



## Special General Licensing and Registration Committee

**Date** Monday 14 March 2016  
**Time** 2.00 pm  
**Venue** Council Chamber, County Hall, Durham

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### Business

#### Part A

1. Apologies for Absence
2. Declarations of Interest (if any)
3. Proposal for the Re-Designation of Framwellgate and Elvet Bridges for Street Trading; Post Consultation Report (Pages 1 - 22)
4. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

**Colette Longbottom**  
Head of Legal and Democratic Services

County Hall  
Durham  
4 March 2016

To: **The Members of the General Licensing and Registration Committee**

Councillor C Carr (Chairman)  
Councillor J Maitland (Vice-Chair)

Councillors E Bell, A Batey, D Bell, J Bell, J Blakey, D Boyes, P Crathorne, I Geldard, B Glass, B Graham, O Gunn, C Hampson, J Hart, D Hicks, A Hopgood, K Hopper, I Jewell, J Lee, T Nearney, L Marshall, P May, D Stoker, A Surtees and A Willis

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Contact: Jill Errington

Tel: 03000 269703

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**General Licensing and Registration  
Committee**



**14<sup>th</sup> March 2016**

**Proposal for the re-designation of  
Framwellgate and Elvet Bridges for  
street trading; post consultation report.**

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**Report of Terry Collins, Corporate Director Neighbourhood  
Services**

**Councillor Brian Stephens, Cabinet Portfolio Holder for  
Neighbourhoods and Local Partnerships**

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**Purpose of the Report**

1. This is a second post-consultation report on Durham Business Improvement District's (BID) proposal on changes to the designation of Framwellgate and Elvet Bridges in Durham City from 'prohibited' to 'consent streets'. This would permit street trading at these locations subject to legislation and adopted policy controls. Committee is asked to consider the responses to the statutory consultation and in support of the proposal, make a resolution to designate these two bridges as consent streets.

**Background**

2. In May 2015 DCC Environment, Health and Consumer Protection (EHCP) received a request from Mr. Adam Deathe, Business Engagement Manager acting on behalf of the Durham BID. This request is shown as appendix 2. The BID asked the council to remove the current designations of prohibited street for Framwellgate and Elvet Bridges in Durham City and re-designate these locations as consent streets to allow street trading to take place (subject to agreed conditions and adopted policy controls).
3. The agreed process following the receipt of requests to designate and re-designate streets within the County was that EHCP/Licensing Services would advertise the proposal to consult the public and liaise with internal and external partner organisations including Highways, Police, planning, local Members and any other identified interested parties. The consultation period would be 28 days allowing members of the public or relevant authorities to submit any written representations either in support of or in opposition to the proposal.
4. The BID's proposal was advertised in the Northern Echo on Wednesday 3<sup>rd</sup> September and the 28 day consultation period ended on the 29<sup>th</sup> September 2015. 'Internal' consultation with the Council and Police partners was also undertaken.

5. On Thursday 14<sup>th</sup> January the Committee considered the proposal made by the BID and the responses received from consultees as outlined in the report following the non-statutory consultation process and Members agreed to support the proposal. Members ordered the publication of a second (statutory) notice stating the council's intention to alter the present designations of prohibited streets and to re-designate the streets at these locations as consent streets.

### **The statutory consultation responses**

6. In accordance with statutory requirements the notice of intent was published in The Northern Echo on Thursday 21<sup>st</sup> January and Thursday 28<sup>th</sup> January and the notice was sent to DCC Highways, Durham Constabulary and Virgin East Coast Railways (Network Rail). A copy of the notice is attached as appendix 2.
7. Three responses to the statutory consultation were received within the prescribed consultation period and no responses were received outside this time frame. None of the respondents objected to the proposal and broadly the proposal was supported in the received correspondences. The responses are shown in appendix 3.
8. Responses received during the preliminary non-statutory consultation from the Council's Strategic Traffic Management, the City Centre Manager, the Traffic Management Officer, Cleveland and Durham Specialist Operations Unit, Training & Risk section of County Durham and Darlington Fire and Rescue Service and from Regeneration Manager – Durham City, Economic Development & Regeneration have already been considered by Members. These previously received responses are shown in Appendix 4.
9. To reiterate, none of the consultees who responded have objected to the proposal in principal although respondents have made relevant comments, observations and recommendations that should be taken into consideration. The Police and Fire Service have expressed certain concerns and made it clear that due account must be given to the potential safety aspects associated with the proposed re-designations. The main issues highlighted by respondents relate to safe access, egress and the prevention of obstructions on the bridges and the safety and integrity of any structures that may be placed on the bridges.
10. Durham Market Company (DMC) in their response requested that the Council consult with them over any applications for street trading at these proposed locations which may constitute rival markets in common law prior to any consent being granted. The street trading policy adopted by the Council does not include consultation with private individuals or organisations in relation to market rights issues. Such matters are not part of the consent process and exist outside statutory processes.
11. Should Members accept the recommendations of this report and make a formal resolution re-designating streets as consent streets, a street trading application process would be adopted which includes the provision of

information to applicants on market rights issues and that recommends prior liaison and communication between the applicants and DMC prior to the submission to DCC of the completed application if any potential market rights issues exist. The Council would therefore not refuse to grant consent purely on the basis of a likely conflict over market rights. It would be the responsibility of DMC to exercise any rights against the street traders should they consider their market rights have been infringed by any street trading collective.

### **Street trading policy and consent conditions**

12. The adopted Street Trading Policy includes some restrictive measures described as General Presumptions. These measures were included following consultation with colleagues based on public health considerations and comments from RED in relation to the protection of historic and cultural significance of certain areas in the County.
13. As street trading can contribute to the success of events, the Policy allows for operators of events and non-established markets to submit a single application for multiple traders. The purpose of this inclusion was to simplify and speed up the application process, benefitting events such as the Bishop Auckland Food Festival, Lumiere and other trading that takes place in other consent areas for example Durham Market place.
14. The designation of a street as a 'consent street' prohibits street trading in such a street without the consent of the Council. This system of control gives the Council more extensive, discretionary powers than is the case for street trading licences. The grant of a street trading consent is a matter that falls within our discretion.
15. The consent process enables authorised street trading activities to be controlled in the interest of public safety. In contrast to the provisions of regulation the grant of licences, there are fewer limitations on the grounds on which we may refuse an application and we are entitled to have regard to matters that we consider relevant, subject only to the requirement that we must act reasonably.
16. We may attach such conditions to the street trading consent as we consider necessary and in particular, conditions designed to prevent obstruction of the street, danger to those using it, crime and disorder and nuisance or annoyance. In relation to the prevention of annoyance, conditions may address any effects of street trading on the neighbourhood that might fall short of a nuisance in law. No right of appeal to the criminal courts exists in respect of a refusal, revocation or variation of a street trading consent.
17. Members had previously requested that the areas that would be designated for street trading could be clearly defined by way of a map. In response, DCC Strategic Traffic Management have produced a map for each bridge to show where trading would be permitted. Applications would have to be accompanied by a plan showing where trading would occur and a risk assessment would be required for proposed events at these locations to ensure that the bridges could be safely crossed during trading events. The

map produced by DCC Strategic Traffic Management for this purpose is shown in appendix 5.

### **Next steps**

18. Members are now asked to consider the BID's request in light of all comments and responses received. The Committee may support or reject the proposal at this stage. If Members of the committee support the proposal they should order the publication of a third statutory notice announcing the resolution to alter the present designation and stating the date on which the re-designation comes into operation.

### **Conclusion**

19. The application/proposal made by the BID would, if supported, enable controlled street trading activities to take place on occasion from Framwellgate and Elvet Bridges. Should Committee reject the application based on the information it receives there will continue to be a prohibition on both bridges with trading being prohibited.

### **Recommendations**

20. That Committee considers the proposal made by the BID and the responses received from consultees as outlined in this report and either rejects or supports the proposal.
21. If Members of the committee support the proposal they should order the publication of a third statutory notice stating the resolution to alter the present designation. This final advertisement would be published in the press to announce the Committee's decision and will also set the date on which the new/altered designations would come into effect. In accordance with statutory requirements, the notice of resolution would be published via local press in two successive weeks with the first notice appearing a minimum of 28 days before resolution takes effect.

### **Background Papers**

Local Government (Miscellaneous Provisions) Act 1982

Durham County Council's Street Trading Policy

Previous General Licensing and Registration Committee report

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**Contact: Joanne Waller Tel: 03000 260924**

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## **Appendix 1: Implications**

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### **Finance**

There are no Finance implications

### **Staffing**

There are no human resource implications.

### **Equality and Diversity**

There are no equality and diversity implications. The Policy has been subject to an Equalities and Diversity screening assessment. This is included as Appendix 3

### **Accommodation**

There are no accommodation implications.

### **Crime and disorder**

There are no crime and disorder implications

### **Human Rights**

There are no human rights implications

### **Consultation**

Prior to the designation of any streets as prohibited, licence or consent, a consultation process will have to take place which could influence the final decision.

### **Procurement**

There are no procurement implications

### **Disability Discrimination Act**

There are no Disability Discrimination Act Implications

### **Legal Implications**

The adoption of street trading powers is contained in Part III LG(MP)A 1982, section 3. A district council or unitary authority may resolve that Schedule 4 to this Act shall apply to their district and, if a council does this, Schedule 4 (known as the 'street trading code') shall come into force in their district on such day as may be specified in the resolution. The statutory process for the designation of streets under this legislation includes the following steps:

(a) The intention to designate a street must be advertised for two consecutive weeks in a locally distributed newspaper. Notice published via local press and served on Police, Highways and Network Rail giving 28 days for written representations;

(b) The Council (Licensing Committee) is under a duty to consider any representations received. Consideration of any objections and formal resolution designating streets passed;

(c) If the decision is then made to designate the street, a further public notice must be published at least 28 days before the resolution takes place. Notice of resolution published via local press in two successive weeks (the first notice appearing a minimum of 28 days before resolution takes effect);

(d) Controls come into effect on the date specified in the resolution.

Clare Pattinson in Legal and Democratic Services was originally consulted and had contributed to the draft street trading policy

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**Appendix 2: Notice of intent published in The Northern Echo on Thursday 21<sup>st</sup> January and Thursday 28<sup>th</sup> January and the notices sent to DCC Highways, Durham Constabulary and Virgin East Coast Railways (Network Rail)**

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Schedule 4 paragraph (2) of the  
Local Government (Miscellaneous Provisions) Act 1982

**PUBLIC NOTICE of Durham County Council's intention to re-designate two  
Prohibited Street trading areas to Consent Street trading areas in Durham City**

Notice is hereby given to inform all interested parties that Durham County Council intends to re-designate Framwellgate Bridge and Elvet Bridge in Durham City from their current status as Prohibited Streets to Consent Streets for trading purposes in accordance with the provisions of Schedule 4 paragraph (2) of the Local Government (Miscellaneous Provisions) Act 1982.

This statutory notice is published following the General Licensing and Registration Committee's decision on Thursday 14<sup>th</sup> January 2016 to support a request from the Business Engagement Manager acting on behalf of the Durham Business Improvement District (BID).

Any representations for or against this intention must be made in writing to the County Council within 28 days of the publication of this notice. Any objections or support received within the 28 day representation period will be fully considered by the Council's General Licensing and Registration Committee prior to any resolution is made in respect of any re-designation of the areas detailed above.

**Written representations should be sent to the Licensing Manager,  
Environment, Health and Consumer Protection, Durham County Council, PO  
Box 617, Durham DH1 9HZ within 28 days of the date of publication of this  
notice.**

Dated 21st January 2016

*Joanne Waller  
Head of Environment, Health and Consumer Protection  
Durham County Council  
Annand House  
John Street North  
Meadowfield  
Durham  
DH7 8RS*

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**Appendix 3:      The responses to the statutory consultation**

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**From:** Tealicious Tearoom Durham [<mailto:> ]

**Sent:** 05 February 2016 15:19

**To:** Neighbourhood Services Licensing

**Subject:** Trade on Elvet Bridge

Dear Sir/Madam,

I am emailing in regard to the proposal for allowing trading on Elvet Bridge and Framwellgate Bridge.

I own a small independent tearoom on Elvet Bridge and I am totally in favour of this decision.

I have been trading here for three and a half years and have built up a nice little business, however it is not easy to keep the business running and recently we have noticed a downturn in takings. If you have been down Elvet Bridge recently you will know that there are a lot of To Let signs, the shop next door to us ceased trading today. I am sure people stand at the top of Elvet Bridge, look down and see lots of To Let signs so therefore don't bother walking down. If there was more activity on the bridge I strongly believe this will increase footfall over the bridge and consequently bring us more customers.

I am passionate about my business and do not want to end up closing like some many others, if you need anymore information from me in order to support the decision then please feel free to contact me

Kind Regards,

Alison Harnett

Tealicious Tearoom  
88 Elvet Bridge  
Durham City

15 January 2016

Head of Environment, Health and Consumer Protection  
Neighbourhood Services

**By email**

Dear Sir/Madam

**Change of Designation for Elvet and Framwellgate Bridges**

Durham University is proud to be represented on the Board of Durham BID; raising the profile of the City and all it has to offer.

As with many town and city centres, footfall, in Durham, is decreasing and retailers have expressed their concern at the steady decline in local shoppers. Engaging with retailers across the City, Durham BID is keen to develop business-focussed activity to promote footfall and spend. Changing the designation for Elvet and Framwellgate Bridges would provide an opportunity to organise events and develop footfall in areas of the City that have suffered from a declining footfall in recent years.

Permitting trade on the aforementioned bridges would encourage the development of a stronger independent economy within the City, enhancing the City's retail offer. Any improvement to Durham City's offer would contribute to the vibrancy of the City and enable future development of events throughout the year to promote the City to a greater audience, developing incidental spend and growing the local economy.

As a Board member, I am fully supportive of the BID's proposal for a change of designation for Elvet and Framwellgate Bridges, permitting controlled trade in these areas.

If you require any further information in support of this proposal, please do not hesitate to contact me.

Yours faithfully

Helen Strangward  
Director of Accommodation and Commercial Services

15 FEB 2016



Established 1851

**DURHAM MARKETS COMPANY**

Incorporated by Acts of Parliament 1851, 1965 and 1992

The Licensing Manager  
Environment, health and Consumer Protection  
Durham County Council  
PO Box 617  
Durham  
DH1 9HZ

67 Saddler Street, Durham DH1 3NP  
Tel: 0191 384 8581 Fax: 0191 383 0193

Management Office, Market Hall  
Market Place, Durham DH1 3NJ  
Tel & Fax: 0191 384 6153

Email: [durhammarkets@yahoo.co.uk](mailto:durhammarkets@yahoo.co.uk)  
[www.durhammarkets.co.uk](http://www.durhammarkets.co.uk)

12<sup>th</sup> February 2016

Dear Sir,

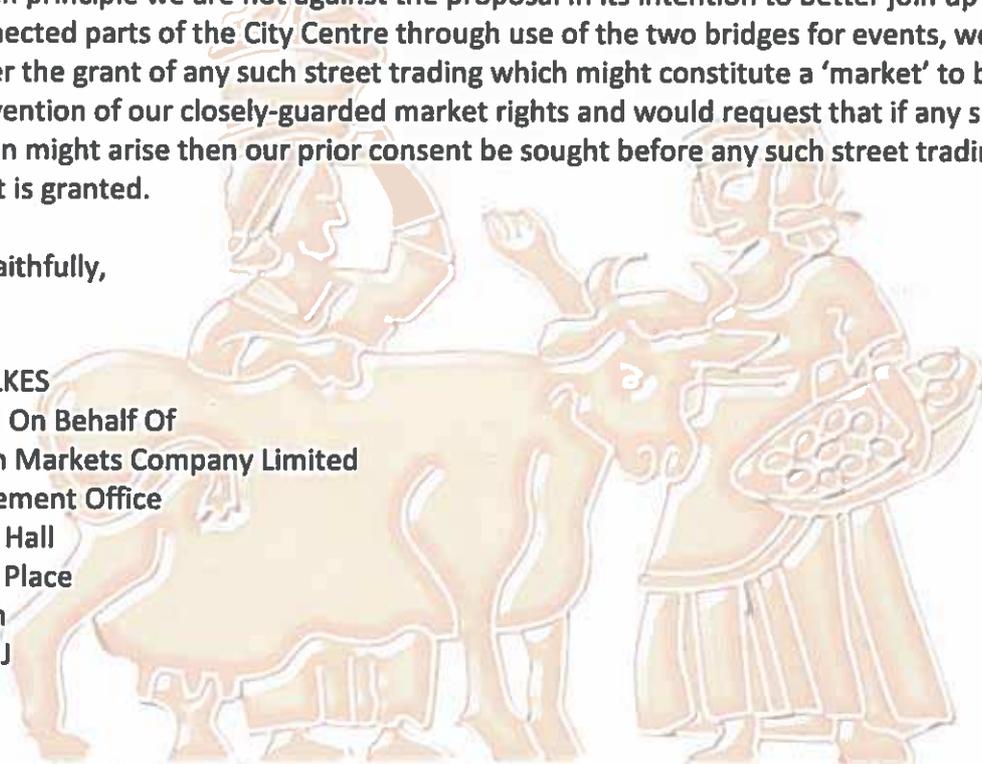
**Proposal to re-designate Framwellgate and Elvet Bridges as Consent Trading areas**

Further to your public notice dated 21<sup>st</sup> January 2016 regarding the above we would comment as follows:-

Whilst in principle we are not against the proposal in its intention to better join up currently disconnected parts of the City Centre through use of the two bridges for events, we would consider the grant of any such street trading which might constitute a 'market' to be in contravention of our closely-guarded market rights and would request that if any such situation might arise then our prior consent be sought before any such street trading consent is granted.

Yours faithfully,

C.R.WILKES  
For and On Behalf Of  
Durham Markets Company Limited  
Management Office  
Market Hall  
Market Place  
Durham  
DH1 3NJ



*Serving the people of Durham since 1851*

Durham Markets Company Limited Registered in England No. 2703634

**Totally  
Locally**  
DURHAM

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## Appendix 4: Pre-statutory Consultation Responses

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### A. Correspondence inviting responses from consultees

**From:** Craig Rudman  
**Sent:** 26 August 2015 16:44  
**To:** Dave Lewin; Dave Wafer; Keith Jameson; Tony Forster; Colin Dobson; maxine.stubbs@[REDACTED]; Bryan Smith - Litigation Manager (Res); Graham Wood; Simon Goon; Development Control; Transport Infrastructure; Neighbourhood Services Licensing Enforcement; Neighbourhood Services Licensing  
**Cc:** Cllr Colin Carr; Cllr Bob Glass; Cllr Linda Marshall; Cllr David Stoker; Cllr David Freeman; Cllr Richard Ormerod  
**Subject:** Street Trading in Durham City - consultation on re-designation of streets request by Durham BID  
**Importance:** High

Dear Members, Officers and other colleagues,

You may have some awareness of the situation regarding street trading in County Durham. The existing pattern of streets that either have or that have not been designated for street trading purposes across the County results from the decisions of the former District Councils. As you may also be aware we have now adopted the legislation necessary to designate (or re-designate) streets for the whole of County Durham and we have also adopted a street trading policy for the County. See <http://www.durham.gov.uk/media/7620/Street-Trading-Policy-April-2015/pdf/StreetTradingPolicyApril2015.pdf>

With the above in mind, we (DCC/EHCP Licensing Services) have received a request from Durham Bid to consider the re-designation of a couple of streets in the centre of Durham City, namely Framwelgate and Elvet Bridges. Their request is for a re-designation of the two bridges from being 'prohibited streets' (where no street trading can take place) to 'consent streets' (where street trading could take place subject to the grant of a consent). Please see attached.

NMST has recently instructed EHCP/Licensing Services in relation to the advertising and consultation stages of the statutory process involved. The first stage of the agreed DCC process is a pre-consultation leading to an advert being placed in a local newspaper inviting comments and observations from the public in relation to the proposal/request by the BID.

In advance of that statutory public consultation I would be grateful if you would consider the BID's request from your own professional perspective and provide me with your opinions, concerns or comments on the proposal. We will be advertising the request very shortly and we will ultimately collate all of the responses we receive and present them to the General Licensing and Registration Committee for consideration. That committee has delegated authority to decide whether or not to make a further advertisement showing the council's intention to re-designate the streets at these locations should they choose to do so. Alternatively, depending on the outcome of this pre-consultation process the committee may decide to keep the current street designations which prevent any street trading from taking place at these locations.

Thank you in anticipation of your responses. Should you require any further information please do not hesitate to contact me. I would be grateful if you could respond within 28 days from your receipt of this email. Please feel free to forward this email on to any other DCC section or officer or to any 'responsible authority' you feel may have an interest in this matter. If you do not respond I will assume that you have no comments to make in relation to this proposal.

Best regards

Craig

**Craig Rudman**  
**Licensing Manager**  
Neighbourhood Services

T: 03000 260090

E: [craig.rudman@durham.gov.uk](mailto:craig.rudman@durham.gov.uk)

Web [www.durham.gov.uk](http://www.durham.gov.uk)

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**B. Advert in Northern Echo inviting responses to consultation (Interested Parties)**

Schedule 4 paragraph (2) of the  
Local Government (Miscellaneous Provisions) Act 1982

**PUBLIC NOTICE of consultation on proposal to re-designate two Prohibited Street trading areas to Consent Street trading areas in Durham City**

Notice is hereby given to inform all interested parties that Durham County Council has been requested to re-designate Framwellgate Bridge and Elvet Bridge in Durham City from their current status as Prohibited Streets to Consent Streets for trading purposes in accordance with the provisions of Schedule 4 paragraph (2) of the Local Government (Miscellaneous Provisions) Act 1982.

This consultation is published following a request from the Business Engagement Manager acting on behalf of the Durham Business Improvement District (BID).

Any representations for or against this proposal must be made in writing to the County Council within 28 days of the publication of this notice. Any objections or support received within the 28 day representation period will be fully considered by the Council's General Licensing and Registration Committee before any further statement of intent or resolution is decided upon in respect of any permanent re-designation of the areas detailed above.

**Written representations should be sent to the Licensing Manager, Environment, Health and Consumer Protection, Durham County Council, PO Box 617, Durham DH1 9HZ within 28 days of the date of publication of this notice.**

Dated 27<sup>th</sup> August 2015

*Joanne Waller  
Head of Environment, Health and Consumer Protection  
Durham County Council  
Annand House  
John Street North  
Meadowfield  
Durham  
DH7 8RS*

## **C. Responses from consultees (relevant and responsible authorities)**

### **C1. Response from Dave Lewin, Strategic Traffic Management**

**From:** Dave Lewin  
**Sent:** 27 August 2015 13:46  
**To:** Craig Rudman  
**Cc:** Keith Jameson; Dave Wafer  
**Subject:** RE: Street Trading in Durham City - consultation on re-designation of streets request by Durham BID

Hi Craig

My only comment would be Fram Bridge and Elvet Bridge are open to traffic before 10am and after 6pm so any consent should only be granted for set up and trading outside of those hours ie only between 10am and 6pm.

Regards  
Dave

**Dave Lewin**  
Section Manager  
Strategic Traffic Management  
Regeneration & Economic Development  
Room 4/103-112, County Hall, Durham  
DH1 5UQ.

 03000 263582  
 [dave.lewin@durham.gov.uk](mailto:dave.lewin@durham.gov.uk)



## **C2. Response from Carol Feenan, Regeneration & Economic Development**

**From:** Carol Feenan  
**Sent:** 02 September 2015 14:44  
**To:** Tony Forster; Craig Rudman  
**Subject:** RE: Street Trading in Durham City - consultation on re-designation of streets request by Durham BID

Hi Craig

The ability to allow occasional Street Trading on the 2 Bridges, would provide a valuable opportunity to give us a tangible link from the centre of the city to the fringes of the city centre and enhance the visitor experience, whilst driving footfall across all areas of the city centre and I would support and welcome this development.

Best regards

Carol Feenan  
City Centre Manager  
STRATEGIC INVESTMENTS  
Regeneration & Economic Development  
DURHAM COUNTY COUNCIL

## **C3. Response from Maxine Stubbs, Cleveland and Durham Specialist Operations Unit**

**From:** Maxine Stubbs [mailto:Maxine.Stubbs@  
**Sent:** 28 August 2015 10:25  
**To:** Craig Rudman  
**Cc:** Colin Dobson; David Coxon  
**Subject:** 834 - Street Trading in Durham City - consultation on re-designation of streets request by Durham BID - Ack  
**Importance:** High

Dear Craig,

Thank you for your e-mail with regard to the proposed re-designation of Elvet Bridge and Framwellgate Bridge, Durham City, from Prohibited Streets to Consent Streets.

Having considered this proposal from a Police Traffic Management point of view I would offer the following comments.

First the rationale behind this request made by Durham BID is acknowledged in that they are attempting to increase trade by improving the overall experience for visitors to Durham City and encourage those visitors to experience what has to be offered in the City beyond Silver Street and the top of Elvet Bridge i.e. trying to draw more footfall into the North Road and New Elvet areas of the City Centre.

In recognising this aspiration, it is understandable why the application has been made to undertake activities on the two bridges which will assist in drawing visitors out of the immediate centre and beyond these "sterile" areas.

The above said, in acknowledging and recognising the aspirations behind the request, due account must be given to the potential safety aspects associated with the proposed re-designations.

As you will appreciate we must consider what impact this will have, not just on the general safety of the public, but also the necessary emergency service access to and through these sections of road.

It is critical that in considering any changes, that these proposed re-designations do not prohibit or make it difficult for the blue light services to pass over Framwellgate and Elvet Bridges at any time.

Further, due account must be taken that if any structures are located on the bridges up to the bridge parapets to facilitate activities, particularly if they remain in situ on an evening, should the designation be changed, that they do not encourage the minority to climb onto the structures as this could potentially result in a fall over the bridge parapets into the river below.

If the majority are in favour of changing the designation of these two bridges then, it is my view that, in granting the re-designations any activities on the bridges should be subject of close monitoring and scrutiny and that the following conditions be included in any permissions:

- a) That a fully unobstructed route be maintained at ALL times for possible emergency service access to and through the localities (preferably through maintaining unobstructed use of the two paved tracks across the bridges).
- b) That any structures placed on the bridge, which will be placed in close proximity to the bridge parapets, will be removed at the end of the day.
- c) Where any events lasting longer than 1 day suggests that structures will be left in place overnight for the duration of that event, then some form of security be put in place to ensure those structures don't become "climbing frames" on an evening with the possibility of the anti-social activity resulting in falling off into the river below.
- d) That any events on the bridges, which are likely to see footfall and static crowds greater than normal foot fall, be stewarded to maintain through footfall for those not wishing to participate/enjoy the activities being held on the bridges and to assist in managing crowds should blue light access to/across the bridges be required.
- e) That should other large scale events be held in the City Centre which necessitates the bridges to be free of obstructions, especially in the case of a need to evacuate the City Centre (e.g Lumiere), that the use of those bridges should be suspended for any use other than associated with the large scale event.

I hope you find the above comments pertinent in relation to this application. Should you wish to discuss any aspect further then please do not hesitate to contact me.

Yours sincerely



Traffic Management Officer  
Cleveland and Durham Specialist Operations Unit  
Wesleyan Road  
Spennymoor  
Co. Durham  
DL16 6FB  
Tel Internal: 74 2707  
Tel External: 01325 742707



#### **C4. Response from Dominic Brown, Durham and Darlington Fire and Rescue Service**

**From:** Dominic Brown [mailto:dbrown@[REDACTED]]  
**Sent:** 09 September 2015 08:13  
**To:** Craig Rudman  
**Cc:** Cllr Bob Glass; Keith Wanley  
**Subject:** FW: Responsible Authority: CD&DF&RS Street Trading in Durham City - consultation on re-designation of streets request by Durham BID  
**Importance:** High

Dear Craig,

In reply to the consultation on the Street Trading in Durham City - consultation on re-designation of streets request by Durham BID:

The Regulatory Reform Order (RRO) does technically apply to any workplace including any tent or moveable structure, however as the RRO (Fire Safety) is based round safe means of escape, market stalls would not normally concern us as they have no means of escape issues. However depending on the type of structures that could be used, e.g. closed sided marquees or other structures with means of escape issues, then the RRO would place a requirement for a fire risk assessment to be completed by the responsible person. As a Fire Service we do not have any objections to the re-designation of these two areas but would request that any applications for events in these areas that may involve more complex marquee style structures, go through the SAG where the FRS will be able to advise accordingly on a case by case scenario as happens in other areas of the city.

I hope this feedback meets with the level of information you require but if you need any additional information please do not hesitate to contact me or a representative of the legislative Fire Safety section.

Thank you



**Dominic Brown**  
**Area Manager – Training & Risk**  
**Tel: 0191375 5610**  
**Email: [dbrown@\[REDACTED\]](mailto:dbrown@[REDACTED])**

## **C5. Response from Tony Forster, Economic Development & Regeneration**

**From:** Tony Forster  
**Sent:** 08 September 2015 10:19  
**To:** Owen Cleugh - Consumer Protection Manager (N'hoods)  
**Subject:** Consultation of Street trading

Owen, the City Management & Maintenance Group discussed this yesterday. The meeting supported the proposal for the two bridges to be re-designated as 'consent streets'. The suggestion was welcomed providing an operational framework could be applied to what activities went on the bridges and at what time. For instance Dave Lewin referenced the need for certain vehicles to have access over the bridges for deliveries etc. I'm sure Dave will have replied direct as part of the consultation exercise but limiting activities to say between 10am and 6pm was referenced. Brian Kitching also welcomed the proposal from his service view point. Peter Dunn mentioned chalets (as previously mentioned by the Bid) would require consent. This consent was unlikely to be received, so it will likely need us to offer/set some parameters for people wanting to do things on the bridge in the future, if this is approved.

Apologies if I'm stating the obvious above, just wanting to provide some context and let you know who said what.

Overall though, the proposal was actually seen as a positive thing.

Cheers

Tony

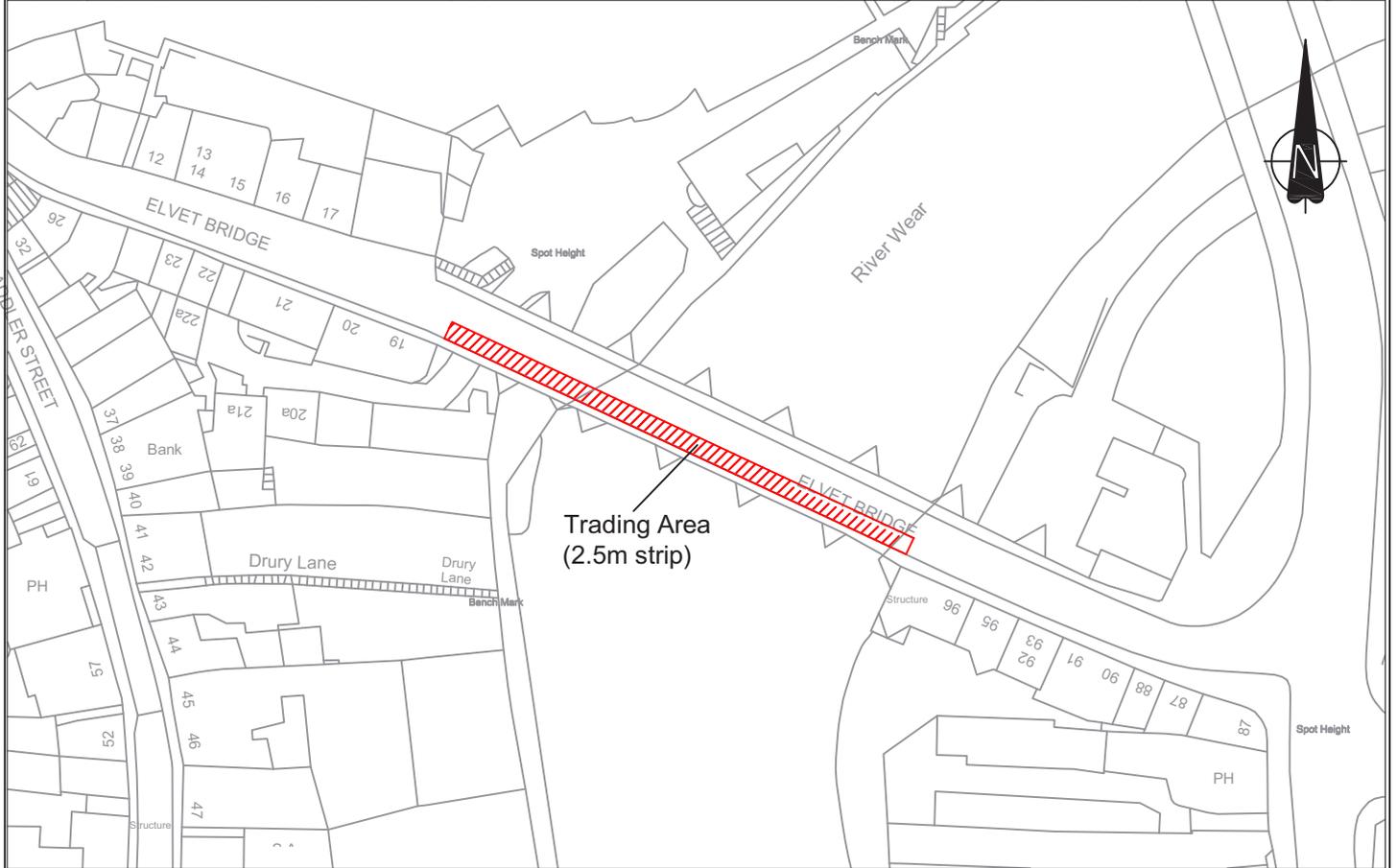
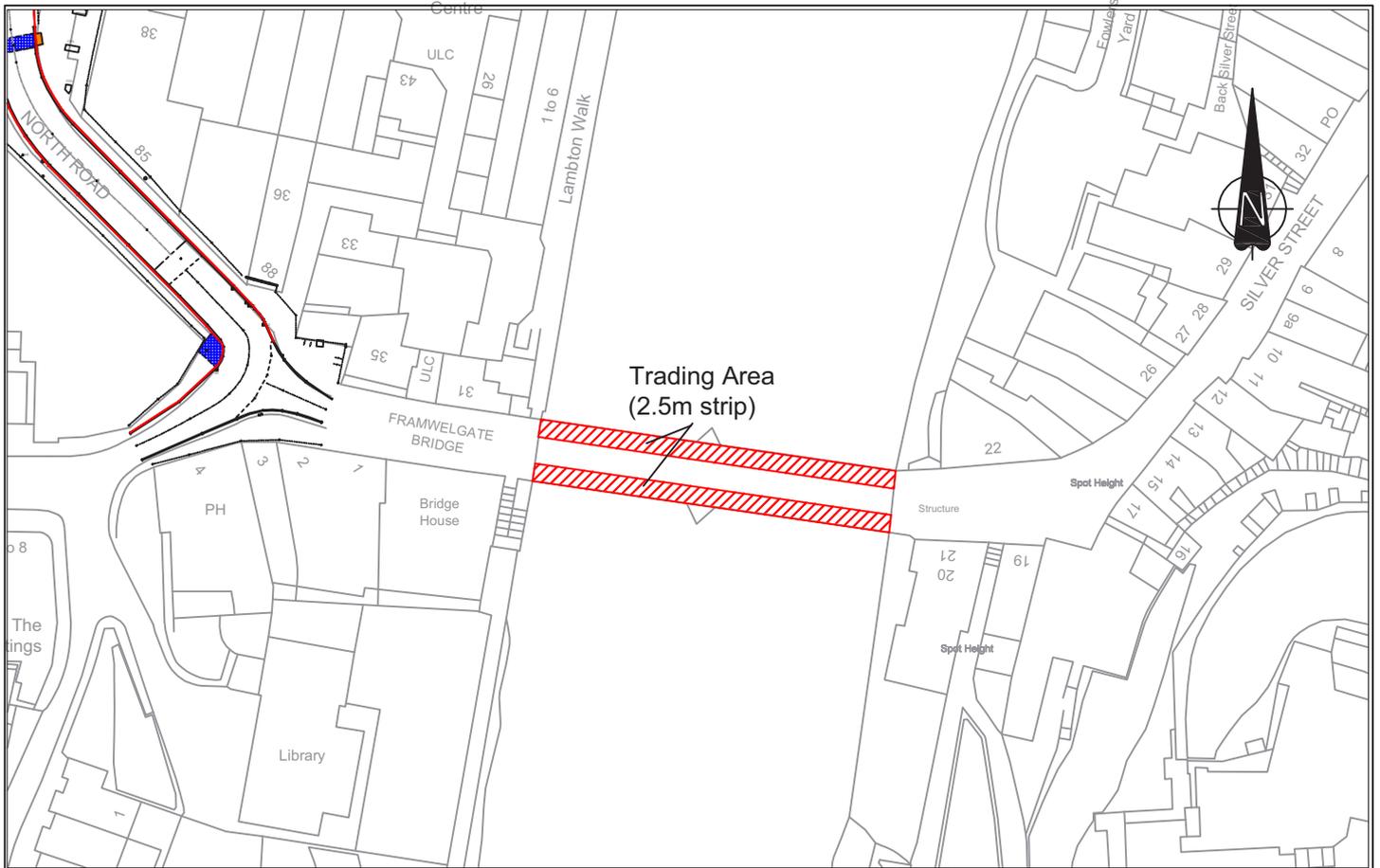
Tony Forster  
Regeneration Manager – Durham City  
Economic Development & Regeneration  
Durham County Council

Tel: 03000 262044

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**Appendix 5            The map produced by DCC Strategic Traffic Management  
for street trading consent purposes**

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Rev/ Amdt	Drawn By		Approved By			Description Of Amendments
	Name	Date	Name	Date	Sign	
	Name	Date				



**Durham**  
County Council

**STRATEGIC  
TRAFFIC  
MANAGEMENT**

**CORPORATE DIRECTOR OF  
REGENERATION & ECONOMIC  
DEVELOPMENT**

**COUNTY HALL, DURHAM. DH1 5UQ**

**Project**  
Street Trading Areas

**Drawing**  
Framwellgate and Elvet Bridges

**Scales**  
1:1000 @ A4

**Project/Drawing No.**  
Page 21

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