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

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 14th 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*

Appendix 3: The responses to the statutory consultation

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
www.durhammarkets.co.uk

12th February 2016

Dear Sir,

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

Further to your public notice dated 21st 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

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Appendix 4: Pre-statutory Consultation Responses

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@██████████; 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

Web 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 27th 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



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.

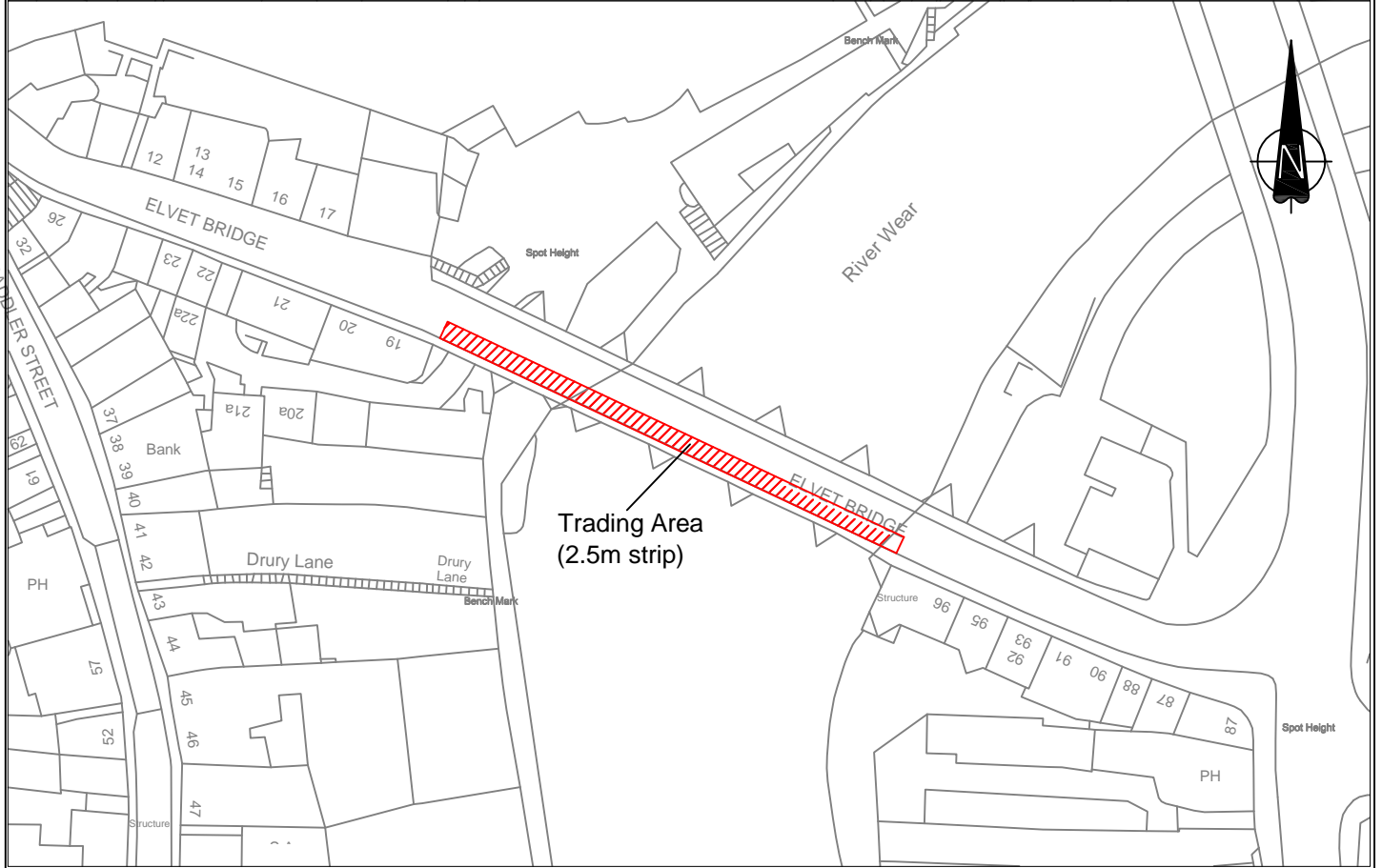
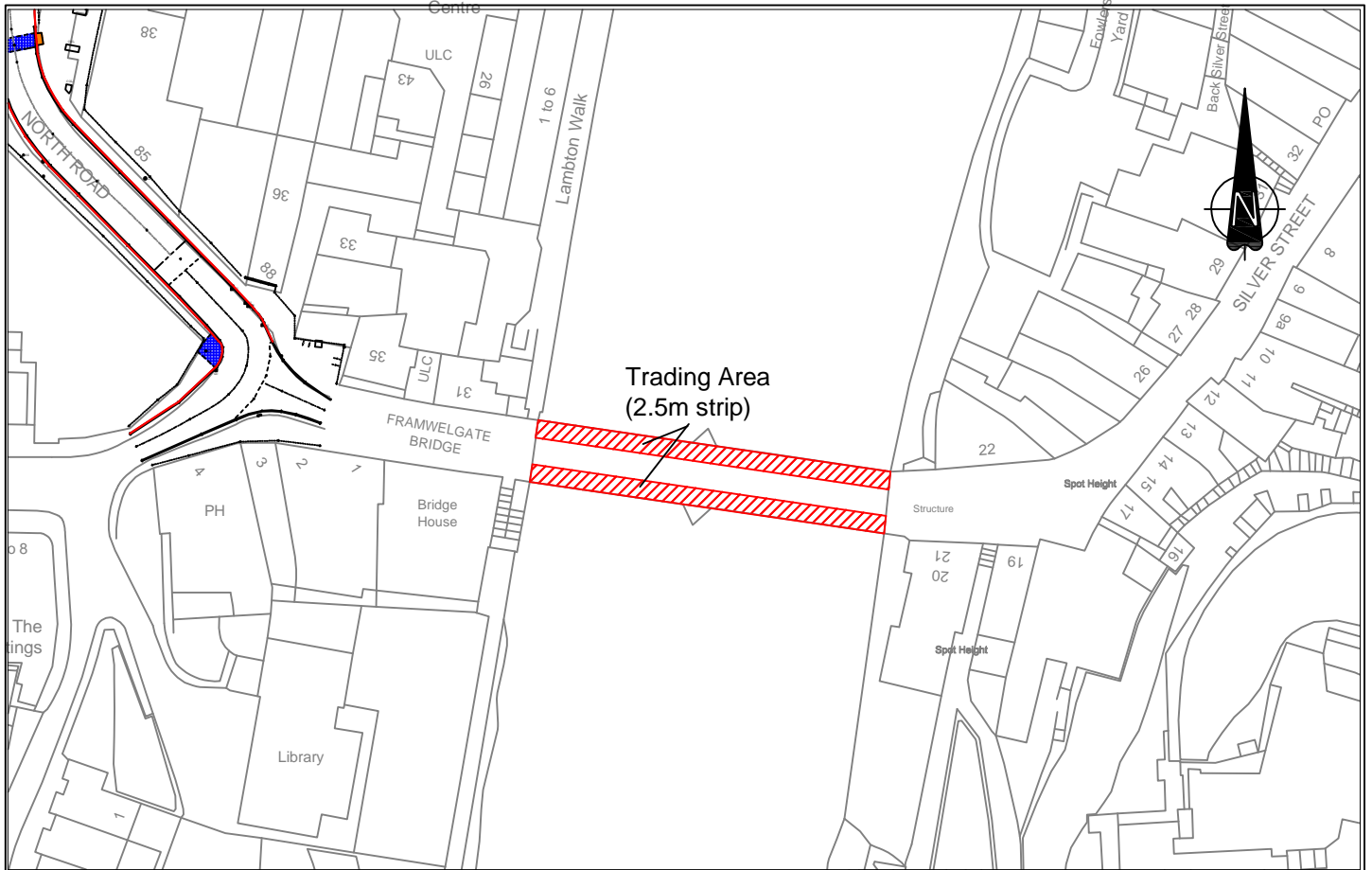
Cheers

Tony

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

Tel: 03000 262044

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



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.

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