

**THE MINUTES OF THE MEETING OF THE  
DISTRICT COUNCIL OF EASINGTON**

**HELD ON THURSDAY 1 NOVEMBER 2007**

Present: Councillor Mrs. M. Nugent (Chair)

Councillors Mrs. M. Baird, E. Bell,  
S. Bishop, Mrs. G. Bleasdale, B.  
Burn, A. Burnip, P.J. Campbell, A.  
Collinson, R. Crute, R. Davison, Mrs.  
S. Forster, Mrs. J. Freak, J. Haggan,  
H. High, Mrs. E. Huntington, G. Johnson,  
Mrs. A.E. Laing, T. Longstaff, D. Maddison,  
K. McGonnell, D. Milsom, D. Myers,  
Mrs. A. Naylor, C. Patching, G. Patterson,  
G. Pinkney, B. Quinn, D. Raine, F. Shaw,  
Mrs. B.A. Sloan, R. Taylor, R.J. Todd, C. Walker,  
P.G. Ward and Mrs. V. Williams

1. **THE MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF EASINGTON** held on 4 October 2007, a copy of which had been circulated to each Member, were confirmed.
2. **THE MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE** held on 20 September 2007, a copy of which had been circulated to each Member, were submitted.

**RESOLVED** that the decision taken, be noted.

3. **THE MINUTES OF THE EXTRAORDINARY MEETING OF THE DISTRICT COUNCIL OF EASINGTON** held on 28 September 2007, a copy of which had been circulated to each Member, were submitted.

**RESOLVED** that the information contained within the Minutes, be noted.

4. **LAPSE OF LOCAL PLAN AND EXTENSION OF 'SAVED' POLICIES**

Consideration was given to the report of the Executive Member for Regeneration which advised of the expiry of the Local Plan on 27 September 2007, and the Secretary of State for Communities and Local Government's Direction to the Council to save selected policies to maintain continuity in the land use policy framework governing the supply and development of land. A copy of the report had been circulated to each Member.

It was reported that Policy 49, allocating the Strategic Reserve site south of Seaham, had been included in the schedule of saved policies to be extended under the terms of the Direction. The Inspector's report into Examination of the Regional Spatial Strategy (RSS) recommended that the RSS allocations for strategic reserve sites should be deleted. Further proposed changes to RSS were anticipated in November which were expected to address this issue again. The Secretary of State had indicated that the extension of saved policies did not indicate that these policies would necessarily be endorsed if they were to be presented as new policy in the Local Development Framework.

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The policies set out in Appendix 1 to the report were the saved policies in the Local Plan that would continue to be used in providing a policy framework to aid the determination of planning applications.

Appendix 2 identified all other policies in the Local Plan that had lapsed. Any policies which repeated National Planning Guidance without any local significance could not be saved. The relevant planning policy statement or planning policy guidance were consequently also identified in the schedule to assist in determining an appropriate policy approach.

In relation to the Structure Plan, Members were advised that this had also lapsed on the 27 September 2007 and Durham County Council had advised that only the policies outlined in Section 4.6 in the report would be extended. All other policies in the Structure Plan had lapsed and matters of a strategic nature not covered by saved Local Plan policies must now be addressed by RSS policy.

**RESOLVED** that the receipt of the Direction from the Secretary of State for Communities and Local Government, to extend those policies in the Easington District Local Plan identified in Appendix 1 to the report under the terms of Schedule 8(1(3)) of the Planning and Compulsory Purchase Act 2004, be noted.

### 5. **POLICY ON THE RE-USE OF PUBLIC SECTOR INFORMATION**

Consideration was given to the report of the Monitoring Officer which sought approval for a policy formalising the Council's response to any requests to re-use information collected. A copy of the report had been circulated to each Member.

The Monitoring Officer explained that from 1 July 2005, a European Directive allowed people to apply to re-use information held by the Council. The Re-use of Public Sector Information Regulations 2005 required the Council to make available to the public, the conditions on which they would permit the re-use of information and any charges applicable.

Appended to the report was explanatory information intended to be made available in hard copy form and on the website to assist persons interested in re-using information held by the Council. The terms and conditions of a draft licence were also attached to the report for consideration.

**RESOLVED** that the policy and terms of the draft licence in relation to the re-use of public sector information, be approved.

### 6. **TO SEAL DOCUMENTS**

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

- 19663 Deed of Variation made between EDC (1) and Easington Colliery Parish Council (2) relating to land on the south side of Seaside Lane, Easington
- 19664 Transfer of Part of Registered Title(s) made between EDC (1) and Karl Davison (2) relating to 43 and 44 Coronation Road, Wingate
- 19665 Transfer of Part of Registered Title(s) made between EDC (1) and Mandy Wilkinson and John Fraser Pennock (2) relating to 8 Milton

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Grove, Shotton

- 19666 Transfer of Part of Registered Title(s) made between EDC (1) and Neil Donaghey and Linda Ann Donaghey (2) relating to 105 Malvern Crescent, Seaham
- 19667 Transfer of Part of Registered Title(s) made between EDC (1) and Keith John Hall and Janet Alison Hall (2) relating to 63 St Leonards Close, Peterlee
- 19668 Transfer of Part of Registered Title(s) made between EDC (1) and Evelyn Shaw (2) relating to 43 Grantham Avenue, Deneside, Seaham
- 19669 Transfer of Part of Registered Title(s) made between EDC (1) and Philip Kevin Mellor and Sarah Ann Wotton (2) relating to 11 Skerne Close Peterlee
- 19670 Cancellation of Entries relating to a Registered Charge relating to 22a Gloucester Terrace, Haswell
- 19671 Transfer of Part of Registered Title(s) made between EDC (1) and Robert Rutherford and Pauline Rutherford (2) relating to 18 Porter Terrace, Murton
- 19672 Cancellation of Entries relating to a Registered Charge relating to 104 Lancaster Hill, Peterlee
- 19673 Cancellation of Entries relating to a Registered Charge relating to 64 Charters Crescent, South Hetton
- 19674 Transfer of Part of Registered Title(s) made between EDC (1) and Adrian Bate and Ann Marie Bate (2) relating to 40 Fern Crescent, Seaham
- 19675 Transfer of Part of Registered Title(s) made between EDC (1) and Rhoda Dodds and Kirsty Dodds (2) relating to 48 Chester Place, Peterlee
- 19676 Deed of Grant and Partial Release for electric lines and apparatus at the North side of Front Street and the North East side of James Street, South Hetton between EDC (1) and Northern Electric Distribution Ltd (2).
- 19677 Lease made between EDC (1) and Terence Davison and Lisa Davison (2) relating to residential flat known as No 48 Buckingham Road, Peterlee.
- 19678 Transfer of Part of Registered Title(s) made between EDC (1) and Paula Marie Dove and James Laidlaw (2) relating to 6 Moutter Close, Horden.
- 19679 Transfer of part of Registered Titles(s) made between EDC (1) and Ian Jackson, Diane Carr, Sandra Carr and Derek Carr (2) relating to 21 Red Admiral Court, Festival Park, Gateshead.
- 19680 Transfer of part of Registered Titles(s) made between EDC (1) and Neil Andrew Jobling and Michelle Jobling (2) relating to 9 Coronation

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Square, South Hetton.

- 19681 Transfer of part of Registered Title(s) made between EDC (1) and Michelle Kelly and Jason Kelly (2) relating to 66 Manor Way, Peterlee
- 19682 Deed of Grant relating to a public sewer laid in registered land at South Crescent, Seaham made between EDC (1) and Northumbrian Water Ltd (2) In Duplicate
- 19683 Diversion Agreement between Northumbrian Water Ltd (1) and EDC (2) and Modus (Seaham) Ltd (3) and Seaham Ltd (4) and Gwendoline Thwaites, Peter Gallagher, John George Graham and Gordon Ayre as trustees for the Seaham and District Scout Association (5) and Lee Parker, Raymond Harris, John Ambler and Peter Leslie Jobes as the trustees of the Seaham Sea Angling Club (6) relating to the diversion of a public sewer at Byron Place, South Crescent, Seaham.
- 19684 Transfer of Part of Registered Title(s) made between EDC (1) and Brian Smith and Diane Smith (2) relating to 42 Bruce Kirkup Road, Horden
- 19685 Transfer of Part of Registered Title(s) made between EDC (1) and Helen Hubery and Martyn Hubery (2) relating to 15 Stafford Place, Peterlee
- 19686 Transfer of Part of Registered Title(s) made between EDC (1) and Paul Freeman and Flora Anne Freeman (2) relating to 155 Hatfield Place, Peterlee
- 19687 Transfer of Part of Registered Title(s) made between EDC (1) and Arthur Stanley Benton (2) relating to 10 Dunn Road, Peterlee
- 19688 Transfer of Part of Registered Title(s) made between EDC (1) and Michael Longstaff and Clair Longstaff (2) relating to 102 Malvern Crescent, Seaham
- 19689 Transfer of Part of Registered Title(s) made between EDC (1) and Ann Marie Prest (2) relating to 101 Ash Crescent, Seaham

### 7. **ANY ADDITIONAL URGENT ITEMS OF BUSINESS**

In accordance with the Local Government Act, 1972, as amended by the Local Government (Access to Information) Act 1985, Section 100B(4)(b) the Chair agreed that consideration be given to two items of business not shown on the Agenda, following consultation with the Proper Officer.

### 8. **REPRESENTATIVES ON OUTSIDE BODIES - HEALTH SCRUTINY SUB-COMMITTEE (AOB)**

The Head of Democratic Services and Administration reported that Councillor Mrs. J. Maitland had resigned from her position on the Health Scrutiny Sub-Committee with immediate effect and nominations were sought for a representative to fill the vacant position.

**RESOLVED** that Councillor Mrs. V.M. Williams be appointed to the vacant position on the Health Scrutiny Sub-Committee.

**9. LOCAL GOVERNMENT REVIEW - JUDICIAL REVIEW**

The Chief Executive reported that at the meeting of the District Council of Easington held on 6 September 2007, approval had been granted to join with the other Durham District Councils to pursue a challenge by way of judicial review of the Government's decision to implement local government re-organisation in County Durham.

At that time, it was also noted that a judicial review was being pursued by Shrewsbury and Atcham, and Congleton Borough Councils. In the light of this, it was considered prudent for the Durham Districts to request that proceedings be put on hold pending the outcome of the ongoing action.

The action brought about by Shrewsbury and Atcham, and Congleton Borough Councils had been lost but the Councils concerned had been given leave to appeal and were currently considering whether to pursue this. In view of this, the Chief Executive had agreed, in conjunction with the other Durham Districts, to request that the 'stay' on proceedings be extended until the outcome of any such appeal was known. A further report would be submitted to Council at this time.

**RESOLVED** that the action of the Chief Executive in agreeing to request that the stay on the Durham Districts' proceedings be extended until the outcome of any appeal by Shrewsbury and Atcham, and Congleton Borough Councils was known, be noted.