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06 January 2009

Dear Councillor

A meeting of the People and Place Overview and Scrutiny Committee will be held in the **Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Wednesday, 14th January, 2009 at 6.00 pm**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roy Templeman', is written over a light grey rectangular background.

R TEMPLEMAN

Chief Executive

AGENDA:

1. Apologies for Absence
2. Minutes of Meeting Held 3 December 2008
Copy to Follow
3. Declarations of Interest
4. Public Speaking

Policy Development

5. No Items

Call-In

6. No Items

Improvement Management

(The most recent Executive Forward Plan and Work Programme was considered by the Committee on 3 December 2008).

7. Section 106 Agreements - Update (Pages 1 - 10)
Report Of Development & Building Control Manager

Scrutiny Reviews

8. Bonfire Policy Update
Verbal Update
9. Review into the Future of the Market - Final Report (Pages 11 - 84)
Report Of Director of Corporate Services
10. Review into the Future of the Unparished Area of Chester-le-Street - Final Report (Pages 85 - 174)
Report Of Director of Corporate Services
11. Review into Sports Marketing
Copy to Follow
12. Items for Next Agenda

Meeting Schedule

13. Date and Time of Next Meeting



Chester-le-Street
District Council

Report to: People and Place Overview and Scrutiny Committee

Date of Meeting: 14 January 2009

Report from: Development & Building Control Manager

Title of Report Position Statement in Regard to Section 106 Agreements Entered into by the Authority Relating to Commuted Sum Payments

Agenda Item Number:

1.0 PURPOSE AND SUMMARY

1.1 The purpose of this report is to advise Members of the present position in relation to financial contributions held by the Authority that have been secured through Section 106 Agreements entered into as part of decisions taken to grant planning permission.

2.0 CONSULTATION

2.1 The intelligence that is required to produce this report is held by the Planning Services Team, as the relevant Service Team that has the responsibility for negotiating on 106 Agreements, and thereafter the presenting of recommendations to the Council's Planning Committee. Accordingly, no consultation has been carried out with other Service Teams.

2.2 Consultation is, however, carried out with Ward Members once Officers have formulated initial proposals for the spend of 106 funds. This is in accordance with the requirements of the Council's Section 106 Agreement Protocol, approved at the Green Communities Overview and Scrutiny Committee meeting in September 2006. Officers from various Service Teams have also been working closely across the last 18 months, under the stewardship of the Assistant Director Development Services, to formulate ideas for the spend of 106 funds.

3.0 TRANSITION PLAN AND PEOPLE AND PLACE PRIORITIES

3.1 It is not considered that the report has any significant impact on Transition Plan or People and Place Priorities.

4.0 IMPLICATIONS

4.1 Financial Implications and Value for Money Statement

4.1.1 Ensuring the proper financial management of 106 Agreements is a vital part of the Authorities wider financial management procedures. It is important that a number of areas associated with 106 Agreement procedural issues are properly monitored and documented. These include:-

- Monitoring development sites to observe when trigger points arise and payments are due;
- Ensuring that the Council resolves to commit 106 monies to a purpose appropriate to the planning reasons for requesting the original Agreement;
- Monitoring Agreements, to be aware of potential refund clauses;
- Ensuring appropriate Member engagement is carried out as per the Council's adopted Protocol.

4.1.2 As will be noted from the attached spreadsheet there are no current Agreements that are nearing their refund date (where applicable). The closest refund date applies to Agreement number 19 and comes into force in August 2010. As such there are not considered to be any adverse financial implications arising from this report.

4.1.3 Indeed 106 Agreements have historically provided many positive financial implications to the Authority. As the attached spreadsheet shows several capital projects have been implemented throughout the District through funds received from 106 Agreements; predominantly in relation to new leisure facilities. Without the availability of 106 funds either further pressure would have had to have been applied to the Authority's capital program, or alternatively some schemes would simply not have been realised.

4.2 Local Government Re-organisation

4.2.1 LGR will invariably present some challenges in relation to 106 Agreements; particularly as research carried out as part of workstream activity by the report Author has revealed some wide ranging differences in approach between the existing County Durham Authorities. These include differences in relation to how elected Members are engaged in decisions to spend 106 monies and differences in how 106 funds are ring fenced (most Authorities ring fence monies to the Ward where the original development occurred, however, some place 106 funds into a District - wide funding pool).

4.2.2 Being mindful of these existing different policy approaches the LGR Planning Workstream have identified the need for a consistent policy on 106 Agreements as an essential 'Must Have' document. A report on this issue will be presented to the relevant decision making Committee of the new Authority in due course.

4.2.3 It is considered that one of the key areas of interest raised by LGR for this Authority is how existing 106 Agreements will be monitored for compliance with the original resolutions made by the Planning Committee of this Authority. In this regard it is Officer's opinion that the new Authority will be bound by the decisions taken by this Authority, and that accordingly monies could not be diverted to other purposes (or geographical areas) other than what was decided by the original Authority.

4.2.4 However, with LGR in mind the Council's 106 Officer Working Group (now chaired by the Assistant Director of Development Services as discussed above at 2.2) has been actively seeking to either spend out existing 106 funds held by this Council, or alternatively if this does not prove possible due to the tight timescales involved, to ensure that monies have been attributed by Elected Ward Members to particular schemes, prior to Vesting Day. As is demonstrated from Section 5 of the report this exercise has ensured the allocation of the majority of existing 106 funds held by this Authority.

4.3 Legal

4.3.1 There are no significant legal implications arising from this report. However it should be noted that in 3 cases the original developers have defaulted on the payment of 106 monies due to the Authority. Officers in the Planning Services Team have been unsuccessful in their attempts to ensure payments are made and as such the Council's Legal Services Team have recently been instructed to pursue these matters.

4.4 Personnel

4.4.1 There are no significant adverse personnel implications arising from this report. The proper administration of matters associated with 106 Agreements can be carried out by the existing staffing establishments from within the Planning Services Team.

4.5 Other Services

4.5.1 The proper financial management of 106 Agreements has implications for many other Service Teams within the Authority. This is reflected in the composition of the 106 Officer Working Group that has representatives from Planning Services; Legal Services; Leisure Services; Environmental Services; Regeneration Services and Finance Services.

4.6 Diversity

4.6.1 There are not considered to be any diversity issues arising from this report.

4.7 Risk

4.7.1 There are not considered to be any risk issues arising from this report. In particular it is noted that there are no refund dates looming in the near future.

4.8 Crime and Disorder

4.8.1 There are no direct crime and disorder issues raised by the report. However many 106 funds have been historically used to facilitate the installation of new community recreation and leisure facilities. There is some evidence to suggest that the provision of these new facilities, in central locations with a high degree of natural surveillance, has helped address anti social behavior issues in some communities.

4.9 Data Quality

4.9.1 Every care has been taken in the preparation of this report to ensure that the information and data used is accurate, timely, consistent and comprehensive. In particular the data contained in the spreadsheet attached is accurate; representing an up to date list of all monetary 106 Agreements entered into by the Authority. The Council's Data Quality Policy has been fully complied with in producing this report.

4.10 Other Implications

4.10.1 There are no other implications associated with this report.

5.0 BACKGROUND AND POSITION STATEMENT

5.1 Section 106 of the Town and Country Planning Act (as amended) provides Local Planning Authorities with the power to enter into legal Agreements with landowners and developers as part of their resolutions to grant planning permission for proposals to develop land. Such Agreements can require developers to mitigate against any adverse socio-economic impacts likely to arise as a result of a proposed development and which would otherwise lead to the refusal of planning permission.

5.2 Whilst this can often be achieved through requiring developers to commit to a particular act (such as the construction of a new highway or landscaping scheme) The Courts have also held that such mitigation can legitimately be provided through the payment of a commuted sum to the Authority, in place of any dedicated on site provision. Commuted sums received must then be used by the Authority to carry out capital works to provide facilities in the locality commensurate with the particular impact(s) generated by a particular development.

5.3 The most common form of commuted sum received over the years by this Authority (in common with many other Authorities) has been in relation to leisure space provision as part of new housing developments. Often developers have elected to pay commuted sums of money to the Council in lieu of providing for dedicated on site play provision. These sums have been negotiated having regard to the aims of Policy RL5 of the Council's Local Plan, which seeks to ensure that new housing schemes provide the appropriate amount of recreational and leisure space. Monies have also been received for public artwork having regard to the aims of Policy BE 2 of the Local Plan, which encourages the devotion of 1% of costs for major

development schemes to be attributed to public artwork. Some monies have also been secured, via effective Officer negotiation, for environmental improvement schemes, landscaping schemes, and highway improvement schemes.

- 5.4 As a result of the Authority entering into these Agreements commuted sums to the value of £1,776,541 have been secured since 2000 (when the first such Agreement was entered into) as part of decisions taken by the Planning Committee to grant planning permission. It is worth noting at this juncture that this figure is heavily inflated by one single Agreement authorised at the Planning Committee meeting in June 2006, that required the payment of £1,000,000 towards the installation of highway improvement works on the A690 at the entrance into Drum Industrial Estate.
- 5.5 Out of this £1,776,541 figure a total of £435,750 has to date been spent out on various community infrastructure schemes throughout the District. A further £1,090,424 has been committed to specific projects, which are not yet on site (the majority to the aforementioned Drum Industrial Estate scheme). £50,000 secured as part of the new Chester-le-Street hospital development had to be refunded in 2005 due to the failure to spend the money within the 3 year limit specified in the 106 Agreement. This leaves a figure of £200,367 that has not yet been allocated to specific projects within the District. However it should be noted that out of this available figure developers have defaulted on £34,867 worth of monies. These matters are presently being progressed by Legal Services.
- 5.6 Out of the remaining figure of £165,500 that is presently unallocated the current difficult market conditions indicate that £102,500 worth of funds are most unlikely to be received by the end of the present financial year. This leaves a residual figure of £63,000 that is presently being held by the Authority and has not been allocated to specific schemes.
- 5.7 The £63,000 worth of 106 funds that is presently being held were secured pursuant to the aims of Policy BE 2 of the Local Plan, for public art work purposes. This figure is broken down into £30,000 for the Chester North Ward (secured as part of the decision to grant the Miller Homes development at the Highfield Hospital site in April 2004) and £33,000 for the North Lodge Ward (secured as part of three decisions to grant planning permission for various forms of commercial development on Drum Industrial Estate). The 106 Agreement for the Drum site contains a clause that the Local Authority should use 'best endeavors' to devote the monies to an art work scheme on Drum Industrial Estate.
- 5.8 Bearing in mind the nature of the two 106 Agreements that have unallocated monies attached to them the 106 Officer Working Group anticipate two potential schemes coming forward for Ward Member consideration. These are the installation of a piece(s) of artwork inside Drum Industrial estate, North Lodge Ward (likely to be on land under the control of Durham County Council as the Highways Authority – exact location still to be agreed) and secondly a piece of artwork on the grass verge to the South of the Northlands Roundabout (at the entrance into Chester-le-Street Town from North Lodge) which is also under the control of the County Council. The practicalities of

these proposals are currently being investigated by Officers; with the lead role being taken by the Council's Leisure Services Team.

- 5.9 In addition to the Agreements entered into under Section 106 of the Town and Country Planning Act the Authority has also yet to spend out a sum for £10,500 received direct from Miller Homes as part of a decision to grant planning permission for a development in Pelton Lane Ends in 2003. Discussions as to potential projects that these monies can be directed are continuing with Ward Councilors.

6.0 RECOMMENDATION

- 6.1 That Members note the position in relation to Section 106 Agreements entered into by the Authority as detailed in this report and attachments.

AUTHOR NAME:	Stephen Reed
DESIGNATION:	Development & Building Control Manager
DATE OF REPORT	18 December 2008
VERSION NUMBER	1.0
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APPENDIX A

File No	Address	Proposal	Purpose of 106	Financial Contribution	Committee Date	Date Signed / Completed	Amount Received	Date Monies Received	Amount Used	Refund Clause ? Y/N	Ward	Trigger Points	Status
(planning application no)													
1	Land at Mount Pleasant, Edmondsley Lane, Sacriston	Erection of 20 no. dwellings	Commutated payment towards off-site children's play provision	£15,000	14/02/00	22/09/00				No	Sacriston	Commencement	Development Completed. Payment not yet received and being chased
00/00001/FUL													
3	Chester-le-Street Hospital, Front Street, Chester-le-Street	New community hospital	Environmental enhancements and street works	£50,000	13/08/01	08/01/02	£ 50,000.00		50,000.00 (Refunded)	Yes; 3 yrs from commencement of development	Chester Central	Commencement	Monies refunded as not spent by refund date
01/00167/FUL													
4	Woodside Garage, Woodside, Sacriston	11 no. dwellings and 4 no. flats	Commutated payment towards off-site children's play provision	£5,500	13/01/03	16/04/04				No	Sacriston	Commencement	Development in progress; payment being pursued however presently subject to insurance claim
01/00421/FUL													
7	187 Front Street, Chester-le-Street	2 no. A3 café bars	Environmental enhancements and street works	£20,000	08/04/02	12/03/03	£ 20,000.00	07/03/03	All monies spent on Front St improvements 26/06/05	No	Chester Central	Commencement	Obligation Discharged
02/00011/FUL													
9	Former School, Greens Bank, West Pelton	10 no. dwellings	Commutated payment towards off-site children's play provision	£3,500	12/08/02	27/08/03	£ 3,500.00	27/08/03	£3,500 Monies spent on new play area at Edenfield, West Pelton	No	West Pelton	Commencement	Obligation Discharged
02/00256/FUL													
11	Land south of Front Street, Great Lumley	12 no. flats and 4 no. dwellings	Commutated payment towards off-site children's play provision	£10,000	14/04/03	02/04/04	£ 10,000.00	15/04/04	Millenium Green play area, Great Lumley	No	Great Lumley	Commencement	Obligation Discharged
02/00523/FUL													
13	Former petrol filling station, Park Road South, Chester-le-Street	14 no. apartments	Commutated payment towards off-site children's play provision	£7,000	27/05/03	02/04/04	£ 7,000.00	15/04/04	7,000 used to upgrade play area at Beverly Gardens,	No	Chester East	Commencement	Obligation Discharged
03/00270/FUL													
14	Robertson Court, Salisbury Avenue, Chester-le-Street	Variation of condition 11 of 01/00164/FUL to omit play area within the site and to provide commuted payment in lieu thereof	Commutated payment towards off-site children's play provision	£14,367	10/11/03				14,367 being used as part of big lottery bid for new ball court at Moorfoot Avenue	No	Chester East	Commencement	Development completed. payment not received and being chased
03/00597/VAR													
16	Picktree Motor Sales, Picktree Lane, Chester-le-Street	Residential development comprising 14 no. apartments to be built over 2 and 3 storeys	Commutated payment towards off-site children's play provision	£14,000	12/01/04	Development not commenced					Chester North	Commencement	Agreement not signed therefore planning permission not issued
03/00592/FUL													

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File No (planning application no)	Address	Proposal	Purpose of 106	Financial Contribution	Committee Date	Date Signed / Completed	Amount Received	Date Monies Received	Amount Used	Refund Clause ? Y/N	Ward	Trigger Points	Status
Page 8 17 03/00700/FUL	Sandyford Place, Pelton (3 Rivers / Pelton PRC replacement scheme)	Residential development comprising 76 dwellings	Commutated payment towards off-site children's play provision	£76000			£96,000	Jun-08	£40,000 used on new play area at the Wynd; balance to be used on either proposed new area at Hylton Tce or Community Centre. Presently subject to Member liaison	No	Pelton	Various, per dwelling	Majority of Income spent out; remainder will be once decision made as to Hylton Tce or Community Centre
			Commutated payment as a contribution towards public artwork	£20,000	12/01/04	05/03/04		£20,000 used by Regeneration on Pelton Front St					
19	Site of former Highfield Hospital, Highfield Rise, Chester-le-Street	Residential development over 2 & 3 storeys of 94 no. units, comprising of 26 no. detached dwellings, 54 no. apartments and 14 no. town houses.	Commutated payment towards off-site children's play provision	£68000					£47,818.20 presently spent on Northlands Play area. Likely final costs 60,000. Leisure Services considering spend of remainder on A693 crossing		Chester North	21 days after commencement	Majority of Income spent out; rest of landscape monies will be shortly. Ideas for Art work spend to be discussed with Derwentside Arts Officer
			Commutated sum towards landscape works	£10,000	13/04/04	13/04/04	£ 118,000.00	19/08/05	£7520 already spent on bankside clearance and fence repairs on Newcastle Rd. Environmental Services to roll out landscaping scheme to spend out rest	19/08/10			
			Commutated payment as a contribution towards public artwork	£40,000					10k spend approved by Members Oct 08 for use by Env Services (S Craig) on memorial park sculpture. Remaining 30k to be considered by Derwentside arts Officer				
20 03/00584/FUL	Eureka Terrace, Tanhills, Nettleworth	Residential development comprising of 8 no. apartments over 3 storeys	Commutated payment towards off-site children's play provision	£4000	08/12/03	19/10/04	£ 4,000.00	21/10/04	3,750 used to upgrade existing play area in Nettleworth	No	Kimbleworth & Plawsworth	Execution of 106	£250 remaining
22 05/00050/VAR	Elm Crescent, Kimbleworth	Variation of condition 5 of planning permission 03/00369 to omit children's play area from scheme	Commutated payment towards off-site children's play provision	£1674	11/04/05		£ 1,674.00	01/11/06	Used to support BIG ottery bid for ball court in Kimbleworth	No	Administrative area of CLS	One month following issuing of planning permission	Obligation Discharged

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(planning application no)													
23	Ambulance Station Site, Clarence Tcce, CLS	14 flats	Commuted payment towards recreation space	£7,000	11/10/04	22/11/04	£ 7,000.00	24/12/04	Monies used on Groundwork scheme at Avondale Tcce; on site now	No			Obligation Discharged
04/00615/FUL											Chester Central	Commencement	
24	Holly Crescent, Sacriston	Residential development comprising of 169 dwellings and associated highways and landscaping works	Commuted payment towards off-site play provision / community facilities.	£169000	08/08/05	22/12/05	£ 169,000.00	03/01/06	£169000 used in Sacriston community centre scheme	No	Sacriston	03-Jan-06	Obligation partially discharged; all monies allocated to specific projects
			Commuted payment towards public art	£50,000			£ 50,000.00	03/01/06	Ward Member approval - June 2008 for spend on Heart of Village Scheme	No			
			Provision of affordable housing at 30% of total no of units										
05/00152/FUL													
28	Drum Industrial Estate, CLS	Erection of 3 no Warehouse Units	To provide for off site highway improvements	£1,000,000	Jun-06	23/01/07	£900000 (CDC commitment to fund additional 100k)	23/01/07	86,306 used by DCC up to Feb 08	Yes - 5yrs	North Lodge	Commencement	Highways element being drawn down on as DCC progress scheme. £25k remaining to be allocated for arts use. To be discussed with Derwentside Arts Officer
			To provide for public artwork improvements	£25,000			£25,000	23/01/07		January 2012			
05/00162/FUL													
05/00666/FUL 28a	142-150 (even) Front Street Chester-le-Street	Demolition of existing retail units and construction of 4 no shop units and 14 no apartments.	Provision of recreation / play	£7,000	Mar-06						Chester East	Commencement	Unlikely that applicant will implement permission in near future, New application expected to extend permission.

APPENDIX A

File No (planning application no)	Address	Proposal	Purpose of 106	Financial Contribution	Committee Date	Date Signed / Completed	Amount Received	Date Monies Received	Amount Used	Refund Clause ? Y/N	Ward	Trigger Points	Status
29 06/00370/FUL	Drum Industrial Estate, CLS	Erection of 9 no office units	To provide for public artwork improvements	£3,000	Oct-06	14/06/07	£ 3,000.00	19/10/06		No	North Lodge	Commencement	£3,000 remaining for art work spend. To be discussed with Derwentside Arts Officer
30	Arizona Chemicals, Vigo Lane	Erection of 51 Dwellings	To provide for Off Site Play	£45,000	Nov-06	03/04/07			In principle Ward Member approval Nov 08 for spend on proposed Merlin Drive play area scheme	Yes - 5 yrs	North Lodge	prior to occupation of	Economic down turn has delayed development. However monies have recently become due. Invoice sent to Bellways Dec 08
	CLS	Erection of Flat above Sales Office										19th private dwelling	
			To provide for Off Site Public Art	£25,000					In principle Ward Member approval Nov 08 for use as part of proposed Merlin Drive play area scheme			1 year from commencement	
06/00428/FUL & 0700002/FUL			To Secure 30% affordable housing										
31	Lingey House Farm, Sacriston	Erection of 36 Dwellings	To provide for off site public art	£18,000	Aug-07	06/02/07				Yes - 5 yrs	Sacriston	Prior to occupation of	Economic down turn has delayed development. Most unlikely monies will be received prior to 1 April
												15th private dwelling	
07/00222/FUL			To provide for off site play	£36,000								prior to occupation of 15th private dwelling	
			To provide for 30% affordable housing										
32 07/00165/FUL	Drum Industrial Estate (Co-op Site)	Erection of Wharehouse	Public artwork	£5,000	Dec-07	04/06/08	£5,000	Jun-08		No	North Lodge	Execution of	Artwork Scheme to be disuccsd with Arts Officer
												106	
33 07/00495/FUL	Johnson's Garage Newcastle Road CLS	10 Apartments	Public artwork	£10,000	Jan-08	20/06/08				Yes - 3yrs from payment	Chester North	1 month from occupation of 1st apartment	Development not commenced. Present economic down turn means monies will not be received before 1 April
34 08/00194/FUL	Former County Depot Picktree Lane, CLS	88 Bed Care Home	Public Artwork	£24,500	Sep-08	N/A Unilateral				Yes - 3yrs from payment	Chester North	completion of development	Development not commenced. Monies will not be received by 1 April



Chester-le-Street District Council

Report to:	People and Place Overview & Scrutiny Committee
Date of Meeting:	14 th January 2009
Report from:	Director of Corporate Services
Title of Report:	Review into the Future of the Market Final Report
Agenda Item Number:	

1. PURPOSE AND SUMMARY

- 1.1 The purpose of this report is for members to consider and agree the final report on the scrutiny review into the future of the town centre market.
- 1.2 The final report is set out in Appendix 1. Members are recommended to:
 1. Consider and comment on the report
 2. Delegate decision on final amendments to the Director of Corporate Services in conjunction with the Chair and Vice Chair of the Overview and Scrutiny Committee
 3. Present the final report to the council's Executive on 2nd February 2009

2. CONSULTATION

- 2.1 The council's Town Centre Development Manager was consulted in the preparation of the report
- 2.2 Members of the Task and Finish Group were asked to provide comments on the report which was presented to the people and Place Overview and Scrutiny Committee on 10th December 2009. Only one response has been received and is summarised as follows:

'You may know that, following a suggestion from Alex Nelson at Chester-le-Track, I pursued with Rob McMullen and Jenny Johns the possibility of providing dedicated coach parking at the side of Tesco (under the viaduct). However, this was nothing to do with the market but would have been in order to attract coaches travelling up the A1 to places like

Edinburgh and which have to make statutory breaks / comfort stops. Officers felt we couldn't proceed:

- (a) because of the need to change the Traffic Orders: and
- (b) the toilet problem.

It seemed to me best to leave it until after April because Highways would need to be involved anyway.

I mention it because some of the same issues arise. The paper circulated on Markets suggests "brown signs" could be erected on the A1(M) - as they are for Beamish etc - to attract coaches to the market. Can I say very strongly that by itself that would be wasted effort. There would be a need for a number of other actions:

- (1) the market would need to be a real attraction.
- (2) there would need to be dedicated, ideally free, parking
- (3) there would need to be adequate toilets.
- (4) Incentives for drivers make a big difference. As mentioned in the report, the Markets Company in Durham is giving free meal vouchers; and
- (5) there would be a need for promotion through the trade press and industry bodies.'

- 2.3 The consultants have considered these comments although their reviews remain the same. Members need to take these views into account

3. TRANSITION PLAN AND PEOPLE & PLACE PRIORITY

- 3.1 The Transition Plan, in effect, replaces the Corporate Plan 2007/2010. The Transition Plan includes a schedule of proposals from the previous seven priorities which ought to be and can be achieved in the remaining life of the council.
- 3.2 The council's choice to move towards a single priority of '**People and Place**' priority was considered as part of the budget setting process and forms a firm part of the Transition Plan.
- 3.3 The scrutiny topic has a direct impact on the following area of the **People and Place** priority:

- Investment in the Town Centre.

- 3.4 The work of the Task and Finish group supported a key project of the the **People and Place** priority delivery plan in respect of the future of the market place. Scrutiny recommendations will be incorporated into the 'Handing over the Baton' Report to be presented to the new Unitary council in March 2009

4. IMPLICATIONS

4.1 Financial

There are no financial implications relating to this report to this council at the current time.

4.2 Legal

There are no legal implications relating to this report at the current time.

4.3 Personnel

There are no personnel implications relating to this report at the current time. The task and finish group will be supported by the Director of Corporate Services, the Town Centre Development Manager and Smartspeed Consulting Services, consultants appointed as part of the **People and Place** priority delivery plan.

4.4 Other Services

The review will create an impact upon service departments required to support Members in relation to information requests and providing support to the investigative process.

4.5 Diversity

There are no known diversity implications relating to this report at the current time. Accessibility to the Market place will be considered as part of the review

4.6 Risk

There are no risk implications relating to this report at the current time other than human resource capacity issues as a direct result of Local Government Re-organisation. This issue has been managed through a different way of scrutiny working by engaging consultancy and Town Centre Development Manager engagement.

4.7 Crime and Disorder

There are no specific crime and disorder implications to this report at the current time. The review has taken into account any particular crime and antisocial behaviour issues related to the Town Centre marketplace.

4.8 Data Quality

Every care has been taken in the development of this report to ensure that the information and data used in its preparation and the appendices attached are accurate, valid, reliable, timely, relevant and complete. The council's Data Quality Policy has been complied with in producing this report.

4.9 LGR Implications

The proposals are a fundamental part of the councils Transition Plan. Therefore no agreement of the County Council was required to conduct this piece of work. However it is unlikely that any significant recommendations will be implemented in the lifetime of this council. Scrutiny recommendations will be incorporated into the 'Handing over the Baton' Report to be presented to the new Unitary council in March 2009

5. **BACKGROUND TO THE REVIEW**

5.1 Through the development of the new single priority 'People and Place' a number of Action Learning Sets (ALS) has been developed to deliver on some of the key themes and projects. ALS2 – Investment in the Town Centre is considering the potential for the future of the market in Chester-le-Street. A specific project 'Research the Future of the Market' . Has been agreed as part of the **People and Place** priority delivery plan, and approved by the Executive.

5.2 Chester-le-Street market has been a popular attraction for many years. However people's habits change when faced with the development of other different retail opportunities and experiences. In a nutshell the 'market' for markets is changing. The market has been subject to significant investment as part of the regeneration of the Civic Heart project. Its attractiveness has been approved and other work of the Action Learning Set has developed significant programmes of events throughout the year to improve it further. Unfortunately, income from the market has not been achieving targets. It is therefore a right time to consider options for the markets future.

- 5.3 The Action Learning Set was very clear in that it wishes to raise awareness of and fully explore the viability of the options for the future of the market
- 5.4 The review involved looking at how the market's sustainability can be achieved over the next 5 to 10 years. It looked at other options in managing the markets including private sector engagement.

TERMS OF REFERENCE

6. OBJECTIVES OF THE REVIEW

6.1 The objective of the review was to:

- Evaluate the future of Chester-le-Street market in terms of its over the next five to ten years.

6.2 To achieve this review considered the following key issues and questions:

- Which are the top performing Market Towns?
- What do the best do?
- What do the traders think?
- Is the perceived decline in market performance a local phenomenon?
- Are 'traditional' markets elsewhere suffering from prevailing economic forces; such as the credit squeeze?
- In times of perceived economic difficulties markets should offer better value for money, what affect does the presence of discounters such as Aldi and Wilkinson's have on the market?
- What are the factors that are recognised to appeal to shoppers?
- Should the public sector continue to manage what is a private sector activity?
- Which companies run private markets and where?
- How do they compare?
- How does the relationship between such operators and local authority landlords' work?
- What rental could be raised from a relationship with a private sector operator?
- What is the sustainability of Chester-le-Street's market in the medium and longer term (five or ten year's time)?
- Suggest a way to maximize the investments that have been made and to increase profitability?
- What decisions do this and the new unitary authority need to make in the light of the research findings?

8. METHODOLOGY AND WORK PROGRAMME

8.1 The review methodology is detailed below.

8.2 Consultancy Guidance

Principle research support was provided by Smartspeed Consultancy Services. This company will:

- identify the top performing market towns and why they are the 'best';
- Obtain feedback from traders as to the current status of the market;
- Research the factors that appeal to visitors / shoppers to visit a (local) market;
- Identify and evaluate privately run markets;
- Analyse information gained to evaluate sustainability over the next five to ten years;
- Undertake report writing and reporting to inform the Task and Finish Groups discussions and interim and final reports.

8.3 Visits

On the guidance of the consultants visits were arranged to appropriate markets and operators to understand how they operate successfully. Findings are fully detailed in Appendix 1.

8.4 Evidence Gathering

The Task and Finish Group sought to engage traders and public through a variety of techniques in order to gain opinion on the future of the market in Chester-le-Street. This was undertaken through a series of techniques including questionnaires, consultation events and online surveys. Findings are fully detailed in Appendix 1.

8.5 Report Findings

The Task and Finish Group prepared a draft report of their findings which was submitted to the last People and Place Overview and Scrutiny Committee.

8.6 Timeline

The following timetable was proposed:

- Initial informal discussion on Draft Scoping Report 22nd July 2008
- Initial presentation, Scoping report and Task and Finish Group membership agreed 30th July 2008
- Visits to other markets and operators by 13th September 2008
- Progress Update to **People and Place** Overview and Scrutiny Committee on 10th September 2008

- Web based questionnaire by end September with article in next District News by 30th September 2008
- Meeting with Traders by 30th September 2008
- Consultant report of findings and Options by 10th October
- Progress Update to **People and Place** Overview and Scrutiny Committee on 22nd October 2008
- Task and Finish Group informal meeting to discuss evidence gained by 14th November and agree recommendations
- Findings of Task and Finish Group reported to **People and Place** Overview and Scrutiny Committee on 3rd December 2008

8.7 This report is slightly behind this target and this has been due to reduced capacity within the Legal and Democratic Services Team.

9. CONSULTATION FOR THE REVIEW

9.1 The review gathered evidence from a variety of sources. The main evidence came from information provided by the consultants, Officers and traders.

10. RECOMMENDATIONS

10.1 The final report is set out in Appendix 1. Members are recommended to:

1. Consider and comment on the report.
2. Delegate decision on final amendments to the Director of Corporate Services in conjunction with the Chair and Vice Chair of the Overview and Scrutiny Committee
3. Present the final report to the council's Executive on 2nd February 2009

11. BACKGROUND PAPERS / DOCUMENTS REFERED TO:

- Transition Plan & People and Place Priority

AUTHOR NAME: Ian Forster
DESIGNATION: Director of Corporate Services
DATE OF REPORT: 05 January 2009
VERSION NUMBER 1.0

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Chester-le-Street
District Council

Overview and Scrutiny Committee



People & Place

**Future of the Market in Chester-le-
Street**
Final Report Second Draft

January 2009

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Report of the Overview and Scrutiny Committee Review of the Future of the Market in Chester-le- Street

Foreword of the Chair

Insert Foreword Text to be provided by Jeff Armstrong

The review was carried out between June 2008 and December 2008.

Cllr Geoff Armstrong

Chair of Overview and Scrutiny Panel Committee

Report of the Overview and Scrutiny Committee Review of the Future of the Market in Chester-le-Street

Membership of the Task and Finish Group

Future of the Market Task and Finish Group
Cllr G Armstrong (Chair)
Cllr J W Barrett
Cllr W Laverick
Cllr P Nathan
Cllr f Wilkinson
Cllr J Proud
Cllr S Greatwich
Cllr R Harrison
Cllr K Potts
Cllr M Potts
Cllr D Thompson
Cllr D L Robson

Report of the Overview and Scrutiny Committee Review of the Future of the Market in Chester-le-Street

1 Introduction

- 1.1 The council's Transition Plan, in effect, replaces the Corporate Plan 2007/2010. The Transition Plan includes a schedule of proposals from the previous seven priorities which ought to be and can be achieved in the remaining life of the council. The council's choice to move towards a single priority of '**People and Place**' priority was considered as part of the budget setting process and forms a firm part of the Transition Plan.
- 1.2 At their meeting on 30th June 2008 and in response to the council's single priority of '**People and Place**', the Overview and Scrutiny Committee agreed to undertake three scrutiny reviews all linked to the corporate priority. One of the key components of '**People and Place**' is 'Investment in the Town Centre'. The council has invested significantly in the town centre and the Civic Heart over the last five years. Its work is not finished and the Town Centre Master Plan needs to be implemented. Historically the market has been a significant attraction to residents of Chester-le-Street and beyond. Despite the investment in it, it has suffered from changing shopping patterns and personal taste. Projected Market income has not been realised over the last few years and the relationship between the council and market traders is not very good.
- 1.3 In view of this it was considered necessary for the Overview and Scrutiny Committee to request a task and finish group to research the future of the market. This report is the outcome of the task and finish groups work. It provides recommendations to inform decisions by the new unitary council in Durham.

2 Purpose of the Review

- 2.1 The objective of the review as to evaluate the future of Chester-le-Street market in terms of its sustainability over the next five to ten years.

3 Scrutiny Review Process

- 3.1 Scrutiny reviews are in-depth studies into issues which have been identified by scrutiny members as important to the community and Council of Chester-le-Street.

3.2 Scrutiny reviews investigate issues by a process of gathering evidence through speaking to individuals and groups that are involved or affected. The review panel then formulates realistic evidence based recommendations which are presented to the Council's Executive.

3.3 Scrutiny reviews will carry out a number of stages in undertaking and completing a review. The stages broadly are:

Stage 1 Scope The initial stage of the review identifies the background, issues, potential outcomes and timetable for the review.

Stage 2 Investigate The panel gathers evidence using a variety of tools and techniques and arranges site visits where appropriate.

Stage 3 Analyse The key trends and issues are highlighted from the evidence gathered by the panel.

Stage 4 Clarify The panel discusses and identifies the principal messages of the review from the work undertaken.

Stage 5 Recommend The panel formulates and agrees realistic recommendations.

Stage 6 Report Draft and final reports are prepared based on the evidence, findings and recommendations.

Stage 7 Monitor The panel undertakes to monitor agreed recommendations on a regularly agreed basis.

4 Background

4.1 Chester-le-Street market has been a popular attraction for many years. However people's habits change when faced with the development of other improved retail opportunities and experiences. In a nutshell the 'market' for markets is changing. The market has been subject to significant investment as part of the regeneration of the Civic Heart. Its attractiveness has been improved and the work of the Action Learning Set has developed a significant programme of events throughout the year to improve footfall and dwell time. Unfortunately, income from the market has not been achieving targets. It is therefore the right time to consider options for the market's future.

4.2 The income target for the Market for 2007/8 was £203k whereas it made only half that figure. The targets remain static, but as the market declines this target gets further and further away. Nevertheless a slight improvement in rental has taken pace in 2008 as the result of the events programme initiated this year and which is to enthusiastically

driven by the Town Centre Development Manager. A question that these circumstances raise is whether this is a local phenomenon or are 'traditional' markets elsewhere suffering from prevailing economic forces such as the credit squeeze, which seems to be damaging the confidence of shoppers. The review seeks to look at such issues and make recommendations for the future.

5 Terms of Reference

5.1 The terms of reference of the review was to look to answer the following questions:

- Which are the top performing Market Towns?
- What do the best do?
- What do the traders think?
- Is the perceived decline in market performance a local phenomenon?
- Are 'traditional' markets elsewhere suffering from prevailing economic forces; such as the credit squeeze?
- In times of perceived economic difficulties markets should offer better value for money, what affect does the presence of discounters such as Aldi and Wilkinson's have on the market?
- What are the factors that are recognised to appeal to shoppers?
- Should the public sector continue to manage what is a private sector activity?
- Which companies run private markets and where?
- How do they compare?
- How does the relationship between such operators and local authority landlords' work?
- What rental could be raised from a relationship with a private sector operator?
- What is the sustainability of Chester-le-Street's market in the medium and longer term (five or ten year's time)?
- Suggest a way to maximize the investments that have been made and to increase profitability?
- What decisions do this and the new unitary authority need to make in the light of the research findings?

6 Methodology

6.1 The task and finish group was working to a clearly agreed timetable. The timetable was a useful tool by which progress could be monitored and also provided a basis for progress reports to the main task and finish and Overview and Scrutiny Committee meetings.

6.2 The council agreed its methodology as part of the scoping report approved by the Overview and Scrutiny committee on 30th July 2008. The methodology is set out in the following paragraphs.

6.3 Interviews were conducted with the Council's Town Centre Development Manager and the council's consultants Smartspeed Consulting Limited. Their detailed report forms Appendix 1.

6.3 **Consultancy Guidance**

As indicated principle research support was provided by Smartspeed Consultancy Services working closely with the Town Centre Development Manager. This company:

- identified the top performing market towns and why they are the 'best';
- Obtained feedback from traders as to the current status of the market;
- Researched the factors that appeal to visitors / shoppers to visit a (local) market;
- Identified and evaluate privately run markets;
- Analysed information gained to evaluate sustainability over the next five to ten years;
- Undertook report writing and reporting to inform the Task and Finish Groups discussions and interim and final reports. The consultants final report from which recommendations are drawn are set out I annex 1 of this report

Visits

6.4 On the guidance of the consultants visits will be arranged to appropriate markets and operators to understand how they operate successfully. The following visits were made:

Insert Schedule and learning

Evidence Gathering

6.5 The Task and Finish Group sought to engage traders and public through a variety of techniques in order to gain opinion on the future of the market in Chester-le-Street. This involved website publicity and a meeting with the market traders on 25th October 2008.

Report Findings

6.6 The Task and Finish Group prepared a draft report of their findings to which was presented to the People and Place Overview and Scrutiny Committee for consultation purpose on 3rd December 2008. A detailed report on the findings was agreed at the Overview and Scrutiny Committee on XXth January 2009.

7 Legislative & Strategic Context

- 7.1 Provision of a market is not a legislative duty. The council has continued to provide a market in view of its importance to the town, its people and visitors
- 7.2 It is considered that the market is of strategic importance in helping maintain Chester-le-Street as a tourist and shopping destination within the region.

8 Findings of the Review

Views of Traders

- 8.1 The traders at Chester-le-Street were very forthcoming regarding the survey conducted at the market this summer. The views collected from the traders were generally constructive in nature and a summary of these comments is below:
- The market has declined (more so in the last 18 months)
 - Other markets are declining also
 - The red brick area is a point of contention
 - Flow and footfall is reduced
 - More traders are required (need to be incentives)
 - Advertising of the market is low
 - Parking costs are affecting visitor levels
- 8.2 The traders offered several solutions to help with the improvement of trade in the marketplace, a summary of these are as follows:
- Free parking on market days
 - Discounted rent for new traders
 - More meetings with the Council on Friday afternoons
 - Incentives for certain trader types (that are currently missing)
 - Work with bus companies to configure bus routes
 - Develop advertising for the market
 - Sign the market from the high street
 - Negotiate use of the red bricked area next to arch
- 8.3 The shoppers attending the markets were asked questions about why they had come to the market in Chester-le-Street, and were asked 'what made a great market'. Time and time again the main comment that was divulged was that of variety. The secondary factors that were recorded from the conversations experienced included:

- Car parking costs
- More traders to make it 'worthwhile'
- Weekday entertainment to help build up the weekday markets

The consultants advise that the feedback from the interviews this summer corresponds with the survey conducted last summer. The overriding theme of more traders to build the market was clear from this section of the project.

Evidence from Market visits

8.4 Full details of market visits are set out in Appendix B of the consultants report. The following is a summary of the points raised from the consultants visits to markets in the region:

- The markets visited were positioned at the 'heart of the town'
- There were a mixture of self-erecting stalls and 'gazebos'
- All markets visited have witnessed a decline in activity in the market
- Fee structure is roughly in line with that of Chester-le-Street, if not erring on the more expensive side (per stall, not per square foot)
- The markets run by privately owned organisations appeared more focussed on generating a profit.
- All of the town's visited had markets that struggle against the presence of supermarkets
- Two of the towns have promotion pots – where the traders contribute to a fund for advertising and promoting the market (which they get a say in what happens with the money)
- Art and 'features' are part of the market areas in the towns that have had recent refurbishment
- The other council run markets appear to be struggling to source and manage an events programme to support the market.
- The shops that surrounded these markets appeared to be 'in tune' with the market, providing a wide range of goods and service that compliment the market traders.
- Good levels of communication were recognised at each of these markets – in both directions between the management and the traders.
- Blyth and Stanley had free parking; Darlington and South Shields did not. The cost of parking was discussed at South Shields as being a deterrent – but not at Darlington.
- Clear policies were enforced 'flexibly' at the markets visited
- There has been a general drop off in terms of coach visits due to parking / drop off arrangements at some of the markets
- The level of 'banter' has decreased across all of the markets – this was mentioned at all of the markets and was felt that part of the market experience had been lost.

8.5 In addition the following main themes were also picked up from member's visits:

- Traders are put at the centre of the focus. They are provided with flexibility and deals as appropriate, but also penalised if they don't adhere to the regulations implemented.
- Promotion of the markets and the use of the space was aimed to maximise footfall.
- The gazebo style stall looks very good, but brings with it a raft of other issues, including costs, health and safety and further negotiation regarding available stall size.
- At Chester-le-Street there is a clear want, and need, to meet with the Council on a regular basis to support each other in moving forwards.

8.6 The consultants take the view that Chester-le-Street's market is ahead of many of the local markets in terms of trader levels and visitor levels. Other markets are however regarded as being 'more successful'. From a breakeven point of view this is at least partially true. The improvements that have been made at other markets are not a massive leap away from the market's current position and therefore put Chester-le-Street in good stead for moving forwards. Despite the differences in the markets visited there are a number of ideas and options that can be used at Chester-le-Street. There are also a number of parallels to the work that has already been conducted, giving the Council a good platform to proceed from.

Consultant's evidence of good performing markets.

8.7 The consultants contacted several markets which were 'doing well'. These were:

- Stockton
- Catterick
- Barnard Castle
- Durham
- Hexham

8.8 There were recurring themes from the operators of such markets why they felt their markets were performing. These are:

- They have a flexible approach towards the traders, both in terms of regulation and pricing.
- Diversity of traders is key to ensure that 'under one roof' the variety of goods area available so that 'value for money' is present.
- Promotion of the market is pro-active, with some of the markets levying a promotion charge to the cost of the rent. This promotion charge is then used as part of the ongoing

conversation with the traders as to how to best promote the market.

- All of the towns who have large supermarkets present, either adjacent to the market or out of town, recognised the pull that these organisations have. Market attendance has dropped inline with the opening of these stores.
- The majority of the people interviewed acknowledged that their markets had witnessed a downturn in traders and shoppers over the last 12 to 18 months.
- The websites used to promote the markets discussed were actively maintained.

Quantative Research

8.9 During Summer 2007 a quantitative research project was undertaken by Chester-le-Street District Council Regeneration Team to understand more about what makes the market at Chester-le-Street work. The information that has been compiled from this piece of research supports the research and analysis gained from this research project. Full details of the research can be seen in Appendix D of the consultants report. In summary , most of the respondents:

- Were female
- Were aged between 46 and 65 years
- Attended the market on a weekly basis
- Travelled less than 20 miles to get to the market
- Appreciated the variety of items on sale in the market
- Believed that more traders and the presence of toilets would vastly improve the market

8.10 Drawbacks to this information include:

- Vagueness of some of the responses
- Layout of the questionnaires could require interpretation
- Potentially limited set of results – only conducted during the Summer months may have provided a skewed view of the shoppers perspective

Research into 'local phenomenon'.

8.11 One of the key questions laid out at the start of this review asked if the decline witnessed in the Chester-le-Street market was a local phenomenon, or if this was indeed a widespread issue. During the phone interviews and market visits this question was answered through the experiences of the people working and running the markets. This is not a local phenomenon.

8.12 The consultants point out that general statistics for trading in traditional markets are not monitored by the Office for National Statistics and so other forms of research had to be conducted. Using the Internet to review news stories over the past four years there is a clear trend in a decline in 'high street' retail generally. Although this does not

specifically refer to traditional markets they are inextricably linked. Research provided by the National Market Traders Federation ('First National Survey of Retail Markets') confirms that this is not a local phenomenon. That report, which was written in conjunction with Manchester Metropolitan University, details that although market days and stalls have increased across the UK in the past five years, the level of trading and participation at the markets by traders is declining across the country.

- 8.13 The consultants consider that the pressures on market traders from the presence of 'large box' retailers such as Tesco (adjacent to the Chester-le-Street market) and ALDI (in the vicinity of Chester-le-Street market) is clear when discussing this matter with traders and shoppers. This said, there is also a factor that needs to be considered. People who shop at the market appear to shop there for the experience of the market, and this cannot currently be re-created in a large retailer's premises.
- 8.14 Members are recommended by the consultants to take into account the current economic pressures being faced by all businesses at the time of writing this report need to also be considered. The 'credit crunch' has now been in effect for the past fifteen months, which has changed perceptions to shopping and ultimately the level of shopping that is taking place. How strong this factor is in affecting the level of trade taking place in the market is difficult to ascertain but cannot be discounted from the research.
- 8.15 From the interviews conducted by the consultants with shoppers and the analysis of the 2007 survey there is a clear age profile that patronise the market. This is the '46+' category and raises the question "will markets die out with this generation?" From the research conducted the consultants advise that the decline of markets is not a local phenomenon. Work must take place to maximise the volume of shopping taking place within the market during trading days and a revised forecast of activity (or revenue) should take place once the current economic conditions have become positive once more.

9 Conclusions

- 9.1 The consultants report draws the following conclusions which are supported by the Task and Finish Group:
- The market is currently making a loss. Profitability needs to return to the market if Chester-le-Street is to remain as a 'Market Town'. If profitability is not made in the next two years then a decision needs to be made as to whether outsourcing the market to another operator would be a better option, or to consider the closure of the market.

- The general trend in traditional markets is that of a declining trade. The recognised markets in the North East are all suffering from the same issues that Chester-le-Street is. This is not a local phenomenon, but other areas are clearly dealing with the issue in a positive way and are developing and evolving their markets to address the current issues.
- The fixed stalls at Chester-le-Street are 'dead space' during the rest of the week when markets are not taking place. There is an opportunity to use this space for alternative revenue generating activities.
- The marketing spend at Chester-le-Street is not in line with the other markets in the local area and needs to be increased in order to attract more traders and more customers into the town.
- There is a lack of signage on the A1. Signage on the main roads leading into Chester-le-Street needs to be reviewed.
- The number of Traders needs to increase in order to populate the market and attract more shoppers. New traders arrive first - shoppers then follow.
- The event area is under utilised (used approximately 12 times per year) and could be used for self-erect market stalls. The event area is in a key location to maintain the continuity between the main shopping street (Front Street) and the market. Increasing usage of this area should help both the shopping streets and the market to share the current footfall.
- A flexible approach to managing the market (re: incentives for traders) could help in attracting new traders. This has been demonstrated at other markets in the local area and should be seriously considered.
- The rents at Chester-le-Street are roughly in line with the other regional markets, but the stall area provided makes it relatively expensive for the services provided.

Market	Cost per foot (depth assumed constant)
Chester-le-Street	£1.50
Darlington	£4.00
South Shields	£1.70
Blyth	£1.00 (N.B. This is due for an increase) ¹
Stanley	£2.00
Stockton	£1.70

- Public toilets are a necessary feature for the public and to the traders. The lack of toilet facilities has been commented on during this research and last year's research also.
- Better communication between the traders and the Council would support improvement and development of the market. Without a long term view on this partnership the success of the market will be compromised.
- Privately run markets may reduce some of the Council's costs, but this arrangement does not guarantee a more effective market.
- From visiting the other markets in the region that are considered to be performing well it is interesting to note that Chester-le-Street is still doing well in relative terms. This should be recognised when considering the next steps in the strategy to develop the market.

9.2 The review concludes that the market at Chester-le-Street is in a position where improvement and growth can be created. It is considered that in the short to medium term that there remains justification for the market to be provided by the District Council and subsequently the new unitary Council. In the short to medium term a phased improvement plan based on the consultant's recommendations ought to be developed and the market managed accordingly. Should the improvement plan fail to deliver the required change then consideration ought to be given to outsourcing the market. The consultant's recommendations for the future are fully set out in section 6 of their report.

10 Recommendations

10.1 The review recommends that:

1. The responsibility for the management of the market is retained by the local authority and subsequent local authority.
2. A phased improvement plan is developed in line with the recommendations in the consultants report.
3. The findings of the review and the proposals for the future are submitted for the consideration of the new Unitary Council as part of the Handing Over the Baton Report with a recommendation that the market ought to be continued to be operated by the local authority unless the improvement plan fails to deliver the necessary change.

10.2 It is recommended that this report is agreed and reported to the District Council's Executive on 2nd February 2009



Chester-le-Street
District Council

Overview and Scrutiny Committee



People & Place

**Future of the Market in Chester-le-Street
Final Report Second Draft**

Appendix 1

January 2009



Research the future of the market

Project Update

Smartspeed Consulting Limited

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1. Introduction

1.1. Background

Chester-le-Street is considered to be a 'Market Town'. However evidence would suggest that this label is no longer appropriate.

A project known as 'Investment in the Town Centre' is considering the potential for the future of the market in Chester-le-Street. A specific project 'Research the Future of the Market' has been agreed as part of the Council's *People and Place* single priority, and approved by Chester-le-Street District Council's Executive.

Chester-le-Street market has been a popular attraction for many years. However people's habits change when faced with the development of other improved retail opportunities and experiences. In a nutshell the 'market' for markets is changing. The market has been subject to significant investment as part of the regeneration of the Civic Heart. Its attractiveness has been improved and the work of the Action Learning Set has developed a significant programme of events throughout the year to improve footfall and dwell time. Unfortunately, income from the market has not been achieving targets. It is therefore the right time to consider options for the market's future.

The target for 2007/8 was £203k whereas it made only half that figure. The targets remain static, but as the market declines this target gets further and further away. Nevertheless a slight improvement in rental has taken place in 2008 as the result of the events programme initiated this year.

A question that these circumstances raise is whether this is a local phenomenon or are 'traditional' markets elsewhere suffering from prevailing economic forces such as the credit squeeze, which seems to be damaging the confidence of shoppers.

What should Chester-le-Street District Council and the new Unitary Authority do in the light of such circumstances?

This research was commissioned to ask these questions; it should also ask a fundamental question - whether the public sector should continue to manage what is a private sector function. It will finally address questions relating to the sustainability of the market in five or ten years time and suggest a strategy to maximize the investments that have been made and to increase profitability.

1.2. Objectives

- Identify the top performing market towns and ask why they are the 'best'.
- Obtain feedback from traders as to the current status of the market.
- Research the factors that appeal to visitors / shoppers to visit a (local) market.
- Identify and evaluate privately run markets.
- Analyse information gained to evaluate sustainability over the next five to ten years.

1.3. Schedule

Chester-le-Street Market research	Tuesday 8 th July 2008 Saturday 12 th July 2008 Friday 25 th July 2008
Telephone Interviews	Tuesday 12 th August 2008 Wednesday 13 th August 2008 Thursday 14 th August 2008
Quantitative analysis	Wednesday 25 th September Thursday 25 th September
Regional market visits	Monday 15 th September Thursday 18 th September Saturday 20 th September Friday 26 th September Wednesday 8 th October

2. Report Summary

During the summer of 2008 this project reviewed the factors that attract shoppers to local (traditional) markets. This work supported the quantitative research conducted in 2007 and detailed that more traders providing a greater variety of goods are required (as denoted by the rise of car boot sale activity).

The infrastructure that is in place at Chester-le-Street market provides rigid stalls that hamper further utilisation of the market square during non-market days and lack public conveniences – noted by both the traders and the shoppers.

From visiting other local markets that are recognised as ‘doing well’ it is clear that Chester-le-Street is positioned to take advantage of its heritage as a market town by implementing a number of low cost improvements to bolster its current standing.

Resources are a key issue faced by Chester-le-Street District Council in order to progress the development of the market, an outline plan of activity is recommended at the end of this report.

3. Methodology

To understand why the market is operating the way it is, and to design a strategy, it was necessary to obtain more information than a quantitative research project would yield. Therefore a qualitative methodology was designed in order to more deeply understand the culture, economics and perceptions that affect the success of Chester-le-Street market. As the market is a system of individuals and organisations operating with boundaries and rules there is a wide margin for interpretation. A qualitative approach allows us to bring together the various information sources and derive a common thread, or themes, that will illuminate the real choices that can and need to be made in future strategies. The following sub-headings provide an overview of the compendium of techniques used during this project.

3.1. Market Surveys (Traders / Shoppers)

The initial question of ‘what do our traders and shopper feel about the market?’ was the starting point for this research project. The approach here was to approach members of the public and the traders with a short series of questions. This was a semi-structured approach as a short conversation was undertaken with each participant, sometimes leading away and around the set questions. By adopting this method a rich level of information was gained, which may not have been gathered if a rigid questioning procedure were used.

3.2. Best local markets – site visits

A well-used tool is that of benchmarking, however this is not directly applicable to this project due to varying social demographics, local attractions and management. To take advantage of this principle a series of site visits were undertaken to respected local markets. Each market was understood to be ‘doing well’, or have similar attributes to that of Chester-le-Street. A semi-structured approach was undertaken for this part of the research also. A checklist of questions provided a suitable backbone for our visits to each market, which was augmented by conversations with traders and market officers. The conversations that were specific to the individual market generated a vast array of additional information that provided further insight and ideas.

3.3. Recognised national markets – telephone interviews

Supporting the activity with the local markets research were the phone interviews. To deliver an economical solution to the research required was the rationale behind this approach. Conversations were conducted with a variety of markets who from local knowledge, Internet research and nationwide competitions were regarded as ‘good’ markets.

3.4. Quantitative research – 2007 survey analysis

During the summer of 2007 a survey was conducted in Chester-le-Street so that an understanding of where people were travelling from and why they came to the market was gained. This information has been analysed and supports the research conducted during this project.

3.5. Private run markets – interviews with operators

With differing objectives and infrastructures there is a clear difference in the approach between a privately run market and one that is run by a local council. Interviews with the private sector operators of markets assisted with gaining new insights into the potential options for the future of the market.

3.6. Review of council costs and income for Chester-le-Street market

To get a firm grasp on the financial situation of the market, and so as to provide context to the research analysis was conducted on the financial information available from the council. This provided a window to the bottom line details that affect decisions about the future of the market.

4. Summary of findings

In this section the research findings are summarised so that the important themes are laid out.

4.1. Chester-le-Street Surveys (Traders / Shoppers)

The traders at Chester-le-Street were very forthcoming regarding the survey conducted at the market this summer. The views collected from the traders were generally constructive in nature and a summary of these comments is below:

- The market has declined (more so in the last 18 months)
- Other markets are declining also
- The red brick area is a point of contention
- Flow and footfall is reduced
- More traders are required (need to be incentives)
- Advertising of the market is low
- Parking costs are affecting visitor levels

The traders offered several solutions to help with the improvement of trade in the marketplace, a summary of these are below:

- Free parking on market days
- Discounted rent for new traders
- More meetings with the Council on Friday afternoons
- Incentives for certain trader types (that are currently missing)
- Work with bus companies to configure bus routes
- Develop advertising for the market
- Sign the market from the high street
- Negotiate use of the red bricked area next to arch

The shoppers attending the markets were asked questions about why they had come to the market in Chester-le-Street, and were asked 'what made a great market'. Time and time again the main comment that was divulged was that of variety. The secondary factors that were recorded from the conversations experienced included:

- Car parking costs
- More traders to make it 'worthwhile'
- Weekday entertainment to help build up the weekday markets

The feedback from the interviews this summer corresponds with the survey conducted last summer. The overriding theme of more traders to build the market was clear from this section of the project.

Information about the days attended and the questions asked can be found in appendix A.

4.2. Best local markets – site visits

Despite the general decline of markets (both in attendance and revenue generation) in the UK there are still notable markets of interest to this research project.

4.2.1. South Shields (run by South Tyneside Council)

South Shields was visited on a sunny Saturday morning and was noticeably busy from the outset. There was a good selection of stalls around the old town hall, which in itself provides a very attractive backdrop. Cafes surrounded the market and provided a pleasant complimentary and relaxed feel to the market. Some of the traders provided 'banter' which drew in the crowds to these stalls. With bus stops adjacent to the market and the main shopping street leading directly from the market it appears to be in a good location. The stalls were gazebos, which offered the traders plenty of display area and are erected by the Council's staff. Parking was paid and ample.

4.2.2. Blyth (run by Blyth Valley District Council)

The main market square at Blyth has been undergoing some major renovation works. The visit to Blyth was interesting for a number of reasons, including the fact that Chester-le-Street has been through a very similar transformation in the last two years. The visit was on a busy Friday morning, with bright dry weather. As the main market square was cordoned off due to construction work the market has been moved next to a public car park. This still provides plenty of foot traffic to the market, which appeared to be well visited by shoppers. The stalls were self-erected, although this is a point under current discussion as the Council may opt for Council erected 'gazebos'. Parking was free and ample.

4.2.3. Stanley (run by Nobles Promotions)

During market days the market in Stanley can be found taking up the entirety of the high street. The visit to this market was on a Thursday morning with bright sunshine. Self-erected stalls were present and this gave the market a very earthy feel to it. There was a wide range of traders covering all the major categories of selling, this complimented the types of shops that were adjacent to the stalls (a lot of discount shops were present) and trade seemed to be supporting both the market stall traders and the shops. The new bus station gave a good focal point for the high street and ensured that shoppers poured out from the bus station right in to the heart of the market. Privately run the operators appeared to run a tight ship and had been promoting the market proactively. Parking was free, although difficult to find spaces.

4.2.4. Darlington (run by Darlington Borough Council)

Darlington town centre has been recently refurbished and was visited on a bright Monday morning. Their 'pedestrian art' was clearly visible as were the gazebos that they use. The gazebos have their own power and were clean, large in size and emblazoned with the Council's slogans. The stalls were laid out around the indoor market and the shops adjacent to the stalls were again complimentary. The shops around the town centre were big names and included department stores. Paid parking was ample and the market itself appeared busy.

4.2.5. Stockton Market (run by Stockton Borough Council)

A well presented market in the centre of the town. The market area is pedestrianised and appears busy. The town was busy on the day of the visit and this was reflected in the amount of trade appearing to take place in the market. The market was full of traders and the general feedback was very positive from the traders. Stockton market has levied a fee on the traders to help with promotion although it was stated that most of the publicity was generated through word of mouth.

4.2.6. A summary of the finding can be read below:

- The markets visited were positioned at the 'heart of the town'
- Mixture of self-erecting stalls and 'gazebos'
- All have witnessed a decline in activity in the market
- Fee structure is roughly in line with that of Chester-le-Street, if not erring on the more expensive side (per stall, not per square foot)
- The markets run by privately owned organisations appeared more focussed on generating a profit.
- All of the town's visited had markets that struggle against the presence of supermarkets
- Two of the towns have promotion pots – where the traders contribute to a fund for advertising and promoting the market (which they get a say in what happens with the money)
- Art and 'features' are part of the market areas in the towns that have had recent refurbishment
- The other council run markets appear to be struggling to source and manage an events programme to support the market.
- The shops that surrounded these markets appeared to be 'in tune' with the market, providing a wide range of goods and service that compliment the market traders.
- Good levels of communication were recognised at each of these markets – in both directions between the management and the traders.
- Blyth and Stanley had free parking; Darlington and South Shields did not. The cost of parking was discussed at South Shields as being a deterrent – but not at Darlington.
- Clear policies were enforced 'flexibly' at the markets visited
- There has been a general drop off in terms of coach visits due to parking / drop off arrangements at some of the markets

- The level of 'banter' has decreased across all of the markets – this was mentioned at all of the markets and was felt that part of the market experience had been lost.

Despite the differences in the markets visited there are a number of ideas and options that can be used at Chester-le-Street. There are also a number of parallels to the work that has already been conducted, giving the Council a good platform to proceed from.

The notes from the visits can be found in appendix B.

4.3. Recognised national markets – telephone interviews

Following the initial research into which markets were regarded as 'doing well' a number of phone interviews took place.

The markets that were successfully contacted were:

- Stockton
- Catterick
- Barnard Castle
- Durham
- Hexham

From talking with the Market Officers (or equivalent) there were some obvious consistent themes coming back as to the reasons that they believed their markets were thriving in this current economic climate.

In summary:

- They have a flexible approach towards the traders, both in terms of regulation and pricing.
- Diversity of traders is key to ensure that 'under one roof' the variety of goods area available so that 'value for money' is present.
- Promotion of the market is pro-active, with some of the markets levying a promotion charge to the cost of the rent. This promotion charge is then used as part of the ongoing conversation with the traders as to how to best promote the market.
- All of the towns who have large supermarkets present, either adjacent to the market or out of town, recognised the pull that these organisations have. Market attendance has dropped inline with the opening of these stores.
- The majority of the people interviewed acknowledged that their markets had witnessed a downturn in traders and shoppers over the last 12 to 18 months.
- The websites used to promote the markets discussed were actively maintained.

There are two key lessons here that we can apply to Chester-le-Street:

- 1 – We can review our pricing plans to attempt to draw new traders into the town
- 2 – We can develop a low effort route to achieve pro-active marketing.

For a full listing of the notes for each interview please see appendix C.

4.4. Comparison to Member visits

Councillors from Chester-le-Street District Council visited several of the local markets around the region, conducting their own research for this project. The markets visited included Blyth, Darlington, Chester-le-Street, South Shields, Stockton and Stanley. The themes that come out from this tranche of research reflected the findings from the other approaches used during this project. The key points:

- Traders are put at the centre of the focus. They are provided with flexibility and deals as appropriate, but also penalised if they don't adhere to the regulations implemented.
- Promotion of the markets and the use of the space was aimed to maximise footfall.
- The gazebo style stall looks very good, but brings with it a raft of other issues, including costs, health and safety and further negotiation regarding available stall size.
- At Chester-le-Street there is a clear want, and need, to meet with the Council on a regular basis to support each other in moving forwards.

Chester-le-Street's market is ahead of many of the local markets in terms of trader levels and visitor levels. Other markets are however regarded as being 'more successful'. From a breakeven point of view this is at least partially true. The improvements that have been made at other markets are not a massive leap away from the market's current position and therefore put Chester-le-Street in good stead for moving forwards.

4.5. Research into the 'local phenomenon'

One of the key questions laid out at the start of this project asked if the decline witnessed in the Chester-le-Street market was a local phenomenon, or if this was indeed a widespread issue.

During the phone interviews and market visits this question was answered through the experiences of the people working and running the markets. This is not a local phenomenon.

General statistics for trading in traditional markets are not monitored by the Office for National Statistics and so other forms of research had to be conducted. Using the Internet to review news stories over the past four years there is a clear trend in a decline in 'high street' retail generally. Although this does not specifically refer to traditional markets they are inextricably linked.

Research provided by the National Market Traders Federation ('First National Survey of Retail Markets') confirms that this is not a local phenomenon. This report, which was written in conjunction with Manchester Metropolitan University, details that although market days and stalls have increased across the UK in the past five years, the level of trading and participation at the markets by traders is declining across the country.

The pressures on market traders from the presence of 'large box' retailers such as Tesco (adjacent to the Chester-le-Street market) and ALDI (in the vicinity of Chester-le-Street market) is clear when discussing this matter with traders and shoppers. This said, there is also a factor that needs to be considered. People who shop at the market appear to shop there for the experience of the market, and this cannot currently be re-created in a large retailer's premises.

The current economic pressures being faced by all businesses at the time of writing this report need to also be considered. The 'credit crunch' has now been in effect for the past fifteen months, which has changed perceptions to shopping and ultimately the level of shopping that is taking place. How strong this factor is in affecting the level of trade taking place in the market is difficult to ascertain but cannot be discounted from the research.

From the interviews conducted with shoppers and the analysis of the 2007 survey there is a clear age profile that patronise the market. This is the '46+' category and raises the question "will markets die out with this generation?"

From the research conducted the decline of markets is not a local phenomenon. Work must take place to maximise the volume of shopping taking place within the market during trading days and a revised forecast of activity (or revenue) should take place once the current economic conditions have become positive once more.

4.6. Quantitative research – 2007 survey analysis

During Summer 2007 a quantitative research project was undertaken by Chester-le-Street District Council Regeneration Team to understand more about what makes the market at Chester-le-Street work.

The information that has been compiled from this piece of research supports the research and analysis gained from this research project.

In summary - most of the respondents:

- Were female
- Were aged between 46 and 65 years
- Attended the market on a weekly basis
- Travelled less than 20 miles to get to the market
- Appreciated the variety of items on sale in the market
- Believed that more traders and the presence of toilets would vastly improve the market

Drawbacks to this information include:

- Vagueness of some of the responses
- Layout of the questionnaires could require interpretation
- Potentially limited set of results – only conducted during the Summer months may have provided a skewed view of the shoppers perspective

In appendix D you can see the full breakdown of the results.

4.7. Private run markets – interviews with operators

During the phone interviews and visits a number of conversations were conducted with organisations that privately run markets.

The first observation made was they were very much focussed on the profitability of the market, an obvious factor to consider, but one that is more prominent in the private sector approach.

The other key feature observed was the maintaining of rules to keep order and control in the market.

There are many forces at work in a market (including political and economic), and keeping control during the market times was clearly part of the private sector approach. Finally, a consistent theme from the private operators was that of promoting the market. This was done pro-actively and consistently.

One of the questions raised prior to this research commencing was ‘what rental could be raised from a relationship with a private sector operator?’ The only arrangement that this research is aware of is the of Stanley market (in partnership with Derwentside District Council). Their arrangement is:

- 3 year Licence
- 12 month break option with 3 month notice
- 50% of stall takings paid as rent
- Licencee to carry appropriate insurance
- Licencee responsible for site clearing

From the Council’s perspective the 50% of stall takings would generate an income of approximately £52,000.00 (assuming that the trader volume and stall charges remained constant with current figures).

During this project the researcher and the Town Centre Development Manager attempted to contact Spook Erections, which manage numerous markets (including car boot sales) without success.

From this brief analysis there are many factors that are identical between the private and public sector management approaches. The key difference is the level of effort put in by the private sector to maintain control, promote the market and to monitor profits.

4.8. Review of council costs and income for Chester-le-Street market

The income target is static – the actual revenue has halved in the last four years.

The 2008/09 period for results is currently showing a 50% attainment of the targets set.

The budget for the year states that the costs for running the market are:

Total direct expenditure	£117,790.00
Net direct expenditure	£33,120.00
=> Running cost	£150,910.00

The budget income is set at £206,400.00 (the static target)

This would give a 'profit' of £55,490.00

However, the figure is likely to be closer to £110,000.00

So, the new 'profit' would be - £40,910 (hence a loss)

From reviewing the budget there is approximately £90,000.00 worth of re-charges and capital charges. The questions that this raises are:

- Would a private organisation be burdened with these recharges?
- Are the recharges adequately apportioned?

From the trends of the markets income, coupled with the overall trends in markets it becomes clear that under the current working model Chester-le-Street market is not viable.

Without changes being made to entice new traders into the market, or without cutting the re-charge costs the market will remain a drain on public monies.

Please see appendix F for more information around these figures.

5. Conclusions

From the research conducted a number of conclusions can be drawn. This information helps to inform decision-making regarding the future of the market and as such the recommendations from this research project can be reviewed in section 6 of this document.

- The market is currently making a loss. Profitability needs to return to the market if Chester-le-Street is to remain as a 'Market Town'. If profitability is not made in the next two years then a decision needs to be made as to whether outsourcing the market to another operator would be a better option, or to consider the closure of the market.
- The general trend in traditional markets is that of a declining trade. The recognised markets in the North East are all suffering from the same issues that Chester-le-Street is. This is not a local phenomenon, but other areas are clearly dealing with the issue in a positive way and are developing and evolving their markets to address the current issues.
- The fixed stalls at Chester-le-Street are 'dead space' during the rest of the week when markets are not taking place. There is an opportunity to use this space for alternative revenue generating activities.
- The marketing spend at Chester-le-Street is not in line with the other markets in the local area and needs to be increased in order to attract more traders and more customers into the town.
- There is a lack of signage on the A1. Signage on the main roads leading into Chester-le-Street needs to be reviewed.
- The number of Traders needs to increase in order to populate the market and attract more shoppers. New traders arrive first - shoppers then follow.
- The event area is under utilised (used approximately 12 times per year) and could be used for self-erect market stalls. The event area is in a key location to maintain the continuity between the main shopping street (Front Street) and the market. Increasing usage of this area should help both the shopping streets and the market to share the current footfall.
- A flexible approach to managing the market (re: incentives for traders) could help in attracting new traders. This has been demonstrated at other markets in the local area and should be seriously considered.

- The rents at Chester-le-Street are roughly in line with the other regional markets, but the stall area provided makes it relatively expensive for the services provided.

Market	Cost per foot (depth assumed constant)
Chester-le-Street	£1.50
Darlington	£4.00
South Shields	£1.70
Blyth	£1.00 (N.B. This is due for an increase) ²
Stanley	£2.00
Stockton	£1.70

- Public toilets are a necessary feature for the public and to the traders. The lack of toilet facilities has been commented on during this research and last year's research also.
- Better communication between the traders and the Council would support improvement and development of the market. Without a long term view on this partnership the success of the market will be compromised.
- Privately run markets may reduce some of the Council's costs, but this arrangement does not guarantee a more effective market.
- From visiting the other markets in the region that are considered to be performing well it is interesting to note that Chester-le-Street is still doing well in relative terms. This should be recognised when considering the next steps in the strategy to develop the market.

The conclusions from this project are in line with previous expectations and understanding. However, this means that the market at Chester-le-Street is in a position where improvement and growth can be created. The next section will explore the recommendations from this research project in detail.

² This increase has recently been reported in the local press - <http://blyth.journallive.co.uk/2008/11/stallholders-in-blyth-hit-out.html>. Since the completion of the regeneration works at Blyth market and the return of market traders, several arguments have been played out in the local press where complaints about the rents and the suitability of the gazebos are being aired.

6. Recommendations

From the research conducted a number of options are available; this has been put into a phased approach as detailed below.

Phase 1: Preparation / Infrastructure

There are several features missing from the market as it currently stands. This first stage is to ensure that there is a solid foundation on which to build upon as the market develops.

- Provide full toilet facilities for both shoppers and traders within reasonable distance of the market.
- Introduce a (brown) sign on motorway to encourage coach drivers and tourists to visit the town.
- Remove of some of the fixed stalls and move towards a greater proportion of self-erecting stalls being used. This will allow the market square to be better used during the rest of the week and to allow more suitable coverings to be put in place to protect both shoppers and traders.
- Implementation of a 12-month event plan (in conjunction with other local councils) – funding and support would be required to implement this.
- Implementation of a 12-month marketing plan – funding required to allow expansion plans to proceed (or a levy being applied to the traders). A budget to extend the work already done would need to be agreed; a figure in the region of £10,000.00 would be a good starting place if dedicated to marketing and not events. Examples of marketing opportunities could include:
 - Banners indicating the days of the market and its location
 - Bags promoting the town and the market
 - Flyers to be distributed in local shops
 - Advertisements in local newspapers and selected magazines
 - Basic Search Engine Optimisation to increase website traffic

By introducing a levy on the stallholders this £10,000.00 budget could be extended further. It would also be proposed that the money spent would be done in conjunction with the traders – through regular consultation.

- Introduce incentives to acquire new traders (to increase overall trader volume and hence shopper)
 - Reduce the rent during fallow months (January, February and March)
 - Offer '2 for 1' on quiet trading days (e.g. Tuesday)

- Apply subsidies to new traders for a fixed period of time
- Implement regulations to give further control and support to the market (see Appendix E).

Phase 2: Profit Centre for the Council, with a flexible approach to running the market

Once the fundamentals are in place there is the opportunity to develop a better working relationship, bridging the gap between the Council and the Traders. By working together the full testing approach that marketing and improvement requires can be embraced. Keeping the market under the control of the Council brings many benefits including integration with the rest of the town and is proposed as the preferred option.

- Develop working relationships with traders to implement a continuous improvement culture. This will allow for more ideas and improvements to be made over a longer period of time. This will also allow for flexibility in approach to take place. Meetings could be held more frequently in the early stages of growth, such as a monthly frequency. Once the changes start to take effect this could then be moved a quarterly frequency.
- Expand the market onto the event area when events are not taking place. This should improve the footfall at the bottom end of this main shopping street as well as footfall through the market itself.
- Actively promote the market by working with the traders to encourage other traders to participate at Chester-le-Street and to generate more ways to promote the market.
- Track market profitability on a monthly basis and use this information to support further improvements and developments.
- Gradually remove the fixed stalls in the marketplace to allow other revenue streams to be implemented on non-market days. This could include car parking during the non-market days.
- Actively market to coach drivers to draw their passengers to the market.

If profitability has not returned to the market by September 2010 phase 3 could be considered.

Phase 3: Depending on phase 2 results - privately run market (3 year contract)

Private operators bring with them a sense of urgency and a focus on profit

maximisation. Should the Council struggle to achieve the performance that the market needs then this focus could help to improve the market.

- Engage with private management organisations to tender for the contract of running the market.

Consideration of scenarios (for awareness only)

Scene setting:

We've made a number of changes to the way the market has been run in Chester-le-Street. We have introduced flexible arrangements for the traders and promoted the town heavily. Every month we meet up with the traders to discuss how things are going and generate a whole plethora of ideas to continue to build upon the Chester-le-Street brand, this includes how to spend our marketing budget. Every three months the local market officers from the other districts meet up and we have a rolling plan of events designed to increase the number of shoppers visiting the town, however...

Scenario 1:

There has been a massive drop off in trade over the last two years –the market has failed despite doing the work that we outlined in 2008. We still fail to attract new traders and don't know why it is happening.

Scenario 2:

The market failed to achieve profitability under public sector management and so a private sector operator was brought in. After three years of running the license they can't turn it around and we're stuck for ideas.

Scenario 3:

The market has become a huge success and more resources are required. Chester-le-Street is a market town with a capital 'M' once more. We become the envy of the local area and we go from strength to strength. The only question we have is how can we expand our service offering to continue this growth.

The questions that are raised are to put this report in context.

- What happens if the market fails?
- What happens if the market becomes a runaway success?
- Can we cope with either eventuality?

This report has looked at the current state of the market and options as to how it could be moved forwards. There are many factors outside the control of the Council who operate the market. By being aware of the potential outcomes the Council can be better suited for deciding what course of action is best needed.

7. Appendix A – Details of visit to Chester-le-Street Market

Chester-le-Street Market



Photo notes:

The yellow line outlines the location of the market stalls on the day visited.

TESCO is located on the left hand side of the photo.

The main shopping street leads off from the edge of the market area on the right hand side of the photo (running from top to bottom)

The market stalls not within the yellow line are no longer present – this is the event area.

TUESDAY

Date of visit: Tuesday 8th July 2008

Time of visit: 9am until 12pm

Initial thought: Very quiet – lots of blue stands empty

Comments:

Traders were very friendly, but complained a lot about their situation. Low levels of shoppers attended. Several traders claimed not to be able to breakeven on the Tuesday market.

FRIDAY

Date of visit: Friday 25th July 2008

Time of visit: 9am until 12pm

Initial thought: Full of shoppers and traders

Comments:

Good mix of traders and shoppers observed during the market. Friday appears as a well-attended market.

SATURDAY

Date of visit: Saturday 12th July 2008

Time of visit: 9am until 12pm

Initial thought: Vibrant and busy

Comments:

It was clear that Saturday is a different trading style to Friday and Tuesdays with many second hand goods stalls; this was part of the attraction to shoppers.

QUESTIONS

Shoppers:

- Why do you visit CLS market?
- How often?
- How is the credit squeeze affecting your buying decisions?
- How has this (or any other) markets changed over the last 5 – 10 years?
- What do you look for in a good market?

Traders:

- How does CLS market compare today with 10 years ago? Number of shoppers?
- What is the support like from the Council?
- Access to the pitches?
- What impact has the credit squeeze had on you?
- What impact has Aldi / Wilkinsons had on you?
- What other markets do you trade at? Any comments?

8. Appendix B – Visit Notes

8.1. Review of Darlington Market



Photo notes:

The yellow line outlines the location of the market stalls on the day visited.
 The grey building in the centre of the photo is the indoor market.
 In the bottom right hand corner is the old market square (market displayed).
 Opposite the indoor market are large department stores

Visit Date	<ul style="list-style-type: none"> • 15th September 2008
Condition of the Market	<ul style="list-style-type: none"> • Very good – it looks great • The marques look very professional and are in good condition
Attendance over the last 18 months	<ul style="list-style-type: none"> • Stable • They have traders who 'do the rounds' • They have professional traders who are 'resident'
Promotions / Marketing spends	<ul style="list-style-type: none"> • There is a formal traders association • Senior traders and Alan Draper are 'the voice' • Budget is approx. £5k from the Council • Continental markets should be on a monthly schedule • The stalls are costed according to the richer and poorer ends of the high street • Advertising is self-fuelling – profits reinvested • Local radio has been used

	<ul style="list-style-type: none"> • Each trader contributes 70p toward the advertising pot • Events team at the Council then arrange promotions • Subsidy given to new traders as this can help increase footfall • Buy 4 get 1 free (on Saturdays) • Pedestrian art • Darlington has a good selection of shops already to draw shoppers • Speciality markets on Sundays double the footfall
Fee Structure	<ul style="list-style-type: none"> • £30 / £60 (half / full gazebo)
Management Type	<ul style="list-style-type: none"> • Public
Type of Market	<ul style="list-style-type: none"> • Traditional
Market Profit / Sustainability	<ul style="list-style-type: none"> • Currently sustainable
Number of Stalls	<ul style="list-style-type: none"> • Between 18 and 26 doubles
Parking	<ul style="list-style-type: none"> • 80p per hour • Abundant
Additional Attractions	<ul style="list-style-type: none"> • Good spread of shops
Additional Notes / Comments	<ul style="list-style-type: none"> • Gazebos are hired out on non-market days • Reputation building is a key objective • A few questions were raised: <ul style="list-style-type: none"> ○ 'What does the market need to do in the town?' ○ 'What will that look like and do?' ○ 'What does the town do?' • Many traders have forgotten how to trade • Charity stalls are sometimes used • Footfall counters are used by the Council to monitor attendance (not particularly accurate system) • Show man ship and vibrancy is required • Insurance is mandatory <ul style="list-style-type: none"> ○ £5 to be added to Council's policy for one day ○ £47 for the year privately (product and public) • Standards of working agreed

8.2. Review of South Shields Market



Photo notes:

The yellow line outlines the location of the market stalls on the day visited.

Main shopping street on right hand side middle of photo

Building in the centre of the photo is the old town hall

Bus stops at the bottom of the market

Visit Date	<ul style="list-style-type: none"> • 20th September 2008
Condition of the Market	<ul style="list-style-type: none"> • Clean – good access to sites / trader carparking (£1.50 per day) • Marques are now old, but look good still. They offer a good display area. • The market was vibrant and busy
Attendance over the last 18 months	<ul style="list-style-type: none"> • Downturn recognised
Promotions / Marketing spends	<ul style="list-style-type: none"> • Promotional carrier bags
Fee Structure	<ul style="list-style-type: none"> • £26 per stall
Management Type	<ul style="list-style-type: none"> • Public
Type of Market	<ul style="list-style-type: none"> • Traditional
Market Profit / Sustainability	<ul style="list-style-type: none"> • Breakeven
Number of Stalls	<ul style="list-style-type: none"> • 70 out of 108 spaces - typical
Parking	<ul style="list-style-type: none"> • See note regarding new ASDA • Paid parking around South Shields – plentiful but complained about

Additional Attractions	<ul style="list-style-type: none"> • Lots of cafes adjacent to the market square • Certain traders have been encouraged to take part in the market and flexibility has been taken to arrange this – this has included the support being given to a local artist.
Additional Notes / Comments	<ul style="list-style-type: none"> • The market was being held on a fine day • A new ASDA supermarket will offer 2 hours free parking – this is expected to be located near to the market. This is seen as a positive development. • Wilkinsons is located in the corner of the market square • Lynn has a trading standards background • They have a policy to help ensure that variety is maintained • Promotion activities have been semi-proactive • The council has been slow at supporting • Flexible decisions have been made to keep traders happy, but under control • All decisions are accounted for • Lynn focuses on the relationship with the traders • More space could be sold (/108) but this would affect the quality of the market and the layout • Public toilets are adjacent • Traders need their own insurance • Coach visits now have problems with their drop off points • Ferry terminal and bus stops are in ideal locations • There is some banter from the traders (especially the meat auctioneers)

8.3. Review of Blyth Market

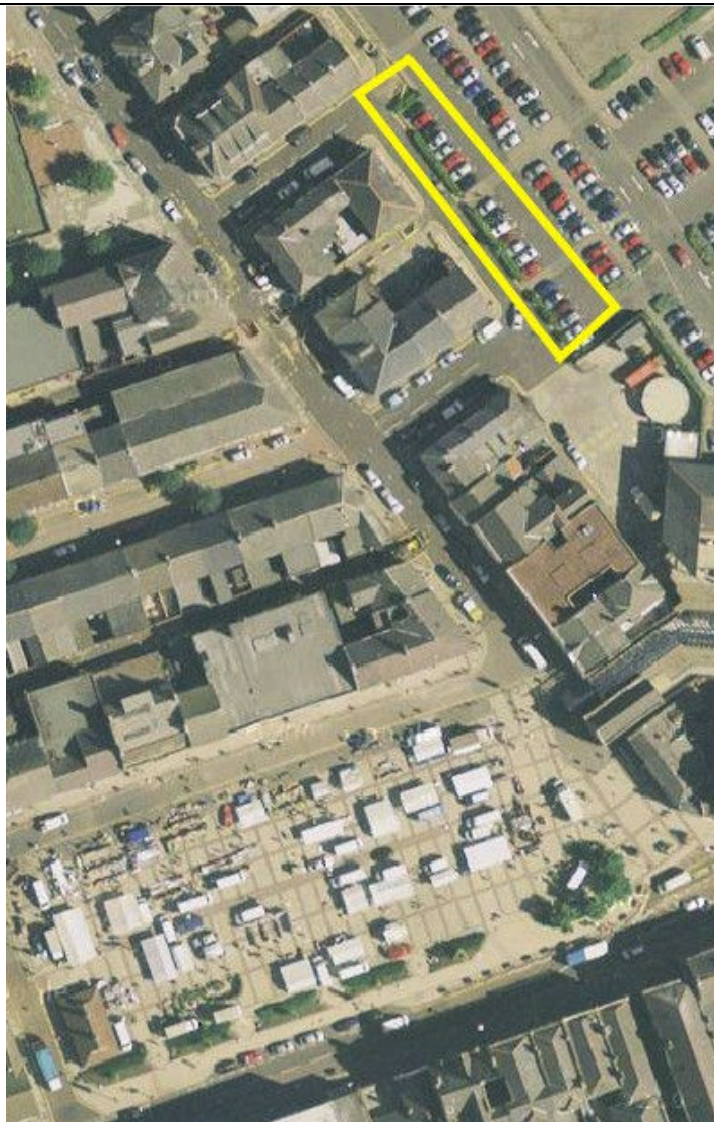


Photo notes:

The yellow line outlines the location of the market stalls on the day visited.
 The redevelopment of the town centre is at the bottom of the photo (where the market is shown)

Visit Date	<ul style="list-style-type: none"> • 26th September 2008
Condition of the Market	<ul style="list-style-type: none"> • Self -erecting stalls – tidy in appearance
Attendance over the last 18 months	<ul style="list-style-type: none"> • Declined
Promotions / Marketing spends	<ul style="list-style-type: none"> • £1 fee levied on all traders each time they take a stall at the market • This money is discussed quarterly at a meeting between the Council and the market traders and a rolling plan of activity is agreed

	<ul style="list-style-type: none"> upon to promote the market.
Fee Structure	<ul style="list-style-type: none"> • Medium stall ranges from £18 to £29 depending on the day of the market • This is under review due to the cost of the new changes proposed.
Management Type	<ul style="list-style-type: none"> • Public sector – determined due to political reasoning.
Type of Market	<ul style="list-style-type: none"> • Traditional
Market Profit / Sustainability	<ul style="list-style-type: none"> • Negative – they are attempting to breakeven
Number of Stalls	<ul style="list-style-type: none"> • 50 max (30 visible today during visit)
Parking	<ul style="list-style-type: none"> • Abundant and free
Additional Attractions	<ul style="list-style-type: none"> • Town centre features (when completed)
Additional Notes / Comments	<ul style="list-style-type: none"> • 'Heart of the town centre' Bill Tarbit • New Morrisons Superstore to be built next to current shop • ASDA on the outskirts negates the need for people to visit the town centre • Regeneration in the area has been approached so that all the areas of the town have been tackled. • Water and art features being introduced into the market to attract visitors • New stalls are going to be marquees • Rent offset ideas are considered • Events programme planned for the next 6 months • Market is staffed by 1 market officer • There has been a loss of the team – council is struggling

8.4. Review of Stanley Market

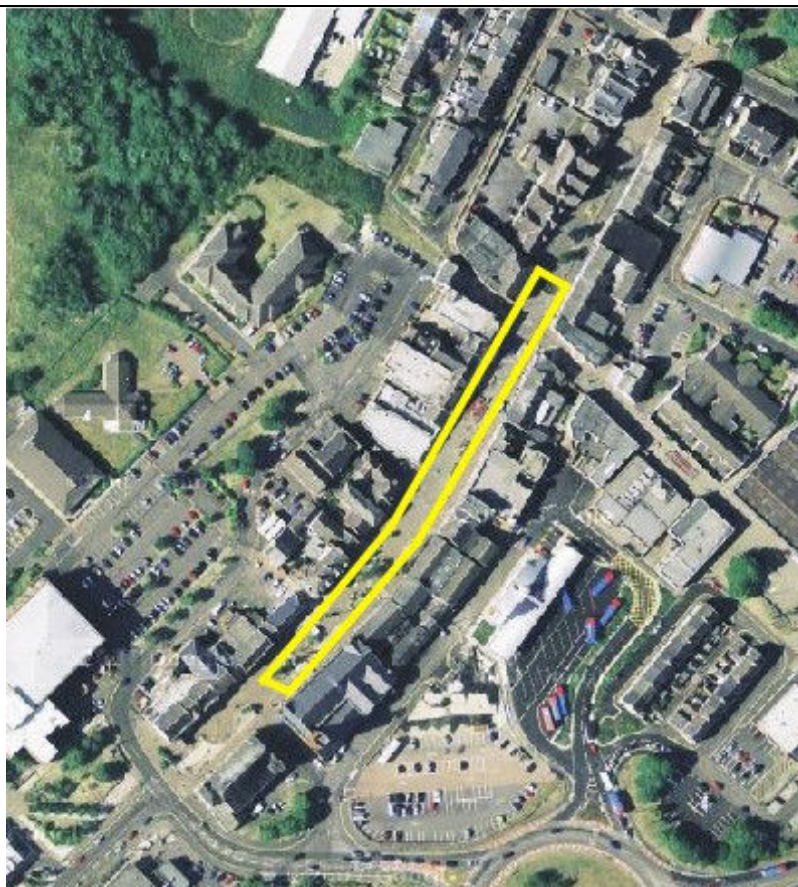


Photo notes:

The yellow line outlines the location of the market stalls on the day visited.

Main shopping street is pedestrianised.

ASDA is located just off the photo - bottom left.

Visit Date	<ul style="list-style-type: none"> • 18th September 2008
Condition of the Market	<ul style="list-style-type: none"> • The market stalls are self-erected and give a less standardised image than other markets visited. The display stands used were appropriate for the types of merchandise being offered – this did include items being located on the street floor. Overall the market area is in good condition with adjacent shops being supportive in appearance.
Attendance over the last 18 months	<ul style="list-style-type: none"> • Maintained a full 'cast membership' since taken over by Nobles.
Promotions / Marketing spends	<ul style="list-style-type: none"> • This is done through local and national pro-active working.

Fee Structure	<ul style="list-style-type: none"> • £2 / foot
Management Type	<ul style="list-style-type: none"> • Private Sector
Type of Market	<ul style="list-style-type: none"> • Traditional
Market Profit / Sustainability	<ul style="list-style-type: none"> • Profitable.
Number of Stalls	<ul style="list-style-type: none"> • 50 stalls were present on the day of this research
Parking	<ul style="list-style-type: none"> • Parking is free around Stanley and the congestion on the roads around the market and carparks was clearly visible.
Additional Attractions	<ul style="list-style-type: none"> • The shops that surround the market compliment the market. There are many cafes and discount shops adjacent to the market itself and this appears to be synergistic with the market as opposed to working in direct competition.
Additional Notes / Comments	<ul style="list-style-type: none"> • We visited McKays and Woolworths whilst visiting the market. Both shops mentioned that they receive extra footfall during market days. One of the days is a Saturday which one would normally expect to be higher anyway. • The flowers surrounding the market stalls on the high street, combined with recent redevelopment make the Stanley market a refreshing and vibrant place to visit.

8.5. Review of Stockton Market



Photo notes:

The yellow line outlines the location of the market stalls on the day visited.
Main shopping street is pedestrianised.

Visit Date	<ul style="list-style-type: none"> Wednesday 8th October 2008
Condition of the Market	<ul style="list-style-type: none"> Tidy.
Attendance over the last 18 months	<ul style="list-style-type: none"> Stable
Promotions / Marketing spends	<ul style="list-style-type: none"> Much of the promotion comes from word of mouth. Previous promotions have included carrier bags and sponsoring local football teams. 50p surcharge for promotions levied on stall holders
Fee Structure	<ul style="list-style-type: none"> £20.50 per 12ft frontage
Management Type	<ul style="list-style-type: none"> Public sector
Type of Market	<ul style="list-style-type: none"> Traditional
Market Profit / Sustainability	<ul style="list-style-type: none"> Slightly profitable

Number of Stalls	<ul style="list-style-type: none"> • 150
Parking	<ul style="list-style-type: none"> • Easily accessible – some free.
Additional Attractions	<ul style="list-style-type: none"> • Good array of shops surrounding the market. • Classed as an attraction in itself.
Additional Notes / Comments	<ul style="list-style-type: none"> • Full on wet weather days – clauses in their regulations about the need to stay. • This is operated more like a private sector run market. • The traders work with the councils promotions group to decide on the best way to use the money to promote the market. • Located on the central street in Stockton. • Bus stops adjacent. • Self-erect stalls (uniform use of blue and white sheets). • Good range of traders and subsequent variety of products available – from fruit & veg to disability equipment. • Close to Thornaby and Middlesborough.

8.6. Review of Morpeth Market



Photo notes:

The yellow line outlines the location of the market stalls on the day visited.

Visit Date	<ul style="list-style-type: none"> Wednesday 29th October 2008
Condition of the Market	<ul style="list-style-type: none"> The market is on the central crossroads of the town. It is integrated within the heart of the main shopping area.
Attendance over the last 18 months	<ul style="list-style-type: none"> Stable at 17 stalls per market day
Promotions / Marketing spends	<ul style="list-style-type: none"> Considerable marketing takes place – the market manager has access to a good marketing fund and uses local, regional and national publications.
Fee Structure	<ul style="list-style-type: none">
Management Type	<ul style="list-style-type: none"> Local Authority Castle Morpeth Council
Type of Market	<ul style="list-style-type: none"> General
Market Profit /	<ul style="list-style-type: none"> The market is a profitable organisation

Sustainability	
Number of Stalls	<ul style="list-style-type: none"> • 17
Parking	<ul style="list-style-type: none"> • Plentiful in the area but a charge is made
Additional Attractions	<ul style="list-style-type: none"> • Morpeth is an attractive town with several tourist attractions nearby. The market is very popular with traders, who also trade at Chester-le-Street. Although it's more expensive to trade at Morpeth trader feel that it presents value for money
Additional Notes / Comments	<ul style="list-style-type: none"> •

9. Appendix C – Telephone Interview notes

9.1. STOCKTON

- Spoke with Colin Watson (Market Manager) – 077152 95910
- Over the last 12 months they have maintained the number of traders they have at the market (about 90% are weekly regulars).
- Full on wet weather days – clauses in their regulations about the need to stay.
- They pride themselves on being flexible to accommodate their traders.
- The market is seen as good value for money in Stockton and this helps to attract shoppers.
- Shoppers largely go to the market because of the diversity of traders they have.
- Types of traders are regulated, so they don't have too much of any one type (including new versus old) – this helps to give the market the diversity that shoppers like.
- The cost per 12ft frontage is £20.50, with every extra 6ft adding £10.00 to the cost.
- The 50p is a promotion surcharge which the traders own, but the council appear to manage.
- The traders work with the councils promotions group to decide on the best way to use the money to promote the market.
- Previous promotions have included carrier bags and sponsoring local football teams.
- Much of the promotion comes from word of mouth.
- Thornaby market is also under the local council's control and this going through a period of change. The town centre is being redeveloped and this has led to half of the regular traders to move one. The large ASDA store is also detracting from the market.
- Billingham market is also under their control and has been hit badly by the opening of a large TESCO next to the market.
- Colin has seen the general downturn in markets over the past 12 months.
- This is operated more like a private sector run market.

9.2. CATTERICK

- Main contact is Greville Worthington
- Phone number 01748 812 127
- They have noticed a downturn in spending over the last 12 months
- They have a privately funded website to help promote the market
- Promotion is often in the form of radio and local papers

- From reading their website there appears to be a number of other attractions to the market:
 - Kiddies entertainment
 - Giveaways
 - Entertainers
 - Free car parking
 - Promotion for coach drivers
 - 'Cheap rent' scheme

9.3. BARNARD CASTLE

- Spoke with Julie Fletcher 01833 690 000
- The last 12 months has been quiet
- Same number of stalls
- Slight decrease in shoppers
- The summer markets do better due to general tourism
- These levels are inconsistent over the year, but the traders don't appear to be bothered by this.
- Promotion is on the website
- Julie visits other markets on other days actively recruiting traders – these visits are on non-competing days
- Julie agrees that working with the traders on their customer service is a good thing and can certainly help both the trader and the market
- She has good rapport with the traders (but they know where the line is!)
- There is a good variety of traders on the market – she tries to limit the trades to one of each
- She has seen a trend of shopping that follows the credit squeeze
- They have about 20 stalls at their market

9.4. DURHAM OUTDOOR MARKET

- Spoke with Colin on 0191 384 6153
- The market is run by Durham Markets Company Ltd
- Colin is willing to host a visit if required
- It was felt that it's better for a market to be run by a non-council operator (I interpreted this as being mainly due to lower costs and focus).
- They take a management fee, remove the running expenses and then split the profit with the council 50/50
- Things have been 'ficking over nicely' during the last 12 months compared to other markets.

- The farmers market has remained static, the outdoor market has had a loss of traders and the indoor market is staying full.
- Colin stated that markets are labour intensive to run, and they benefit from having the indoor market so close to the outdoor market.
- Promotion was mainly made towards the coach drivers ('crack the driver and you've cracked the visitors'). They give the driver a food voucher to get a free meal when stopping at the market. Colin said that coach drivers often get to make the choice about where they stop on a long trip.
- Colin also stated that Durham benefits from the having the cathedral as part of the attraction of visiting Durham.

9.5. HEXHAM

- Spoke with Keith Gray – Market Superintendent
- Two years ago the market was dying – today it is doing well and has expanded.
- During the same period the profitability of the market has gone from a loss of around 30 – 40 k to a positive one.
- To recruit traders they ran a marketing initiative (their budget is £1200 per year) and they proceeded with an advertorial in the market traders news, followed by press from the local papers. They also used an online advert for traders which cost them around £150.00.
- They have self-erecting stalls to reduce time and cost, these can be bunched up into a 'bazaar' type format when there are less traders present, so that the market does not appear sparse.
- The traders have noted that there is a general downwards trend being faced currently.
- Keith stated that the most important thing is to look after your traders.
- They entered a NABMA competition and did well their first year, but did not win.
- They flex their prices to encourage and maintain their traders. New traders are offered a discount to allow them to ramp up their selling activities and become established.
- There is a good variety of traders on the market, this includes clothes, organic meat, fish and game, jacket potatoes, plants, brocksbushes and music.
- There are generally more shoppers visiting the market compared to 2 years ago.
- A kaizen approach has been taken as many of the changes over the last 2 years have been very small – but there have been quite a number.
- The market has now expanded to cover most days of the week.

10. Appendix D – 2007 Market Visitor Survey Results

How did you get to the market today?

Method	Walk	Car	Bus	Train	Other	No resp.
Number	31	91	30	0	0	4
%	19.9	58.3	19.2	0	0	2.6

How far have you travelled to be here?

Location	C-L-S	<20 miles*	>20 miles	No resp.
Number	25	118	3	10
%	16.0	75.6	1.9	6.4

*Most common locations included: Sunderland, Sacriston, Durham, Pelton and Birtley

Gender

Gender	Male	Female	No resp.
Number	49	91	16
%	31.4	58.3	10.3

Ages of respondents

Range	19 – 29	30 – 45	46 – 65	Other	No resp.
Number	19	35	75	31	7
%	11.4	21.0	44.9	18.6	4.2

Frequency of visits to the market

Frequency	Weekly	Fortnightly	Monthly	Other	No resp.
Number	91	17	14	32	2
%	58.3	10.9	9.0	20.5	1.3

Popularity of trading days

Day	Tuesday	Friday	Saturday	No resp.
Number	34	102	80	4
%	15.5	46.4	36.4	1.8

Reasons to visit the market

Reason	Fabric	Clothing	Food	Household	Other	No resp.
Number	25	32	64	66	116	8
%	8.0	10.3	20.6	21.2	37.3	2.6

Proposed improvements to the market

Item	More stalls	Toilets	Better Parking	Entertainment	No resp.
Number	77	72	5	15	27
%	39.3	36.7	2.6	7.7	13.8

11. Appendix E – Proposed Regulations

Chester-Le-Street District Council Market Regulations and Conditions

1. Opening times, accessibility and attendance

1.1 The market will be accessible for vehicles from 0730hrs on Tuesday and from 0700hrs on Fridays and Saturdays and all vehicles must be clear of the market by 0930hrs. Any trader who is not at the market by 0830hrs will lose their position on that day unless they have made prior arrangements with the market officer.

1.2 Any trader failing to inform the market officer that they are going to be absent will be charged a reserve fee of £5 per stall.

1.3 No vehicles will return to the market until the market officer closes the market, which will normally be at 1500hrs on Tuesday and 1530hrs on Friday & Saturday.

1.4 Traders must observe the trading hours and keep their stall open whilst the market is in operation and may only pack their goods away early if they have the market officer's permission.

1.5 Where a regular trader is absent for three consecutive market days or their attendance falls below 75% of the available market days in any 13-week period, their pitch will be considered vacant and may be reallocated by the Market Officer.

1.6 Traders are required to exhibit their stall number and register their name, address, telephone number and email address with the market officer. A valid form of identification is also required (i.e. driving licence, passport or other official document).

1.7 All tolls and fees must be paid to the Market Officer promptly on demand. Traders are liable for all tolls and fees when a stall or pitch has been occupied, (i.e. when goods have been displayed, offered for sale or sold).

1.8 Casual traders will be allocated pitches using a points system. One point will be awarded to the trader for each day that they attend, whether or not they are allocated a pitch. The casual trader with the most points will be allocated the first available appropriate stall. There is a separate system for each trading day (e.g. points awarded for a Saturday do not count for Friday).

1.9 Traders are not permitted to bring animals onto the market or any stall. This rule does not apply to guide dogs.

1.10 The Market Officer has the right to change the layout and position of stalls, pitches, mobiles and trading positions especially in bad weather in order to concentrate the market.

1.11 Traders must keep their goods within the boundaries of their stall.

1.12 Boxes, tables or dress rails cannot be put on the market square without the permission of the market officer. Permission will not be given if the boxes, tables or dress rails obstruct a neighbouring trader's position. These will be charged an additional rent.

1.13 All regular traders have been issued with a blue and white tarpaulin to fit each stall. All casual traders must use a blue and white tarpaulin to cover their stall. However this may be waived if the Market Officer considers it appropriate.

1.14 It is the responsibility of each trader to put tarpaulins on their stall, take them off and store them from week to week. These tarpaulins remain the property of Chester-Le-Street District Council at all times. If a trader decides to cease trading or to leave the market the tarpaulins must be returned to the market officer

1.15 Traders may use a their own tarpaulins providing it complies with the colour and standard expected by the District Council and at the discretion of the Market Officer.

1.16 Casual traders will pay a returnable deposit of £5 for any tarpaulins borrowed from the Market Officer.

2. Weather conditions

2.1 In severe weather conditions it may be necessary to cancel the market. The market will be cancelled at the discretion of the Market Officer having taken appropriate advice from the meteorological office.

2.3 The Market Officer will decide before mid-day if the weather is sufficiently inclement to adversely affect trade. In such circumstances the Market Officer may issue a 50% credit note that should be used by the trader for the next week's stall rental.

3. Goods for Sale

3.1 Any trader selling foodstuffs shall comply with:

- The Food Safety Act 1990
- The Food Hygiene (England) Regulations 2006
- E. C. 852/2004
- All food sellers must be registered with a local authority

3.2 No person shall display, offer for sale or sell any goods or hold sales by auction on the Market Square except on market days and in accordance with these Regulations

3.3 Goods not intended for open sale and display must not be brought onto the market.

3.4 All stallholders must give access to their stall and stored goods to the Market Officer or Trading Standards Officers to enable them to inspect goods brought onto the Market

3.5 No person shall display, offer for sale or sell, keep or store on the Market Square any of the following

- i. Any laser product commonly referred to as laser pointers or laser pens
- ii. Any alcohol or tobacco
- iii. Any gunpowder, fireworks or other explosive substance or any naphtha, bottled gas, petroleum, paraffin oil or other flammable substance.³
- iv. Any weapon, including air guns, ornamental weapons and replica weapons.
- v. Live animals
- vi. Pornographic material
- vii. Counterfeit goods –e. g. clothing copy DVD's perfume
- viii. Any items the sale of which is deemed by the Market Officer to be detrimental to the efficient operation or image of the Market.

Traders who contravene the above will be reported to the police and/or trading standards officers and will forfeit their pitch immediately.

4. Waste and litter Disposal

4.1 Chester-le-Street District Council cleans the market daily. However Market Traders have the responsibility to ensure that their pitches and stalls are kept free of litter and debris. Traders should deposit such waste materials in the rubbish cage that the Council provides. There may be occasional markets when the cage is not available – in such circumstances traders should ensure that waste material is appropriately bagged and removed. The Market Officer has the duty to ensure that the

³ The sale of lighter fuel, glues and other solvents to adults may be permitted at the discretion of the Market Officer.

market is a safe place; any trader who fails to maintain their pitch or stall appropriately may be asked to leave the market.

5. Public liability

5.1 Every trader shall arrange and maintain a policy of insurance against public liability and third party claims in the sum of at least £5,000,000 for any one incident, a certificate for which should be available for inspection by the Market Officer.

6. Appropriate Conduct and Behaviour

6.1 Chester-le-Street District Council is committed to ensuring that all citizens in the District, its staff and all those associated with the Council receive fair and appropriate services and treatment, irrespective of their nationality, ethnicity, race, sex, marital status, disability, religion or belief, sexual orientation, age or other social factor.

6.2 Traders operating within the Market Place, the Civic Heart or its environs are expected to apply the same high standards in their dealings with customers officers and fellow traders.

7. Market tariffs

7.1 Tuesday

One stall £14.00	Casual trader one stall £17.00
Two stalls £23.00	Casual trader two stalls £29.00

Tuesday Standage

£13 per stand approximately 12ftX10ft

7.2 Friday

One stall £18.00	Casual trader one stall £21.00
Two stalls £29.00	Casual trader two stalls
Three stalls £49.00	

Friday Standage

£17 per stand approximately 12ftX10ft

7.3 Saturday

One stall £16.00
Two stalls £29.00
Three stalls £41.00

Casual trader one stall £17.00
Casual trader Two stalls £31.00

Saturday Standage

£16 per stand approximately £12 X10ft

Appendix F – Costs and Income

Chester Le Street Market

Year	Budget	Total Income
2001/2002	268,810.00	237,125.80
2002/2003	253,300.00	246,689.96
2003/2004	267,970.00	217,844.75
2004/2005	240,000.00	200,910.91
2005/2006	216,900.00	175,315.18
2006/2007	206,400.00	130,347.78
2007/2008	206,400.00	103,822.64
2008/2009	206,400.00	TBC [expected to reach £112k]

Appendix F (continued) – Costs and Income

BUDGET 2007/08 (1)	REGENERATION (3)	Inflation (4)	Growth (5)	Account Code (6)	Cost Centre (7)	Sub- Analysis (8)	BUDGET 2008/09 (9)
£		£	£				£
	REGENERATION PROGRAMMES MANAGEMENT						
	EMPLOYEES						
46,450	Salaries	1,390	-47,840	A1000	CH003		0
0	Agency Fees	0	0	A8000	CH003		0
	TRANSPORT & PLANT						
2,000	Car Mileages	60	-1,460	E7000	CH003	MIL001	600
	SUPPLIES & SERVICES						
800	Equipment	20	-20	G1000	CH003	EQU001	800
1,000	Printing & Stationery	30	-780	G2000	CH003	PRT001	250
170	Publications	10	-10	G2005	CH003	PUB001	170
350	Postages	10	-160	G4000	CH003	CPO001	200
200	Telephones	10	140	G4005	CH003	TEL002	350
200	Hospitality	10	-10	G6040	CH003		200
100	Publicity	0	0	G2015	CH003		100
1,100	Project Costs	30	-130	G7010	CH003		1,000
52,370	TOTAL DIRECT EXPENDITURE	1,570	-50,270				3,670
	Less-						
0	Income from Grants & Contributions	0	0	R4000	CH003	CON001	0
0	TOTAL DIRECT INCOME	0	0				0
52,370	NET DIRECT EXPENDITURE	1,570	-50,270				3,670
	Add						
1,570	Insurances	50	-50	A5000	CH003		1,570
1,260	Office Accommodation	40	-1,300	N1010	CH003		0
18,780	SUPPORT SERVICES (SLA)	560	-560	N3010	CH003		18,780
21,610	TOTAL RECHARGES	650	-1,910				20,350
73,980	TOTAL EXPENDITURE	2,220	-52,180				24,020
	MARKET						
	EMPLOYEES						
17,050	Salaries	1,020	1,400	A1000	JE001		19,470
1,070	Wages	40	-40	A1100	JE001		1,070
	PREMISES						
2,000	Buildings-Structure	60	-2,060	C1000	JE001	BRP001	0
	Energy-						
1,350	Electricity	40	-40	C2000	JE001		1,350
460	Water	10	-10	C2000	JE001		460
35,610	Rent & Rates	1,070	-3,420	C3000	JE001		33,260
	TRANSPORT						
100	Car Mileages	0	0	E7000	JE001	MIL001	100
	SUPPLIES & SERVICES						
100	Equipment	0	0	G1000	JE001	EQU001	100
0	Clothing	0	0	G1200	JE001		0
200	Printing & Stationery	10	-10	G2000	JE001	PRT001	200
500	Telephones	20	-20	G4005	JE001	TEL002	500
0	Licences	0	0	G7030	JE001		0
300	Promotion	10	-10	G7050	JE001		300
2,000	Security Arrangements	60	940	G3005	JE001	SVP001	3,000
	THIRD PARTY PAYMENTS						
	Payments to Other Services:-						
29,040	Internal Recharges	870	-870	J2000	JE001	INT006	29,040
28,940	Internal Recharges	870	-870	J2000	JE001	INT007	28,940
118,720	TOTAL DIRECT EXPENDITURE	4,080	-5,010				117,790
	Less						
79,000	Fees-Friday	2,370	-2,370	R2015	JE001	MKT*	79,000
110,000	Fees-Saturday	3,300	-3,300	R2015	JE002	MKT*	110,000
17,400	Fees-Tuesday	520	-520	R2015	JE003	MKT*	17,400
206,400	TOTAL DIRECT INCOME	6,190	-6,190				206,400
-87,680	NET DIRECT EXPENDITURE	-2,110	1,180				-88,610
	Add						
110	Insurances	0	0	C7000	JE001		110
2,910	Insurances	90	-90	A5000	JE001		2,910
35,680	Capital Charge	1,070	-15,790	C9000	JE001		20,960
3,700	Office Accommodation	110	-1,560	N1010	JE001		2,250
6,890	SUPPORT SERVICES (SLA)	210	-210	N3010	JE001		6,890
49,290	TOTAL RECHARGES	1,480	-17,650				33,120
-38,390	TOTAL EXPENDITURE	-630	-16,470				-55,490



Chester-le-Street District Council

Report to:	People and Place Overview & Scrutiny Committee
Date of Meeting:	14 th January 2009
Report from:	Director of Corporate Services
Title of Report:	Review into the future of the unparished area of Chester-le-Street – Final Report
Agenda Item Number:	

1. PURPOSE AND SUMMARY

- 1.1 The purpose of this report is for members to consider and agree the final report on the scrutiny review into the future of the unparished areas of the district.
- 1.2 The final report is set out in Appendix 1. Members are recommended to:
 1. Consider and comment on the report
 2. Delegate decision on final amendments to the Director of Corporate Services in conjunction with the Chair and Vice Chair of the Overview and Scrutiny Committee
 3. Present the final report to the council's Executive on 2nd February 2009

2. CONSULTATION

- 2.1 Officers from Legal and Democratic Services were consulted in relation to this report.

3. TRANSITION PLAN AND PEOPLE & PLACE PRIORITY

- 3.1 The recommendation has a direct impact on the following area of the ***People and Place*** priority:

- Strengthening Partnerships.

- 3.2 There is a specific project within the ***People and Place*** priority delivery plan. This has been put on hold as result of Boundary Committee advice but there remains significant value in a scrutiny review of the potential for additional Parish or Town Councils in the currently unparished area in Chester-le-Street.

4. IMPLICATIONS

4.1 Financial

There are no financial implications relating to this report for this council at the current time. However there would future financial implications to establishing a town council, possibility to the new unitary, and these have been explored during the review process.

4.2 Legal

There are no legal implications relating to this report at the current time. However there are legal issues to establishing a town council that have been investigated during the review process and as set out in the final report.

4.3 Personnel

There are no specific personnel implications relating to this report at the current time. Support to the Task and Finish Group has been provided by the Director of Corporate Services, the Head of Legal and Democratic Services, the Democratic Service Officer.

4.4 Other Services

The review has had limited impact upon other service departments.

4.5 Diversity

There are no diversity implications relating to this report at the current time. Accessibility to all service users will be considered as part of the review.

4.6 Risk

There are no risk implications to the council relating to this report at the current time. The biggest risk is the capacity of the organisation to support the review process.

4.7 Crime and Disorder

There are no crime and disorder implications to this report at the current time.

4.8 Data Quality

Every care has been taken in the development of this report to ensure that the information and data used in its preparation and the appendices attached are accurate, valid, reliable, timely, relevant and complete. The council's Data Quality Policy has been complied with in producing this report.

4.9 LGR Implications

In Durham County Council's successful unitary bid there were clear references to the importance of town and parish councils and a clear undertaking for the new unitary council to use its power to establish town and parish councils.

'This could involve the creation of new town councils in places such as Consett, central Chester-le-Street and Durham City centre, capable of providing very local place-shaping and potentially acting as the cornerstones of cooperation for wider clusters of town and parish councils.'

A New County Durham Council – Durham County Council

The review is a firm part of this council's transition plan. The approval of the County Council was not required. A County Councillor took part in the extended focus group as part of the review consultation process.

5. BACKGROUND TO THE REVIEW

5.1 Through the development of the new single priority 'People and Place' a number of Action Learning Sets (ALS) have been developed to deliver on some of the key themes and projects. ALS3 – Strengthening Partnerships is considering the potential of parish or town councils in the unparished areas of Chester-le-Street.

5.2 The Action Learning Set was very clear in that it wished to raise awareness of and fully explore the viability of the options for the unparished area in Chester-le-Street and how this will bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.

- 5.3 On 12 May the Council's Executive considered a report by the Council's Head of Legal and Democratic Services on the legislation which allows consideration of Town and Parish Councils. The law requires a council to undertake what is known as a 'community governance review.' The Executive considered the implications of this including potential costs, bearing in mind a new form of local government will come into force next April and the need to engage with Durham County Council. The Executive also considered the fact that the national Boundary Committee is to undertake a review of electoral arrangements within County Durham.
- 5.4 On 2 June the Council's Director of Corporate Services attended a meeting with the Boundary Committee. This is a statutory committee of the National Electoral Commission. The Boundary Committee is responsible for reviewing local authority electoral arrangements, administrative boundaries and structure. The Electoral Commission is responsible for considering and implementing electoral review recommendations. It is likely that a review in Durham could commence in July this year. At the meeting, also attended by Durham County Council the Boundary Commission strongly advised councils not to undertake any community governance review arrangements until final recommendations have been reported. This could not be until August 2009.
- 5.5 However there remained value in progressing the research and engagement work associated with the possibility of developing a Town council and considering other local engagement models such as a Federation of Residents' Associations, which is another potential **People and Place** project. The Scrutiny project involved considering the possibility of options including a 'parish council' with 'town status' for the unparished area of Chester-le-Street. It involved considering the implications of undertaking a formal 'Community Governance Review' working closely with Durham County Council as heralded in their successful local government reorganisation bid in line with the County Durham Association of Local Councils policy objective of fully parishing the County. It should possibly aid engagement work that may be required by the Boundary Committees Review.

6. PARISH AND TOWN COUNCILS

- 6.1 Parish and town councils in England and community and town councils in Wales are the first tier of local government. They deliver a vast range of services at a community level. There are around 10,000 community, parish and town councils in England and Wales, made up of nearly 100,000 councillors. These first-tier councils can respond to the needs of the community through delivery of services or providing required representation.

- 6.2 Town and parish councils have a large range of powers and are involved in a great number of activities including planning, promoting tourism, licensing, communal halls and management of town and village halls.
- 6.3 Communities Secretary Hazel Blears recently signalled a new era for parish and town councils where they would have a real purpose in modern society. Local parish and town councils are a force for local pride and empowerment and have an important contribution to make in reinvigorating local democracy. They are often the most immediate form of representation, acting as a focal point for local debate and identity.
- 6.4 An 'Empowerment' White Paper, with proposals designed to refresh local democracy and devolve power to the grass roots, is due within weeks. This will be complemented by separate powers for parish councils including:
- Plans to make it easier to bring in local experts to help drive key priorities and shape services that matter.
 - A new 'wellbeing' power for eligible local parish councils. The aim is to shift more power locally, so eligible parish councils can freely make decisions as long as they are in their community's interest and promote the wellbeing of its area.
- 6.5 A survey by Aberystwyth University found that 75% of parish and town councils were expecting to make use of the new wellbeing power once in operation. The new power was extended to eligible parish and town councils by the Local Government and Public Involvement in Health Act (LGPIH) 2007. Secondary legislation is being drawn up, in order to bring it into operation later in 2008.
- 6.6 The LGPIH Act 2007 has also devolved responsibility for the creation of parish and town councils to local authorities.
- 6.7 Members need to consider a title for the review and a suggested title is as follows:
- People and Place*** Refreshing Local Democracy – the future of the unparished area of Chester-le-Street.?

7. OBJECTIVES OF THE REVIEW

- 7.1 To understand the legislation and requirements both legally and financially for the establishment of parish and/ or town councils in the unparished area of Chester-le-Street.
- 7.2 To understand the benefits of a town council or other potential engagement models such as a Federation of Residents' Associations for the residents and communities of Chester-le-Street.
- 7.3 To gauge public opinion on the creation of a parish and/or town councils for the unparished areas of Chester-le-Street through a variety of consultation and engagement techniques.
- 7.4 To assess the practicalities, procedures and operations of other similar parish and town councils.
- 7.5 To evaluate the options and viability of a parish and/or town council model and present findings and contribute to the People and Place priority.
- 7.6 To explore the scope to undertake engagement work that may be required to assist the Boundary Committee Review.

8. PROPOSED METHODOLOGY AND WORK PROGRAMME

- 8.1 The review methodology is detailed below but Members should note that a more in-depth programme with timetable of activities will be drafted for discussion and approval by Members when appropriate.
- 8.2 **Introduction**
The Task and Finish Group looked at the recent changes to the legislation and the procedures that will need to be undertaken for the establishment of a town council whilst considering the implication of other delivery models.
- 8.3 **Visits**
A series of visits were arranged to neighbouring town councils to look at a town council in operation taking evidence from officers and members on the benefits and weaknesses of this model of local government. The findings are set out in the Final report.
- 8.4 **Evidence Gathering**
The Task and Finish Group sought to engage the public through a variety of techniques in order to gain opinion on the formation of parish and town

councils in the unparished areas of Chester-le-Street. This included a questionnaire and extended focus group.

8.5 Report Findings

Appendix 1 sets out the report findings.

8.6 Timeline

The following timetable was agreed:

- Initial meeting to discuss scoping report on 22nd July 2008
- Initial presentation, Scoping report and Task and Finish Group membership agreed 30th July 2008
- Visits to other councils by 31st August 2008
- Progress Update to **People and Place** Overview and Scrutiny Committee on 10th September 2008
- Web based questionnaire by end September with article in next District News by 30th September 2008
- Meeting with Parish Councils and relevant residents associations by 19th September 2008
- Report of findings and Options by 30th September 2008
- Progress Update to **People and Place** Overview and Scrutiny Committee on 22nd October 2008
- Meeting with parish councils and appropriate Residents Group representatives on Boundary Committee consultation issues by 31st October 2008
- Task and Finish Group informal meeting to discuss evidence gained by 14th November 2008 and agree recommendations
- Findings of Task and Finish Group reported to **People and Place** Overview and Scrutiny Committee on 3rd December 2008

8.7 The review has taken slightly longer than expected due to reduced capacity in the Legal and Democratic Services Team

9. CONSULTATION FOR THE REVIEW

9.1 The review gathered evidence from a variety of sources. The main evidence came from information provided by Officers and external partners, including:

- Existing town and parish Councils
- Local residents
- Head of Legal and Democratic Services
- Parish Councils and Community groups

10. RECOMMENDATIONS

1.2 The final report is set out in Appendix 1. Members are recommended to:

1. Consider and comment on the report
2. Delegate decision on final amendments to the Director of Corporate Services in conjunction with the Chair and Vice Chair of the Overview and Scrutiny Committee
3. Present the final report to the council's Executive on 2nd February 2009

11. BACKGROUND PAPERS / DOCUMENTS REFERED TO:

- Transition Plan & People and Place Priority
- Blears heralds a new era of 'parish power' – Communities and Local Government website
- Putting communities in control – Communities and Local Government website
- National Association of Local Councils – website
- A New County Durham Council – Durham County Council Unitary Submission Document

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Chester-le-Street
District Council

Overview and Scrutiny Committee



People & Place

**Refreshing Local Democracy -
Review into the Future of the Unparished
Areas of the District**

Final Report Second Draft

January 2009

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Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Foreword of the Chair

Insert Foreword Text to be provided by Jeff Armstrong

The review was carried out between June 2008 and December 2008.

Cllr Geoff Armstrong

Chair of Overview and Scrutiny Panel Committee

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Membership of the Task and Finish Group

Future of the Unparished Areas of the District Task and Finish Group
Cllr D M Holding
Cllr A Holden
Cllr S Barr
Cllr P H May
Cllr M May
Cllr W Laverick
Cllr P Nathan
Cllr G Armstrong
Cllr F Wilkinson
Cllr L E W Brown
Cllr R Harrison
Cllr P Ellis
Cllr M J Gollan
Cllr T J Smith
Cllr A Humes
Cllr D Thompson

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

1 Introduction

- 1.1 The council's Transition Plan, in effect, replaces the Corporate Plan 2007/2010. The Transition Plan includes a schedule of proposals from the previous seven priorities which ought to be and can be achieved in the remaining life of the council. The council's choice to move towards a single priority of '**People and Place**' priority was considered as part of the budget setting process and forms a firm part of the Transition Plan.
- 1.2 At their meeting on 30th June 2008 and in response to the council's single priority of '**People and Place**', the Overview and Scrutiny Committee agreed to undertake three scrutiny reviews all linked to the corporate priority. This specific scrutiny topic has a direct impact on the following area of the **People and Place** priority:
- Strengthening Partnerships.
 - Neighbourhoods
- 1.3 The review has been undertaken as a result of specific proposals within the Strengthening Partnerships element of the single priority. It is an issue which has been raised by a number of residents and community associations.

2 Purpose of the Review

- 2.1 The purpose of the review was to undertake some initial research on the potential for additional new governance arrangements within the area of Chester-le-Street which is not covered by a Parish council.
- 2.2 It is the intention of the review to make recommendations to the new unitary council on how it may respond to the views of the public. The results of the review will be encompassed in the Councils 'Handing over the Baton' report which will be presented to Durham County Council in March 2009.

3 Scrutiny Review Process

- 3.1 Scrutiny reviews are in-depth studies into issues which have been identified by scrutiny members as important to the community and Council of Chester-le-Street.
- 3.2 Scrutiny reviews investigate issues by a process of gathering evidence through speaking to individuals and groups that are involved or affected. The review panel then formulates realistic evidence based recommendations which are presented to the Council's Executive.
- 3.3 Scrutiny reviews will carry out a number of stages in undertaking and completing a review. The stages broadly are:

Stage 1 Scope	The initial stage of the review identifies the background, issues, potential outcomes and timetable for the review.
Stage 2 Investigate	The panel gathers evidence using a variety of tools and techniques and arranges site visits where appropriate.
Stage 3 Analyse	The key trends and issues are highlighted from the evidence gathered by the panel.
Stage 4 Clarify	The panel discusses and identifies the principal messages of the review from the work undertaken.
Stage 5 Recommend	The panel formulates and agrees realistic recommendations.
Stage 6 Report	Draft and final reports are prepared based on the evidence, findings and recommendations.
Stage 7 Monitor	The panel undertakes to monitor agreed recommendations on a regularly agreed basis.

4 Background

How the review was established

- 4.1 Through the development of the new single priority 'People and Place' a number of Action Learning Sets (ALS) were developed to deliver on some of the key themes and projects. ALS3 – Strengthening Partnerships was considering the potential of parish or town councils in the unparished areas of Chester-le-Street.
- 4.2 The Action Learning Set was very clear in that it wishes to raise awareness of and fully explore the viability of the options for the unparished area in Chester-le-Street and how this will bring about improved community engagement, better

local democracy and result in more effective and convenient delivery of local services.

- 4.3 On 12 May the Council's Executive considered a report by the Council's Head of Legal and Democratic Services on the legislation which allows consideration of Town and Parish Councils. The law requires a council to undertake what is known as a 'community governance review.' The Executive considered the implications of this including potential costs, bearing in mind a new form of local government will come into force next April and the need to engage with Durham County Council. The Executive also considered the fact that the national Boundary Committee is to undertake a review of electoral arrangements within County Durham. The Executive noted the progress available to Chester-le-Street District Council and resolved that

“clarification be sought and discussions undertaken with Durham County Council on the status, cost and scale of a corporate governance review taking into consideration the Boundary Committee for England's proposed review of local authority electoral arrangements.”

- 4.4 On 2 June the Council's Director of Corporate Services attended a meeting with the Boundary Committee. This is a statutory committee of the National Electoral Commission. The Boundary Committee is responsible for reviewing local authority electoral arrangements, administrative boundaries and structure. The Electoral Commission is responsible for considering and implementing electoral review recommendations. It is likely that a review in Durham could commence in July this year. At the meeting, also attended by Durham County Council the Boundary Commission strongly advised councils not to undertake any community governance review arrangements until final recommendations have been reported. This could not be until August 2009.
- 4.5 However it was considered that there was value in progressing the research and engagement work associated with the possibility of developing a Town council and considering other local engagement models such as a Federation of Residents' Associations, which is another potential ***People and Place*** project. It was therefore agreed that it was more appropriate for this work to be undertaken by the Overview and Scrutiny Committee. A scoping report was agreed by the Committee at their meeting on 18th June 2008. A task and finish group was created to undertake the work. The Scrutiny project involved considering the possibility of options including a 'parish council' with 'town status' for the unparished area of Chester-le-Street. It involvea considering the implications of undertaking a formal 'Community Governance Review' working closely with Durham County Council as heralded in their successful local government reorganisation bid in line with the County Durham Association of Local Council's policy objective of fully parishing the County. It was also intended that it ought to aid engagement work that may be required by the Boundary Committees Review.

Town and Parish Council's

- 4.6 Parish and town councils in England and community and town councils in Wales are the first tier of local government. They deliver a vast range of services at a community level. There are around 10,000 community, parish and town councils in England and Wales, made up of nearly 100,000 councillors. These first-tier councils can respond to the needs of the community through delivery of services or providing required representation.
- 4.7 Town and parish councils have a large range of powers and are involved in a great number of activities including planning, promoting tourism, licensing, communal halls and management of town and village halls. A full list of these powers and duties are contained in **Appendix 1** of this report.
- 4.8 Communities Secretary Hazel Blears recently signalled a new era for parish and town councils where they would have a real purpose in modern society. Local parish and town councils are a force for local pride and empowerment and have an important contribution to make in reinvigorating local democracy. They are often the most immediate form of representation, acting as a focal point for local debate and identity.
- 4.9 An 'Empowerment' White Paper, with proposals designed to refresh local democracy and devolve power to the grass roots, was announced in March. *Communities in control: real people, real power* was launched on 9 July 2008. This White Paper is about passing power to communities and giving real control and influence to more people. The Government's key themes are power, influence and control: who has power, on whose behalf is it exercised, how is it held to account, and how can it be diffused throughout the communities we live in. It is about democracy, and how democratic practices and ideals can be applied to our complex, modern society. The White Paper does not signify the end of work in this area. It is intended as a catalyst for change and its success will be measured over the medium term. *Communities in Control* contains an annex which gives an indication of plans for implementation. Some elements of the White Paper will be subject to formal consultation and the government will publish a full Implementation Plan shortly. Some of the policies within the White Paper will require legislation. These will feature in the Community Empowerment, Housing and Economic Regeneration Bill, which forms part of the draft 2008/2009 legislative programme
- 4.10 A survey by Aberystwyth University found that 75% of parish and town councils were expecting to make use of the new wellbeing power once in operation. The new power was extended to eligible parish and town councils by the Local Government and Public Involvement in Health Act (LGPIH) 2007. Secondary legislation is being drawn up, in order to bring it into operation later in 2008.
- 4.11 The Local Government White Paper entitled 'Strong and prosperous communities' published in October 2006 recommended greater local devolution

i.e. 'that local communities should be able to take more responsibilities for local issues affecting their area. Key to this approach is community empowerment, and the ability of various existing organizations themselves to see through specific projects to tackle local issues...' (para.137 of the Guidance). Part 4 of the Local Government and Public Involvement in Health Act 2007 enables this. The driving force behind the new powers is 'help people and local agencies create cohesive, attractive and economically vibrant local communities. The aim for communities across the country is for them to be capable of fulfilling their own potential and overcoming their own difficulties, including community conflict, extremism, deprivation and disadvantage. Communities need to be empowered to respond to challenging economic, social, and cultural trends, and to demographic change.' (para. 54 of the Guidance).

4.12 At the present time there are eleven parish councils in the District of Chester-le-Street, namely Bournmoor Parish Council, Edmondsley Parish Council, Great Lumley Parish Council, Kimblesworth and Plawsworth Parish Council, Little Lumley Parish Council, North Lodge Parish Council, Ouston Parish Council, Pelton Parish Council, Sacriston Parish Council, Waldrige Parish Council and Urpeth Parish Council. The rest of the area is unparished.

5 Terms of Reference

5.1 The terms of reference of the review were as follows:

- To understand the legislation and requirements both legally and financially for the establishment of parish and/ or town councils in the unparished area of Chester-le-Street.
- To understand the benefits of a town council or other potential engagement models such as a Federation of Residents' Associations for the residents and communities of Chester-le-Street.
- To gauge public opinion on the creation of a parish and/or town councils for the unparished areas of Chester-le-Street through a variety of consultation and engagement techniques.
- To assess the practicalities, procedures and operations of other similar parish and town councils.
- To evaluate the options and viability of a parish and/or town council model and present findings and contribute to the People and Place priority.
- To explore the scope to undertake engagement work that may be required to assist the Boundary Committee Review.

6 Methodology

6.1 The task and finish group was working to a clearly agreed timetable. The timetable was a useful tool by which progress could be monitored and also provided a basis for progress reports to the main task and finish and Overview and Scrutiny Committee meetings.

6.2 The council agreed its methodology as part of the scoping report approved by the Overview and Scrutiny committee on 30th July 2008. The methodology is set out in the following paragraphs.

Interviews

6.3 Interviews were conducted with the Council's head of Legal and Democratic Services, Democratic Services Officer and the Director of Corporate Services

Visits

6.4 It was decided at an early stage to visit a mix of existing and developing town and parish councils to understand how they operate successfully. The results of these visits and the learning is set out in **Appendix 2** The following visits were made:

- Durham City (developing)
- Stanley (developing)
- Great Aycliffe (existing 'Quality' Town Council)
- Peterlee Town Council

6.5 The key aspects of learning from the visits can be summarised as follows:

- Stanley only came into being in May this year and are only now currently appointing staff.
- Stanley took a £100,000 loan from Derwentside for set up costs but must pay this back.
- Durham City is only going through formal community engagement. A series of public meetings and exhibitions have been undertaken looking at peoples views in principle and understanding views about the number of potential councillors.
- Both Peterlee and Great Aycliffe are both well established councils who deliver a significant range of local services and employ a significant number of staff to do so.

Community Engagement

6.6 Members made a conscious decision that the review was not a formal process. Members need to test out what the views of the public might be. It was agreed therefore that within the resources available to the 'Task and Finish Group' a sample residents survey would be undertaken. This would be backed up by an extended focus group so members could hear directly from people how they felt about the issues.

6.7 A questionnaire was forwarded to 1,000 households within the unparished areas as well as to existing Parish Councils and Residents and Community Associations. It is important to note that this is a small sample and the response rate was only about 12%. In view of this responses ought to be treated with caution. However they do give an indication of public views. An analysis report is provided in **Appendix 3**. The results of the responses can be summarised as follows:

- 44% respondents didn't feel disadvantaged without a parish council now while 41% did
- 45% would feel disadvantaged from April 1st while 42% wouldn't
- 46% felt that the district ought to be fully parished while 36% didn't
- Of those responding positively to a fully parished district 43% felt that there should be a mix of a new parish as well as extensions, 32% felt there ought to be a new single parish while 22% felt existing parishes ought to be extended
- 57% felt a new parish ought to seek to achieve Quality status while 21% didn't
- 29% would be prepared to pay more for a parish while 57% would not
- 12% would be prepared to pay for a parish with quality status while 71% would not
- 57% wanted a corporate governance review while 29% did not
- Only 17 % of respondents were interested in joining a focus group
- The majority of respondents (53%) were female
- Most respondents (35%) were 65 and over
- 25% of respondents considered themselves to be disabled
- 76% were of Christian faith
- 99% were straight; and
- over 98% considered themselves to be white English

6.8 The extended focus group took place on the evening of 25th November. Between 6pm and 8pm. This was by invitation only. Invites were sent out to 15 people who indicated that they wished to attend in their questionnaire responses. Invitations were sent out also to all parishes, and residents and tenants associations. Members of the Task and Finish Group attended. 13 people attended the focus group as follows:

- 2 members of the public representing residents and community associations and themselves;
- 3 members of the public representing themselves;
- 2 parish Councillors;
- 1 County Councillor; and
- 5 members of the Task and Finish Group

6.9 The majority of people who attended expressed a clear view that the unparished area would lose out if there was not a town or parish council. There were some strong views that because of potential time setting up a parish or

town council that something needed to be done immediately to address representation from 1st April.

- 6.10 One of the participants expressed a view that a parish or town council would only be setting up another tier of local government and would not be better than the existing council. The County Councillor took the view that the new Unitary should be given the opportunity to deliver first.

Report Findings

- 6.11 The Task and Finish Group prepared a draft report of their findings to which was presented to the People and Place Overview and Scrutiny Committee for agreement on 14th January 2009.

7 Legislative & Strategic Context

Legislative context

- 7.1 There are new powers for councils to establish parish councils under Part 4 of the Local Government and Public Involvement in Health Act 2007 ('the Act') which was enacted on 30 October 2007.
- 7.2 Districts councils, unitary county councils and London borough councils (principal councils) have since 13 February 2008 power to undertake 'community governance reviews' and to make decisions as to whether to implement recommendations. The Secretary of State therefore no longer makes such decisions. Under new legislation progress can only be made following a 'community governance review'. It therefore is the case that the council cannot progress proposals for a town council unless it has conducted a 'community governance review'. Such a review could be undertaken on a specific community or neighbourhood area or on the full administrative boundary of the council. The council could be required to undertake a 'community governance review' in specific circumstances. As such a review could take up to 12 months the decision maker in this case would be the county council. Taking this into account and in view of the advice of the Boundary Committee it is not appropriate for the council to do this in advance of vesting day. The government has provided guidance on 'community governance reviews'.
- 7.3 Para. 23 of the Guidance on the powers makes clear the intended outcome which is '...to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.'
- 7.4 Para. 135 of the Guidance states: 'In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils...' There are 'other types of viable community representation which may be more appropriate to some areas than parish councils, or may provide stages building towards the creation of a parish council. There is sometimes evidence locally of an existing

- community governance infrastructure and of good practice which are successfully creating opportunities for engagement, empowerment and co-ordination in local communities.’ Section 93(5) of the Act states that ‘In deciding what recommendations to make [in the community governance review] the principal council must take into account any other arrangements ‘...that have already been made or that could be made for the purposes of community representation or community engagement in respect of the area under review.’
- 7.5 Examples of non-parish forms of community governance include area committees of principal councils, neighbourhood management programmes, tenant management organisations, area or community forums, residents’ and tenants’ associations and community associations.
- 7.6 136 of the Guidance notes that ‘what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers. This is an important distinction to make. Parish councils are the foundation stones for other levels of local government in England. Their directly elected parish councillors represent local communities in a way that other bodies, however worthy cannot since such organisations do not have representatives directly elected to those bodies.’ The Act helps to highlight the importance of parish councils. Para.122 of the Guidance notes: ‘The Local Government White Paper underlined the Government’s commitment to parish councils as an established and valued form of neighbourhood democracy with an important role to play in both rural, and increasingly urban, areas. Para. 49 of the Guidance states: ‘Parish councils continue to have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognizable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance.’
- 7.7 Legislative provision refers to parish councils. However, parish councils can adopt alternative styles so that whilst legally they are still parish councils in substance a different style can be chosen. Before the Act the choice of “town” status was merely available as an alternative style. Since the Act there is on offer a further choice of alternative styles for a parish: community, neighbourhood and village. An important point to note is set out in para. 106 of the Guidance. This makes it clear that ‘...for as long as the parish has an alternative style, it will not also be able to have the status of a town and vice versa.’ The decision as to be alternative style depends upon whether the review relates to a new parish or existing parishes. It is for existing parishes to decide whether to have one of the alternative styles with the review making recommendations as to whether the geographical name of the parish should be changed. Para. 110 of the guidance advises that it is for the principal council, ‘in the first instance, to make recommendations as to the geographical name of the new parish, and as to whether or not it should have one of the alternative styles.’ Further extracts from the guidance is set out in **Appendix 4**.

Strategic Context

- 7.8 The focus for the District Council up to 31 March 2009 is of relevance to the new organisation. The County Council must by law be notified of and consulted on any community governance review. This is particularly important due to Local Government Reorganisation and the successful bid of Durham County Council. The County Council's bid suggests that the new unitary authority may be responsible for the creation of a new Town Council for Chester-le-Street. Paragraph 5.58 of the bid suggests:

'Town and Parish Councils are a key part of the infrastructure in many neighbourhoods. Working with the County Durham Association of Local Councils and local community interests, the new unitary council would use its power to establish town and parish councils in line with the association's policy objective of full parishing of the County. This could involve the creation of new town councils in places such as Consett, central Chester-le-Street and Durham City centre, capable of providing very local place-shaping and potentially acting as the cornerstones of cooperation for wider clusters of town and parish councils.'

- 7.8 This is over and above proposals in the bid for Action Area Partnerships. In view of this there is clear evidence that the County Council will be expecting giving governance arrangements consideration in addition to Action Area Partnerships.

Quality Town and Parish Councils

- 7.9 The Quality Town & Parish Council Scheme was launched in 2003 with three main aims:

- To provide a benchmark of standards for Town & Parish Councils.
- To enable them to work more closely with partners in the delivery of services.
- To enable them to more effectively represent their communities.

- 7.10 In order to achieve Quality Status, Town & Parish Councils must demonstrate they have achieved the standard required by successfully completing a number of tests based on:

- Electoral mandate
- Qualifications of the Clerk
- Council Meetings
- Communication and Community Engagement
- Annual Report
- Accounts
- Code of Conduct
- Promoting local democracy and citizenship
- Terms and conditions

- Training

7.11 Either a town or parish council can meet the standard requirement. However those councils who have a critical mass tend to be able to be achieve the standard better. Larger councils can deliver more services, employ more people but cost much more.

8 Findings of the Review

8.1 There are advantages and disadvantages of town and parish councils. These can be simply summarised as follows:

Advantages might be:

- Increased representation
- Right to be consulted on planning applications
- Ability to undertake projects for the benefit of local residents
- Partnership working with other bodies for the benefit of the Parish
- Ability to precept for funds

Disadvantages might be:

- Costs will be borne by residents
- An additional layer of government
- They might not be what people want

Findings about the views for

8.2 The community engagement evidence does not clearly give any specific unanimous support for or against the introduction of some form of parish or town council arrangement in the unparished area of the district

8.3 There is however, evidence of significant support for some form of town or parish arrangement. In particular the focus group showed significant support for a town or parish council although there were relatively few members of public in attendance. The focus group also were passionate that something must happen in the interim period between April and the creation of any town or parish council. There was also significant although not overwhelming support in the questionnaire response. Statistically:

- 45% of residents would feel disadvantaged without a town or parish arrangements after April compared with only 44% now;
- 46% felt that the district ought to be fully parished;
- 57% felt that any parish or town council ought to seek to achieve 'Quality' Status; and
- 29% would be prepared to pay more for a parish or town council although only 12% would be prepared to pay more for a parish or town council which was capable of achieving 'Quality' status.

8.4 Comments made to support views were very expressive. For example:

I feel being unparished severely undermines any residents' ability to take an active and influential part in the decisions which affect people's lives in their immediate area. The parish/town layer of governance, responsibility and accountability is essential if people are not to feel ignored or disenfranchised.

'It is patently absurd that the main urban core of the Chester le Street District has no town council and is classified as 'unparished'. There is widespread concern that this intermediate state (links) will impede the development of Chester le Street'.

'A local parish/town rep is crucial to get a more balanced outlook on the needs of those whom life in the smaller areas that have limited amenities available.'

'All areas need a voice'

'As all the other areas surrounding main town are parished then why shouldn't we when DCC take over a single unitary Parish Council'.

Findings about the views against

8.5 The community engagement evidence does not clearly give any specific unanimous view against the establishment of new governance arrangements but there were still significant numbers of people responding to the questionnaire against new parish or town councils. Statistically:

- 42% of people did not feel that they would be disadvantaged after April 2009 whereas 44% felt disadvantaged now
- 36% of respondents did not feel the district ought to be fully parished
- 21% did not feel that any parish or town council ought to seek to achieve 'Quality' Status; and
- 58% would not be prepared to pay more for a parish or town council while 71% would not be prepared to pay more for a parish or town council which was capable of achieving 'Quality' status

8.6 Comments made to support views against were equally very expressive. For example:

'It appears to me while we are doing away with the present council people are wanting to get more so called Parish reps involved. There were too many councillors before lets just have the reduced council as stated.'

'More jobs for Government wasting tax payers money'.

'The point of a unitary authority was to reduce the tiers of bureaucracy and reduce costs so why do we need a parish or town council?'

'The two members will adequately represent my views within the new unitary authority in the future. I never felt, under the current system that my views were ever received in a sympathetic way. It will most certainly not be worse in the future.'

'There is certainly a need for a focal point for residents to contact 'Operational Departments' i.e. the people who do the work. We do not want a bureaucratic high cost additional layer of government that is simply a continuation of a failed District Council under another name. I am afraid I see this questionnaire as simply a further attempt by the District Council to retain an inefficient structure after having already wasted our taxes challenging the legality of the changes we voted for.'

Findings about the views about costs

- 8.7 There were clearer majorities about potential costs. 58 % of respondents were not prepared to pay for any further governance arrangements. This rose to 71% when considering costs such as known Quality Town Councils in the county. Views expressed ranged between the following:

'I think Chester le Street would require the full organisational structure of a traditional town council. I think that for such a substantial town the cost per household would be comparatively small. Parish structures in village area would be more expensive.'

'Council tax along with the rising cost of living and 'credit crunch' are present are high enough. We are looking to lower outgoings not increase them. Also the unitary authority proposals state that there would be savings in moving to one authority. If this is the case these savings should be re-invested to cover the cost of any subsequent changes to structures.'

'Council tax is crippling to most people now. Why have we always got to embrace more costs. We are not a huge area. Let's just have the new council without the red tape.'

'I would be prepared to pay a percentage of the cost. But feel should be made available from central government.'

'I honestly believe that we already pay enough for council tax – and why can't some existing premises be adapted – buildings already used by the council.'

Findings about carrying out a 'Community Governance Review'

- 8.8 There was a clearer majority on whether or not a community governance review ought to be carried out. 57% of people felt that this was appropriate compared to 29% who did not. Comments made ranged between the following examples:

'I feel that in this case a Community Governance Review is essential to ensure that all arrangements are reviewed and assessed and the views of local people are included as part of a formal consultation to ensure that the outcomes meets the needs and wants of residents.'

'Why could a Governance Review and Boundary Commission Process not have been undertaken and finalised before the establishment of Unitary Councils? What decisions are going to be made by the UCs before this essential layer of local governance is in place? Can these decisions be subsequently challenged? How certain can a local electorate be that they will definitely have a voice at local level?'

'This is an important change and needs to be properly researched and understood.'

'It would not make any difference. No one took any notice of the last review which was returned to the government'

'Formal reviews come at a price – the council should be considering how to cut council spending.'

Findings about options if change happens

8.9 Should change happen there were four options suggested in the questionnaire. These were:

- A single Town or Parish Council covering the whole of the area;
- The extension of existing surrounding Parish Councils to cover the area
- A mix of these with a single Town and Parish Council focussed on the Town Centre and existing Parish Councils extended to include areas such as Chester Moor and Pelton Fell.
- Another solution, please state your ideas.

8.10 The majority (44%) of respondents who answered positively to whether there should be a town or parish council in the area felt that a mix of extended parish council and a town council focussed on the town centre. 32% felt a single town or parish council covering the whole area would be best while 22% preferred simply extending existing Parish Boundaries. Comments made ranged between the following examples

'I'd like to see residents asked specifically whether they wish their locality to be absorbed by a neighbouring existing parish and ensure same influence based on size, OR, establish their own smaller parish where the advantage is uniqueness and exclusivity. Once the local residents have made their decision both local (and Central) government) are obliged to respect the decision and recognise the formed parish as the essential layer of government they promote.'

'Chester Moor and Pelton Fell areas have different community needs to the central area so each would be best served by separate arrangements.'

'The needs of Chester le Street as a town are different from those of the surrounding parishes. Any re-hashed district council will not succeed in sustaining the development of the town. The town council must comprise representatives of

businesses, residents and leisure communities and clubs in town. A town council is required.'

'Keeping areas locally is the best way forward.'

'As long as the town parish council look after the people then its okay.'

Findings about 'Quality' Town and Parish councils

- 8.11 There was a significant majority (53%) of people who felt that if there was to be town or parish councils then they should to achieve 'quality status. This compared with only 21% who did not. It is clear that while there was a majority here this needs to be balanced against how people feel about costs set out in paragraph Comments made about this included views such as:

'The Town/Parish Council (s) should work to provide 'quality' services to meet the key standards of 'quality' status however consideration needs to be made to the additional costs to the public and ability to pay – it may need to be balanced'

'It is in the best interest of us all to achieve quality status'

'If we are to have them we might as well have a high standard.'

'This is just bureaucratic claptrap – more expense for council tax payers'

'All services must be bench marked with performance targets and VFM audits.'

Findings about other models of governance

- 8.12 Capacity limitations in preparing the review has not allowed significant analysis of the options for other models such as community trusts and federations. Only the parish/town council option does offer formally elected representation. However it is clear in the guidance in respect of community governance reviews that councils ought to analyse these. In particular Paragraph 135 of the Guidance states: 'In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils..'. Bearing in mind the majority of respondents agreed to such a review, rather than delay the review it is felt that full analysis of other options ought to be taken should any community governance review be undertaken. There were few ideas put forward in responses to the questionnaire. Examples of comments made were:

'The views of local people in terms of representation need not be limited to Parish/Town Councils. Other options should be explored for e.g. looking at the remit of 'action area partnerships' to include representing and working with local residents and liaising with county councillors and local authority officers.'

'I do support the idea of a Town/Parish Council in principal however I think we could be adequately represented depending on the process and mechanisms for consultation

with the Unitary Council – however this needs to be consistent across the county and district.’

‘Form a residents body let the people who live there do it.’

‘Have yearly fixed elections and a mayor to oversee all arrangements.’

‘A similar process needs to be implemented for Councils and this can be achieved by the creation of small local multidiscipline progress centres for specific local issues such as holes in the road, individual lighting failures etc that incorporates all the modern communication methods as well as a reception desk for those who do not have access to these. We should maximise the benefits of centralised services by the economy of scale and not create additional local office blocks that will incur ongoing high costs. These progress centres can also act as contact points for focus groups or indeed County Councillor surgeries but there should be at least one senior manager located in them with sufficient authority to deal with significant problems.’

‘Give us our district council back.’

Summary Findings

8.13 Taking into account the above the key findings are summarised as follows:

- Should a council intend to create new town or parish councils then the law requires a ‘community governance review’ which requires in turn a formal consultation process;
- There are other options to town and parish councils which do not involve formally elected representatives and these ought to be considered as part of a ‘community governance review’;
- There was no strong majority of people who would feel more disadvantaged after April 2009 if there was not something in place although a strong view was made at the focus group that some interim arrangement was necessary;
- There is no significant majority in the sample survey that the district ought to be fully parished;
- While some would pay for parish and town council services most would not particularly if costs were similar to other known ‘quality’ town councils;
- Most people thought a ‘community governance review’ was appropriate;
- Should town and parish councils be considered most favoured a mixed approach with a Town Council centred on the Town Centre with extended parishes;
- Most people expected quality although this had to be balanced against the cost findings ; and there was no clear agreement on any other option although many of those against felt that the new unitary was sufficient

9 Conclusions

9.1 The Task and Finish Group consider that the views of people in the vicinity are crucial to any future arrangements. In view of the restricted resources to facilitate the review, the group sought to sound out public opinion rather than have a form of referendum. The Task and Finish Group understands the limitations of the responses but it acknowledges the passion expressed by those who have responded. The review does not give a mandate or a clear steer for the task group to make recommendations about a specific course of action on a specific arrangement. However it is felt that there is sufficient evidence to suggest that there is a mixed view about what ought to happen in the future and when.

9.2 It is concluded that;

- there is evidence which suggests that a community governance review is justified and necessary but
- there is no clear evidence yet of substantial majority support for a particular course of action and as such any review ought to be based on the whole District area and not just the unparished area.

10 Recommendations

10.1 The review recommends that:

1. The findings of the review and the proposals for the future are submitted for the consideration of the new Unitary Council as part of the 'Handing Over the Baton' Report.
2. Durham County Council are requested to undertake an early 'community governance review' based on the whole area of the existing District and not just the unparished area of the District Council
3. Durham County Council be requested to consider how they might consider an interim arrangement for governance until the outcome of a 'community governance review' is known and implemented.

10.2 It is recommended that this report is agreed and reported to the District Council's Executive on 2nd February 2009



Chester-le-Street
District Council

Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

Final Report Second Draft

Appendix 1:

Powers and duties of Parish and Town Councils

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Appendix 1: Powers and duties of Town and Parish Councils

The powers which have been vested in Parish, Town and Community Councils by Acts of Parliament are summarised in this publication as a guide to Councillors and others. Each description is brief and is intended to be a general indication. Like all powers given to public bodies the powers of local councils are defined in detail in legislation and these details may include a requirement to obtain the consent of another body (for example the approval of the County Council to the provision of a car park). Local Councils must exercise their powers also subject to the provisions of the general law (for example planning permission is necessary for a sports pavilion). Information on all these details should be in the hands of the Clerks of the Council. The powers are listed below.

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demanded unsatisfied	Small Holding & Allotments Act 1908, ss. 23, 26, & 42
Baths and Washhouses	Power to provide public baths and washhouses	Public Health Act 1936, Ss 221, 222, 223 & 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1 Local Government Act 1972, s. 215(6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4

Bye Laws	Power to make bye-laws in regard to pleasure grounds, Cycle Parks Baths and Washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Charities	Duty to receive accounts of parochial charities	Charities Act 1960, s.32
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to enclosure, as to regulation and management, and as to providing common pasture	Enclosure Act 1845; Local Government Act 1894, s.8(4); Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community Centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to spend money on various crime prevention measures	Local Government and Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260
Education	Right to appoint school governors	Education (No.2) Act 1986, s.4
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Gifts	Power to accept	Local Government Act 1972, s.139

Highways	Power to repair and maintain public footpaths and bridle-ways. Power to light roads and public places Provision of litter bins Power to provide parking places for vehicles, bicycles and motor-cycles. Power to enter into agreement as to dedication and widening. Power to provide roadside seats and shelters, and omnibus shelters. Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway. Power to complain to district council as to protection of rights of way and roadside wastes Power to provide traffic signs and other notices Power to plant trees etc. and to maintain roadside verges	Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301 Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local government Act 1972, s.139
Litter	Provision of receptacles	Litter Act 1983, ss.5,6
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire land and maintain	Public health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10

Parish Property and documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Postal and telecommunications facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained providing post or telegraph office or telecommunication facilities	Post Office Act 1953, s.51; Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them Power to provide gymnasiums, playing fields, holiday camps Provision of boating pools	Public Health Act 1875, s.164 Local Government Act 1972, Sched.14 para.27 Public Health Acts Amendment Act 1890 s.44 Open Spaces Act 1906, ss.9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s.19 Public Health Act 1961, s.54
Town and Country Planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to contribute to organisations encouraging	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948,
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water there from	Public Health Act 1936, s.125

(Source: National Association of Councils Website)



Chester-le-Street
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Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

Final Report Second Draft

Appendix 2:

Results of Visits to Town and Parish Councils

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Appendix 2:

Results of Visits to Town and Parish Councils

Durham City – Claire Greenlay – 14 August 2008

A panel of Members met with Claire Greenlay on 14 August 2008. Durham City were investigating the possibility of creating a town or parish council for Durham City Centre and Newton Hall.

The City Council was not proposing to do a formal consultation exercise involving all of the properties in the un-parished area. Instead their proposals involved a series of 4 public meetings and 4 separate exhibitions at various locations throughout the unparished area.

A brief questionnaire was to be handed out containing the following questions:

1. Do you support the proposal that all the unparished area is included in a single town Council?
2. there are currently 17 city councillors representing the unparished area. How would you like to be represented in a town council?
 - A) 17 is too many
 - B) 17 is too few
 - C) 17 is about right

Stanley Town Council - Malcolm Hole - 27 August 2008

Stanley Town Council was created on 1 May 2008 when the first elections took place. Set up costs were estimated to be in the region of £208,000. Derwentside DC had allocated £100,000 to be drawn on to offset the set up costs. The £100,000 or the amount drawn down will eventually be repayable by the town council.

The town council is currently in the process of recruiting a full time clerk, the secretarial work having been undertaken by Derwentside DC staff to date.

Great Aycliffe Town Council – Andrew Bailey – 28 August 2008

Great Aycliffe has a long established town council with a current budget of £2,795,150. The precept of £1,576,775 representing a Council Tax bill of £2.57 per week for a Band A property. Services provided by town council include:

- Running the sports complex
- Running the golf complex
- Managing the cemeteries
- Manage the parks and most of the town's play areas and sports pitches
- Run a programme of excursions for senior citizens
- Run 3 pre-school play settings
- Provide 136 allotment plots; 9 pigeon plots and 5 poultry plots
- Provide a wide range of leisure events – Fun-in-the –Parks, Santa Tours, Firework display
- Produce and manage the Great Aycliffe Show
- Comment on all planning applications
- Manage woodlands, nature walks and Woodham burn
- Maintain most of the bus shelters

The town council currently employs 72 staff.

Peterlee Town Council – John Arthur – 28 August 2008

Peterlee is a long established town council with a current budget of £4,047,536 and a precept of £1,992,235, representing a Council Tax bill of £4.14 per week for a Band D property.

The services by the town council are similar to those provided by Great Aycliffe Town Council with the addition of a formal banqueting suite at Shotton Hall, which is available for functions.

There are currently 43 employees, some of which are part time.



Chester-le-Street
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Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

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Appendix 3:

Results Community Questionnaire



Overview and Scrutiny Committee

Review into the unparished areas of Chester-le-Street

Community Questionnaire Analysis Report

1. Summary

1.1 This document sets out the findings of the questionnaire that was aimed at seeking the views of the public to inform the work of the Overview and Scrutiny Task and Finish Group. It had been decided to undertake a sample survey of 1000 households in the unparished area of Chester-le-Street. In addition all resident and community associations and parish councils were issued with a questionnaire. The sample represented Xx% of households in this area 118 people responded at a response rate of 10%. This response rate is low and there were high numbers of people responding unsure (13% -25%). The results must therefore be treated with some caution.

1.2 The following were the key findings:

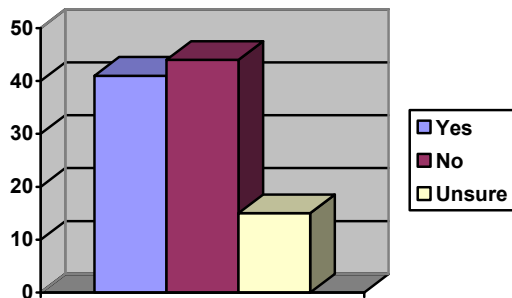
- 44% respondents didn't feel disadvantaged without a parish council now while 41% did
- 45% would feel disadvantaged from April 1st while 42% wouldn't
- 46% felt that the district ought to be fully parished while 36% didn't
- Of those responding positively to a fully parished district 43% felt that there should be a mix of a new parish as well as extensions, 32% felt there ought to be a new single parish while 22% felt existing parishes ought to be extended
- 57% felt a new parish ought to seek to achieve Quality status while 21% didn't
- 29% would be prepared to pay more for a parish while 57% would nit
- 12% would be prepared to pay for a parish with quality status while 71% would not
- 57% wanted a corporate governance review while 29% did not
- Only 17 % of respondents were interested in joining a focus group
- The majority of respondents (53%) were female
- Most respondents (35%) were 65 and over
- 25% of respondents considered themselves to be disabled
- 76% were of Christian faith
- 99% were straight; and
- over 98% considered themselves to be white English

Annex 1: Detailed Questionnaire Results

Questions

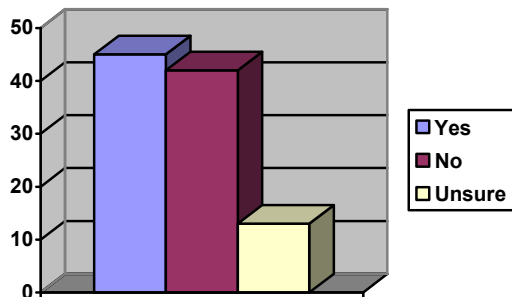
1. If you live within the unparished area of Chester-le-Street do you currently feel disadvantaged because you will not have a Town or Parish Council to represent your views or deliver local services after April 2009? Please tick box

Yes	41%
No	44%
Unsure	15%



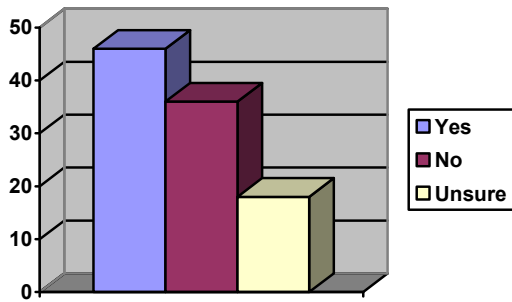
2. From 1 April 2009 there will be no District Council Councillors and there will be two County Council Members serving your area. Do you think you will be disadvantaged then by not having a Town or Parish Council to represent your views?

Yes	45%
No	42%
Unsure	13%



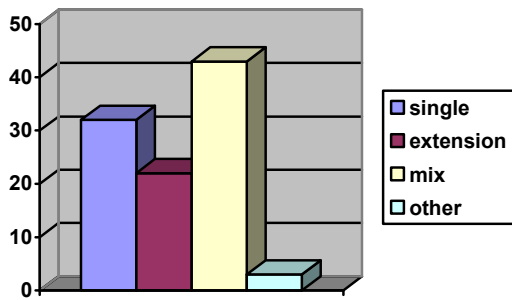
3. Do you feel that the District ought to be fully parished?

Yes	46%
No	36%
Unsure	18%



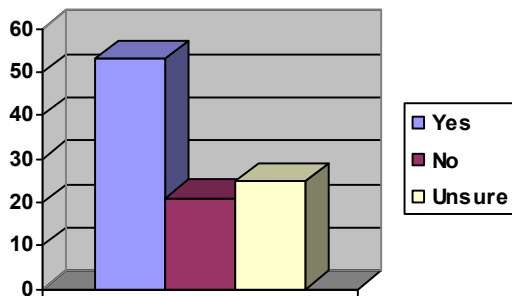
4. If your answer to Q3 is yes which of the following options would you prefer for the current unparished area:

- a) A single Town or Parish Council covering the whole of the area; 32%
- b) The extension of existing surrounding Parish Councils to cover the area 22%
- c) A mix of these with a single Town and Parish Council focussed on the Town Centre and existing Parish Councils extended to include areas such as Chester Moor and Pelton Fell. 43%
- d) Another solution, please state your ideas. 3%



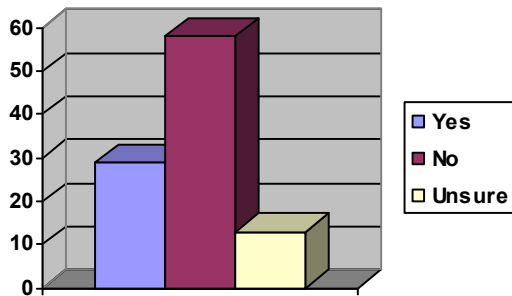
5. Whatever your answer to Q4, do you feel that any new Town or Parish Council should seek to achieve 'Quality' Status. (See paragraphs 10 and 11 on introductory notes)

Yes	53%
No	21%
Unsure	25%



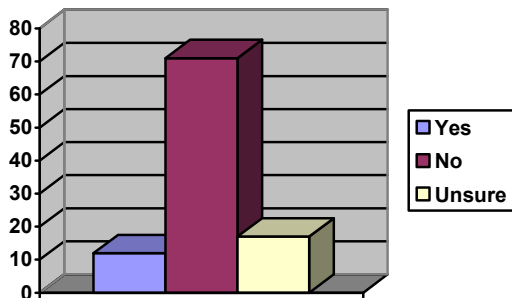
6. Evidence from the existing parish councils in Chester-le-Street suggest that a new town or parish council similar to these councils would cost between 21p per week and 54p per week more to council taxpayers in the unparished areas. Would you be prepared to pay additional council tax at this level for the representation and services a town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes	29%
No	58%
Unsure	13%



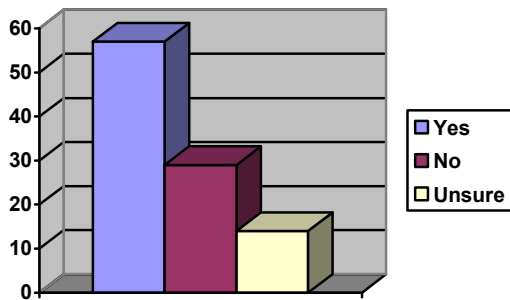
7. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week. Would you be prepared to pay additional council tax at this level for the representation and services a 'Quality' town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes	12%
No	71%
Unsure	17%



8. Do you consider that a formal review should be undertaken of the whole of the Chester-le-Street District Council area i.e. a Community Governance Review? (See paragraph 6 and 16 on the introductory notes)

Yes	57%
No	29%
Unsure	14%

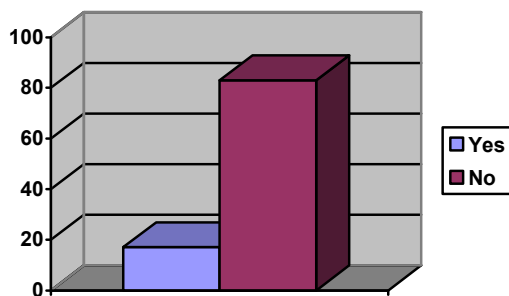


9. If you do not support the idea of a Town or Parish Council in the unparished area how do you feel this area can be represented in the future?

10. If you have any other views or want to raise any other issue please do so here?

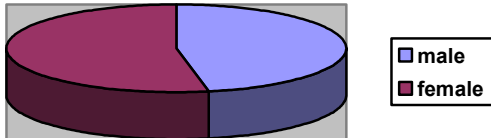
11. On 26th November (between 6 and 8pm) we are proposing to have an extended focus group where by invitation only members of the Overview and Scrutiny Committee can meet interested people from the community to hear views first hand. Would you be interested in coming along if invited?

Yes	17%
No	83%



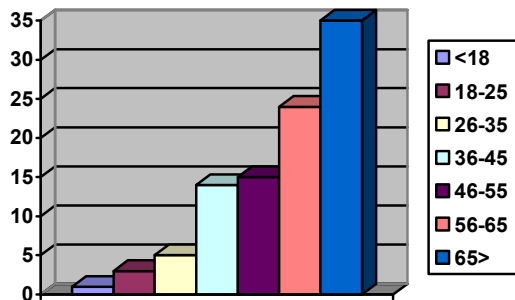
Equality and Diversity Monitoring.

A. Are you: Male 47% Female 53%



B. How old are you?

<18	1%	18-25	3%	26-35	5%
36-45	14%	46-55	18%	56-65	24%
65+	35%				



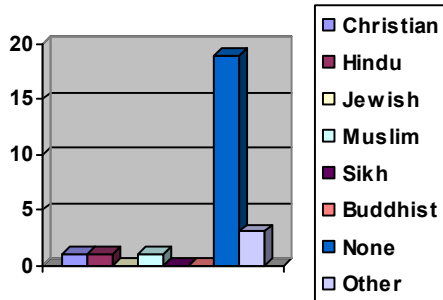
C Do you consider yourself to be a disabled person? (This may include any long-standing illness, disability or infirmity which has a substantial effect on your day to day life. Longstanding means it has lasted, or is likely to last, for over a year)

Yes 25% No 75%



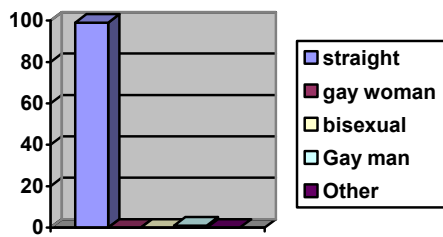
D What is your religion or belief?

Christian	76%	Hindu	1%	Jewish	0%
Muslim	1%	Sikh	0%	Buddhist	0%
None	19%	Other	3%		



E how do you describe your sexuality

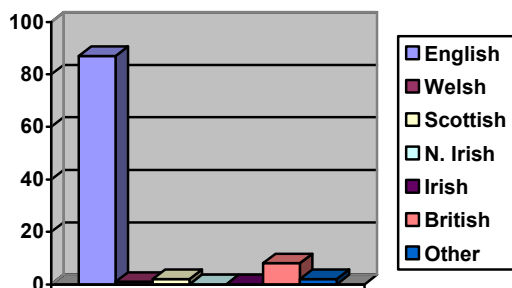
Straight	99%	Gay Woman/Lesbian	0%
Bisexual	0%	Gay Man	1%
Other	0%		



F To which of these groups do you belong

1. White

English	87%	Welsh	1%	Scottish	2%
N. Irish	0%	Irish	0%	British	8%
Other	2%				



2. Travelling Community

Gypsy/Roma	0%	Traveller of Irish descent	0%
Other	0%		

3. Black or Black British

Caribbean	1%	African	0%
Any Other Black Background			0%

4 Mixed

White and Black Caribbean	0%	White and Black African	0%
White and Asian	0%	Any other	0%

5 Asian or Asian British

Indian	0%	Pakistani	0%
Chinese	0%	Bangladeshi	0%
Other	1%	Please State _____	

6. Other Ethnic Group

Detailed Respondent Comments

The following detailed comments were made by respondents.

1. If you live within the unparished area of Chester-le-Street do you currently feel disadvantaged because you will not have a Town or Parish Council to represent your views or deliver local services after April 2009? Please tick box

Respondent 1:

Other options / structures could be explored to allow people to be represented that could feed into the local councillors and Local Authority Officers, e.g. Area Action Partnerships with nominated reps etc.

Respondent 2:

I feel being unparished severely undermines any residents' ability to take an active and influential part in the decisions which affect people's lives in their immediate area. The parish/town layer of governance, responsibility and accountability is essential if people are not to feel ignored or disenfranchised.

Respondent 5:

Only because it is not clear how our views would be collected on issues – I assume even without a town/parish council there would need to be mechanisms for us to express or be consulted with a certain issues.

Respondent 6:

It appears to me while we are doing away with the present council people are wanting to get more so called Parish reps involved. There were too many councillors before lets just have the reduced council as stated.

Respondent 8:

The whole object of the unitary process was to increase operational efficiency by dispensing with expensive and unnecessary staff and councillors.

Respondent 16:

It is patently absurd that the main urban core of the Chester le Street District has no town council and is classified as 'un parished'. There is widespread concern that this intermediate state (links) will impede the development of Chester le Street.

Respondent 18:

Much will be depend on breakdown of services agreed by the new unitary council. Any decision to establish town/parish councils should be deferred until final details are known after April 2009 and avoid the very real possibility of abortive costs.

Respondent 26:

Live in Ouston Parish.

Respondent 28:

There cannot possible be the time or concern given to matters as given at present.

Respondent 43:

More jobs for Government wasting tax payers money.

Respondent 44:

Parish views should always be taken into account and if this does not happen then certain parish/town areas may have or appear to have more financial resources targeted towards them.

Respondent 46:

Less money will be available throughout region and less therefore for our area.

Respondent 57:

Live in Parished area.

Respondent 65:

Local residents need this extra voice and deal with local issues

Respondent 74:

The point of a unitary authority was to reduce the tiers of bureaucracy and reduce costs so why do we need a parish or town council?

Respondent 77:

Should save money on wages therefore it can be used for essential services.

Respondent 92:

Not required. Less costs to pay for.

Respondent 114:

Not really sure what town/parish council does, even after reading the notes.

2. From 1 April 2009 there will be no District Council Councillors and there will be two County Council Members serving your area. Do you think you will be disadvantaged then by not having a Town or Parish Council to represent your views?

Respondent 2:

Significantly, not least on terms of size and remoteness. The people selected to sit as Unitary Councillors are each responsible for too large and diverse geographical areas. The size of the electorate they purport to take responsibility for is also too large – surely it is possible to bring in some semblance of proportional representation at local level. The excuses for incompetence and inaction (as displayed by the proposed format for the unitary council) will be based on size, number and remoteness.

Respondent 5:

It depends on the effectiveness of the CC members. 2 effective members could be much more beneficial than an ineffective town council. However the CC members would need to be proactive in seeking community views.

Respondent 6:

Surely two county council members are enough after all we just have one MP for North Durham.

Respondent 8:

The two members will adequately represent my views within the new unitary authority in the future. I never felt, under the current system that my views were ever received in a sympathetic way. It will most certainly not be worse in the future.

Respondent 16:

It is evident that the main urban core of Chester le Street will be disadvantaged compared with the parished rural areas. Two County Council members cannot possibly hope to cope with the range of issues and concerns of a complex urban area. Your notes frighten me because they indicate that no adequate arrangement is likely to be put in place before April 2011. Town developments can atrophy!

Respondent 17:

We need representatives who know and understand our area.

Respondent 18:

See item 1

Respondent 21:

I feel a local person is more able to understand our needs and hopes for the future, and would be able to mix among us more easily.

Respondent 28:

Member then serving – will not have the same contact knowledge or individual areas.

Respondent 42:

It depends on how available they are.

Respondent 44:

A local parish/town rep is crucial to get a more balanced outlook on the needs of those whom life in the smaller areas that have limited amenities available.

Respondent 45:

No I think that the savings made will improve services.

Respondent 46:

No representatives mean even less voice of opinions to take to council meetings.

Respondent 57:

Happy with existing councillor

Respondent 59:

How can two county council members represent all the wards in Chester le Street and the rural? The possible could favour their own particular areas!!!!

Respondent 65:

2 councillors have such a large area they can not be expected to deal with all our problems.

Respondent 74:

Having less councillors will have no impact on area. No idea who they are or what they do other than receive tax payers money for attending meetings?

Respondent 92:

Durham County Councillor should be able to cope.

Respondent 112:

Any communications can be dealt with by county council members.

Respondent 114:

Don't know what difference will be having a district councillor to a county council member.

Respondent 115:

There needs to be some type of authority for public to identify with.

3. Do you feel that the District ought to be fully parished?

Respondent 2:

Responsibility, accountability and accessibility. Too often I speak as active member of the local residents association, the wishes and wants of Council Tax payers in unparished areas are overlooked or ignored. A parish council would help to rectify this.

Respondent 3:

Only id the "unparished" areas request to be parished – up to now have always operated without a parish council – will now be represented by their local county councillors and the new County Council (which are replacing District Council and Councillors)

Respondent 5:

I think it is important for there to be consistency in the approach to the democratic arrangements in the district.

Respondent 6:

As in previous paragraph.

Respondent 8:

No since the last major structural change in local government, parish councils have archived little or nothing. Chester le Street District Council never up to this point suggested the District should be fully parished.

Respondent 9:

To have a voice for ordinary people who know how the area runs.

Respondent 10:

To have a voice.

Respondent 13:

Depends on what they can influence.

Respondent 15:

All areas need a voice.

Respondent 16:

The development of a town requires that there must be a sense of belonging, pride and ownership in the businesses, residents and leisure associations in that town. Only an elected, accountable town council can provide the administrative structure required for the sense of belonging. A unitary county council cannot do this.

Respondent 17:

The District is too big to have only token representation.

Respondent 18:

See item 1.

Respondent 20:

If not fully parished, some areas would have advantages over others.

Respondent 22:

Local representatives for local people. Big is not always right.

Respondent 23:

Costs too high.

Respondent 28:

The town has to have priority status – people visiting – should be able to see the town as superior.

Respondent 29:

Equality.

Respondent 44:

A more balanced view of all the district would be received.

Respondent 45:

Cost savings.

Respondent 46:

I don't not like the changes proposed and think that the Government have got their figures wrong as usual.

Respondent 55:

I think it would be much better for the People in Chester le Street.

Respondent 57:

At the moment we can contact someone who lives locally. The future is uncertain.

Respondent 58:

Each area needs to be represented.

Respondent 59:

Historically it is the way it has always been so – I see no reason for it to be changed – if something is not broken why fix it.

Respondent 65:

The new council is so large in area it will be impossible for areas not parished to get a say.

Respondent 66:

We already had full democratic representation and 73% of us felt this was sufficient. Why was this demolished only to be recreated as something different.

Respondent 74:

Costs.

Respondent 77:
Only adds to the cost of council tax.

Respondent 78:
Satisfied with current local situation.

Respondent 91:
Otherwise we could be at a disadvantage.

Respondent 92:
Too many Parish Councils already. Spread their responsibility to include other areas or do away with them altogether to save money.

Respondent 101:
As all the other areas surrounding main town are parished then why shouldn't we when DCC take over a single unitary Parish Council.

Respondent 106:
Single playing field – all funded alike.

Respondent 110:
Each community deserves to have a representation. Events and 'happenings' in a small area are easily overloaded in the bigger picture.

Respondent 112:
Financial reasons

Respondent 114:
Don't know what this means.

Respondent 115:
There needs to be some type of authority for public to identify.

4. If your answer to Q3 is yes which of the following options would you prefer for the current unparished area:

Respondent 2:
I'd like to see residents asked specifically whether they wish their locality to be absorbed by a neighbouring existing parish and ensure same influence based on size, OR, establish their own smaller parish where the advantage is uniqueness and exclusivity. Once the local residents have made their decision both local (and Central) government are obliged to respect the decision and recognise the formed parish as the essential layer of government they promote.

Respondent 3:
Most economical

Respondent 5:

Chester Moor and Pelton Fell areas have different community needs to the central area so each would be best served by separate arrangements.

Respondent 8:
N.A (See Q3)

Respondent 16:
The needs of Chester le Street as a town are different from those of the surrounding parishes. Any re-hashed district council will not succeed in sustaining the development of the town. The town council must comprise representatives of businesses, residents and leisure communities and clubs in town. A town council is required.

Respondent 45:
Not applicable.

Respondent 46:
Keeping areas locally is the best way forward.

Respondent 55:
As long as the town parish council look after the people then its okay.

Respondent 112:
N/A answer was 'No'.

5. Whatever your answer to Q4, do you feel that any new Town or Parish Council should seek to achieve 'Quality' Status. (See paragraphs 10 and 11 on introductory notes)

Respondent 2:
I may have misunderstood the introductory notes but my understanding of the affect of achieving Quality Status would be to increase a (theoretical) precept of 54p/wk to £4.14/wk. A resentful electorate may be persuaded to pay £28 on top of Council Tax. They are less likely to pay £215. Is "QS" a duplicitous way of denying democratic influence and access?

Respondent 3:
Depends if the "existing –connecting" parishes are eligible to go for it i.e. elected members

Respondent 5:
The Town/Parish Council (s) should work to provide 'quality' services to meet the key standards of 'quality' status however consideration needs to be made to the additional costs to the public and ability to pay – it may need to be balanced.

Respondent 6:
Let's try the new system without re introducing another two tier system via the back door. Councillors should always have good status whatever fancy titles they are given.

Respondent 8:
Town or parish merely add another unwanted tier of inefficient and expensive administration.

Respondent 16:

There have long been the characteristics of town councils over the years. Just observe the traditions and standards of freely elected councils which, without unnecessary political allegiances, have served the needs of the urban communities for years.

Respondent 17:

It is in the best interest of us all to achieve quality status

Respondent 18:

Quality status is generally a very expensive exercise and does little to benefit council tax payers – E.g. The equality and diversity monitoring sections of this questionnaire are totally irrelevant to the formation of parishes.

Respondent 20:

The areas quoted as 'quality' status are much larger areas than Chester le Street. In the current economic climate the amount of rise in the council tax is not justifiable.

Respondent 23:

If we are to have them we might as well have a high standard.

Respondent 28:

This would keep standards from falling.

Respondent 42:

Of course they should. But they all should no matter what

Respondent 43:

More expense to the ordinary people.

Respondent 45:

Not applicable.

Respondent 55:

Yes they should achieve quality service.

Respondent 65:

It needs to be the best.

Respondent 66:

This is just bureaucratic claptrap – more expense for council tax payers

Respondent 74:

All services must be bench marked with performance targets and VFM audits.

6. Evidence from the existing parish councils in Chester-le-Street suggest that a new town or parish council similar to these councils would cost between 21p per week and 54p per week more to council taxpayers in the unparished areas. Would you be prepared to pay additional council tax at this level for the representation and services a town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Respondent 1:

Council tax along with the rising cost of living and 'credit crunch' are present are high enough. We are looking to lower outgoings not increase them. Also the unitary authority proposals state that there would be savings in moving to one authority. If this is the case these savings should be re-invested to cover the cost of any subsequent changes to structures.

Respondent 2:

I would like to see (in this informative age) each council Tax payer receive annually a detailed breakdown showing how their obligation is spent e.g. 54% on education = £620 etc. A separate, itemized account showing tax payers how the precept is spent would enhance the image of local democracy.

Respondent 3:

These figures are only applicable to Parish Councils – a town council will be a lot higher

Respondent 5:

See comments above – whilst perhaps £1- £2 max more would be acceptable too much of the community £4 may be difficult.

Respondent 6:

Council tax is crippling to most people now. Why have we always got to embrace more costs. We are not a huge area. Let's just have the new council without the red tape.

Respondent 8:

See response to Q1, 2, 3, & 5

Respondent 14:

The former unparished (Urban District) only pays the basic council tax. Parished areas pay basic rate additionally. All should pay equally.

Respondent 15:

We pay too much council tax as it is for the services provided.

Respondent 16:

I think Chester le Street would require the full organisational structure of a traditional town council. I think that for such a substantial town the cost per household would be comparatively small. Parish structures in village area would be more expensive.

Respondent 17:

I would be prepared to pay a percentage of the cost. But feel should be made available from central government.

Respondent 18:

Yes – if ultimate proposals referred to in item 1 are found to be in favour of town/parish councils.

Respondent 20:

As above.

Respondent 21:

If it were for more benefit suitable to those who live here I'm sure it would not be objected to.

Respondent 28:

I honestly believe that we already pay enough for council tax – and why can't some existing premises be adapted – buildings already used by the council.

Respondent 31:

Should be sourced from existing funding.

Respondent 42:

Extend the existing Parish Councils and the cost to the tax payer should be less than that of the new town council

Respondent 43:

The council tax rises every year but the services never get any better.

Respondent 46:

Extra money could be put to keeping post offices open and reopening ones closed.

Respondent 55:

I get council tax benefit so it doesn't bother me much.

Respondent 65:

You need someone to keep control and have equipment to do it.

Respondent 66:

We were told that millions of pounds would be saved by the new system, so we should not need to pay more.

Respondent 74:

Unsure if we receive VFM or representation under current structure.

Respondent 77:

Pay too much council tax as it is.

Respondent 88:

Definitely not.

Respondent 91:

We pay enough council tax this should be sufficient especially in the economic climates and we know councils squirrel money away in bank accounts.

Respondent 92:

Council taxes are high enough and no increases can be accepted.

Respondent 101:

I feel that the parking charges in Chester le Street could easily pay for a Parish council, these machines must take thousands of pounds per day and I have often asked the question where do this money go?

Respondent 106:

No applicable. We are parished.

Respondent 112:

Council tax increases (percentage increases) are already greater than all other household increases including gas, electricity, water etc etc.

Respondent 114:

Probably not as I don't know what difference it will make. I don't suppose they would do anything about all the boy racers who drive dangerously around Chester le Street.

7. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week. Would you be prepared to pay additional council tax at this level for the representation and services a 'Quality' town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Respondent 1:

Council tax along with the rising cost of living and 'credit crunch' are present are high enough. We are looking to lower outgoings not increase them. Also the unitary authority proposals state that there would be savings in moving to one authority. If this is the case these savings should be re-invested to cover the cost of any subsequent changes to structures.

Respondent 2:

See previous answers

Respondent 3:

Who would fund the set up costs

Respondent 5:

However for others this could be nearly a 25% rise in Council Tax which may pose financial difficulties on some.

Respondent 6:

Less Councillors should mean reduced council tax. When the District Council was in power our area never saw a councillor from one election to the next one.

Respondent 8:

See previous answers

Respondent 16:

The focused and cohesive efforts of a town council that was seriously concerned with the welfare of the town (and not a party political instrument) would provide benefits which would be ? more than the cost.

Respondent 17:

Money is always an issue. Central government should help fund these initiatives as in the long term it would help improve the area which should reduce costs.

Respondent 18:

See comments to question 5.

Respondent 25:

There is a big gap in costs between questions 6 and 7.

Respondent 28:

I believe that the council at present does a good job – people voted against change – which was ignored – what was the point of asking? I don't think a new to be better.

Respondent 29:

Not in the present financial climate.

Respondent 42:

See question 6.

Respondent 52:

Pensioner – limited income.

Respondent 55:

Not fair on tax payers.

Respondent 65:

Would need to get more accurate information on town centre area numbers etc.

Respondent 74:

Can't see benefit in giving council any more money as cant see what we get for money now.

Respondent 77:

See previous.

Respondent 78:

'Quality' achievements obtained by fake measures and not worth the paper they are written on.

Respondent 91:

See comment to no 6.

Respondent 92: Same answer as question 6. Greater productivity expected of new DC councillors.

Respondent 101:

My answer is the same as question 6.

Respondent 106:

N/A

Respondent 112:

See answer to Q 6.

Respondent 114:
Defiantly not.

8. Do you consider that a formal review should be undertaken of the whole of the Chester-le-Street District Council area i.e. a Community Governance Review? (See paragraph 6 and 16 on the introductory notes)

Respondent 1:

I feel that in this case a Community Governance Review is essential to ensure that all arrangements are reviewed and assessed and the views of local people are included as part of a formal consultation to ensure that the outcomes meets the needs and wants of residents.

Respondent 2:

Why could a Governance Review and Boundary Commission Process not have been undertaken and finalised before the establishment of Unitary Councils? What decisions are going to be made by the UCs before this essential layer of local governance is in place? Can these decisions be subsequently challenged? How certain can a local electorate be that they will definitely have a voice at local level?

Respondent 5:

Whilst consistency is important, delivery mechanisms need to be appropriate to specific areas.

Respondent 6:

Once again its all down to cost.

Respondent 8:

Unwanted and unnecessary expenditure

Respondent 16:

I'm not sure there is much point in addressing this question. You have made it clear that you will not make any move before the boundary commission reports. That must mean the so called 'unparished' area of Chester le Street town must remain in limbo for at least two years.

Respondent 17:

This is an important change and needs to be properly researched and understood.

Respondent 23:

Why no have a vote.

Respondent 28:

How else can the people be given what they want and don't want.

Respondent 42:

I'm not sure it would do any good. Will you take any notice?

Respondent 43:

Why do we need a Parish Council. Never had one before.

Respondent 45:

Extra cost.

Respondent 46:
Scrap the idea all together and start again.

Respondent 55:
No I don't think it's a good idea.

Respondent 65:
Again we need to know the figures

Respondent 66:
I believe that in a few years time the giant new county council will have to be split up again because it will be too unwieldy.

Respondent 78:
Waste of 'real' time.

Respondent 91:
Only if it does not cost the rate payer.

Respondent 92:
It would not make any difference. No one took any notice of the last review which was returned to the government

Respondent 112:
Formal reviews come at a price – the council should be considering how to cut council spending.

Respondent 114:
I read the notes and they didn't make sense, so its quite hard to comment on what I would want.

9. If you do not support the idea of a Town or Parish Council in the unparished area how do you feel this area can be represented in the future?

Respondent 1:
The views of local people in terms of representation need not be limited to Parish/Town Councils. Other options should be explored for e.g. looking at the remit of 'action area partnerships' to include representing and working with local residents and liaising with county councillors and local authority officers.

Respondent 3:
By local Unitary Councillors and Durham County Council

Respondent 5:
I do support the idea of a Town/Parish Council in principal however I think we could be adequately represented depending on the process and mechanisms for consultation with the Unitary Council – however this needs to be consistent across the county and district.

Respondent 6:
Like always I feel we have never had proper representation. Surely the whole area should be just as good with two reps. We never had good reps from thirty odd councillors before.

Respondent 8:

By its two, elected members in the new unitary authority.

Respondent 18:
See comments to question 1.

Respondent 23:
Form a residents body let the people who live there do it.

Respondent 26:
Areas absorbed into existing Parishes. Town Centre should have town council.

Respondent 27:
Just carry on with improvements.

Respondent 28:
The town council should deal with parishes surrounding it.

Respondent 34:
N/C

Respondent 43:
That's what the district council is supposed to do.

Respondent 44:
N/A

Respondent 45:
One County Council with town councillor sitting on county council.

Respondent 46:
Have yearly fixed elections and a mayor to oversee all arrangements.

Respondent 47:
County councillors

Respondent 52:
Rely on expertise of qualified officers of the new unitary authority/county councillors.

Respondent 57:
Support the idea.

Respondent 60:
We seek to so alright as we are.

Respondent 64:
DCC can run it.

Respondent 66:
Give us our district council back.

Respondent 69:
As proposed.

Respondent 71:

Don't know what any of the town/parish councils do to help improve Chester Le Street.

Respondent 74:

It will be represented by unitary authority and boundaries changed to ensure representation for town areas.

Respondent 75:

We will have county councillors.

Respondent 76:

The two county council members should be quite able and qualified to carry out public enquiries.

Respondent 77:

Don't feel the need as we've managed okay in the past without.

Respondent 78:

By people being true to themselves and each other without interference from self seeking individuals.

Respondent 82:

I will have to trust the county councillors.

Respondent 92:

The new DC Councillors should represent us at reduced costs.

Respondent 96:

By action area partnerships.

Respondent 97:

No idea.

Respondent 103:

As ruled by government.

Respondent 101:

We should have local surgeries to contact our representatives to forward our views within the community.

Respondent 112:

All areas should be represented by at least one county council member.

Respondent 114:

What are the alternatives?

Respondent 116:

By communicating with County Councillor or at a surgery.

Respondent 118:

Only Durham Unitary Council togetherness required.

10. If you have any other views or want to raise any other issue please do so here?

Respondent 1:

There is an opportunity to review the way DCC operates locally in the 21st century and options other than traditional parish/town Councils should be explored to ensure more inclusiveness in decision-making. The increasing low turn out at elections demonstrates younger peoples (in particular) changing attitude towards formal democratic process, we need to adapt.

I feel that this survey is rather leading – particularly Q1 -3 which is more or less the same question asked differently. The wording is leading only focusing on the negative implications of no town council. Similarly, the supporting information is leading in that it is clearly supportive of the Town Council model and offers no balanced view or alternative. It is disappointing that there are no alternative options to be explored although I understand that the unitary bid referenced this model. Finally it is disappointing that there is not a freepost return address and residents are expected to pay to contribute to the review.

Respondent 2:

Other Views/Issues:

1. Area Action Partnerships (AAPs)

- What is their relationship with parish (and other) Council's proposed to be?
- Who sits on the AAPs?
- Who do they represent?
- How accountable will they be?
- Why is it current policy to promote AAPs but less emphasis is placed on formation of parishes?
- Will there be a risk that AAPs will be more in favour of the business community rather than ordinary electorate?

2. Residents Associations (RAs)

- Is it possible to increase the status and involvement of already formed RAs when decision affecting local communities are being made?
- Is it possible to promote greater interaction between RAs and existing, or soon to be created, Parish Councils?

Respondent 6:

Some areas in Chester le Street get more attention than others. Our representatives seem to be all in the South Pelaw area while the other parts get little notice.

Respondent 8:

I feel this whole exercise is not required – there has been a democratic decision to move to a new unitary authority – accept that.

Respondent 16:

I am concerned to know how the progress in the developments in the town e.g. the market area, the shopping in Front Street, can be monitored and reported without any 'parished' structure oversee it. I do not believe the new unitary authority can do this fairly and evenly with a confused 'parished' and 'non-parished' sub structure.

Respondent 20:

What is going to happen to the Civic Centre if all the council work is based at County level. Will the public have any say in where money is spent. The Civic Hears was a very large amount of money spent with a resulting eyesore.

Respondent 21:

Personally I believe that our town was spoilt when the market was moved away. It would have been better to have left it where it was and given in an under cover bus station where I to market is now. Durham, Stanley and Consett are much better provided for than us.

Respondent 43:

Why pay more council tax to make more jobs for councillors when we have never needed them in the past.

Respondent 57:

Is it not too late now. We already had a vote that was overruled.

Respondent 65:

As a town council with business and residential area we need to have our say on many items of how it is run and what we can achieve. What is good and not good for our area.

Respondent 66:

73% of us voted against this scheme and the then chairman of the county council said the referendum wasn't worth the paper it was printed on. How democratic is that? I still think it will cost millions more than the previous set up and has been imposed on us for purely political reasons.

Respondent 74:

What is the point of a unitary authority and another town council just more costs and keep councillors on expensive.

Respondent 75:

This is only to preserve existing councillors jobs – we do not need them. This is a waste of money – some of us have to work hard to pay council tax – not all of us have it paid for us

Respondent 76:

We feel this whole cost is wasteful from an administration point of view and any extra cost of any sort on our rates is abhorrent.

Respondent 91:

The representative on the town or parish council should be a local person who knows and understands there areas not a newcomer who has no idea about what locals want or need.

Respondent 92:

Is anyone going to take notice of peoples views this time. The last survey was totally ignored by the government.

Respondent 110:

Local people should be represented by a 'local' person who knows them and the area first hand.

Respondent 114:

No.

Respondent 117:

I have completed the attached questionnaire as requested but feel that the format of the 'comments' spaces results in much repetition and I have, therefore, set out my specific comments that I hope will clarify my views. I believe it is important to say that I am retired,

have lived in the District all my life, lived in Council housing as well as private, have experienced both a Parish Council and an unparished area and both my children have been educated in local schools. I believe I am very well placed, therefore, to comment constructively on the questionnaire based on my lifetime experience in the District.

1) When we were asked to vote earlier in the year on a Unitary Authority our expectation was that Council Taxes after initial setting up cost would reduce or at least remain steady after taking into account natural inflation etc. Despite Council claims at the time, the majority of people did not vote to keep the District Council, a significant majority of people failed to vote and the decision to disband the District Council was rightly taken. To produce a questionnaire that includes an option to increase council taxes by £200 per annum in addition to the other elements of Council Tax increases that will occur is ridiculous and at best insensitive.

2) As set out in the document, the advantages play an important part in deciding the value of creating a Town Council and I am afraid it is clear that you are struggling to justify these. Increased representation in over 60 years has not brought success to the town as we have witnessed a gradual degradation whilst the Council have looked backwards not forwards. An example has been to build the town future around a market place or should I say, "the dying heart", when it is clear from the attendance this is not what the majority of the public is seeking. There does not appear to be any overall planning strategy for the town centre to provide a mix of shopping but rather a free for all that has allowed the main street to consist mainly of Building Societies, Charity and Coffee shops. This has resulted in the closing of many smaller businesses to be replaced by "cheap shops" that will not attract visitors.

The historical increased representation has also seen us ridiculed nationally with a need to have special teams brought in to run the Council business and to have planning debacles such as the failed Bail Hostel. I am afraid I see most of your suggested advantages as reasons not to have a Town Council.

3) There is certainly a need for a focal point for residents to contact 'Operational Departments' i.e. the people who do the work. We do not want a bureaucratic high cost additional layer of government that is simply a continuation of a failed District Council under another name. I am afraid I see this questionnaire as simply a further attempt by the District Council to retain an inefficient structure after having already wasted our taxes challenging the legality of the changes we voted for.

4) As indicated in the previous comment I believe there is a need for a local contact point but this needs to be connected to the 'Operational Units' that do the work. There is a need to recognise that Society has moved on in recent years and whilst we do still have some vulnerable people in the areas such as the elderly, the very old generations are unfortunately rapidly passing on. Those of us who make up the current elderly population are in general very able to use telephones, literate and increasingly able to use our own computers. I have never found it necessary to contact a Councillor in over 50 years and I would suggest that today when they are contacted this is normally by telephone or email. More use should be made of existing methods of communication e.g. this questionnaire could have reached most of the electorate if it had been added as a tear off to the end of the District News. Planning issues can already be accessed on line at the Council Website and for those who do not have computers, key major issues can be raised via focus groups or as an adjunct to existing regular publications. You must accept that significant Planning issues are not usually processed within short time spans and this should present an opportunity for ample time for local representation to the County Councillors. Perhaps there is a need for a quarterly Planning Digest for significant schemes to be incorporated into the County News magazine.

5) I believe there is a need for Councils to recognise that the old communication methods via Councillors are no longer effective or necessary. I see my Council as a business that supplies me with a service and is no difference from my energy or water suppliers. If I have a problem with them, I simply pick up the telephone to contact their operational centre and if I do not have any success, there is a clear complaints procedure or I have access to other providers such as Citizens Advice Bureaux or Ombudsmen. This is the current method that everyone has to follow including the most vulnerable and there should be no requirement for the Council to be different.

A similar process needs to be implemented for Councils and this can be achieved by the creation of small local multidiscipline progress centres for specific local issues such as holes in the road, individual lighting failures etc that incorporates all the modern communication methods as well as a reception desk for those who do not have access to these. We should maximise the benefits of centralised services by the economy of scale and not create additional local office blocks that will incur ongoing high costs. These progress centres can also act as contact points for focus groups or indeed County Councillor surgeries but there should be at least one senior manager located in them with sufficient authority to deal with significant problems.

In conclusion, I will be surprised if you receive many comments on the questionnaire and as such, I do not believe a minimal response gives you the mandate to proceed in setting up a Town Council. I do not consider a 16 page document to be a short one as described in your covering letter and suspect many will have simply been shredded. A more positive response would have been achieved if you had simply asked the real questions in the District News:

- a) Do you want a Town Council at an extra cost of £200 per year per Household?
- b) Do you want more councillors?
- c) Do you need increased Public Service employment or a more diversified employment regime in the Chester le Street area?

I hope you find these comments useful.

The Questionnaire



Chester-le-Street
District Council

Overview and Scrutiny Committee

Review into the future of the unparished area within Chester-le-Street

Questionnaire

The District Council's Overview and Scrutiny Committee is undertaking a review into the future of the unparished areas of the District. The aim is to put forward recommendations to the new Unitary Authority as to whether there is the scope and need for such areas to be parished in the future. A plan showing the unparished area of the District is attached.

The Committee is seeking the community's views in a number of ways including this questionnaire which has been sent to a sample of residents who currently live in the unparished area of Chester-le-Street, parish councils and community and residents associations. Views received will influence recommendations to the new Unitary Council.

We would be grateful if you could take the time to complete this short questionnaire and return it to Colin Turnbull, Democratic Services Officer, Chester-le-Street District Council, Civic Centre, Newcastle Road, Chester-le-Street, Co. Durham DH3 3UT by **30th November 2008**.

It would aid the completion of the questionnaire if you first read the accompanying notes included with this questionnaire.

Thank you for your time and help.

Geoff Armstrong, Chairman of Chester-le-Street Overview and Scrutiny Committee

David Holding, Vice Chair of Chester-le-Street Overview and Scrutiny Committee

Questions

1. If you live within the unparished area of Chester-le-Street do you currently feel disadvantaged because you will not have a Town or Parish Council to represent your views or deliver local services after April 2009? Please tick box

Yes

No

Unsure

Comments

2. From 1 April 2009 there will be no District Council Councillors and there will be two County Council Members serving your area. Do you think you will be disadvantaged then by not having a Town or Parish Council to represent your views?

Yes

No

Unsure

Comments

3. Do you feel that the District ought to be fully parished?

- Yes
- No
- Unsure

Explain the reason for your answer

4. If your answer to Q3 is yes which of the following options would you prefer for the current unparished area:

- e) A single Town or Parish Council covering the whole of the area;
- f) The extension of existing surrounding Parish Councils to cover the area
- g) A mix of these with a single Town and Parish Council focussed on the Town Centre and existing Parish Councils extended to include areas such as Chester Moor and Pelton Fell.
- h) Another solution, please state your ideas.

5. Whatever your answer to Q4, do you feel that any new Town or Parish Council should seek to achieve 'Quality' Status. (See paragraphs 10 and 11 on introductory notes)

Yes

No

Unsure

Comments

6. Evidence from the existing parish councils in Chester-le-Street suggest that a new town or parish council similar to these councils would cost between 21p per week and 54p per week more to council taxpayers in the unparished areas. Would you be prepared to pay additional council tax at this level for the representation and services a town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes

No

Unsure

Comments

7. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week. Would you be prepared to pay additional council tax at this level for the representation and services a 'Quality' town or parish council could provide? See paragraphs 19-22 on the introductory notes.

Yes

No

Unsure

Comments

8. Do you consider that a formal review should be undertaken of the whole of the Chester-le-Street District Council area i.e. a Community Governance Review? (See paragraph 6 and 16 on the introductory notes)

Yes

No

Unsure

Comments

9. If you do not support the idea of a Town or Parish Council in the unparished area how do you feel this area can be represented in the future?

Please comment.

10. If you have any other views or want to raise any other issue please do so here?

11. On 26th November (between 6 and 8pm) we are proposing to have an extended focus group where by invitation only members of the Overview and Scrutiny Committee can meet interested people from the community to hear views first hand. Would you be interested in coming along if invited?

Yes

No

If yes could we have your contact details?:

Telephone:

E-mail:

12. Your name and address (Optional)

Equality and Diversity Monitoring.

Your answers to the following questions will help us understand the demographics of respondents and if there are any specific groups we still need to consult other groups.

This information will be treated separately from your responses to the earlier questions and will be treated anonymously. You only need to complete this information if you are happy to do so.

A. Are you: Male Female

B. How old are you?

<18 18-25 26-35
36-45 46-55 56-65
65+

C Do you consider yourself to be a disabled person? (This may include any long-standing illness, disability or infirmity which has a substantial effect on your day to day life. Longstanding means it has lasted, or is likely to last, for over a year)

Yes No

D What is your religion or belief?

Christian Hindu Jewish
Muslim Sikh Buddhist
None Other Please State

E how do you describe your sexuality

Straight

Gay Woman/Lesbian

Bisexual

Gay Man

Other

Please State _____

F To which of these groups do you belong

1. White

English

Welsh

Scottish

N. Irish

Irish

British

Other

Please State _____

2. Travelling Community

Gypsy/Roma

Traveller of Irish descent

Other

Please State _____

3. Black or Black British

Caribbean

African

Any Other Black Background

Please State _____

4. Mixed

White and Black Caribbean

White and Black African

White and Asian

Any other

Please State _____

5 Asian or Asian British

Indian

Pakistani

Chinese

Bangladeshi

Other

Please State _____

6. Other Ethnic Group

Please State _____



Overview and Scrutiny Committee

Review into the future of the unparished area within Chester-le-Street

Introductory Notes

The following notes are aimed at helping you understanding:

- the current period of change in local government;
- why we are carrying out the review and what we will do with the findings;
- what town and parish councils do; and
- an indication of costs associated with town and parish councils.

It might help you complete the questionnaire if you read these notes first.

Local Government Reorganisation

1. The Government have decided that in future the existing two tiers of local government, the County Council and District Councils will be replaced by a single tier know as a **Unitary Council**. From 1st April 2009 all council services will therefore be delivered by a single unitary council to be known as Durham County Council. All councils in the county are currently working in partnership to set this new council up. Currently you are served by both county and district councillors. From the first of April 2009 each ward will be served by two county councillors. This may change in the future as the Boundary Commission (a national body) are currently carrying out a review of the electoral divisions throughout the county. They will make their views known whether there should be any further changes in autumn 2009.

2. The government propose no change to the current arrangements for town and parish councils. The new council has proposed that town and parish councils will be given a stronger role in the future. The County Council's bid for local government review stated that all areas of the county should be parished in the future. You can find out more about the role of Parish and Town Councils in paragraphs 8 to 22.

3. The county council have been consulting communities in the county over the summer on what is known as '**Action Area Partnerships**'. These will be partnerships which work together to meet the needs of communities. There is likely to be such a partnership for Chester-le-Street. These partnerships do not affect parish and town councils but is likely parish and town councils will have a role on these partnerships. The 'Action Area Partnerships' therefore will **not** replace parish and town councils.

The Scrutiny Review of the Unparished areas of Chester-le-Street

4. Chester-le-Street's Overview and Scrutiny Committee plays a role in monitoring the performance of the District council and its partners. It holds the council's Executive to account. It also engages in developing and implementation of council policies and strategies. In doing so it considers the communities point of view. The whole aim of scrutiny is to improve services. In the last government inspection of the council the Scrutiny function was found to be 'effective'

5. In the council's final year the Scrutiny panel is carrying out a review into the unparished are of the district. It is doing this because this is not currently a focus of the County Council as it develops the new unitary council. The District council wanted to understand whether there is the scope and desire to establish any new parish or town council in the future to ensure that all communities in Chester-le-Street have the best representation possible.

6. It is **not** the intention of the council's overview and scrutiny review to establish any new parish or town councils before April the first. This is for a number of reasons:

- The Boundary Committee (the national electoral body) have strongly recommended councils not to establish any new parish or town councils while they are carrying out there electoral review in the county (they will not report on their recommendations until autumn 2009);
- New legislation now requires councils considering new parish arrangements to carry out what is called a '**community governance review**', this involves a full assessment of arrangements within a specific area or across the whole district. It can therefore look at existing arrangements right across Chester-le-Street and not just in areas where a parish council does not exist. It includes the need to undertake statutory community consultation with the county council and stakeholders including communities affected. There are costs that go with such a review. The district council does not have the resource or the time to fully undertake this at the current time particular against the Boundary Committee advice and the fact that the new unitary council will be the ultimate decision maker on any proposals or recommendations

7. It is the intention of the council's overview and scrutiny review to make recommendations to the new unitary council as to how it feels the new unitary ought to proceed. It will be developing its recommendations by:

- understanding the legal and financial implications of parish and town councils and 'community governance reviews';
- visiting existing and developing parish and town councils in the region; and
- Informally seeking the views of communities, town and parish councils and resident and community associations.

Roles of Town and parish councils

8. Town & Parish Councils are the first tier of government and are the first point of contact for anyone concerned with a community issue. They are made up of democratically elected councillors. A Town Council has the same powers as a Parish Council, it is simply that the Council has decided to take on the title 'town' as more appropriate. Town and Parish Councils are an essential part of the structure of local democracy and play a vital role in acting on behalf of the communities they represent. They:

- Give views, on behalf of the community, on planning applications and other proposals that affect the area;
- Undertake projects and schemes that benefit local residents;
- Work in partnership with other bodies to achieve benefits for the parish;
- Alert relevant authorities to problems that arise or work that needs to be undertaken; and
- Help the other tiers of local government keep in touch with their local communities.

9. They have a wide range of powers which essentially relate to local matters, such as, looking after community buildings, open space, allotments, play areas, street lighting, bus shelters and car parks.

What 'Quality' Town Council status means

10. The Quality Town & Parish Council Scheme was launched in 2003 with three main aims:

To provide a benchmark of standards for Town & Parish Councils.
To enable them to work more closely with partners in the delivery of services.

To enable them to more effectively represent their communities.

11. In order to achieve Quality Status, Town & Parish Councils must demonstrate they have achieved the standard required by successfully completing a number of tests based on:

- Electoral mandate
- Qualifications of the Clerk
- Council Meetings
- Communication and Community Engagement
- Annual Report
- Accounts
- Code of Conduct
- Promoting local democracy and citizenship
- Terms and conditions
- Training

What might be the advantages and disadvantages of a Town or parish council?

12. Advantages might be:

- Increased representation
- Right to be consulted on planning applications
- Ability to undertake projects for the benefit of local residents
- Partnership working with other bodies for the benefit of the Parish
- Ability to precept for funds

13. Disadvantages might be:

- Costs will be borne by residents
- An additional layer of government

14. What are the current arrangements in Chester-le-Street?

There are currently 11 Parish Councils in the District serving the village areas that were formerly part of the Rural District Council, these are:

- Bournmoor
- Edmondsley
- Kimblesworth & Plawsworth
- Great Lumley
- Little Lumley
- North Lodge
- Ouston
- Pelton
- Sacriston
- Urpeth
- Waldrige

The remaining areas of the Council do not have a Parish Council, these are:

- Chester Moor
- Chester-le-Street town area (excluding Waldrige Park which is within Waldrige Parish)
- Pelton Fell
- Newfield

15. The number of electors in the Parish Council areas is 26,159 and in the unparished area is 15,570. The area of the District that does not have any Parish Councils is indicated on the attached map.

How might a new town or parish council be created?

16. The Local Government and Public Involvement in Health Act 2007 introduced two ways in which Town or Parish Councils can be created. Firstly by a principal Council undertaking a 'Community Governance Review' and secondly in response to a

Community Governance Petition signed by the requisite number of local electors as determined against three thresholds:

- An area with 499 or less local electors – at least 50% of that electorate
- Area between 500 and 2500 electors – at least 250 of that electorate
- Area of more than 2500 electors – at least 10% of that electorate

17. In Durham County Council's successful unitary bid there was clear reference to the importance of Town and Parish Councils and a clear undertaking for the new Unitary Council to use its power to establish new Town and Parish Councils.

18. Currently the independent Boundary Committee for England is undertaking a review of the electoral arrangements in Durham to ensure they reflect the way in which the new Council will operate in the future, and how it will engage with local communities, including Town and Parish Councils. The Boundary Committee has requested that Community Governance Reviews be delayed until its final report has been published. Accordingly, the District Council is undertaking an exercise to identify whether there is a demand for Town and/or Parish Councils in the area of the District that is currently unparished, with a view to making a recommendation to the new Unitary Council.

What are the potential costs of a town and parish council and who pays?

19. Although it is not possible to give an accurate assessment of the cost of setting up and running a Town or Parish Council, certain costs could not be avoided:

- Employment of Clerk
- Rental of office space and utility costs
- Office equipment (e.g. computer, printer, copier, telephones)
- Stationery
- Miscellaneous running cost

20. Based on information from other Councils who have undertaken similar exercises, set up costs for a Town Council based on the Chester-le-Street town centre area could be between £100,000 and £200,000. For a Parish Council based on an area such as Pelton Fell could be in the region of £10,000 to £20,000.

21. Running costs would be dependant on the level of service provided but could be expected to be at least twice the set-up costs in the early years increasing as the service provision grows. The 11 existing Parish Councils in the District currently precept for amounts that vary from £3,000 (Edmondsley) to £44,000 (Pelton). The effect on the Council Tax of the Parish Council precepts based on a Band D property varies from £10.98 (Ouston) to £28.22 (Sacriston), which equate to 21p and 54p a week respectively.

22. As examples of 'Quality' Town Councils the costs of Aycliffe Town Council in Sedgefield and Peterlee Town Council in Easington suggests that once running a 'Quality' town council would cost council taxpayers in the unparished area between £3.85p and £4.14p per week.



Chester-le-Street
District Council

Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

Final Report Second Draft

Appendix 3:

Extended Focus Group Analysis Report



Overview and Scrutiny Committee

Review into the unparished areas of Chester-le-Street

Extended Focus Group Analysis Report

1. Introduction

- 1.1 This document sets out the results of the Extended Focus Group for the unparished areas Overview and Scrutiny Review
- 1.3 The focus group took place on Wednesday 25th November 2008. The focus group started at 6.00pm and ended at 7.45 pm. It was by invitation only. Those invited were:
- Parish Councils
 - Residents and Community Associations
 - Those who had volunteered participation in the focus group having completed positively the relevant question on the community questionnaire.

- 1.4 Participants were as follows:

Members of the public:

[Add list from Shelley](#)

Members of the Council:

Councillor David Holding (Chair)
Councillor Geoff Armstrong

[Add list from Shelley](#)

Officers:

Ian Forster
Colin Turnbull

Director of Corporate Resources
Democratic Services Officer

- 1.4 In summary only one participant considered that there should be no further governance arrangements. This limited opposition to any new parish or town council arrangement came at the very end of the meeting. There were strong arguments put forward in respect of some form of parish or town council arrangement. In particular some of the participants felt that some interim arrangements were needed to avoid any loss of representation between vesting day and the start of any new town and parish council. The details of the viewpoints put forward are included in the following sections.

2. Views in Favour of Town and Parish Councils

- 2.1 Viewpoints recorded at the event in support of a Town and Parish council were as follows:

- Strongly in favour of town council
- Workload is going to be to great
- Issues previously set out
- If there is a cost what will be the cost if we do not have the structures in place
- There was a process three or four years ago
- Two fantastic county councillors which are locally based
- What will costs will be to Chester-le-Street if there is no one on the ground
- Serious issues, should not talk about costs but benefits
- Could it be done with no cost? Parish extensions?
- Money would be best spent establishing a parish or town rather than immediately go in existing parishes but agree that if go for a town council in the centre it should be
- Working together to build on cultural links and feel there is a lot of support for this in some areas
- Empowerment White Paper – more co-opting of groups to Parish Councils
- A Chester-Le-Street council ought to be a conglomerate of various groups that represents the interests of the town
- Emphasis the issue of ensuring that interim arrangements are in place
- Urge representatives get together and create understanding of the benefits that a town or parish council would bring and sell this to the public

3. Views in Favour of Town and Parish Councils

- 3.1 Viewpoints recorded at the event against a Town and Parish council were as follows:

- What you are trying to do is bringing in another tier of local government
- Not going to be any better than the council as it is

4. Views in Favour of other models

4.1 Viewpoints recorded at the event for other models of governance were as follows but were largely the views of councillors:

- 22 RA's that take part in the life of local democracy
- Example of Crag Head Trust backed up by community partnership
- Depends on the quality and integrity of the people who are engaged
- Pelton potential to join partnerships

5. Other points of view made.

5.1 Finally, other points of view were as follows:

- Stanley have taken a £100,000 loan to establish their new town council
- Birtley – residents decided they did not want it and it was abandoned
- If you have a parish residents have accepted the costs with a new one there will be an additional cost
- It will be 2011 maybe later before we get something and this is absurd
- Arrangements are crazy
- As long as people can ride the bike the Christmas present will be valued
- Are people fearing loss of democratic representation or models of achieving economic development?
- How will AAP's be comprised
- What are MAA's
- New unitary are working on a top down approach
- Looking at AAPs but will not deliver
- Parishes closer to local people
- Example of 7 Members down to 2 – workload increases members will not cope
- Stronger areas might attract more resources
- Newfield as an example feels often left out of picture
- Places like Newfield ought to be represented
- Chester le Street is going and DCC is taking its place - it needs to be given a chance to deliver
- How will government allow groups with Parish Councils
- What kind of changes what sort of legislation what can be done by central government
- AAPs £150,000 left after staffing costs
- Need a development group under the town council
- Need to emphasise the Limbo situation between 1st April and the setting up of any proposals must ensure that the County is requested to ensure that there are interim arrangements
- Concerns about the war memorial site



Chester-le-Street
District Council

Overview and Scrutiny Committee

Refreshing Local Democracy - Review into the Future of the Unparished Areas of the District

Final Report Second Draft

Appendix 4:

Government Guidance on 'Community Governance Reviews

Report of the Overview and Scrutiny Committee

Refreshing Local Democracy: Review into the Future of the Unparished Areas of the District

Appendix 4:

Government Guidance on ‘Community Governance Reviews’

General

1, A community governance review involves looking at the forms of corporate governance. This is no “one size fits all” vehicle. Para.33 of the Guidance states that ‘[w]hen undertaking the review they must have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.’ Para. 35 of the Guidance states ‘[p]rincipal councils must consider the wider picture of community governance in carrying out their reviews...’

Non-parish forms of community governance

2. Para. 135 of the Guidance states: ‘In conducting a community governance review, principal councils must consider other forms of community governance as alternatives or stages towards establishing parish councils..’ There are ‘other types of viable community representation which may be more appropriate to some areas than parish councils, or may provide stages building towards the creation of a parish council. There is sometimes evidence locally of an existing community governance infrastructure and of good practice which are successfully creating opportunities for engagement, empowerment and co-ordination in local communities.’

3. Examples of non-parish forms of community governance include area committees of principal councils, neighbourhood management programmes, tenant management organisations, area or community forums, residents’ and tenants’ associations and community associations. 5.6.3 Section 93(5) of the Act states that ‘In deciding what recommendations to make [in the community governance review] the principal council must take into account any other arrangements...that have already been made or that could be made for the purposes of community representation or community engagement in respect of the area under review.’

Parish form of community governance

4. Parish councils have the advantage of democratic accountability. Para. 136 of the Guidance notes that ‘what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers. This is

an important distinction to make. Parish councils are the foundation stones for other levels of local government in England. Their directly elected parish councillors represent local communities in a way that other bodies, however worthy cannot since such organisations do not have representatives directly elected to those bodies.'

5. The Act helps to highlight the importance of parish councils. Para.122 of the Guidance notes: 'The Local Government White Paper underlined the Government's commitment to parish councils as an established and valued form of neighbourhood democracy with an important role to play in both rural, and increasingly urban, areas. Para. 49 of the Guidance states: 'Parish councils continue to have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognizable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance.'

What can be the Style of a parish council?

6. Legislative provision refers to parish councils. However, parish councils can adopt alternative styles so that whilst legally they are still parish councils in substance a different style can be chosen. Before the Act the choice of "town" status was merely available as an alternative style. Since the Act there is on offer a further choice of alternative styles for a parish: community, neighbourhood and village. The importance point to note is, as para. 106 of the Guidance, makes clear '...for as long as the parish has an alternative style, it will not also be able to have the status of a town and vice versa.' The decision as to be alternative style depends upon whether the review relates to a new parish or existing parishes. It is for existing parishes to decide whether to have one of the alternative styles with the review making recommendations as to whether the geographical name of the parish should be changed. It is for the principal council, 'in the first instance, to make recommendations as to the geographical name of the new parish, and as to whether or not it should have one of the alternative styles.' (see para.110 of the Guidance).

Should there be grouping or degrouping of parishes?

7. A community governance review can recommend the grouping or degrouping of parishes by principal councils. As para. 112 of the Guidance observes '...unless they already exist as functioning parish councils smaller new parishes of less than 150 electors will be unable to establish their own parish council under the Act.' 'Grouping or degrouping needs to be compatible with the retention of community interests. It would be inappropriate for it to be used to build artificially large units under single parish councils' (para.113 of the Guidance).

Should parishes be abolished and dissolved?

8. Para.116 of the Guidance states: 'While the Government expects to see a trend in the creation, rather than the abolition, of parishes, there are circumstances where the principal council may conclude that the provision of effective and convenient local government and/or the reflection of community identity and interests may be best met, for example, by the abolition of a number of small parishes and the creation of a larger parish covering the same area....'. But it is further noted at para. 117 of the Guidance that '...The area of abolished parishes does not have to be redistributed to other

parishes, an area can become unparished. However, it is the Government's view that it would be undesirable to see existing parishes abolished with the area becoming unparished with no community governance arrangements in place.'

How can a council assess whether to voluntarily undertake a review?

9. The Council has the discretion under the Act to undertake a community governance review at any time it wishes and to assess whether to do so para. 28 of the Guidance states '[p]rincipal councils should use their knowledge and awareness of local issues when deciding whether to undertake a review...' Para. 26 of the Guidance suggests that 'it would be good practice for a principal council to consider conducting a review every 10 -15 years – except in the case of areas with very low populations when less frequent reviews may be appropriate.' Examples of when a review should be avoided are given in the Guidance.

Para. 28 states '...principal councils should avoid starting a community governance review if a review of a district, London borough or county council electoral arrangements is being, or is about to be, undertaken.'

10. Ideally, community governance reviews should be undertaken well in advance of such electoral reviews, so that the Boundary Committee for England in its review of local authority electoral arrangements, and the Electoral Commission, can take into account any parish boundary changes that are made. The Electoral Commission can provide advice on its programme of electoral reviews.'

11. The timetable of any community governance review must allow a reasonable time for the formulation of terms of reference, consultation of interested stakeholders, for consideration of the evidence following that consultation, for the decision to be made and (if it is for a community governance order to be made) for implementation (including publication) (see para.38).

What should the terms of reference be?

12. If the Council is to voluntarily undertake a community governance review, it must decide the terms of reference and these must be published. If any modifications are made to the terms of reference, these must also be published. As para. 21 of the Guidance states '...the Government expects terms of reference to set out clearly the matters on which a community governance review is to focus. The local knowledge and experience of communities in their area which principal councils possess will help to frame suitable terms of reference. The terms should be appropriate to local people and their circumstances and reflect the specific needs of their communities.' One obvious constituent of the terms of reference is the area under the review. Para. 23 of the Guidance states 'Local people may have already expressed their views about what form of community governance they would like for their area, and principal councils should tailor their terms of reference to reflect those views on a range of local issues...'

What are the Consultation requirements?

13. Section 79 of the Act requires the Council to notify the County Council of any intention to undertake a review and of the terms of reference. Following notification, section 93 of the Act requires consultation with the County Council and other local

authorities which have an interest in the review. Para. 33 of the Guidance states ‘...principal councils will need to consult local people and take account of any representations received in connection with the review...’ It will need to consult with other local bodies or organizations such as local businesses, local public and voluntary organizations including local residents’ associations. In undertaking a review section 93(5) requires the Council to take these bodies into account.

What are the criteria for undertaking a community governance review?

14. The statutory criteria in section 93 of the Act are set out in para. 51 of the guidance. The community governance review within the chosen area under review must ensure that the community governance will be ‘reflective of the identities and interests of the community in that area and is effective and convenient.’ The Council when considering the statutory criteria must ‘take into account a number of influential factors, including the impact of community governance arrangements on community cohesion and the size, population and boundaries of a local community or parish.’ (see para.52 of the Guidance).

What recommendations and decisions on the outcome of reviews?

15. The Council must make recommendations as to:‘
(a) whether a new parish or any new parish should be constituted;
(b) whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered; or
(c) what the electoral arrangements for new or existing parishes, which are to have parish councils, should be’ (see para. 91 of the Guidance)

The Council may also make recommendations ‘about:

(a) the grouping or degrouping of parishes;
(b) adding parishes to an existing group of parishes; or
(c) making related alterations to the boundaries of a principal council’s electoral areas.’ (see para.92 of the Guidance).

16. In deciding what recommendations to make the Council must have regard to the section 93 criteria and must also take account any other arrangements (apart from those relating to parishes and their institutions) that have already been made, or that could be made, for the purposes of community representation or community engagement. (see para.93 of the Guidance).The Council must also take into account any representations received. The recommendations should be supported by evidence which demonstrates that the recommended community governance arrangements would meet the statutory criteria. The Council must publish its recommendations. In making its decision as to whether or not to give effect to its recommendations, the Council must have regard to the statutory criteria (see para.51 of the Guidance). The Council must publish its decision and the reasons for its decision.

What about implementation?

17. Implementation is by way of a ‘community governance order’. The Guidance states that any ‘community governance order’ should take effect from 1 April following the date it is made. If therefore the community governance review results in a

'community governance order', the commencement of a community governance review needs to take into account that the Guidance at para. 30 states: 'Reorganisation of community governance orders....creating new parishes, abolishing parishes or altering their area can be made at any time following a review. However, for administrative and financial purposes (such as setting up the parish council and arranging its first precept), the order should take effect on 1 April following the date on which it is made'. The Local Government Finance (New Parishes) Regulations 2008 No. 626 deals with the setting of precepts for new parishes. The Guidance continues 'Electoral arrangements for a new or existing parish council will come into force at the first elections to the parish council following the reorganisation order. However, orders should be made sufficiently far in advance to allow preparations for the conduct of those elections to be made. In relation to a new parish council, the principal council may wish to consider whether, during the period between 1 April and the first elections to the parish council, it should make interim arrangements for the parish to be represented by councillors who sit on the principal council.'

18. The Guidance states '...where a new parish council is to be created, if the next election to the ward or division are not scheduled to take place for some time, the principal council is able to modify or exclude the application of sections 16(3) and 90 of the Local Government Act 1972 to provide for the first election to the parish council to be held in an earlier year, with councilors serving a shortened first term to allow the parish council's electoral cycle to return to that of the unitary, district or London borough ward.'

19. The Guidance also states that the process of a community governance review should be completed within 12 months (calculated from the date of receipt of a valid community governance petition or from the date of the start of the community governance review). 'Principal councils are required to complete the review, including consequential recommendations to the Electoral Commission for related alterations to the boundaries of principal area wards and/or divisions, within 12 months of the start of the community governance review (or on receipt of valid community governance petition...)'