

**Minutes  
Environment Scrutiny Panel**

**23 January 2007  
5.30 p.m.  
Town Hall**

**Present:** Councillors Wolstenhome (in the Chair), Carr, Colledge, Kinghorn, Leake, McDonnell, Marsden, Pitts, Simpson, Turnbull and Walton

**Also in Attendance:** Councillors Cowper, Hepplewhite, Hopgood, Kellett and Stoddart

Claire Lancaster – Necklace Park Manager  
Nick Hall – Public Rights of Way Officer (North Area), Durham County Council

**Apologies**

There were no apologies for absence.

**Minutes of the Meeting held on 12 December 2006**

The minutes of the previous meeting were confirmed as a correct record.

**Scrutiny Topic – Biodiversity**

Further to a request made at the Scrutiny Committee for information relating to the location of interpretation panels for the City of Durham's "Wildlife Meadows", the Council's Sustainable Development Manager, Jonathan Elmer, provided a list of the sites and number of signs for each location. It was noted that the signs had been delivered to the Council, and that they would be installed during the coming month.

**Scrutiny Topic – Riverbanks**

• **Witness in attendance, Claire Lancaster – Manager Necklace Park Project**

Further to discussions of this topic at previous meetings, Claire Lancaster, Manager of the Necklace Park Project was in attendance to give Members a brief overview of the Project's aims and progress thus far.

As Members were aware, the Necklace Park Project was one of the suggestions to come out of the 2020 Visioning exercise to help improve Durham City Centre. It was felt that there was not enough access for the public to the riverbanks area, not only in physical terms, but also in terms of knowledge, i.e. the history and heritage of many of the "jewels" situated along the River Wear. After the idea was originally put forward from the visioning exercise, initial discussions led to a consensus that the peninsula area within the City Centre was fairly well established and perhaps it would be more beneficial if the aim of the Park could be to help bring local communities together via the river in order to help create a greater sense of inclusion for the Residents of the Durham.

As the Necklace Park has only funding for two years (there are only 18 months remaining), the expectations of the public will need to be managed carefully. Whilst the idea that the Necklace Park could include a stretch of high quality (and appropriately sympathetic) footpath along both sides of the river between Finchale Priory and Sunderland Bridge would be ideal but in reality, this would prove impossible with the time and resources available to the project.

Accordingly, to maximise the potential of the project with the resources available, it was necessary to pick specific projects that could be realistically achieved. However, it should be noted that the Project could also act as broker between those wishing to develop ideas though may not have access to the relevant information relating to obtaining potential grants or funding.

Ideas for potential projects could come from the public however, as the funding for the Park was granted from the Economic Regeneration Fund of the Regional Development Agency, ONE North East, it would be necessary to take those ideas and develop them so that they are presented in such a way to meet the relevant criteria in order to successfully access the funding.

- Finchale Priory Circular Walk

Finchale Priory is one of the treasures alongside the River Wear, with many people enjoying regular walks around this area. However, much of the land in the area is in private ownership and this is a potential obstacle to obtaining the maximum benefit from the area. The M.P. for Durham, the Right Worshipful The Mayor of Durham and Durham County Council's Rights of Way Section have been consulted regarding permitted access to the area around Finchale Priory. Also, Northumbrian Water have been contacted as regards use of "Pipe Bridge" as they initially wished to have access across the bridge stopped. The County Council's Bridges Team may take on some areas of responsibility in order to maintain public access.

- Frankland Viaduct

Frankland Viaduct was an important link between Belmont and Newton Hall which has fallen into disrepair. Many local people have expressed an interest in the restoration of this route and indeed SUSTRANS, a cycle charity, are interested in becoming involved and indeed there may be a possibility of securing some National Lottery funding towards this. The land on which the viaduct sits is owned by the Durham County Council. Prior to any works, a structural survey would need to be carried out, and also any adverse impact that reopening the route may have on biodiversity would need to be assessed. This route could have a positive impact in economic and environmental terms via people using the route for commuting, creating more opportunities for businesses to take advantage of the passing trade. Also traffic could be reduced as people may opt to cycle or walk along the much more direct route between Belmont and Newton Hall.

- Old Durham Gardens

Old Durham Gardens is owned by Durham City Council and they would like to see the public using it more, as a result, The Necklace Park, in partnership with local people has begun work on a tile mural to be located within the garden grotto. Students from New College Durham are to produce the mural, with the work to be completed by Easter 2007. The City of Durham's Heritage & Design Manager, Michael Hurlow has been involved with this project.

- Houghall College Farm

East Durham & Houghall Community College operates Houghall Farm and the College is keen to open the farm to the public, which hopefully in turn will bring visitors to other nearby attractions such as the Houghall Discovery Trail and the wetlands area. The College is working with the Necklace Park team towards securing funding to help this.

- Virtual Park

One of the key aims of the Necklace Park is to improve the access and quality with a minimal “footprint”. An excellent way of being able to achieve this is to, rather than have intrusive and costly interpretation panels (which cannot be updated easily and would require regular maintenance), use an online “Virtual Park” to mirror the actual park and to also provide additional value by way of a greater depth of information and experiences than would be on the ground alone, i.e. history, stories, wildlife information etc.

Further information relating to these and other current projects can be found attached at Appendix A to these minutes.

The presentation was rounded off by noting that one of the challenges facing the Necklace Park was that of persuading private Landowners that there was genuine benefit in having the Park cross areas of their land. Rather than set up new forums for this, it was intended to use existing groups to facilitate discussions with Landowners. The Public Rights of Way Team from the County Council are also helping with this issue, but any help from Local Councillors who may have good working relationships with land owners would be of great assistance to the Necklace Park team.

The Chairman thanked the Necklace Park Manager for her informative presentation and Members put forward questions relating to the project:

- Members thought that it could be beneficial, to help raise awareness of the Necklace Park project, to have some form of “console” located within the City of Durham Tourist Information Centre (TIC, currently located within the GALA Theatre) enabling access to the proposed Virtual Park. An opportunity may also be available to have similar devices or access within the new hotel developments within the City, so that visitors to Durham have access to information upon their arrival. The Panel was informed that the City’s Tourism & Conference Officer, Martin Boulton was involved with the Signage Strategy which may incorporate a scheme involving the TIC, and also that there are plans to work with the Clayport Library for use of computers there to gain access to the Virtual Park. The Members were also informed that indeed local hotels were “crying out” for additional information for tourists, and that work regarding this was ongoing in conjunction with the County Durham Area Tourism Partnership.
- Members were keen to learn what improvements were planned to enable increased access for the disabled. The Panel was reassured that various groups were being consulted, e.g. The Disabled Ramblers, and that it more often the case that rather than a whole raft of extensive groundwork, people merely require information regarding what paths are currently suitable for use by various groups, i.e. wheelchair, pushchairs etc. However, in some cases it may be necessary to improve the path on the ground. An example of this being the need for wider access along the bridge over Old Durham Beck, near Maiden Castle.

Work regarding this is underway with the Necklace Park Officers working with the Durham County Council Public Rights of Way Section, the Durham County Council Bridges Team and the Disabled Ramblers towards securing the necessary funds to achieve this goal.

- Whilst Members agreed that improved access to the Riverbanks was in general a good thing, there were concerns as regards how to encourage (and if necessary police) responsible use of the Necklace Park. As the Park goes near to or indeed through working farmland and Sites of Special Scientific Interest (SSSIs) it is hoped that users initially would find out information from the Virtual Park as to the appropriate way to use and enjoy these areas. The County Council's Ecologist will be consulted as regards the correct information.
- Some Members agreed with the idea to promote or help to set up a facility for cycle hire. It would be vital to establish what routes cyclist would have access to as they can often be at odds with other users. It was noted by some Members that previous attempts by private businesses to establish cycle hire facilities had not been successful (Dave Heron Cycles and Cycle Force 2000), though this may have been due to lack of advertising or poor location. One Member pointed out that the City Council has in its possession a few bikes of various design for hire from its Coxhoe Leisure Centre (including some with trailers and cycle for use by disabled people). These cycles were obtained by working with Sustrans and Sport England. The Necklace Park Manager noted this for future reference.
- With regards to proposals for a route to be re-established at the Frankland Viaduct, Members wondered whether this could be read that the scheme for a northern bypass road was no longer a viable option. The Necklace Park Manager explained that a decision was made early on to "ignore" the bypass issue else no improvement would ever be made. Members also wished to be clear that any support of the project to reinstate this route should not be taken as either a condemnation of the proposed northern bypass or backing of other proposed bypass road route.
- Members were interested to hear how the issue of users of the park from outside the immediate city area would be managed, i.e. users travelling into Durham by car. Whilst certain attractions already have an adequate parking provision, e.g. Houghall College, it was hoped that by planning sensible routes between areas with existing parking this issue could be mitigated. Also it is hoped that the County Council Park and Ride Scheme should be utilised as a means of environmentally friendly access to the City and the Park.
- Members felt that one of the keys to unlocking use of the riverbanks was by encouraging more use of the actual river itself. Indeed, the Necklace Park Manager has met with the Chairman of the Durham Anglers' Group as regards work relating to education of young people on how to use the river responsibly. Also in a slightly separate but related issue, it was noted that the Durham City Kayaking Club were in talks with the Environment Agency relating to use of the river.
- The Panel felt that the issue of the river cleanliness (litter rather than chemical pollution) was important. It was noted that whilst the issue was dealt with by the Environment Agency, the Agency now only appear to get involved where incidents of flooding occurs.

- Concerns regarding this apparently have been raised by the Riverbanks Management Group (The City of Durham Heritage & Design Manager, Michael Hurlow being a City Council representative) with the Environment Agency's representative, Barbara Pike. Currently, as explained at a previous meeting, the City Council undertake some litter picking and clear what can be reached safely from the riverbank. Volunteers from the Kayaking Club have aided the Council in removing litter and rubbish from the river in the past, though this is obviously not an ideal solution. Councillors did note that whilst trees blown into the river could be considered "rubbish" by some, it should be noted that they can be useful to some wildlife, e.g. Cormorants.

**Note:** *Councillor Carr left the meeting at 6.07 p.m.*

- **Witness in attendance, Nick Hall, Public Rights of Way Officer, Durham County Council**

Nick Hall, Public Rights of Way Officer from the Durham County Council Rights of Way Section was in attendance to help Members understand the role and responsibilities of the County Council Public Rights of Way Section (PROW) in relation to the footpaths along the riverbanks and indeed across the District.

Whilst public rights of way enjoy the same status legally as adopted highway, highways (roads) and their adjoining footpaths are the responsibility of the Highway Section. The two main strands for the PROW team are the matters of enforcement and maintenance. The former relates to those instances where a right of way may have been blocked without authority, and the maintenance relates to repairs to help keep the rights of way useable and accessible. In addition, the section also deals with claims for new public rights of way and helps with the setting up of diversions with landowners (though the City of Durham can close / divert certain types of public rights of way – see Appendix B for extract from the relevant legislation).

The County Council maintain the surface of the rights of way, steps, revetments etc. and also are responsible for signposts and markings and also for clearing footpaths where weeds have overgrown the surface, but they do not tackle overhanging trees.

The County Council are also responsible for the majority of the bridges along the rights of way, with the specific section being the Bridges Team. Also old railway tracks now used as walkways have support provided by the County Rangers service.

The Chairman thanked the Public Rights of Way Officer for his time and Members put forward questions to him relating to rights of way.

- The Chairman asked what was meant by a "permissive path". The Public Rights of Way Officer explained that often, landowners would release that a right of way could be applied for over their land due to historic use and therefore it may be preferable to in advance of any such application to open up a route that the landowner felt comfortable with i.e. away from buildings, livestock, machinery etc. in the hope that the public would use this route. Sometimes permissive paths are listed in archives, and some are funded by DEFRA and are listed on their website ([www.defra.gov.uk](http://www.defra.gov.uk)).

- Some Members queried the state of certain routes between villages that seem to have deteriorated. It was felt as current ecological policies are geared towards reducing reliance upon motor vehicles, these routes would become more important in the future and should be improved and maintained for cyclists and people on foot.
- The Rights of Way Officer stated that whilst the PROW Section would look at this type of issue where appropriate, it is often the case that the routes that are being described are alongside public roads and therefore the adjoining footpaths are adopted and maintained by the County Council's Highways Department rather than the PROW Section.
- The Panel asked who would be responsible for the maintenance of safety railing along the riverbanks. The Rights of Way Officer informed Members that if the County Council had put the railings in place, then the Authority would maintain them. However, it is commonly the landowner would be responsible for the maintenance of any railings on their land, though it could be if the land runs alongside a highway then the Highways Section of the County Council may be responsible.
- The Rights of Way Officer felt it was to be noted that within the Local Transport Plan some resources are allocated for the improvement of highways, cycleways etc. and the City of Durham's Sustainable Development Manager, Jonathan Elmer is the appropriate Officer as regards this.
- The Members were informed that works will be carried out to improve the footpath that leads up from the riverbank area, adjacent Bella Pasta, up to the Cathedral at "Windy Gap".
- Members also noted the importance of education of children within schools to ensure that not only are children encouraged to take up healthy activities such as walking to school, enjoying public rights of way etc. they should be educated as regards the responsible way to use these for "safe play". Also there could be an opportunity for schools to liaise with the Necklace Park to enable children to have lessons out of the classroom at some of the Necklace Park "jewels".

**Note:** *Councillor Pitts left the meeting at 6.30 p.m.*

The Chairman and the Panel thanked both of the Witnesses for their attendance and Members and Officers warmly applauded.

**Actions for the next meeting:-**

- Report for Information – Temporary Road Closures.
- Information on the Clean Neighbourhood & Environment Act 2005 and how it relates to City of Durham services.
- Witness from Durham Constabulary to inform Members as regards the Police presence along the Riverbanks area.

The Meeting terminated at 6.35 p.m.

### **About The Necklace Park**

The Durham Necklace Park – 12 miles of stunning riverside environment - is a new project funded to draw together a series of existing spaces and places along the chain of the River Wear, stretching from Finchale Priory to Sunderland Bridge.

The project has been created with the help of local people, who have felt increasingly isolated from their own outdoors and wanted to reclaim their river, paths, heritage and environment. Much that is precious, unique and fascinating already exists along these twelve miles. What has been lacking is a way of joining up these assets, of engaging local landowners and working with the Park's vibrant communities.

Over the next two years, we will be working in partnership with local people, agencies, interest groups, businesses and authorities to develop projects of lasting value...while increasing participation and access to those special places within our spectacular City of Durham.

### **Necklace Park Current Projects**

#### **DOTT 07 PROJECT: Mapping the Necklace**

During 2007, from January to October, The Necklace Park will be the venue for an innovative celebration of mapping. As part of the Design of the Times 10-year project on "how we design our lives" ([www.dott07.com](http://www.dott07.com)) twenty teams of local enthusiasts – from musicians to foodies, anglers to artists – will be sought and supported over a four-month period. They will decide how best to record and "map" their experience of the Necklace Park through the "eyes" of their obsession...real-time, virtually or digitally. The May Bank Holiday weekend (5<sup>th</sup> to 7<sup>th</sup> of May 2007) will be the mapping event itself, followed by a design showcase at a three-week DOTT 07 festival in Newcastle in October 2007. The entire process will be recorded by media arts students from Durham's New College. *(Project and event commissioned by DOTT 07 from Cornerstone Strategies / The Chambers.)*

#### **CERAMIC TILE MURAL...Drawing the Park**

A team of young mixed-ability artists from New College Durham have begun on-site research and initial concept work on a large 3-part ceramic tile mural of The Necklace Park. Led by artists Jane Dodds and Barbara Edwards from the college, the students are interpreting the Park's environment, heritage and sensory experience which will work together to form a "map" of the Park. To be completed by Easter 2007, the work is intended for the grotto at Old Durham Gardens, where it will be viewed by visitors to the historic terraced "pleasure gardens". Here it will preside from its vantage point at the top of the ceremonial garden stairs overlooking The Necklace Park and the City. *(Project carried out by New College art students and artists, and recorded by New College media arts students).*

#### **THE VIRTUAL PARK...a Parallel Universe**

As The Necklace Park is an "ephemeral park" based in an ecologically fragile and historic landscape, any signposting, interpreting, building, marking or mayhem needs to be carried out online. An important element of The Necklace Park strategy has been the mirroring of the real life environment with its online or "virtual" counterpart.

Here, visitors can experience the Park from a distance, groups can meet and share information and experiences and the Park's own reality can be creatively mapped in layers to form a parallel Park universe. Concept guidelines and content for the site is currently being drawn up for this project and funding will be sought for its commissioning and delivery in 2007.

### **THE SHELTER...taking it with you**

An ongoing, young-person led project has been investigating how teenagers as Durham citizens find their own feet in the Park...while finding places to rest those same feet, relax, meet their friends and enjoy the view. Current work centres on creating a detailed design brief by young people as "clients", for architects and designers to create temporary "shelters" which can be used out in the Park by teenagers and their schools. Rather than creating new shelters *per se*, the light-weight collapsible products will be taken to the Park by individuals or school parties and used "ephemerally", taking advantage of natural windbreaks, organic plant material, gullies and ruins to set up temporary shelters through a range of shelter-based devices. The project will go to an invited pitch in early 2007 and will seek funding for its implementation through a local partnership approach.

### **THE SENSORY PARK... exploring and performing**

Local and invited artists, architects and designers both current and historic have made much of the area the Necklace Park represents as a sensory venue...for music, for performances, for the capturing of historic stories and for the recording of environmental patterns. Now The Necklace Park project has given new impetus to bringing these explorations, performances and installations under one title. Those feeling creative and professional artists of all persuasions will be encouraged to apply their existing, previous or future work to The Necklace Park itself and seek funding to carry these projects out under The Necklace Park's cultural umbrella. Keep an eye on our events and project pages for the fruits of our labour!

### **OLD DURHAM BECK...restoring a route**

The Necklace Park is working in partnership with The Durham City Ramblers and Durham County Council to reinstate access across Old Durham Beck near Maiden Castle. For many years local enthusiasts and walkers have had to detour away from the river to cross this deep-sided chasm further upstream. Now with the help of our friends, we are working with the local community to identify ways to make this area more accessible for people with a range of abilities. The purpose is to restore what is missing and improve what's on offer so a broader range of people can enjoy the Park.

### **HOUGHALL FARM...exploring hidden gems**

On the site of East Durham and Houghall Community College near the Shincliffe area is a real gem of an opportunity for local people, school children, visitors and enthusiasts to seek new experiences within Durham City. Houghall Farm, at the epicentre of the college site, is going to be developed and opened up all to enjoy, starting in 2007. The Necklace Park is working with the farm to help them create ideas for play, exploration, education and engagement. The Houghall Discovery Trail within the farm offers a mystical experience for all who tread there, the wetland area will be a place to stop and stare whilst the local farm residents – goats, sheep, ducks, horses and the odd agricultural student – eagerly await the opportunity to chat with all who pass there.



## **FINCHALE PRIORY CIRCULAR WALK...accessing not trespassing**

With accessibility to our spaces and places at the very heart of The Necklace Park's nature, we are hoping to formalise access to one of the most special places within the Park. Local people have enjoyed walking their dogs, exploring their heritage and paddling in the river in the area around Finchale Priory. Much of this access however, has been on private land and we are now working with a number of local residents and land owners to see if we can find a way to help everyone enjoy their outdoors without stepping on our neighbour's toes. Agreements are in the process of being drawn up and it is hoped that we will see even more progress throughout the early part of 2007.

## **FRANKLAND VIADUCT...exploring our hidden heritage**

Deep in the outskirts of Durham City is a truly magnificent but much neglected monumental asset dating from the core of our industrial heritage past. Closed to local people but very close to their hearts, this vast structure exposes itself from behind the trees in all its towering glory to those lucky few able to make their way down to the rivers' edge below. For many years, the Viaduct has been neglected and access restricted to the local communities who live at either end. Now The Necklace Park, Durham County Council and Sustrans are coming together to explore a future for the Viaduct. Although the road is long and uncertain, the enthusiasm from the local people who have been contacting us day, and in some cases night, has been truly infectious. In early 2007 we are looking to establish a community-led group which will help possibly map the next phase in the history of Frankland Viaduct.

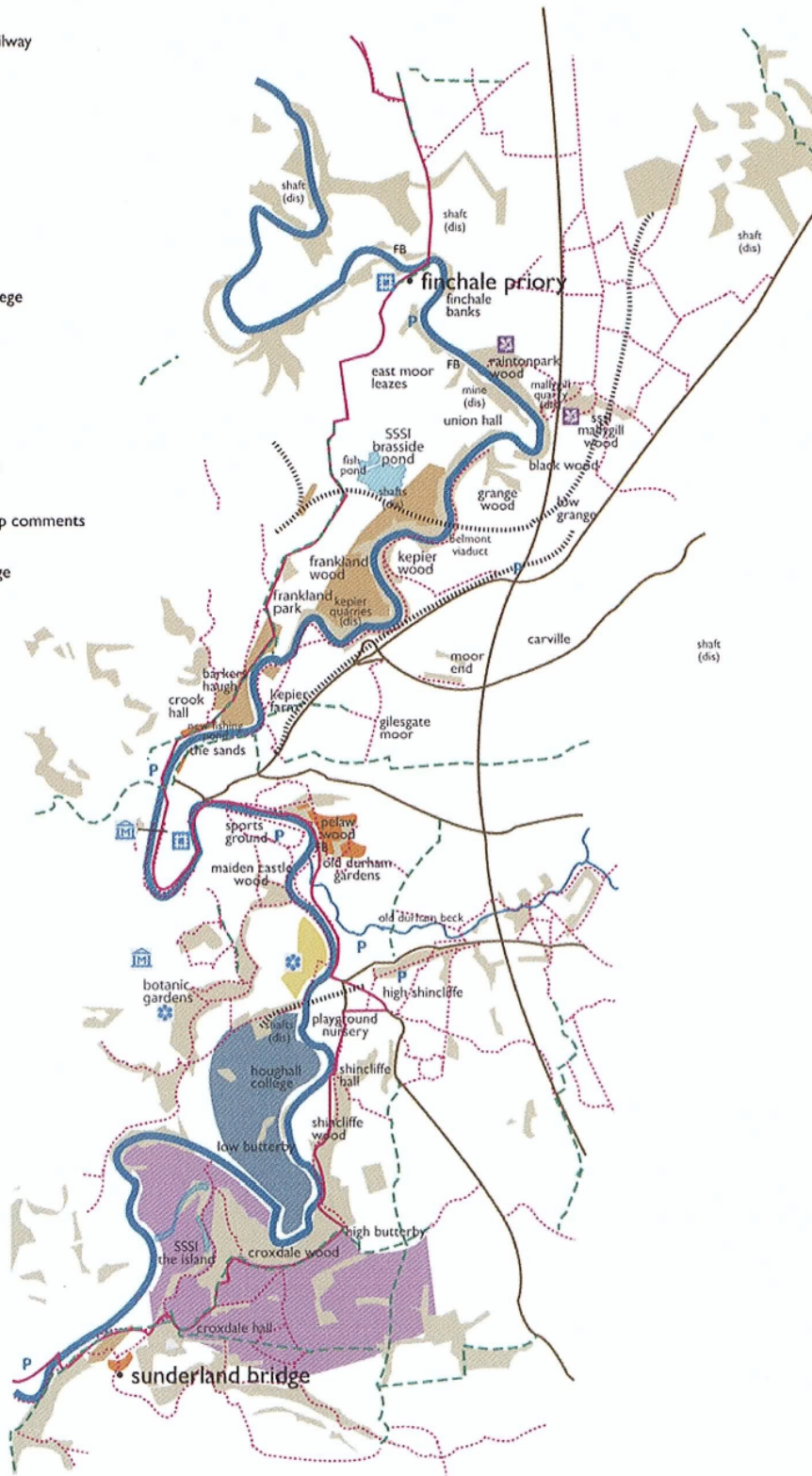
## **Necklace Park Measures of Success 2006-2008**

### **The Necklace Park will:-**

- **Attract additional funding** through its partnership linkages. This should be in addition to the Single Programme funding contributed via the Durham 20:20 Vision.
- **Contribute to the improvement of access** throughout the Park area.
- **Contribute to the improvement of tourism** in the City (including visitor numbers, visitor satisfaction, length of stay and visitor spend)
- **Contribute to the Durham City experience** and assist in developing the Durham City brand through its actions.
- **Contribute to strengthening community linkages** and community involvement in the Park. This includes landowners, young people, parish councils, local interest groups, 'friends' groups etc.
- **Contribute to creating partnerships** within the Park, including the strengthening existing ones.
- **Maintain a 'light touch' approach** to Park development ensuring that "ephemerality" is at the centre of all its actions.

# Necklace Park...and land identifications

-  river
-  weardale way
-  minor walkway
-  bridleway
-  road
-  dismantled railway
-  county land
-  city land
-  private land
-  Salvin Estate
-  Houghall College
-  trust land
-  01 NE questions
-  01 SW questions
-  01 annotated map comments
-  english heritage
-  national trust
-  museum
-  gardens
-  parking
-  fishing
-  foot bridge
-  club house
-  golf



**Legislation under which the City of Durham can Stop Up or Divert Footpaths / Bridleways.**

**Town and Country Planning Act 1990**

The vast majority of Stopping Up and/or Diversion Orders are made in accordance with s.257 of the 1990 Act. This section allows Local Authorities to make Orders to stop up and/or divert footpaths and bridleways to *enable development to be carried out* in accordance with planning permission granted under Part III of the 1990 Act.

Alternatively, s.258 of the 1990 Act empowers a Local Planning Authority to extinguish public rights of way over footpaths and bridleways where land has been acquired or appropriated by them for planning purposes.

**Highways Act 1980**

In certain circumstances, a *Local Authority* may consider it expedient to stop up a right of way for example, because it is no longer needed for public use. In such cases, Highways Act legislation should be adhered to in stopping up that right of way, but whatever the legislation, the procedure remains the same.