

Minutes of the meeting of the City of Durham Parish Council held on Wednesday 28th January 2026 at 7:00pm in the Main Hall of the Merryoaks Community Hall, Park House Rd, Durham DH1 3QF.

Present: Councillors S Walker (in the **Chair**), V Ashfield, G Bignardi, R Cornwell, D Freeman, R Handy, E Hopgood, G Holland, C Lattin, P Layton, F Robinson and E Scott

Also present: Parish Clerk Adam Shanley and 3 members of the public.

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

Apologies were received and **accepted** from Councillors L Brown, L Wilson and T Cleaver.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received.

3. APPROVAL OF THE DRAFT MINUTES OF THE MEETING OF THE COUNCIL HELD ON 26TH NOVEMBER 2025

The minutes of the meeting held on 26th November 2025 were unanimously **agreed** as a true and accurate record of proceedings.

4. PUBLIC PARTICIPATION

None received.

5. COMMITTEE UPDATES

• Planning and Licensing Committee

Councillor G Holland presented the Planning and Licensing Committee minutes from the meetings held on 14th and 28th November 2025. There being no queries from Members, Councillor G Holland moved on to Committee reports.

Consultation on enhanced protections for homeowners on freehold estates

Councillor G Holland presented a report on the Government's consultation regarding enhanced protections for homeowners on freehold estates. Members were advised that the consultation seeks to implement Part 5 of the Leasehold and Freehold Reform Act 2024, responding to widespread concerns about so-called "fleecehold" arrangements, under which homeowners pay private estate management charges in addition to full council tax, often with limited rights to challenge costs or service standards.

The report noted that the Parish Council had previously lobbied its Member of Parliament on this issue and that the matter had been raised in Parliament,

including calls for local authority adoption to become the default position for new housing estates.

Cllr Holland outlined the nature of freehold estate charges, explaining that on many new or mixed-tenure estates, shared infrastructure such as roads, lighting and open spaces is not adopted by the local authority and is instead managed by private companies, with costs passed directly to residents through legally binding estate charges.

Members were reminded that, unlike leaseholders, freehold homeowners currently have very limited statutory protections, and that recent findings by the Competition and Markets Authority had highlighted significant failings in the private estate management model and recommended stronger consumer protections and greater adoption by local authorities.

The report summarised the key proposals within the consultation, including the introduction of a right for homeowners to challenge the reasonableness of estate management and administration charges at tribunal; time limits on recovering costs for works; standardised demand forms and annual reporting to improve transparency; mandatory consultation on major works; the ability to apply for the appointment of a replacement management company in cases of serious management failure; minimum qualification requirements for estate managers; funded free advice for affected homeowners; and exploration of options to make resident-controlled management the default.

Councillor G Holland advised that the Planning and Licensing Committee had reviewed the consultation in detail and recommended a formal response supporting the overall direction of travel, while emphasising that these measures should be seen as a necessary, but second-best, solution compared with ending the practice entirely.

The proposed response strongly supported the full and undiluted implementation of the reforms, highlighted local examples of escalating and opaque charges, and stressed the importance of enforceable rights, transparency, accountability and accessible redress for residents. It also called for robust secondary legislation, meaningful tribunal processes, and clear routes to resident-controlled management where feasible.

Members unanimously **approved** the Parish Council's proposed response to the consultation.

Report on a proposed Article 4 Direction to protect against the loss of front gardens within the City of Durham parish area

Councillor G Holland presented a report outlining work undertaken following the Council's decision in January 2025 to explore a new Article 4 Direction to remove permitted development rights relating to the creation of hardstanding in front gardens. Members were reminded that current permitted development rights allow the loss of front gardens for parking and associated works, limiting the local planning authority's ability to exercise control.

The report, prepared by Jo-Anne Garrick at a cost of £1,500 (previously agreed within the Council's budget), provides a robust evidence base assessing the cumulative impact of hard surfacing on local character, visual amenity, environmental quality and the street scene across defined areas of the City parish outside the Durham City Conservation Area.

Councillor G Holland summarised the key findings, noting that while much of the parish has retained front gardens and soft landscaping, there are specific streets and clusters where extensive hardstanding has led to the erosion of character, increased visual dominance of vehicles, loss of green infrastructure, and wider impacts such as surface water run-off, reduced biodiversity and urban heat effects.

The report distinguishes between areas where monitoring remains appropriate and a limited number of locations where further incremental change could result in significant and potentially irreversible harm. In these locations, an Article 4 Direction was identified as a proportionate and proactive mechanism to ensure future proposals are assessed through the planning process, with proper consideration of design and landscaping.

Members were advised that the evidence base has been prepared in line with national planning policy, including the National Planning Policy Framework, and is intended to inform discussions with Durham County Council as local planning authority.

Councillor G Holland advised that the Planning and Licensing Committee recommended that the Parish Council now seeks an early meeting with Durham County Council planning and policy officers to present the evidence, discuss its conclusions, refine the potential geographic scope and agree the procedural steps required to progress a targeted Article 4 Direction.

Members **agreed** (by 10 votes in favour and 1 abstention) to reaffirm the Parish Council's commitment to progressing this initiative, and to authorise the Planning and Licensing Committee to pursue discussions with Durham County Council as soon as practicable.

• **Environment Committee**

Councillor C Lattin presented the Environment Committee minutes from the meeting held on 11th November 2025. There were no queries from Members.

Proposed criteria for the establishment of an annual *Durham Student Landlord of the Year* Awards scheme.

The Clerk highlighted that, since the publication of the Agenda, it had become apparent that some Members felt that there is further work to be done on the criteria for this Award. Members noted that this is a great initiative in principle but felt there were some elements of what was being proposed in the report presented which they would appreciate a further chance to discuss in more detail at Committee level once more.

As such, it was **agreed** that this item should be deferred back to the Environment Committee and Councillor C Lattin agreed that the next Environment Committee Agenda would be formulated such as to allow for time for a good discussion on this matter and that the meeting would be in-person.

- **Finance Committee**

Councillor S Walker presented the Finance Committee minutes from the meeting held on 19th November 2025. There being no queries from Members, Councillor S Walker invited Councillor E Scott to present the Committee report on community centre support.

Report from the community centre support working group – including a proposed advert for a bid writer/ fundraiser in order to support a cultural venue within the City

Councillor E Scott presented a report on behalf of the Community Centre Support Working Group, outlining progress following the Parish Council's decision after the May 2025 elections to prioritise support for community centres and facilities during the 2025–2029 term.

Members were reminded that a dedicated annual fund had been agreed and that an Expression of Interest process was launched in October 2025 to gather information from community facilities on governance, aspirations and barriers, in order to inform a structured and sustainable support programme aligned with Parish Council priorities.

Councillor E Scott reported that eight Expressions of Interest had been received, all of a high standard. Following assessment by the Working Group, three organisations—St Giles Church, Waddington Street United Reformed Church and Alington House Community Association—had been selected to progress to the next stage, reflecting the strength of their submissions and their clear focus on long-term sustainability and responses to the climate emergency.

Councillor E Scott advised that these organisations have been invited to submit full applications by 19th February 2026, after which funding will be allocated on a competitive basis. Other applicants were not progressed at this stage but have been notified and signposted to alternative funding opportunities, including the Parish Council's Small Grants Scheme.

Members were advised that the Working Group had also considered the Expression of Interest from the City Theatre. While recognising the quality and ambition of the proposal, the Working Group concluded that the scale of investment required fell outside the scope of the Community Centres Support Fund. Instead, it was proposed that the Parish Council support the City Theatre by funding access to a specialist fundraiser or bid writer to help secure substantial external funding from regional and national sources. The Finance Committee had subsequently agreed that tenders should be sought for this purpose, and a draft advert for a fundraising and bid writing contractor had been prepared.

Members noted the content of the report presented and **agreed** to await applications from all eligible organisations by Thursday 19th February 2026,

whereupon each application will be assessed by the Parish Council's Working Group. Members also unanimously **approved** the use of part of the funding towards a fundraiser to support the City Theatre, as set out in the report presented.

Members also unanimously **approved** the content of the proposed advert and **agreed** to advertise this by the end of January 2026.

- **Business Committee**

Councillor E Scott presented the Business Committee minutes from the meeting held on 18th November 2025. There being no queries from Members, Councillor E Scott moved on to Committee reports.

Response to the Government consultation on a proposed visitor levy in England

Councillor E Scott presented a report on the Government consultation concerning the introduction of a discretionary visitor levy on paid overnight stays in England. Members were advised that the consultation seeks views on the framework for a levy that Mayoral Strategic Authorities could choose to implement, with revenues retained locally to support the visitor economy.

Members noted that no authority would be required to introduce a levy and that central government funding would not be reduced for authorities choosing not to do so.

Councillor E Scott outlined the main elements of the proposals, including a preference for a percentage-based charge on accommodation costs, potential exemptions, and the requirement for transparency, public consultation and advance notice prior to any implementation.

Councillor E Scott advised that levy revenues could be used for visitor infrastructure, public realm improvements, cultural activity and skills development, and that the consultation explores whether funding should be shared with constituent local authorities, reflecting localised tourism impacts.

Councillor E Scott highlighted Durham city's strong day-visitor economy but relatively small overnight accommodation base, which has implications for both revenue potential and the impact on local providers.

Councillor E Scott reported that views across the local visitor economy are mixed, with some support for reinvestment benefits and concerns expressed about competitiveness and administrative burdens, particularly for small operators. Reference was also made to regional discussions, including public support expressed by the North East Mayor for a flat-rate levy.

Councillor E Scott advised that the Business Committee had considered the consultation and recommended a draft response supporting the principle of a visitor levy, subject to key conditions. These included minimising administrative burdens, a preference for a per-booking, per-night charging model, fair local distribution of revenues with opportunities for parish councils to access funding, and careful alignment with any national registration scheme for short-term lets.

Members unanimously **approved** the draft response to this consultation.

6. CHAIR'S UPDATES

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 26th November 2025 as follows:

The Chair opened by informing Members of the recent passing of the internationally renowned sculptor Dr Fenwick Lawson, best known locally for The Journey sculpture in Durham City. Members' condolences were extended to Dr Lawson's wife Joan and family, and the Chair advised that the Clerk would inform Members of funeral arrangements when confirmed.

The Chair updated Members on city developments, including confirmation that works at North Road Bus Station are expected to be completed later in the year, with the prolonged scaffolding finally due to be removed. The Chair also reported further communication from the developers of the STACK site on Silver Street, confirming their continued commitment to completing the scheme, and welcomed the interim removal of hoardings while urging progress on site.

The Chair reminded Members that the owners of Prince Bishops Place Shopping Centre will host a public drop-in event on Thursday 5 February at 5:30pm in Unit 10 to present proposed amendments to the previously approved redevelopment scheme.

The Chair formally recorded her sincere thanks to the Durham City Riverscape Community and Durham Paddlesport Club for recovering a fly-tipped fridge/freezer from the River Wear and undertaking a wider litter pick, following the inability of statutory bodies to assist. The Chair commended the volunteers' commitment to protecting the local environment.

The Chair also thanked Councillor G Holland for raising concerns about ongoing parking pressures at University Hospital of North Durham. The Chair advised that correspondence had been sent to the Trust's new Chief Executive suggesting alternative parking solutions, including greater use of Park and Ride and nearby under-used car parks, and that a response was awaited.

The Chair provided an update on preparations for the forthcoming Chinese New Year celebrations, with thanks extended to the Clerk and partner organisations. Members noted the planned celebrations on 21st February and a joint firework display organised by Durham University and the rowing club on 16th February, intended to address previous concerns about uncoordinated fireworks.

The Chair congratulated Councillors V Ashfield and C Lattin on the success of the free fruit tree giveaway event held in November, which was reported to have boosted local trading and supported environmental objectives and expressed hope that the initiative would continue.

Finally, the Chair recorded sincere thanks to Tez Errington of Durham County Council for his long-standing support to the Parish Council, particularly in relation

to Remembrance Sunday arrangements, and wished him well as he leaves the local authority to pursue a new business venture.

7. ELVET GREEN - ASSET OF COMMUNITY VALUE NOMINATION

The Clerk reminded Members that the Parish Council had been consulted by DCC in December regarding a nomination submitted by the Hemp Garden Association to include Elvet Green on the County Council's List of Assets of Community Value under the Localism Act 2011. The Clerk advised that the nomination related to land owned by DCC, including the former public toilet block, and that the Parish Council had been invited to comment as part of the statutory consultation process.

The Clerk outlined that the Hemp Garden Association is a volunteer-led group established in 2017, which maintains and promotes the land as a community green space and that the nomination set out the case for the site's recreational, environmental and community value. The Clerk highlighted that the Association's work in the area is highly commended by local residents.

The Clerk summarised the legal framework for Asset of Community Value listings, including the statutory criteria and the effect of listing, noting that listing does not prevent disposal but triggers a moratorium period should the owner decide to sell. Members were also informed that applicants currently have no statutory right of appeal if a nomination is refused, although potential future changes to legislation are under consideration nationally.

The Clerk highlighted that the request had been received on 22nd December and that the deadline for responding to this was 16th January. As such, the timeframe was outside the usual schedule of meetings and the consultation had therefore been circulated to Members in writing. The Clerk highlighted that the majority of Members had responded to this request asking to note the consultation, albeit some Members wished to support the application. No extraordinary meeting was called to consider this application and, therefore the action taken was in accordance with the Council's scheme of delegation (section 7).

The Clerk advised that this item was being referred to this meeting for a formal ratification of the decision taken over writing.

Councillor V Ashfield expressed strong support for the Association's application and highlighted the excellent maintenance work the Association does in this part of the City. This support was echoed by Councillors F Robinson and R Handy who advised that they felt that this application, and support for a resident-led organisation, ought to merit Parish Council support.

The Chair invited further comments from Members and none were received. Members **agreed** (by 8 votes in favour and 4 against) to formally ratify the decision to note this application without comment.

8. REPORT ON THE PARISH COUNCIL'S INTERNAL CONTROLS

Members unanimously **agreed** to the appointment of Mr Gordon Fletcher as the Parish Council's internal auditor for the financial year 2025/26.

Members unanimously **agreed** the following report on the Parish Council's 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 now 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 or in 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.

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 £175.

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.

3. 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.

4. EXTERNAL AUDIT REPORT

The external audit report for 2024-25 was carried out by Mazars and was completed in September 2025. No issues were raised by the external auditors.

5. INTERNAL CONTROL ISSUES

The Auditors did not raise any issues as part of the 2024-25 Audit.

End of report

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

Signed,



**Chair of the City of Durham Parish Council
(25th February 2026)**