

**THE MINUTES OF THE MEETING**  
**OF THE DISTRICT COUNCIL OF EASINGTON**  
**HELD ON THURSDAY 6 SEPTEMBER, 2007**

Present: Councillor Mrs M Nugent (Chair)

Councillors B Bates, S Bishop,  
Mrs G Bleasdale, A Burnip, R Burnip,  
A Collinson, Mrs E M Connor, R Crute,  
R Davison, Mrs J Freak, J Haggan,  
A J Holmes, Mrs E Huntington,  
Mrs A Laing, T Longstaff, D Maddison,  
Mrs J Maitland, D Milsom, D Myers,  
A Napier, Mrs A Naylor, C Patching,  
G Patterson, G Pinkney, B Quinn,  
D Raine, F Shaw, Mrs B A Sloan,  
R Taylor, D J Taylor-Gooby, R J Todd,  
T Unsworth, C Walker, P G Ward and  
Mrs V M Williams

1. **THE MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF EASINGTON** held on 5 July, 2007, a copy of which had been circulated to each Member, were confirmed.
2. **THE MINUTES OF THE EXTRAORDINARY MEETING OF THE DISTRICT COUNCIL OF EASINGTON** held on 28 June, 2007, a copy of which had been circulated to each Member, were confirmed.
3. **THE MINUTES OF THE EXTRAORDINARY MEETING OF THE DISTRICT COUNCIL OF EASINGTON** held on 1 August, 2007, a copy of which had been circulated to each Member, were confirmed.
4. **LGR - UPDATE**

Consideration was given to the joint report of the Chief Executive and Monitoring Officer which gave an update on developments related to Local Government Review and sought approval to pursue a challenge by way of Judicial Review of the proposals adopted by Central Government, a copy of which had been circulated to each Member.

Members were advised that on 25 July 2007 the Government announced that Durham County Council's bid for a new unitary authority for County Durham would be one of the nine bids proceeding to implementation once the Local Government and Health Improvement Bill, currently passing through Parliament, had been enacted. Counsel's advice on the prospects of successfully challenging the Government's decision by way of Judicial Review had been sought and considered by the District Councils. Following a meeting of the Durham Districts Forum the Leaders of all seven Councils indicated that they wished to support a challenge in the light of the legal advice received.

It was explained that whilst Members were being recommended to approve the issue of legal proceedings to challenge the process, Councils had a duty to their residents to continue to respond to the Government's request to plan the

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implementation of a Unitary Council in case the challenge was unsuccessful. The Government had recently issued a consultation paper entitled “An approach to Implementation” and all authorities affected were invited to respond to the consultation paper by 28 September, 2007. Delegated authority was sought for the Chief Executive in consultation with the Leader of the Council to respond on the Council’s behalf. This approach was also adopted in responding to the consultation on the original bids for unitary status. It was intended that a progress report including a copy of the response to the consultation would be submitted to Council on 4 October 2007.

Acceptance of the recommendations outlined in the report would confirm the Council’s commitment to contribute to the costs incurred in mounting the legal challenge. Those costs currently stood at £5,000 plus VAT with a further £230 to be incurred in respect of court fees when the case commenced. Further charges in respect of Counsel’s fees would need to be incurred in the event that that matter proceeded to a hearing.

It was explained that the case brought by Shrewsbury and Atcham Borough Council and Congleton Borough Council was due to be heard by the court in mid-September. Since the grounds of challenge to the legal process adopted were very similar this decision would need to be considered in determining whether to pursue the Authority’s challenge to a hearing. The situation would be reviewed once the outcome of the Shrewsbury case was known and a further report would be presented to Council at that stage.

It was explained that once proceedings were lodged the Council as party to the case would be potentially liable to meet costs incurred by the Secretary of State in preparing and conducting a defence if the Council’s case was unsuccessful at court or was withdrawn beforehand. However work undertaken on the Shrewsbury case would enable these costs to be kept to a minimum.

Councillor A Napier explained that the results of the referendum showed that in the District of Easington, 43% of electors used their vote and 83.8% voted to retain and improve the existing arrangements of district and county councils. However, the process of implementation would need to continue as a separate issue to the Judicial Review.

**RESOLVED** that:-

- (i) approval be granted to institute proceedings for Judicial Review to challenge the Secretary of State’s decision to implement the proposals put forward by Durham County Council for a single unitary authority for County Durham.
- (ii) the Council continue to engage fully in the process of implementation of the proposed changes should the legal challenge fail.
- (iii) delegated authority be granted to the Chief Executive in consultation with the Leader to respond to the CLG consultation paper “An Approach to Implementation” on behalf of the Council.

### **5. TO SEAL DOCUMENTS**

**RESOLVED** that the action taken in fixing the Common Seal to the following documents be endorsed:-

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- 19591 Transfer of Part of Registered Title(s) made between EDC (1) and Mark Robert Tapping and Kimberley Tapping relating to 13 Ruskin Crescent, Thornley
- 19592 Transfer of Part of Registered Title(s) made between EDC (1) and Stephen Ernest Jackson and Ruth Estelle Maughan Jackson (2) relating to 19 Matterdale Road, Peterlee
- 19593 Lease made between EDC (1) and John Stones (2) relating to Land and Garage to the rear of 47 Hazel Drive, Hesleden
- 19594 Transfer of Part of Registered Title made between EDC (1) and Donna Marie Muir (2) relating to 17 Thames Road, Peterlee
- 19595 Transfer of Part of Registered Title(s) made between EDC (1) and Lisa Marshall (2) relating to 6 and 8 Wells Crescent, Seaham
- 19596 Transfer of Part of Registered Title(s) made between EDC (1) and Paul Robert Gardiner, Jennifer Leigh Gardiner, Glynis Gott and David John Gott (2) relating to 47 and 48 Johnson Estate, Wheatley Hill
- 19597 Transfer of Part of Registered Title(s) made between EDC (1) and Lisa Marshall (2) relating to 6 and 8 Wells Crescent, Seaham
- 19598 Transfer of Part of Registered Title(s) made between EDC (1) and Marion Cook and Steven Michael Cook (2) relating to No. 12 Dawson Road, Wingate
- 19599 Transfer of Part of Registered Title(s) made between EDC (1) and Coleen Watson and Andrew Watson (2) relating to No. 72 Helford Road, Peterlee
- 19600 Transfer of Part of Registered Title(s) made between EDC (1) and Kelly Anne Bowes and Robert Sean Patrick Bowes (2) relating to 6 Hart Crescent, Blackhall Rocks
- 19601 Transfer of Part of Registered Title(s) made between EDC (1) and Catherine Hughes (2) relating to 22 Toft Crescent, Murton
- 19602 Transfer of Part of Registered Title(s) made between EDC (1) and Theresa Victoria Laverick and Derek Thomas Rooke (2) relating to 47 Station Estate North, Murton
- 19603 Transfer of Part of Registered Title(s) made between EDC (1) and Gillian Bainbridge and Colin Setterfield (2) relating to 17 Ferndale Close, Station Town
- 19604 Lease made between EDC (1) and Daniel John MacLaghlan (2) relating to 31 Frederick Street, Seaham
- 19605 Transfer of Part of Registered Title(s) made between EDC (1) and Judith Margaret Potter and David John Potter (2) relating to 89 Helford Road, Peterlee

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- 19606 Transfer of Registered Title(s) made between EDC (1) and Peter Graham and Eric Sidney Armstrong (2) relating to 30 St. Bede's Crescent, Thornley
- 19607 Transfer of Part of Registered Title(s) made between EDC (1) and Peter Graham and Eric Sidney Armstrong (2) relating to 29 St. Bedes Crescent, Thornley
- 19608 Transfer of Part of Registered Title(s) made between EDC (1) and Neil Rhys Davies (2) relating to 76 Manor Way, Peterlee
- 19609 Transfer of Part of Registered Title(2) made between EDC (1) and David Haggan (2) relating to 24 Burns Terrace, Shotton
- 19610 Transfer of Part of Registered Title(s) made between EDC (1) and Stacey Sugden and Mark Anthony Sugden (2) relating to 67 St. Leonard's Close, Peterlee
- 19611 Transfer of Part of Registered Title(s) made between EDC (1) and Coleen Watson (2) relating to 2 Helford Road, Peterlee
- 19612 Transfer of Part of Registered Title(s) made between EDC (1) and Kevin Coils (2) relating to 65 Luke Terrace, Wheatley Hill
- 19613 The District Council of Easington Peterlee (Peterlee Show) Temporary Road Closure Order 2007 under Section 21 of the Town Police Clauses Act 1847 for the Prevention of Obstruction of those streets set out in the Order
- 19614 Transfer of Part of Registered Title(s) made between EDC (1) and Tracy Arnett (2) relating to 57 Newholme Estate, Station Town
- 19615 Counterpart/Regulating Lease made between The Crown Estate Commissions (1) and EDC (2) relating to Part of the Foreshore at Easington
- 19616 Transfer of Part of Registered Title(s) made between EDC (1) and East Durham Community Development Trust Ltd (2) relating to Land at Crawford Avenue, Peterlee
- 19617 Transfer of Part of Registered Title(s) made between EDC (1) and Kevin Coils (2) relating to 65 Luke Terrace, Wheatley Hill
- 19618 Transfer of Part of Registered Title(s) made between EDC (1) and Susan Holman and Steven Michael Holman (2) relating to 231 The Avenue, Seaham
- 19619 Transfer of Part of Registered Title(s) made between EDC (1) and Linda Catherine Hedley and Robert Hedley (2) relating to 25 Layburn Place, Peterlee
- 19620 Transfer of Part of Registered Title(s) made between EDC (1) and Donna Jeavons (2) relating to 73 Yoden Road, Peterlee

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- 19621 Transfer of Part of Registered Title(s) made between EDC (1) and Maria Ambler (2) relating to 11 Galt Street, Thornley
- 19622 Transfer of Whole of registered title(s) made between William Helm and Sybil Ray Helm (1) and EDC (2) relating to 32 Moore Terrace, Shotton
- 19623 Lease made between EDC (1) and Lisa Joanne Pickering (2) relating to Yard and Storage Accommodation at 52 York Road, Peterlee
- 19624 Cancellation of Entries relating to a Registered Charge relating to 57 Thorntree Gill, Peterlee
- 19625 Cancellation of Entries relating to a Registered Charge relating to 81 Gloucester Place, Peterlee
- 19626 Transfer of Part of Registered title(s) made between EDC (1) and Richard John Dawson and Natalie Foster (2) relating to 18 Laing Square, Wingate
- 19627 Cancellation of entries relating to a registered charge relating to 64 Grisdedale Road, Peterlee
- 19628 Counterpart Surrender made between Kenmore Capital Peterlee Ltd (1) and EDC (2) relating to 6 The Chare, Castle Dene Shopping Centre, Peterlee
- 19629 Transfer of Whole of Registered Title(s) made between EDC (1) and Kenmore Capital Peterlee Ltd (2) relating to 2/4 Upper Chare, Peterlee
- 19630 Cancellation of entries relating to a registered charge relating to 9 York Road, Peterlee – DU266677
- 19631 Lease made between EDC (1) and John Stones (2) relating to Land and Garage situate to the rear of 47 Hazel Drive, Hesleden
- 19632 Transfer of Part of Registered Title(s) made between EDC (1) and Terence Martin Cahill and Jennifer Bridget Cahill (2) relating to Plot 1, Byron Lodge Estate Garage Site, Seaton
- 19633 Transfer of Part of Registered Title(s) made between EDC (1) and James Paul Stockton (2) relating to 60 Dawdon Crescent, Seaham
- 19634 Transfer of Part of Registered Title(s) made between EDC (1) and Julie Marie Nicholson (2) relating to 6 Brakespeare Place, Peterlee
- 19635 Transfer of Part of Registered Title(s) made between EDC (1) and Joan Bailey (2) relating to 23 Yoden Road, Peterlee

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- 19636      Transfer of Part of Registered Title(s) made between EDC (1) and Paula Michelle McManus (2) relating to 13 Dean Close, Peterlee
- 19637      Transfer of Part of Registered Title(s) made between EDC (1) and Lilian Margaret Iqbal (2) relating to 159 The Avenue, Seaham
- 19638      Transfer of Part of Registered Title(s) between EDC (1) and Linda Sladen (2) relating to 17 Gilbert Crescent, Peterlee

JW/CS/COM/DIST/070901  
7 September 2007