

County Council

20 September 2017



Community Governance Review – Central Unparished areas of Durham

Report of Corporate Management Team Helen Lynch, Head of Legal and Democratic Services Councillor Simon Henig, Leader of the Council

Purpose of the Report

- 1 To update Council of the final stage of consultation that has been undertaken as part of the Community Governance Review (Review) of the central unparished areas of Durham and to make a final recommendation in this regard.

Background

- 2 On 25 January 2017, the Council resolved to undertake a Review following receipt of a valid petition from Roberta Blackman-Woods MP requesting that the County Council formally consult with residents of the central unparished wards of Durham about the formation of a new town council.
- 3 The County Council subsequently undertook a consultative poll and proposed two options for the future community governance arrangements in the area:

Option 1

To implement changes to the current community governance arrangements. This would see the central unparished areas of Durham, as shown on the map in Appendix 2, become parished and have its own parish council.

Option 2

That the current community governance arrangements in the central unparished areas of Durham remain unchanged. This would mean that there would be no change to community governance arrangements in the area.

The Law, Duties and Guidance

- 4 As set out in previous reports, under section 93 of the Local Government and Public Involvement in Health Act 2007, a Principal Council must comply with various duties when undertaking a community governance review, including:

- i. It must have regard to the need to secure that community governance within the area under review:
 - a. reflects the identities and interests of the community in that area
 - b. is effective and convenient.
- ii. In deciding what recommendations to make, the Council must take into 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 in respect of the area under review.
- iii. The Council must take in to account any representations received in connection with the review.

5 Under Section 100 of the Act, the Council must also have regard to guidance issued by the Secretary of State. In March 2010 the Department for Communities and Local Government and the Local Government Boundary Commission for England, published guidance on Reviews.

6 The Council must also take into account other arrangements that have been made and could be made for the purposes of community engagement and they must consider the representations received in connection with the review.

Consultation and Representations

7 The terms of reference for the Review were published on 6 February 2017 and a consultative poll was undertaken in accordance with the agreed timetable. The Council issued 11,749 ballot papers to those electors affected and 2,819 ballot papers were returned – a 24% return.

8 Of the 2,819 ballot papers returned, 1,856 selected option 1 (in favour of a creating a parish council) and 958 selected option 2 (no change to community governance arrangements). There were 5 spoilt ballot papers. The outcome of the consultative poll was therefore that there was support for the formation of a new council. Although the consultative poll is not binding on the Authority, the poll undertaken was comprehensive in that all electors within the area were provided the opportunity to comment, and the majority of those that responded were in favour of the creation of a parish Council.

9 The views of statutory consultees were sought and a summary of the comments received was included in the report to council on 21 June 2017, apart from those which related to the consultation process which

had concluded and matters prescribed by legislation (for example the rules relating to the qualification of a councillor) over which the Council has no control.

- 10 Prior to the consultative poll, representations were also received from the Durham City Neighbourhood Planning Forum.

Constituting a New Parish

- 11 Consideration was given to information produced by the Association of Electoral Administrators (Appendix 3) in preparing a recommendation for the parishing of the central unparished area of Durham, and the recommendation put to Council on 21 June 2017 was that a new parish council be created on the following terms:
- a. The newly formed parish would be known as “the City of Durham Parish Council”.
 - b. The parish council area be spilt into 12 polling districts and, due to the number of electorate and size of the area, the parish council would be divided into three wards as shown in the map at Appendix 4:
 - i. Elvet and Gilesgate
 - ii. Neville’s Cross
 - iii. Durham South.
 - c. The registered number of electors for the area at the date of the consultative poll on 4 February 2017 was 11,749. In view of local knowledge and guidance regarding the size of local councils, 15 parish councillors would be appropriate, distributed as follows;
 - i. Elvet and Gilesgate - 6 councillors;
 - ii. Neville’s Cross- 8 councillors;
 - iii. Durham South- 1 councillor.
 - d. Inaugural elections would take place in May 2018 and then in May 2021 and every four years thereafter to fall in line with the ordinary year of election of councillors for local elections (County, Town and Parish Council elections).
 - e. The council would become a recognised legal entity in its own right on 1 April 2018.
 - f. The County Council will set a precept to enable the parish council to function during its first year, with a sum of £150,000 being considered sufficient for the first year. An example of the precept charge for a Council Tax Band D property would be £34.46 per household per year, based on the council tax base for 2016/17. This precept charge per household would be recalculated in line with the council tax base for 2018/19 once established.
- 12 Once established the Parish Council would set its precept for year 2 onwards and would be entitled to exercise the statutory functions accorded to parish and town councils, such as providing allotments, spending money on crime prevention, acquiring and disposing of land,

provide public conveniences, make bye-laws in relation to certain matters etc.

- 13 It was noted that the Charter Trustees would remain in situ because not all of the unparished area within the former Durham City area would be parished under the proposal. The ceremonial Mayor would therefore remain with the Charter Trust and continue to be financed through a precept on the households in the former Durham City Council area.

Consultation on Draft Recommendation

- 14 In accordance with the Review timetable previously approved by Council, the draft recommendation set out above was published and a further statutory period of consultation ran from 3rd to 31st July 2017. Stakeholders who were part of the initial consultation were issued with a letter advising of the draft recommendation, and provided with the opportunity of commenting on the proposal.
- 15 There were a number of responses received during the consultation period, and these are attached in full at Appendix 5, and summarised as follows:-
- a) 39 responses from residents in support of the proposals with a number providing additional comment. One of which was from a resident outside the area to be parished and asking to be included.
 - b) 4 detailed letters of objections from residents were received to the draft recommendations.
 - c) Support for the recommendations were received from Neville's Cross Community Association, and Sidegate Residents Association. A further letter of objection to the one received at the time of the consultative poll was received from Whinney Hill Community Group.
 - d) County Durham Association of Local Councils (CDALC) advised of their support.
 - e) Councillor R Omerod, a local member, in advising of his support in general to the recommendation made some observations.
- 16 The principle themes from the consultation responses are set out below, alongside the Council's response.

Theme/ Response	Council's Response
Responders queried whether the low turnout suggested that only those in favour were motivated to respond.	There was a 24% return from the consultative poll, and from that 66% voted in favour of the parishing arrangements. Although the

<p>Question raised over whether the role of the parish council was misunderstood.</p>	<p>response was low there was a clear majority in favour. Each registered elector was sent individually a ballot paper and document setting out clearly what they were being asked to consider, along with information on what a parish council could do/ costs/ size/ timescale. Each elector therefore had the opportunity to vote, and return their ballot paper through postal arrangements. Similar information was available on the county councils website, and circulated in the press. Contact details were provided for anyone seeking clarity.</p>
<p>Concern about the creation of a precept levying body and the potential of future significant increases. Figures of an example precept were given for a Band D property however other bandings would pay a different and some a higher rate.</p>	<p>The consultation document provided information on what the precept of £150,000 in its first year would mean to council tax payers, and an example was given on what a band D property would pay which was based on the council tax base for 2016/17. It was explained that this would need to be re-calculated once the council tax base for that year was set, however the £150,000 precept would be the amount levied for its first year of operation. Households in the higher banded properties would pay more than the band D rate, and these indicative costs could have been provided on request.</p> <p>The County Council cannot control what the precept will be in the future. It will be for the electorate to influence through democratic arrangements.</p>
<p>With the high number of students in the city the burden of the precept would not fall on students or their landlords.</p>	<p>Students in full-time education qualify for council tax exemption if they reside in:</p> <ol style="list-style-type: none"> 1) A hall of residence or 2) A dwelling occupied only by full-time students and school leavers. In this case, the exemption only applies whilst the student lives there. This is reviewed annually and when the students vacate the

	<p>property, the owner of the property becomes liable to pay the council tax. There would be a small charge payable during the student's summer breaks.</p> <p>These exemptions are in accordance with <u>the Council Tax (Discount Disregards) Order 1992</u>.</p> <p>The precept charge given as an example based on the 2016/17 council tax base took this into consideration.</p>
<p>Continue to pay for the Charter Trustees.</p>	<p>The Charter Trustees will remain in situ because not all of the unparished area within the former Durham City area will be parished under the proposal. This means that the ceremonial Mayor will remain with the Charter Trust and continue to be financed through a precept on the households in the former Durham City Council area.</p>
<p>Number of councillors for the parish council- is this the right number and is there the right balance between wards.</p>	<p>The proposals re the number of councillors were made having considered the guidance referred to in the report on whether the parish should or should not be divided into wards, and if so then its size/ boundaries/number of councillors</p> <p>Based on the size of the electorate on 4 February 2017, the area was proposed to be warded, and that the natural warding would be in line with county councils electoral divisions. It should be noted that only part of the area of the Durham South county council electoral division is included in the parishing arrangements. In adhering to guidance the proposal had shared as equally as possible the electorate of the whole area.</p> <p>The ratio of electorate to councillor for the 3 wards would be as set out below - the electorate figures from 4 February 2017 are shown, with the figures based on those on the register at 1 June 2017 shown in brackets:-</p>

	<p>Neville's Cross ward-1 councillor to 843 electorate (877) Elvet and Gilesgate- 1 councillor to 862 electorate (894) Durham South- 1 councillor to 311 electorate (496)</p>
<p>The proposed name of the Elvet and Gilesgate ward be amended to reflect that only part of Gilesgate would be in the area to be parished, and that it would be more appropriate for this to have an alternative name to reflect the area being covered such as Elvet and Gilesgate bank, or Cathedral.</p>	<p>The proposed name of the Elvet and Gilesgate ward is consistent with the county council electoral division name and area. Identifying the ward as Elvet and Gilesgate Bank would be confusing to electors given it relates to the same area of the county council division.</p>
<p>Could the other unparished area of Gilesgate be included in the proposal.</p>	<p>A Review was commenced in the Durham area in 2012, which considered all of the unparished area of the former City of Durham and contained a number of options. However, the Council decided not to continue the review.</p> <p>The current review reflected the petition that was received by the Council.</p>
<p>It would be open to the parish council to reinstate any services that local people particularly missed following cuts backs in County Council expenditure and consequent reduction in services. Will the County Council gain financially from having a parish council take responsibility for its statutory services.</p>	<p>The statutory functions of principal authority are different to those of a parish council, however, the parish council could elect to spend money on services that a principal authority is able but not obliged to provide. For example, crime prevention, acquiring and disposing of land and the provision of public conveniences. The parish council could provide services that the principal authority may have provided prior to austerity but have discontinued. It is not anticipated that the principal authority would discontinue services in the expectation that these would instead be provided by the parish council and therefore gain a financial advantage as a consequence of the parish council. It is also possible that the principal authority may sub-contract delivery of services to the</p>

	parish council, however this would be undertaken in accordance with normal procurement procedures.
Concern about the reference in the council report in June 2017 to the possible transfer of un-specified liabilities.	The final recommendations do not propose the transfer of property, rights, or liabilities to the Parish Council.
Other bodies could be developed to take on a more enhanced role such as the Area Action Partnership.	Other arrangements have been considered for the purposes of community engagement however a parish council is the most democratically accountable body.

Constitution Working Group

- 17 Constitution Working Group on 6 September 2017 considered the responses made to the draft recommendations with the main points summarised along with officer comments in paragraphs 15 – 16, and agreed to make a final recommendation to Council at its meeting on 20 September 2017 that the central unparished areas of Durham be parished on the terms as set out in paragraph 19.

Next Steps

- 18 If Council agree to support the creation of a parish council on the terms outlined in this report, a final recommendation will be published on the Council's website on 25 September 2017 and a Reorganisation Order would be made one month thereafter. Those stakeholders who have previously been consulted will be notified of the final recommendation, and a press release will be issued to this effect.

Recommendations and reasons

- 19 That Council agree to make a final recommendation of the Review for the central unparished areas of Durham to be parished on the following terms:
- a) The newly formed parish would be known as 'the City of Durham Parish Council'.
 - b) The area is split into 12 polling districts and three wards:
 - i. Elvet and Gilesgate
 - ii. Neville's Cross
 - iii. Durham South.
 - c) That there be 15 parish councillors, distributed as follows;
 - i. Elvet and Giles gate - 6 councillors;
 - ii. Neville's Cross- 8 councillors;
 - iii. Durham South- 1 councillor.
 - d) That inaugural elections take place in May 2018 and then in May 2021 and every four years thereafter.
 - e) The council becomes a recognised legal entity in its own right on 1 April 2018.

- f) That a precept be levied to raise the sum of £150,000 to fund the parish council in the first year, which equates to a precept charge for a Council Tax Band D property of £34.46 per household per year, based on the council tax base for 2016/17. This precept charge per household would be recalculated in line with the council tax base for 2018/19 once established.
- 20 The final recommendation would be published on 25 September 2017, and a Reorganisation Order would be made one month later.

Background Paper(s)

CLG and Local Government Boundary Commission for England Guidance on Community Governance Reviews.
Reports to Council dated 25 January and 21 June 2017

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Appendix 1: Implications

Finance – The cost of undertaking the consultative poll was approximately £8,000. Further resources will be required to establish the new parish Council, as set out in staffing and procurement, and facilities for the clerk. Any costs going forward to the county council can be recharged to the new council once established.

Staffing – Additional staffing resources will be required to establish the new parish council. A small working group will be set up using internal resources in conjunction with CDALC to establish the new council. Specialist services could be purchased by the County Council at a later stage if they are required. The Elections Team will deal with the inaugural elections of new councillors to take place in May 2018.

Risk – None specific within this report

Equality and Diversity – An equality impact assessment has been undertaken and has been updated during each stage of consultation.

Accommodation – The new Council will require accommodation for meetings. It is proposed that County Council facilities are made available for this initially.

Crime and Disorder – None specific within this report

Human Rights – None specific within this report

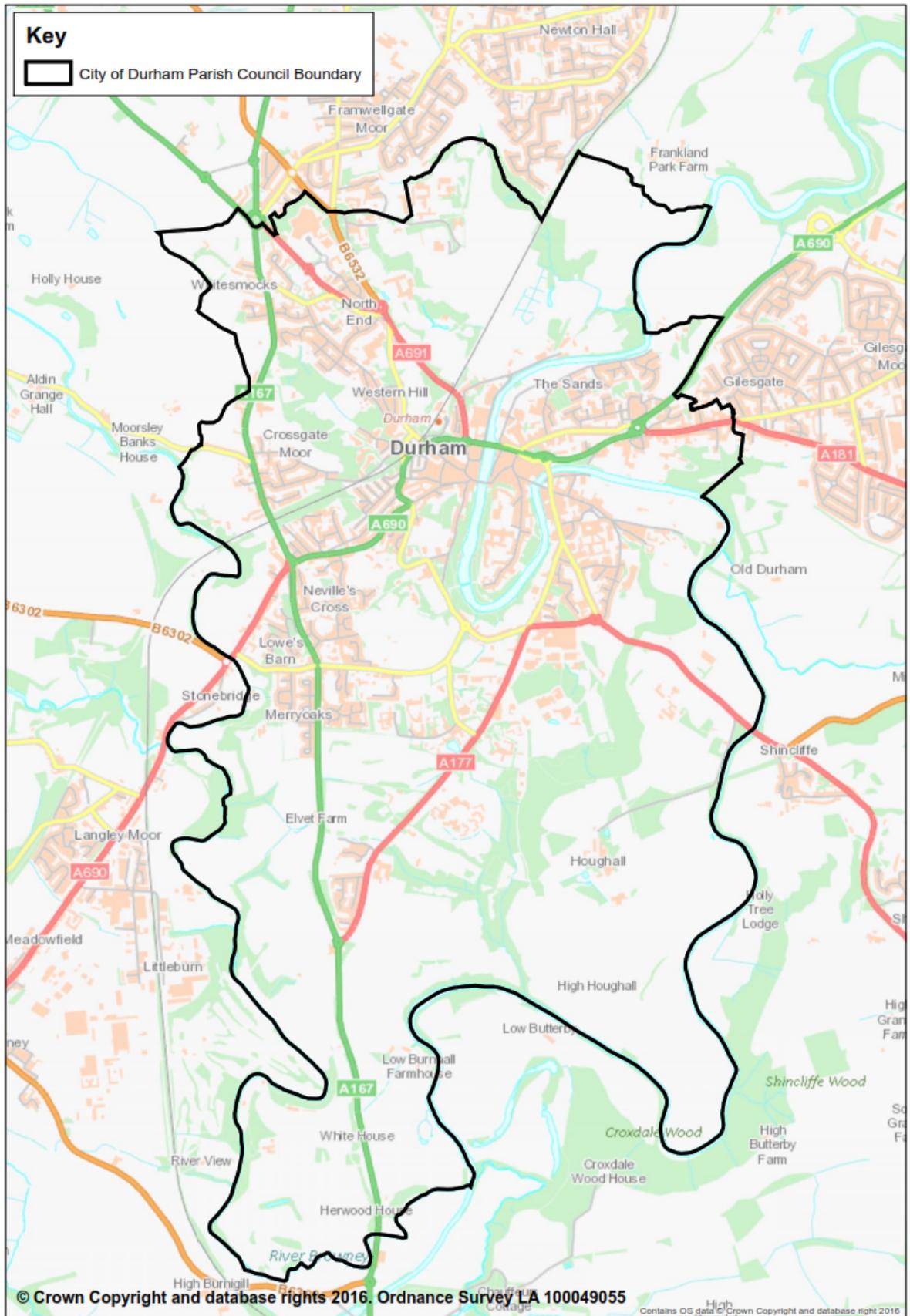
Consultation – See report

Procurement – If specialist services are required at a later stage then these could be purchased through NEPRO.

Disability Discrimination Act – None specific within this report

Legal Implications – The Review to be undertaken in line with current legislation and Regulations.

Appendix 2: Map of the area under consideration



Appendix 3: Constituting a New Parish - Areas to be Considered

Parish Areas

- creating, merging and abolishing parishes;
- parishing previously un-parished areas;
- lesser boundary alterations between existing parishes;
- grouping parishes under a common council or dissolving groups;
- parish name changes;
- alternative styles for any new parishes.

Electoral Arrangements

- whether to have a parish council or not;
- the size of the council;
- whether to ward the parish or not;
- drawing up appropriate ward boundaries;
- allocating councillors to wards.

Consequential Matters

- recommendations to the Local Government Boundary Commission for England for changes to the unitary/county/borough/district divisions or wards;
- dealing with assets – fixed and otherwise;
- setting a precept for the new council;
- first elections and electoral cycles;
- setting the commencement dates.

Parish – new and existing parishes

A new parish is:-

- establishing an unparished area as a parish;
- aggregating one or more unparished areas with one or more parished areas;
- aggregating parts of parishes;
- amalgamating two or more parishes;
- separating part of a parish.

If a new parish is set up, the review needs to make recommendations as to the name of the parish, whether or not it should have a parish council, the electoral arrangements of that council and whether or not the new parish should have one of the alternative styles.

Parish names and alternative style

Where a new parish has been constituted, the review must make recommendations as to the name of the new parish and whether it should have an alternative style.

Where the review makes recommendations that a parish should have a council or an existing parish council should be retained, the review must also make recommendations with regard to the electoral arrangements or changes to electoral arrangements.

Electoral arrangements

- The year in which ordinary elections of councillors to be held.
- The number of councillors to be elected to the council (or in the case of a common council, the number of councillors to be elected to the council by each parish).
- The division (or not of the parish), or (in the case of a common council) any of the parishes into wards for the purposes of electing councillors.
- The number and boundaries of any such wards.
- The number of councillors to be elected for any such ward.
- The name of any such ward.

Duties with regard to parishes in relation to the number of electors are prescribed in section 94 of Act and are set out in the table overleaf:-

1	The parish has 1,000 or more local government electors	The review must recommend that the parish should have a council
2	The parish has 150 or fewer local government electors and does not currently have a council	The review must recommend that the parish should not have a council
3	The parish has 150 or fewer local government electors and currently has a council or was part of a parish that had a council	It is for the principal council to decide whether or not the parish should have a council
4	The parish has between 150 and 1000 electors	It is for the principal council to decide whether or not the parish should have a council

Councillor Numbers

The minimum legal number of parish councillors for each parish council is five. There is no maximum number and there is no other legislative guidance. The only other requirement is that each parish in

a grouping arrangement must have at least one member on the common council.

National Association of Local Councils (NALC) published guidance in 1988. It recommended that a council of no more than the legal minimum of five members is inconveniently small and considers a practical minimum should be seven. It does, however, state that local council business does not usually require a large body of councillors and business convenience makes it appropriate to suggest that the practical maximum should be twenty five.

Aston Business School has also carried out research and the recommended figures by both the NALC and Aston are reproduced below. Within those minimum and maximum limits, the following allocations were recommended by NALC:

Electors	Councillors	Electors	Councillors
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	Over 23,000	25
9,000	16		

However, in rural authorities with sparsity of population, even this table may not be appropriate.

The Aston Business School's research was published in 1992. It showed the then levels of representation and it is likely that these levels of representation have not greatly changed in the intervening years.

Electors	Councillors
<500	5-8
501-2,500	6-12
2,501-10,000	9-16
10,001-20,000	13-27
>20,000	13-31

The Local Government Boundary Commission for England (LGBCE) is of the view that each area should be considered on its own merits having regard to population, geography, the pattern of communities and to the current powers of parish councils.

When considering the number of electors, the council must have regard to:-

- (a) The number of local government electors of the parish; and
- (b) Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

Warding

Warding arrangements are dealt with under section 95 of the Act. In considering whether to recommend that a parish should or should not be divided into wards, the principal council should consider the following:-

- Whether the number, or distribution, of the local government electorate for the parish would make a single election of councillors impracticable or inconvenient.
- Whether it is desirable that any area or areas of the parish should be separately represented on the council.
- Whether Governance is effective and convenient. Guidance suggests that it might be relevant to ask if the additional cost of separate ward elections in some cases would represent an effective use of the parish's limited resources. The LGBCE stated 'there must be a reasonable number of local government electors in the parish ward to make the election of a council viable and the commission considers that a hundred electors is an appropriate lower limit.

If the council decides to recommend that the parish should be divided into wards, it must have regard to the following when considering the size and boundaries of the wards and the number of councillors to be elected:-

- The number of local government electors for the parish;
- Any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the review ends;
- The desirability of fixing boundaries which are, and will remain, easily identifiable; and
- Any local ties which will be broken by the fixing of any particular boundaries.

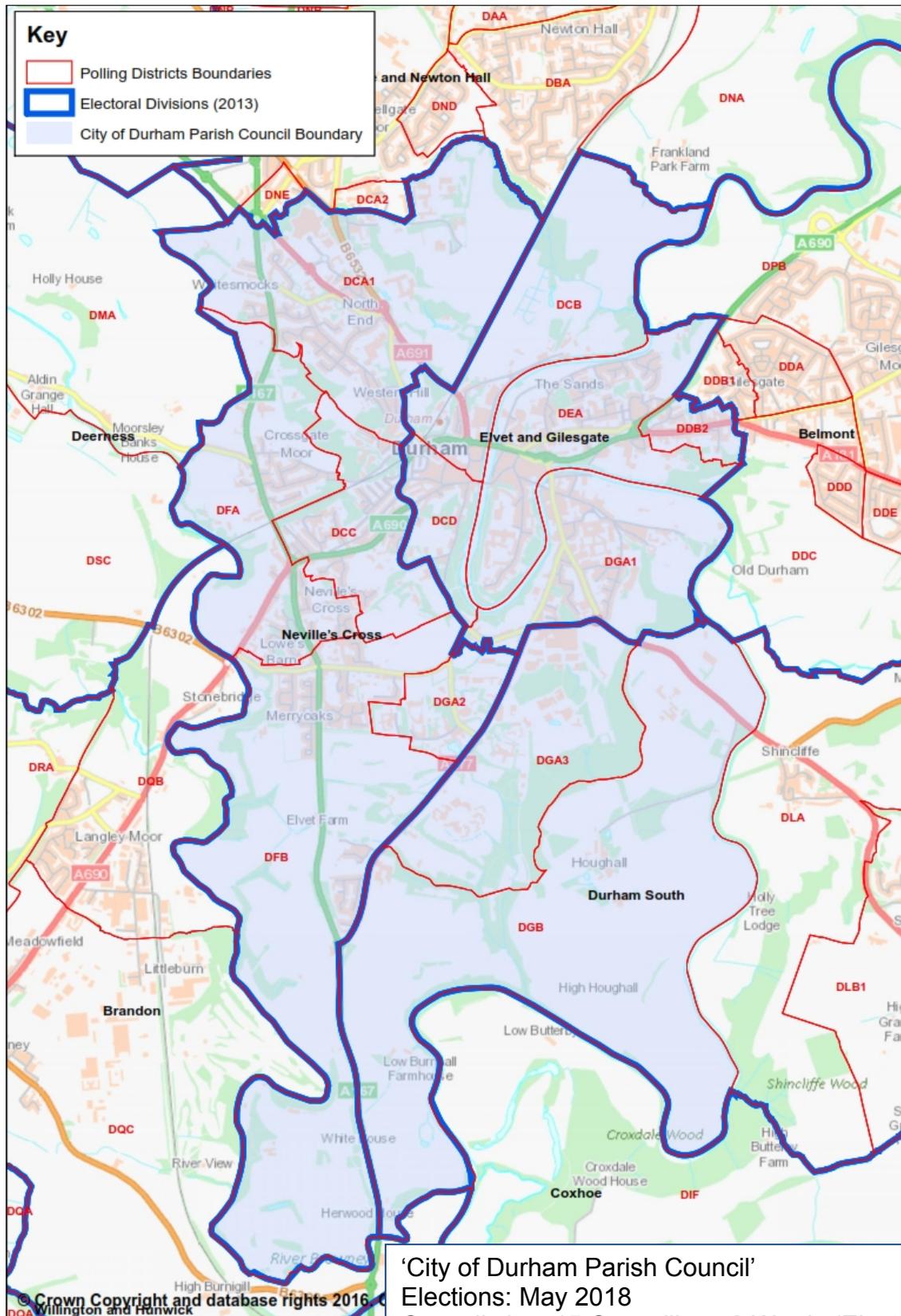
The Government also advises that another relevant consideration in the warding of parishes is the layout of the principal council electoral

areas. No unwarded parish should be divided by the district or county division boundary and no parish should be split by such a boundary. The number of councillors should be proportional to electoral sizes across parish wards. LGBCE's guidance states that "each person's vote should be of equal weight so far as possible, having regard to other legitimate competing factors when it comes to the election of councillors".

Precept

If a parish council was to be established it would be able to levy a precept against the electorate. The County Council would be obliged to set the precept for its first year of operation, and in subsequent years it would be for the elected council to set its own precept, taking into account the services it plans to provide. When deciding the amount of precept, the County Council would need to ensure that it complies with the law and provides enough money for the new council to fulfil those duties which, in its first year, need to be budgeted and/or paid for. These include to employ a clerk, meet at least four times a year (if location costs are payable), secure insurance cover, pay internal and external auditors, manage any physical assets and establish a bank account.

Appendix 4: Map of the warding arrangements



'City of Durham Parish Council'
 Elections: May 2018
 Council size: 15 Councillors, 3 Wards (Elvet and Gilesgate - 6 councillors; Neville's Cross - 8 councillors and Durham South - 1 councillor).
 Nominal precept for first year of operation: £150,000.

Appendix 5: Responses to the draft recommendations

Ref No.	Comments		Organisation
1	<p>I am writing to respond to the draft recommendations of the Review of Community Governance in the Central Unparished areas of Durham by Durham County Council. My firmly held view is that DCC should not establish a Town Council for the central unparished areas of Durham City.</p> <p>My reasons for opposing this course of action are closely aligned with the arguments presented by the Whinney Hill Community Group as reported in your consultation paper (attached), specifically points (a), (b), (c), (g) (ii) and (h) and (i). In essence, I do not believe that an adequate account of the benefits deriving from a putative Town Council has been put forward. In the absence of such an account, I cannot see the justification for levying an additional precept on top of the existing council tax charge. I further note that (a) the total amount of the precept has yet to be determined, and (b) the precept may rise in an unquantified manner in subsequent years. I would respectfully suggest that this is akin to asking Durham's council tax payers to write a blank cheque to an as yet unconstituted body. What means will be put in place to enable council tax payers to hold this new body to account?</p> <p>I further note the pitifully low turnout in the recent consultative referendum. The author of the review report hopefully suggests that those electors who did not vote 'had no views either way'. I would surmise that those people who did not vote had not been reached by the extremely low-key campaign that preceded the referendum vote and were therefore not afforded the opportunity to scrutinise the case made for the creation of a Town Council. As I have noted above, the thinness of this case was not likely to motivate electors other than those local 'NIMBYs' who see in the Town Council an alternative locus of decision-making in planning matters that will be more sympathetic to their inherently conservative and obstructive attitudes towards the development of the city. It is, furthermore, unlikely that the residents of the large number of HMOs within the central unparished areas would have been motivated to turn out to vote, as exactly these residents will be exempt from the payment of council tax.</p>	Email	

	<p>I note with some optimism that your consultation paper states that 'it will remain open to the council to make a recommendation which is different to the recommendation the petitioners wish the council to make'. In view of the lack of detail provided on the putative benefits of a Town Council, the unquantified and seemingly unaccountable nature of the additional precept, the large number of council tax exemptions among the residents of the central unparished areas and, above all, the self-interested motivations of the NIMBY agitators who have been campaigning for the creation of this body, I would respectfully urge DCC to set aside the outcome of this flawed and unrepresentative referendum and to concentrate on developing the existing arrangements for community engagement, most notably the AAP.</p>		
2	<p>I am glad to see that there are at last proposals being brought forward for the unparished portions of Durham City to get its own Parish Council, and I support them.</p>	Email	
3	<p>I refer to the County Council's current consultation on the proposed establishment of a parish council to cover some of the areas of Durham City which are not presently parished. I responded to the Council's previous consultations on this matter to indicate why I did not support such a proposal, and voted against it in the referendum which the Council undertook earlier this year.</p> <p>Despite the outcome of that referendum and the Council's draft recommendation that a parish council should be established, I remain strongly opposed to the creation of such a body. It is unwanted by the majority of residents, would be disproportionately expensive, and would almost certainly be ineffective.</p> <p>Unwanted. The unpaginated document which sets out the Council's draft recommendations states in the section headed "Conclusion of review" that "the vast majority" of respondents to the ballot favoured the establishment of a parish council.</p> <p>However, this statement is immediately qualified by the reference to the "limited return" to the ballot. According to the document itself, 11,749 ballot papers were issued, but only 2,819 (fewer than 24%) were returned. The support for the proposal, as expressed by a positive vote in favour, was 1,856 registered electors, under 16%.</p> <p>The Council's document explicitly states that the most that can be assumed from the relatively small number of responses is that those who did not respond is that they had no strong views either way. However, elsewhere the document appears to take the silence of the majority of electors as consent, ignoring the fact</p>	Email	

that what the numbers really indicate is that there is at best only lukewarm support for the proposal among the electorate as a whole.

The evidence from Whinney Hill Community Group which is quoted in the Council's document very clearly identifies the lack of any comprehensive and substantive support from the proposal across the areas which it is supposed to benefit. My own view is that what support the proposal has gained is largely based on a fundamental misunderstanding of the potential role of such a parish council.

Expensive. The Council's paper suggests that the initial cost of a parish council would be around £150,000 per annum, or around £34.46 for a Band D Council Tax payer. It fails to point out that higher banded properties will pay a significantly higher annual multiple of that amount. At a time of austerity, when the Council's expenditure is otherwise constrained but Council taxpayers themselves are also being subjected to a substantial "stealth tax" in the form of a social care impost, such a further addition to the Council Tax demands on city residents is wholly unwarranted. It would be made even more galling because city residents would also continue to bear the unique burden of the Mayoral Charter Trust precept – an existing additional tax on Durham City residents.

The Council's document also completely fails to explain why a body with largely consultative and advisory functions would require 15 parish councillors, with their attendant expenses. I live in Neville's Cross ward, which is represented by two County Councillors whose role is to represent the residents of the constituency in regard to the whole range of statutory functions exercised by Durham County Council. I fail to see any justification for the appointment of eight parish councillors to represent the same ward on a new council with no substantive statutory powers.

Ineffective. I suspect that many of those who voted in favour of the proposal did so in the belief that the resulting parish council would somehow be a re-embodiment of the former City of Durham District Council, and that the city would consequently regain much-needed control over planning and other matters of community concern. But leaving aside the fact that a parish council would only cover a fraction of the former district authority's population, such a vision of the future role of a parish council for parts of the city would be inconsistent with the reality of the unitary local government structure that presently applies in the County and would be unaffected statutorily by the

establishment of a parish council. While the views of such a parish council would have to be taken into account by the County Council, the latter's policies would continue to have overriding effect. In addition, the effectiveness of the parish council's input would be limited by the lack of autonomous professional support in key areas such as planning, housing, and transport.

These comments would hold true regardless of how the proposed parish council's activities developed. Paradoxically, however, is that the unique nature of Durham City and its proposed role in the wider development of the county's economy mean that a parish council would almost inevitably be drawn into a level of activity which was significantly higher than that of other parish councils in the County, with attendant costs. Rather than resulting in an increased sense of engagement and empowerment for city residents, my expectation is that the creation of a parish council is likely to lead to an increased perception of disenfranchisement and disengagement. Conclusion. For these and other reasons, I continue to feel that the creation of a parish council for part of Durham City would be an inappropriate response to the concerns that have led our MP and others to suggest a "town council" as a means of improving the governance of our city. So long as the city's affairs are managed within the context of a unitary local authority covering the whole county, its interests will be most effectively served by its county councillors who can directly represent their constituents within that authority. An essentially consultative parish council would add no real value in statutory terms, and would detract from the role of the elected councillors.

As the Council's consultation document notes, the Government guidance on the establishment of parish councils leaves considerable discretion with the County Council. Bearing in mind the limited degree of actual positive support for a parish council that has been elicited by this and previous consultations, the practical limitations on its effectiveness that I have touched on above, and the disproportionate expense of this proposal during a period of local government austerity, I urge the Council not to implement this proposal but instead to investigate other ways of ensuring more effective alignment between its policies and the unique requirements of Durham City. These could include fuller delegation of local matters to existing county councillors for city wards, and a development of the role of the AAP.

4	<p>The Neville's Cross Community Association welcomes the recommendations and supports their implementation as they stand, as soon as possible. The NXCA believes that a city the size and importance of Durham should have formal collective representation in addition to that provided by individual county councillors and that such representation should be part of the formal democratic processes of the county council.</p>	Email	Neville's Cross Community Association
5	<p>Please register my support for draft proposals.</p>	Email	
6	<p>I'd like to place on record our strong support for the creation of our new council. This is also the view of our local Sidegate residents association.</p> <p>The reasons for our support are straightforward and grounded in the need for true local democracy as follows;</p> <ul style="list-style-type: none"> • When the two tier arrangements were destroyed, with no local democratic mandate, the unparished areas of the County should have been parished at that time, which, I believe, was the case in Northumberland • We campaigned for a council a few years ago, were successful, but the County Council blocked the creation of the new body • We have recently voted again, overwhelmingly in favour of the new body • Our city is under constant threat, particularly from University expansion and the proposed County Plan. Now more than ever do the permanent residents of the City need a truly independent voice to protect their interests. <p>I'd also like to make the following additional points in support of the Council's current proposal;</p> <ul style="list-style-type: none"> • It's clearly what the majority of people want as proven in the recent consultation. The same principle should apply as to all local elections. A low turnout never stops a councillor taking their seat! It's the second time the majority have voted for a new council • The proposed precept is a small price to pay for proper democratic representation. This can of course be changed once the new council is formed based on a mandate obtained by the new council members • The only sensible boundary of this new body is on the proposed basis for the whole City, as it is impacted by broadly similar interests and has 	Email	

	<p>common threats (as above)</p> <ul style="list-style-type: none"> • In particular, it provides a real local representation, unlike the current arrangements where the County Council is clearly completely out of touch with the views, needs and concerns of Durham City residents • The proposed Council is the right vehicle to take forward the excellent work carried out by the Neighbourhood Planning Forum • The council is a much more suitable body than the non- democratic AAP, which is in effect an organ of the County Council, as the main conduit for local decision making and representation for the City. • It is noted that in the recent County Council elections, several other areas, such as Derwentside and Spennymoor, have rejected the 'one party state' of the County Council. The creation of a new Council would allow Durham City residents to further support true local democratic representation, independent of the County Council. <p>We look forward to the formation of the new council and an end to the 'Democratic Deficit' that has contributed to the poor decision making and current problems that the City is experiencing. It would be a complete rejection of democratic principles if the Council was not now formed as planned.</p>		
7	We support the Council's draft recommendations for the setting up of the City of Durham Parish Council.	Email	
8	<p>Before responding to the actual issue of the creation of a Parish Council for the Durham City area I would like to make a specific point which may relate to the decision made by Durham County Council (DCC) to move on to conducting the next formal stage of this consultation. It seems that DCC Cabinet may have been influenced in making their decision to proceed as a result of comments made by both Cllr's Ormerod and Freeman, ward councillors for Elvet & Gilesgate (neither of whom live in the Elvet & Gilesgate ward). If this is correct then I would highlight a number of comments which were reported in the Durham Times and attributed to Cllr Freeman (who resides in Usher Moore) and Cllr Ormerod (who resides in Neville's Cross) in response to DCC when deciding to proceed with a formal consultation on this issue. Councillor Ormerod claims that during the recent local election campaign he was surprised at the strength of feeling and support he had encountered towards this subject on the doorstep. He stated in the Durham Times</p>	Email	Whinney Hill Community Group

(23/06/2017) that “it was far more than I thought it would so I can vouch for the strength of feeling” being expressed within the community on this subject. During the local election he could equally have been made aware of a lot of anti-parish comments but as he openly admits he is "a big supporter of Parish government" (Durham Times, 23/06/17), how therefore, can this be given any credibility as it is merely ‘vouched for’ comments. It is not supported by any credible evidence but conveniently supports his personal position on this matter. The evidence produced in the previous 2012 referendum indicated no real enthusiasm or support for a Parish Council and as the June 2017 referendum received a similar response, then the comments made by Cllr Ormerod should not be considered relevant as it is merely anecdotal and not supported by any tangible evidence, but conveniently supports his personal position on this matter.

Cllr Freeman also made comments in response to DCC’s announcement which appeared to support and reiterate the important point made by WHCG in our previous objection to the formation of a Parish Council regarding who would actually have to pay the precept for a Parish Council? He stated “Around half of the people living in Neville’s Cross and Elvet & Gilesgate are students” (Durham Times, 23/06/2017). However, it should be noted that Cllr Freeman has provided no evidence to indicate the percentage of students living in the Elvet & Gilesgate and Neville’s Cross areas of the City, or whether they participated in the referendum, or not. It is not disputed that there is a very high percentage of students living in these areas. However, the imbalance between permanent residents and students in Elvet & Gilesgate and Neville’s Cross could be quite significant when ascertaining the actual level of permanent residents supporting the establishment of a Parish Council is considered. This should be seen as a very important consideration as it is the permanent residents who will ultimately have to pay the Parish Council precept. WHCG pointed this out in its previous response to DCC that students are temporary residents and are exempt from paying Council Tax and consequently they would also be exempt from paying the Parish Council precept.

It should also be noted that in the coming years Durham University is planning a substantial increase in student numbers (six and a half thousand) many of whom will be residing in the proposed parished area

and specifically in Elvet & Gilesgate, this will inevitably impact further on the level of public services and amenities provided within the City. This will result in a further increase in the number of properties being sold and rented out to student's (which is still happening now despite the introduction of the Interim Report and the Article 4) which will inevitably further reduce the numbers of properties registered for both Council Tax and the Parish Council precept payments. In this extended period of austerity, when many families and elderly residents are struggling to pay their rents and council tax, how can it be either justified or seen as equitable when no contribution is collected from landlords for the services they and their student tenants have access to? Councillor Freeman has indicated in the past that on this issue, he would support the wishes of residents. It would appear that the majority of residents in Elvet & Gilesgate have once again, failed to enthusiastically support the idea of a Parish Council, nor have they endorsed its imposition and the subsequent costs which will as a result be incurred (which will no doubt increase substantially in future years once established).

In total 11,749 ballot papers were issued and 2,819 were returned, with 66 per cent in favour and 34 per cent against - which means 16 per cent (1,856) of those consulted were in favour and 8 per cent against. This equates to less than 25 per cent of residents eligible to vote actually taking the time to respond and yet, as a result of the above, ALL permanent residents in the proposed parished area are expected to pay towards and, take responsibility for, the up-keep of a system that at the very least, they had little, or no interest or enthusiasm for, nor could they see the logic, or benefits of. Therefore, for this referendum ballot to have any credibility the actual number of residents voting in support of the creation of a Parish Council should have been considerably more than the total of 1,856 votes cast. It would also seem relevant to note that 10 per cent of electors eligible to vote in the designated parish area are required to sign the initial petition submitted to DCC. It is to be accepted that those residents who signed the petition are obviously strong supporters of a Parish Council. However, putting that to one side, within the actual poll they only managed to increase their number by less than 700 votes (approx.). Considering there was no actual campaign carried out against a Parish Council, as opposed to a quite lengthy and active campaign (led by the local MP) in support of the establishment of a Parish Council, it would not appear to be a ringing

endorsement for its creation.

Also, within the report presented to Cabinet reference was made to Durham County Council responding to the consultative poll which was distributed to those electors whose names were on the electoral register in the area under review. This was done in accordance with a County Council decision to use a consultative poll method for any reviews which related to the creation or abolition of a Parish/Town council. In addition to this consultation letters (seeking views and comments) were sent to - St Nicholas Community Forum, Whinney Hill Community Group, Crossgate Community Partnership and Gilesgate Residents, Elvet Residents Association, Merryoaks Residents, Neville's Cross Residents Association, Sheraton Park Residents, Sidegate Residents Association, County Durham Association of Local Councils, Durham Access for All, Durham Area Partnership, Durham Neighbourhood Planning Forum, Roberta Blackman Woods MP and the local County Councillors. Consequently, in response to the above invitations to respond, it went on to say:

"Other representations Prior to the consultative poll, representations were received from the Durham City Neighbourhood Planning Forum which advised that they were in the process of developing a neighbourhood plan for the unparished areas of Durham City and included the same area for which the petition was presented".

The Draft Recommendation report (DCC, July 4th 2017) stated:

"The outcome of the consultative poll is that there was support for the formation of a new council in a limited/low return. From the relatively small number of responses received the most that could be assumed from those who did not respond is that they had no views either way".

It is therefore apparent that the response was poor, as it had also been in 2012 (when this issue was previously voted upon). However, as mentioned above, in order to involve groups within the City to engage in the consultation DCC initially conducted a consultative poll and in addition to this consultation letters were sent to St Nicholas Community Forum, Whinney Hill Community Group, Crossgate Community Partnership and Gilesgate Residents, Elvet Residents, Merryoaks Residents, Neville's Cross Residents, Sheraton Park Residents, Sidegate Residents' Association, County Durham Association of Local Councils, Durham Access

for All, Durham Area Action Partnership, Durham Neighbourhood Planning Forum, Roberta Blackman-Woods MP and the local county councillors.

It is therefore disappointing that when DCC made its recommendation to proceed with producing its Draft Recommendation the only responses apparently received were from:

The Neighbourhood Planning Forum, Roberta-Blackman Woods and Whinney Hill Community Group.

After 5/6 years we are still waiting for the Neighbourhood Planning Forum to produce its Neighbourhood Plan for residents to vote on. Roberta Blackman-Woods claimed that a Parish Council "would give people an opportunity to engage more with local governance and would provide for a stronger voice on the issues affecting people within the city centre." However, in response we would ask how can this Parish Council possibly 'meaningfully' effect or influence DCC, who have the final say in anything of real consequence within the city, or with Durham University, who dominate the city and repeatedly refuse to hold a public meeting to discuss/debate their 2017/2027 Masterplan, or the dominant role it presently plays and will undoubtedly continue to play in the future, of Durham City, is difficult to comprehend. Whinney Hill Community Group appears to have been the only Group on the above mentioned list who actually responded quite comprehensively, to the invitation to comment upon this issue. This would indicate that throughout the area to be designated as "the City of Durham Parish Council" that there is very little enthusiasm for a Parish Council when other City Resident Groups failed to respond to the individual invitations offered to them by DCC.

Within the Draft Recommendations Conclusion of the Review, DCC stated "The vast majority were in favour from the limited return and having considered the objections it was felt that the proposed formation would be effective and convenient." Could DCC explain how they can justify this statement when the points against the formation of a Parish Council (purely on the evidence within the paper presented to Cabinet) were obviously stronger than that of support, but in particular what do they mean by "effective and convenient", convenient for whom?

The Draft Recommendations also suggests that the proposed Parish area should be divided into three Parish wards: i. Elvet and Gilesgate, ii. Neville's Cross

and iii. Durham South. (c) The registered number of electors for the area at the date of the consultative poll on 4th February 2017 was 11,749. In view of local knowledge and guidance regarding the size of local councils that 15 Parish councillors would be appropriate and distributes as follows:- i. Elvet and Gilesgate - 6 councillors; ii. Neville's Cross - 8 councillors; iii. Durham South - 1.

Considering that Elvet & Gilesgate and Neville's Cross are of similar size (electorally) it is difficult to accept that Neville's Cross should have eight councillors, two more than Elvet and, by dividing the area up in this way would give an unfair built-in majority to Neville's Cross, enabling them to dominate any vote regardless of whether Elvet & Gilesgate and Durham South support one another. Therefore, if, ultimately, a Parish Council is to be established and imposed upon the majority of residents who have not shown any support for it creation, then surely, on the grounds of fairness the above numbers cannot be allowed to go unchallenged?

In 2012, as part of the consultation document produced to inform residents of the issues surrounding the creation of a Parish Council, DCC said in its Governance Review document:

Today, Durham City has a retail heart around the historic market place and the cobbled, narrow streets add to its distinctness. It has its own recognised community with its own local shops and amenities (public houses, restaurants, church, library, theatre, leisure centre, doctors, post office). Its particular identity is focused upon its city centre, a compact and historic centre including the World Heritage Site of the Cathedral and Castle, and its world class university.

Durham County Council also said "Durham City also has a particular identity focused upon the City Centre including the World Heritage Site, Cathedral, Castle and University. Durham Area Action Partnership covers both areas. That is why we have to look at both of these areas and offer options for both, given that there appears to be support for either one or two Parish Council's created for these area." In 2012 DCC were referring to Newton Hall and it was decided that it would not be appropriate for the two areas to be included in one Parish. It was considered that residents did not believe that they had sufficient areas of interest to justify the areas coming together.

In 2017 the same can be said about Elvet & Gilesgate

and Neville's Cross coming together to create a single Parish Council, in reality they have very little in common apart from increasing numbers of students dominating their communities and as a result less residents to pay Council Tax and a Parish Council precept. What actual evidence does DCC have to indicate that merging Elvet & Gilesgate and Neville's Cross into one parish resembles anything like support for this union?

Within the Review the Council aims to ensure that community governance arrangements within the area under Review are reflective of the identities and interests of the community in that area.

The Council will also:

- consider what community governance arrangement is effective and convenient to the community in that area;
- consider what other arrangements there could be for the purpose of community governance or engagement;
- consider the size, population and boundaries of the local community or parish.

In respect of the above, what evidence can be produced by DCC to show that they have given sufficient consideration to ensuring that all of the above have been seriously considered?

In 2012, in response to the Parish Council consultation which rejected its formation, DCC stated:

"The Council is also aware of the guidance which states: "What sets Parish councils apart from other kinds of governance is the fact that they are a democratically elected tier of local government, independent of other Council ties 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 other bodies, however worthy, cannot, since such organisations do not have representatives elected to those bodies". The Council has considered this guidance carefully, and does acknowledge the special role that parish councils have in a community. On the other hand, having considered all the matters referred to in the report to the Council of 19th September 2012, the Council had significant concerns that in terms of community cohesion and effective local governance, the establishment of a precept raising body at a time of recession, in a community that shows only limited support for it and

	<p>some clearly articulated opposition to it, may not be perceived by some to be an act supportive of effective local governance. The Council’s concern about this was heightened by the fact that the consultation response from some areas was clearly against the formation of a parish council. The Council had some concern when it took into account the fact that current guidance does not allow for an easy dissolution of a parish council, once it is established. The guidance states that the abolition of parishes should not be undertaken unless clearly justified and there is clear and sustained local support for such action.” (Review of Community Governance in the Unparished Area of Durham City carried out by Durham County Council. (Final Recommendations [No Parishing Arrangements], Colette Longbottom, Head of Legal and Democratic Services, DCC, 2012).</p> <p>Unfortunately, apart from DCC seeing the introduction of a Parish Council as a way for residents, within the proposed parished area to contribute extra funding towards services already provided, it is difficult to see in what way anything has changed in 2017 from the previous announcement made by DCC in 2012?</p> <p>Consequently, WHCG would suggest that DCC has not been provided with sufficient evidence which can possibly justify the imposition of a Parish Council on permanent residents in the proposed un-parished area to be referred to as 'the City of Durham Parish Council' and therefore DCC should look again at alternative options which will deliver community governance, has more support from local residents and allows them to believe that they actually do have a say in the future of Durham City because as things currently stand it is difficult to see how the formation of a Parish Council created on such a limited turn-out and biased towards one area over another can possibly enhance and promote social cohesion and unity. The Council is also aware of the fact that if no parish council is formed there are other forms of community governance available and consequently, not creating a parish council would not leave a vacuum in terms of community engagement. Therefore, failing to consider the above should result in a continuation of the system as it is at present and until further work has been undertaken with the community to further explore if there is a parishing arrangement that can secure the broad support of the residents involved.</p>		
9	<p>I support the draft recommendations for the proposed City of Durham Parish Council. I do think that there must be some way of ensuring that</p>	Email	

	landlords of student properties pay their fair share as they are heavy users of Council services. Will they be included in the Parish Council precept?		
10	Just a brief note to say that I support the draft recommendations you published on 3 July 2017 and would now like to see them implemented without delay.	Email	
11	I'm writing in support of the creation of a Town Council for central Durham. It is important that the central unparished areas of Durham City have a stronger representation as legal entity. Please add my letter to the voices in favour. Thank you.	Email	
12	This is to say that I support DCC's Draft Recommendation to set up a parish council for the central unparished areas of Durham, to be known as 'the City of Durham Parish Council', as per the relevant sections of the Draft Recommendation document.	Email	
13	I have read the draft recommendations on your website, and urge you to act on those recommendations, and set in motion the (long overdue) creation of a Parish Council for the City of Durham. The wards and numbers of councillors suggested seem a fair reflection of the population of the relevant areas, and the time scheme proposed more than adequate. It is about time the City had a level of local representation which functions well in the majority of the County.	Email	
14	I whole heartedly support the draft recommendations for the Durham City Parish Council as published by Durham County Council.	Email	
15	I wish to strongly support the draft recommendations in relation to the formation of a Parish Council for the City of Durham as set out in Durham County Council's paper currently circulated. In doing so I wish to make the following additional points: (1)The extensive coverage of the Whinney Hill Community Group's comments in opposition to the establishment of a Parish Council in contrast to the most cursory reference to support from other Groups is unwarranted and would expose the County Council to allegations of unfairness should the County Council ultimately decide not to proceed with the current recommendation. (2) I have a concern in relation to recommendation (h) so far as it relates to the transfer of unspecified liabilities from the County Council as referred to in the final bullet point, the financial implications of which would need to be provided for within the precept set for the new Parish Council.	Email	
16	I wish to support the draft recommendations on the Proposed City of Durham Town Council.	Email	

17	I am writing to say I support the draft recommendations.	Email	
18	I would like to give my support to your draft recommendations for a Parish Council for the central unparished areas of Durham City. I feel this is long overdue and that the citizens have felt under-represented. The lack of a Council to speak up for the central areas of the City has led to some unfortunate developments which have not been in the interests of either the City or its residents.	Email	
19	I support the proposals to establish a new parish council for Durham City as set out in your consultation	Email	
20	I am very supportive of the new Durham City Council venture.	Email	
21	I support the recommendations for a parish council for Durham city.	Email	
22	I accept the recommendations for a parish council for Durham City.	Email	
23	I support the creation of a Parish Council for the City of Durham.	Email	
24	We welcome the proposed changes.	Email	
25	As a local resident of Durham City I wish to express my strong support for the recommendation to create a parish council for the areas specified in the report.	Email	
26	<p>I would like to express general support for the recommendations of the Review of Community Governance in the Central Unparished areas of Durham by Durham County Council.</p> <p>However, I would like to suggest that the proposed “Elvet & Gilesgate” parish ward be instead named “Cathedral ward” for the following reasons:</p> <ol style="list-style-type: none"> 1. Only a small portion of the area commonly referred to as “Gilesgate” is included in the parish ward. The Churchill Square/Bradford Crescent area is not included, and nor is the Sherburn Road estate, both of which are normally considered part of Gilesgate (the Gilesgate Residents’ Association covers these areas). 2. Similarly, the Gilesgate Moor area is already part of another parish council area, i.e. Belmont Parish Council, and is not included in the proposed parish ward. 3. I currently represent the Elvet & Gilesgate Division of Durham County Council, which covers the same area as the proposed parish ward. The name “Elvet & Gilesgate” causes confusion for residents and even county council officers who assume that my colleague Cllr David Freeman and I represent the whole of 	Email	Local Member Cllr R Ormerod

	<p>Gilesgate (most of which is in fact in Belmont Division). I am frequently contacted by residents of parts of Gilesgate (and occasionally Gilesgate Moor) which are not part of my division. Correspondence then has to be forwarded to the Belmont county councillors. This results in extra work for councillors and a delayed service for residents which is quite unnecessary.</p> <p>4. The proposed parish ward includes several areas which nobody would consider to be part of either “Elvet” or “Gilesgate”. These include Sidegate, Crossgate and the Claypath/Sands area.</p> <p>5. My suggested alternative name, “Cathedral ward”, would be a recognition that the proposed ward is in essence the city centre and immediate surrounding areas, with the Cathedral visible from most locations within the ward.</p>		
27	<p>The campaign to obtain the required numbers to support a parish/town council was lengthy which would indicate there was no overall desire for residents to establish a parish/town council for Durham City and despite the low level result of the consultative poll there are further indicators to show there is no or little interest in forming a parish/town council.</p> <p>11,749 ballot papers were issued to electors in the area. 2,819 ballot papers were returned and of those 2,819 ballot papers returned, 1,856 were in favour of a creating a parish council. This equates to only a 24% return, and those who responded in favour constituted only 16% of the electorate consulted. This response can justifiably be interpreted as 76% of the electorate being disinterested in a Durham City parish/town council. Given that the abolition of a Parish Council can only be justified on the evidence of clearly sustained local support, (Review of Community Governance in the Unparished Area of Durham City carried out by Durham County Council. (Final Recommendations [No Parishing Arrangements], Colette Longbottom, Head of Legal and Democratic Services, DCC, 2012), it must therefore be that the creation of a Parish Council should only be justified along the same terms i.e. clearly sustained local support. The lack of interest from the electorate shows entirely the opposite.</p> <p>The Draft Recommendation report (DCC, July 4th. 2017) extract:</p> <p><i>“The outcome of the consultative poll is that there was support for the formation of a new council in a limited/low return. From the relatively small number of responses received the most that could be assumed</i></p>	Email	

from those who did not respond is that they had no views either way.”

The council therefore concedes that support for a new council was limited. Their conclusion that those who did not respond had no views either way should lend further weight to the fact that residents of the City had no or little interest in establishing a new council.

In order for groups within the City to engage in the consultation DCC initially conducted a consultative poll and in addition to this consultation letters were sent to St Nicholas Community Forum, Whinney Hill Community Group, Crossgate Community Partnership and Gilesgate Residents, Elvet Residents, Merryoaks Residents, Neville’s Cross Residents, Sheraton Park Residents, Sidegate Residents' Association, County Durham Association of Local Councils, Durham Access for All, Durham Area Action Partnership, Durham Neighbourhood Planning Forum, Roberta Blackman-Woods MP and the local county councilors.

Other than a comprehensive submission from the Whinney Hill Community Group, there was no response from the other Residents Groups and the only other parties quoted as responding to this initial poll were the Neighbourhood Planning Forum and Roberta Blackman-Woods (MP). This would also suggest very little interest, if not total apathy, from residents with regard to a parish /town council for Durham City.

The MP claimed that a Parish Council *“would give people an opportunity to engage more with local governance and would provide for a stronger voice on the issues affecting people within the city centre.”* The Council states that *“People had explained to the MP Roberta Blackman Woods during the consultation process that a parish council would provide more local accountability and allow residents to have more of a say in the future direction of Durham City.”* The MP has failed to provide any evidence to substantiate her claim, nor has there been any guarantees given to residents that they would have more of a say in the future of Durham City. In fact, at her public meeting to launch the campaign for a Parish Council, Ms Blackman Woods had to concede that a Parish Council would have no final say on planning decisions and could simply make recommendations. It is therefore difficult to envisage how a parish/town council will be able to exercise any influence over the decisions currently been made by the County Council on matters important to residents, such as planning, since it would have no more power than every resident has at

present, without a Parish Council.

Within the Conclusion of the Review, DCC states "*The vast majority were in favour from the limited return and having considered the objections it was felt that the proposed formation would be effective and convenient*"

Why didn't DCC consider the lack of response from various groups to the consultative poll as being significant in that it shows an obvious lack of overall interest? Also the points made against forming a parish/town council were very strong and seemed to outweigh the points in favour. It's difficult to see how DCC have reached their conclusion to proceed given the fact they readily acknowledge the lack of response and interest and the strong points made against a parish/town council. They seem to have disregarded the aforementioned and have not acted in the best interests of everyone in reaching their conclusion.

Regarding the cost of a new council, DCC state that "*the sum required to fund the parish council for the first year is likely to be no more than £150,000 this precept be set. An example of the precept charge for a Council Tax Band D property would be £34.46 per household per year, based on the council tax base for 2016/17.*

This precept charge per household would be recalculated in line with the council tax base for 2018/19 once established." Whilst the cost required to fund the first year may seem a relatively small sum per household, the electorate are not told what this figure covers. The figure quoted is only "likely" and not guaranteed. Given the wide range of statutory services that a parish/town council could decide to fund, and those services listed by DCC in their Draft Recommendation are not exclusive, it is almost certainly the case that the cost in subsequent years will increase dramatically, resulting in a much higher sum per household. It must also be pointed out that the statutory services that could be funded by new council are currently the responsibility of, and funded by, DCC. It is little wonder that the DCC are in favour of a parish council given that it could ultimately take over responsibility for key services thus saving them a lot of money. How can DCC be seen to be acting impartially given that they have most to benefit from this proposal?

The burden for the upkeep of a parish/town council would fall on all of the Durham City residents, despite the fact that only a very small percentage of residents voted in favour. These residents pay sufficient Council Tax at present, and should not be subject to further tax for another costly level of bureaucracy where there is no evidence that it will be of any real benefit to

residents. Durham City residents will also continue to fund the ceremonial Mayor as the role would remain with the Charter Trust and continue to be financed through a precept on the households in the former Durham City Council area.

It requires a reasonably large number of Council Tax paying residents to fund a parish/town Council. Large parts of the proposed parish council area have significant numbers of HMO properties exempt from Council Tax, as high as 90% of the properties in the majority of the inner city areas. These properties will also be exempt from paying the precept for the proposed Parish/Town Council. There is, and will be, a serious lack of funding for both DCC and the proposed new council. This could be seen as nothing but unfair to permanent residents as it places the whole burden of funding on the permanent residents, yet it is often the student population that can be the biggest drain on council resources in the City.

DCC recommends that the proposed parish area should be divided into three parish wards. i.e Elvet and Gilesgate, Neville's Cross, and Durham South and that 15 councillors would be appropriate with 8 allocated to Neville's Cross, 6 to Elvet and Gilesgate and 1 to Durham South.

Regarding the recommended division of the proposed parish area, it is difficult to see how each area can be represented properly as due to the demographics of population and age each parish ward has different issues and agendas. For example, the Elvet area is great affected by student related issues and the majority of remaining residents are middle aged and older. This is in contract to both Neville's Cross and Gilesgate where there are far fewer students and there is a mixed balance of residents with a wide age range. The different needs and importance of matters relevant to residents within each parish ward could give rise to disagreements and adversely effect the decision making process.

The proposed distribution of councillors to each area is unfair. Neville's Cross is of a similar electorate size as Elvet and Gilesgate therefore there is no justifiable reason why they should have more councillors. By holding a majority Neville's Cross could dominate any vote, which is undemocratic and could have a negative effect on community cohesion.

DCC should consider other, more appropriate and relevant forms of local representation which reflected the individual needs of each of the three aforementioned areas and does not seek to divide communities.

	<p>In conclusion, the points raised above, and summarised below, would seem to be contrary to The Laws, Duties and Guidance set out in DCC Draft Recommendations,</p> <ul style="list-style-type: none"> • the acknowledged lack of interest from residents, • the ongoing cost to residents of funding a parish council with available limited funds due to the massive amount of Council Tax exempt properties, • DCC's financial gain from having a parish council take responsibility for statutory services, • the very different needs and requirements within each the proposed parish areas and • the unfair allocation of councillors to the recommended wards <p>The Laws, Duties and Guidance state <i>i. a. reflects the identities and interests of the community in that area</i> <i>b. is effective and convenient.</i> and <i>"the creation of parishes and that the abolition of parishes should not be undertaken unless clearly justified and with clear and sustained local support for such action."</i> <i>"acknowledges that a recommendation to abolish or establish a parish council may negatively impact on community cohesion and that there is flexibility for councils 'not to feel forced' to recommend that the matters included in every petition must be implemented."</i></p> <p>I would respectfully ask that DCC review their recommendation to create a parish council as the creation of such does not reflect the views of the silent majority of Durham City residents. Absence of opinion should not be taken as assent to such a significant political change.</p>		
28	I am writing to support the draft recommendations of the Neighbourhood Plan and feel that the new Parish Council for Durham City would be the ideal body to carry this forward.	Email	
29	In response the message copied below, I wish to express my support for the recommendation to create a parish council for the areas specified in the report.	Email	
30	I support the Council's proposals.	Email	
31	I support it.	Email	
32	I very much welcome the formation of a parish council for Durham City. I would welcome it even more if the area in which I live could be included in the parish	Email	From outside of the area

	council area.		
33	<p>I am delighted that the County Council supports the introduction of local government at parish level for the area defined by the Neighbourhood Plan Area, which incorporates more than one parish. In view of the extensive area covered by the Neighbourhood Plan Area, it seems to me that it would be clearer to name the proposed Council as 'Durham Town Council', in order to signify its distinctive size, which includes the World Heritage Site of Cathedral and Castle and historic centre of the City.</p> <p>The City of Durham has significant international status for its remarkable heritage, quite apart from its University, and it deserves to have a comparable standing as a civic authority with the stewardship of numerous listed buildings and the aforementioned World Heritage Site.</p>	Email	
34	<p>I have read the document provided by Durham County Council, and am very glad to learn that the decision made was to inaugurate a Parish Council to Durham City. I have 2 comments to make, the second being more of a question than a comment.</p> <ol style="list-style-type: none"> 1. I would like the new entity to be called Durham Town Council, if that is possible. 2. There are frequent references in the DCC document to unparished areas not included in the area to be covered by the new entity. Could you please tell me what these locations are, where they are, and why they are not included? I know of a small area that apparently has no representation on the County Council and is, I think, not included in the new "parish" - that is a small stretch of Sherburn Road, including Marshall Terrace. Why are these residents excluded? Can they be included in the new "parish"? 	Email	
35	<p>I am writing to support the recommendations contained in the Review of Community Governance in the Central Unparished areas of Durham.</p> <p>I would like to make the following comments:</p> <ul style="list-style-type: none"> • The City is well-provided with residents' associations (and I chair one of these) which have a large number of active members. This suggests there is a good pool of people who might seek election as parish councillors. • The turnout in the ballot, while lower than I would have wished, was within the range seen in the recent County Council elections, and the result was in no doubt with a 2:1 majority in favour. • As the review states, in February the Council issued 11,749 ballot papers in the poll about whether people wanted a Town Council. I made 	Email	

	<p>a freedom of information request which showed that on 1 June the number of electors had gone up to 12,878. This is an increase of 9.6% in just four months. I had thought something like this would be the case. However, I had also suspected that this increase would be enough to give Durham South an extra parish councillor but this is emphatically not the case.</p> <ul style="list-style-type: none"> • The number of electors per councillor would be around 800 in both Neville's Cross and Elvet and Gilesgate, and around 500 in Durham South. I feel this is fair, particularly if the new-found enthusiasm of young people for political engagement results in an increase in Durham South. • No doubt the numbers of councillors can be re-balanced when electoral arrangements are next reviewed for the County. • Given the cut-backs in County Council expenditure and the consequent reduction in services, it would be open to the new Parish Council to reinstate any that local people particularly missed. I note this has been done in other parts of the County. <p>In short, this is a welcome move to address the democratic deficit in this part of the County and I hope the Council will approve these recommendations and proceed to bringing the new Parish Council into being next April.</p>		
36	I have great pleasure in supporting the council's proposal to Give the old city a parish council it has been needed for some time.	Email	
37	Fully support the Draft Recommendations for the City of Durham Parish Council.	Email	
38	We wish to register our full and strong support for the draft recommendations made in the "Review of Community Governance in the Central Unparished areas of Durham, by Durham County Council". We are registered electors in Durham and live in Neville's Cross Ward.	Email	
39	I am very pleased to learn that the proposed parish council has been approved. This is excellent news.	Email	
40	<p>I would like to register my support for the draft recommendations for the formation of a Parish Council for Durham City.</p> <p>I have been interested in the work of the Durham City Neighbourhood Planning Forum and would hope that a Durham City Parish Council, if formed, would monitor any plans that the Forum proposes in future.</p>	Email	

41	We support the Neighbourhood Planning Forum Working Group on the ballot on the creation of a Parish Council for the central unparished areas of Durham City and the subsequent vote in the County Council on the draft recommendations.	Email	
42	I wish to make it known that I support the proposed draft recommendations to form a City of Durham Parish Council. I live in the area that this would cover.	Email	
43	As a resident of Durham since 1965 I support the proposal for the creation of a Parish Council for the unparished areas of Durham City.	Email	
44	Just to confirm that I agree with the draft recommendations.	Email	
45	Just to say that I thoroughly support the notion of a Central Durham democratic body which can represent the interests of City residents, and make more locally relevant decisions on our behalf.	Email	
46	<p>As is the usual practice of the County Durham Association of Local Councils (CDALC), we will support the creation of any new parish council where the local community wishes to establish one. We are therefore pleased to see that creation of a new parish council for the City of Durham has been supported by electors who voted in favour of creation in a recent poll undertaken by Durham County Council (DCC).</p> <p>CDALC supports the full 'parishing' of County Durham by creating parish councils in all unparished areas, we therefore believe that the creation of a parish council for the City of Durham area is a good recommendation from DCC.</p> <p>As we have with previously created new councils, CDALC would wish to work with DCC to help with the inception of the new council. We can provide, if requested, information, advice and support to help establish the new council. This can include assistance with the establishment of administrative procedures such as Model Standing Orders, Financial Regulations, Code of Conduct, Contracts of Employment, Disciplinary and Grievance procedures etc. to enable a new council to function from creation. We would also be able to provide assistance with other policies necessary for any future services etc that the newly established council wishes to provide.</p>	Email	CDALC
47	I simply wish to reiterate the full support of the Sidegate Residents' Association for this proposal.	Email	Sidegate Residents' Association
48	Good idea to have a parish council. In the draft Elvet and Gilsesgate is referred to as being included within the boundary for the parish Council. However Gilesgate as a whole has approximately	Letter	

<p>2,000 residents. You say that you are using Elvet and Gilesgate electoral boundary for the Parish Council yet that boundary only goes to the fork in the road for Sunderland Road and Sherburn Road. So the reality is you are only taking in Gilesgate from Claypath to the top of Gilesgate Bank. I think it needs to be clarified by perhaps saying Elvet and Gilesgate, so that the majority of the Gilesgate residents know that they are not included in the boundary of the parish Council. Similarly for nominations to the council. I appreciate that boundaries do have to be made however Gilesgate is rather a large area, and the majority of the residents are in the Belmont electoral division.</p>		
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