLA with DCC	10,000.00
Christmas frontages awards	2,000.00
PRIORITY 5: Recycling	
Continuation of Terracycle scheme	2,000.00
Green Award for Businesses in the parish	1,000.00
PRIORITY 6: Enhancing the River Wear	
Supporting the work of the Wear Rivers Trust	3,000.00
TOTAL PROVISION IN 2023-24 AGAINST PRIORITIES	94,000.00

Business Committee

Item of potential expenditure	Cost (£)
PRIORITY 1: Supporting Independent businesses	
Professional support for independent businesses in Durham	10,800.00
PRIORITY 2: Increasing footfall through events	
Hosting events in Durham City (Remembrance Sunday, Christmas events, Coronation 2023, miscellaneous).	25,000.00
PRIORITY 3: Business frontages awards	
Running a best Business frontage awards scheme	1,000.00
TOTAL PROVISION IN 2023-24 AGAINST PRIORITIES	36,800.00

Full Council

Item of Expenditure	Cost (£)
PRIORITY 1: Administration of Parish Council (rent, room hire, audit, insurance, printing and postage, newsletters, website, other expenditure)	17,000.00
PRIORITY 2: Training budget	2,000.00
PRIORITY 3: grants for local community and voluntary organisations	15,000.00
PRIORITY 4: Staffing costs – including salary, National Insurance contributions and workplace pension	60,516.56
TOTAL PROVISION IN 2022-23 AGAINST PRIORITIES	94,516.56

Committee	Cost (£)
Planning and Licensing Committee	16,850.00
Environment Committee	94,000.00
Business Committee	36,800.00

Full Council	94,516.56
TOTAL PROVISION IN 2023-2024 AGAINST PRIORITIES	242,166.56

It is expected that the Parish Council will finish the current Financial Year (2022-23) with (approximately) £60,000 remaining in the bank account.

Of the remaining £60,000, the following was **agreed** at the Finance Committee in January to be ring fenced for 2023/24:

General Reserves	£45,000.00
Contingencies	£15,000.00
TOTAL	£60,000.00

**DECISION
REQUIRED**

Members are asked to approve the Full Council budget for the financial year 2023-24.

ITEM 12: PARISH COUNCIL PRECEPT REQUEST FOR THE FINANCIAL YEAR 2023/24

Budget

Please refer to Item 11 for consideration of budget priorities for 2023/2024.

Information on Council Tax base

Council Tax base is calculated by taking the number of houses in the City of Durham Parish Council area, allocating a weight to them based on their council tax banding and adding up the total of the weighted households. For example, higher council tax band properties carry a higher weighting and lower council tax base properties carry a lower council tax weighting. The Council Tax Base can therefore fluctuate from year to year based on the number of properties in each area. For example, council tax base will increase if any new houses have been built and the occupants have started to pay council tax but may decrease if for example any houses have been demolished in an area or have changed their use from Use Class C3 to Use Class C4 or sui generis (non-tax paying Use Classes).

The 2023/24 Tax Base is 4,641.5. The 2022/23 City of Durham Parish Council Tax Base was calculated at 4,494.9. Our Tax Base has therefore increased by 146.6.

Local Council Tax Reduction Scheme Grant

The LCTRS grant payable to the City of Durham for 2023/24 is £0.

Precept request

The precept request must be submitted to Durham County Council by the end of January 2022.

The Parish Council's precept has been frozen at a Band D charge of £34.87 since 2018. Although the City of Durham Parish Council area has a high population, its tax income is lower than areas of similar size due to the significant number of properties exempt from Council tax because of their use as student accommodation.

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

Parish Council consultation

Between 28th October to the 17th November, the Parish Council carried out a public consultation exercise. This consultation focused on the work of the Parish Council to date, what residents viewed as their priorities for the parish area and how the Parish Council can best communicate the work it does in the community with local residents. The consultation also sought residents' views on whether they would be willing to pay a higher precept in the financial year 2023-24 in order to fund solutions to local issues.

A total of 91 responses have been received from residents of the parish to this consultation.

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

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

From the 91 responses received to this consultation:

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

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

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

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

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

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

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

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

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

Additional issues highlighted through this consultation were as follows:

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

From the 91 responses received to this consultation:

40 said that they would be willing to pay an increase in the precept.
19 said that they would not be willing to pay an increase in the precept.
32 of the 91 responses did not answer this specific question about an increase in the precept.

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

A mixed response was received to this particular question, with most respondents highlighting that use of electrical communications such as Facebook, the website and emails are low cost and efficient ways of communicating with residents. Others preferred more public meetings, a Parish Council newsletter and more advertising in the local press.

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

Other matters

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

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

Service Level Agreement with the Police

Proposal from Dave Clarke

Police officers overtime rates are time+1/3 for additional duty, time+1/2 for rest day working and double time for Bank Holidays. I have calculated the costings at the rest day working as that is the way that most overtime is taken for the safety hub.

Wednesday 10 hrs (2 officers x 5hrs)

Friday 10 hrs (2 officers x 5hrs)

Saturday 10 hrs (2 officers x 5hrs)

Weekly total 30 hrs @ £43.89ph (time+.5) = £1316.70 pw

Multiplied by 52 = £68,468.40

Obviously, we should be able to bring that down (the calculation at time + 1/3 is only £60,000) and there will be some weeks where the Wednesdays will drop off (out of term time for the students, the NTE is usually much quieter and the hub sometimes isn't open) I think a budget of £65,000 is reasonable.

Options and financial implications for the Parish Council

- In January 2022, the Council agreed to freeze the band D precept charge for the Parish Council at £34.87. With a tax base of 4,494.9, this generated a total precept of £156,737.17.

- At present, the Parish Council's Committees have provisionally agreed a total working expenditure (including £50,000 for the Police but excluding reserves and contingencies) of £242,166.56.
- The Parish Council is expected to finish 2022/23 with approximately £60,000 in the bank (allocated for reserves and contingencies for 2023/24).
- The Parish Council's tax base for 2023/24 has increased by 146.6 to 4,641.5.
- The Local Council Tax Reduction Scheme Grant paid to the Parish Council by DCC in 2022/23 was £0 and this will again be £0 in 2023/24. Therefore, the Parish Council's sole direct form of income is via its precept.
- The following options are available to the Council in respect of the proposed Service Level Agreement for enhanced policing of the parish:

Option 1

The full £65,000 costs of two additional officers met by the Parish Council (Wednesday, Friday and Saturday nights, 12 months of the year) equates to an increase of £12.90 on a band D precept.

Total precept: £257,166.56 (band D - £55.41)

Option 2

£50,000 of the total cost (£65,000) of two additional officers met by the Parish Council (Wednesday, Friday and Saturday nights, 12 months of the year) equates to an increase of £9.67 on a band D precept. The remaining funding of £15,000 could be met through a funding bid to the local AAP.

Total precept: £242,166.56 (band D - £52.17)

Option 3

No additional policing provision provided by the Parish Council - in which case there will be no increase in the precept in respect of policing. However, **please note** if the Council is minded to agree to the other priorities of each Committees (identified and agreed at Committee level), this will necessitate an increase to the band D precept charge of £6.53.

Total precept: £ 192,166.56 (band D - £41.40)

DECISION REQUIRED

Councillors are asked to consider the above information and agree a precept for the Parish Council for financial year 2023/24.

ITEM 13: REPORT ON PARISH COUNCIL INTERNAL CONTROLS

1. RESPONSIBILITY

Regulation 4 of the Accounts and Audit (Amendment) (England) Regulations 2011 requires Councils to carry out a review of their internal controls annually before the end of the financial year.

The City of Durham Parish Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for.

In discharging this responsibility, the Council is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.

2. SYSTEM OF INTERNAL CONTROL

The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them effectively, efficiently and economically.

The Parish Council has adopted a risk register and this is under continuing review by the Clerk and any issues arising from risk assessments carried out will be reported to full Council.

The Council

The Council has elected a Chair who is responsible for the smooth running of meetings and together with the Clerk for ensuring that all Council decisions are lawful.

The Council reviews its obligations and objectives and approves budgets for the following year at its January full Council meeting each year. The January meeting of the Council also approves the level of precept for the following financial year.

The Full Council meets at least 10 times per year. The Parish Council does not usually meet in August and December.

A budget report is prepared and submitted to all of the Parish Council's Finance Committee meetings showing income and expenditure together with a budget update for all Committee spends. Any budget revision reports are also reported

for information and these set out any changes to the budget as per Council decisions or any known budget over or underspends.

Clerk to the Council

The Council has appointed a Clerk to the Council who acts as the Council's advisor and administrator. The Clerk is the Council's Responsible Financial Officer and is responsible for administering the Council's finances. The Clerk is responsible for the day to day compliance with laws and regulations and advises the Council on managing risks. The Clerk also ensures that the Council's procedures, control systems and policies are adhered to. The Clerk also manages projects agreed by full Council and works with all suppliers and contractors agreed by full Council to carry out functions on behalf of the Council.

In 2022, the Council agreed a Scheme of Delegation. The power to delegate functions is set out in the Local Government Act 1972 s 101. The intention of the delegation scheme is to allow the Council to act with all reasonable speed. Decisions should be taken at the most suitable level. Therefore, the Clerk is given powers over the day-to-day administration of the Council or committees to decide matters within the Terms of Reference and matters of major policy should be recommended to the Full Council.

Whilst delegation is necessary it is the Council's policy that Members and the press and public should have the fullest information. Therefore, the Clerk reports all major decisions taken under delegated powers at the next Council or Committee meeting.

Payments

All payments made are reported to all Finance Committee meetings. The Parish Council now makes all payments via electronic banking. Two Members of the Council from the current list of five authorised signatories (excluding the Clerk who acts as administrator) must authorise every payment against invoices before authorising the payment using their own login details provided by the bank.

There is a facility for making urgent payments out of meeting if necessary. Such payments are also reported to the Parish Council's Finance Committee meeting and all decisions to spend funds as urgent action are ratified at the next Full Council meetings and minuted as such.

Risk Assessments/Risk Management

The Council carries out regular risk assessments in respect of actions. The Clerk makes an annual risk management report to the Council. A review of financial management risks is included as part of the review report.

Internal Audit

Last year, the Council appointed an independent Internal Auditor, Mr Gordon Fletcher, who reports to the Council on the adequacy of its:

- Records
- Procedures
- Systems
- Internal control
- Regulations
- Risk management
- Reviews
- Insurance cover

A review of internal audit must be carried out before the end of each financial year.

Gordon Fletcher has indicated that he is willing to carry out an audit of the Parish Council again next year. The cost of this service is £150.

Gordon was previously the Audit Manager at Easington District Council before retiring when the Unitary Council was formed and set up his own business by providing an internal audit service for Town and Parish Councils. This has grown to a current portfolio of 7 local Town Councils and 24 local Parish Councils.

Gordon is C.M.I.I.A. (Chartered Member of the Institute of Internal Auditors) qualified and has his own professional indemnity insurance.

External Audit

The Council's External Auditors are Mazars, appointed by the Smaller Authorities' Audit Appointments (SAAA). They submit an annual Certificate of Audit, which is presented to the Council, together with a copy of their report listing any issues to be raised. At the end of the Audit the Council must display the Notice of Conclusion of Audit for 14 days and must make the Annual Governance and Audit Return (AGAR) and Final Accounts available on request. These are also displayed on the Parish Council's website.

4. REVIEW OF EFFECTIVENESS

The Council has a responsibility for conducting an annual review of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work of:

- The Full Council
- The Clerk to the Council who has responsibility for the development and maintenance of the internal control environment and managing risks
- The independent Internal Auditor who reviews the Council's systems of internal control

- Mazars, the Council's external auditors, who make the final check using the AGAR, which is completed and signed by the Responsible Financial Officer, the Chairman and the Internal Auditor.

5. EXTERNAL AUDIT REPORT

The external audit report for 2021-22 was carried out by Mazars and was completed in September 2022. No issues were raised by the external auditors.

6. INTERNAL CONTROL ISSUES

The Auditors did not raise any issues as part of the 2021-22 Audit.

The Internal Auditor did recommend that the Council open a new bank account, not associated with its existing bank, in order to further protect its finances. At present, only £85,000 would be protected as part of the Financial Services Compensation Scheme (FSCS). The Council has now opened an account with NatWest Bank and funds will be deposited into this account.

DECISIONS REQUIRED	1) Councillors are requested to approve the report. 2) Councillors are asked to agree to the appointment of Mr Gordon Fletcher as the Parish Council's internal auditor for the financial year 2022/23.
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ITEM 15: REPORT FROM PARISH COUNCIL REPRESENTATIVES ON LOCAL ORGANISATIONS

Report by Cllr L Brown from the latest meeting of the Durham Access for All Group

Access for All meeting 11/1/2023

- Letter to Parish Council discussed. Hopefully will be brought up at next PC meeting. Secretary will try to attend. Pavement and vehicle obstructions around Durham a major problem. Need clarification re police dealing with obstructions of pavements
- Access to Lumiere discussed
- Cathedral Access Panel. Secretary read out a letter from Deans PA explaining delay in inaugural meeting and hoping to schedule for beginning of 2023
- WH Smith not user friendly. Parish Clerk and Secretary met manager and asked for removal of clutter. Concerns raised regarding fire procedures. Fire exit not wheelchair friendly and no evacuation chair
- Milburngate Pedestrian Underpass. Letter from Susan Robinson. Planning consent not given for disabled access (*Why???*). Letter details alternative access which is lengthy and not fit for purpose. Secretary following this up
- Meeting with people responsible for refurb and rebuild of DLI. Happy with what was said. Access routes are indeed accessible. Just hope the money is available.
- Problems with Care Connect. Lack of staff training. Equipment malfunctions. Cllr Brown to follow up
- Signing in Prince Bishops poor. Couldn't find toilets from lift lobby.