

**THE MINUTES OF THE MEETING OF THE SEATON WITH SLINGLEY PARISH COUNCIL
HELD ON WEDNESDAY 21 JULY 2021**

Present: Councillor A Slater (Chair)
Councillors A Blacklock, S Faulkner, G Fuller,
S McAuliffe, H Middlemiss, D Temple, A Vila, S Williams

Also Present: County Councillors K Batey and D McKenna

The Chair asked Members to observe a minute's silence as a mark of respect following the death of the Mr Alan Foots who had previously served as a Councillor on the Parish Council for many years.

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Taylor and J Theobald.

2 CO-OPTION

The Chair welcomed Mrs S Faulkner, who was interested in being co-opted onto the Parish Council.

The Chair gave a brief outline of the work undertaken by the Parish Council and the role of a Parish Councillor.

Mrs Faulkner outlined her background and experience and stated why she would like to join the Parish Council and what she felt she could bring to the role.

RESOLVED that Mrs S Faulkner be co-opted onto the Parish Council.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 PUBLIC QUESTIONS

There was no public present at the meeting.

5 POLICE

The Clerk reported that there was no Police report. Members were advised that there had been no report in June and the Police had been requested to provide the figures for both June and July 2021.

Members reported that off road bikes were still present on the walkway.

It was suggested that Inspector J Malkin be invited to attend a future meeting of the Parish Council.

RESOLVED that Inspector J Malkin be invited to attend a future meeting of the Parish Council.

6 The minutes of the last meeting held on 16 June 2021 a copy of which had been circulated to each Member, were approved and signed by the Chair.

7 CORRESPONDENCE

(1) Seaham Town Council – Civic Appointments

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The Clerk reported the receipt of correspondence from Seaham Town Council advising that Councillors L Kennedy and S Morrison had been elected Mayor and Deputy Mayor of the Town Council for the municipal year.

RESOLVED that the information given, be noted.

(2) Seaham Town Council – Mayors Events

The Clerk reported the receipt of correspondence from Seaham Town Council advising of the following events.

Mayor at Home - 8 September 2021

Mayors Charity Night Bingo Goes Bonkers with Randy Mandy drag artiste – 23 October 2021

Mayors Carol Service - 1 December 2021

Mayors Civic Ball - 22 April 2022

RESOLVED that the information given, be noted.

(3) Code of Conduct

The Clerk reported the receipt of correspondence from the County Durham Association of Local Councils (CDALC) which gave details of an online petition asking for the introduction of legislation to enable Councillors to be disqualified or suspended for poor conduct.

Members were advised that it was widely considered that the current Code of Conduct did not provide any real sanctions to provide a sufficient deterrent to stop bad behaviour.

The Government was being asked to amend legislation to enable Councillors to be disqualified or suspended for breaching relevant Codes of Conduct. Some Councillors behave unacceptably, yet currently sanctions do not enable Councillors to be disqualified or suspended for breaches of a Code of Conduct.

Whilst most Councillors maintained high standards of conduct, a significant minority engaged in unacceptable behaviour, such as harassment, bullying, racist and sexist abuse. This type of activity would be grounds for dismissal in an employment setting, and equivalent sanctions should exist for Councillors.

RESOLVED that the information given, be noted.

(4) Police and Crime Commissioner

The Clerk reported that Joy Allen, the new Police and Crime Commissioner (PCC) for County Durham and Darlington would like to introduce herself to parish and town councils and give an update on her plans and priorities.

To assist with this the County Durham Association of Local Councils (CDALC) had arranged for the PCC to address parish and town councils via a ZOOM meeting on 22 July 2021.

RESOLVED that the information given, be noted.

(5) Traffic Issues - Seaton Lane

The Clerk reported the receipt of correspondence from a resident expressing concern at the noticeable deterioration in driving habits through Seaton Lane. The resident had witnessed speeding, overtaking and HGV's using the road.

The resident had suggested the introduction of traffic calming measures, or in the case of HGVs better signage as they were still leaving the A19 thinking they could head west on the B1404, resulting in many of them having to use the junction with Hillrise Crescent as a turning point.

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The resident was also concerned about the location of Police speed checks. Whilst it was acknowledged that speed checks were undertaken they were located at the Seaham end of Seaton Lane and not in Seaton itself.

The Clerk had provided the resident with a summary of what the Parish Council were doing in relation to traffic issues on the B1404 and an update would be provided following the meeting.

RESOLVED that the information given, be noted.

8 PLANNING - APPLICATIONS

DM/21/02289/FPA – Replace Conservatory with single storey rear extension and utility extension to rear of garage at 6 Sharpley Drive, Seaham

DM/21/02328/FPA – Demolition of existing garage and replacement with detached double garage to rear of dwelling at 5 Hillrise Crescent, Seaton, Seaham

RESOLVED that the information given, be noted.

9 CLERKS REPORT

(1) Village Green

The Clerk reported that at the last meeting Members were advised of correspondence from a resident expressing concern that access to a section of the village green was being restricted by a wall erected by the owner of an adjacent property.

At that meeting it was agreed that an Extraordinary Meeting of the Parish Council be convened along with a site visit. Members were advised that the resident who had raised the concerns had asked to attend a meeting to allow him the opportunity to put forward information he had in relation to this issue. It was pointed out that if the Parish Council invited the resident who had raised the concerns it would have to extend an invitation to the owner of the property adjacent the village green.

The Clerk reported that following the last meeting the Parish Council had contacted Durham County Council's planning enforcement team to discuss the situation related to the wall. The County Council had confirmed, following investigation, that the development constituted 'Permitted Development' under Schedule 2 Part 2 Class A1 of The Town and Country Planning (General Permitted Development) (England) Order 2015. The County Council had advised that they would not be taking enforcement action regarding the erection of the wall.

Ownership of the village green was vested with Seaton with Slingley Parish Council. This gave the Parish Council jurisdiction to take any action it considered appropriate, including enforcement, to address any unauthorised development, under village green legislation.

Plans showing the boundary of the adjacent property and the village green were circulated for Members consideration. It was pointed out that there were no measurements on any of the plans which made it difficult to determine where one boundary started and the other finished. Because of this it was not conclusive that the wall extended onto the village green and if it did encroach it was unclear by how much. It was pointed out that if any encroachment had occurred it would be difficult to determine to what extent without exact measurements.

The Clerk suggested that it may be possible to determine the boundaries by appointing a surveyor to plot the land. Following a lengthy discussion it was agreed that this was not an option the Parish Council wished to pursue.

The Clerk pointed out that Members needed to decide what outcome they were looking to achieve. The Parish Council could pursue legal action to force the removal of a section of the wall. This could be costly and Members needed to determine if that was a good use of public

finances. It would also be difficult to determine how much of the wall would need to be removed. Access to the area was difficult and steep and it was unlikely that many residents would wish to access the area.

The owner of the adjacent property was not restricting access to the village green and had agreed to remove the last section of the small wood post and wire fence erected on the grassed corner adjacent the property. He had also agreed to purchase and install a sign indicating that the land at the bottom of his property was village green and open for public access.

Following a lengthy discussion it was suggested that the removal of the last section of the small wood post and wire fence erected on the grassed corner adjacent the property and the erection of a sign indicating that the land was village green and open for public access was a compromise the Parish Council were willing to accept.

It was suggested that if the owner of the adjacent property agreed to these actions, the Parish Council would take no further action to force the removal of any part of the wall. It was also felt that an Extraordinary meeting was not required.

The Clerk suggested that if this course of action was agreed a letter would be drafted to the owner of the property adjacent the village green acknowledging that a part of the boundary wall may have encroached onto the village green. It would outline that whilst the Parish Council did not intend to initiate enforcement action to force the removal of any part of the wall this inferred no legal right for the wall to be on the village green. The presence of the wall on the village green in no way inferred any basis to claim adverse possession of the land either now or in the future. The Parish Council also reserved the right to have any section of the wall encroaching onto the village green removed should it be deemed necessary.

The Chair asked everyone present at the meeting if there was anything they wished to discuss further or seek clarification on.

As there was nothing further to discuss the Chair put it to the meeting that if the owner of the adjacent property removed the last section of the wood post and wire fence and erected a sign indicating that the land at the bottom of his property was village green and open for public access the Parish Council would take no further action in the matter.

A vote was taken and it was unanimously agreed that no further action be taken and the matter be closed. Members were advised that the resident who had initially raised the concerns would be informed of the Parish Council's decision.

RESOLVED that;

- (i) the Parish Council take no further action in relation to the wall and the matter be closed
 - (ii) the Clerk, in consultation with the Chair and Vice Chair of the Parish Council draft a letter to both parties outlining the decision of the Parish Council.
- (2) Community Defibrillator

The Clerk reported the receipt of £1,398 grant funding from the Area Action Partnership (AAP) for a community defibrillator. Following liaison with the Chair the order for a community defibrillator was placed with the Rotary Club of Durham at a cost of £1,398.

The Rotary Club had liaised with the Seaton Lane Inn regarding the installation of the equipment and once installed the Seaton Lane Inn would take on all responsibility for the defibrillator.

It was suggested that once installed a letter of thanks be sent to the Seaton Lane Inn. The Clerk advised that once installed a letter of thanks would be sent to the Seaton Lane Inn and an item posted on the Parish Council website. A poster would also be placed in the Parish Councils noticeboards.

RESOLVED that the information given, be noted.

(3) B1404 – Speeding - Vehicle Activated Sign

The Clerk reported that the Parish Council had asked Durham County Council to install a vehicle activated speed sign which advised motorists of their speed and prompted them to correct and lower their speed.

Following the last meeting County Councillor McKenna had referred the matter to Durham County Council and received the following information.

The cost for the provision of a vehicle activated speed sign was £10,812 which included the installation and an amount that covered maintenance and running costs of the sign for eight years. The County Council had advised that they did not have a budget for the provision of vehicle activated signs. They also did not have the capacity to add further sites to their rotational speed sign programme.

The County Council would only erect speed signs at sites that met the criteria outlined in the Speed Management Strategy. The Department of Transport recommended that speed signs:

- should only be considered when there was an accident problem associated with inappropriate speed that had not been satisfactorily remedied by standard signing
- were not to be used as speed limit repeater signs
- should only be used when it was clear the problem could not be remedied by improving the fixed signing
- should be used sparingly

The County Council had advised that the overuse of speed signs diminished their effectiveness due to motorists becoming accustomed to their presence and treating them as 'just another sign'. When used sparingly and at specific locations they had more impact.

Councillor McKenna reported that it may be possible to share the cost of a speed sign between the Parish Council and the County Councillors. Councillor McKenna had a meeting scheduled with the County Council to discuss this issue as well as speeding generally on the B1404.

RESOLVED that the information given, be noted and further developments be awaited.

(4) Speed Stickers for Waste Bins

The Clerk reported that the Parish Council had considered purchasing "30 MPH Slow Down" stickers that could be supplied to properties on Seaton Lane with a request that they be stuck to their rubbish bins. When residents put their bins out for collection motorists would see the signs on the bins and be reminded to slow down whilst driving through the village.

Following the last meeting County Councillor McKenna had referred the matter to Durham County Council and received the following information.

The County Council had to adhere to national highways legislation and the provision of such signs came under the same legislation as the provision of 30mph speed limit repeater signs. In other areas where a parish had erected their own speed signs the County Council had been obliged to take them down where they were on adopted highway. This type of signage was not usually supported by the Police.

As a Highway Authority, the County Council was required to comply with relevant legislation regarding speed limits and associated traffic signage. The Road Traffic Regulation Act 1984, provided that a road was subject to a 30mph speed limit if there was a system of streetlights unless there was an Order made to alter this limit. The Traffic Signs Regulations and General Directions 2016 stated that 30mph repeater signs should not be provided on a road where

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there was a system of streetlights and subject to a 30mph speed limit. Guidance to motorists arising from this legislation was given in Rule 124 of the Highway Code such that the presence of streetlights generally meant there was a 30mph speed limit unless otherwise specified.

It was conceivable that if the Council ignored the legislation and granted approval, it could be argued in law that the speed limit did not apply due to the technical irregularity and non-compliance with legislation. There were numerous cases where a speed limit contravention had been lost on the grounds of these technical irregularities however minor or insignificant they seemed, and where this occurred it could lead to greater speed limit contravention.

RESOLVED that the information given, be noted.

(5) Dropped Kerb – Hillrise Crescent

The Clerk reported that following the last meeting County Councillor McKenna had referred the request for a dropped kerb at Hillrise Crescent to Durham County Council. Councillor McKenna advised that to date he had nothing to report but would chase the matter with the County Council.

RESOLVED that the information given, be noted and further developments be awaited.

(6) Parking – Seaton Village

The Clerk reported that Councillor Theobald had been approached by residents concerned about vehicles obstructing the road outside the Dun Cow. They had suggested that people visiting the pub could be asked to park down one side of the road.

Councillor Theobald had suggested that the Parish Council contact the landlord of the Dun Cow with a request that patrons be asked to park on the right-hand side of the road whilst not blocking any driveways. This would also allow emergency vehicles access to Avoncroft Close and the adjoining properties to the pub.

Members pointed out that most cars parked in the vicinity of the Dun Cow belonged to residents and not visitors to the pub.

RESOLVED that the information given, be noted and the situation be monitored.

(7) Surface Dressing – B1404

The Clerk reported that following complaints from residents Durham County Council were contacted regarding the chippings left on the footpath following the resurfacing of the B1404.

The County Council had advised that chippings on the footpath were to be expected following resurfacing works. The County Council had scheduled planned sweeps of the carriageway and footway which would be undertaken until the amount of chippings were negligible. The carriageway and footway would continue to be monitored by the County Council.

RESOLVED that the information given, be noted.

(8) Seaton Lodge Junction - Bypass

The clerk reported that Durham County Council had advised that it hoped to be on site by Spring 2022. Further tree clearance work was needed to allow ground investigations to take place but this would take place in the autumn following the bird nesting season.

When appropriate the County Council would undertake an information exercise to provide residents with information about the scheme. This was not expected to be before September 2021 as further approvals were needed from Highways England. It was anticipated that the proposed works would be supported by residents given the long running issues at the lodge

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junction.

RESOLVED that the information given, be noted.

10 PAYMENTS

RESOLVED that the following schedule of payments be approved.

CHQ NO	PAYMENT TO	DETAIL	COST	VAT	TOTAL
100633	HMRC	PAYE - July 2021	120.00		120.00
100634	Payroll	Wages - July 2021	479.56		479.56
100635	JACS Accountancy Limited	Payroll Services - July 2021	8.80	1.76	10.56
100636	A Slater	Reimbursement - Weedkiller	10.00	2.00	12.00
100637	County Durham Association of Local Councils	Councillor Training	10.00		10.00
		TOTAL	628.36	3.76	632.12

11 ANY OTHER BUSINESS

Clerks Hours of Employment

The Chair reported that the work undertaken by the Clerk was exceeding 12 hours a week and suggested that the hours of employment be increased to reflect this.

RESOLVED that the hours of the Clerk be increased to 14 hours a week.

12 DATE AND TIME OF NEXT MEETING

RESOLVED that the next meeting be held 15 September 2021 at 6.45pm.

.....Signed

.....Dated