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South West Durham 1949-1979*

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“ CONDEMNED TO DIE ”

Housing Action and Social Justice.

South West Durham

1949 - 1979

Submitted by

Ronald Snowdon

for the Degree of

Master of Arts

University of Durham

*Dept of Sociology and
Social Administration.*

July 1979.

RONALD SNOWDON

"CONDEMNED TO DIE
Housing Action and Social Justice.
South West Durham: 1949-1979.

The Thesis is a retrospective examination of housing action consequences and effectiveness in the Bishop Auckland Area, by the author who was involved with the initiation and execution of repair, improvement, closure and demolition of houses in the private sector, carried out within the framework of Durham County Council's controversial Settlement Policy. The local, post-war, housing policy revolved around cherished concepts, that a Development Plan would lead to the "Good Life"; slum clearance processes were designed to protect people from themselves; and relocating residents from outdated villages to modern semi-detached estates heralded a new beginning. The irony of a working class political machine, over which the population had virtually no influence, imposing a policy which destroyed working class life styles is noted, together with the creation of a bitter and inflexible climate which nurtured an unintended but resolute opposition and resulted in a change of political control at local level. Focus is on Witton Park, the devastated archetype Category 'D' village, a victim of prejudice and time seemingly forever to bear a slum label as a shrine to the County Development Plan. A comparison is made with the villages of Binchester, Escomb and Eldon Lane/Coundon Grange also affected by renewal policies. It is contended that undue attention was paid by bureaucracy to a distorted image of slum housing which resulted in extensive and excessive demolition with consequential individual and collective injustice; and that an almost exclusive over emphasis on physical aspects destroyed the territorial basis of community life, and ignored people and their aspirations. Direction altered, belatedly, in the late 1960s after nearly 2,300 houses had been demolished. The newer policy of gradual renewal rather than total clearance was influenced by political change, more enlightened attitudes and the availability of wider powers. A synopsis of relevant housing legislation from 1868 to 1979 is provided by the Appendix.

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DECLARATION

The material contained in this Thesis has not previously been submitted for a degree in this or any other University.

R. Snowdon.

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PREFACE

A bureaucratic system often operates in a manner, and with effect, not always intended nor appreciated by the participants who frequently fail to remember, assuming an awareness, that they are holders of a trust which occasionally should be justified by an examination of the issues involved.

The basis of this Thesis is the hindsight view gained by the author, a District Council Chief Officer, in "stepping outside" the process, and objectively observing from a much broader perspective than hitherto, the intentions and consequences of housing powers and policies exercised by the former Bishop Auckland Urban District Council, and its successor the Wear Valley District Council, over a period of thirty years. It contains a 'historical' survey of housing legislation indicating the changes in a District Council's powers relating to the closure, demolition, repair and improvement in the private sector, which since 1951 have been exercised within the rigid framework of Durham County Council's phlogistic Settlement Policy.

Housing Action in the Bishop Auckland area is outlined with particular reference and emphasis on the village of Witton Park. The focus on Witton Park is deliberate because it reluctantly became the notorious Category 'D' village, known nationally and internationally through the media of newspapers, magazines and television documentary films; it was the archetype 'D' village, a key voussoir in a slum programming arch; it suffered most as a result of housing action; a village the policy makers appeared determined to destroy; a village seemingly without reprieve; and it was my responsibility to initiate, execute, and supervise a slum clearance process which ultimately resulted in its dereliction and near extinction.

The main contention, that County and District Authority action was not only destructive, unjust and punitive, but also restrictive, and resulted in social injustice and increased deprivation, is examined in relation to Witton Park, and compared with that of three other settlements, Binchester, Escomb and Eldon Lane/Coundon Grange, similarly affected by renewal policies.

Acknowledgements

I wish to acknowledge my debt to the many people who gave so freely of their time, patience and opinions during interviews and discussions in the course of preparing the Thesis.

From the Wear Valley District Council I have received full support and encouragement, and I am grateful to my colleagues for help, information, and the benefit of their knowledge, especially the Chief Executive Officer M.R. Sutcliff, D.M.A., F.C.I.S., Barrister-at-Law; J.C. Snowdon, Dip.T.P., M.R.T.P.I. District Planning Officer; Council's Secretary R. Fawcett; R. Barrass, T.D., M.E.H.A. Deputy Chief Environmental Health Officer, J.R. Best, M.E.H.A. Principal Environmental Health Officer (Housing), and Miss Vera Thompson, Secretary/Typist of the Environmental Health Department.

I am also indebted to past and present Councillors; V. Archer, J. Callaghan (founder member of CROVAC and the Durham County Housing Association), C. Hopper (founder member of ELDRA), T. Maddison and J. Mudd; to past Chairmen of Council; H. Fawcett, C. Foote-Wood, J.R.S. Middlewood, O.B.E., D.L., J.P., (9 times Chairman, and former Chairman of Durham County Council), and A. York (founder member of CROVAC, and the Witton Park Action Committee); to Dr. H.J. Shuttleworth, for many years General Practitioner at Witton Park; ex-Detective Chief Superintendent J. Collinson, M.B.E., and ex-Inspector W. Deighton; K. Payne, (Community Service for Durham County Limited) Miss M. Curry (former Head Teacher at Witton Park County Infants School);

the Reverend Canon A.R. Lazonby, M.A., and the Reverend A. Whitehead, M.A.; Mr. C.S. Simon, retired Solicitor's Clerk, part time Rent Collector, and Reporter - a long standing friend and 'adversary'; to Neil Verow and Keith Belton for permission to reproduce their architectural drawings; and many others, residents, exiles and business people of Witton Park village, too numerous to mention.

Finally, I express my sincere thanks to the staff of the University of Durham Library, Registrar's Office, and the Department of Sociology and Social Administration for their courtesy, kindness and help, especially Mr. W. Williamson, B.Sc. (Soc.), M.A. my Supervising Tutor whose counsel, advice and guidance have always been appreciated: and above all, to my wife, whose tolerance, understanding, unfailing patience, and countless evenings of solitude made this possible.

R. SNOWDON.
Bishop Auckland.
July 1979.

INTRODUCTION

The provision of shelter for the population and the protection of that shelter against the ravages of time, neglect and human indifference has taxed successive governments and local authorities in their various attempts to solve this ubiquitous problem.

The problems policy making machines choose to focus on, those they ignore, and those they remain (apparently) ignorant of altogether, and the solutions proposed and adopted relative to those problems, reflect not only values, judgements, prejudices, preferences and effectiveness, but also understanding.

This Thesis considers the housing action determined by the policy-makers, and the subsequent consequences, in trying to overcome environmental problems in the area of Bishop Auckland between 1949 and 1979.

Bishop Auckland is part of the hilly belt, in South West Durham, where the lower slopes of the Pennines meet the magnesium limestone plateau which extends into the area from east Durham. The whole is cut up by the valleys of the Rivers Wear and Gaunless.

At the end of the 18th century the area was predominantly rural, and Bishop Auckland had grown as a Market Town at the confluence of the two rivers, and on an eminence overlooking the Wear Valley.

The town is located slightly west of, and roughly equidistant between the City of Durham and Darlington (Diagram: 1).

At one time Bishop Auckland's importance was due solely to being the regional ecclesiastic headquarters of the Established Church, with the Bishop of Durham's Palace situated in the parklands adjacent to the town centre.

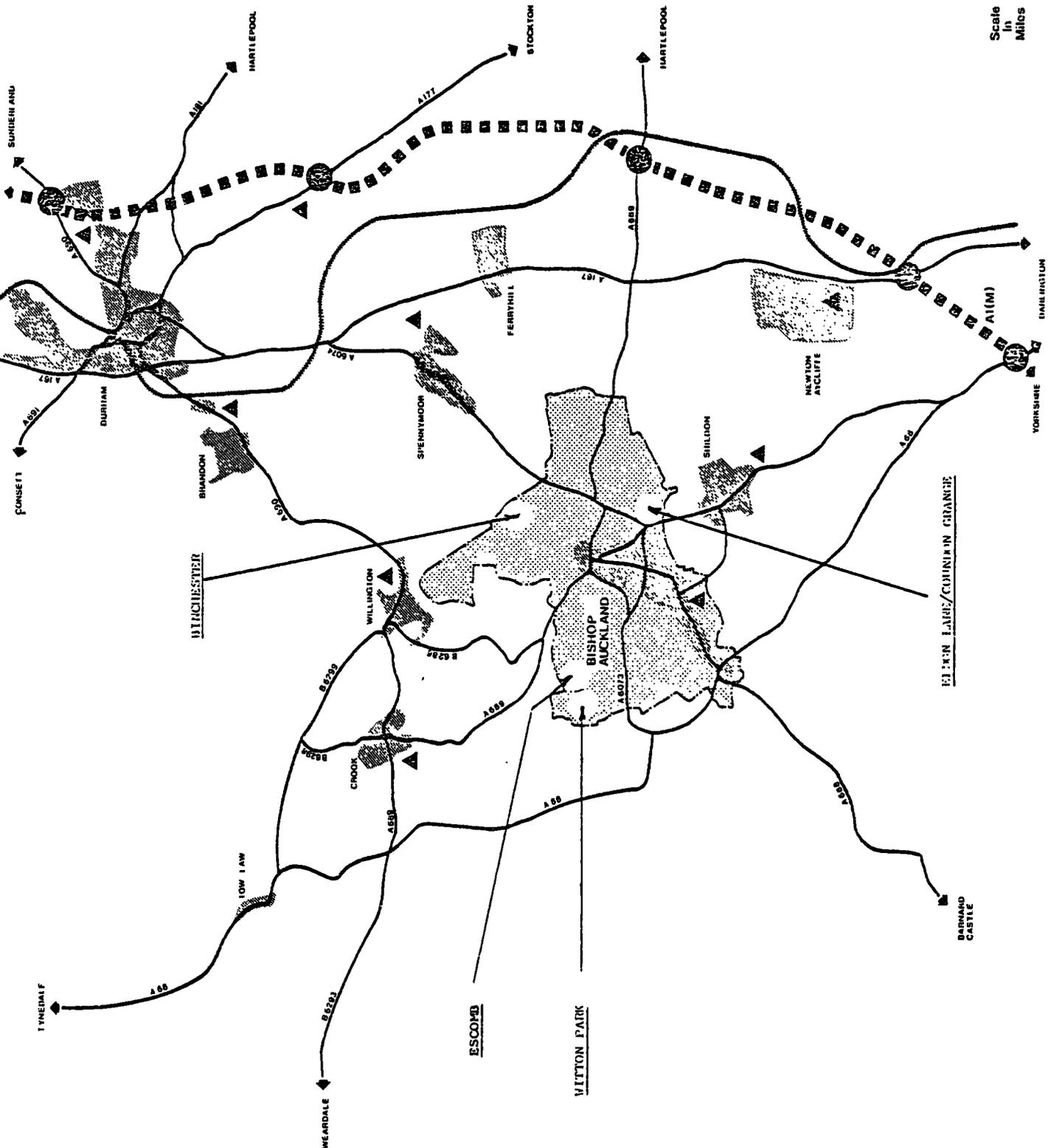
BISHOP AUCKLAND in the SUB-REGION

-  Bishop Auckland Urban District
-  A1 Motorway
-  Access to motorway
-  Principal roads
-  Edinburgh / London Railway
-  Major built-up areas
-  Major industrial sites



Diagram: 1

Scale
in
Miles



Exploitation of coal resources changed the rural setting. Large pits were sunk; the Darlington and Stockton Railway Company extended into the area; and with the availability of good coal and transport, iron, steel and coke works were established.

With immigration of workers from other parts of England, Wales and Ireland the population grew from 4,000 in 1801 to 33,000 by 1881, and new industrial villages such as Witton Park, Binchester, Eldon Lane and Coundon Grange sprang forth.

Towards the end of the 19th century Bishop Auckland was no longer a rural market town boasting the Bishop's 'seat', but the centre of a very busy industrial area.

For forty three years, from 1894, two administrative units, a Rural District Council and an Urban District Council, controlled Local Government affairs. Re-organisation in 1937 divided the Rural District between the enlarged authorities of Bishop Auckland U.D., Barnard Castle R.D., Crook and Willington U.D., and Spennymoor U.D. From a small Urban District confined mainly to the township, Bishop Auckland expanded, by embracing within its new boundaries many surrounding villages, to become an area of 9,332 acres with a population approaching 36,000 (Diagram: 2).

In 1974 a further local government reorganisation ended the existence of the Urban District as a separate corporate entity. With Crook and Willington, Tow Law and Weardale, Bishop Auckland emerged to form its successor - the Wear Valley District, an administrative area of 124,798 acres and 63,360 population (Diagram: 3)

Between the two major wars drastic changes in the national and international economic situation seriously eroded the predominance of staple industries such as iron, steel and coal. The inevitable

DIAGRAM 1

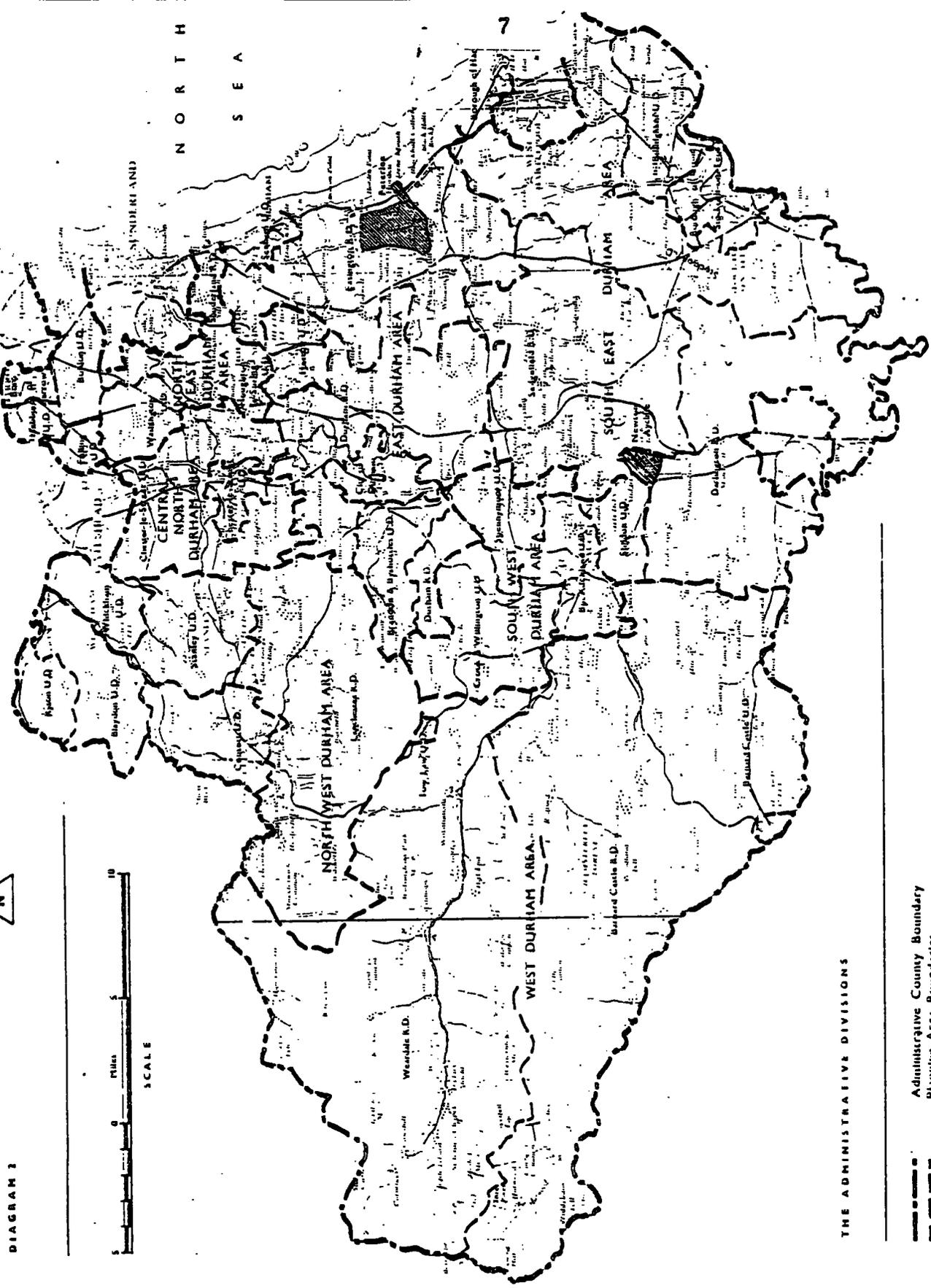


Diagram: 2

THE ADMINISTRATIVE DIVISIONS

-  Administrative County Boundary
-  Planning Area Boundaries
-  Local Authority Boundaries
-  Designated Area of New Towns

closing of many collieries and industrial processes badly affected the northern region, especially County Durham which was declared a 'special area' under the provisions of the Special Areas (Development and Improvement) Act of 1934.

One of the prime social consequences of the prolonged Depression was massive unemployment of more than 40%. The peak was reached in 1932 with the local Unemployment Index for Bishop Auckland soaring to 60.2%, and in the village of Witton Park the rate was reported to have been as high as 94%. With lack of investment, even at maintenance level, it was hardly surprising that properties physically deteriorated and environmental deficiencies were not remedied.

Post-war, the policy making machines focused on some of the problems arising from the industrial changes which had occurred in the previous three decades. The emphasis was on physical aspects and quality of housing stock, and they appeared to ignore; chose to remain ignorant of, and caricaturised, social reality.

Some of the Reports of that period were not only physically biased, but, in my view, unjust, inaccurate, misleading and alarming.

Pepler and MacFarlane in their outline plan of the North East Development Area (1) reported that conditions were worst in the villages of South West Durham which was

"a countryside of isolated communities housed in terraces totally devoid of reasonable amenities and overshadowed by black evil smelling tips of coal waste where pit closures meant total unemployment for nearly every man with the consequence that all the progressive workers moved out. Some houses were derelict and the remainder occupied by older settled folk or people attracted by cheap rents, and being content to live in conditions of backwardness and decay"

As regards the housing stock they generalised with:

"It is true to say that much of the working class housing erected prior to 1914 is already obsolete and all are so hopelessly overcrowded and so entirely lacking in any amenity of environment that redevelopment will become a social necessity" (2)

In their opinion the resulting danger of migration - an unbalanced ageing population structure - was all too clearly demonstrated in the S.W. Durham derelict villages:

"Migration from the depressed areas has drained the vital stock of communities, leaving them centres of old age structures with a decreasing reproduction rate and increasing mortality rate"

Temple in her 1940 Thesis "The Derelict Villages of Durham County"

(3) also concluded, without warrant, that the villages had been abandoned by the best elements among the inhabitants, and went further to suggest that following years of depression:

"a sense of hopelessness takes possession of the whole population ... and there is physical and mental deterioration of the remaining inhabitants" (4)

Not content with that unwarranted assumption she entered the dangerous waters of eugenics and decided that:

"inbreeding of the inferior stock would undoubtedly lead to an increased proportion within a few generations. The only method of avoiding this tendency is to remove the hamlets."

Pepler and MacFarlane came to a similar conclusion as regards the depopulation of some villages, but for different reasons based mainly on the need to provide reservoirs of workers in selected growth areas to meet the requirements of incoming industry. They indicated those villages

"whose inhabitants will be gathered at local or regional centres" (5)

For example:

"Witton Park and Escomb should be wholly depopulated and returned to agriculture" (6)

"Eldon Lane and Coundon Grange are in an area terribly cut up by railways, sidings and collieries, and

not fit for human habitation. We recommend the removal of the entire population" (7)

"At Binchester the houses are deplorable ... there is no point in reconstructing them as the population would find much better opportunities for living in an enlarged Spennymoor" (8).

From these two documents, authoritative and academic, it is not difficult to project an absurd image of South West Durham villages existing in the 1940's. It would be one of isolated and backward settlements overshadowed by evil pit heaps, in which the obsolete and unfit houses were grossly overcrowded by the remaining aged and shiftless population whose inbreeding tendencies, albeit on a reducing scale, would give rise to a higher proportion of inferior stock unless the villages were destroyed and the inhabitants re-located to growth centres of industry.

It was in the context of development area industrial generation and re-location, growth centres, new towns, population redistribution or 'gathering', and environmental depression that the Category 'D' settlement policy was propounded in 1951 by Durham County Council.

The most important aim of the County Development Plan was to

"create more comprehensive units which would offer the compact labour pools required by new industries, and, at the same time, enable better social facilities to be provided for the citizen" (9)

According to the County Council regrouping was

"the only wise policy to pursue, and it is most important that the cold facts should not be ignored for sentimental or parochial reasons" (10).

The 'dreary, soulless, 19th century villages, dominated by chimneys and slag heaps, consisting of long parallel monotonous rows and completely lacking in social facilities' (11) would therefore disappear.

Not unlike Pepler and MacFarlane who had stated that

"... we cannot too strongly emphasise that the well being and convenience of the inhabitants in relation to their means of livelihood has been our sole consideration" (12)

the County Development Plan also paid lip service to a general concern for people. In the written statement on the First Review it was exclaimed:

"we are often charged with inhumanity and lack of feeling. This is both unfortunate and untrue - planning is for people there is no question of destroying village life the County Council is well aware of the attachments older people have to their villages. It may be necessary for some of those people to leave their villages, but this must be accepted in the interests of future generations" (13)

The extent to which the Pepler MacFarlane, and Temple, conclusions formed the straw foundations of the County Development Plan is difficult to assess, but it is reasonable to assume a fair degree of influence. There is similar emphasis on physical dereliction, regrouping and depopulation, together with a notable lack of amplification in their concern for the inhabitants of the villages involved.

Indeed the planning problems and proposals aroused by Pepler and MacFarlane's "North East Development Area Outline Plan" are acknowledged in the 1951 document (14), and more recently (15) the former Miss Ada Temple asserted that her Thesis had verbally been comprehensively quoted, by planning officers, in support of their Development Plan.

The solutions postulated indicated that many villages were "Condemned to Die" on the altar of benefit for future generations - a hypothetical argument synonymous with the sentiment expressed by the Executioner of Don Carlos, "I hang thee, but for thine own good."

The Category 'D' policy became an apotheosis of the planning authority, and a politically imposed backcloth against which the District Councils of County Durham were required to carry out their housing functions. One such function is Urban Renewal, a relatively new phrase for an age old process, which can mean 'all things to all men'. In 1963 the Ministry of Housing and Local Government's description was (16) that:

"Urban renewal involves ... slum clearance, improvement, a proper standard of repair, and the enormous task of improving the environment".

The process is influenced by political ideologies and dogma; resources, attitudes, aptitudes and enthusiasm. It should involve public participation, or at least the dissemination of information. The simplified arguments revolve around decay, disrepair, dereliction and environmental disadvantage; only rarely are the inhabitants considered, despite exclamations that "Planning is for people", or "there is no intention of destroying genuine village life". The immediate post-war official philosophy in Bishop Auckland embodied the concepts that Development Plans were evolved for the good of the people; the process of slum clearance was designed to protect people from themselves; and that moving to the utopia of a modern housing estate heralded a new beginning. With an initial list of more than two thousand three hundred unfit houses, that philosophy was all pervasive during the two decades from 1949. Emphasis altered, belatedly, in the late 1960's, after almost two thousand three hundred dwellings had been demolished. The newer policy was influenced by more enlightened attitudes; the availability of wider powers; and a change in local political control.

Many claims can be made for Durham County, and one of those would be that the County Council has been controlled and dominated by the Labour Party for more than half a century. It is ironic that a working class political machine should impose a policy which resulted in the

TABLE 1

BISHOP AUCKLAND U.D.C.

POLITICAL CONTROL: 1949-1970

ELECTION YEAR	POLITICAL GROUPING						MAJORITY
	LAB.	CON.	CIVIC	LIB.	IND.	TOTAL	
1949	21	7	-	-	4	32	LAB + 9
1952	25	5	-	1	1	32	LAB - 18
1955	21	9	-	1	2	33	LAB - 9
1958	21	8	-	1	4	34	LAB - 8
1961	20	8	1	1	6	36	LAB + 4
1964	16	8	5	1	6	36	NON LAB - 4
1967	17	7	4	1	7	36	NON LAB - 2
*1970	18	5	2	1	10	36	NONE

*An 'alliance' of Conservative, Civics, Independents and a Liberal continued control through the Chairman of Council's casting vote at the Annual Meeting.

Source: Council Minutes of Annual Meetings
Bishop Auckland "Members' Book". 1937-1974

destruction of working class life-styles, albeit for altruistic motives, and in doing so was assisted by working class controlled second tier local government units, namely the District Councils. From 1937 Bishop Auckland Urban District Council had a Labour majority, which reached the controlling peak in 1952 with twenty five out of thirty two Members (Table 1). The Labour Councillors, and others, were typical of the area, and Table 2 shows the composition of each 'Council' from 1949 until the final election before reorganisation. Table 3 indicates the political affiliations, occupations, and numbers of all Councillors who served, for varying periods, between 1949 and 1974. The predominance, then decline of miners, and the steady increase of general labourers, for example, reflected the changing industrial scene.

Recalling the discussions and 'debates' in Committee, on the County Development Plan, it is my opinion that Councillors and senior officials of Bishop Auckland U.D.C., in the early 1950's, although appreciating the broad outlines, failed completely to grasp the significance of the settlement policy. Few Members had the opportunity of reading the bound volume of the Plan, and the precis given to them by their officers contained such extracts as:

TABLE 2

COMPOSITION OF BISHOP AUCKLAND U.D.C.

OCCUPATION	ELECTION YEAR							
	1949	1952	1955	1958	1961	1964	1967	1970
Miner	8	9	7	5	3	3	-	-
Retired Miner	2	2	3	2	4	-	3	4
Colliery Employee	1	2	2	2	3	3	2	2
Railway Employee	3	2	3	2	1	3	3	1
Retd. Rail Employee	1	1	1	1	1	1	1	-
General Labourer	1	3	1	-	3	3	3	6
Driver	-	1	1	2	1	1	2	4
Caretaker	-	-	-	-	1	-	2	1
Company Director	5	4	6	6	4	4	4	3
Company Secretary	1	1	1	2	2	2	2	3
Businessman	2	1	1	1	-	3	2	2
Haulage Contractor	-	-	-	-	-	1	1	-
Building Contractor	-	-	-	-	-	-	-	1
Cinema Manager	-	-	-	-	1	-	-	-
Retd. Bank Manager	-	-	-	-	-	1	1	-
Retd. Police Superintendent	-	-	-	1	1	-	1	-
Insurance Agent	2	1	1	1	2	1	-	-
Retired Ins. Agent	-	-	-	1	1	1	1	-
Sales Representative	-	2	2	1	2	1	1	2
Estate Agent	-	-	-	-	-	1	1	1
Accountant	-	-	-	-	1	1	1	1
Solicitor	1	-	-	-	-	-	-	-
Solicitor's Clerk	1	-	-	-	-	-	-	-
Local Government Officer	1	1	1	2	1	1	-	-
Chemical Engineer	-	-	-	-	-	-	1	1
Journalist	-	-	-	-	-	-	2	2
Publican	1	-	-	-	-	-	-	-
Agric. Smallholder	-	1	1	1	1	1	-	-
Teacher	1	1	2	2	2	2	1	-
Housewife	1	-	-	2	1	2	1	2
Total Members	32	32	33	34	36	36	36	36

Source: Bishop Auckland "Members' Book": 1937-1974

TABLE 3

BISHOP AUCKLAND U. D. C.

OCCUPATION AND POLITICAL AFFILIATION OF COUNCILLORS 1949 - 1974						
OCCUPATION	LAB.	CON.	CIVIC	LIB.	IND.	TOTAL
Miner	16	-	-	-	-	16
Retired Miner	5	-	-	-	1	6
Colliery Employee	6	1	-	-	1	8
Railway Employee	5	1	-	-	-	6
Retd. Railway Employee	1	-	-	-	-	1
General Labourer	3	-	1	-	2	11
Driver	4	-	-	-	2	6
Caretaker	1	-	1	-	-	2
Company Director	1	10	1	-	1	13
Company Secretary	-	2	1	-	2	5
Businessman	1	3	-	-	2	6
Haulage Contractor	-	1	-	-	-	1
Building Contractor	-	-	-	-	1	1
Cinema Manager	-	1	-	-	-	1
Retd. Bank Manager	-	-	1	-	-	1
Retd. Police Superintendent	-	1	-	-	-	1
Insurance Agent	-	1	-	-	3	4
Retd. Insurance Agent	-	-	-	-	1	1
Sales Representative	2	1	-	2	-	5
Estate Agent	-	-	2	-	-	2
Accountant	-	-	-	-	1	1
Solicitor	-	1	-	-	-	1
Solicitor's Clerk	1	-	-	-	-	1
Local Government Officer	2	-	-	-	-	2
Chemical Engineer	1	-	-	-	-	1
Journalist	-	-	-	-	2	2
Publican	-	-	-	-	1	1
Agric. Smallholder	-	-	-	-	1	1
Teacher	7	1	-	-	-	8
Housewife	5	1	-	-	-	6

Source: Bishop Auckland "Members' Book": 1937-1974

"there is no proposal to demolish any village, nor is there a policy against genuine village life".

"it is for the sake of our children that the adjustments must be made".

"the task is to ensure that the social life and facilities of all settlements are improved to measure up more adequately with increasing needs. This will stabilise the social life of the County".

"if we fail to make adjustments the villages will become mere dormitories; hardship will be caused to people; and the creation of convenient and pleasant living conditions will become increasingly difficult" (17).

It was not appreciated that the County Council did not have powers to demolish villages, nor that they (the County) regarded very few villages as genuine.

The then Labour Group Leader, and County Alderman, recently explained (18):

"We did not know that the County Development Plan would mean no building in the villages. We were not told. Not even the County Councillors knew. It was obvious that some of the villages would disappear as we know them because of the condition of the houses - but we assumed that redevelopment would follow".

Nevertheless, acceptance of the Plan was not untypical of District Council grass roots policy making, a process which can easily be equated with less important issues such as the need for a refuse tip, or even a bus stop. Once the necessity was agreed, and approved in principle, future consequences (assuming an awareness) would be ignored until a decision on location was required, by which time growing resistance would demand more detailed consideration. Time, events, and pressure increased an awareness of the Category 'D' consequences. Following consideration of a scheme, prepared by the Engineer and Surveyor, to build 250 houses at Witton Park at an approximate cost of £500,000, the District Council resolved, in 1954,

"that the scheme be adopted and referred to the County Planning Officer". (19).

That decision, taken 'more in arrogance than with sweet reason', was apparently inspired by the Government's White Paper,

"Houses: The Next Step" (20):

"There are several reasons why families living in slums should be rehoused on or close to the sites from which the houses are cleared. Many people dislike being uprooted from the districts, friends,

and haunts they know and like. They prefer to be rehoused near their old homes".

When the County Council refused the application for houses at Witton Park, Conservative Members tabled a Notice of Motion at the next Council Meeting (21):

"That this Council rescind the previous Minute which adopted the County Development Plan".

The motion was substantially defeated, by sixteen votes to three.

At that time, Bishop Auckland's housing programme was determined by the Health and Housing Committees, who saw their chief roles as the clearance of unfit properties, and building new houses, respectively. In that limited 'inverted' telescopic perspective the Members received expected and predictable advice from their senior officers, on the basis of Departmental separatism. Success in the housing field was important because it represented a political plus for the controlling group, and in achieving that the local caucus had no wish to overtly defy the County machine. But resistance to the County policy grew, initially through the Witton Park Defence Committee, and outwardly the official attitude, at District Level, softened. Even though Category 'D' had been accepted, there was a contradiction in terms because, local Labour Group decisions allowed Members to support proposals for the redevelopment of villages seriously affected by slum clearance. Obviously there was no political loss in agreeing to a scheme which would be rejected at County level. One District Member, also a Labour County Councillor, revealed the political dihedron when he publicly declared, at a Council Meeting, that although he opposed Category 'D', and supported village redevelopment, he was bound by Group decision to vote the other way at County Hall. This recollection was recently confirmed (22) by former Councillor Jim Mudd, Witton Park's Labour, then Independent, rebel.

Slum clearance acceleration, and the construction of new houses on the extensive Woodhouse Close Estate at Bishop Auckland, and other selected areas in the Urban District, caused mounting concern. Continued intransigence, by the ruling group, resulted in the loss of nine Labour Councillors in five major 'D' settlements over a period of nine years (Table: 4). The loss was not simply a political one in the sense that Labour Members were replaced by Civics or Conservatives. Some of the new Councillors were of working class background who had initially stood as Independent Labour candidates, because they opposed the 'D' policy and refused to be tied to the Party line, with the

TABLE: 4BISHOP AUCKLAND U.D.C.Political Composition in major Category 'D' Settlements

	1949	1952	1955	1958	1961	1964	1967	1970
<u>Witton Park and Escomb</u>								
Labour	1	3	2	2	-	2	-	-
Conservative	1	-	-	-	1	-	-	-
Independent	-	-	1	1	1	1	2	3
Civic	-	-	-	-	1	-	1	-
*In 1954 a Labour Member resigned the 'Whip' and thereafter represented the Ward (until 1967) as an Independent Councillor								
<u>Binchester</u>								
Labour	1	1	1	1	1	-	1	-
Independent	-	-	-	-	-	1	-	1
<u>Newfield</u>								
Labour	1	1	1	1	1	-	-	-
Independent	-	-	-	-	-	1	1	1
<u>Coundon Grange (included Gurney Valley and Close House)</u>								
Labour	2	2	2	2	2	2	1	-
Independent	-	-	-	-	-	-	2	3
<u>St. Andrews (which included Eldon Lane, Bridge Place and Coronation)</u>								
Labour	3	3	3	3	3	-	1	2
Conservative	-	-	-	-	-	2	1	-
Civic	-	-	-	-	-	1	1	1
Independent	-	-	-	-	-	-	-	-

Other 'D' settlements were included in larger electoral wards, for example, Toronto was part of the Newton Cap, Bishop Auckland, Ward.

result that they were not selected as official Party nominees. Consequently, in 1964, the Labour Party lost control of Bishop Auckland after twenty seven years. Although the local Labour Party changed its attitude on the Category 'D' issue after 1967, when the 'old guard' was replaced by younger, enthusiastic and more socially conscious Councillors, they did not regain control before the reorganisation of local government in 1974.

A further consequence of County policy was the growth of organised opposition. For several years the Witton Park Defence Committee had fought alone, but in 1962 the Eldon Lane and District Redevelopment Association (ELDRA) was created; and in 1967 several of the newly elected Independent Councillors representing Coundon Grange, Binchester, Newfield and Witton Park agreed to form a county wide organisation known as the County Redevelopment of Villages Action Committee (CROVAC). From the latter group sprang forth the Durham County Housing Association, which put words into action by improving, on a substantial scale, sub-standard houses, in 'condemned' villages.

In the following chapters I amplify basic contentions that:

- the various analyses of dereliction, and emphasis on place, not only distorted reality, but ignored the social vitality of the villages;
- there was no authoritative justification for assuming a priori that economic change would lead to the disintegration of communities; a reduction in the vitality of village life; or the physical and mental deterioration of the inhabitants;
- the Achilles heel of the housing policy was an insistence that Aristotle's 'Good-Life' could only be achieved by demolition and re-location.
- Witton Park was to the local authorities a problem mutation of their ill-founded prejudice, and wrongly devastated because of its unwarranted 'evil' reputation;

- it is not a self-evident truth that urban renewal removes, or even reduces deprivation;
- there was an undue emphasis on slums, and slum clearance, by Officials and Members who had a disingenuous reluctance (or inability) to climb the snowy heights of unfamiliarity, in order to interpret and understand new legislation relating to gradual renewal;
- defects in the Development Plan, and District Council housing action policy, applied processes which lacked humanity, and ignored people's expectations, preferences, and aspirations, with resulting injustice, both individual and collective;

A study in retrospect of necessity depends mainly on the availability of material, and the methodology applied was a comprehensive use of published and unpublished personal material; private papers kindly loaned; local authority documents, such as Council Minutes, extracts from Committee proceedings, officer Reports to Committee, Departmental information, and Annual Reports of the Medical Officer of Health, Consultants' reports, newspaper articles and comments, census information, and the results of unstructured interviews with many people who lived and worked in the villages. The political input on policy and action emerged from discussions with Councillors of differing persuasions. Linking the various elements are my thirty years experience in housing and environmental health.

The importance of photographs, especially in a housing study, is recognised, and they form an integral part of the Thesis in providing a visual explanation to the script. Apart from being descriptive, and documentary, they allow comparisons to be made, not only in the sense of 'before and after' but also with other buildings in other areas. Judgement of house conditions is subjective, not absolute, and properties regarded as near slums in one District may well be referred to as 'bijoux residences' in another. There is, of course, the historic value, and all photographs on any time-scale are part of history, which often cannot be repeated. The majority of properties

shown have already been demolished, and their reproduction forms a permanent record for the future. With the exception of those dated around 1920, and two reproduced with permission from Daily Telegraph Publications Limited, all the photographs are now filed in the Environmental Health Department of Wear Valley District Council.

Even though the photographic reproduction has been by Xerox machine, and the larger ones reduced, then re-copied, detail has not been lost, nor do they lack character.

There are, however, limitations to the use of acquired information, particularly personal documents and recollected experiences. As discussed by Martin Bulmer (8) they must be tested against the criteria of reliability, adequacy, representativeness, and validity of

interpretation. Official documents are most likely to be accurate; for instance, the demographic data from slum clearance inspection sheets, and Medical Officer of Health's Annual Reports are factual and reliable. Although subject to literary licence, newspaper reports provide a background to events temporarily lost to memory, and are useful in bringing forth happenings beyond a normal recall span.

The numerous interviews, mainly focused on Witton Park, were unstructured and non-directive, and perhaps are better described as 'conversations with a purpose'. That type of informal interview, with unsystematic questioning, has, I suggest, the merits of flexibility, comprehensiveness, and depth. The discussions were often rich in detail, and went deep into attitudes, memories and emotions, and being entirely informal produced honest views with a high degree of validity. However, caution must naturally be exercised with expressed personal opinions, especially when an interviewee is elderly, and attempts to remember incidents of many years ago. Memory is not infallible, and recollections can be hazy, sentimental, biased, and ego-euphoric or defensive. Nevertheless, their value must not be discounted since recall of a lived experience

is often instant, and the image sharp and decisive. To many elderly people the past is, and always will be, alive and fresh. But to a certain degree any limitations of exaggeration or underestimation are evened out by the extent and representative nature of the interviews. The validity of interpretation rests with me alone, in the light of personal experience and observation, expressed as opinion and judgement which, quite naturally, cannot be regarded as definitive.

The Thesis is structured in Chapter form, with related on-line references listed at the end of each.

- Chapter 1 - contains a brief outline of the Durham County Settlement Plan relative to the Bishop Auckland area, from the year of inception to 1979 when seemingly the Category 'D' policy was finally abandoned.
- Chapter 2 - introduces the village of Witton Park with 'historical' and contemporary views, and attempts, retrospectively, to reconstruct aspects of the physical and social structures.
- Chapter 3 - looks at 'slum' housing, and argues that preconceived notions and Ministerial exhortations distorted and confused a relatively simple concept. It is further argued that Witton Park was the victim of prejudice and an ill-founded evil reputation. As a consequence the village was 'processed' with undue and unwarranted haste which resulted in its ultimate devastation.

- Chapter 4 - describes the execution of housing powers determined by the policy makers, between 1949 and 1979, with particular reference to Witton Park and three other villages, namely, Escomb, Binchester, and Eldon Lane/Coundon Grange.
- Chapter 5 - the consequences, intended or otherwise, of housing action in the Bishop Auckland Area, raise questions of individual and collective justice, and these are generally examined in relation to urban renewal.
- The effectiveness of resolved housing policies and activities are considered.
- Chapter 6 - views the future of three of the villages, namely Witton Park, Binchester, and Eldon Lane/Coundon Grange.
- Appendix - provides a brief synopsis of the relevant legislation since 1868, empowering successive local authorities to exercise housing functions of repair, closure, area clearance, improvement, general rehabilitation, and compensation, in the private sector.
- Bibliography- lists all books, circulars, pamphlets, reports and other material, which were consulted and/or quoted in the preparation of this Thesis.

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CHAPTER 1THE DURHAM COUNTY DEVELOPMENT PLAN

The County Development Plan was structured on the foundations of the first major statement of industrial development and settlement policy for the North East, by Sir George Pepler and P.W. MacFarlane (1), and sought to plan for a redistribution of population based primarily upon convenient access to industrial opportunity. It was a local effort, in planning terms, and sought to reform the settlement pattern of the County in order to overcome the problems of environmental decay, unemployment and outward migration caused by the decline of traditional industries.

In considering the future changes in the settlement pattern the County Planning Officer commented that (2):-

"An assessment of the future of each settlement is based upon the employment prospects in the vicinity, and in particular on the colliery assessment and the proximity of industrial sites allocated in the Plan, the physical condition of property and services, and the siting of the settlements. On this basis all settlements have been placed in one of four categories:-

- A - Those in which investment of considerable further amounts of capital is envisaged because of an expected future regrouping of population, or because it is anticipated that the future natural increase in population will be retained.
- B - Those in which it is believed that the population will remain at approximately the present level for many years to come. It is felt that sufficient capital should be invested in these communities to cater for approximately the present population.
- C - Those from which it is believed that there may be an outward movement of some part of the population. In these cases it is felt that only sufficient capital should be invested to cater for the needs of a reduced population.

D - Those from which a considerable loss of population may be expected. In these cases it is felt that there should be no further investment of capital on any considerable scale, and that any proposal to invest capital should be carefully examined. This generally means that when the existing houses become uninhabitable they should be replaced elsewhere, and that any expenditure on facilities and services in these communities which would involve public money should be limited to conform to what appears to be the possible future life of existing property in the community. It is most important that there should be no misunderstanding on the meaning of this classification.

There is no proposal to demolish any village, nor is there a policy against genuine village life."

The villages of Witton Park, Binchester, Escomb and Eldon Lane/Coundon Grange were among the 114 in the County initially classified as Category 'D', and had been included for all, or a combination of, the following reasons:

- i) the existing or expected future lack of employment;
- ii) the poor siting of the villages;
- iii) the low standard of much of the existing property;
- iv) the lack of social facilities.

In accepting the Written Analysis and Draft Statement of the Development Plan, Bishop Auckland Council resolved (3):

"that the County Development Plan Draft Statement, after being considered in detail be accepted, and that the Clerk be authorised to immediately forward to the County Planning Officer the following observations for possible inclusion in his final report:-

- i) Allocation of Land for New Industries - add sites at Tindale Crescent and South Church which might be considered suitable for development.
- ii) Village Halls - suggest that Coundon Grange be considered as a village in which a village hall should be placed."

It is interesting to note that the Chairman of the meeting was the local member for the Coundon Grange Ward; and to record in 1979, that, almost thirty years later, neither proposed site has, or is likely to have industrial use, nor has Coundon Grange a village hall.

The Development Plan described as:

"flexible and subject to review every five years in the light of changing circumstances" (4)

and objected to by two District Councils (Sedgefield RDC and Crook and Willington UDC) out of thirty one in the County, was approved by the Minister of Housing and Local Government in 1954, after a Public Inquiry held two years earlier. In general terms, West of the A1 (M) became the land of the Category "D" villages.

Within the framework of the Development Plan, the County Planners prepared, and submitted to Whitehall in 1955, the Bishop Auckland Town Map. At the following Public Inquiry, 1956, the County Council was supported by Bishop Auckland UDC, but violently opposed by the villages of Witton Park and Escomb, the former at the initiation of an urgently formed 'Defence Committee' led by the Vicar of Witton Park, and Labour Councillor J. Mudd. The Town Map was approved in 1957: Escomb was reprieved, but Witton Park confirmed as a 'Category D' village.

The policy was rigidly and firmly applied as application after application, by builders, individuals and local authorities, for planning permission to build in 'D' villages was refused by the County and supported by the Minister on appeal.

Population decline in the villages, as demolition proceeded, became a self-fulfilled and propelled prophecy.

The first Review was not until 1964 when the County Council took the opportunity to alter completely the indication of settlement classification by letters.

That was in response to the alphabetical image conjured by the 'D' tag with connotations of Distress, Decay, Doom, Drabness, Death and Dereliction. Subsequently the villages were grouped as follows (5):

- Settlements in which approval may be given for residential development;
- Settlements in which a limited number of houses may be approved if their siting and design is appropriate to the present character, size, and function of the settlement;
- Settlements in which new development will be limited to the Social and other facilities needed for the life of the existing property.

Escomb was placed in the second group, with Witton Park, Binchester, Eldon Lane/Coundon Grange in the third. The wording altered but the policy remained the same, and the term 'Category D' stayed in the jargon of local speech.

The First Review documents were the subject of a Public Inquiry, and the Report of the Minister's Inspector was published in 1968. His recommendations were accepted by the Minister who agreed (6)

- "a) that the classification of Witton Park should be reconsidered because the settlement is in pleasant surroundings and reasonably close to Bishop Auckland. While the partly demolished centre comprised some streets offering poor living conditions, there were better houses and social facilities on the Southern part. Re-classification should be on the basis that for the community some development could create satisfactory living conditions."
- "b) to take no action as respects certain villages and to confirm the policy in respect of them."

That referred to, inter alia, Binchester and Coundon Grange - because of their bad siting, and poor condition of property and environment.

"c) although I do not recommend any change of classification now, I would accept specific proposals to be made showing to what extent and over what period of time the villages ought to be redeveloped."

The group included Witton Park and Eldon Lane.

As regards Eldon Lane and Coundon Grange I have never been able to comprehend the reasoning (assuming reason formed a basis) for separating these two villages, because physically they are divided only by the invisible line of a ward boundary.

As Professor Lichfield commented (?):

"Eldon Lane and Coundon Grange because of the accident of their origins bear separate names, but have been treated in the County Development Plan as separate 'settlements'. We consider the distinction illogical, unnecessary and invalid."

In his Report the Inspector had remarked on the settlement policy generally, and felt that it could only be achieved by total clearance, and suggested that because unprogrammed demolition of properties was causing distress, due to worsened conditions of life, the planning objectives would be more effective if a phased programme was worked out for complete clearance - settlement by settlement. That was a statement of surprising naivety made without concern for implementation or consequence. With 114 Category 'D' Villages within the boundaries of 21 District Councils the political manoeuvring alone would have been a barrier. Needless to say the Inspector did not suggest measures for attaining the impossible in terms of co-operation and co-ordination.

Bishop Auckland Council, in 1969, decided to act on the Minister's

remarks about the Eldon Lane area, and have the whole question of development in villages studied by a "Planner of the highest calibre" (8), and subsequently Professor Nathaniel Lichfield and Associates were appointed. Their Report (9) recommended, inter alia, pressing for the re-classifying of not only Eldon Lane, but also Coundon Grange.

Witton Park was outside the Consultants' terms of reference because it was assumed that the County Council would seriously consider the Minister's recommendation of re-classification.

The County reply came in 1970 (10). The Planning Committee had decided first, that they could see no logical reason for recommending any change in policy as regards Witton Park; second, they agreed that a development scheme for Eldon Lane only was possible providing that:

"the Chief Public Health Inspector's recommendation, in his Report of September 1968, for the clearance of 483 houses is accepted, because without this level of demolition any comprehensive scheme of development would be difficult to carry out."

That proviso completely distorted the conclusions of that report (11) in which it had been clearly indicated, step by step, that unless remedial measures of repair, maintenance and improvement were effected then 483 houses were at risk, and could probably be in such a condition by 1998 that the clearance of them could be a distinct possible course of action.

Lichfield and Associates were commissioned, in 1970, to undertake a detailed study of Eldon Lane/Coundon Grange, and their Report (12), a year later, containing a recommended scheme for rehabilitation of the area, was unanimously accepted by the District Council for

forwarding to the County Council.

Not until the 1973 Development Plan Review (Written Analysis)

did the County Planning Officer agree that Eldon Lane and Coundon Grange should be regarded as one settlement, and he stated (13):

"It is accepted that new development should fill the spaces which now exist in Eldon Lane/Coundon Grange, and as regards new housing it is proposed, therefore, to build 180 houses between Coundon Grange and Close House."

For Witton Park

"there can be no question of carrying out a scheme of redevelopment for the existing population
there is no employment there and people must travel daily to their jobs"

Under the terms of the Town and Country Planning Act, 1971 (14) the County Planning authority was charged with preparing a new Development Plan for their area - namely a Structure Plan. The Local Government Act, 1972 modified (15) this by transferring the responsibility for local plans to the new reorganised District Councils, on the condition precedent to any approval that they conform to the Structure Plan.

In 1974 the new Wear Valley District Council created their own Planning Department on lines suggested by the Bains Report (16), and appointed a qualified planning officer to head the new structure. By 1976 the County Structure Plan preparation was well advanced, and in order to make their position clear the Labour controlled Wear Valley Council resolved that (17):

"This Council's policy is total opposition to the principle of Category 'D', and will inform the County Council to that effect.

This Council feels that all planning decisions for development in the respective villages should be treated on individual merit, and private development encouraged in order to retain and, where necessary, extend existing villages."

Three months later the District Planning Officer produced a report on proposals for the "Physical assessment and housing development potential of Category 'D' villages" (18). He regarded Witton Park in the following terms:

"It is widely accepted and easily recognisable that this village has been the worst to suffer from the County Council's 'D' policy, so much so that only a skeleton of the original village remains. However, while there is no doubt that the policy has physically wrecked the village, there is considerable evidence that the policy has failed to obliterate Witton Park as a community. Examples of this can be seen in the successful Carnival of 1976, and the determination of the recently formed Witton Park Action Committee whose aim is to secure a future for Witton Park as a village. Having already established that there is a confirmed demand for new development in Witton Park into which people will move, it is now a question of deciding new housing sites for what will virtually be a new village bearing the name of Witton Park - incorporating the new with the old". (19).

In October, 1977, the Durham Branch of the Association of District Councils issued a statement concerning the County Structure Plan Settlement Policy (20):

"The Association emphasise the desire for a change of heart on the part of the County Council with regard to the settlement policy, and a need for District Councils to have freedom in deciding issues relating to settlements and to housing within them".

One month later, on 10th November 1977, the County Policy and Resources Committee passed a historic resolution:

"That the Structure Plan Settlement Policy be confined to allow all villages to be placed in Category A or B of the original 1951 County Development Plan".

Eldon Lane/Coundon Grange was placed in Category A, and Binchester and Witton Park in Category B.

From being conceived in ardour on the plinth of the Pepler-MacFarlane monument it seemed that the Category D policy, after twenty years gestation, was finally aborted.

The 'new' policy was detailed in the County Planning Report "Choosing the Policies" (21) in which the new Category A was described as being:

"where the investment of considerable further capital is envisaged, and general housing development may be approved in accordance with the basic principles for housing development".

and Category B as

"places where infill and replacement housing, appropriate in scale and character may be approved within defined limits of development".

Unlike Bishop Auckland Urban District Council in 1951, Wear Valley Council, concerned at possible restrictions in the new policy, were determined to examine the County report in detail. Councillor Alan York, elected as an Independent, on the Category D issue, in 1967, who was founder member of C.R.O.V.A.C. (County Redevelopment of Village Action Committee), Chairman of Witton Park's Action Committee, and Chairman of the Wear Valley Planning Committee, said at the first of five specially convened Council Meetings (22):

"we must go through this report in great detail, we do not want to repeat the same mistakes when Category 'D' was imposed on our villages; we need to protect the future from the misery and suffering of the past".

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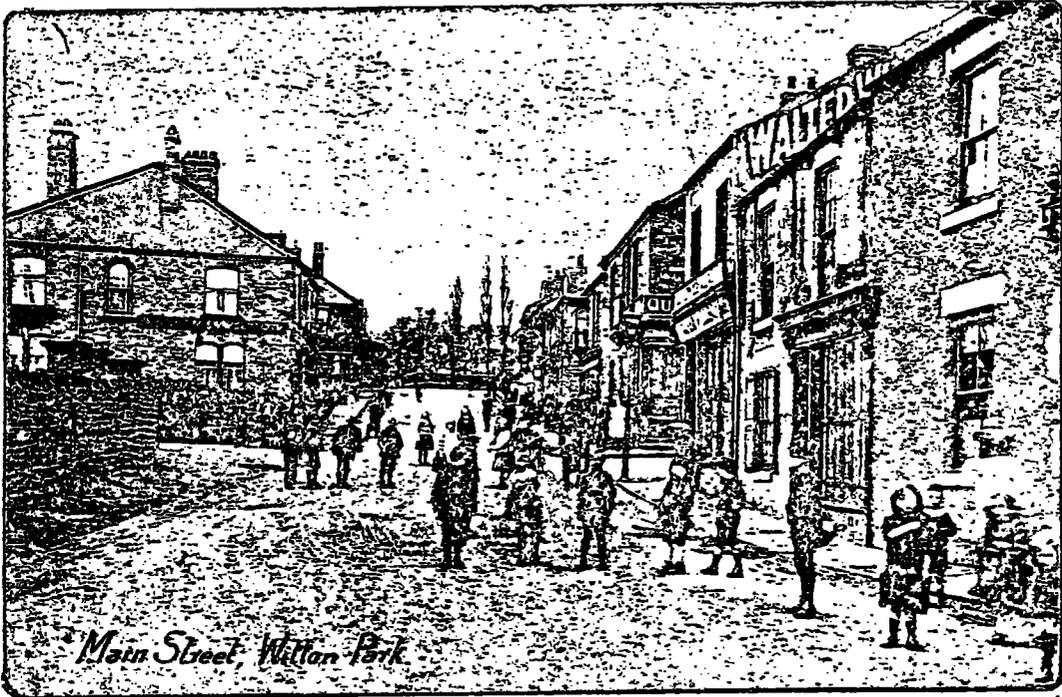
CHAPTER 2WITTON PARK

The former industrial village of Witton Park is located approximately three miles (by road) West of the Bishop Auckland's Market square (Map 1). In October, 1816, when William Chaytor purchased the Witton Castle Estate for £78,000, Witton Park did not exist, the only dwellings were a few scattered farm buildings, and cottages at Woodside. The metamorphosis began early in the nineteenth century when the Mary Ann, Jane and George Pits were opened, and in 1825 with the construction of the Darlington and Stockton Railway which had Witton Park as one of its termini, near to the Jane Pit. When the village was built on land, which in the reign of Henry II was part of the Royal Manor of Witchun enclosing Witton Castle, it gained the one and only tenuous link with antiquity.

However, a more significant date in the history of the village was the introduction, in 1846, of the ironworks industry, by Messrs. Bolckow and Vaughan, which literally completed the transformation. The construction of the Ironworks, with puddling and mill furnaces, was initially sufficient to provide employment for some three hundred men and boys, and heralded an invasion of the district by the Welsh and Irish, a peaceful occupation in which the men from the land of mountains and involved spelling had the larger share. The families of Jones, Jenkins, Williams, O'Brien, Morgan, Murphy, Sullivan, and many others, took possession of the scores of houses quickly built to accommodate them.

The streets included Church (now Main) Street, (Photograph 1); Low and High Albion, King, Thompson and Queen Streets; Old Row (later Garden Street), Viaduct Cottages; Albion Terrace, Park Terrace, Station Terrace, John Street, Black (now Park) Road; Stable, Middle and Barnsley Rows (demolished before 1914).

Witton Park, the 19th Century village was an accomplished fact. The



MAIN Street, Witton Park

Photograph 1

(c. 1919)

Ironworks rapidly expanded, and soon became the main centre in the North, with reputedly the largest blast furnaces in the Country, and employed a workforce well in excess of a thousand. The area was prosperous and a veritable hive of industry. Even so, industrial troubles were not unknown, and in August, 1866, a strike earned the village unwelcome notoriety - as recorded in Richmond's "Local Records of Stockton and Neighbourhood" (1):

"A riot took place at Witton Park in consequence of several men having been set to work at the iron furnaces of Messrs. Bolckow and Vaughan. This gave great offence to the workmen on strike who, becoming exasperated, committed various acts of a most disgraceful character. Two men, for taking part in the riot, were tried at the Durham Assizes and

sentenced to six months' imprisonment".

In the latter half of the nineteenth century the village was formed by twenty one streets or terraces, eight of which were set in a grid-iron pattern; and contained, in addition to 722 houses (2):

New Connection Chapel.
 St. Chad's Roman Catholic Church.
 Baptist Church.
 Calvinistic Methodist Church.
 Welsh Independent Church.
 Welsh Wesleyan Chapel.
 Congregational Chapel.
 Wesleyan Methodist Chapel.
 A Bookseller and Stationer.
 Chemist and Druggist's Shop.
 Post and Telegraph Office.
 Three Glass, China and Earthenware Dealers.
 Barber's Shop.
 Twelve Grocers and Drapers.
 Three Grocery Stores.
 Fourteen Dressmaking establishments.
 Seven Butchers' Shops.
 Two Grocery and fruiterers' stores.
 A Pawnbroker.
 Three hotels, a tavern, and ten public houses.

Within a few years two more public houses were opened. St. Paul's Anglican Church was completed in 1877, at a cost of £2,431 - 19s.-0d., and "The Rock", a London published evangelical newspaper recorded that (3):

"The consecration of St. Paul's Church, Witton Park by the Bishop of Durham took place on Friday, 14 May The Church has been more than nine years building owing to the difficulty experienced in raising the necessary funds".

According to the Building Fund Subscription List (4) the site had been given by Messrs. Bolckow, Vaughan and Co. Limited who also donated £200; there was £720 from the Lord Bishop of Durham; and £50 each from Mr. H. Bolckow, M.P., and mine owner Mr. W. Stobart, J.P.

Construction of the Primitive Methodist Chapel was completed in 1883 at a cost of £1250 (Photograph: 2), and the Salvation Army Citadel in 1885.



Primitive Methodist Chapel, Main Street

Photograph: 2 (c.1920)

From a population of 162 in 1801, the geographical and administrative district of Witton Park and Escomb had grown by 1871 to 4,313. (Table: 5). The Ironworks employees worked twelve hours daily, from 6 am to 6 pm, and earnings ranged from £3. to £10. per week (5). Pay day was fortnightly, and it was said that at weekends 'beer flowed in the gutters, and rival religious groups fought into the night'.

Table: 5

POPULATION IN THE WITTON PARK AND ESCOMB DISTRICT 1801 - 1871	
<u>YEAR</u>	<u>POPULATION</u>
1801	162
1811	190
1821	232
1831	232
1841	510
1851	1293
1861	3735
1871	4313

Source: National Census

Fordyce wrote of the village in 1853 (6):

"The population are for the most part in a state of primitive rudeness which, however common in isolated communities fifty years ago, contrasts strangely with the most orderly manners of the present day"

He added

"One of those ancient customs, 'more honoured in the breach than the observance', was revived at Escomb, Woodside and Witton Park Ironworks on the 20th, 21st, and 22nd May 1852 when a crowd of workmen performed the noisy ceremony of "riding the stang", with two figures intended to represent a man and woman, the morality of whose conduct had been impeached. After repeating the procession on the three evenings accompanied by music of a most discordant description, the effigies were burnt amidst the most boisterous and unequivocal demonstration in front of the male delinquent".

From the number of licensed premises existing at that time it is not difficult to imagine the extent of weekend activities. For many, pay-time meant an orgy of spending and drinking. Had it not been for a system of food vouchers (known as "Tommy Tickets") issued by the employers, with an equivalent amount deducted from wages, the plight of some families would have defied reasonable description. Some memories of the 'good old days' when Witton Park was a flourishing industrial centre were recalled by Mr. George Hulme - a life long resident, who in 1931 celebrated sixty years as a Lay Preacher (7):

"Like most children of his time he was sent out as a wage earner, and at the age of nine was engaged at the ironworks as a puddler. One of his workmates was the late Rev. Dr. T. Witton Davies, former professor of Semitic Languages at the University of North Wales, and a world renowned scholar in Hebrew studies. Mr. Holme recalls those palmy days when the village priest used to stand at the Ironworks gate, on paynight, with a top hat full of silver coins 'donated' by Catholic Workers; and the weekend carousals which regularly resulted in twenty or more drunken men sleeping in the police cells. Commenting on the religious life, he said that the Churches and Chapels weekly enjoyed packed congregations".

Religion was adequately served by the numerous churches and chapels. The Catholic population worshipped in a chapel formed out of three cottages bequeathed for that purpose by their Priest, Father H. Cadigan. In 1859 the Wesleyan Methodist Chapel had been built (for £1000) to seat six hundred, and in the same year the Baptist Chapel was completed and large enough for three hundred. Basic cultural and educational pursuits found outlet through a Mechanic's Institute, and in 1860 it housed more than four hundred books. There was a Mutual Improvement Society connected with the Wesleyan Church, which by 1863 had added a Sunday School. A Children's Society flourished in the Welsh Wesleyan Chapel. The first school was built in 1871 with contributions deducted from men's wages, and augmented by grants from Messrs. Bolckow and Vaughan. It provided accommodation for 287 juniors and 289 infant pupils. That building was taken down (c.1912) and rebuilt to the original plan, at Cabin Gate (Woodhouse Close area), Bishop Auckland, where it was used, until its demolition in the early 1960's, as a Church Mission Hall. Also extremely active were groups such as the Sons of Temperance, Rechabites, Good Templars, British and Foreign Bible Society, the Independent Order of Oddfellows, Foresters, and Druids.

Many prominent men called Witton Park their birth place and first home, including Dr. Witton Davies; Mr. Ben Spoor, Member of Parliament for the Bishop Auckland constituency; and the youngest General in the British Army, Brigadier-General Roland Boys Bradford, V.C., M.C., killed 'in action', 1917, at the age of twenty five, and to whose memory the Rose Window, in the west wall of St. Paul's Church, is dedicated.

For some time Messrs. Bolckow and Vaughan had been considering the advisability of removing their Works nearer to the coast in order to facilitate exports and obviate heavy rail charges. In 1876 they established a new Bessemer plant, at Eston, for the production of steel.

On the 19th May, 1882 they closed the Witton Park Ironworks.

The closing of the Works was a tragedy for the village, and left the inhabitants to the mercy of economic forces by removing the one industrial enterprise that kept going all through each week, and paid good wages. The closure had several consequences. Because it rendered the majority of the male population unemployed, large numbers, with their families, moved away to seek alternative work, although some found employment at the nearby Jane (Witton Park) and George (Escomb) pits, and other collieries in the neighbourhood. A few men were employed by the Railway Company. Since hardly anyone had money to spend beyond the bare necessities, trade slumped and some of the corner shops and public houses closed.

Many of the houses were boarded-up; some properties were rented at the nominal sum of one or two pence per week; others were 'let' free of rent by landlords who preferred to have tenants, if only to act as caretakers. The cheap rents, and especially those houses for which rent was not asked, attracted many hawkers whose trading activities earned the village the title of "Jam Jar City" - a stigma borne to this day.

According to the 1894 'Durham Directory' (8):

"the village was much improved owing to many houses hitherto empty being now occupied by Miners".

but, the commercial peak of the 1870's had reduced to:

Stationers and Draper's Shop.
 Grocery and Draper's Shop.
 Two Drapery Stores.
 Five General Dealers (one including the Post Office).
 Five Butchers' Shops.
 A Grocer and Butchers Shop.
 Pawnbroker and Grocery Store.
 Three hotels and eight public houses.

The first World War saw a reduction in the number of male inhabitants but for a different reason. Nearly four hundred Witton Park men served in various branches of the Armed Forces. Of those, sixty four were killed, and eight decorated with the Military Medal for bravery.

It was in the early months of that conflict that "fame" in an unexpected form came to Witton Park. For years the remaining vacated properties had been an issue of reproach and ridicule, but the Catholic Priest saw in them a haven for War refugees:

"On 6th October, 1914, the first party of forty three Belgian refugees arrived to take up temporary residence. Thousands of people gathered from all parts of the district and invaded the village to help the inhabitants accord a real North country welcome to the exiles. Witton Park in that one night had re-established its fame, since it was the first place in the North to welcome refugees.

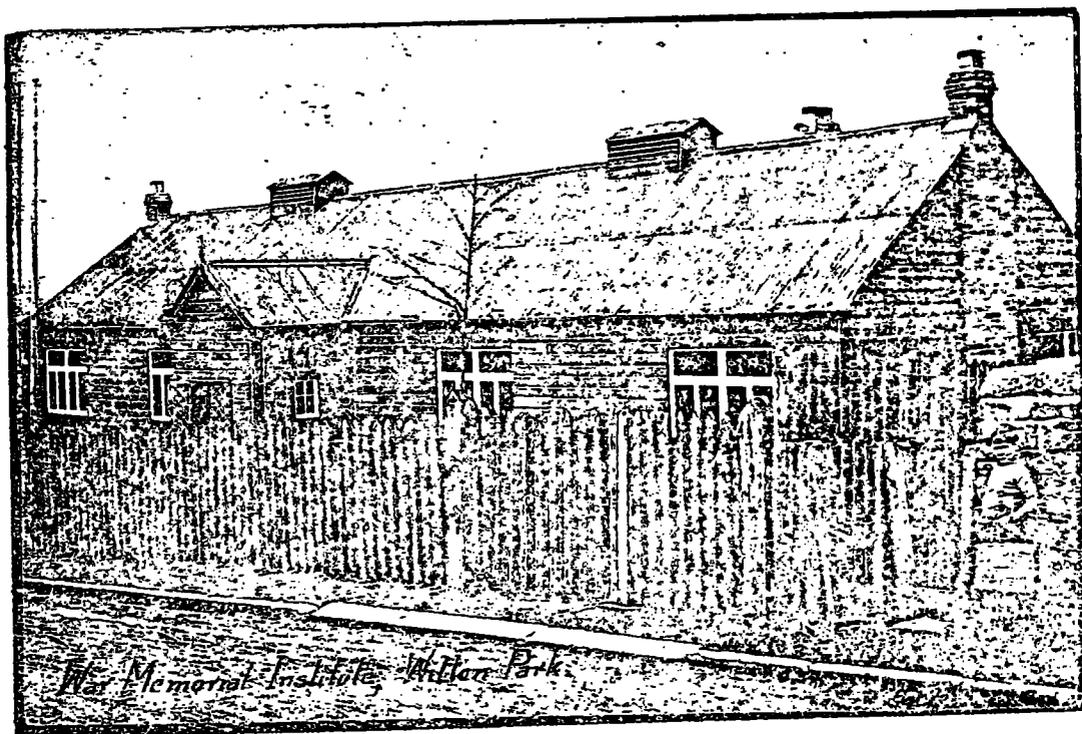
Altogether some 170 individuals were adopted, and it is not unlikely that in various parts of Belgium today Witton Park is regarded as a place associated with Belgian history". (9).

Many years later that piece of local 'history' was regarded disparagingly by the County Planning Department when Witton Park housing was described as:

"poorer than in any other village of comparable size in the County, possibly because little has been done in the village since the Ironworks closed, and for long periods these houses either stood empty or were used for refugees" (10).

Long before the Great War there had been a need for a social centre which would belong to, and be used by, the village community. If a concert or meeting was held, one of the churches or public houses had to be borrowed for the occasion. It was that want which led to the suggestion, after the war had ended, that an Institute should be constructed as a memorial to those killed, and a place of benefit for those who had returned.

Within two years more than £2,000 was raised, and in 1920 the Witton Park Memorial Institute was officially opened. It comprised a large concert hall, games hall, billiards room with two full-sized tables,



WAR MEMORIAL INSTITUTE

Photograph: 3

WITTON PARK (c. 1922)

library, reading room, kitchen and office. (Photograph:3). The grounds were fringed with sixty four Poplar trees, and the consummation of the villagers' plans took place on the 25th October 1921, when the War Memorial Plaque was unveiled by H.R.H. Princess Marie Louise. (11).

That Institute played an extremely important part in the social life of the village for many years. It was the centre for the Tennis

Club; the Witton Park and District Darts League; the Pigeon Club; Homing Society; Fanciers Society; Allotments Society; Witton Park Silver Prize Brass Band; Billiards League; and numerous Committees; such as those which organised the Annual Sports, Carnival, Flower and Livestock shows.

Despite the years of depression, newspaper reports show that Witton Park was a place of exuberance, a place for celebration and 'public happenings', and that its inhabitants had a capacity for intermingling, easy encounter, relaxation and enjoyment.

For example:

1924 - "The Sports Committee of the Witton Park War Memorial Institute held their 4th Annual Show in the Institute Grounds. Beautiful weather prevailed and the attendance constituted a record" (12).

"Finals of the Witton Park and District championships (tennis) held at Institute" (13).

"The Witton Park Homing Society flew their first young bird race from Selby (66 miles) on Saturday in conjunction with the West Durham Federation. Fifteen members sent up 122 birds" (14).

1925 - "The Annual August Bank Holiday weekend flower and livestock show was held on 1st August, with more than 800 entries. An added attraction was a Brass Band Concert" (15).

"A very enjoyable entertainment was given by members of the Witton Park Memorial Institute who have styled themselves the Yokabam Nigger Minstrel Troupe and Savvy Band" (16).

"Members of the Royal Hotel Yearly Club held their 1st Annual Meeting when a dividend of 24 shillings was paid to each member" (17).

1926 - "Over 250 people attended the 1st Annual Whist Drive promoted by the newly formed Witton Park branch of the Bishop Auckland Conservatives Association" (18).

"A successful Whist drive and dance was held in the Witton Park Council School by the local branch of the Labour Party" (19).

"Witton Park football team win Durham Amateur Cup" (20).

- 1927 - "At a social gathering in the Witton Park Parish Hall, Mr. H. Wilson of Low Queen Street, was presented with gifts from St. Paul's choir, and villagers on his leaving for Canada under the Land Emigration Scheme (21).
- 1929 - "Witton Park is in the Grip of a Carnival. It is the City's feast of fun. The three aspirants for Parliamentary honours for the Bishop Auckland Constituency, one of whom is Dr. Hugh Dalton, took a short respite from their arduous electioneering duties when they took part in welcoming the Carnival King and Queen. The event is organised this year to raise funds for the Newcastle Royal Victoria Infirmary" (22).
- "H.R.H. the Prince of Wales visited Witton Park and called at many homes. Typical was the home of Mr. and Mrs. Arthur Graydon and family of four children. Mr. Graydon, an ex-soldier, has had no work for five years. The family has had to live on dole of thirty two shillings per week, out of which is paid 5/6d. rent for their three roomed house. The man wore a suit provided by the Distress Fund" (23).
- 1930 - "The Witton Park Memorial Institute was crowded when Pastor F. Chilton of the Nazarene Pentecostal Assembly commenced seven days revival and divine healing" (24).
- 1931 - "The 'Talkies' came to Witton Park last night when the new system was installed at the Kinema. The first film shown was the "The Desert Song" (25).
- 1932 - "Witton Park has raised £500 for charity over the last five years with the annual carnival" (26).

Interest and activities in that nucleated village were almost infinite. There was a multiplicity of groups and organisations. Nineteen Twenty Four was the year when the Witton Park Lodge of the Royal Antediluvian Order of Buffaloes was formed on 6th October; the National Society for the Prevention of Cruelty to Children Branch, 13th March, 1926; British Legion Branch, 12th March 1926; Knights of the Golden Horn, 2nd August 1928; and the Womens' Institute on 27th January 1932. Also active were the Nurses Association; Young Men's Christian Association; Wesley Guild; Mothers' Union; Girls Friendly Society; five Brass Bands, and Good Templars Lodge. The

Annual Carnival, a three day event, was held in April; the Flower and Livestock Show was an 'occasion' every August Bank Holiday; and in September the Puddlers Arms Potato Club held its annual meeting. During the winter months cookery and cake icing classes were well attended, in the County School. In the inter-war years the village was a religiously mixed community without any disruptive dichotomy. Churches and chapels had their regular Whist Drives, Dances, Concerts and outings.

Village life carried on against a backcloth of increasing industrial depression. Stobart's 'George' Pit at Escomb had closed in 1916 with the loss of 900 jobs, and in 1925 (27):

"a further 170 men and boys employed at the Moor Hill Colliery, Hamsterley, received notice to terminate their employment owing to the high cost of production, and depression in the coal industry. The closing seriously affects men from Witton Park" and four days later:

"All 84 men employed at the Witton Park 'Jane' Pit received notice today".

Until the late 1930's Witton Park was one of the most distressed villages in Durham. It lived at the lowest economic level, like a coelacanth - the creation of a different era for different needs.

A high proportion of school children received free breakfasts, dinners, milk and footwear from the Witton Park School Feeding Committee, Salvation Army and County Council.

During that period Witton Park gained further notoriety with a second reported riot:

"The first actual disturbance in Bishop Auckland area is reported. Two buses were stoned near the Viaduct Bridge, Witton Park by a crowd of some 300 people, about 11 o'clock last night. Coal stocks at Wear Valley Junction were pilfered in the early hours of this morning by a crowd of some 100 Witton Park people" (28).

That appears to have been an isolated incident, and does not detract from the efforts of the villagers in other directions.

The Community Service Council for Durham, an organisation inspired by the National Council for Social Service, helped promote Clubs in an effort to maintain the morale and self-respect of the unemployed by providing them with opportunities for useful work. After three attempts a social service committee was established at Witton Park, and quickly planned a public amenities scheme. Following a visit by the Commissioner for Distressed Areas the scheme was approved and grant-aided with £310.

More than fifty unemployed men were engaged for nearly one year levelling a waste heap to provide a children's playground. The work was completed in 1937, and

"The opening ceremony was performed by Sir William Chaytor who took the first ride on the mechanical horse accompanied by one of the best known standards in Witton Park, 82 years old Granny Stockdale" (29).

Shortly afterwards, a second Communal Centre was erected near to the playground. The large wooden hut, affectionately known as the "Eureka Cree" provided another centre for concerts, whist drives, dances and meetings.

The time of those unemployed had not been confined to community schemes. In 1933 it was reported that the unemployed members of St. Chad's Roman Catholic Church had, at various periods, carried out much valuable work by improving and beautifying their church and its grounds. Mr. C.S. Simon, a part time Rent Collector in Witton Park for almost forty years recalled (30) that many of those out of work were employed, unofficially on an ad hoc basis, repairing roofs, eavesgutters, plasterwork, windows, and other miscellaneous items of property maintenance.

The overall physical and social activities of the people of Witton Park during the traumatic period of the Depression, with the attendant

matrix of deprivation do not, to my mind, indicate an inferior stock, mental deterioration, or the sense of hopelessness suggested by Temple. With continued privation, organised, or even informal, membership became not just a matter of necessity or conviction, but an exemplification of village spirit, determination, and sense of identity. Comparison can be made with the findings of Jahoda, Lazarfeld, and Zeisel in their sociographical study of Marienthal, an unemployed community. (30a) They concluded that only 7% of households had collapsed under the pressure of unemployment; 70% were 'resigned' but not apathetic to their situation; and 23% unbroken, with sustained vitality and plans for the future.

In 1937, the unbroken spirit of village morale of Witton Park was expressed in most trenchant terms:

"the following resolution was carried unanimously at a meeting of the unemployed at the Witton Park Institute:

That we strongly protest at the imputations contained in newspaper articles attempting to describe village life and the plight of our people. While we welcome and are ready to take any advantage of all the educational, occupational and social facilities offered for the improvement of village life and which we feel make for human dignity, cultural development and equality, we resent attempts to falsify conditions in the hope of establishing any system of prostituted charity, and which reduces our people to a level of surfdom and villeinage. The people of Witton Park are not the type described in those blotchy pen pictures of village life, and are not likely to sit down without protest under the intolerable burdens which the authors of the articles impose" (31).

The deterioration that had occurred was neither biological nor mental, but physical in terms of the village fabric. Maintenance had been minimal and disrepair progressive. Some of the houses, particularly in Garden Street, and the Square, Woodside, were near slums.

Consequently on the 24th March, 1937, the old Bishop Auckland Rural District Council passed a resolution declaring several Clearance Areas, within the meaning of the 1936 Housing Act. Included, at Witton Park were:

1-12 Garden Street	(12 houses)
48-55 Woodside	(9 houses)
1-30 Garden Street	(30 houses)

A report, accompanying the Medical Officer of Health's Official Representations stated that the houses had serious sanitary defects as defined in Section 188 of the 1936 Act, namely, lack of ventilation, darkness, dampness, absence of readily available sanitary accommodation and water supply, and all were in a state of complete disrepair.

Because the Rural District was abolished by the Durham County Review Order, 1937, the Clearance Areas were transferred to the new Urban District on 1st April, 1937. Bishop Auckland Council, on 1st March 1938 made Clearance Orders in respect of the three Areas, by virtue of the provisions of Section 26, 1936 Housing Act. Following a Public Local Inquiry, at which fourteen objections were heard, the Orders were confirmed without modification by the Minister of Health on 15th October.

The Clearance Orders, once operative, determined that the houses were to be vacated within nine months.

Plans had not been formulated to build replacement houses at Witton Park, so in order to comply with the legal requirements of the Housing Orders it was decided to rehouse displaced residents in new development at St. Helen Auckland, approximately three miles South East of the village.

The Council's scheme to rehouse the families, affected by the Clearance Orders, at St. Helen Auckland was fiercely resisted:

"Storm of Protest at Witton Park"

The decision of Bishop Auckland Urban District Council to rehouse fifty families from Witton Park, displaced by slum clearance, has raised a storm of protest among residents.

The various religious and social bodies are protesting strongly at the crippling of their already affected support caused by the migration of some families, while shopkeepers also feel strongly over the prospect of trading loss.

Witton Park people consider that rehousing should be carried out at Witton Park, and not at nearby St. Helen Auckland, and many tenants of the condemned houses have already intimated that they will make every endeavour to obtain alternative accommodation in Witton Park rather than move out of the village" (32).

Rehousing of Witton Park Tenants under Slum Clearance Scheme at St. Helens Auckland.		704
The Bishop Auckland Urban District Council propose rehousing the Tenants displaced by their Slum Clearance Scheme for Witton Park at St. Helens Auckland.		
In order to obtain the feeling of the Villagers it is proposed to take a vote.		
Please place a <u>X</u> below against which proposal you favour.		
Are you in favour of the Houses being built at Witton Park and the Tenants to remain at Witton Park?	X	
Are you in favour of the Houses being built at St. Helens and the Tenants transferred to St. Helens?		
NAME OF HOUSEHOLDER..... <i>J. S.</i>		
WIFE OF HOUSEHOLDER..... <i>S.</i>		
ADDRESS..... <i>Witton Park</i>		
WITTON PARK.		

Figure: 1

Although the decision to rehouse tenants at St. Helen Auckland was taken by the Labour Controlled Council (Labour: 18; Conservative: 8; Independent: 3; Liberal 1) the two Labour Councillors for the village, together with officials of the Witton Park Labour Party organised a house to house vote to test public reaction. Voting papers were given to all householders (Figure 1), and from a one hundred per cent return

only ten householders indicated their preference to rehousing elsewhere, - the overwhelming majority wished to stay in the village. Bishop Auckland Council later reversed their decision, but, in the event, the onset of World War II stopped all slum clearance rehousing.

Post-war, the village of Witton Park became once again, a flourishing community. A second memorial plaque was unveiled in the Institute in memory of those killed out of four hundred and seventeen who had served in the armed forces. Many ex-servicemen came back with wives, and the demand for houses was brisk, but there has never been any evidence of gross overcrowding despite the Pepler MacFarlane conclusion. The County Development Plan showed (33) that in Durham nine local authorities had overcrowding in excess of 12 $\frac{1}{2}$ %. Bishop Auckland U.D.C. was not included, and in fact the 1937 Overcrowding survey indicated that just 699 houses were overcrowded, which was 7.1% of the total stock; this had reduced to 5.8% in 1938; in 1949 the overcrowding level was 4.7% (34).

In 1949 there were six hundred and three houses in Witton Park providing accommodation for an estimated population of 2,500. Not having the benefit of a social survey similar to that carried out in the Gurney Valley Area by Silvey and Silburn, in 1971 (35), I have attempted a reconstruction with information abstracted from the Health Department's 'slum'clearance inspection sheets on four hundred and fifty eight houses.

Definite conclusions cannot be postulated because of the limitations imposed by the time scale involved, but it is not unreasonable to advance assumptions which indicate social aspects of the period.

WITTON PARK.TABLE 6SURVEYED PROPERTIES FOR DEMOLITION (Clearance Areas)

Street	Year of Inspection	No. of Houses	No. Vacated	Owner Occupied	Tenanted
Low Thompson St.	1955	63	8	7	48
Vulcan Street	1961	11	2	2	7
John Street	1961	9	2	4	3
Garden Street	1961	19	1	2	16
Low King Street	1962	68	2	24	42
Woodside	1964	64	4	23	37
Viaduct Terrace	1965	3	1	0	2
John Street	1965	21	6	4	11
Low Albion Street	1965	73	7	8	58
High Albion Street	1965	13	-	5	8
High King Street	1965	33	1	8	24
High Thompson St.	1965	34	2	9	23
Low Queen Street	1965	27	1	11	15
Garden Street	1965	3	-	1	2
Low King Street	1965	3	-	-	3
Park Terrace	1970	14	1	2	11
	Totals	458	38	110	310

The majority of the vacated properties were subject to Demolition or Closing Orders, and consequently being unfit could not be re-occupied in that condition.

A further 51 properties, in pre-war Clearance Areas, were demolished in the early 1950's. These were houses in Carwood Street, Garden Street and Woodside.

The majority of Witton Park houses were originally built and owned by the Ironmasters, Bolckow and Vaughan. In subsequent years the ownership changed.

Temple records (36) that:

"a man called Sullivan, from Ireland, came harvesting (in the 1860's) and was drafted into Witton Park Ironworks. He sent for his family and prospered to such an extent that when he died he bequeathed to them a good deal of property in which he had invested his earnings."

Apart from Sullivan going to Witton Park at the age of seventeen and marrying a local girl in the 1870's, that account was recently confirmed by Sullivan's son (37), who inherited, and retained until they were

TABLE: 7

A composite table of ownerships compiled from Slum Clearance inspection sheets completed between 1955 and 1970.

OWNERSHIPS

No. of houses owned by each landlord	No. of Landlords	Percentage of all landlords	Total no of houses owned	Percentage of owned houses
1	41	48.25%	41	11.78%
2	11	12.94%	22	5.32%
3	8	9.41%	24	6.90%
4	6	7.05%	24	6.90%
7	2	2.35%	14	4.02%
8	1	1.18%	8	2.30%
9	2	2.35%	18	5.17%
10	1	1.18%	10	2.88%
11	1	1.18%	11	3.16%
12	3	3.53%	36	10.34%
13	2	2.35%	26	7.47%
15	2	2.35%	30	8.52%
16	1	1.18%	16	4.60%
19	1	1.18%	19	5.46%
23	1	1.18%	23	6.61%
29	1	1.18%	29	8.33%
Unknown	1	1.18%	1	0.29%
Totals	85	100%	458	100%

There were 110 owner occupiers who represent 24.02% of the 458 houses surveyed.

demolished, fourteen houses in Witton Park. Temple also recorded that "in 1904 Messrs. Bolckow and Vaughan sold sixty houses for £10 each, and some larger ones for £30".

Of the four hundred and fifty eight houses surveyed (Table 6) thirty eight were unoccupied, one hundred and ten owner occupied, and three hundred and ten tenanted. The vacated and tenanted properties were owned by eighty five landlords (Table 7). There was no typical landlord any more than there was a typical tenant, and a distinct ownership pattern does not emerge.

On an arbitrary grouping 'small' landlords, that is those having fewer than six houses, numbered sixty six (77.65%) in comparison to the two 'large' landlords (2.35%) who each owned more than twenty dwellings. According to Simon, many landlords were owner occupiers of adjacent property who had either purchased one, two or three houses as an investment for their old age, or had been obliged to buy two or three in order to be the occupier of one.

It is interesting to note that twenty three owners, having between them one hundred and twenty two houses, were resident in the village, and

TABLE: 8

The rents paid by 310 tenants, as recorded on the inspection sheets, and shown in imperial coinage, were:

RENTS

Weekly Rent Level	Number	Percentage of Total
3/1½d - 5/11d	62	20.00%)
6/0d - 10/0d	102	32.90%)
10/4d - 15/11½d	78	25.16%)
16/0d - 19/0d	28	9.03%)
20/0d	26	8.39%)
21/0d - 25/0d	12	3.87%)
30/0d	1	0.32%)
40/0d	1	0.32%)
		42.58%
		4.51%

that thirty owners of 133 dwellings lived within a radius of twenty miles. Seven businessmen in the village owned forty seven (included in the 122), and three 'speculator landlords' in Witton Park owned a further fifty eight between them. In the latter category, only one could be regarded as a 'jobbing speculator', or investor, whose main occupation was buying-up empty properties, letting at an inflated rent, and carrying out minimum repairs, invariably on receipt of Statutory Notices.

Eighty two different weekly rent levels were noted (Table: 8) with the

highest at £2 and the lowest, 3/1½d. (15½p). Just over half the rents (52.9%) were 50p or less, each week. There was limited mobility within the village until the onset of slum clearance, and the higher rents, those at £1 and above, equate with the shorter term tenancies of less than five years. When a property, not subject to a confirmed clearance order, (although not exclusively), was vacated, the incoming tenant, who perhaps did not wish to leave the village but whose house was condemned by Order, was charged a rent three or four times the previous level. Length of tenancies (Table 9) ranged from three months to sixty five years, and one hundred and sixty households (almost 50%) had tenanted a particular house for more than ten years. Owner occupation varied from four months to sixty five years, but only 24 (22%) had owned their own

WITTON PARKTABLE 9

At the date of the Slum Clearance inspections duration of tenure was noted and is shown:-

a) Tenancy (Number tenanted was 310)

Length of Tenancy	Number	Percentage of total
Less than 1 year	27	8.71%
1-5 years	85	27.42%
6-10 years	48	15.48%
11-15 years	40	12.90%
16-20 years	25	8.06%
21-25 years	32	10.32%
26-30 years	13	4.19%
31-35 years	12	3.87%
36-40 years	5	1.61%
41-45 years	11	3.55%
46-50 years	5	1.61%
51-55 years	5	1.61%
61-65 years	2	0.65%

b) Owner-Occupation (Numbers owner-occupied was 110)

Length of Owner/Occupation	Number	Percentage of total
Less than 1 year	3	2.72%
1-5 years	50	45.45%
6-10 years	33	30.00%
11-15 years	8	7.27%
16-20 years	4	3.64%
21-25 years	3	2.72%
26-30 years	4	3.64%
31-35 years	1	0.91%
41-45 years	1	0.91%
46-50 years	1	0.91%
51-55 years	1	0.91%
61-65 years	1	0.91%

home for ten years or more, although a high proportion of owners had previously tenanted their houses, which they invariably acquired on a rental purchase basis.

Living in the four hundred and twenty occupied houses there were 1,559 inhabitants (Tables: 10 and 11)

WITTON PARKTABLE 10

Composite picture built from Clearance Inspection Sheets completed between 1955 and 1970.

HOUSEHOLDS

TYPE	NUMBER	PERCENTAGE OF TOTAL HOUSEHOLDS	NO. OF PERSONS
Married couples - no children	40	9.52%	80
Married couples with 1 child	64	15.24%	192
Married couples with 2 children	74	17.62%	296
Married couples with 3 children	56	13.33%	280
Married couples with 4 children	20	4.76%	120
Married couples with 5 children	14	3.33%	98
Married couples with 6 children	14	3.33%	112
Married couples with 7 children	8	1.90%	72
Married couples with 8 children	4	0.95%	40
Married couples with 9 children	2	0.48%	22
Married couples with 10 children	1	0.24%	12
Married couples with 11 children	1	0.24%	13
Single person	18	4.29%	18
Single parent with 1 child	12	2.86%	24
Single parent with 2 children	3	0.71%	9
Single parent with 3 children	5	1.19%	20
Single parent with 4 children	4	0.95%	20
Single parent with 5 children	2	0.48%	12
Single parent with 6 children	1	0.24%	7
O.A.P. Married Couples	11	2.62%	22
O.A.P. Single Female	34	8.09%	34
O.A.P. Single Male	16	3.81%	16
*No family	16	3.81%	40
Totals	420	100%	1559

*"No family" is the term used to describe a household containing for example - two sisters, or two brothers, or two men who are not related.

Two hundred and ninety eight (70.95%) of the properties were occupied by family households, that is, married couples with at least one child. There were 27 (6.43%) single parent families, and 61 (14.52%) households where the occupiers were elderly people of pensionable age. (Table: 10). Age and sex distribution of the residents occupying the houses surveyed are illustrated by Table: 11.

The majority of the house inspection sheets, from which the information was obtained, were compiled between 1955 and 1965, and in order to retrospectively reconstruct certain demographic features those ten years have literally been telescoped into one. This method can obviously be challenged because the situation was never static with in-village mobility, outward migration and a reducing population. However, a check on two hundred and ten sheets, of houses inspected in 1965, produced similar results to within maximum error margins of 3%, and when the Witton Park figures are compared with those produced by Silvey and Silburn from their survey of the comparable Eldon Lane - Coundon Grange settlement, the similarities are quite marked:

Table: 11

AGE AND SEX DISTRIBUTION				
Group	Males	Females	Totals	Percentage
Adults	370	383	753	48.30%
*Children (over 10 years)	207	183	390	25.01%
Children (under 10 years)	221	195	416	26.69%
TOTALS	798	761	1559	100%

*Includes adult relatives, friends, and lodgers living with families, but not identified as such on the inspection sheets.

Table: 12

COMPARISON OF SURVEYS		
	Witton Park Survey	Eldon Lane - Coundon Grange Survey
1. Families occupying houses for 10 or more years.	48.5%	50%
2. Large family households, i.e. with 4 + children.	15.0%	15%
3. One parent families with 1 or 2 children.	3.5%	3%
4. Two parent families with 1 or 2 children.	32.0%	24%
5. Elderly person households.	14.5%	19%
6. Tenants' length of residence:		
Upto 5 years	44.7%	36%
6 - 10 years	15.5%	19%
11- 20 years	21.0%	19%
21- 30 years	14.5%	12%
31- 40 years	5.5%	8%
41- 50 years	5.2%	8%
50+ years	2.2%	3%

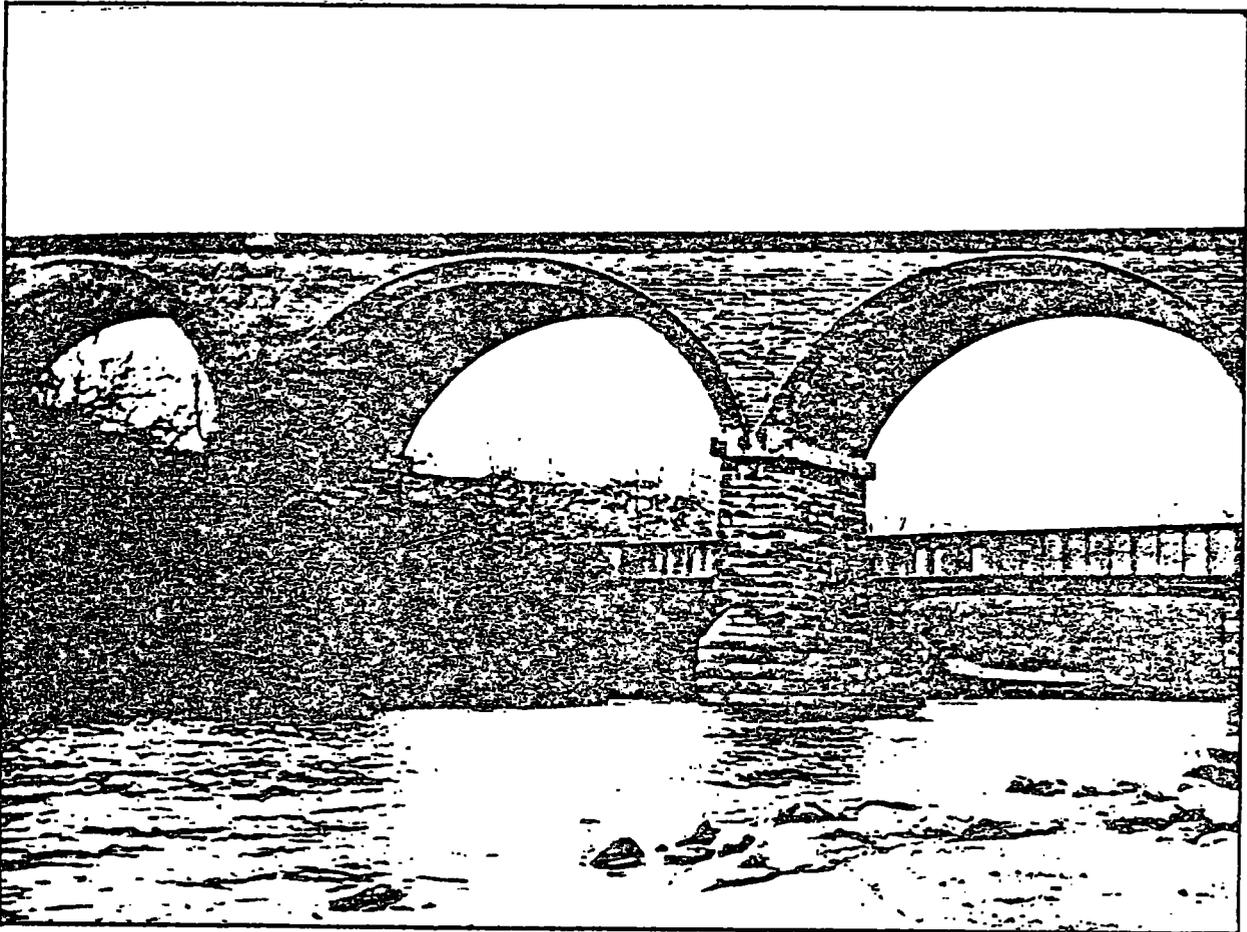
The various indicators in Table: 12 suggest, rather than substantiate, that Witton Park far from being a disintegrated ageing community, was relatively stable with a balanced population structure. For example, length of residence between eleven and forty years was 41% at Witton Park, and 39% in Eldon Lane/Coundon Grange, which does not support views that Witton Park's population was transient. In 1975 those indicators persuaded the Department of Environment that Eldon Lane/Coundon Grange should be revitalised, not demolished, within the framework of a Housing Action Area.

In 1949 the village had six public houses; nine general dealer shops; an ice cream factory and coffee bar; one butcher's shop (noted for sausages and pies); the 'Kinema'; a confectioner (famous for toffee apples); two general stores, post office and two drapery stores.

The pawnbroker had long departed, but the Anglican, Catholic and Methodist Churches flourished. On Park Road there was 'Ma' Whitton's Billiard Hall; social events 'happened' at the Memorial Institute and Eureka Cree; during the winter months evening classes continued in the County.

school; and the numerous and varied organisations had their regular meetings. The Annual Carnival was revived and held every year until 1966.

The Homing Society organised countless 'distance' races, and attracted a large membership whose multi-coloured pigeon crees were a feature of the allotments on the north side of the village. During the summer



VIADUCT BRIDGE, WITTON PARK

PHOTOGRAPH 4

months the main attraction was the nearby River Wear at the popular Viaduct Bridge location (Photograph 4), where people of all ages enjoyed swimming, relaxation and picnics. In or out of the close season, fishing for trout and sea trout was a way of life.

Ex-Police Inspector Bill Deighton recalled (38) that:

"the six and a half years as a Constable at Witton Park (1946-1952) were the happiest of my career. The social life was great - there was always something to do".

That sentiment was echoed by ex-Detective Chief Superintendent Jack Collinson, who similarly patrolled Witton Park as a Constable (between 1941 and 1946):

"the village was alive with every conceivable type of social activity" (39).

Both Police Officers agreed that it was a pleasure to live and work in the village because of the warmth and friendliness:

"when I went there in 1941 they were just emerging from the Depression. Always, despite personal hardship they were ready to rally round those in trouble - financial or otherwise"

"although there was a natural tendency to close ranks if anyone was in trouble, I was always welcome in any house, and a cup of tea always offered"

One of the most striking features of Witton Park was the continuation of a vigorous community, and social relationships, despite economic changes. This denies absolutely the County Council attitude that Category 'D' villages lacked a social life because of a paucity of 'modern' facilities. Witton Park's opposition to the County Development Plan was not merely the 'dead weight of tradition' but a natural defensive reaction to safeguard a valued, meaningful, and very much alive way of life.

At every interview with Witton Park residents and exiles the common denominators stressed were ties of kinship, friendship, attachment, and frequent neighbour visiting. Dr. H. J. Shuttleworth, the village's General Practitioner for twenty two years (1947-1969), described (40) the 'visiting and helping' link as stemming from a 'concerned curiosity' or 'friendly nosiness'. If, for instance, old Mrs. Jones had not removed her bottle of milk from the doorstep, neighbours would quickly consult, peer through windows, make inquiries, and take action when necessary. Witton Park people were not allowed to be alone to suffer illness or death, nor were they conveniently forgotten.

The women, by way of that doorstep news service, gossip, savoured and discussed the joyous and solemn rituals of weddings, births and deaths, which inevitably, were crowned, as a status symbol, with boiled ham receptions or 'teas'. 'Friendly nosiness' does not, however, suggest a cosy gregariousness. Not all help would be from the heart - some would be a form of social insurances against the future. Close propinquity together with cultured deprivation could lead as much to enmity as friendship. Canon Alan R. Lazonby, Vicar of St. Pauls Church for seven years from 1950, recalling memories of Witton Park wrote (41).

"I first heard of what was disparagingly called 'jam jar city' when I was at Grammar School in Bishop Auckland. Little did I think then that I would be asked to become the vicar of that same village. Fortunately for me I did not turn it down. What a happy home life we had, how welcome we were made, and how friendly the people. The village itself couldn't be called beautiful but the quality of the housing didn't really matter. The houses were homes, many of them palaces, in which families shared a full and happy life, and in which as Vicar I was always welcome. I remember the warmth of worship ... the garden parties, whist drives and pageants. Then there were the Carnivals and the football team. There were the Institute and the Eureka Cree and all that went on in them. Carnival days were wonderful days, the processions seemingly endless, and Bobby Thompson making us all laugh from the top of a lorry. And of course the Inquiry into Category 'D'. We lost ... but I still can't believe that an Authority could be so unfeeling and obtuse as to destroy such a community as Witton Park was. That is my chief memory. We were all one, a real community, and I was proud to be part of it".

In Commander Collinson's view:

"Witton Park was a closely knit community ... nothing angers me more than hearing or reading some comment that it was a place inhabited by undesirables, layabouts, workshy or inferior beings. They were (and are) a good, decent and nice people ... my opinion is that they were rough diamonds with warm hearts".

and

"the previous reputation of a village of frequent drunken orgies, where policemen patrolled in two's or three's, was totally unwarranted. In the early part of this century almost every area was patrolled in such a way

The crime rate at Witton Park was no worse than that of any other village or urban area. The worst crime was stealing coal from railway sidings - and that was understandable".

The opinion of Inspector Deighton, and other police officers was:

"Witton Park was a village of character inhabited by characters there were some scoundrels - not villains or hard cases - just scoundrels".

The suggestions that, "because the best elements had left the village", Witton Park was inhabited by individuals who had deteriorated physically and mentally, or even that there would be among the population a high proportion of inferior stock due to inbreeding, were dismissed by Dr. Shuttleworth as preposterous and without foundation. Refutation and condemnation came spontaneously from Miss M. Curry, for forty years a teacher, then headmistress at Witton Park's County School, where academic standards, if not outstanding, were at least average (42). It can be argued, with an equal deficiency of hard evidence but with much more conviction, that the survival of a vigorous community life was due to the fact that the 'best elements', the 'vital stock' had remained in the village.

The paradox of Witton Park was that many outsiders saw it, through unseeing eyes, as a derelict place of ill-repute; but to the inhabitants it was home, a chosen micro and macro-habitat, and an enduring identification with the living past, present and future. By concentrating on purely physical aspects those on the outside ignored the richness and grandeur of ongoing social relationships.

"Witton Park? says the stranger!

'Ah yes - one of those derelict Durham mining villages'.

He shrugs his shoulders, and Witton Park and its problems seem as remote as the Congo.

That is the detached superficial view.

In the village itself, the future is a burning topic which unloosen's tongues, and has the narrow streets alight with local patriotism. Other villages had made similar protests when threatened with redundancy. But in Witton Park the opposition is as spontaneous as a fireworks display.

The demolition proposals cause considerable anxiety to many who have bought their own homes, and perhaps carried out expensive improvements. In some places the need for demolition is evident. But here pride burns brightly. The tenants are anxious to have new modern homes, but they want them at Witton Park, and not on some remote soulless housing estate.

This sentimental attachment to an old colliery village may seem incredible to the stranger, but it is nonetheless real and deep. When asked 'what is special about Witton Park?' the reply was that it was a very sociable village full of good friends and company. Before I came away I visited the Parish Church and saw the rich display of fruits and flowers for the harvest festival. This Christian witness, and the comparable work of other Churches, groups and organisations are enduring factors in the life of a people loth to be uprooted" (43)

There is a plethora of information about working class life styles and communities, for example Dennis (Coal is our Life); Firth (Studies of Kinship in London); Young and Willmott (The evaluation of a Community, and Family and Kinship in East London); and Frankenberg (Communities in Britain). In respect of communities there appears to be no general agreement on interpretation, and it has been recorded that sociologists have employed no less than sixteen concepts in formulating ninety four different definitions. In sociological terms Witton Park could be described as a spatially circumscribed area of village identity, with a nodally organised network of spatial influence radiating from the Womens Institute, the Churches, Public houses and corner shops. But that hardly describes the indefinable. What was, or is, special about Witton Park? As a child of the industrial revolution it was at one time a relatively closed community influenced by endogenous forces and institutions. It changed from iron making to coal mining to an

unemployed community as a result of exogenous influences. The one common denominator has always been its working class base. It is not isolated in terms of distance or geography, and is individualistic only as regards shape, character and identity. The village was not merely an assemblage of poor quality, sometimes derelict, buildings occupied by human beings, but an area which contained closely knit groups bound together by ties of kinship, friendship, class and residence. To some degree it was bonded, not so much by common origin, but the sharing of hardships, deprivation and a determination to fight that which was considered necessary.

It is relatively easy to be emotive about a 'community', and suggest in simple terms that certain characteristics prevailed. But for nearly thirty years I have been intrigued and impressed by countless expressions of 'pride in identification'. Despite the unwarranted reputation Witton Park people have always been proud to identify themselves with their village. According to Taylor and Townsend (44)

"local experiences built up over time are a vital factor in the process of social attachment and feelings of belonging to other people, and by association, to an area"

and they suggested that:

"biographical history, rather than present day attitudes or behaviour influence the perception of the "area where I live(d)".

Witton Park's alleged 'evil' reputation was built around the 1866 Riot; high wages paid by the Ironworks resulting in 'beer flowing, religious fights and weekend orgies'; the empty houses and influx of hawkers; housing refugees; unemployment with the 'best elements moving out and the shiftless moving in'; the 1926 Riot and pillaging of coal; 50 years of continuous immigration; the classic 'D' village.

Ignored, too frequently, is the credit sale of warm heartedness in welcoming foreign refugees; the diverse social life; the friendliness and reciprocity; the self help activities during the Depression; the charity raising functions, and the determination to fight for their way of life.

Witton Park people have a sense of the past, a sense of place, a capacity for collective action, and a compelling urge to remain in, or move back to, their village. Perhaps the community of Witton Park can best be described as a unique, indefinable, unquantifiable spirit which is not spatially bound .

In 1951 Witton Park was designated Category 'D' with the County Development Plan sounding a death knell for the most talked about village in South West Durham. To the County Planning Officers Witton Park was "not a place that can or should have a future". The pervading philosophy, and mental prejudice against the village by County and District Councils was summarised by Bishop Auckland's Chairman, Labour Group Leader and County Alderman, who is reported as saying:

"If a man has gangrene, the only logical thing to do is to sever the limb; Witton Park was never planned, it just happened We realise it is derelict. We must help in rehousing"

The battle against re-location began again.

The housing issue at Witton Park entered the realm of community politics when a Defence Committee was formed, in 1954, at a meeting convened by the village's two Labour Councillors.

Within a few months the local newspaper headlines were:

"Witton Park: Two more Quit Socialists" (45)

The newspaper reported:

"After a stormy meeting of the Housing Committee of Bishop Auckland District Council two more Witton Park Socialist Councillors announced their intention to resign from the Labour Party - only two months after the resignation from the Party by Councillor Jimmy Mudd.

One Councillor said that 'our quarrel is with the Labour Group on the Council - not the Labour Party itself. By resigning we shall be able to continue the fight for Witton Park's existence without being tied by Labour Group decisions. We did not receive fair play, or allowed to express to the County Planning Officer the strong public opinion in Witton Park against his proposals concerning the village. The treatment we received was absolutely unjust.

Councillor Mudd said that he had been ruled out of order when he tried to put the following three questions to Geenty (County Planning Officer):

- 1) Was it made clear to this Council from the first that the County Development Plan was based on population movement, and meant no development in Category 'D' villages?
- 2) Why was not a survey report produced for other villages as was the case with Witton Park?
- 3) Why was public opinion not consulted?

He concluded by saying that he merely wished to clear misunderstanding and confusion due to lack of consultation - the County Planning Officer should have been there to consult the whole Council, not just meet the majority political opinion".

A further attempt to stimulate the fight for survival was a meeting between Bishop Auckland Urban District Council and deputation from the Witton Park Defence Committee headed by the Reverend Alan Lazonby.

The deputation detailed various aspects of their argument, particularly the results of a questionnaire, (Figure 2) which had shown that more than 95% of the adult population wanted houses built at Witton Park so that they could continue living in the village. They argued that such a vigorous community in a redeveloped village could take a prominent part in the life of the Urban District. The Council resolved to 'request' the County Council, at the next Review, to give some consideration to redevelopment and rebuilding at Witton Park (46).

FIGURE 2

338

WITTON PARK DEFENCE COMMITTEE

Rehousing of People

This survey is to find out whether the adult population of Witton Park wants to have new houses in the village or elsewhere. The Committee wishes to point out that in any event, the rents of the new houses, wherever they are situated, will be considerably higher than the rents at present paid in most of the property in Witton Park.

Please put a cross against the proposal you favour.

Are you in favour of houses being built at Witton Park and the tenants to remain in Witton Park?

Are you in favour of the houses being built at Woodhouse Close or somewhere else, and the tenants transferred there?

Address _____

Names of Adult Members of the Household:

CHERRY, BISHOP LUGLAND.

But the first Review of the County Development Plan was to be ten years in the future, and just three weeks later the Medical Officer of Health's clearance proposals for Witton Park were accepted (47) (Photograph 5).

That was the beginning of a process which was to raze a major part of the village.

With the demolition of more than five hundred houses it was not surprising that, in 1969, a national newspaper magazine (48) described Witton Park as:

"one of the ugliest, most depressing villages in Britain".



LOW THOMPSON STREET

The first post-war Clearance Area at Witton Park, 1956

PHOTOGRAPH: 5

As the village became more bleak with an ever increasing superficial area of uncleared rubble, a lone appeal went out to the Rowntree Housing Trust, from a resident (49) who wrote:

"I live in a village called Witton Park with plenty of open space
 Just waiting for someone to speculate and build in its place
 A factory and some houses, wouldn't it be great
 If Rowntree would come and build before it is too late".

The slow attrition of the village continued, until 1979, leaving small isolated pockets of 'fit' houses in the central area.

However, there was some light relief as shown by an article in the Sunday Sun (50).

"Doomed Village Surprised

Witton Park is very much afraid that it is being presented with a Folly.
 They're building a Clochmerle.
 If the planners have their way there will never be another new house - but why, the villagers ask, are we getting a public convenience in our midst? - be it ever so useful!"

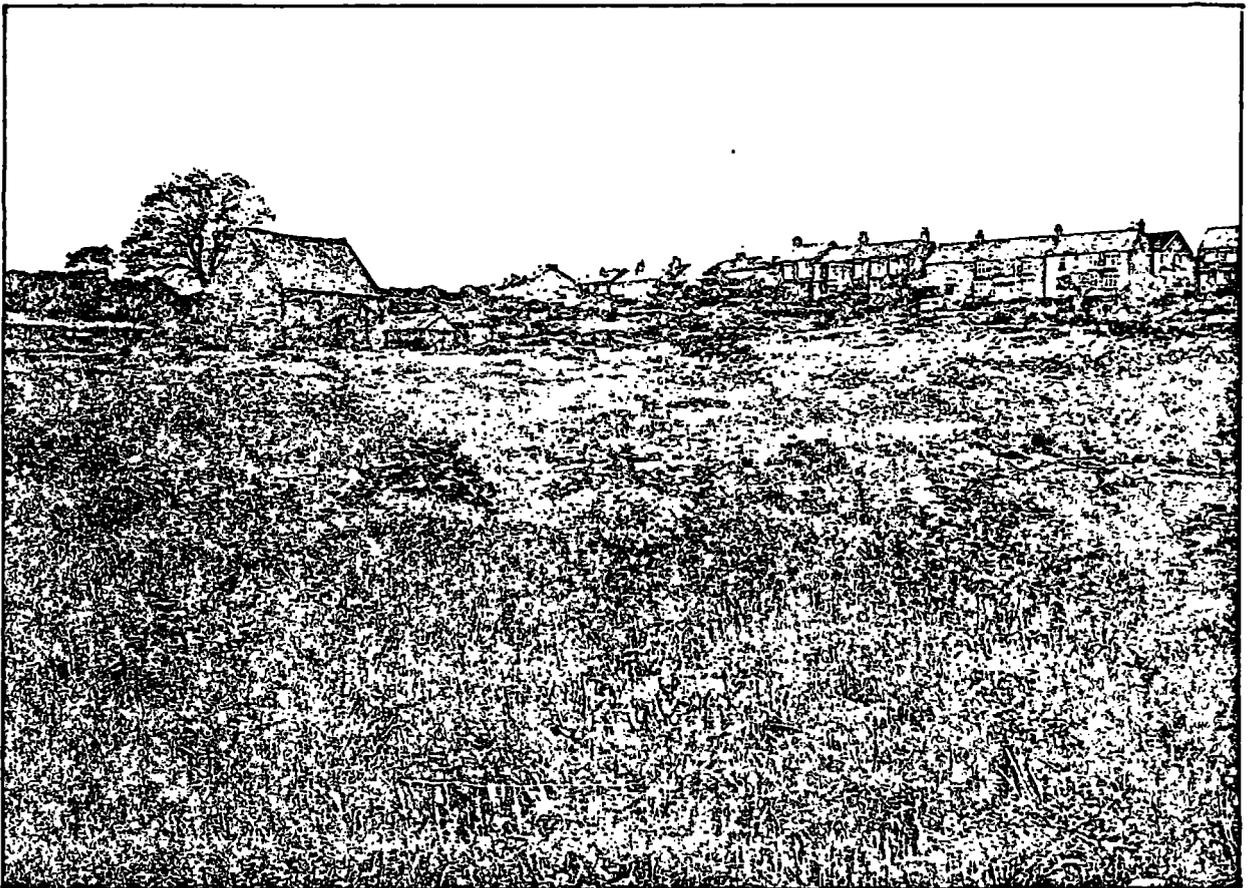
Two and a half years later, in 1959, the Northern Echo carried a similar story, but in more serious vein (51):

"The future of Witton Park is under a dark cloud with residents being transferred to Bishop Auckland, so the recent amenity offered to the 'High' Streets is all the more puzzling.
 Because Bishop Auckland Urban District Council say that there is reasonable life left in these houses, the North Eastern Electricity Board has lost no time in providing electricity. After the building of a public convenience, by Bishop Auckland Council, and the creation of new footpaths by the County Council - is there hope for Witton Park?
 Are the remaining houses to be improved?"

Within ten years the High Streets were demolished.

Although the physical heart of the village has gone (Photograph 6), and the majority of inhabitants have moved out, Witton Park is not moribund. Green fields still surround the village and children, and their parents, continue to swim and fish in the River Wear which flows nearby.

The exiles who were forced to leave, frequently go back to the latest social centre (formerly the school kitchen) for events which are held

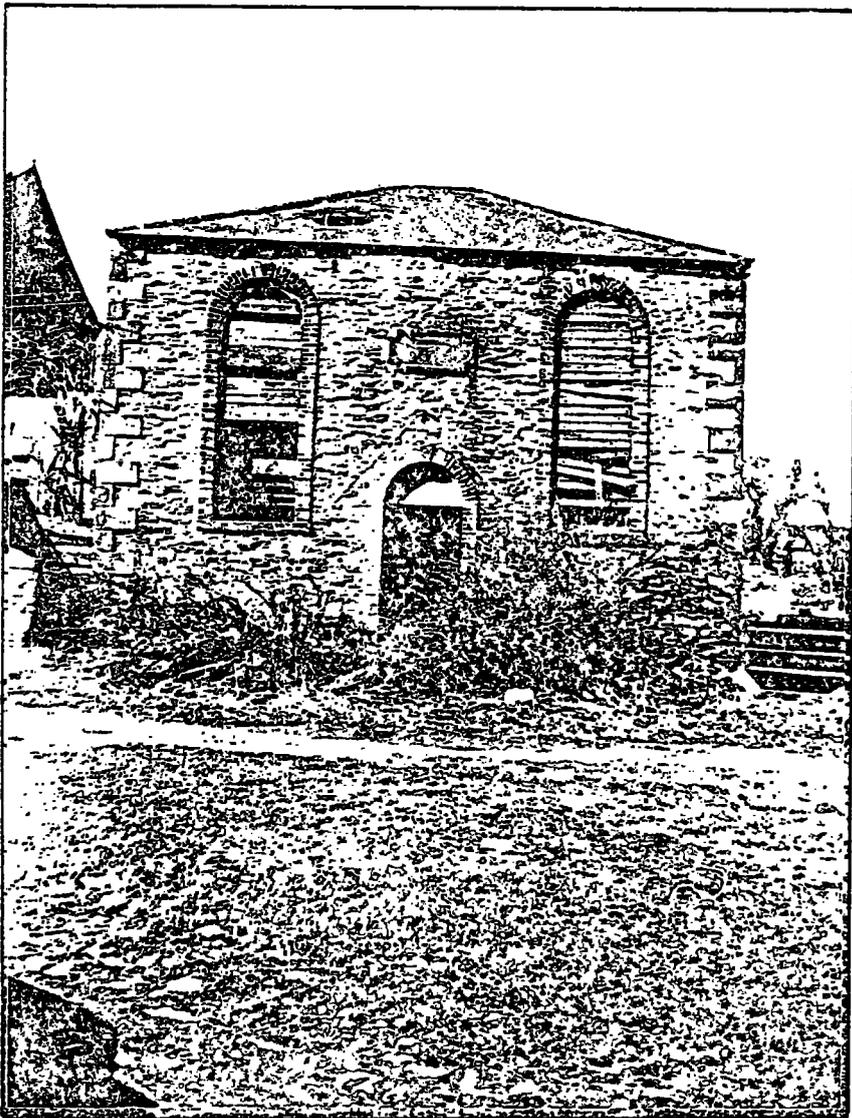


The overgrown sites of demolished houses at Witton Park. In the background, left, is the Salvation Army Citadel: 1979.

PHOTOGRAPH: 6

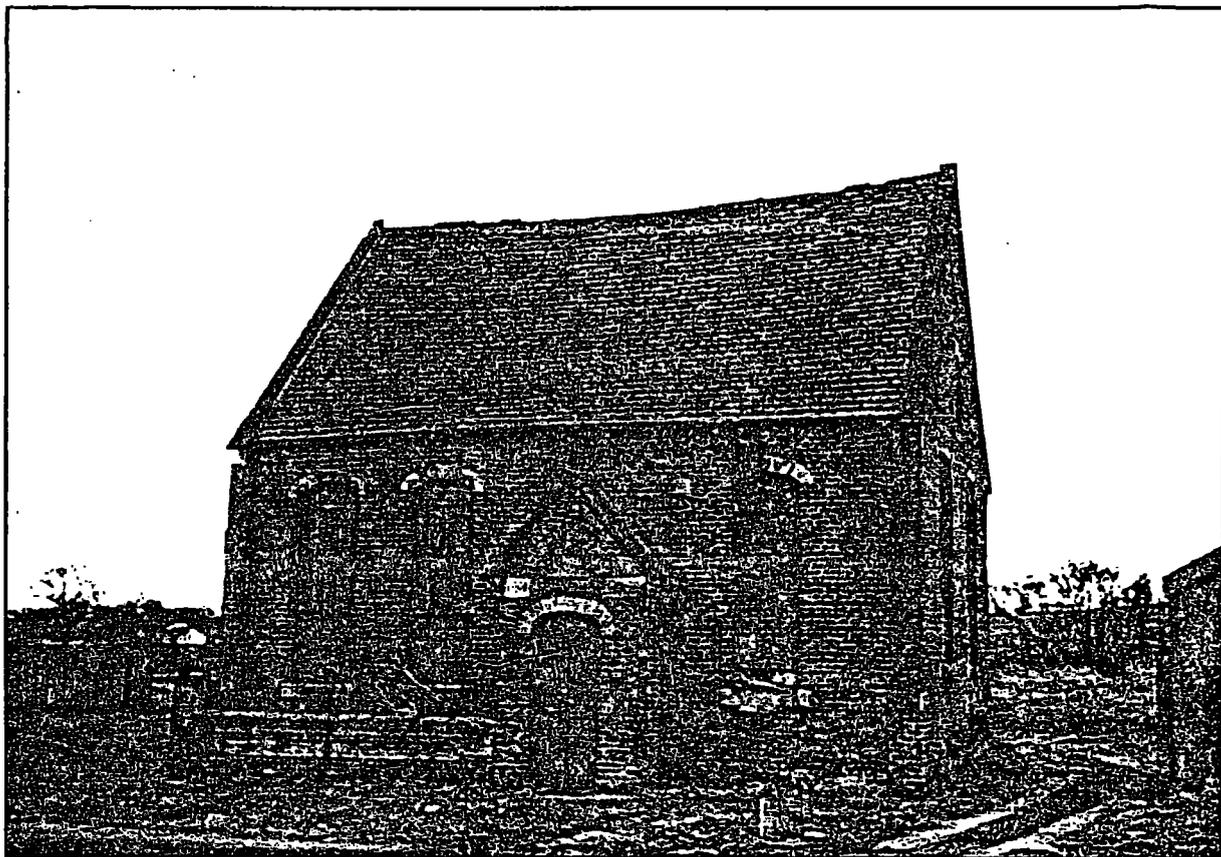
revived again in 1976 as a symbol of the determination to stay together as an identifiable community - the nucleus of which remains in the village.

In 1979 only five churches remain; open for worship are St. Paul's, St. Chad's and Wesleyan Methodist: but the Congregational Church is derelict (Photograph 7) and the Salvation Army Citadel boarded-up (Photograph 8). The County School is a Centre for Environmental Studies (Photograph 9); the War Memorial Institute, "Eureka Cree", and many trade premises have been demolished, though some stand empty and neglected (Photograph 10). There are now just two public houses, an ice cream 'parlour', post office and general dealer, two general dealers' shops, two hundred and thirteen houses, and a population of less than five hundred.



Congregational Church
Witton Park 1979

Photograph: 7



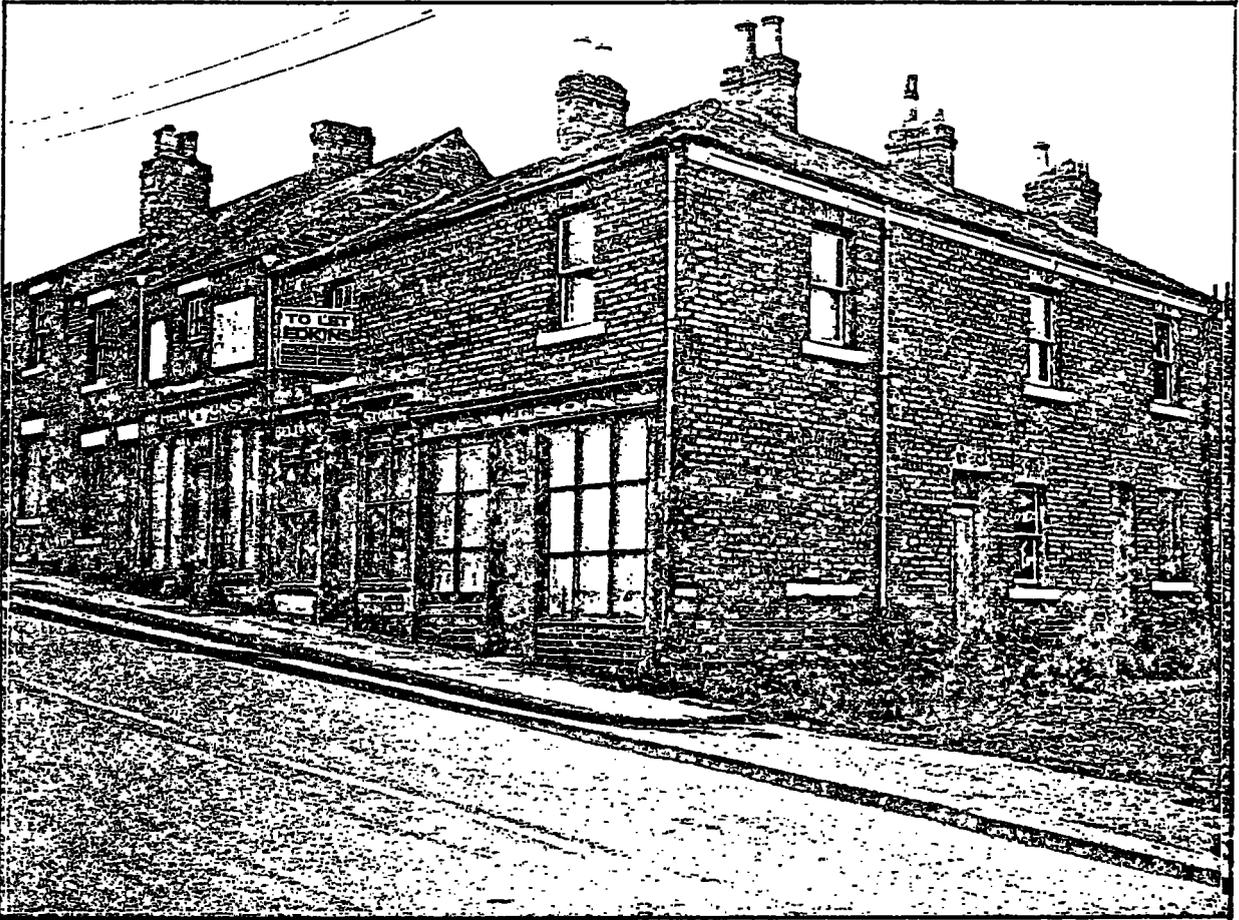
Salvation Army Citadel
Witton Park, 1979

Photograph: 8



Centre for Environmental Studies, 1979
Formerly the Witton Park County Junior
and Infants School

Photograph: 9



Main Street, Witton Park
Empty and Neglected Shops, 1979

Photograph: 10

Witton Park was a village "Condemned to Die", and according to the 1951 Development Plan should have passed away by 1975. The village never crumbled in despair, but fought back with vigorous campaigns and petitions. Despite frustration, the manifestation of the community spirit, portrayed nationwide through Granada's Television Documentary Film, on 12th September, 1978, established Witton Park as "The Village that would not die".

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CHAPTER 3SLUM HOUSING

An introduction to slum housing is provided by Charles Dicken's

"Oliver Twist" (1):

"Oliver could not help bestowing a few hasty glances

A dirtier or more wretched place he had never seen.

The street was very narrow and muddy, and the air pregnated with filthy odours. Covered ways and yards, which here and there diverged from the main street, disclosed little knots of houses, where drunken men and women were positively wallowing in filth."

The description was not an exaggeration as a major Report on the conditions of the labouring classes confirmed (2):

"The City of Durham, like all ancient towns is built very irregularly and surrounded on all sides by the River Wear which is frequently overflown. The streets are very narrow, and the houses are built so much behind each other that the entrance to a great many dwellings is by a passage, lane or alley, where from a proper want of receptacles and sewers, filth is allowed to accumulate, and there is a constant emanation of foetid effluvia."

and:

"The tenements (in Barnard Castle) which form the residences of weavers and labourers are in confined yards and alleys. Many of the houses are very large and there are as many as fifty individuals under one roof. There is generally one privy to a yard embracing five or six houses. From the crowded state of these dwellings, and the filthiness of many of their inmates, disease would undoubtedly arise more commonly than it actually does, but the River Tees flows at the front of each yard, and the evil impurities are speedily carried away."

In the North-West, where life expectancy of the labouring classes was between fifteen and twenty eight years (3):

"Whole streets are unpaved and without drains or sewers, and worn into deep ruts and holes in which water constantly stagnates. They are so covered with refuse and excrementitious matter as to be almost impassable from depth of mud and intolerable stench.

In many places are to be seen privies in the most disgusting state of filth, open cesspools, dung hills, pig sties from which the most abominable odours are emitted."

It was in the same period that Frederick Engels described an area in Salford thus (4):

"The workingmen's dwellings between Oldfield Road and Cross Lane, where a mass of courts and alleys are to be found in the worst possible state, vie with the dwellings of the Old Town in filth and overcrowding. In this district I found a man, apparently sixty years old, living in a cow-stable. He had constructed a sort of chimney for his square pen, which had neither windows, floor nor ceiling, had obtained a bedstead and lived there, though the rain dripped through his rotten roof. This man was too old and weak for regular work, and supported himself by removing manure with a hand-cart; the dung heaps lay next door to his palace."

The Bishop of Winchester, in 1928, suggested that the best definition of slum housing was that to be found in Murray's English Dictionary (5):

"A thickly populated neighbourhood or district where the houses and conditions of life are of a squalid and wretched character."

If to this is added:

"and populated by people of a low class, or by the very poor"

the Shorter Oxford English Dictionary definition is given.

Apart from the desperate condition of houses and environment, one of the serious aspects of slum living, in many areas, was the overcrowding, clearly stated by Neville Chamberlain (6):

"Any examination of the slum problem reveals, as the central feature of the situation, that the worst, most salient and most urgent problem is the overcrowding of the people. In all accounts of what people are enduring in the slums we hear over and over again how families are crowded together into one or two rooms."

A more recent account, but equally descriptive, was advanced by Hunter in 1964 (7):

"When we speak of a slum the picture that comes to mind is a mass of more or less nondescript houses, tenements, dilapidated shops, an absence of paint, accumulations of dirt, tin cans and rubbish.

The picture is scented with a dank, damp, mouldy odour, intermingled with the smell of decaying matter.

We think of the slum as the abode of half-starved, filthily clothed children; a place of poverty; wretchedness; ignorance and vice."

To a lesser or greater degree the popular concept of slum housing is that of a seriously overcrowded poor quality neighbourhood or village, where conditions are vile, squalid and wretched, inhabited by ignorant poverty stricken residents of low intelligence whose main preoccupations apparently are vice and crime. A slum area is often regarded as one where there is dirt, decay and dereliction.

In my opinion the slum image, however held, is of fundamental importance in the field of housing because it so often pre-supposes the legal concept, and too often influences decisions for action which can have far reaching consequences for those affected.

Although legally a physical concept, there has never been a statutory definition of the term slum. To my knowledge only one Act of Parliament, the Housing (Financial Provisions) Act, 1958 contains the word, in Section 3, when referring to "Rate of subsidies for dwellings provided for the purposes of slum clearance, etc."

However in 1953 the official Whitehall view was that (8):

"Slum houses are those which are unfit for human habitation and cannot be made fit at a reasonable expense; or which by reason of their bad arrangement, or the narrowness or bad arrangement of the streets, are dangerous or injurious to the health of the inhabitants."

That statement was nothing more than a curiously mixed interpretation based on the 1936 Housing Act provisions relating to individually unfit houses, and clearance areas. It was chimerical and misleading in that it telescoped the exceedingly wide spectrum of unfitness and

reduced that to a single slum equation.

An important distinction to emphasise is that although all slums must be unfit, all unfit houses are not slums. A house can be technically unfit in relation to a legal list of items, the standards of which are regarded as relevant to the judgement reached. But that house may well be capable of being rendered fit at a reasonable cost; for instance, it has been held that (9):

"a leaking pipe, displaced slate, or rotten stair tread may each of them, until repaired, make a house unfit. Though each of them may be quickly and cheaply repaired."

Similarly, a house with many defects such as major disrepair, rising and penetrating dampness, and lacking basic domestic amenities, can quite easily be made fit for habitation, although the cost of doing so may be unreasonable, in relation to the comparable property values before and after completion of works.

The range of unfitness is almost infinite; from a single repair in a house to a wretched squalid slum - but there is a distinct difference between a house which for structural and constructional reasons is irredeemably unfit, and one merely regarded as technically, but legally, unfit.

At the time when the future of Witton Park and other settlements in the Urban District of Bishop Auckland was being considered, there was much Ministerial activity on clearing unfit houses. The accent was always on 'slums'. For example:

"local authorities should take up again the great campaign of slum clearance (10).

"there still remains to be removed a mass of ugly and venomous slums where there is neither decency nor order where the occupants must be compelled to leave." (11)

and

"local authorities should proceed as quickly as they can with the urgent slum areas" (12).

The theme continued:

"the momentum of slum clearance must be maintained
 the Minister is sure he can count on the
vigorous support of local authorities in this vital
task" (13).

Those Ministerial pronouncements germinated a fanciful conception that all unfit houses (by statutory standard - defined on a purely physical and not social basis) were slums (by inference), which required the only possible course of action, namely demolition. No doubt there were areas, neighbourhoods and groups of houses to which the description was apt; there were many properties existing at the time which could easily have been identified in the chronicles of Dickens and Chadwick. To a small degree that applied to Bishop Auckland.

Witton Park was a victim of that kind of prejudiced quasi-legal emotive image; it was always regarded as a slum village; the houses always referred to as slums, which were occupied by hawker type people who could only benefit by relocation.

Quite rightly the decaying houses in other Category 'D' settlements were designated 'unfit', but invariably those in the 'A' or 'B' potential growth areas were euphemistically termed 'sub-standard'.

Consideration of slum clearance actively began in 1952 when the County Planning Department produced a list of unfit properties in the Urban District. It was, with one exception, a "windscreen survey" bearing little relation, as events proved, to the true situation. The exception was a survey report carried out at Witton Park in 1949, by the County at their own instigation. As the Northern Echo reported (14):

"Housing Quiz alarms Witton Park"

A door to door survey in Witton Park by officers of the Durham County Planning Department has caused alarm and despondency among residents about the future of the village. A spokesman for the Planning Department said the survey had nothing to do with a recent Government Report on the North East which envisaged the eventual disappearance of Witton Park. Residents of long standing feel that, although some of the houses require demolishing, the demand is for rehousing in the villages where ideal sites abound"

The Local Councillors equally disturbed, raised the issue at the following Housing Committee meeting where it was resolved to "ask the County Planning Officer for a copy of the survey recently taken at Witton Park" (15). It was either never received - or its receipt not reported. The issue was not pursued nor raised again.

Nevertheless there were at least 2,300 houses listed as unfit, representing 20.6% of the housing stock (16). The concentration of unfit houses was not exclusive to the Category 'D' villages; 14% of them were in the Bishop Auckland Town area; 17½% at Coundon; 8% at South Church and 12% at West Auckland - all potential growth areas; Witton Park's share was 19.2% plus a 'slum village' label.

To what extent was there justification for that attitude of isolating Witton Park as the slum village, and earmarking it for early extinction?

It can be accepted that all the houses listed as unfit were technically so within the meaning of the relevant Housing Acts, but it can not in any sense be assumed that they were all unfit to the same degree. Contained in the 1953 list were 488 back-to-back dwellings, which, by statutory definition, had been regarded as slums since the Housing, Town Planning, etc. Act of 1909. Only eighteen (3.68%) were at Witton Park, and those were in small groups in a long terrace on the village periphery. Some were demolished, and others in 1979, undergoing renovation.

(Photograph: 11)

Table: 13 indicates the lack of urgency in dealing with those wretched structures:

Table: 13

BACK-TO-BACK DWELLINGS : BISHOP AUCKLAND U.D.C.

District	No. of Back to Back Dwellings	Comments
Binchester	16	All renovated by 1974
Bishop Auckland	244	Majority demolished by 1976. Last pair converted to one dwelling in 1979
Close House	10	Still remaining in 1979, although unoccupied and subject to Closing or Demolition Orders
Coundon	56	All demolished by 1969
Etherley Dene and Moor	10	Demolished or converted by 1972
West Auckland	124	All demolished by 1967
Westerton	10	All demolished by 1968
Witton Park	18	Remaining eight undergoing renovation in 1979



Improved Back-to-Back Dwellings Photograph: 11
Park Road, Witton Park, 1979

Many of these back-to-back houses were grouped in fours, two each at the front and rear, divided centrally by a passage leading to a shared yard with shared sanitary accommodation and drainage, (Diagram 4). The water supply was either from a stand pipe tap in the yard, found under the stairs behind the entrance door or in the pantry. Each dwelling was "one up - one down", lacked through ventilation, adequate natural lighting, and basic amenities. The wretched living conditions of the occupiers are illustrated in the Council's Principal Grounds Statements of Unfitness (Nos. 1, 2 and 3 - Appendix at end of the Chapter). There is no doubt that the structural arrangement and overall condition of such dwellings rendered them infinitely worse than the

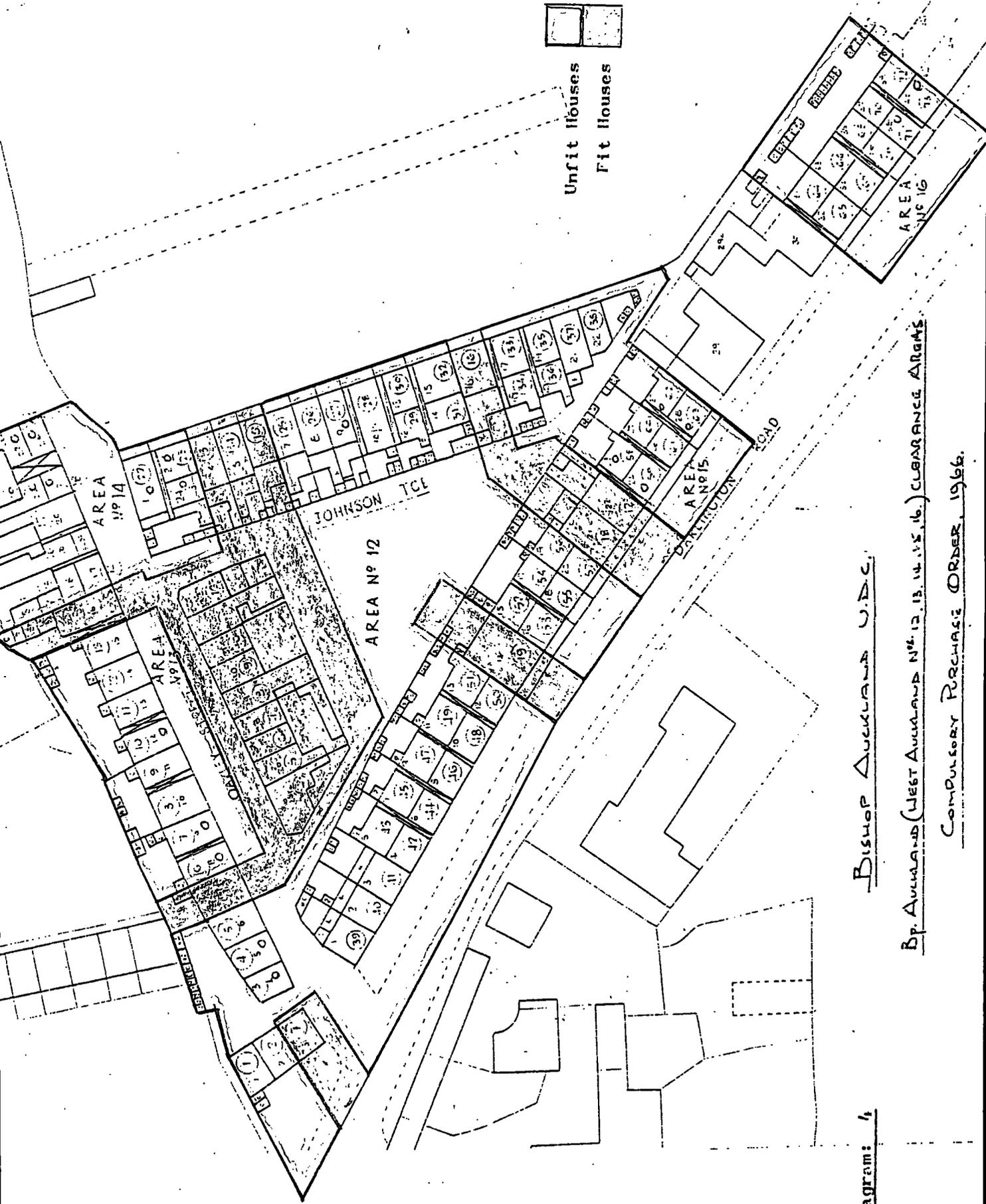


Diagram: 4

Bishop Auckland U.A.C.

Bp. Auckland (West Auckland Nos. 12, 13, 14, 15, 16) CLEARANCE AREAS

COMPULSORY PURCHASE ORDER, 1966.

great majority of the so called Witton Park slums, yet many of them existed until the 1970's.

Recalling the physical condition of Witton Park housing there is no argument that many were unfit for human habitation, some grossly so, and that the worst houses were those of Garden Street, Vulcan Street, John Street and Woodside. The condition of Vulcan Street was particularly bad. That terrace of eleven dwellings, built during the first half of the 19th century, was of random rubble construction. They all had stone flagged floors; water stand pipes behind the back door; airless bedrooms; dark living rooms; extensive rising and penetrating dampness; severe disrepair, and an earth closet in each yard. They lacked elementary amenities; were without coalhouses, so coal was stored in the small pantry. One curious feature was a stone spiral staircase, so narrow that furniture had to be hauled up to and through the bedroom window, after the sashes had been removed. Those, and houses in Garden Street, John Street and Woodside were the 'slums' of Witton Park (see Principal Grounds Statements Nos. 4, 5 and 6) not the houses in other streets. Indeed, in retrospect it is now difficult to appreciate not only the unfitness designation of some houses, but the confirmation of that status by the Ministry of Housing and Local Government (See Principal Grounds Statements 7, 8 and 9). Again it is recalled that poor as the houses in Garden Street, John Street and Woodside were, collectively they were not so unsound as some in other areas, which were dealt with much later.

At a Public Local Inquiry, 15th October 1963, evidence was given (17) that as regards one house in South Church, where rows of unfit dwellings formed a squalid area of extremely poor living conditions:

"rising dampness is visible on the ground floor walls to a height of over 5 ft., and the bedroom is extensively affected with penetrating dampness; the food store and

water supply are under the staircase which is damp and dark. Sanitary accommodation is provided by the nearby communal ash pit midden"

Evidence (18) at a Public Inquiry, on 27th March 1968, in respect of houses in Bishop Auckland revealed:

"all the houses show evidence of extreme dilapidation, and extensive dampness; lack adequate natural lighting and ventilation. The inhabitants share a common stand-pipe located in the yard. There are two Water Closets, one of which is shared by five families."

(See Diagram: 5 and Principal Grounds Statement 10)

Similarly at the Public Inquiry, 18th August 1970, into a Compulsory Purchase Order at West Auckland (19):

"This is a small tenanted house having only a living room and bedroom. It is damp and in disrepair; has very poor internal arrangement in that there is no rear exit, and the very steep ladder type steps from the living room make reaching the bedroom a hazardous exercise; there is no through ventilation; natural lighting is extremely poor; the water supply stand pipe is located under the living room window; the water closet, shared with three other families is reached via the passage between Nos. 6 and 7 - a distance of some 40 yards; cooking and preparation of food is carried out in the living room. This random rubble dwelling is at least 114 years old - being shown on the 1856 Ordnance Survey Map."

Principal Grounds Statement No. 11 and Diagram: 6 refer.

The nearby village of Escomb was rescued from Category 'D' and redeveloped after a holy crusade to enhance the siting of the Saxon Church. But as the Durham Advertiser accurately reflected (20):

"the absence of an evil reputation and the comparative attractiveness of the site of Escomb obscures the fact that in many ways this village is much more unsatisfactory than Witton Park."

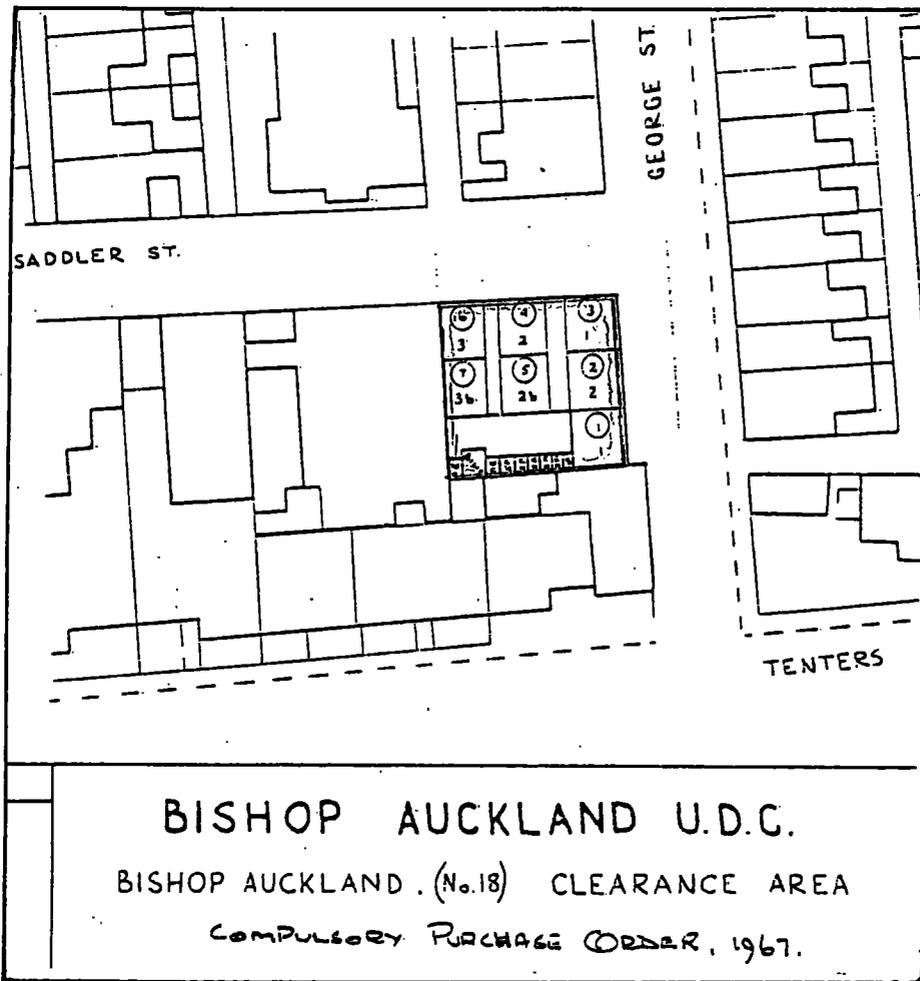


Diagram: 5

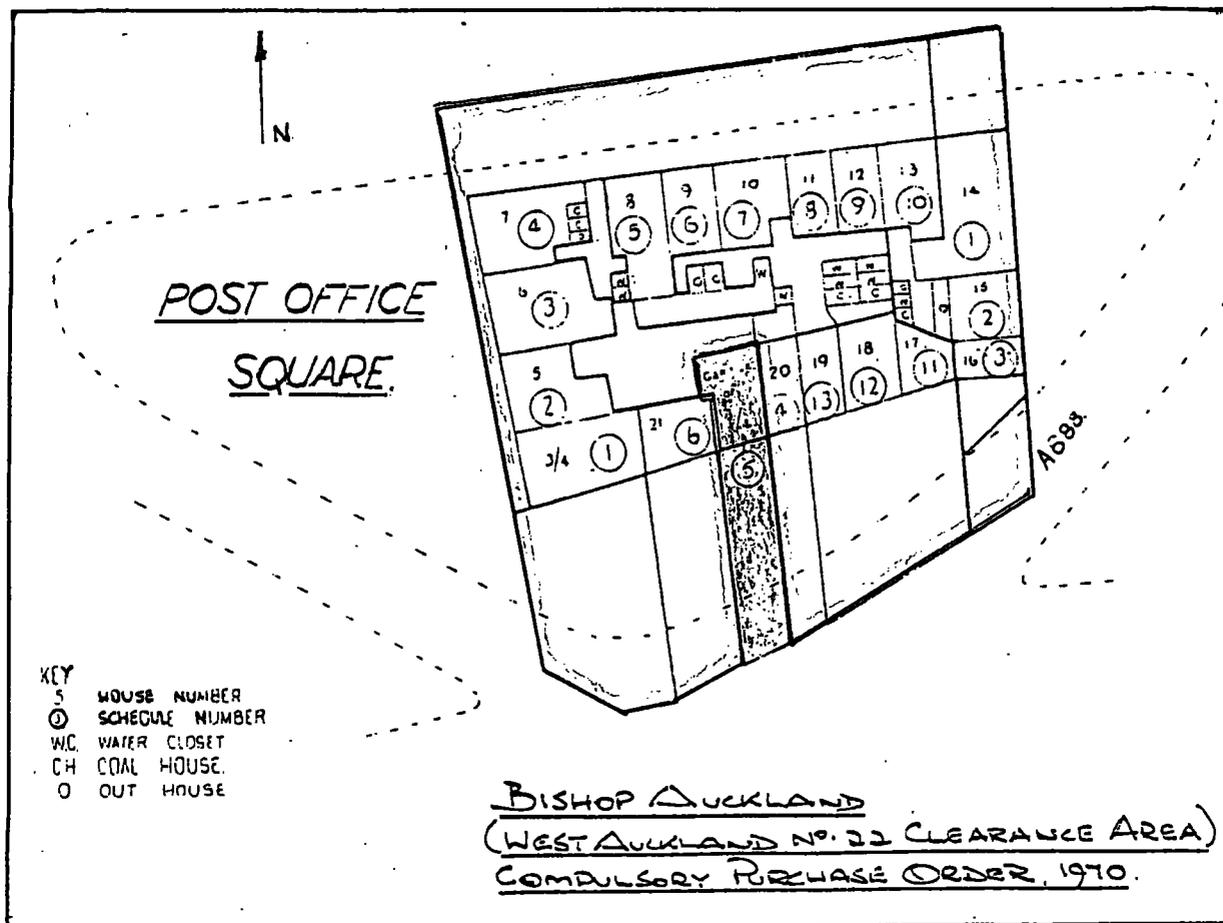
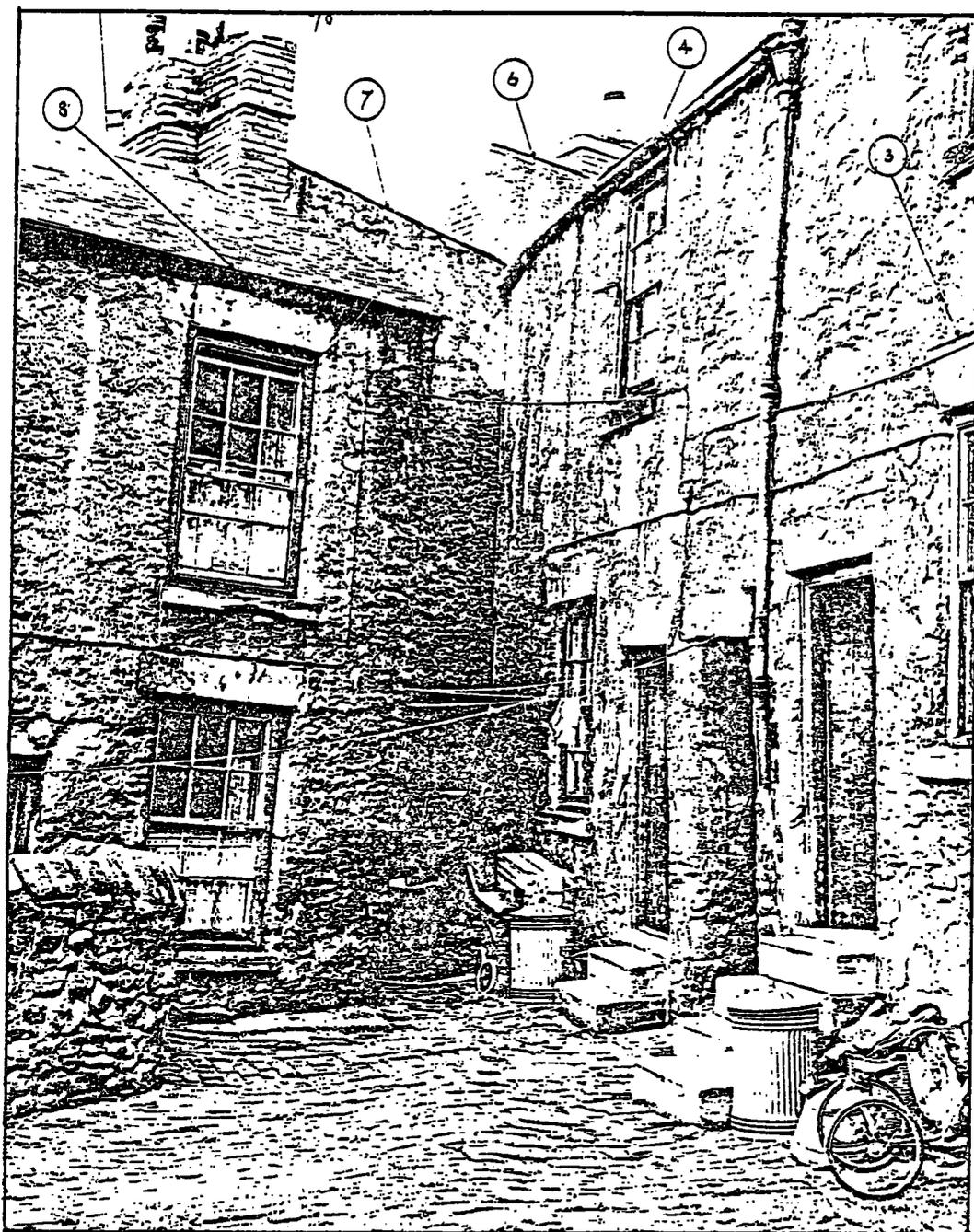


Diagram: 6

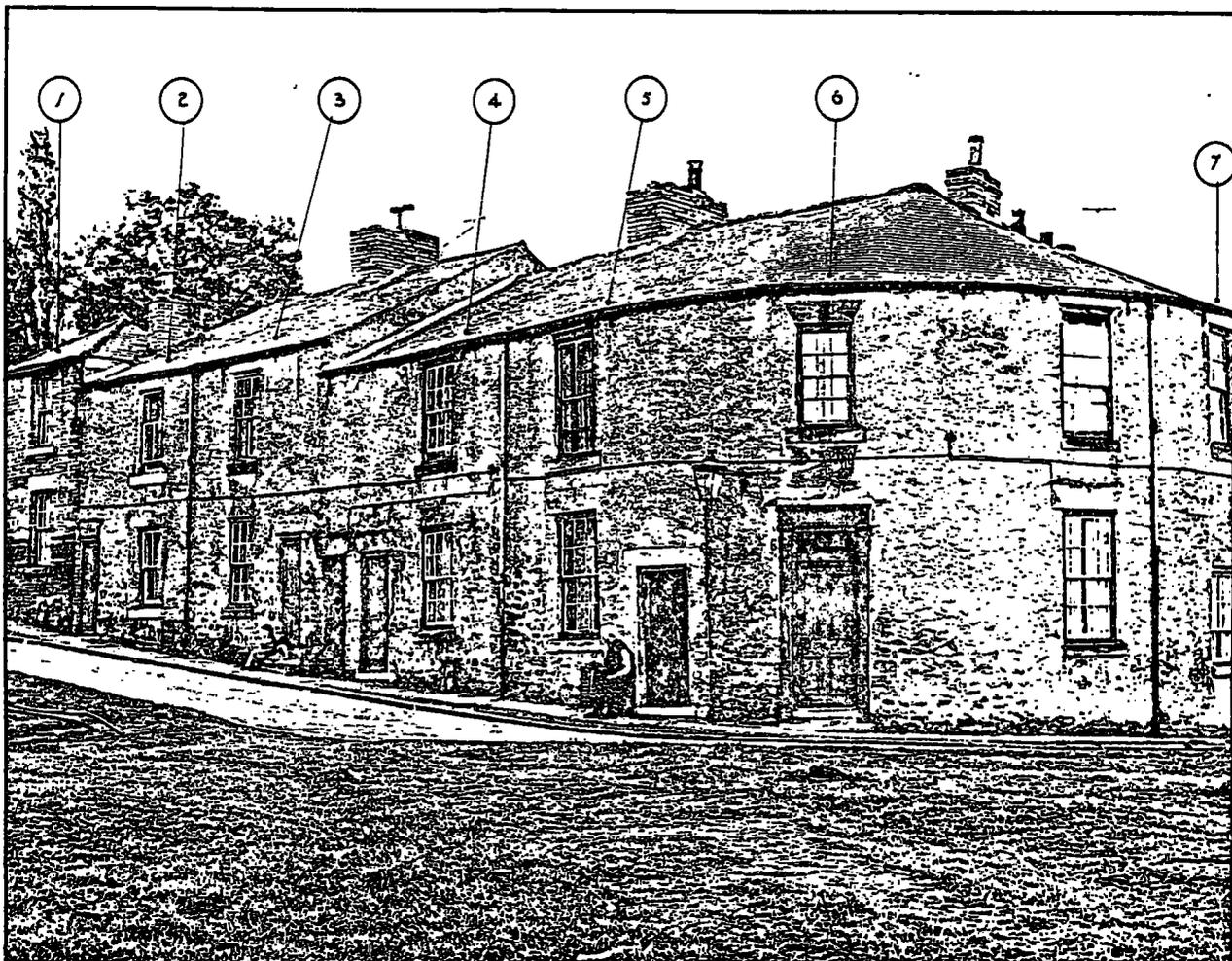


WEAR CHARGE, BISHOP AUCKLAND
Squalid congested houses, 1959

Photograph: 12

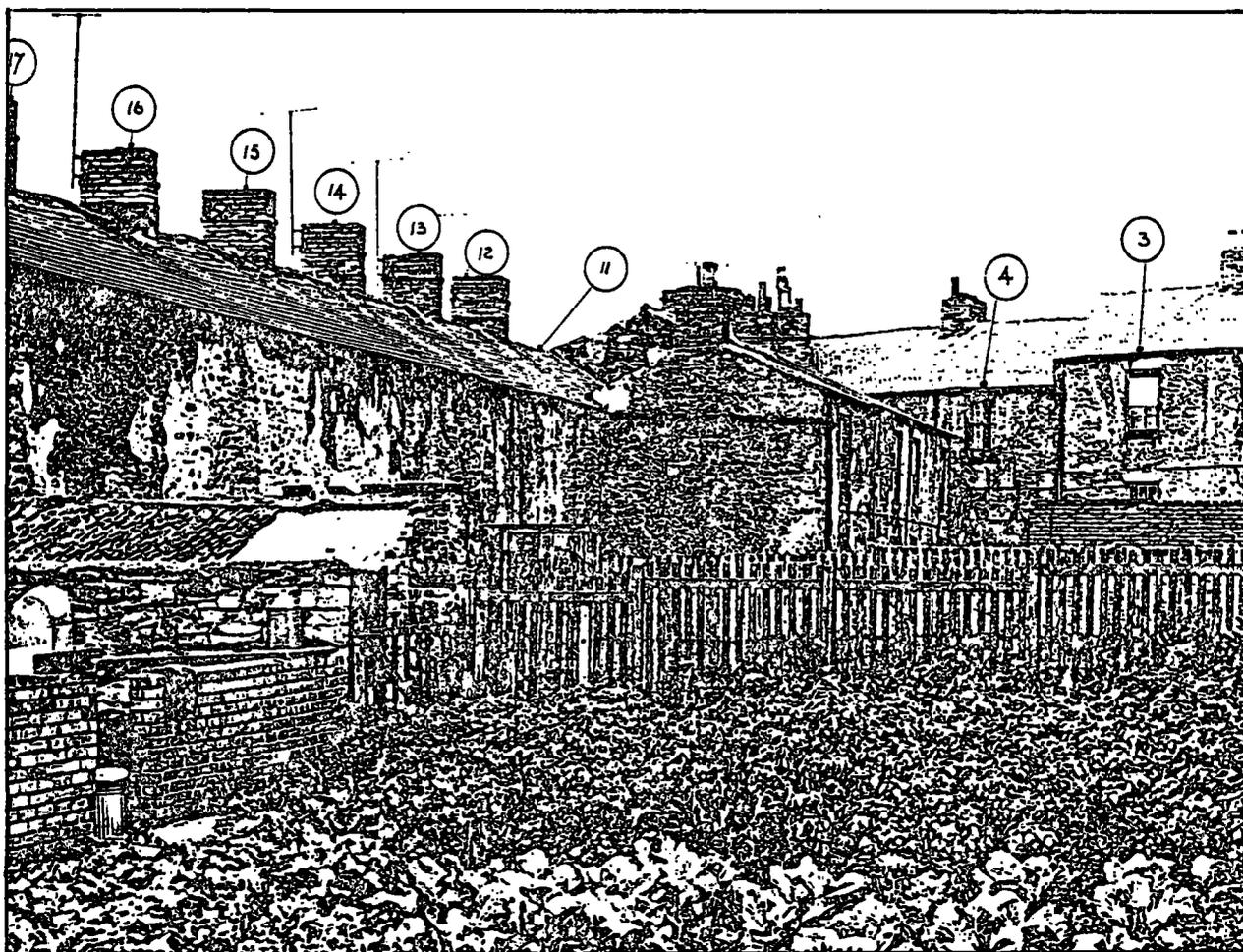
There were many areas where housing conditions were much poorer than those which prevailed at Witton Park. For instance, as seen on Photographs 12, 13 and 14 the group of houses, which were located at the foot of the steep bank, Wear Chare, and leading from Bishop Auckland Market Place, were infinitely worse, but were not demolished until 1961. Similarly, the back-to-back houses of Dial Stob Hill, and others at Low Dial Stob Hill, a few hundred yards to the East, and backing onto the River Wear remained until 1962. (Photographs 15, 16 and 17)

(N.B. The encircled numbers on these and subsequent photographs are house numbers (for slum clearance purposes), and not reference numbers).

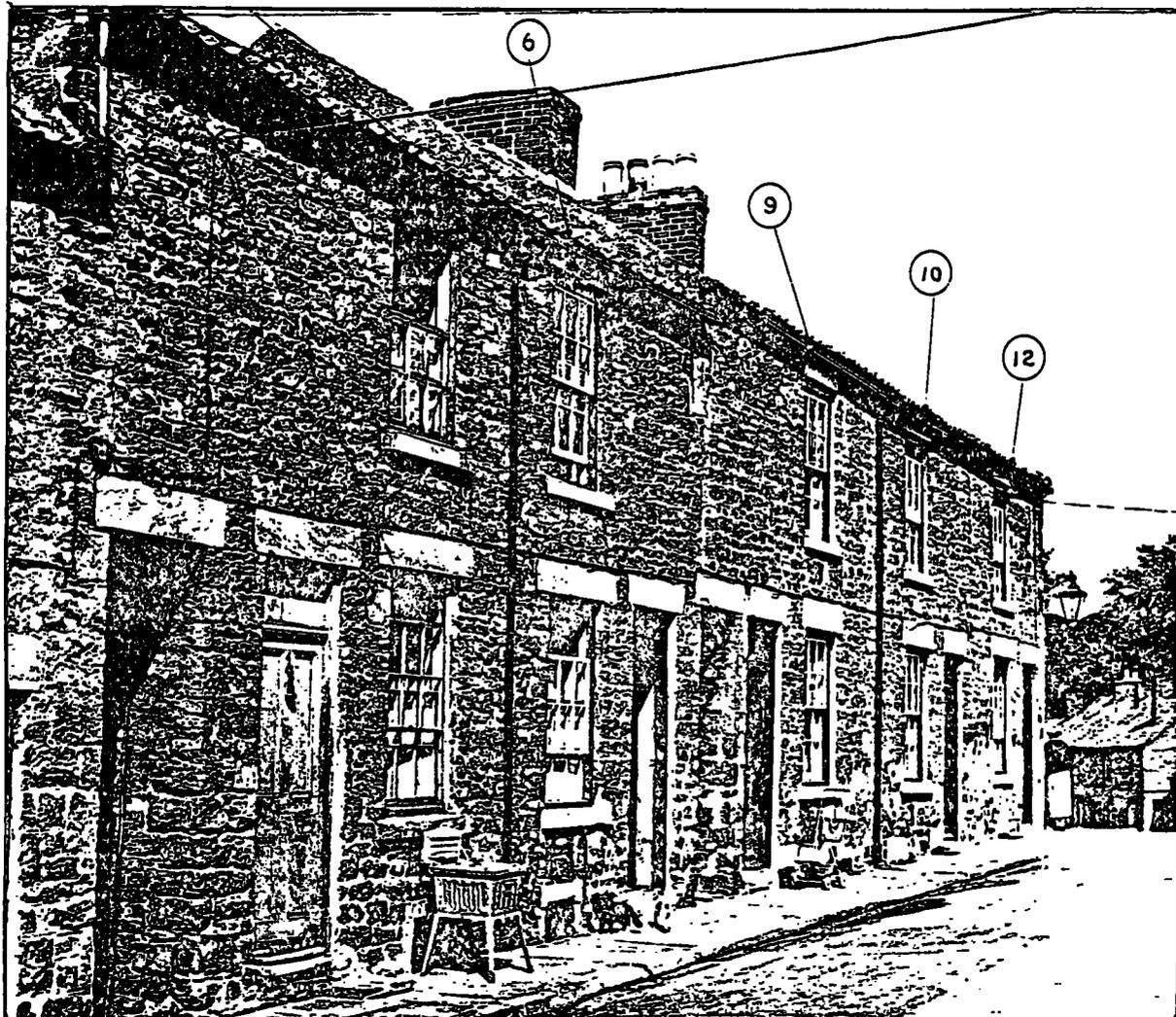


PHOTOGRAPH: 13

WEAR CHARE, BISHOP AUCKLAND, 1959

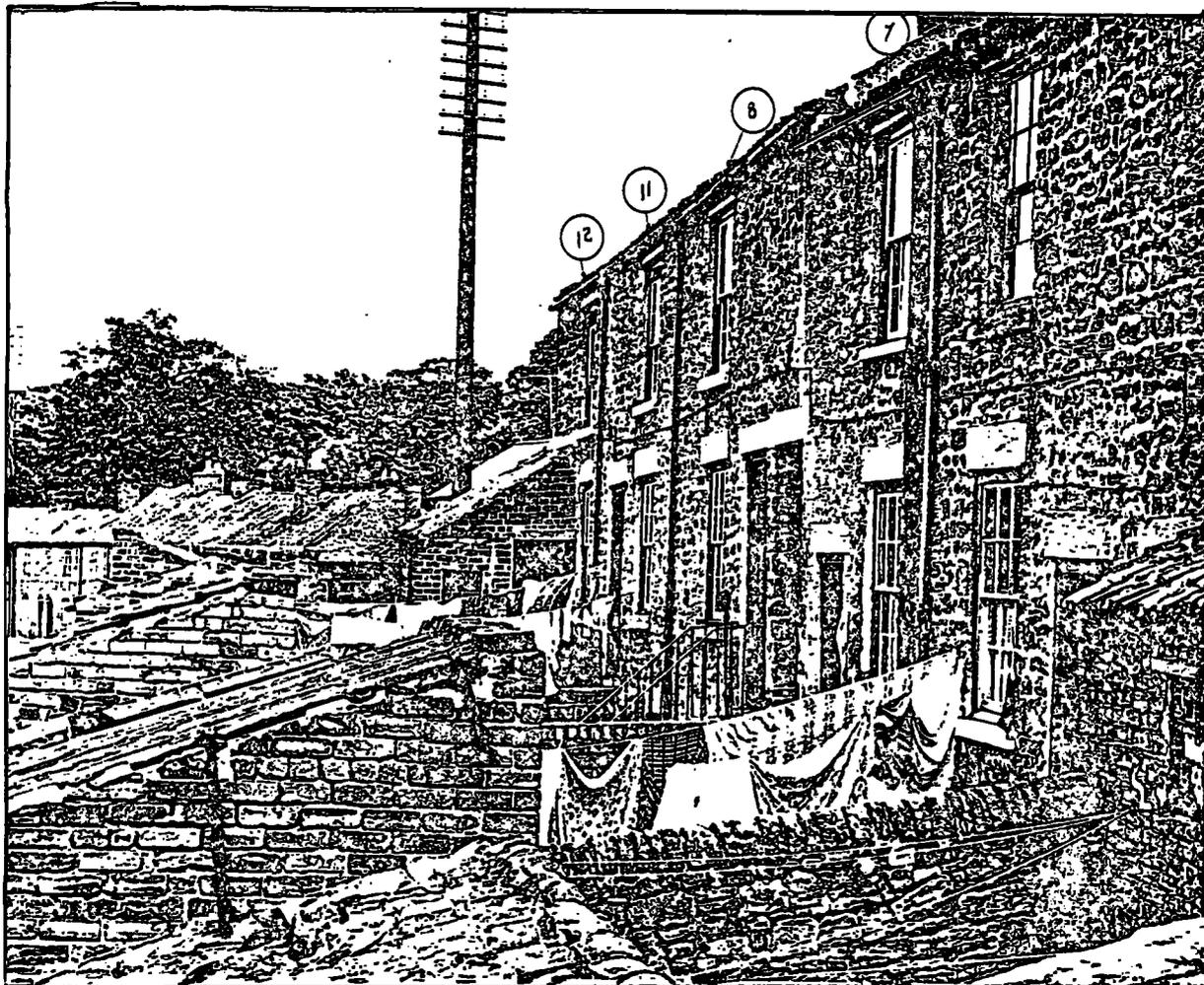


PHOTOGRAPH: 14

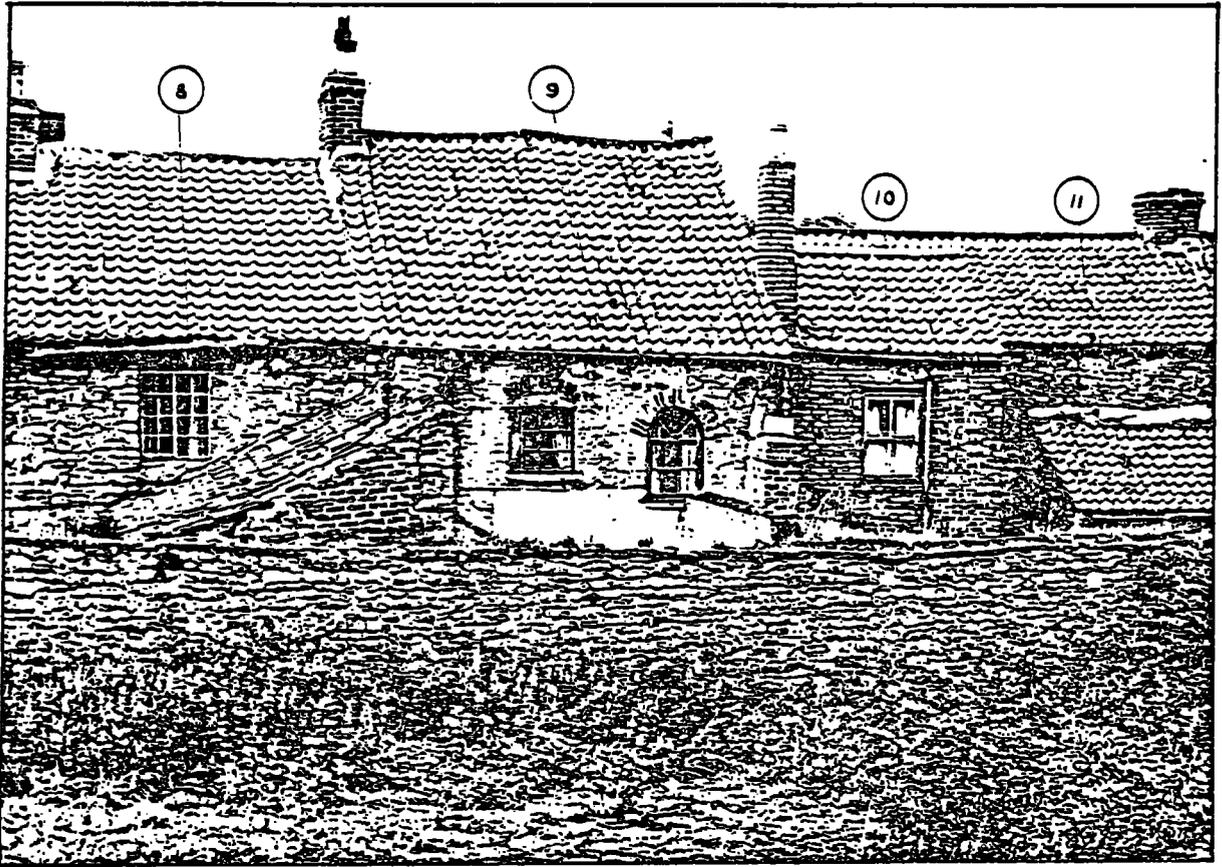


BACK TO BACK HOUSES.
DIAL STOB HILL, BISHOP AUCKLAND, 1959.

PHOTOGRAPH: 15



PHOTOGRAPH: 16



Low Dial Stob Hill, Bishop Auckland, 1959

Photograph: 17

South Church village was a particularly squalid area which was not dealt with until 1963 when a Compulsory Purchase Order was sought because:

"of the urgent need to provide land for housing accommodation in the Urban Area whilst at the same time renewing one of the worst decayed areas - of which there are so many in the District; there is a desperate shortage of land zoned for residential purposes" (21)

The South Church area was unmade, the rows of houses were closely packed, and as described later, the residents had to use insanitary communal sanitary accommodation.

At least three times between 1952 and 1966, when the course of the River was diverted, the Gaunless overflowed causing serious flooding in the houses. That obviously was not uncommon as the Durham Directory recorded in 1894:

"the River Gaunless overflows its banks at this village and causes considerable damage." (22)

Photographs 18 & 19 give some indication of the structural condition of the houses of South Church village reported by Temple in 1940 (23) as

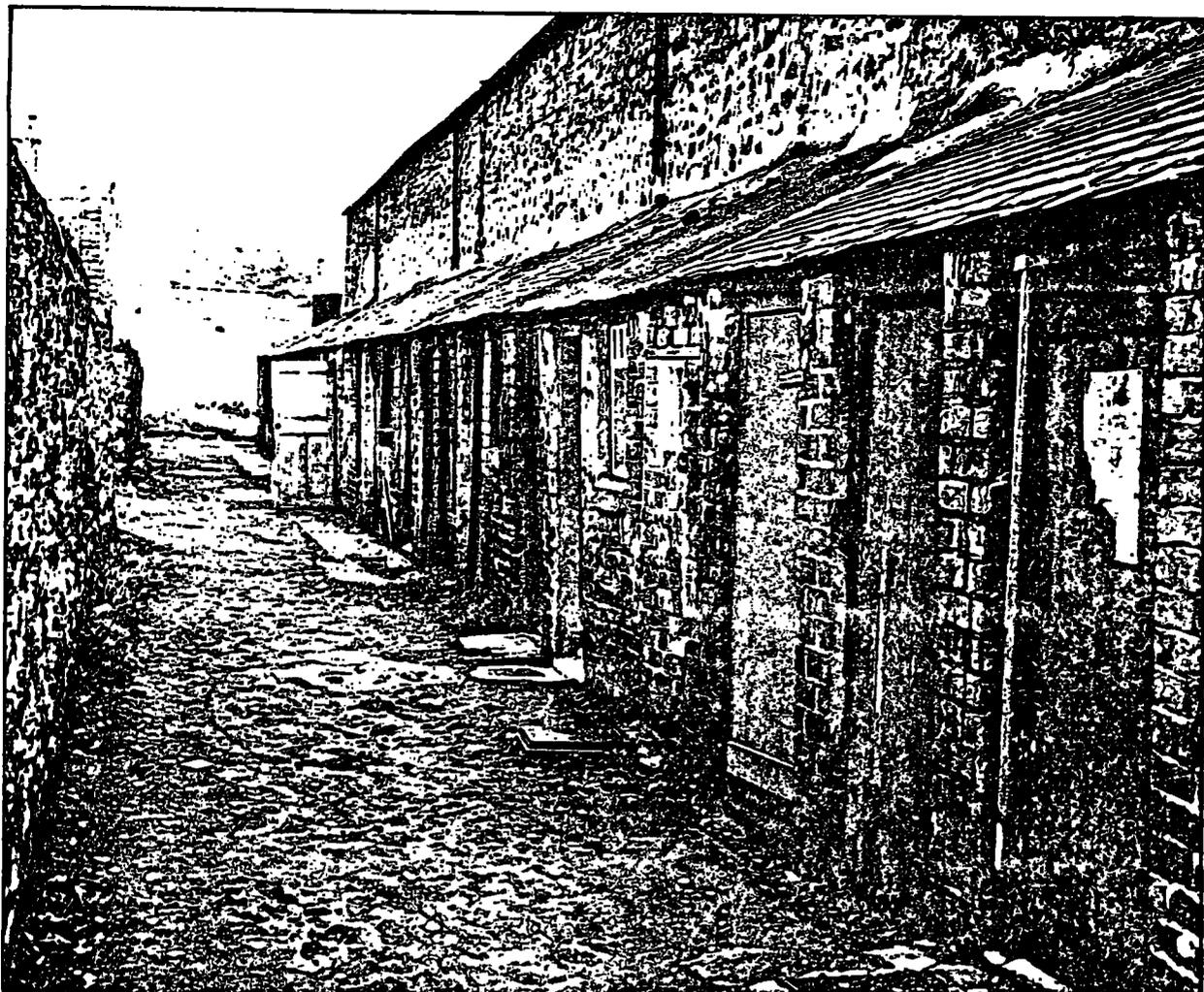
"a miserable area where sixty houses emerge from three low rows; common ashpits and earth closets make the dwelling almost unapproachable."

In the same vein, there were scores of houses in the Category A village of Coundon which required urgent attention. Typical of many were those of Back Church Street (Photographs 20 and 21) and Wharton Street (Photograph 22).

The linear settlement of Gurney Valley was a long row of one hundred and forty four properties built in the middle of the 19th Century for colliery workers. Photographs 23 and 24 show the grim construction of the miner's cottages which were demolished, finally, in 1966; Photographs 25 and 26 illustrate similar dwellings, albeit with dormer windows, still occupied in 1979.

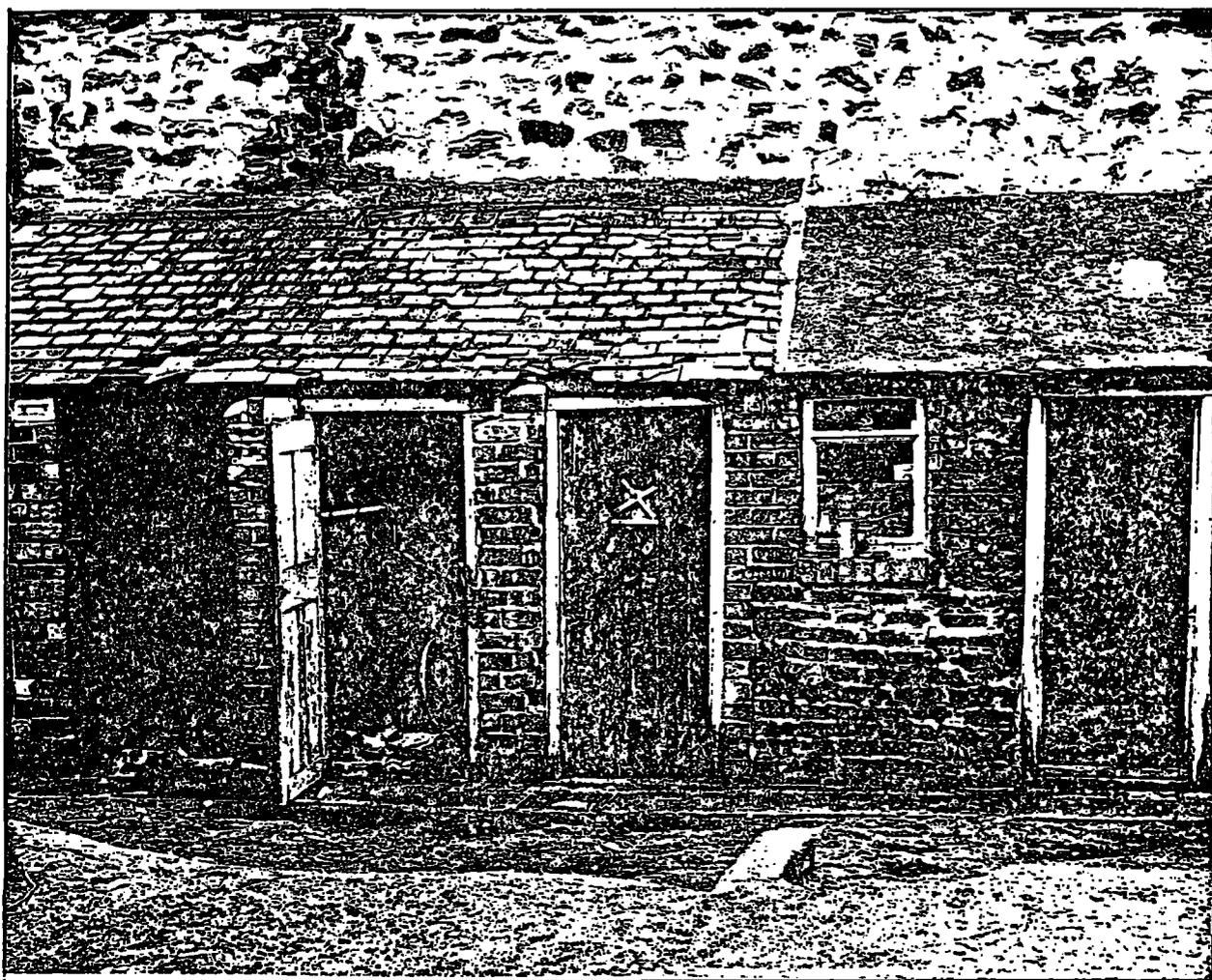
The two storey houses, further 'up the hill', and described by Temple as "superior dwellings" were in many ways inferior to the cottages. Photographs 27-29 taken late 1978 clearly show the flimsy construction of these 'lath and plaster' structures.

Paddy's Row, Eldon Lane was built early 1800's to house the railway navvies who built the Shildon Rail Tunnel, completed in 1842, (Photograph 30). Their demolition in 1956 was the rare exception of the worst being dealt with first - unlike the Bishop Auckland properties shown on Photographs 31 & 32 which were finally vacated twenty-two years later, having for that period being merely listed as sub-standard.

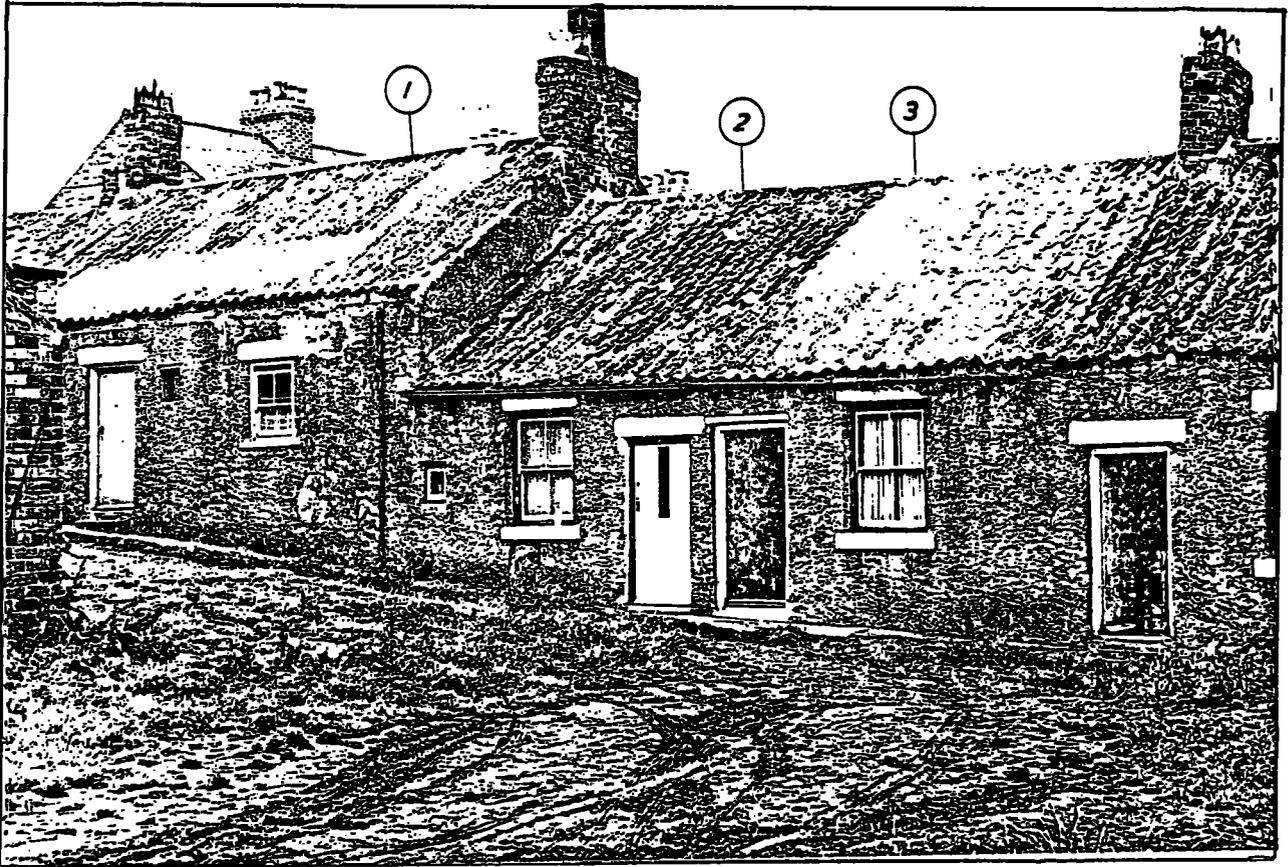


"THE SLUMS OF SOUTH CHURCH" - DEMOLISHED 1965.

PHOTOGRAPH: 18

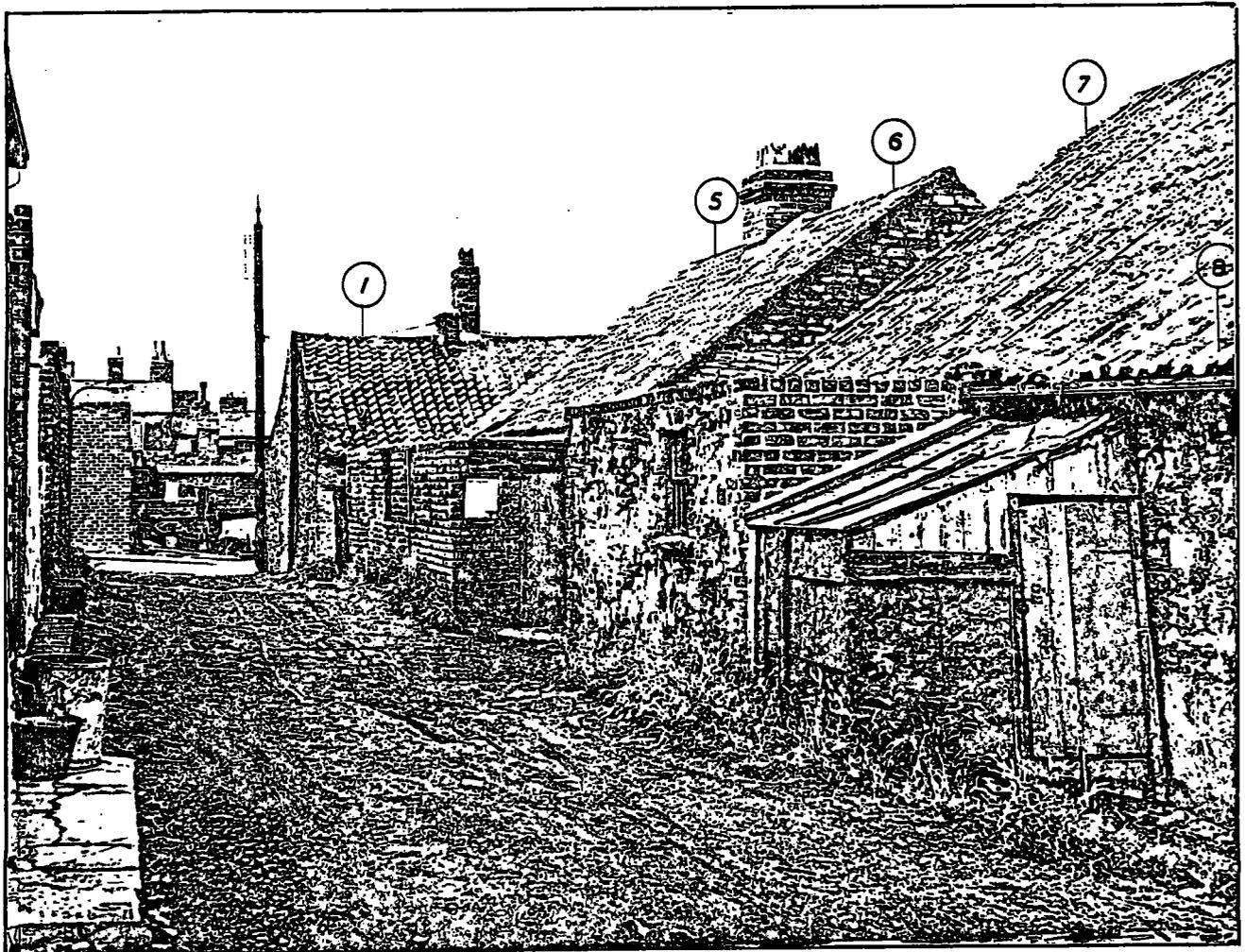


PHOTOGRAPH: 19

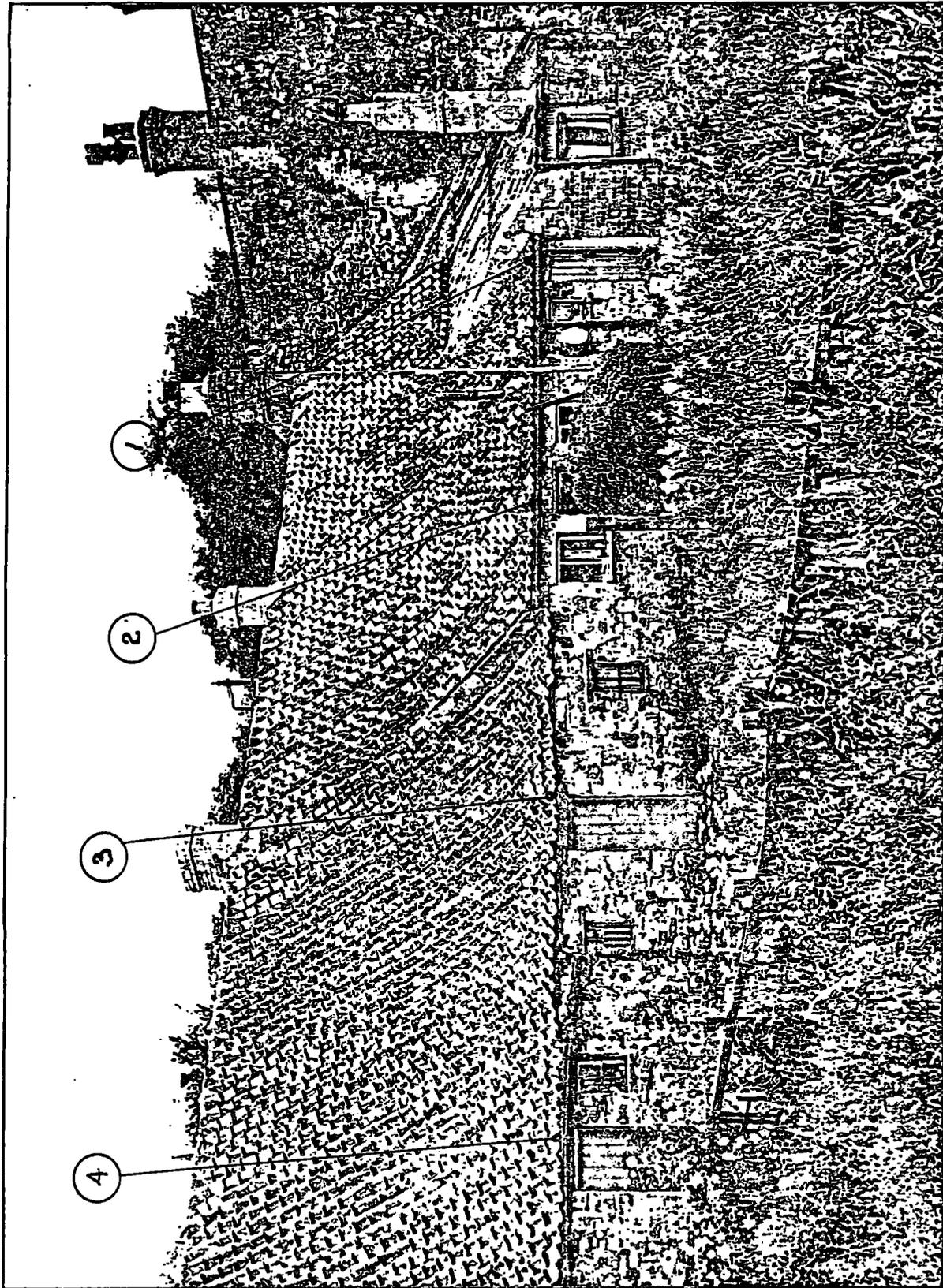


PHOTOGRAPH: 20

"THE SLUMS OF COUNDON:" DEMOLISHED 1961



PHOTOGRAPH: 21



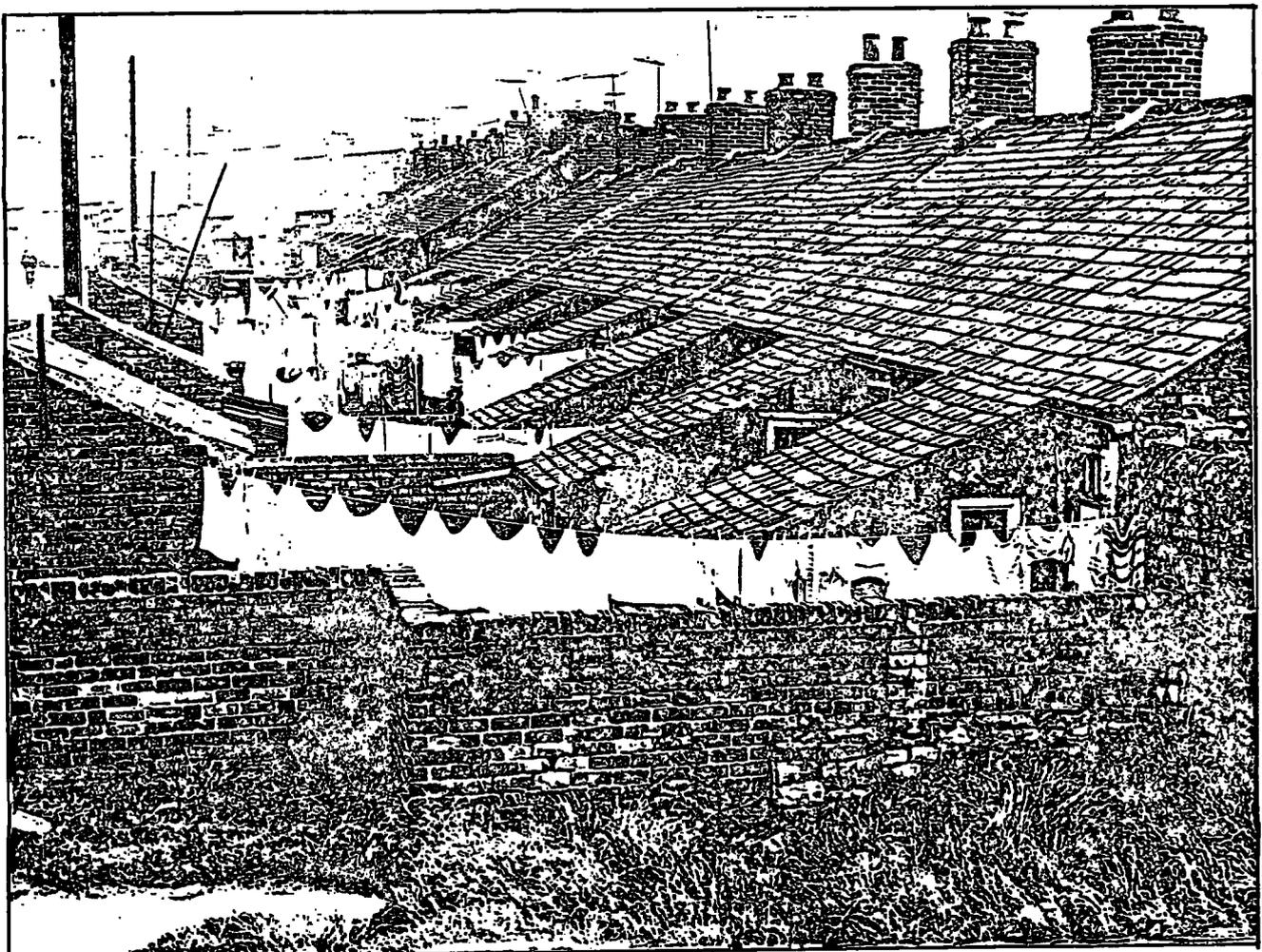
PHOTOGRAPH: 22

WHARTON STREET, COUNDON: DEMOLISHED 1968

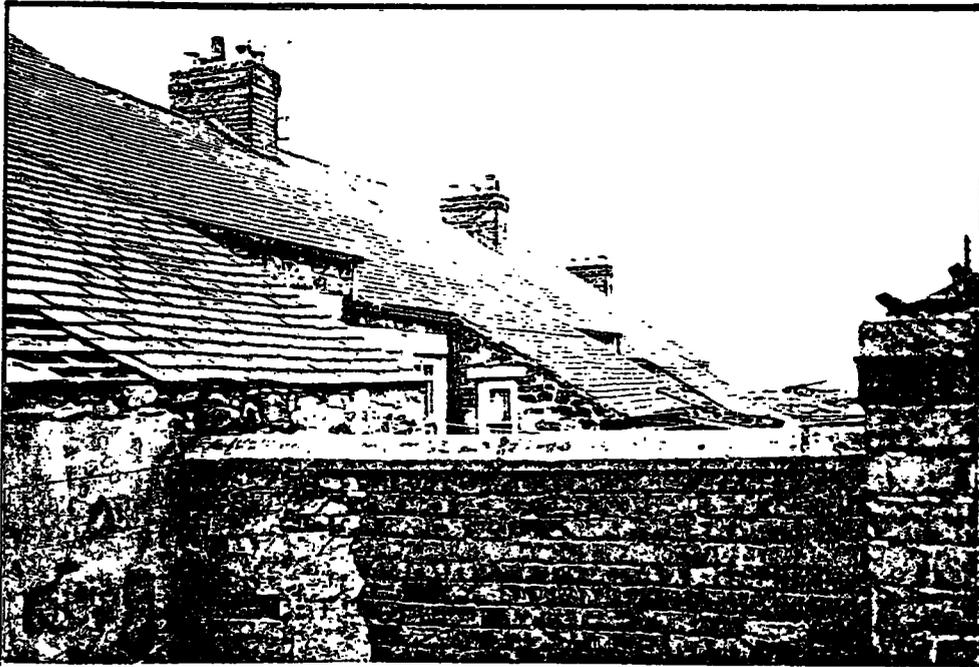


PHOTOGRAPH: 23

MINER'S COTTAGES, GURNEY VALLEY: DEMOLISHED 1966.

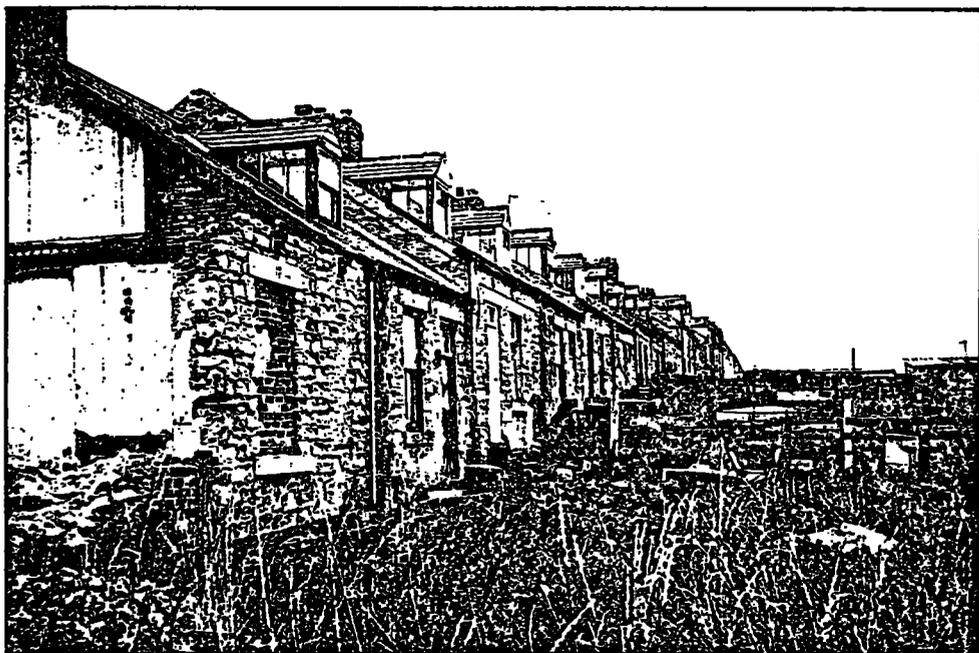


PHOTOGRAPH: 24



PHOTOGRAPH: 25

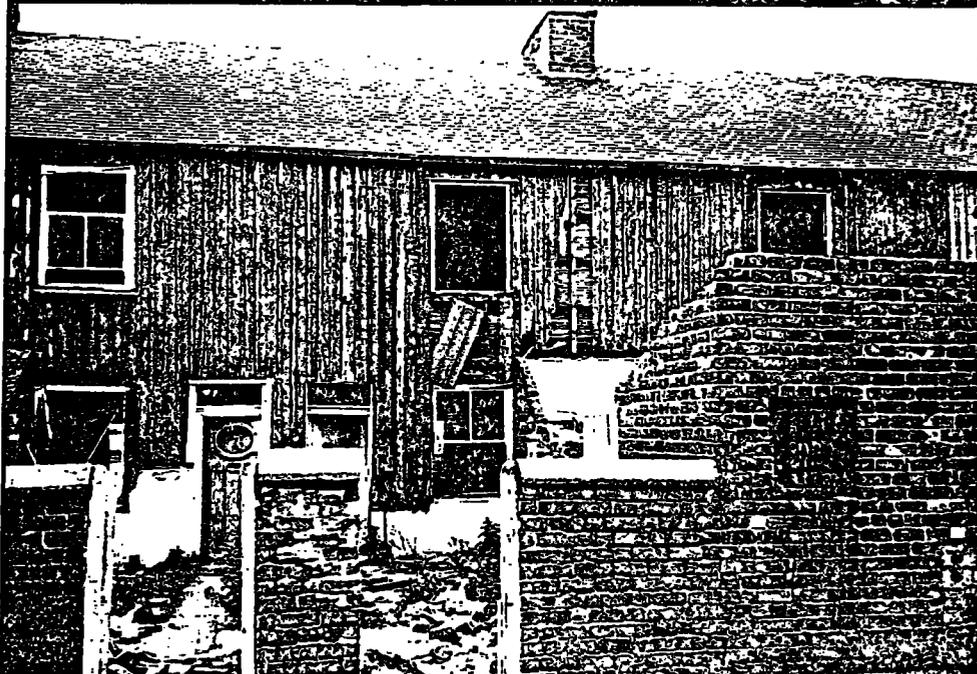
FORMER MINERS COTTAGES, GURNEY VALLEY.
OCCUPIED 1979.



PHOTOGRAPH: 26



PHOTOGRAPH: 27



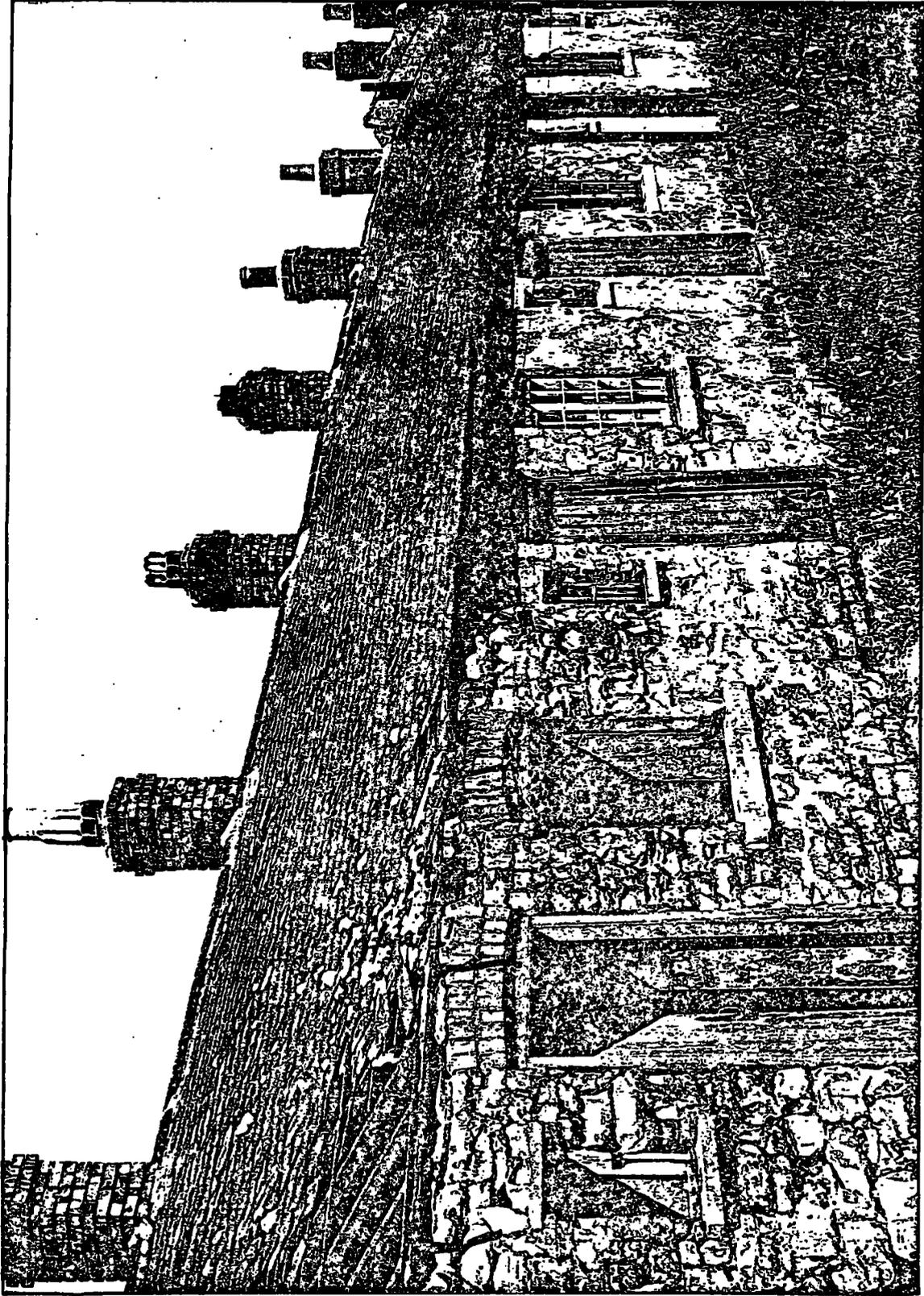
PHOTOGRAPH: 28



PHOTOGRAPH: 29

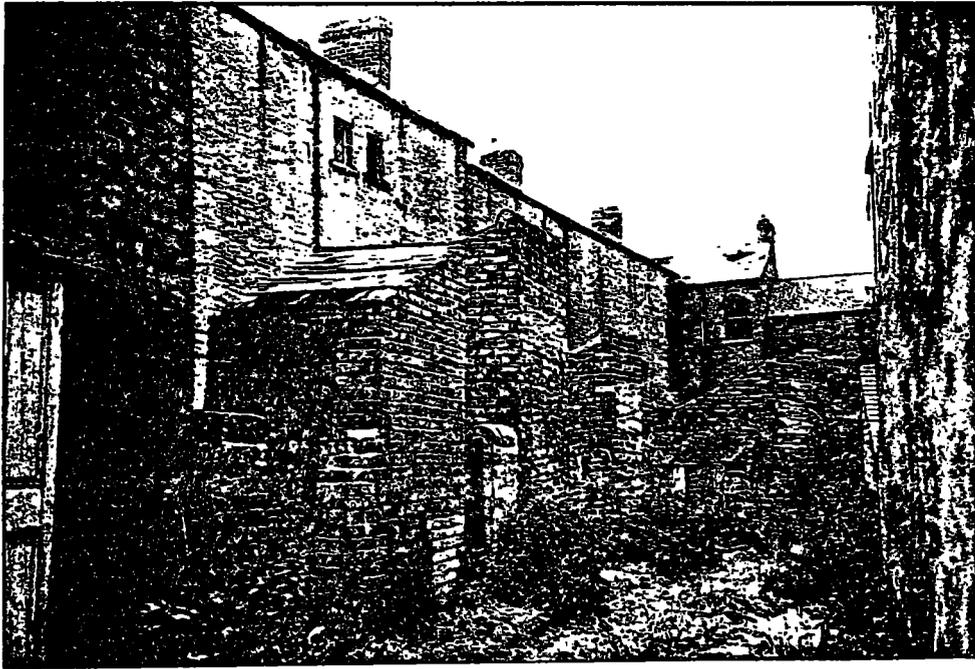
THE "LATH AND PLASTER" HOUSES OF GURNEY VALLEY, 1979

SOME OCCUPIED IN 1979, BUT SUBJECT TO OPERATIVE
DEMOLITION ORDERS.



PHOTOGRAPH: 30

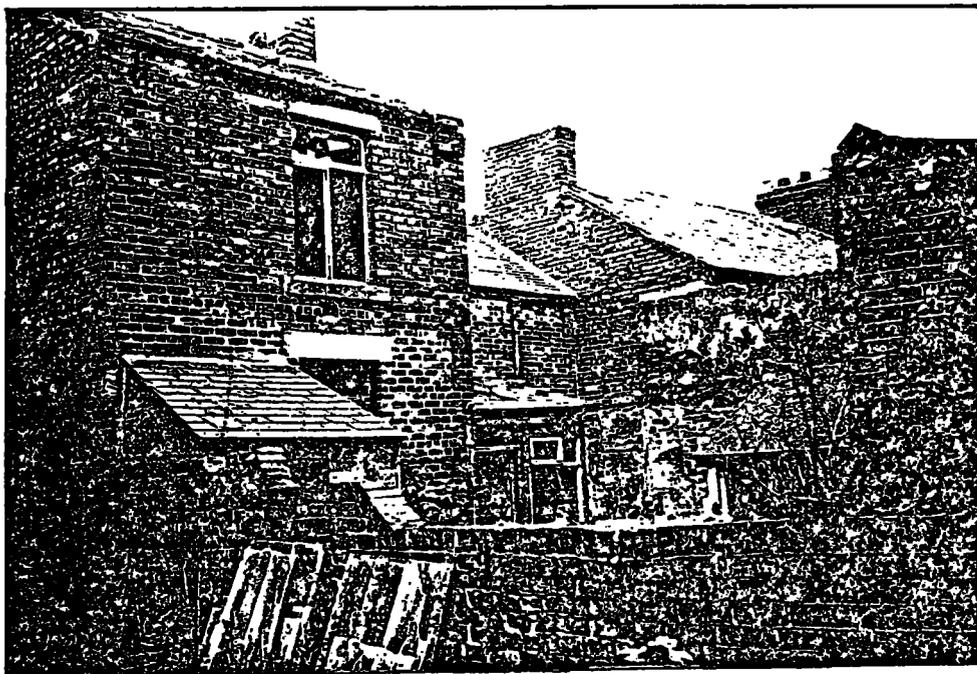
"PADDY'S ROW", ELDON LANE
BUILT C. 1840; DENOLISHED 1956



PHOTOGRAPH: 31

BISHOP AUCKLAND 'SLUMS' 1978

WEST BRIDGE STREET AND
NEWTON CAP BANK.
DEMOLISHED, 1979.

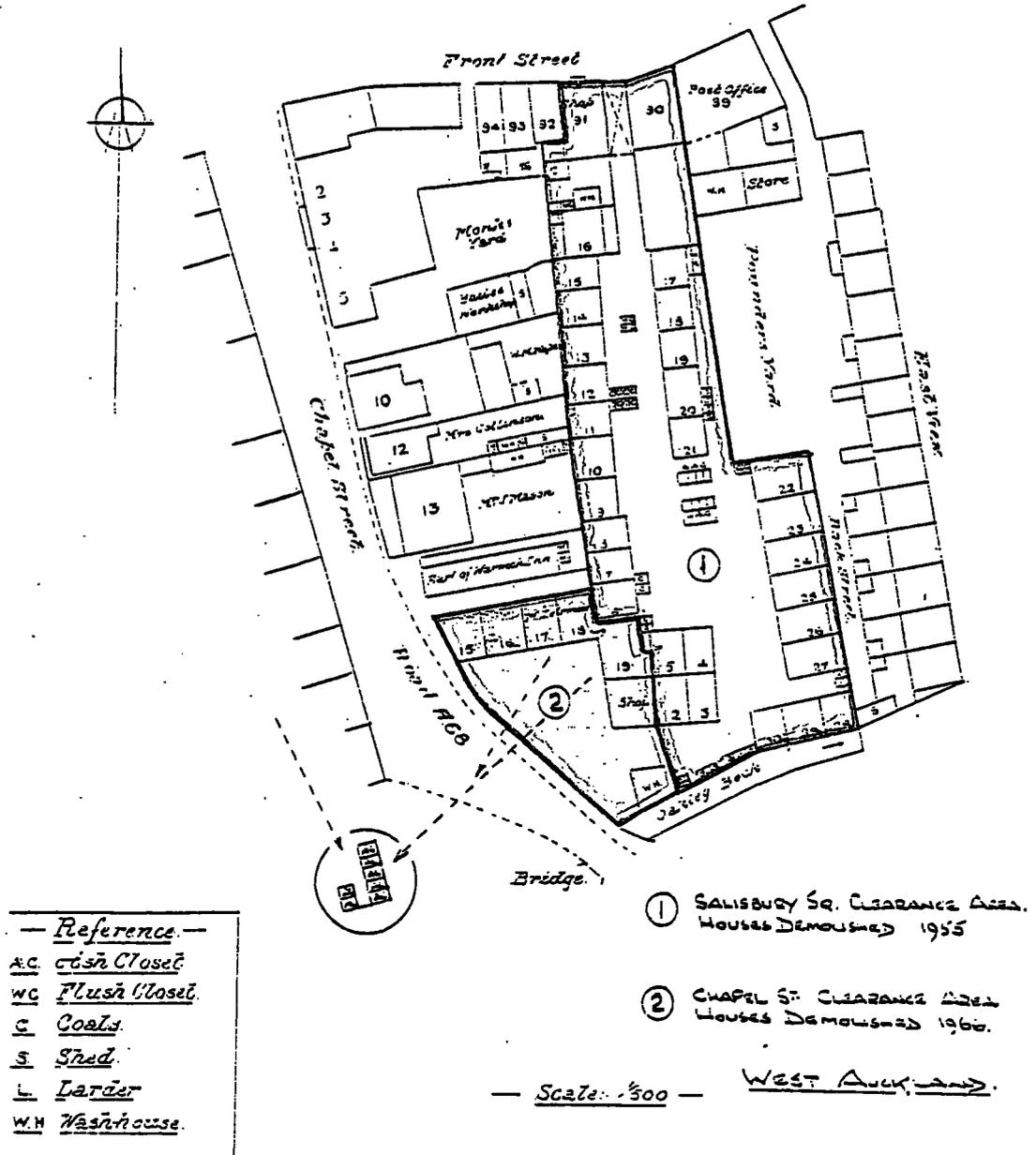


PHOTOGRAPH: 32

In the Bishop Auckland Council Chamber, on several occasions, it was argued that quite apart from the decay, disrepair, sanitary defects and lack of amenities, the majority of houses in Witton Park had ashclosets. In 1953 the Council's Medical Officer of Health reported "this is a situation not to be tolerated as they are a serious threat, not only to public health in general but also, to the villagers" (24). Merely noted at the same Health Committee meeting, for future conversion to water carriage, were 4,345 ashclosets and 176 Ashpit privies (Middens) sited throughout the Urban District.

Prime examples of the latter were at South Church, where each privy was formed by three banks of ashclosets enclosing a communal pit into which went human and domestic wastes from scores of dwellings. Every week the Council's Refuse Collectors, who upto 1944 were termed 'night soil men' or 'scavengers', had to climb into those pits and shovel into bath tins the collected wastes. The last of those abominations remained until 1967, and apart from a few at isolated places, the use of ashclosets discontinued in 1973 (25).

What could be more wretched and squalid than enduring the exquisite and excruciating agony of a long walk, or run, especially in wintry conditions, to an outside ashcloset only to find it occupied by a neighbour in equal distress. At West Auckland the residents of one group of houses had, until 1966, to cross the busy A68 road for that privilege (See Diagram: 7).



In the 1963 Written Statement to the First Review of the County Development Plan (26) the County Planning Officer referred, for the first time, to the unmade roads in Witton Park as though they were unique, and yet another example of its overall dereliction. No reference to that kind of environmental deficiency appeared in any document relating to other settlements irrespective of their category. In 1976, however, there remained, within the boundary of the old Bishop Auckland Urban District Council, 248 unsurfaced front and back streets, examples of which are illustrated by Photographs: 33, 34 and 35.



PHOTOGRAPH: 33

UNMADE STREETS AT MAUDE TERRACE, ST. HELEN AUCKLAND (ABOVE), AND
TINDALE CRESCENT, BISHOP AUCKLAND (BELOW). 1978.



PHOTOGRAPH: 34



PHOTOGRAPH: 35

Twenty six unmade roads were in the Eldon Lane/Coundon Grange area; and in the designated growth areas of West Auckland, Coundon, South Church and Bishop Auckland the numbers were 20, 39, 22 and 52 respectively (27). Indeed one of the major contributory factors to the lack of General Improvement Area progress and the prime reason why several were subsequently revoked, was the high unmade roads content, for which the cost of re-surfacing was estimated, in those Areas alone, to be in excess of £650,000 (28).

In my view, poor though it was, the village of Witton Park was never the squalid slum area that romantics and bigots sought so successfully to project.

Personal experience, from 1952, recalls a village with severe environmental problems. The majority of front and back streets were unsurfaced; allotments neglected, overgrown and bounded by broken fencing. The village centre, the 'low' and 'high' streets, was a grid iron pattern of parallel rows. Apart from constructional differences a high proportion of the dwellings were of a two up and two down type, with small rear projections which were the sculleries or pantries. Most were brick built although there were a few terraces of random rubble stone. In the yards, were coalhouses and earth closets, and almost invariably a galvanised tin bath hung from a nail in the back wall. None of the 'low street' houses had electricity, and all were dependent on the fragile gas mantles for artificial lighting. The front room, or parlour, of each house remained, almost without exception, the 'best' room for use only on special occasions - when relatives or friends came 'to tea', or as a silent haven for a coffin to be viewed by mourners. The back living room was the ombinus one for living, cooking, eating, washing and bathing. Hot water came from the set-pot, which was an integral part of an often magnificent gleaming black leaded cast iron

fireplace or range; and in houses usually occupied by the elderly there were on each hearth a brass handled poker, rake and coal tongs, all enclosed by a big iron and brass ornate fender. Completing the equipment was a fearsome looking metal 'blazer', which when in use rested on side bricks and against a giant sooker stone forming the throat of the chimney flue.

Most of the houses did not have a damp proof course and showed signs of rising dampness; were in disrepair, and lacked basic amenities. Nevertheless, despite those defects of construction and neglect, many were managed by house proud occupiers to whom their houses were homes. Not unlike other urban groupings, (and even modern housing estates) there were the really neglected properties; problem families living in bed bug and flea-ridden dwellings which always defied repeated disinfestation processes by the local Health Department. Identified in the Marienthal Study as being in a 'state of hopelessness', the houses were occupied by uncaring adults who always seemed to have hordes of snotty nosed, unwashed, half-dressed children running around, with bare backsides apparently symbolising an attitude to life.

That short description, with minimal variations and weighting for different factors equally applied to other settlements in the Urban District.

Witton Park was certainly no worse, in a physical, constructional, and environmental sense than anywhere else, be it Category A, B, C, or D.

In my view it was substantially better than many, and some support comes from Temple's somewhat controversial 1940 Thesis (29):

"Escomb is by far the most distressed of the old established villages - both in housing conditions and in the state of its community".

"Coundon Grange is decidedly the most derelict village in this valley and the district would benefit by its removal".

"South Church has been smothered by some of the ugliest features of industrial growth ever to be found anywhere".

According to Temple South Church had, until 1926, a reputation of drunkenness and rowdiness, and was a place unsafe to walk through alone at night!

And

"actually the houses in Witton Park are not in bad condition, but the crowded arrangement, unmade streets, and blackened appearance resulting from close proximity to an Iron Works, gives an exaggerated impression of squalid dreariness".

Those statements by Temple are not authoritative in the sense that they were based on professional experience, but were mere observations which indicate conditions forty years ago.

The extent to which the Bishop Auckland political, 'professional' and administrative hierarchy held the distorted image of slums and Witton Park, sub-consciously or intentionally, is not easy to determine, because their views were relative to personal attitudes and prejudices, and based primarily upon an unwarranted reputation. For me, knowledge of Witton Park began on the first day of my appointment, 1 August 1952, when informed that I was to have "an immediate conducted tour of the notorious Jam Jar City". As private sector housing was to be one of my main responsibilities it was "important to see the worst first". Those were the sentiments of two Chief Officers whose views during the following six years, until retirement, never altered. They were also the views of the majority of Councillors for many years.

Not unlike that first day tour, opinions and views, often forcibly expressed and translated into housing action, were superficial and based on the criteria of physical assessment, prejudice and parochialism. There was never an overall assessment balancing the needs of one group against another, nor weighing expectations against losses. Political considerations were controlled by the inner group of the majority party whose members represented most of the potential growth areas. Ex-Councillor Jim Mudd resigned from the Labour Party in 1954, together with the other two Witton Park Members because they refused to be tied to group decisions which merely paid lip service to the wishes of the villagers (30). Even within the party they felt politically isolated because of the prejudice shown (31). That was the beginning, albeit a small one, of resistance not only to the Category 'D' issue, but also the hard face of biased opposition.

Thirty years ago, in the majority of settlements and neighbourhoods in the Bishop Auckland District, the norm was poor quality housing, unmade streets, ashclosets and privies, and other environmental deficiencies. Not surprising after years of Depression followed by six years of War.

Undue emphasis on conditions at Witton Park, often coupled with references to 'hawkers and jam jars' did nothing but caricaturise the village as a whole, and consequently the people suffered accordingly.

How true Simon was when he wrote (32):

"A slum is what one believes to be a slum; opinion will vary according to place".

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APPENDIX TO CHAPTER 3STATEMENTS OF PRINCIPAL GROUNDS OF UNFITNESS

Section 41, Housing Act 1936 required, and the Housing Act, 1957, Third Schedule requires a local authority to send to each owner (objecting against a Clearance or Compulsory Purchase Order) a list of Principal Grounds on which the houses were judged to be unfit. Those statements formed the basis of the Council's case at Public Local Inquiries

<u>Reference No.</u>	<u>Property</u>	<u>Public Inquiry</u>
1	2 Johnson Terrace, West Auckland	15 August 1967
2	8 Darlington Road, West Auckland	15 August 1967
3	23 Darlington Road, West Auckland	15 August 1967
4	78 Garden Street, Witton Park	19 June 1962
5	83 Woodside, Witton Park	4 May 1965
6	93 Woodside, Witton Park	4 May 1965
7	67 Low Thompson Street, Witton Park	14 August 1956
8	15 Low Thompson Street, Witton Park	14 August 1956
9	5 Low Thompson Street, Witton Park	14 August 1956
10	2 George Street, Bishop Auckland	27 March 1968
11	5 Post Office Square, West Auckland	18 August 1970

Name of
Local
Authority }

URBAN DISTRICT COUNCIL OF BISHOP AUCKLAND

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

HOUSING ACT, 1957.

Bishop Auckland (West Auckland Nos. 12, 13, 14, 15 & 16
Clearance Areas) Compulsory Purchase Order, 1967

~~Whereas~~ you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the Twenty-Second day of February, 1967.

The Council hereby notify you, as required by the* Third Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) P23 [in which you are interested as owner/~~occupier/lessee~~] is/~~are~~ unfit for human habitation.

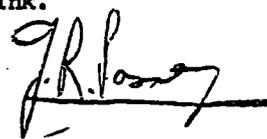
STATEMENT OF PRINCIPAL GROUNDS (see note overleaf) in respect of No. 2 Johnson Terrace, West Auckland

- (a) REPAIR - general disrepair including patches of perished plasterwork; defective ceilings; woodwork to windows rotted and windows unopenable; brickwork to main chimney stack bulged; ash-closet and coalhouse dilapidated.
- (c) DAMPNESS - living room external wall affected by rising dampness to a visible height of three feet; pantry walls affected by rising dampness; walls to both bedrooms severely affected by penetrating dampness; passage wall affected by rising dampness to a visible height of five feet.
- (d) NATURAL LIGHTING - none to staircase.
- (e) VENTILATION - no through ventilation.
- (f) WATER SUPPLY - inconvenient stand pipe in pantry under stairs.
- (g) DRAINAGE & SANITARY CONVENIENCE - one gully approximately twenty yards from kitchen door; insanitary ash-closet.
- (h) FACILITIES FOR STORAGE OF FOOD AND DISPOSAL OF WASTE WATER - no suitable facilities for storage of food; no suitable facilities for disposal of waste water - there being no internal sink.

Dated Twenty-Eighth day of July, 1967.

Address
Old Bank Chambers,
Market Place,
BISHOP AUCKLAND.

(Signed)


Clerk of the Council.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 4(1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 4(1) provides as follows:—

In determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of }
Local } URBAN DISTRICT COUNCIL OF BISHOP AUCKLAND
Authority }

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

HOUSING ACT, 1957.

Bishop Auckland (West Auckland Nos. 12, 13, 14, 15 & 16
Clearance Areas) Compulsory Purchase Order, 19 67

~~Whereas~~ you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the Twenty-Second day of February 1967.

The Council hereby notify you, as required by the* Third Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) P46 [in which you are interested as owner/occupier/lessee] is/are unfit for human habitation.

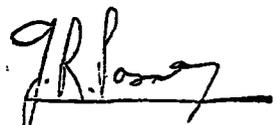
STATEMENT OF PRINCIPAL GROUNDS (see note overleaf) in respect of No. 8 Darlington Road, West Auckland.

- (a) REPAIR - General disrepair including perished wallplaster, bedroom ceilings perished, cracked and bulged; woodwork to small bedroom window and frames rotted; coalhouse - door and frames rotted; brickwork open-jointed, no fall pipe or eavesgutter; pointing to pan tiles perished; shared ash-closet - all internal wallplaster perished; seat broken; door and frames severely rotted; no fall pipe or eavesgutter.
- (c) DAMPNESS - Living room - front wall affected by rising dampness from floor to ceiling; pantry - walls affected by rising dampness; Bedrooms - front walls affected by penetrating dampness.
- (d) NATURAL LIGHTING - Poor; none to staircase.
- (e) VENTILATION - No through ventilation.
- (f) WATER SUPPLY - Inconvenient stand pipe in pantry.
- (g) DRAINAGE & SANITARY CONVENIENCE - No access to mains drainage system; inadequate provision for drainage of roof water; shared ash-closet in dilapidated condition.
- (h) FACILITIES FOR STORAGE OF FOOD & DISPOSAL OF WASTE WATER - no suitable facilities for food storage; no suitable facilities for the disposal of waste water - there being no internal sink.

~~Dated~~ Twenty-Fourth day of July, 1967.

Address
Old Bank Chambers,
Market Place,
BISHOP AUCKLAND.

(Signed)


Clerk of the Council.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)-(h), mentioned in section 4(1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 4(1) provides as follows:—

In determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;

(e) ventilation;

(f) water supply;

(g) drainage and sanitary conveniences; and

(h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of }
Local } URBAN DISTRICT COUNCIL OF BISHOP AUCKLAND
Authority }

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

a,
t,

HOUSING ACT, 1957.

Bishop Auckland (West Auckland Nos. 12, 13, 14, 15 & 16
Clearance Areas) Compulsory Purchase Order, 1967

~~Whereas~~ you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the Twenty-Second day of February, 1967.

The Council hereby notify you, as required by the* Third Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) P58 [in which you are interested as owner/~~occupier/lessee~~] is/~~are~~ unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf) in respect of No. 23, Darlington Road, West Auckland

- (a) REPAIR - general disrepair including perished and fractured plaster-work; section of pantry ceiling collapsed; bedroom ceiling fractured and rainstained; woodwork to windows and frames rotted; small bedroom floorboards rotted and holed; brickwork to main chimney stack bulged; yard wall collapsed; ash-closet all wall plaster loose and fractured; pan tiles loose; brickwork open-jointed; no fall pipe or eavesgutter; staircase ceiling severely fractured and bagged.
- (b) STABILITY - roof timbers and ridge sagging.
- (c) DAMPNESS - living room back wall severely affected by rising dampness floor to ceiling; flagged floor sunk and uneven; pantry - all walls affected by rising dampness; ceiling wet; back walls to both bedrooms affected by penetrating dampness.
- (e) VENTILATION - no through ventilation.
- (f) WATER SUPPLY - inconvenient stand pipe behind door,
- (g) DRAINAGE & SANITARY CONVENIENCE - no access to main drainage system; inadequate provision for drainage of roof water; dilapidated insanitary ash-closet.
- (h) FACILITIES FOR STORAGE OF FOOD & DISPOSAL OF WASTE-WATER - no suitable facilities for food storage; no suitable facilities for disposal of waste water - there being no internal sink.

Dated Twenty-Eighth day of July, 1967.

Address
Old Bank Chambers,
Market Place,
BISHOP AUCKLAND.

(Signed)


Clerk of the Council.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

NOTE

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 4 (1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 4 (1) provides as follows:—

In determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of Local Authority } Bishop Auckland Urban District Council

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To/a/e [redacted] ones, deceased, T
[redacted] ens:

HOUSING ACT, 1957.

**Bishop Auckland Garden Street
Witton Park Clearance Area Clearance Order, 1962**

Whereas you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the sixth day of March 1962 The Council hereby notify you, as required by the first Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) P. 17 [redacted] (s) which you are interested as owner/occupier/lessee is/are unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf)

- (a) Wallplaster perished, broken and missing; Ceiling plaster perished; Window woodwork perished; Fireplaces defective and dilapidated; Floor uneven; Chimney stack bulged; Roof very uneven; Stonework of walls perished and badly weathered; eavesgutter corroded and missing; rain water fall pipes missing or leaking; small concrete area at rear badly broken; door and frames perished; brickwork perished; pointing perished; floors weak; stair treads worn;
- (c) Descending dampness on virtually the whole of the back bedroom; inner wall;
Rising dampness evident on living room walls;
Rising dampness evident upto 3 ft. on walls to small recess;
Rising dampness visible upto 5 ft. on walls of area near to back door;
- (d) Living room lighting below a reasonable standard;
No natural lighting to rear recess;
- (g) No drainage except via yard gully of No. 77;
Insanitary ashcloset shared with No. 77 and only three feet from door;
- (h) No suitable facilities for the storage of food;
No suitable facilities for the disposal of waste water - standpipe tap near to back door - no sink;

Dated Twenty ninth day of May, 1962.
Address Old Bank Chambers, (Signed) 
Market Place, Clerk of the Council.
Bishop Auckland.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

Name of Local Authority

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

HOUSING ACT, 1957.

NOTE: If you have not withdrawn objection which you submitted to the Council in writing, you are deemed to have done so. This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)-(h), mentioned in section 4 (1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s). The said section 4(1) provides as follows: "The Order under the Act, 1957, of the principal grounds on which they are satisfied that a house is unfit for human habitation, in determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
 - (b) stability;
 - (c) freedom from damp;
 - (d) natural lighting;
 - (e) ventilation;
 - (f) water supply;
 - (g) drainage and sanitary conveniences; and
 - (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;
- and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

STATEMENT OF PRINCIPAL GROUNDS

Chief of the Council

Name of
Local
Authority

URBAN DISTRICT COUNCIL OF BISHOP AUCKLAND.

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

HOUSING ACT, 1957.

Bishop Auckland (Woodside, Witton Park Nos. 2, 3, 4, 5 & 6, Clearance Areas)
Clearance Order, 1965

Whereas you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the ~~Twenty-second~~ day of January, 1965. The Council hereby notify you, as required by the ~~Third~~ Fifth Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) P.47 [in which you are interested as owner/occupier/~~lessee~~] is/~~are~~ unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf)

In Respect of 83, Woodside, Witton Park, Bishop Auckland.

- (a) REPAIR - general disrepair including rotted windows and frames, kitchen window unopenable; living room floor made up of slabs, uneven in places; both bedroom ceilings bulged; brickwork to main chimney; stack severely bulged; rear rain water fall pipe missing, water discharging down wall; rear door rotted at base; shared ash closet; internal wall plaster loose and falling; door and frames rotted.
- (b) STABILITY - rear roof timbers sagging.
- (c) DAMPNESS - no evidence of a damp proof course; ground floor rooms affected by rising dampness, including larder.
- (d) NATURAL LIGHTING - inadequate in kitchen and small bedroom.
- (e) WATER SUPPLY - inconvenient mains supply by stand pipe situated in pantry.
- (g) DRAINAGE AND SANITARY CONVENIENCE - no access to mains drainage to sewer; water from rear main roof discharges down wall, due to absence of rain water fall pipe; insanitary ashcloset shared with occupants of 84, Woodside (P48)
- (h) FOOD FACILITIES - no suitable facilities for storage of food; no suitable facilities for the disposal of waste water - no internal sink.

Dated Fifth day of April, 1965.

Address

Old Bank Chambers,
Market Place,
Bishop Auckland.

(Signed)

Clerk of the Council.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 4 (1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 4 (1) provides as follows:—

In determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of }
Local } URBAN DISTRICT COUNCIL OF BISHOP AUCKLAND.
Authority }

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

HOUSING ACT, 1957.

Bishop Auckland (Woodside, Witten Park Nos. 2, 3, 4, 5 & 6, Clearance Areas)
Clearance... Order, 1965

Whereas you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the Twenty-Second day of January, 1965.

The Council hereby notify you, as required by the* Fifth Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) P.57 [in which you are interested as owner/~~occupier/lessee~~], is/~~are~~ unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf) In Respect of 93, Woodside, Witten Park, Bishop Auckland.

- (a) REPAIR - general disrepair including windows and frames of ground floor rooms rotted; windows will not open and cords broken; old type black range; firebars broken; oven defective; kitchen ceiling joists affected by woodworm; larder wall bulged and fractured; floors in both bedrooms rotted in places; ceilings pitted and flaking; brickwork to main chimney stack openjointed and bulged; external stonework severely pitted and pointing perished and wall fractured above rear doorway; both external doors old and rotted; ash closet in derelict condition; roof holed; pantiles loose; seat rotted; door and frames rotted; rear stonework collapsed.
- (b) STABILITY - roof timbers sagging at rear.
- (c) DAMPNESS - no evidence of a damp proof course; ground floor living room affected by rising dampness to a height of 3 ft; kitchen walls rising dampness to a visible height of 5 ft; external wall to larder also affected; both bedrooms affected by penetrating dampness.
- (d) NATURAL LIGHTING - inadequate in kitchen and rear bedroom.
- (e) WATER SUPPLY - inconvenient mains supply by standpipe behind front door.
- (g) DRAINAGE AND SANITARY CONVENIENCE - no access to mains drainage to sewer; roof water discharges onto ground via rain water fall pipe; insanitary ash closet at rear shared with occupants of 92, Woodside & 94, Woodside (P56 and P58)
- (h) FOOD FACILITIES - no suitable facilities for storage of food; all waste water to be carried to outside shared gully - there being no internal sink.
- Dated Fifth day of April, 1965.

Address
Old Bank Chambers,
Market Place,
Bishop Auckland.

(Signed)

Clerk of the Council.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 4 (1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 4 (1) provides as follows:—

In determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of
Local
Authority } BISHOP AUCKLAND URBAN DISTRICT COUNCIL

Notice under Sect. 41 of the Housing Act, 1936, of the principal grounds on which the
Local Authority rely for being satisfied that property is unfit for human habitation.

To:

HOUSING ACT, 1936.

Low Thompson Street (No. 2) Clearance Order, 19 56

Whereas you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the **First** day of **May** 1956.

The Council hereby notify you, as required by Section 41 (1) of the Housing Act, 1936, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) **12**

[in which you are interested as owner/~~occupier/lessee~~] is/~~are~~ unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf)

- | | |
|--|--|
| (a) Repair | Rising dampness; defective wallplaster; damp floor; defective eaves gutters; absence of rainwater fallpipe; defective paving; defective pointing of walls. |
| (c) Freedom from damp | Rising dampness; damp floor. |
| (d) Natural lighting | Below normal standard in all rooms. |
| (g) Drainage and sanitary conveniences | Ashcloset in defective condition. |

Dated The Tenth day of July 1956.

Address

Town Hall,
Bishop Auckland.

(Signed)

R. W. BLYTHE.

Clerk of the Council.

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 9 (1) of the Housing Repairs and Rents Act, 1954, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 9 (1) provides as follows:—

In determining for any of the purposes of the principal Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of
Local
Authority

BISHOP AUCKLAND URBAN DISTRICT COUNCIL

Notice under Sect. 41 of the Housing Act, 1936, of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To: _____,
_____ Street,

HOUSING ACT, 1936.

Low Thompson Street (No. 1) Clearance Order, 19 56

~~Whereas~~ you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the First day of May 19 56

The Council hereby notify you, as required by Section 41 (1) of the Housing Act, 1936, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) 12 [in which you are interested as owner/occupier/lessee] is/~~are~~ unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf)

- | | |
|---|---|
| (a) Repair | Defective plasterwork; defective eaves gutters; defective roofs; uneven floor; pointing of wall defective; bulging brickwork. |
| (g) Drainage and Sanitary conveniences. | Absence of sink |
| (d) Natural lighting. | Below normal standard in one room. |
| (h) Food storage | Absence of properly ventilated food store. |

Dated The Tenth day of July 1956.

Address
Town Hall,
Bishop Auckland.

(Signed)

R. W. BLYTHE.
Clerk of the Council.

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 9 (1) of the Housing Repairs and Rents Act, 1954, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 9 (1) provides as follows:—

In determining for any of the purposes of the principal Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of
Local
Authority }

BISHOP AUCKLAND URBAN DISTRICT COUNCIL

Notice under Sect. 41 of the Housing Act, 1936, of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

ey,
Street,

l.

HOUSING ACT, 1936.

Low Thompson Street. (No. 1) Clearance Order, 19 56

~~Whereas~~ you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the First day of May 19 56.

The Council hereby notify you, as required by Section 41 (1) of the Housing Act, 1936, of the principal grounds on which they are satisfied that the building(x) included in the Order under the reference number(x) 2 [in which you are interested as owner/occupier/lessor] is/are unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf)

- (a) Repair. Floor wallplates weak; window defective; plasterwork defective; absence of rainwater fallpipe; eaves gutter defective; untrapped sink wastepipe; defective paving.
- (d) Natural lighting. Below normal standard in both rooms.
- (e) Ventilation. No through ventilation on first floor.
- (g) Drainage and sanitary conveniences. Shared water closet.

~~Dated~~ The Tenth day of July 1956.

Address
Town Hall,
Bishop Auckland.

(Signed)

R. W. BLYTHE.

Clerk of the Council.

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 9 (1) of the Housing Repairs and Rents Act, 1954, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 9 (1) provides as follows:—

In determining for any of the purposes of the principal Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of
Local
Authority

URBAN DISTRICT COUNCIL OF BISHOP AUCKLAND.

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

Bishop Auckland.

HOUSING ACT, 1957.

Bishop Auckland (No. 18 Clearance Area)
Compulsory Purchase Order, 1967

Whereas you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the **Twenty-Third** day of **November**, 1967.

The Council hereby notify you, as required by the* **Third** Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) **P2.** [in which you are interested as owner/occupier/lessee] is/are unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf) In Respect of No. 2 George Street, Bishop Auckland.

- (a) **REPAIR** - cracked ceilings; areas of perished wallplaster; uneven and broken floors; perished woodwork; defective roofs; missing eavesgutters and rain water fall pipes; perished pointing; broken yard surface.
- (e) **DAMPNESS** - no evidence of a damp proof course; visible evidence of rising dampness in living room, staircase and pantry; penetrating dampness evident in both bedrooms; living room and pantry floors uneven and damp.
- (d) **NATURAL LIGHTING** - poor in living room; pantry; and staircase.
- (f) **WATER SUPPLY** - inconvenient supply by means of standpipe tap in yard - shared with six other families.
- (g) **DRAINAGE AND SANITARY CONVENIENCES** - water-closet in yard - in defective condition - not readily accessible - shared with four other families; inadequate provision for the drainage of roof water.
- (h) **FOOD FACILITIES AND DISPOSAL OF WASTE-WATER** - unsuitable facilities for the storage and preparation of food; unsatisfactory provision for disposal of waste-water - there being no internal sink.

Dated Twenty-Sixth day of February, 1968.

Address
Old Bark Chambers,
Market Place,
BISHOP AUCKLAND.

(Signed)

Clerk of the Council.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 4 (1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 4 (1) provides as follows:—

In determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Name of
Local
Authority

URBAN DISTRICT COUNCIL OF BISHOP AUCKLAND

Notice of the principal grounds on which the Local Authority rely for being satisfied that property is unfit for human habitation.

To:

No.

HOUSING ACT, 1957.

Bishop Auckland (West Auckland No. 22 Clearance Area) Compulsory Purchase Order 1970 Order, 19 70.

Whereas you have not withdrawn the objection which you submitted to the Minister of Housing and Local Government with respect to the above-mentioned Order made by the Council on the Third day of April 19 70.

The Council hereby notify you, as required by the* Third Schedule to the Housing Act, 1957, of the principal grounds on which they are satisfied that the building(s) included in the Order under the reference number(s) P.2 [in which you are interested as owner/~~tenant/lessee~~] is/~~are~~ unfit for human habitation.

STATEMENT OF PRINCIPAL GROUNDS (see note overleaf)

in respect of 5 Post Office Square, West Auckland.

- (a) REPAIR - General disrepair including sagged ceiling; perished wall-plaster; perished woodwork of windows and doors; loose and cracked rendering; cracked paving; poor condition of sanitary conveniences outbuilding.
- (a) DAMPNESS - Rising dampness affecting ground floor walls; visible in places up to four (4) feet.
Living room flagged floor - uneven and damp.
Penetrating dampness evident in bedrooms.
- (cc) INTERNAL ARRANGEMENT - Very steep ladder-type steps from living room landing direct into bedrooms.
No rear exit.
- (d) NATURAL LIGHTING - Insufficient in living room and on staircase.
- (e) VENTILATION - Not through on both ground and first floors.
- (f) WATER SUPPLY - By means of inconvenient stand pipe top situated near to living room window.

(continued overleaf)

Dated Twentieth day of July 1970.

Address Old Bank Chambers,
Market Place,
BISHOP AUCKLAND.

(Signed)

Clerk of the Council.

* In the case of a Clearance Order, insert "Fifth"; in the case of compulsory purchase of land under Part III of the Act, insert "Third".

- (g) DRAINAGE & SANITARY CONVENIENCE - Water closet compartment (use of which is shared) lacks adequate ventilation and artificial and natural lighting. It is not readily accessible being some forty (40) yards from front door. Inadequate means for drainage of water from roofs and paving.
- (h) FOOD FACILITIES - Food prepared in living room which is damp, lacks sufficient natural lighting and is very poorly ventilated. Inadequate provision for the disposal of waste water - there being no internal sink; wash water gully in rear yard approx. thirty-five (35) yards from front door.

NOTE.

This statement should specify in regard to each building the condition(s) in respect of any of the matters, (a)—(h), mentioned in section 4 (1) of the Housing Act, 1957, in which the building is so far defective that it is not, in the Council's opinion, reasonably suitable for occupation in such condition(s).

The said section 4 (1) provides as follows:—

In determining for any of the purposes of the Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say—

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural lighting;
- (e) ventilation;
- (f) water supply;
- (g) drainage and sanitary conveniences; and
- (h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

CHAPTER 4HOUSING ACTION IN THE BISHOP AUCKLAND AREAPRIVATE SECTOR: 1949-19791. REPAIR, CLOSURE and DEMOLITION

The position of housing, generally, immediately post-war was that as stated by Elsas (1) when he wrote:-

"To sum up, at the outbreak of the war there was still a large number of unfit houses to be replaced by new dwellings. The campaign for the abatement of overcrowding was not finished. There was a growing demand for small and inexpensive dwellings for aged couples, single persons, and newly married couples".

During the war years local authorities had suspended housing and public health activities in relation to the enforcement of repairs. Action was taken only in the most urgent cases, to abate serious nuisances, or repair dangerous structures, because of the extreme difficulty of obtaining labour and materials.

In the Urban District the provision of new housing in the inter-war years had been modest, with the building of only 832 houses (624 private and 208 Council) (2). In the same period only 80 houses had been demolished (3), although a further 159 were in, either confirmed or unconfirmed, clearance areas. In the written analysis to the Durham County Structure Plan for Bishop Auckland the County Planning Officer had estimated that 1,810 people were without separate homes, and 7,320 were living in sub-standard property which would be demolished by 1974 (4).

The housing situation in Bishop Auckland District was not only a question of quantity, but also to a greater degree that of quality.

Although, according to the County Planning Officer (5), there were approximately 2,310 sub-standard houses listed for ultimate demolition, progress in that area was virtually non-existent. But in the 1945-1950 period there had been built 499 houses (35 Private and 464 Council) (6) to rehouse families from the waiting lists. That effort was in line with advice given, in 1947, by the Minister of Housing and Local Government (7):

"Because of the needs to concentrate on the creation of new homes for families without a separate home of their own it will not be practicable to set in motion procedure for the demolition of unfit houses which would involve the provision of new houses for those displaced from those houses. Nor will it be practicable to require the execution of works to existing houses which would make substantial calls on the resources of labour and materials".

Housing action in the private sector was, until 1954, confined to serving informal and formal notices under the Statutory nuisances procedure of Section 93, Public Health Act, 1936. The extent of repair work carried out depended entirely upon the good will and social conscience of property owners and/or their Agents, and it was 1956 before the Council exercised their absolute duty in the Magistrates' Court, by applying for Abatement Orders, following default by landlords. (Table 14). The introduction of a more streamline and quicker procedure, by the 1961 Public Health Act, enabled the Council to execute work in default and recover costs, rather than seek a remedy through litigation. The Public Health Acts were used exclusively for property repairs; and powers requiring the repair of insanitary or unfit houses, by virtue of Section 9, Housing Acts 1936 and 1957, were never invoked. The first report, post war, of houses considered unfit for human habitation, and not capable of being rendered fit at a reasonable cost, was presented to the Council's

Health Committee in 1953 (8). On the recommendation of the Medical Officer of Health, who had prepared the Report, it was agreed "to take no action" in respect of three houses, but as regards seven properties the resolution was that:

"voluntary closure by the owners be accepted".

The practice of voluntary closure, a relic of earlier legislation (the 1919, Housing, Town Planning etc. Act) continued for some years, even though it was without reference to any operative Act of Parliament,

TABLE 14

STATUTORY ENFORCEMENT OF HOUSE REPAIRS

BISHOP AUCKLAND URBAN DISTRICT COUNCIL

1949-1973

PUBLIC HEALTH ACTS				
Year	Informal Notices Issued	Formal Notices Issued	Work in default by Council	Applications to Magistrates Court for Order
1949	487	38	-	-
1950	525	37	-	-
1951	449	49	-	-
1952	357	77	-	-
1953	222	71	-	-
1954	377	58	-	-
1955	362	60	-	-
1956	312	63	-	8
1957	240	42	-	6
1958	139	26	-	3
1959	175	133	-	2
1960	161	65	-	2
1961	127	64	-	1
1962	152	38	9	-
1963	133	65	7	-
1964	136	68	16	-
1965	74	36	14	-
1966	103	41	21	-
1967	130	30	16	-
1968	101	32	18	-
1969	102	37	23	-
1970	23	48	11	-
1971	21	22	11	-
1972	4	27	9	-
1973	10	31	10	-
Totals	4922	1258	165	23

Source: Annual Reports of Medical Officer of Health 1949-1972.
Environmental Health Department Records,
Wair Valley District Council.

and consequently lacked legal force. The success of that course of action again depended upon the good will of property owners who, on being 'relieved' of an obligation to repair unfit houses, were expected not to relet them when vacated because they were "deemed to be subject to closure".

Late in 1953 the Ministry of Housing and Local Government issued the White Paper "Houses: The Next Step" (9) which outlined, in broad terms, the national housing problem, and dealt specifically with slum clearance, improvement and repair. It stated that Her Majesty's Government had prepared, for the consideration and guidance of local authorities, a "Better Houses Campaign" which was a comprehensive plan of maintenance, improvement and demolition. As regards unfit houses the White Paper was quite emphatic (10):

".... it is an essential part of the Government's plan that local authorities should take up again the great campaign of slum clearance. They will be urged to start forthwith it must now begin in real earnest".

The White Paper was considered, in detail and at great length, by the Council in 1954 (11) when it was decided that the Medical Officer of Health should prepare a five years slum clearance programme, to contain approximately five hundred unfit houses which would be represented for clearance area action by 1960. There was no recommendation in respect of improving property, even though, at that time, the Medical Officer of Health was responsible to the Council for the operation of the improvement grant function.

In the Report, which indicated a total problem of 2,290 unfit houses, the Medical Officer of Health stated (12);

"In formulating my first five years programme of approximately 550 houses I have endeavoured:

- i) to deal with some of the worst houses;
- ii) to give a fair distribution throughout each Ward in the area; and

iii) to keep so far as possible to defined slum clearance sites capable of redevelopment after clearance".

The proposals contained 548 houses within eleven electoral wards, and embodied forty four streets or groups of houses. Witton Park's 'fair share' was 103 houses. Not one of those forty four sites was subsequently redeveloped, and the majority remain as untidy scars, mainly due to a policy of securing the clearance of areas by making Clearance Orders, and not Compulsory Purchase Orders.

In the same month (13) the Council made the first post-war Closing Order, even though the procedure was suspect. Instead of the Committee first considering the Medical Officer of Health's Official Representation, and then formally inviting the owner to a future meeting, as required by Section 11 of the 1936 Housing Act, the Clerk of the Council simply reported that the owner had been invited to that meeting, but as he was not present a Housing Act Order should be made.

Thus the statutory requirement that the Council must first be satisfied not only that the house was unfit for human habitation and occupied by members of the Working Classes, but also not capable of being made fit at a reasonable cost, was not observed, legally putting the Order at risk. The procedure adopted was that contained in repealed Statutes, such as the 1909 Housing, Town Planning etc. Act, and the 1925 Housing Act, and which related to Closing Orders. The invitation to a "Time and Place" meeting had been a statutory obligation on a local authority since 1909 only in respect to the making of Demolition Orders. By 1930 however the obligation had been extended to include Closing Orders. Nevertheless, the overall procedure was never challenged, and continued until 1959, when fifteen Official Representations of individually unfit houses were properly considered (14).

Shortly after "Houses: The Next Step" the Government issued a Slum Clearance Circular (15) exhorting, as a matter of urgency, that all local authorities should forthwith resume the full exercise of their powers under Parts 2 and 3 of the 1936 Housing Act, which related to provisions for securing the repair and maintenance of houses, clearance and redevelopment. In 1955, as required by Section 1, Housing Repairs and Rents Act 1954, the Council formally submitted (16) their clearance programme to the Minister of Housing and Local Government. The Act provided a more comprehensive means of determining the unfitness of a house (17), and replaced the imperfections of the Housing Act 1936. The new standard, currently contained in an amended Section 4 of the 1957 Housing Act, set the future pattern, because it was so drafted that a decision as to unfitness could be based upon either a major defect in one of the items listed or, an accumulation of smaller defects in two or more of them. The decision as to unfitness thus became even more subjective than the requirements of the 1936 Act, where disrepair and sanitary defects were measured against byelaws in operation, and the degree of unfitness related to any shortfall. The Circular explaining details of the 1954 Act (18) amended slum clearance procedures, and gave guidance on a simplified process designed to accelerate progress. That was quickly followed by Circular 75/54 (10) which dealt with Clearance Areas, Clearance Orders, Compulsory Purchase Orders, and Orders made pre-war but awaiting a decision, and urged all authorities to:

"proceed as quickly as possible with the more urgent slum areas".

The decision that all Clearance Areas would proceed by the making of Clearance Orders, and not Compulsory Purchase Orders, was made in 1955 (20), and re-affirmed in subsequent years until the policy was changed in 1965.

During 1956, a Councillor for Witton Park was successful, on his third attempt (21) in persuading the Health Committee to:

"consider the possibility of redeveloping existing village life upto potential requirements".

The Medical Officer of Health, and Surveyor, were requested to confer, and consider for recommendation the designation of villages for redevelopment. Whether the two Chief Officers conferred is a question for conjecture; if they did their lack of report is a matter of fact.

A Ministry of Housing and Local Government Report "Moving from the Slums" (22) was published in 1956. It dealt in detail with the social problems of upheaval following slum clearance action, and indicated ways of alleviating stress. One suggestion was the payment of removal and other incidental expenses which could be authorised by the 1936 Housing Act (23). Although that Report was never placed before the Council for consideration, a Witton Park Member requested (24) that the Council consider payment of removal expenses to families re-located as a consequence of slum clearance. The decision was "to take no action".

In the same year a further Circular was issued (25) which aimed at simplifying clearance procedure with a view to reducing delay and enabling Orders to be dealt with more expeditiously.

Table 15 illustrates the progress of the first five years programme, and the location of unfit houses in clearance areas, for comparison.

In 1961 the Council was required (26) to review the housing situation and submit a further five years programme. That they did (27), and it contained proposals for dealing with a further 782 houses, and

TABLE 15

SLUM CLEARANCE: 1949-1960

BISHOP AUCKLAND U.D.

DISTRICT	Houses in Clearance Areas			% of Total
	Pre-War	1949-1960	Total	
Witton Park	51	102	153	24.2%
Bishop Auckland	27	137	164	26.0%
Coundon	10	61	71	11.2%
West Auckland	37	36	73	11.5%
St. Helen Auckland	7	4	11	1.7%
Coundon Grange	-	6	6	0.9%
Escomb	-	17	17	2.7%
Leasingthorne	-	5	5	0.7%
South Church	3	14	17	2.7%
Newfield	-	79	79	12.5%
Eldon Lane	24	10	34	5.4%
Totals	159	471	630	100%

Source: Wear Valley District Council
Environmental Health Department.

indicated that the total problem, then, was approximately 2,000 unfit properties.

Although 782 houses were listed for demolition in the second five years programme, 990 were subsequently included in Clearance Areas (Table 16). Of those 342 (34.5%) were at Witton Park; 56 (5.6%) at Escomb, and 30 (0.3%) in Eldon Lane/Coundon Grange.

Escomb, in 1957, had been reprieved from Category 'D' and re-classified B, as a village where re-development was allowed, and six years later almost all the houses in the village, 56 unfit and 14 not unfit, were included in a Compulsory Purchase Order. Subsequently the village was completely re-developed around its centre piece, seventh Century

NUMBER AND LOCATION OF
HOUSES IN CLEARANCE AREAS - BISHOP AUCKLAND URBAN DISTRICT

1949 - 1979

DISTRICT	PRE-WAR	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	TOTALS
Wilton Park	51	63	-	-	-	39	-	68	-	64	210	-	-	-	-	-	-	16	-	-	-	-	-	-	-	509
Bishop Auckland	27	45	-	63	-	25	4	7	51	5	-	23	-	28	-	5	-	71	16	-	-	55	-	111	-	423
Counton	10	20	28	13	-	-	-	-	-	106	-	-	70	-	142	24	13	-	-	-	-	-	-	-	-	426
West Auckland	37	2	-	27	-	7	-	-	-	72	-	-	103	-	-	46	-	-	7	-	-	-	-	-	-	301
St. Helen Auckland	7	-	-	4	-	-	-	-	-	66	-	-	15	-	-	-	-	-	-	-	-	-	-	-	-	92
Counton Grange	-	-	-	6	-	-	-	-	-	-	20	-	-	-	-	-	-	59	-	-	-	-	-	-	-	85
Escomb	-	-	-	5	-	12	-	-	-	56	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	73
Leasingthorne	-	-	-	5	-	-	-	-	-	-	-	-	-	48	-	-	-	25	-	-	-	-	-	-	-	78
South Church	3	-	-	-	-	16	-	7	123	-	-	-	-	-	-	37	-	-	-	-	-	-	-	-	-	184
Newfield	-	-	-	-	-	-	79	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	79
Eldon Lane	24	-	-	-	-	-	-	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	11	-	-	36
Westerton	-	-	-	-	-	-	-	-	8	-	-	-	15	-	-	-	-	-	-	-	-	-	-	-	-	23
Gurney Valley	-	-	-	-	-	-	-	-	41	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	41
New Counton	-	-	-	-	-	-	-	-	10	-	-	-	-	-	-	-	25	-	-	-	-	-	-	-	-	35
Etherley Bone	-	-	-	-	-	-	-	-	-	-	43	-	-	-	-	-	-	-	17	-	-	-	-	-	-	60
Gannoy Hill	-	-	-	-	-	-	-	-	-	-	-	-	-	21	-	-	-	-	-	-	-	-	-	-	-	21
Counton Gate	-	-	-	-	-	-	-	-	-	-	-	-	-	19	-	-	-	-	-	-	-	-	-	-	-	39
Auckland Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	96	-	-	6	-	-	-	-	-	102
TOTALS	159	130	28	123	-	58	122	17	185	428	127	233	203	136	142	112	136	169	38	6	-	55	-	-	-	2605

* 1976 - Compulsory Purchase Order containing 37 unfit houses. Housing Act 1974 Order - not Clearance Area procedure.
 ** 1976 - Compulsory Purchase Order containing 29 unfit houses. Part 5, Housing Act 1957 Order - not Clearance Area procedure.
 *** 1977 - Compulsory Purchase Order containing 52 unfit houses. Part 5, Housing Act 1957 Order - not Clearance Area procedure.

Source: West Valley District Council
 Environmental Health Department.

Saxon Church. Obviously in planning circles Escomb was a 'genuine' village, which according to the 1951 Development Plan would not be destroyed. If equated with antiquity the genuineness could be accepted, because the origin of Escomb lies in the Saxon name "Eda", which with "combe" (a sheltered dwelling place) led to the mediaeval Ediscombe, now Escomb. The village is mentioned in the "Historia de St. Cuthberta", and the Bolden Book. But as a village it really did not exist until the early part of the 19th Century with the opening of nearby coal mines. Table 5, in Chapter 3, illustrates the growth rate of Escomb and Witton Park. The inhabitants were chiefly miners employed at Stobart's George Pit, which had an output of 700 tons per day. In 1858 the Wesleyan Chapel was built for £420, to seat 250; 1868 a Primitive Methodist Chapel was constructed for £230, to seat 200. Stobart and Co. built a Day School to accommodate 219 pupils. According to the Durham Directory of 1894 there was, in the village, in addition to the Saxon Church and two Chapels, an Anglican Church, five public houses, two butcher's shops and two general dealer's shops. With the closing of the Ironworks at Witton Park, and local collieries, the village declined, and was accurately described by Nikolaus Pevsner as:

"a church in the desperately sordid surroundings
of its village".

The unfit houses were demolished, and the village rebuilt, but Escomb was, and is, starved of those communications which are the life blood of a community. The swinging pedestrian suspension bridge across the River Wear was lost during a storm in 1950; there is no rail link; there is no bus service. The cul-de-sac village of Escomb, only one mile from Witton Park, has as its entry and exit a steep bank, half a mile long.

In 1965 the County Planning Officer became alarmed because Bishop Auckland Council was considering only the unfit houses at Witton Park, which would ultimately leave islands of fit dwellings and business premises. He wrote (28):

"it would appear that your policy would place in jeopardy the successful implementation of total demolition and reclamation at Witton Park - which is the only way of creating an immediate improvement in the environment".

The Clerk of Bishop Auckland Council replied (29) that, even though the policy of making Clearance Orders precluded the inclusion of fit properties, Part 43 of the 1957 Housing Act did not confer powers of acquisition of dwellings not unfit, and other buildings, unless the sites were to be redeveloped, and that was contrary to the County Settlement policy. The argument was confirmed by the Ministry of Housing and Local Government (30), who indicated that powers of acquisition were available to the County Council under Section 6 of the Durham County Council Act 1963. Those powers were never invoked, nor the land reclaimed.

Table 17 shows that, by 1965, 495 houses in Witton Park had been included in Clearance Areas, which represented 30.75% of the total processed post-war, twice the level of any other District. In 1965, the number of unfit houses for inclusion in clearance areas was given as 2,159 (31) even though 1451 had been dealt with since 1955 when the total problem was then reported to be 2,290. After considering recommendations, in respect of clearance proposals for 1966-1973, by their Chief Public Health Inspector (32), the Council agreed (33):

SLUM CLEARANCE: 1949-1965

BISHOP AUCKLAND U.D.

DISTRICT	Houses in Clearance Areas			% of Total
	Pre-War	1949-1965	Total	
Witton Park.	51	444	495	30.75%
Bishop Auckland	27	223	250	15.53%
Coundon	10	167	177	10.99%
West Auckland	37	108	145	9.01%
St. Helen Auckland	7	70	77	4.78%
Coundon Grange	-	26	26	1.61%
Escomb	-	73	73	4.53%
Leasingthorne	-	5	5	0.31%
South Church	3	144	147	9.13%
Newfield	-	79	79	4.91%
Eldon Lane	24	10	34	2.12%
Westerton	-	8	8	0.49%
Gurney Valley	-	41	41	2.55%
New Coundon	-	10	10	0.62%
Etherley Dene	-	43	43	2.67%
Totals.	159	1451	1610	100%

Source: Wear Valley District Council
Environmental Health Department.

- to a flexible two yearly phasing of clearance areas in order to meet changing circumstances;
- to clear houses from areas capable of redevelopment, and not in the hitherto piecemeal manner;
- to proceed, in future, by making Compulsory Purchase Orders, and Clearance Orders.

The third formal programme contained more than 1,500 houses, including 113 at Eldon Lane/Coundon Grange, and 12 at Binchester.

The concentration of activity was to be in areas which would be redeveloped, for instance at West Auckland and Coundon.

Tables 16 and 18 indicate the extent of slum clearance, and the location of the unfit houses processed. By the end of that eight years 'flexible' programme a further 940 houses had been represented for clearance area action.

Apart from two small areas in 1975, slum clearance as a housing activity virtually ended in 1973, after which time unfit houses were mainly dealt with on an individual basis, that is via Closing and Demolition Orders or Statutory Undertakings. The footnotes to Table 16 explain that 118 unfit houses were included in Compulsory Purchase Orders made, either under Part 5, Housing Act 1957, or Part 4, Housing Act 1974. That was to avoid the difficulty of trying to prove that houses represented for clearance areas were irredeemably unfit.

SLUM CLEARANCE: 1949-1979

Table: 18

BISHOP AUCKLAND U.D.

DISTRICT	Houses in Clearance Areas			% of Total
	Pre-War	1949-1979	Total	
Witton Park	51	458	509	19.54%
Bishop Auckland	27	396	423	16.24%
Coundon	10	416	426	16.35%
West Auckland	37	264	301	11.55%
St. Helen Auckland	7	85	92	3.53%
Coundon Grange	-	85	85	3.26%
Escomb	-	73	73	2.81%
Leasingthorne	-	78	78	2.99%
South Church	3	181	184	7.06%
Newfield	-	79	79	3.03%
Eldon Lane	24	10	34	1.31%
Westerton	-	23	23	0.88%
Gurney Valley	-	41	41	1.57%
New Coundon	-	35	35	1.34%
Etherley Dene	-	60	60	2.31%
Canney Hill	-	21	21	0.82%
Coundon Gate	-	39	39	1.49%
Auckland Park	-	102	102	3.92%
Totals	159	2446	2605	100%

Source: Gear Valley District Council
Environmental Health Department.

REPRESENTATION OF UNFIT HOUSESBISHOP AUCKLAND URBAN DISTRICT: 1949-1979

YEAR	NUMBER OF CLEARANCE AREAS	NO. OF HOUSES IN CLEARANCE AREAS	DEMOLITION & CLOSING ORDERS	TOTAL HOUSES
Pre-war (Suspended until 1954)	12	159	1	160
1955	6	130	-	130
1956	3	28	1	29
1957	18	123	1	124
1958	-	-	3	3
1959	7	58	15	73
1960	10	122	4	126
1961	3	17	1	18
1962	9	185	18	203
1963	16	428	13	441
1964	7	127	20	147
1965	18	233	10	243
1966	9	203	18	221
1967	9	136	30	166
1968	2	142	25	167
1969	14	112	20	132
1970	6	134	31	165
1971	12	169	17	186
1972	3	38	21	59
1973	1	6	10	16
1974	-	-	21	21
1975	2	55	25	80
1976	-	-	28	28
1977	-	-	13	13
1978	-	-	67	69
TOTALS	167	2605	413	3081

Source: Wear Valley District Council
Environmental Health Department

From the above Table will be seen that the one hundred and sixty seven Clearance Areas contained two thousand six hundred and five houses, of which one hundred and fifty nine were in twelve Areas declared pre-war, and action deferred for at least ten years. The majority of the houses were processed from 1955 upon the re-commencement of slum clearance activity. Demolition and Closing Orders were made in respect of four hundred and thirteen individual houses represented as being unfit, and not capable of been rendered fit at a reasonable cost. Most of the Demolition Orders made in 1978 were at Gurney Valley. (Photographs: 27, 28 and 29 refer)

Table: 20 details clearance activity at Witton Park during the same period upto 1979. By 1965, just ten years after the re-start of slum clearance, 92.9% of the 'total problem' had been dealt with: namely four hundred and ninety five houses were included in declared clearance areas, and six represented as individually unfit.

As a consequence of that somewhat intense housing action the centre of the village was devastated, as shown in a four stage sequence on

Diagram: 8.

TABLE: 20

REPRESENTATION OF UNFIT HOUSES

WITTON PARK

YEAR	NUMBER OF CLEARANCE AREAS	NO. OF HOUSES IN CLEARANCE AREAS	DENOLITION ORDERS	CLOSING ORDERS	TOTAL HOUSES
PRE-WAR (SUSPENDED UNTIL 1954)	3	51	-	-	51
1955	1	63	-	-	63
1956	-	-	-	-	-
1957	-	-	-	-	-
1958	-	-	-	-	-
1959	-	-	1	-	1
1960	3	39	-	-	39
1961	-	-	-	-	-
1962	1	68	-	-	68
1963	-	-	-	-	-
1964	5	64	-	-	64
1965	10	210	5	-	215
1966	-	-	-	2	2
1967	-	-	-	-	-
1968	-	-	-	-	-
1969	-	-	2	-	2
1970	-	-	-	2	2
1971	1	14	-	2	16
1972	-	-	-	3	3
1973	-	-	-	-	-
1974	-	-	-	3	3
1975	-	-	1	1	2
1976	-	-	-	3	3
1977	-	-	3	-	3
1978	-	-	-	-	-
TOTALS	24	509	12	16	537

TABLE: 21

REPRESENTATION OF UNFIT HOUSES				
1949 - 1979				
District	Houses in Clearance Areas	Individual Orders	Total	% of Urban District Total
Escomb.	73	2	75	2.5%
Binchester	-	-		
Eldon Lane - Coundon Grange	119	39	158	5.2%
Witton Park	509	28	537	17.8%

Source: Wear Valley District Council
Environmental Health Department

Slum Clearance at Witton Park is compared (Table: 21) with the level of housing action in that respect, at Escomb, Binchester, and Eldon Lane/Coundon Grange.

At the re-developed village of Escomb, the seventy five houses were merely 2.5% of the Urban District total. Although most of the Binchester houses had been listed for demolition since 1951, and included sixteen back-to-back dwellings, they were subsequently removed from the list after improvement.

Because of lack of maintenance, and lost confidence, the houses at Eldon Lane/Coundon Grange deteriorated at an ever increasing rate, and by 1968 more than three hundred were listed for 'future action'. The majority of the dwellings represented individually or in clearance areas were at Coundon Grange, where some infill development has taken place. There was, for a number of years, a reluctance by Bishop Auckland Council to deal with the sub-standard properties which lacked amenities and were subject to disrepair, dampness and other inherent defects. The reason was to retain as long as possible the existing population, not merely to avoid the disruptive effects of a dispersed community, but more important to provide a pool of tenants to occupy the new development proposed by the Council following agreement by Durham County Council to re-classify the settlement. Witton Park's 'fair share' of slum clearance action is reflected in the 17.8% level of the Urban District total.

Similarly, Table: 22, has been included for comparative purposes, but on a much broader scale.

Witton Park is related to all the Category 'D' villages and Settlements, in respect of slum clearance, which does not include Demolition or Closing Orders made.

The Table is intended to illustrate Witton Park's 'league position' in relation to the other areas, and show that almost half (46.02%) of the houses in declared clearance areas were in that village; and that 42.46% of all the houses in the Urban District so dealt with were in the Category 'D' settlements.

TABLE: 22

SLUM CLEARANCE: 1949-1979

BISHOP AUCKLAND U.D.

CATEGORY 'D' SETTLEMENTS

DISTRICT	Houses in Clearance Areas			% of Total
	Pre-War	1949-1979	Total	
• Witton Park	51	458	509	46.02%
• Binchester	-	-	-	-
• Eldon Lane	24	10	34	3.07%
• Coundon Grange	-	85	85	7.69%
• Leasingthorne	-	78	78	7.05%
• Newfield	-	79	79	7.14%
• Westerton	-	23	23	2.08%
Gurney Valley	-	41	41	3.72%
New Coundon	-	35	35	3.16%
Etherley Dene	-	60	60	5.43%
Coundon Gate	-	39	39	3.53%
Auckland Park	-	102	102	9.22%
Canney Hill	-	21	21	1.80%
Etherley Grange	-	-	-	-
Etherley Moor	-	-	-	-
• Middlestone	-	-	-	-
• Toronto	-	-	-	-
Totals	75	1031	1106	100%

*These are the Category 'D' villages - the remainder merely groups (or small settlements) of houses.

The 1106 houses represent 42.46% of the 2605 total processed via Clearance Areas.

Source: Wear Valley District Council
Environmental Health Department.

2. HOUSE AND AREA IMPROVEMENTS

In addition to pressing local authorities to "take up again the great campaign of slum clearance", the 1953 Government White Paper, "Houses - The Next Step" outlined the benefits of house improvement.

Since 1949 (34) grant aid for house improvement had been available at the discretion of a local authority.

The White Paper emphasised (35):

"Properly known and used, these grants under the Act of 1949 can be of immense help in the preservation of the national stock of sound houses, and in adapting them to modern needs. Two things are necessary: first, that house owners know of these grants and how to obtain them: second, that local authorities do their utmost to help applicants and potential applicants for grants in forming acceptable proposals".

That was re-inforced in the Housing Management Sub-Committee's Report (36):

"In our opinion the time is right for publicising the grants for improvements, and every local authority should consider in what way the facilities under the 1949 Act can most beneficially be used in relation to property in their area".

Grants available under the 1949 Housing Act were a minimum of £50 and maximum of £300, and paid following completion of works, subject to a number of conditions imposed for twenty years, including full repayment plus compound interest for any breach. Only twenty two applications for improvement grants were considered in the three years following the introduction of the 1949 Act, and of those fifteen were approved for grant aid totalling £2265 (37). In April 1952 the Council decided not to approve any more grant applications during the financial year (38), and that decision was repeated annually until 1961.

The reasons advanced for the nine years improvement grant famine were twofold. First, that only owner occupiers of better class

houses were applying, and that was not only a waste of public money but contrary to the intention of the system; second, that it was necessary to concentrate staff resources on slum clearance and house construction, and not waste time, effort and finance on rehabilitating obsolete properties. The paucity of applicants, prior to the 'non approval' decision, was hardly surprising, because the few applications received were considered almost surreptitiously within a closed Sub-Committee, and there was never any attempt to publicise the benefits of improvements or the availability of grant aid. The 1954 Housing Repairs and Rents Act eased some of the 1949 Act restrictions, and local authorities could approve grant for properties with a future 'life' of 15, and not 30, years. Subsequent Ministry Circulars (39) had no effect on the Council's attitude, nor had two invitations (which were declined) (40) to send representatives to inspect improved exhibition houses in London and Middlesbrough. However, in 1959, the House Purchase and Housing Act, apart from making discretionary grants more attractive to owners, for example by reducing the grant conditions period from twenty to ten years, required local authorities to approve Standard Grants, provided that upon completion a house had all the basic amenities, was in all respects fit for human habitation, and would remain in that condition for at least fifteen years. The new Grant system was considered by the Council who determined (41) that each application would be scrutinised by a Sub-Committee of Six Members, advised by the Clerk, and Surveyor whose Department would henceforth deal with that aspect of housing. The ban on Discretionary grants remained.

The Minister of Housing Local Government, in 1962, requested local authorities to consider how they could accelerate progress in respect of house improvement, and required them to inform him of action

IMPROVEMENT GRANT APPROVALS
IN THE
BISHOP AUCKLAND AREA: 1949-1979

YEAR	NUMBER OF DISCRETIONARY GRANT APPROVALS	NUMBER OF STANDARD GRANT APPROVALS	TOTAL APPROVALS
1949	-	-	-
1950	6	-	6
1951	8	-	8
1952	3	-	3
1953	-	-	-
1954	-	-	-
1955	-	-	-
1956	-	-	-
1957	-	-	-
1958	-	-	-
1959	-	33	33
1960	-	91	91
1961	6	92	98
1962	51	45	96
1963	34	50	84
1964	40	45	85
1965	39	68	107
1966	56	28	84
1967	36	19	55
1968	47	27	74
1969	51	31	82
1970	58	30	88
1971	144	29	173
1972	445	7	452
1973	396	3	399
1974	388	4	392
1975	226	-	226
1976	148	-	148
1977	203	-	203
1978	152	3	155
TOTALS	2537	605	3142

Source: Council Minutes (to 1968): Bishop Auckland Health Department (1968 - 1974): Wear Valley Environmental Health Department (1974-1979)

proposed (42). That was considered by the Council at several meetings (43), and resulted in the employment of five additional members of staff, to cope with an anticipated increase in applications, inspections and administration. As in previous years there was a complete lack of publicity and dissemination of information on the availability of grants, so consequently there was not any noticeable increase in approvals.

Table 23 refers.

Concurrently, vocal concern was expressed about the deterioration of properties, particularly in the villages, and in December 1962 a

petition from residents living in Eldon Lane and Coundon Grange was submitted to the Council by the newly formed Eldon Lane and District Redevelopment Association (ELDRA), protesting against the Category 'D' classification and seeking support for village rehabilitation. The Council replied that they were already dealing with that question in a general context, therefore specific action was not necessary (44). Changes in improvement powers came with the Housing Act, 1964. The concept of Improvement Areas had been outlined by Ministry Circular (45), and given legal effect by the 1964 Act which required local authorities to inspect their Districts and identify areas suitable for comprehensive improvement.

No action was taken despite the obligation imposed by statute, and repeated requests by ELDRA and the Witton Park Defence Committee, naturally concerned at the condition of older houses and continued extensive demolition.

In 1965, a Local Member referred to the condition of houses at Binchester, and suggested that the Council consider negotiating their purchase from the National Coal Board.

The village of Binchester is located on the edge of the Roman Fort Vinovium, but has no claim to antiquity. It was created in the latter half of the 19th Century at the time of the industrial boom and need for coal. The village lies two miles to the north east of Bishop Auckland, and half a mile west of the A6074 road to Spennymoor. The solid stone blocks, or terraces, of houses were built to provide accommodation for the families of miners who worked at the Binchester and Westerton Collieries.

not to acquire (47).

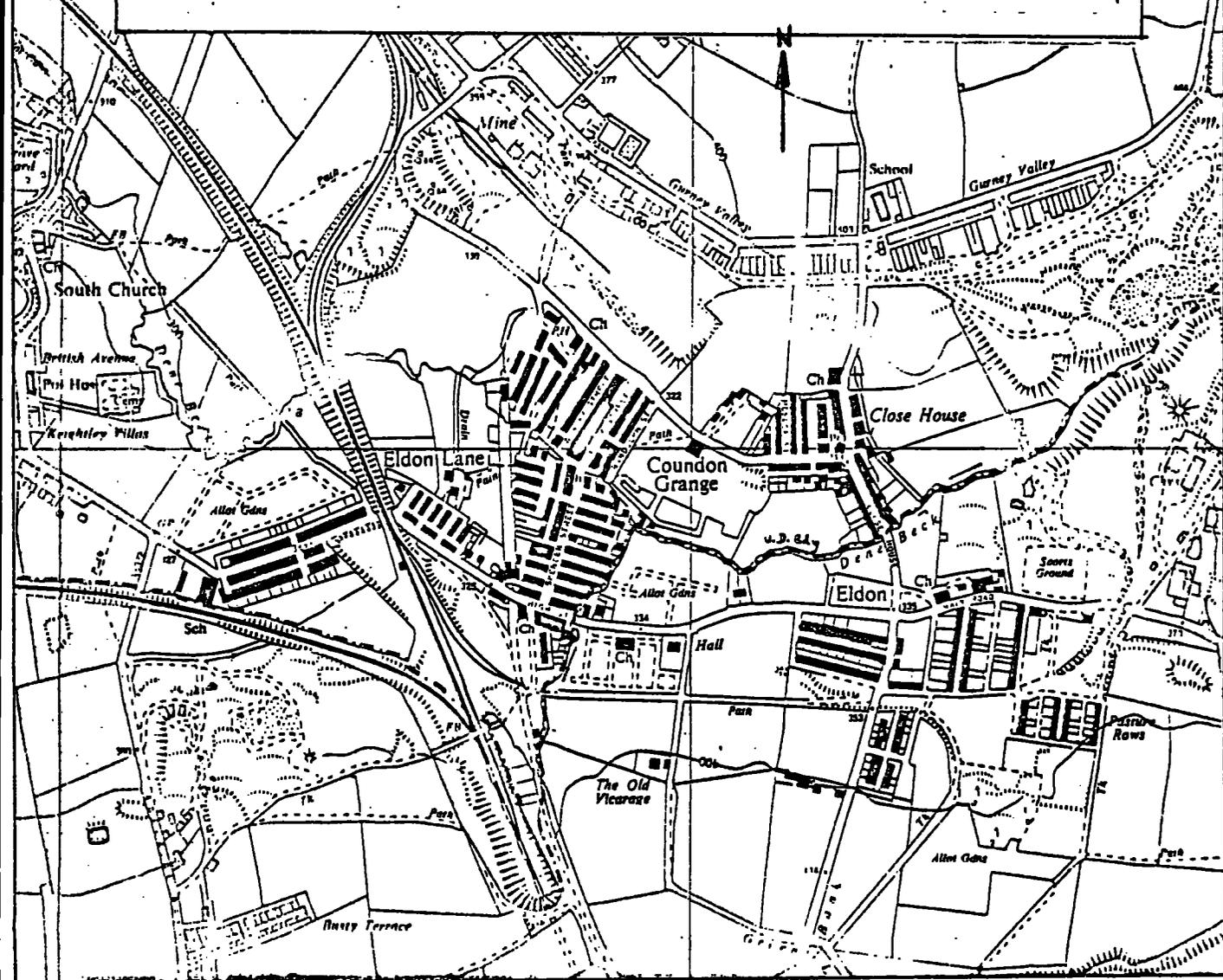
During 1968, the Chief Public Health Inspector reported the results of a survey (48) that he had initiated in the Eldon Lane/Coundon Grange area, and which showed that positive decisions were necessary to halt the rapid deterioration of dwellings in those villages, because indicators forecast that 90% of the houses would become grossly unfit within thirty years, unless remedial measures were quickly taken. He recommended the phased clearance of certain unfit properties; a phased programme of maintenance and improvement; and an investigation into the possibility of declaring the area an Improvement Area.

Detailed consideration of the Report was delayed eight months (49) when it was accepted in principle, and copies sent to the Ministry of Housing and Local Government, County Planning Officer, and Planning Consultant appointed to advise on the County Development Plan, First Review.

It was July 1971 when the Council considered a Feasibility Study, produced by their Consultants, Professor Nathaniel Lichfield and Associates, on Eldon Lane/Coundon Grange.

These settlements, two contiguous villages, are part of an overall community which includes Bridge Place, Coronation, Close House, and Eldon, collectively known as Dene Beck Valley (Map 3), and which is located some 2½ miles South East of Bishop Auckland. The importance of Eldon Lane/Coundon Grange is not only do they together form the largest single grouping of houses in the Valley, but that many of the social facilities used by the community are located there. The two main settlements are bounded on the North by reclaimed agricultural land formerly the site of the Auckland Park colliery, and to the West are the fields of Bridge Farm.

BISHOP AUCKLAND U.D.C.
VILLAGES IN DENE BECK VALLEY — Eldon Lane Group



MAP: 3

East of Coundon Grange is a football pitch and general recreation area, whilst east of Eldon Lane is an area of allotment gardens which fall within the Sedgfield District. The effective southern boundary is a main road which carries east-west traffic between Newton Aycliffe and Bishop Auckland.

Historically the villages are relatively young. The 1841 Ordnance Survey Map shows a complete lack of houses, although at that time Paddy's Row (latterly named Campbell Terrace and now demolished) was being built to accommodate Irish Navvies brought in to construct the Shildon Tunnel, through which runs the Darlington to

Bishop Auckland railway line.

With the sinking of five pit shafts in the 1860's, the two major and long life ones being the Auckland Park and Adelaide Collieries, an era of intense industrial activity began.

At nearby Bridge Place lime-kilns were constructed in anticipation of the large building programme which was to provide houses for the pitmen and their families, as well as for the support industries related to mining.

The 1861 Census shows only 35 houses built and a population of 138, but they grew steadily year by year. The mining industry spawned coke ovens and brickworks, (at Eldon), and community life which softened the harshness of the industry was expressed in the meeting houses, recreation grounds, two public houses and five churches (St. Mark's, Calvinistic, 2 Primitive Methodist, and Methodist New Connection). In addition to those, the 1894 Durham Directory records a shoemaker, 3 General Dealers, 2 Greengrocers, a butcher, grocer, draper and hardware shops, plus two Surgeons. In 1908 the Workingmen's Club was built. By 1914 the village structures had been created, and contained houses with a total population in excess of 2,500. During the first World War the area experienced the peak of its activity. The pattern of settlements had stabilised closely knit groups of terraces set in a landscape which reflected not only the urbanity of coal industrial processes, but also the rural context in which the mines were located.

In the 1920's and 1930's the combined effects of declining coal consumption by local industries and the contraction of the foreign coal market had particularly severe effects on the mining industry, and the Dene Beck valley, with the rest of pit communities in Durham, knew hungry days.

The two indivisible villages are not as near tribal as Witton Park but there does exist an undeniably strong sense of community born out of a common life style, sharing prosperity and hardship, real or imagined, through changing economic, industrial and planning trends.

The main conclusion by Lichfield was that, although Category 'D' had resulted in a lack of confidence by residents in the Area, obviously reflected in poor investment by property owners, the Valley had a future, and that a flexible combination of revitalisation and new housing was needed to achieve a satisfactory environment.

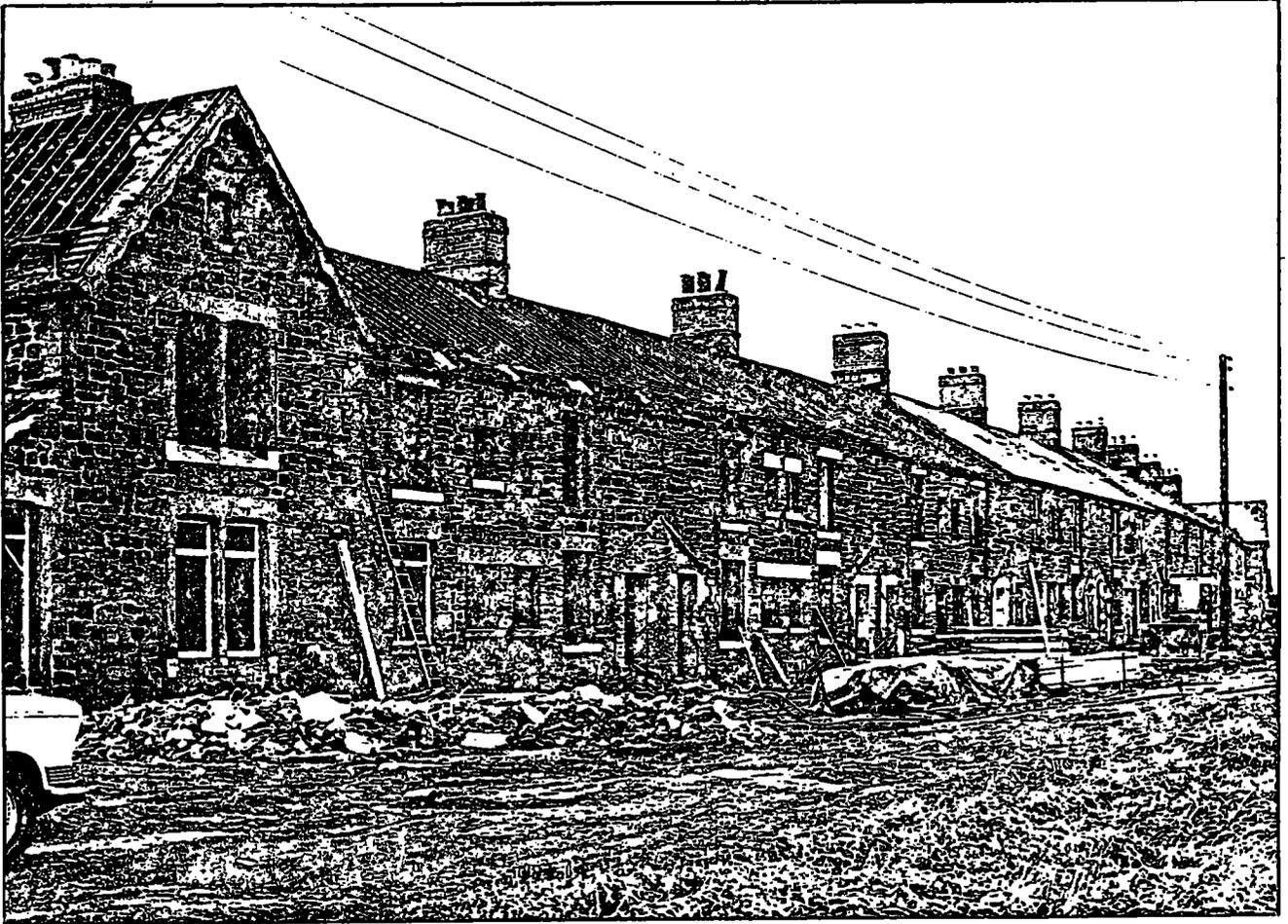
The Council considered the Consultants' Draft Scheme (50) for Eldon Lane/Coundon Grange, and unanimously recommended (51)

- i) that the draft scheme, favouring development of new housing in Eldon Lane area, and infill houses to replace those to be demolished, be accepted;
- ii) that Eldon Lane/Coundon Grange be declared a General Improvement Area;
- iii) that in order to have maximum control over improvement, the Council purchase as many houses in the area as possible;
- iv) that a Public Meeting be called in the Eldon Lane area to explain the Council's proposals;
- v) that as a matter of urgency the Council be asked to approve the appointment of a Housing Improvement Officer to deal with the whole Urban District and Eldon Lane/Coundon Grange in particular.

At the following Finance Committee the Chief Public Health Inspector gained the additional title of Housing Improvement Officer, and within four months had reported to Council on the first three General Improvement Areas (52). The Areas, all in Bishop Auckland township, were statutorily declared; instructions given to publicise them;

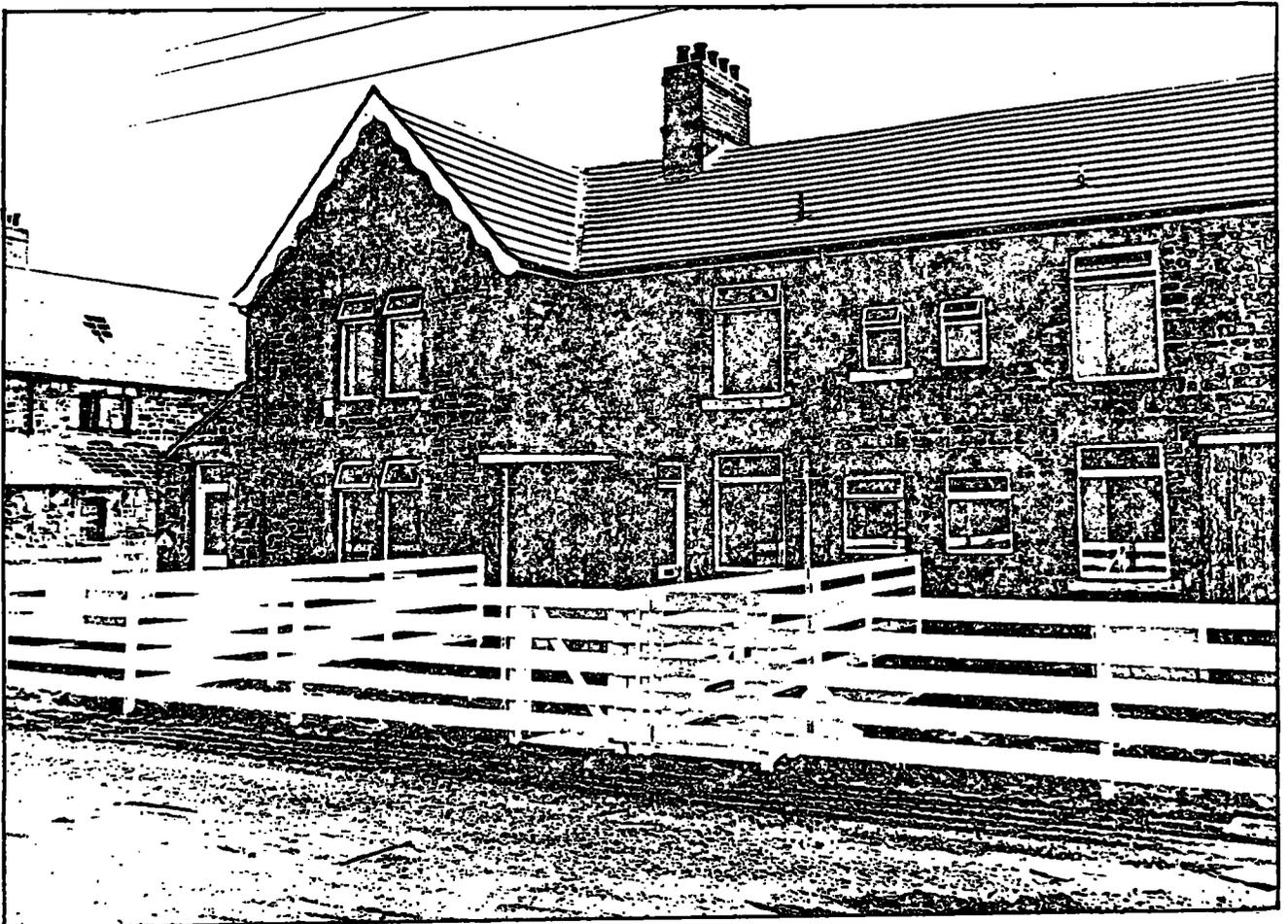
and the advisability of employing Architectural Consultants considered. Meantime the residents of Binchester had again petitioned the Council to acquire, and then renovate, their rented houses. It was therefore decided that the Chief Public Health Inspector should inspect all the dwellings and report back on their condition (53). His report suggested that the houses were capable of improvement to a high standard, and this was accepted by the Council (54). However the Durham County Housing Association had expressed interest in the Binchester houses, described in 1969 by John Barr (55) as "crumbling miners cottages", and "eight bob a week hovels", and sought financial support from Bishop Auckland Council. Ultimately it was resolved, in 1971, to enter into a Formal Agreement, under Section 121, Housing Act, 1957, with the Housing Association so that they could purchase more than one hundred houses in that village. Within eighteen months the Association, in conjunction with CROVAC held an "open day" at Binchester to prove the merits of house improvement, in a Category 'D' settlement, with the aid of improvement grants. A further year saw all the Binchester houses fully modernised to current standards (Photographs 36, 37, 38 and 39). During 1971/72 a further thirty General Improvement Areas were declared, or considered for declaration, including one each at Eldon Lane/Coundon Grange and Binchester, and two at Witton Park; six Architectural and Planning Consultancy Partnerships were engaged; forty two General Improvement Area Working Party Meetings and fifty six Public Meetings held; and an Agency Service for home improvements established to help applicants at all stages of preparation and works execution.

Diagrams 9, 10, 11 and 12 indicate the extent of environmental improvements, including proposals for new housing infill and development, recommended by the Consultants (56) in respect of Eldon Lane/Coundon Grange, Binchester and Witton Park, and accepted for implementation by Bishop Auckland U.D.C.

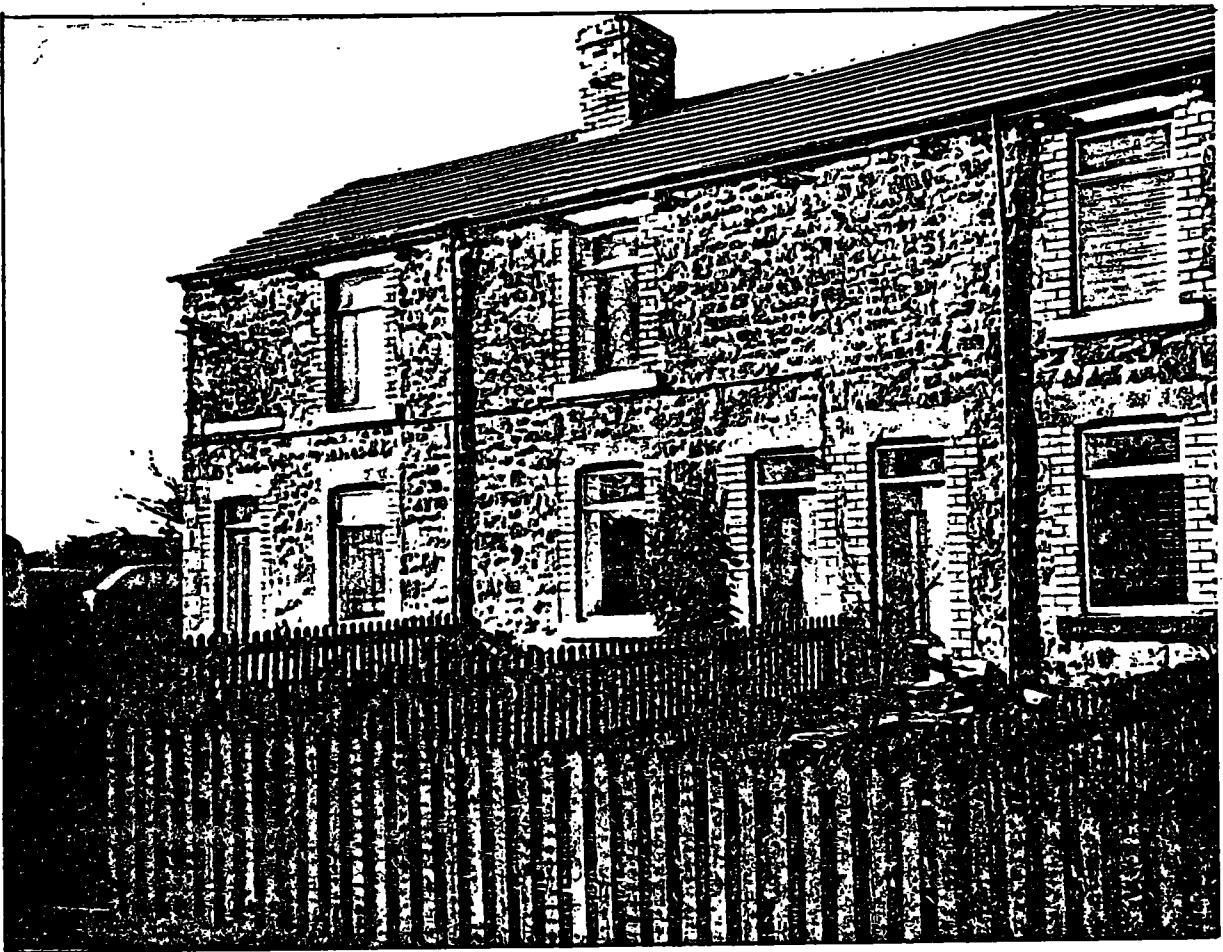


PHOTOGRAPH: 36

THE "CRUMBLING MINERS COTTAGES" OF GRANVILLE TERRACE,
BINCHESTER.
IMPROVED 1972

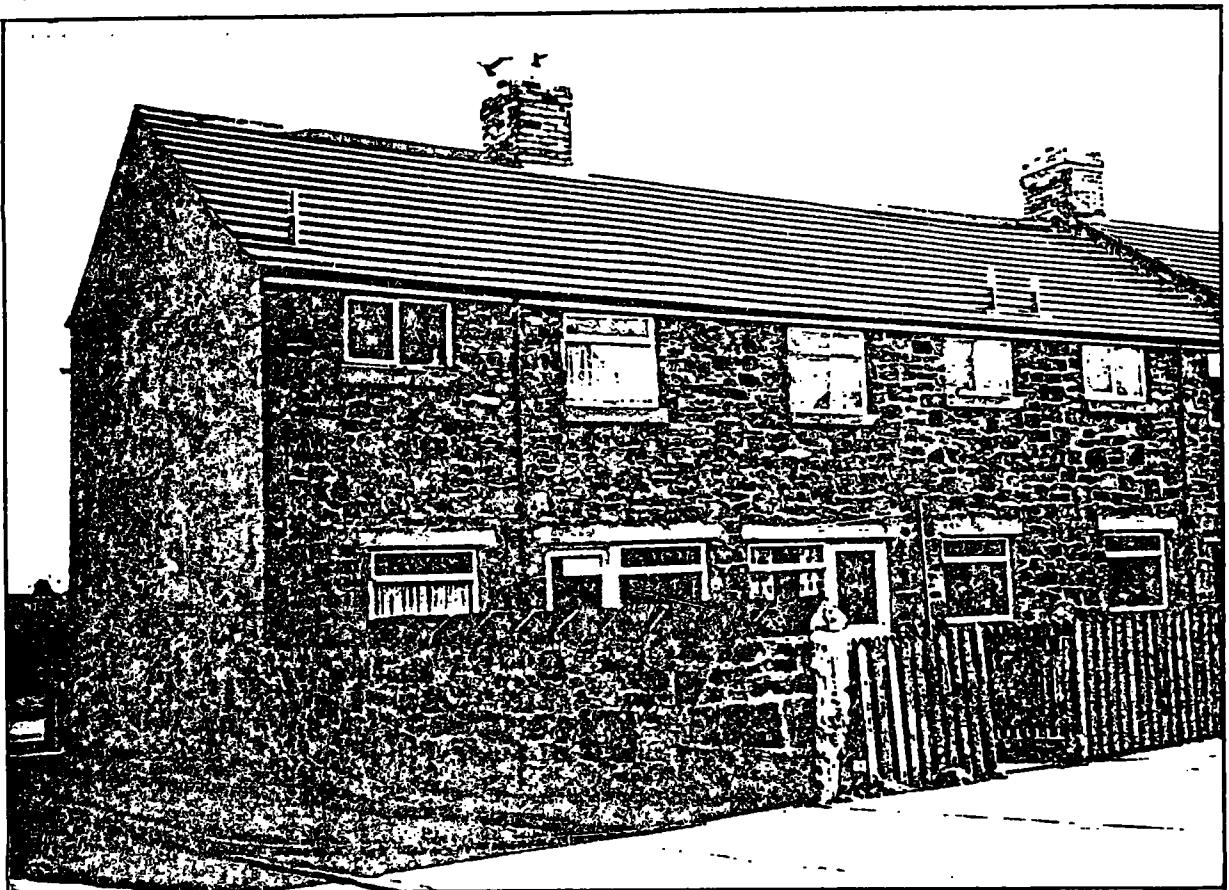


PHOTOGRAPH: 37

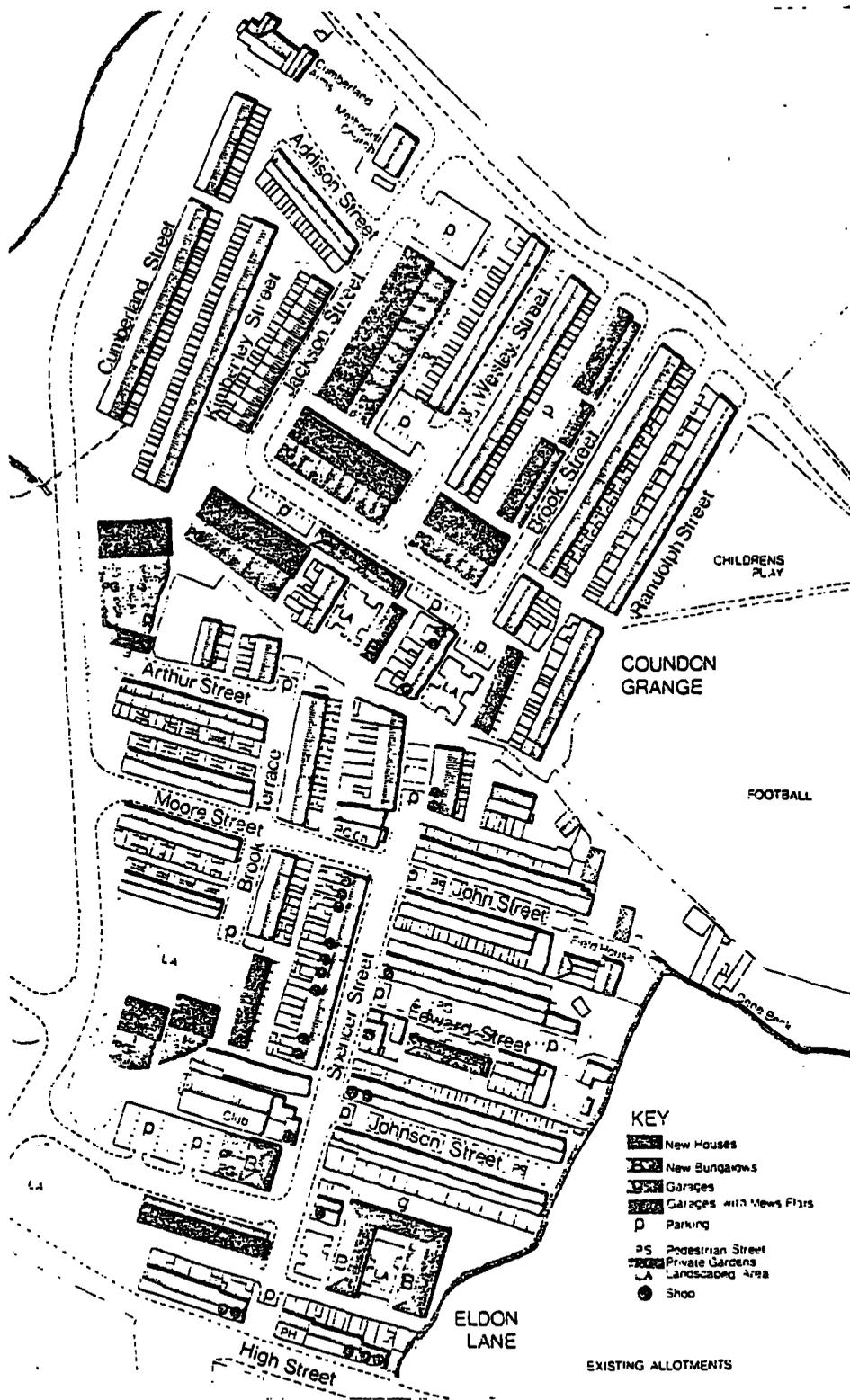


Photograph: 38

The "eight bob a week hovels of Gladstone Terrace",
Binchester.
Improved 1973.



Photograph: 39

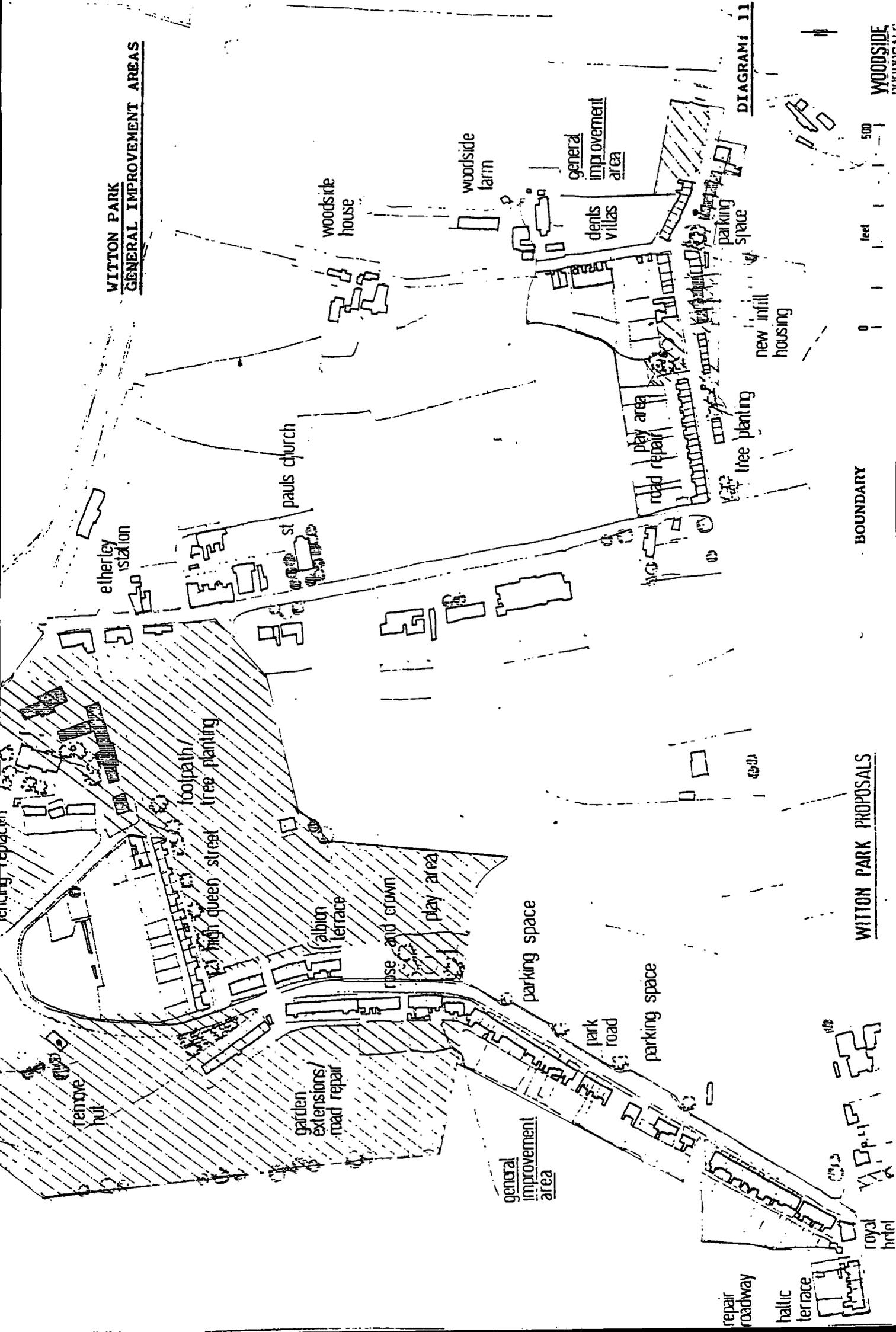


GENERAL IMPROVEMENT AREA PROPOSALS

ELDON LANE/COUNDON GRANGE : 1973

**WITTON PARK
GENERAL IMPROVEMENT AREAS**

DIAGRAM: 11



BOUNDARY

WITTON PARK PROPOSALS

WOODSIDE

feet
0 500

**WITTON PARK
IMPROVEMENT PROPOSALS 1973**

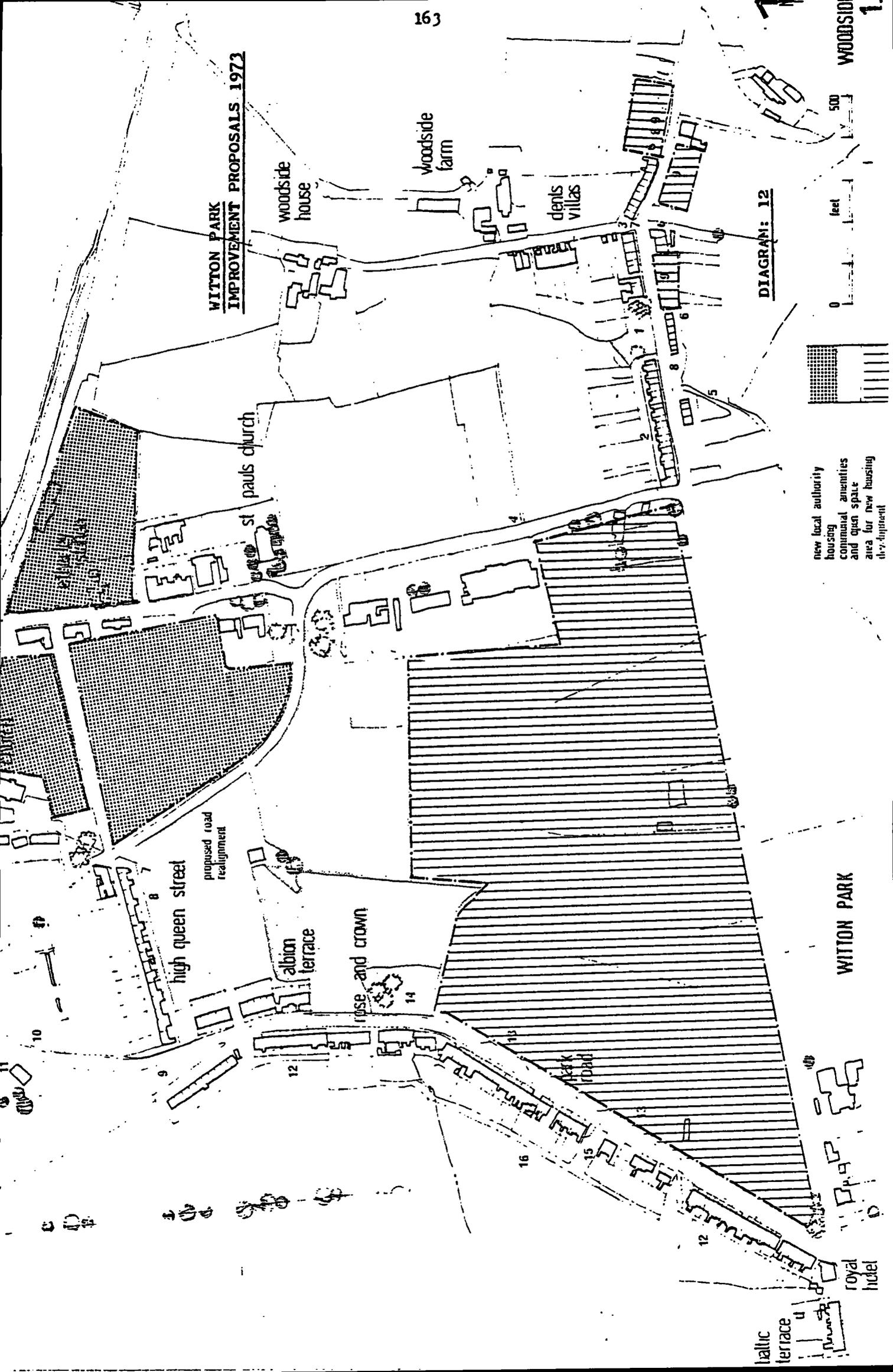
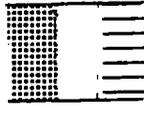


DIAGRAM: 12



new local authority housing
 communal amenities and open space
 area for new housing development

WITTON PARK

royal hotel

allic terrace

high queen street

proposed road realignment

albin terrace

rose and crown

woodside farm

woodside house

denis villas

st pauls church

park road

10

11

9

12

14

13

16

15

12

500

feet

0

WITTON PARK - Diagram: 12 - Improvement Proposals.

- 1 New access road and car parking to Methodist Church and Church Hall.
- 2 New street lighting near to the Methodist Church.
- 3 Repairs to the church and church hall fabric.
- 4 Clearance of the areas around the church and Viaduct terrace and later landscaping and tree planting.
- 5 New footpath to the church hall.
- 6 Demolition of the derelict chapel in Viaduct terrace.
- 7 Improve existing footpath to the rear of High Queen Street.
- 8 Plant and protect new trees along footpath.
- 9 Plant and protect new trees in the triangle of land at the North end of Park Road.
- 10 Remove and replace fencing at the North end of the village.
- 11 Remove the Memorial Institute hut at the North end of the village.
- 12 Improve back access roadways as necessary.
- 13 Form new car parking laybys where there is no back access to gardens.
- 14 Acquire site of new children's playground - fence, seed and plant and provide play equipment.
- 15 Acquire land for new parking area between 32 and 33 Park Road, remove existing temporary buildings and form new parking areas.
- 16 Acquire land to provide rear access to those houses in Park Road which do not at present have rear access, form roadway suitable for cars and service vehicles.

WOODSIDE - Diagram: 12 - Improvement Proposals.

1. Fencing, landscaping, seeding, tree planting, and protection. Provision of fixed play equipment for children's play area.
2. Provide new access road and improve existing back lane.
3. Improve road to Dents Villas.
4. Signpost footpath to Woodside Farm and improve same.
5. Planting and protection of new trees.
6. Repair of gable walls.
7. Improve street lighting at entrance to Dents Villas.
8. Form car parking laybys at each end of the village.
9. Protect cleared plots to discourage parking, dumping etc.

One result of all the activity was a protest from Durham County Council expressing concern that General Improvement Area proposals raised major policy issues which were contrary to the Development Plan. That particularly referred to the consistent recommendation by all the Consultants that houses should be constructed in the 'D' villages. In addition, the Regional Controller of the Department of Environment urged caution because of the financial burden imposed on ratepayers due to a major portion of work to be undertaken not being grant aided, and in view of the commitment which would be transferred to the new District Council on reorganisation (57). Protracted discussions with the Department of Environment and County Council delayed progress for more than six months, which resulted in several General Improvement Areas being 'frozen' as time ran out with the formation of the Wear Valley District Council on 1st April, 1974. By then, work in five General Improvement Areas (containing 2,003 houses) was well advanced, but others, including those at Witton Park, Binchester, Eldon Lane and Coundon Grange, had not progressed sufficiently to receive Department of Environment approval of Tenders.

From the four constituent authorities, Wear Valley District Council inherited a total of forty five General Improvement Areas on which nine Consultancy Firms had been engaged, and where work had started on site in only ten areas. The Council consequently had to decide some degree of priority for the remaining thirty five General Improvement Areas, thirty two of which had reached a feasibility report stage. The proposals contained in the Reports indicated that the cost of implementation would be almost three million pounds, not including land acquisition or Consultants' fees. It was resolved (58) after considering the Chief Environmental Health Officer's Report that:

- i) Nineteen General Improvement Areas be permanently discontinued. Eleven were undeclared, but eight were revoked by resolution as they had been declared after 12th June 1973. (The date, determined, in the White Paper "Better Homes: The Next Priorities" (59) which originally set the time limit on 75% Improvement Grants, but later deferred for twelve months).

The discontinued General Improvement Areas included those at Witton Park and Eldon Lane/Coundon Grange.

- ii) The remaining areas be programmed over a period of four years;
 iii) The services of all Consultants be dispensed with, except those engaged on schemes where environmental improvement works had started.

At the same meeting the Chief Environmental Health Officer explained the 1974 Housing Act provisions relating to the new concept of Housing Action Areas, and recommended that Eldon Lane/Coundon Grange should be considered. The Committee agreed, and three months later it was resolved that (60):

"On being satisfied, after considering a Report by the Chief Environmental Health Officer (61), that conditions in the Eldon Lane/Coundon Grange Area satisfy the appropriate criteria, the Area shown on the Map titled "Eldon Lane and Coundon Grange Housing Action Area (No. 1)" be declared a Housing Action Area under Part 4 of the Housing Act, 1974".

The Housing Action Area Report, following statutory guidance (62), was based on a number of Indicators which were assessed when evaluating the physical and social stress factors. The Indicators included physical condition of the property; households lacking basic amenities such as bathroom, or hot and cold water; tenure pattern, that is, the degree of owner occupation or tenancies; extent of disadvantaged groups, for example, the elderly, disabled, one parent families, large families, and single person households; unemployment; and environmental condition. The 1974 Housing Act required only two general conditions (63):

- 1) that living conditions in the area were unsatisfactory, with regard to the physical condition of the property, and to social conditions; and that
- 2) they could be most effectively dealt with by declaring the area to be a Housing Action Area, thereby achieving, within five years, the following objectives:-
 - a) the improvement of the housing accommodation in the area as a whole.
 - b) the well-being of the persons for the time being residing in the area;
 - c) the proper and effective management and use of that accommodation.

Immediately following the Declaration, the residents in Eldon Lane and Coundon Grange received leaflets explaining the benefits of the Housing Action Area and what the Council hoped to achieve; all owners were informed of their legal obligations and invited, where appropriate to apply for improvement grants which would vary between 75% and 90% of the then approved maximum cost of £3200. That was later raised to £5000 in 1977 (64). Also, within two months, the Council had opened, in Eldon Lane, a Home Improvement Advice Centre, staffed by members of the Environmental Health Department.

In December, 1975, the Council decided (65):

- "i) to negotiate the purchase of all suitable properties in Eldon Lane and Coundon Grange where the owners have indicated their willingness to sell;
- ii) that the Chief Environmental Health Officer consider compulsory improvement in appropriate cases, and report them to the Environmental Health Committee for action;
- iii) that in pursuance of Section 43 of the Housing Act 1974, the Council compulsorily purchase 37 properties for the purpose of demolition, thus securing or assisting in securing the Housing Action Area objectives."

The decision to acquire those 37 properties, under Part 4 of the 1974 Housing Act, and the Acquisition of Land (Authorisation Procedure) Act,

1946, rather than Part 3 of the 1957 Housing, was made for two reasons. First, that the Council had a greater chance of success when acquisition was not related to slum clearance, because all the houses were not "irrevocably unfit" and second, that despite initial objections by the Department of Environment, it was considered that the procedure was more appropriate to the 1974 Act, in that acquisition and demolition for housing and ancillary purposes would achieve the Housing Action Area objectives laid down.

A Public Local Inquiry was held in June 1977, to deal with three objections, and the order was confirmed, without modification in October of that year. In recommending confirmation of the Compulsory Purchase Order, the Inspector stated (66):

"the beneficial results of the Council's policy of improvement were beginning to be apparent, and although the older properties could be improved, at a cost, I am of the opinion that this is a case where a relatively small part of the Action Area could best be dealt with by demolition and subsequent redevelopment, and by so doing the housing accommodation in the area as a whole would be improved, whilst to a lesser extent the removal of unsatisfactory housing and environmental conditions would improve the well-being of the residents. I consider that the retention of any or all of the properties would seriously inhibit, and be detrimental to, any scheme of redevelopment, and conclude that the achievement of the Council's proposals far outweigh the personal difficulties and considerations raised by the objectors".

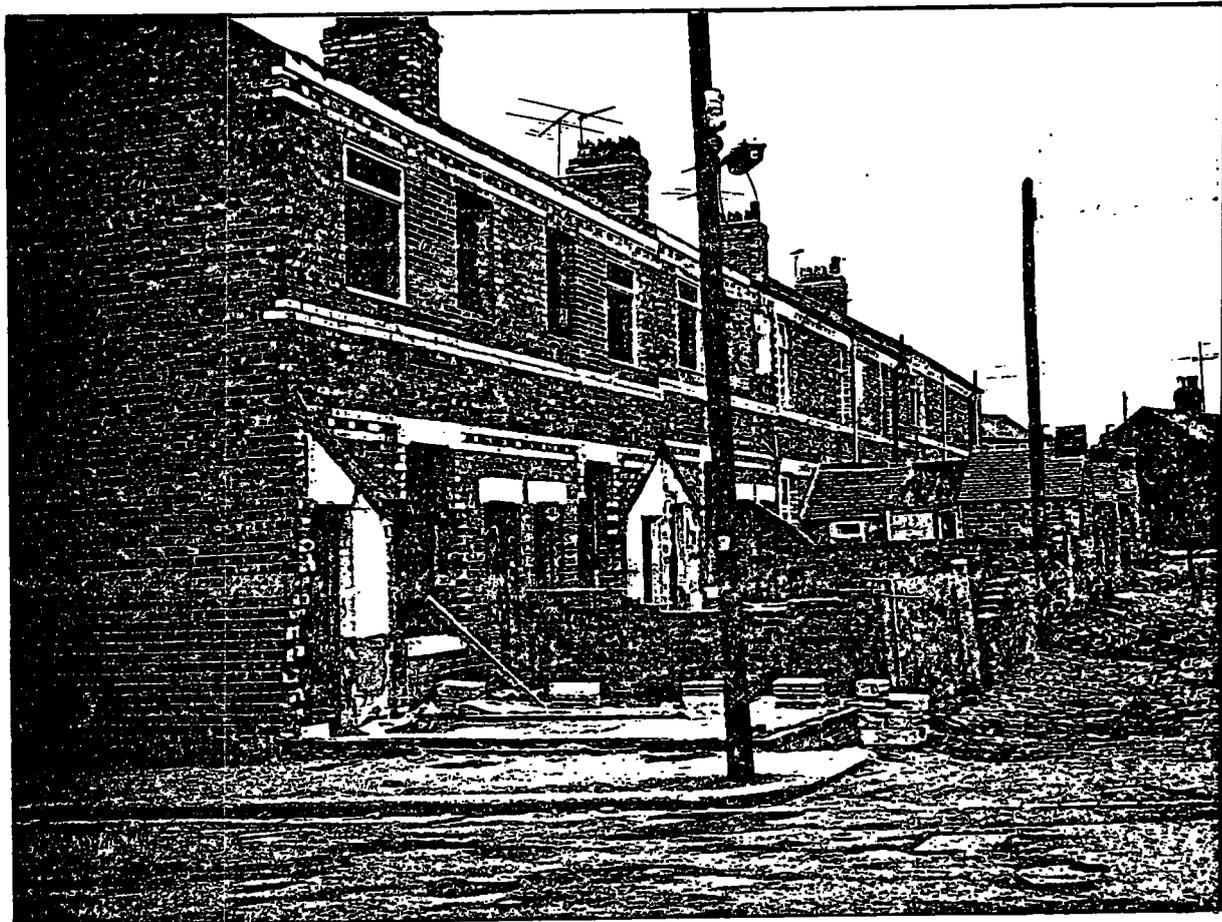
A difficulty encountered in the Housing Action Area was that seventy nine tenanted houses were owned by one family who had no wish, or financial capacity, to improve them. After trying to acquire those houses by agreement the Council resolved (67) to purchase by compulsion, and consequently a Compulsory Purchase Order was prepared (68). At the same time the Chief Environmental Health Officer started the process of compulsory improvement by serving preliminary notices, inviting the owners to a 'Time and Place' meeting. Immediate improvement notices were then issued in respect of all seventy nine dwellings.

Because of an interest by the Durham County Housing Association in acquiring the 79 houses, to add to eleven owned in the Housing Action Area, the Council agreed (69) not to proceed with the Compulsory Purchase Order; not to object to the Durham County Housing Association's proposal to acquire; and not to exercise their right of pre-emption under Section 47 of the 1974 Act, providing the houses were improved to their satisfaction.

Not being a Housing Association registered with the Housing Corporation, the Durham County Housing Association applied for, and received, grant approval of 75% approved costs to effect renovation. Photographs 40, 41, 42 and 43 illustrate typical examples of house modernisation by the Association in the Housing Action Area. Because Durham County Housing Association was a registered charity, within the meaning of the Charities Act, 1960, the compulsory improvement notices ceased to have effect (70); the Association was not bound by the restrictions to either make the dwellings available for letting, or repay the grant plus compound interest upon sale (71); and was not restricted to waiting twelve months, after the date a tenancy ceased, before having grant approval issued (72).

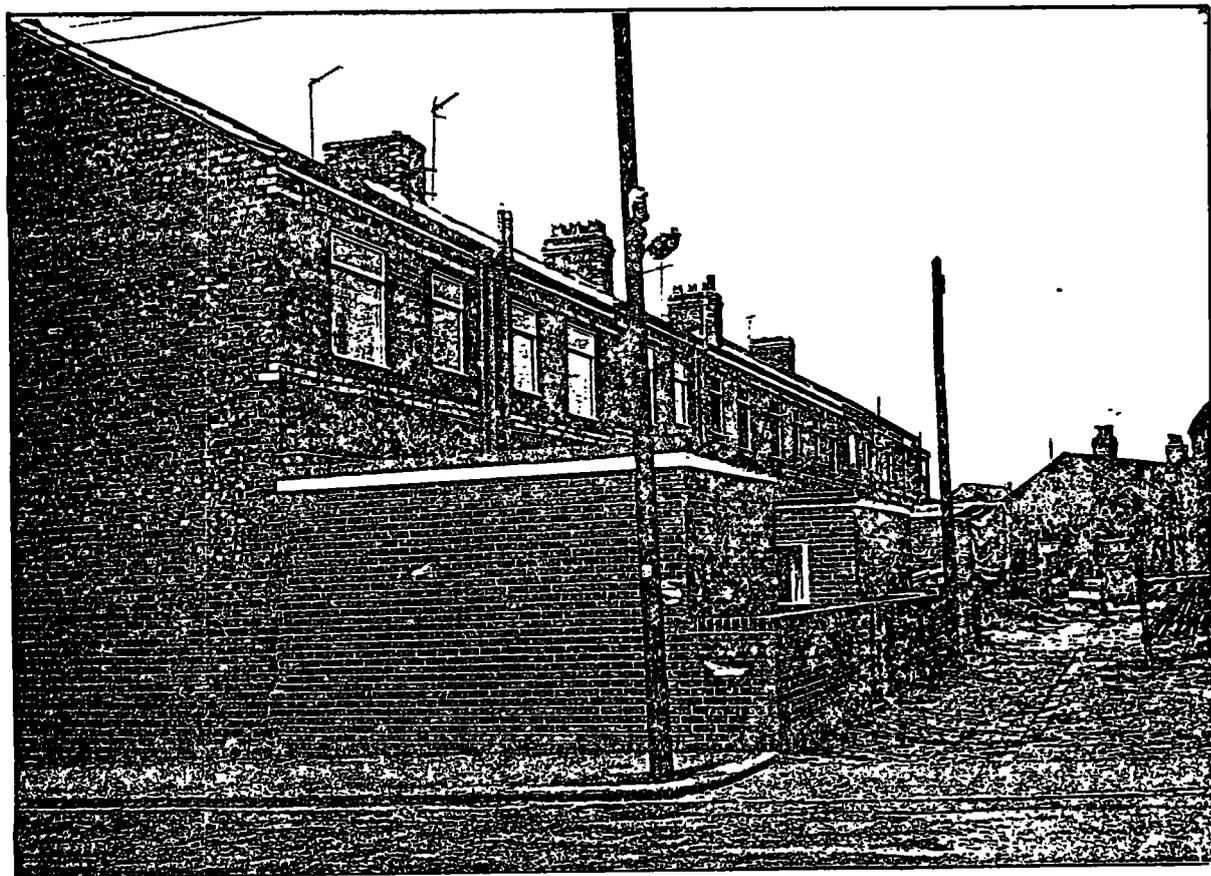
Diagram 13 shows the extent of property holdings of both the Wear Valley District Council and Durham County Housing Association, together with an indication where new development has been, and will be constructed following the demolition of houses included in the Compulsory Purchase Order mentioned earlier. Photographs 44, 45 and 46 also refer.

The duration of a Housing Action Area is normally 5 years (73) but may, by resolution and subject to Department of Environment approval, be extended two years (74). At the end of the fourth year, April 1979 more than 60% of the houses in Eldon Lane/Coundon Grange had been improved to full 'discretionary' standard. An extension of time would be considered appropriate if the percentage of improved houses was less eighty by January, 1980.



Photograph: 40

BROOK TERRACE, ELDON LANE
before and during renovation, 1978/79

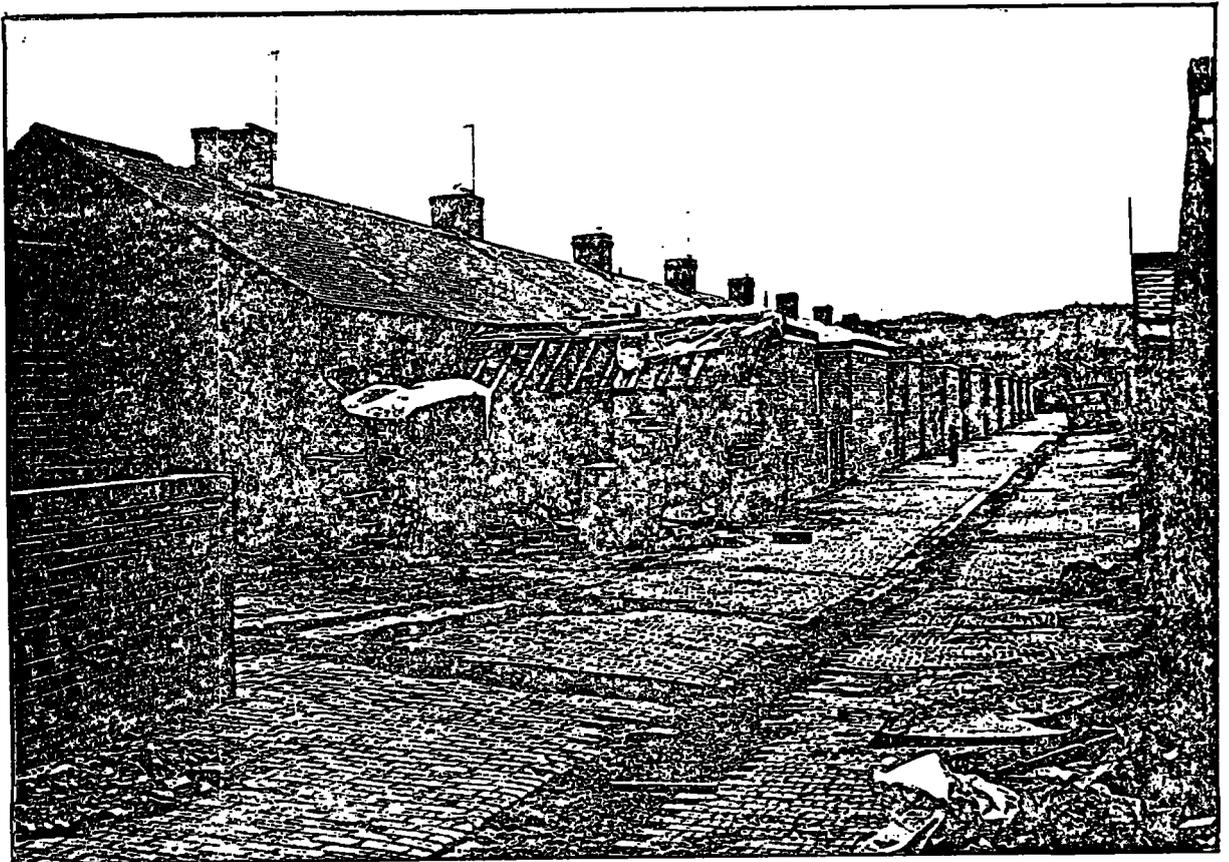


Photograph: 41



Photograph: 42

Single storey dwellings at
Kimberley Street, Coundon Grange
before and during renovation, 1978/79



Photograph: 43



Photograph: 44.

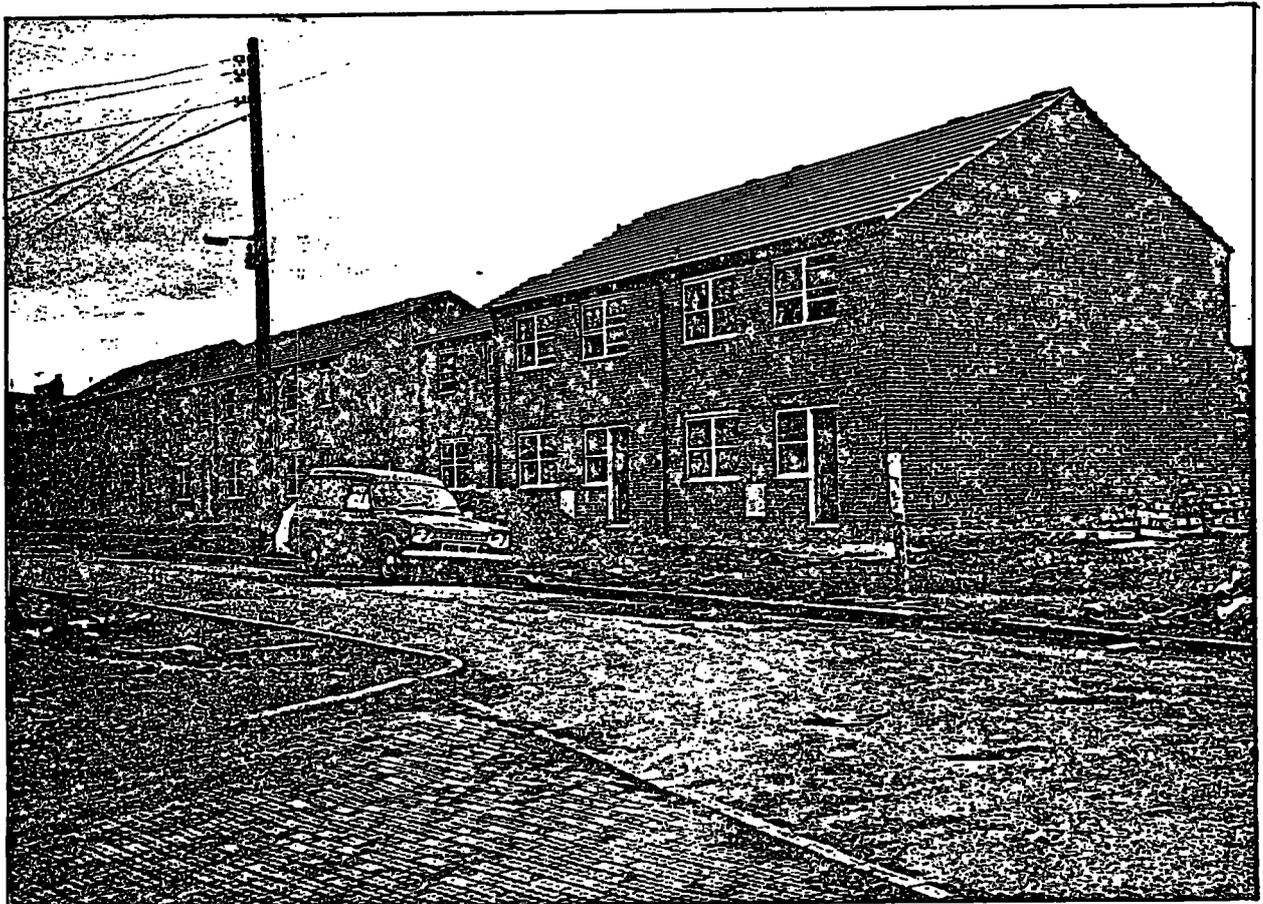
Unfit houses in Wesley Street, Coundon Grange
prior to demolition, 1979.

Improvement of houses in the Bishop Auckland Area continued to be a major activity. The 1969 Housing Act had introduced £1000 grants which were increased to £1500 by the 1971 Housing Act. As Table 23 shows, that had a marked effect on the approvals issued, particularly in 1972, 1973 and 1974. New grants were made available by the 1974 Act, and they were increased to 50% of £5,000 in 1977, with higher grants of 60% in General Improvement Areas, and 75% (90% in hardship cases) in Housing Action Areas (75). During the eight years from 1971, more than four million pounds had been paid for home improvements (76). Examples are illustrated by photographs 47 and 48, which show houses at High Escomb. Those dwellings had been listed for 'future demolition' from 1950 to 1976, and four were subject to either Closing or Demolition Orders. Photograph 49 is of an unfit block of property in Main Street,



Photograph: 45

New 'Terrace Type' development at
Coundon Grange - by Wear Valley District Council 1978

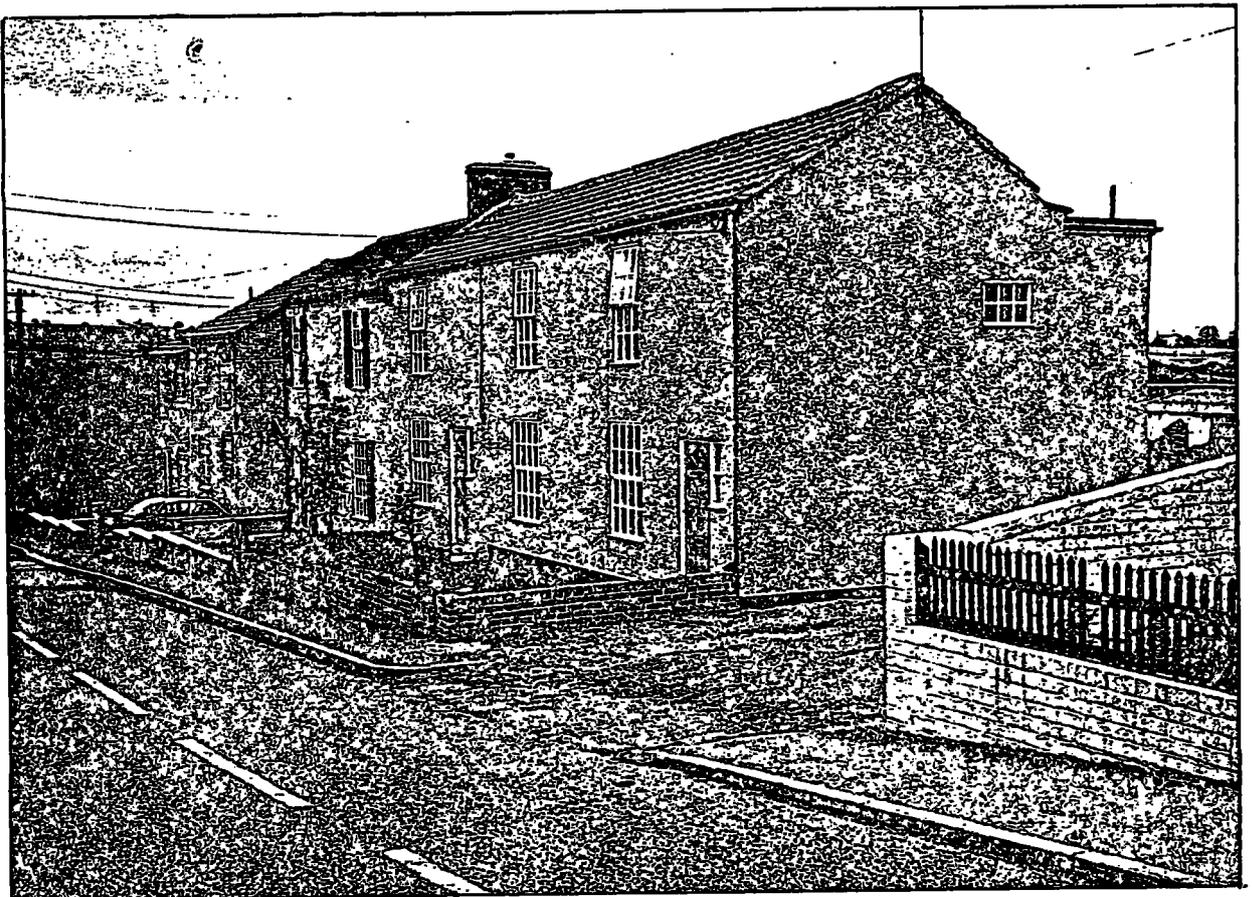


Photograph: 46

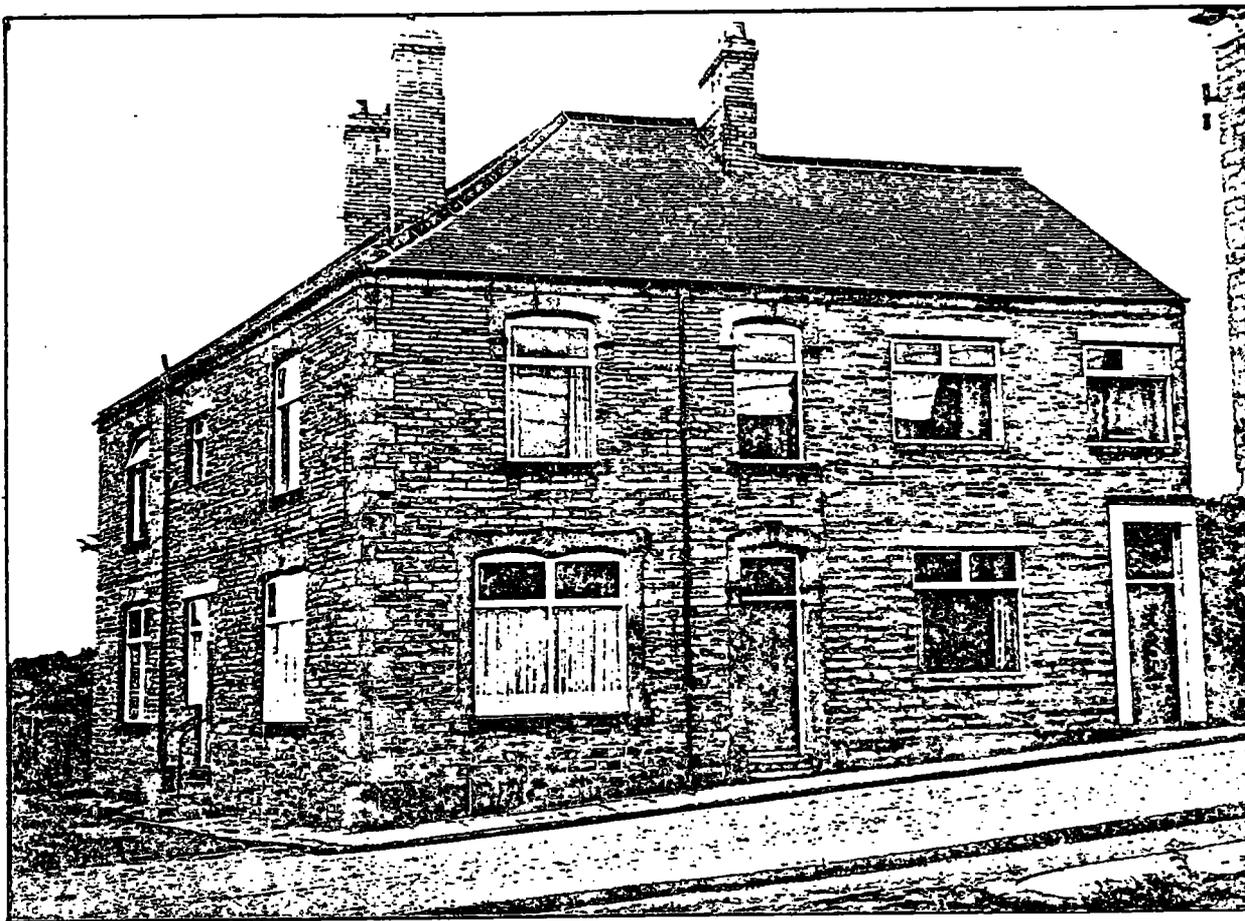


Photograph: 47

Houses at High Escomb, for 26 years listed as Unfit, with four subject to Closing or Demolition Orders, after renovation in 1978, by owner occupiers.



Photograph: 48



Photograph: 49

Unfit properties improved by conversion to three flats by
Bishop Auckland U.D.C. 1972
Main Street, Witton Park

Witton Park, after conversion to three flats.

At Witton Park, three houses, in a Compulsory Purchase Order made following Clearance Area procedure, but not demolished, were considered for possible improvement by a prospective purchaser. Because the properties were in the confirmed Order the Council agreed (77) to make, and submit to the Secretary of State for the Environment for confirmation, a Rehabilitation Order which would free them from the absolute duty of securing demolition. The Order, was confirmed in 1976. One property was demolished by the new owner, and the remaining two improved by conversion, with grant aid.

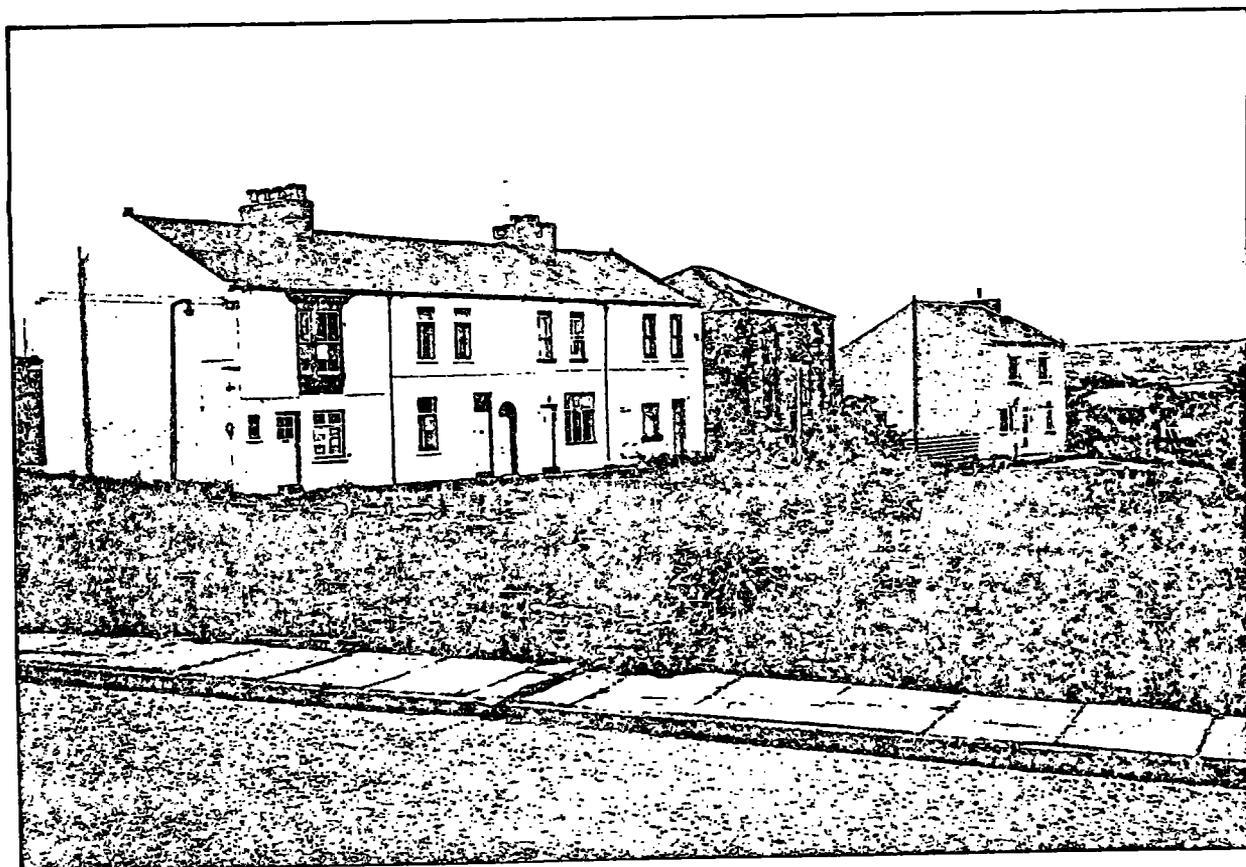
(Photographs: 50 and 51).

Private Sector housing action in the Bishop Auckland Urban District, during the period 1949 to 1979 was varied and extreme.

The problems of housing stress were tackled principally, and initially, by wholesale clearance and development. The village of Escomb, only one mile from Witton Park, quite rightly was completely redeveloped following the demolition of all unfit houses. At Witton Park the houses were just demolished and the sites left neglected.

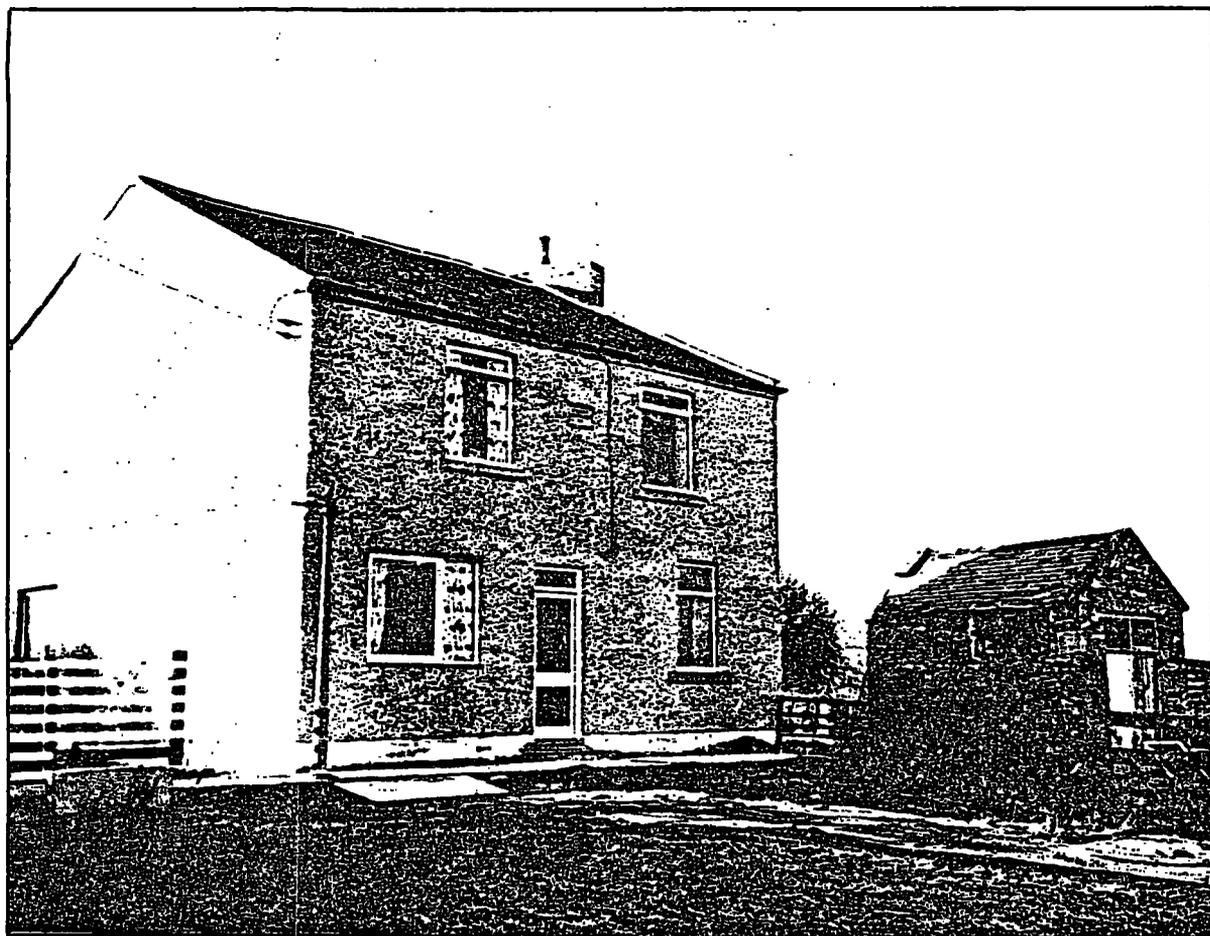
Over the whole area almost three thousand houses were bulldozed, with hundreds of families uprooted and relocated.

The present system of improvement grants originated in the 1949 Housing Act, but it was not until 1971 that Bishop Auckland U.D.C. moved, with any effect, toward the concepts of house and area improvement - too much, too late. Nevertheless more than three thousand houses were



Renovated houses, Viaduct Terrace, Witton Park 1979
Congregational Chapel is in the centre

Photograph: 50



Photograph: 51

Viaduct Terrace, Witton Park

On the right is the old pre-war soup kitchen -
to be renovated.

improved in recognition of the need to preserve a social asset, with Binchester as a prime example of village rehabilitation. Full advantage was taken of the 1974 Housing Act in declaring Eldon Lane/Coundon Grange the first Housing Action Area in Durham County, which provided the opportunity to put into effect the many improvement proposals recommended by Consultants, and so execute an exercise in village (or settlement) preservation.

It is ironic that the first Rehabilitation Order made by Bishop Auckland U.D.C. allowing condemned houses to be renovated, was at Witton Park.

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CHAPTER 5THE CONSEQUENCES, JUSTICE AND EFFECTIVENESS
OF HOUSING ACTION

For at least one hundred years housing problems have been in the forefront of national and local politics, invariably discussed in terms of national trends and standard prescriptions for which there were prescribed solutions.

Post-War, at both levels, the emphasis on housing action was directed toward building new, and clearing unfit, houses, a policy described by Muchnick (1) as

"merely the equivalent of a steadily churning treadmill generating nothing but the same kind of insensitive static housing operation, instead of a qualitative approach aimed at the dynamics of the obsolescence programme and the needs and preferences of residents".

Locally, urban renewal was seen as an exercise in wholesale clearance, and relocation from Category 'D' settlements to new areas of development in selected growth areas.

Certainly since 1954 varying degrees of interest, enthusiasm, understanding, political power and professional ability have left their mark on the Bishop Auckland District and its inhabitants, initially, by following a course which scrambled from one disruptive clearance area to the next in a seemingly endless pursuit of finality. In terms of unfit houses the consequential problems of relocation, disrupted communities, displaced families and their adjustment to new surroundings, were not allowed to divert the Council from a statutory duty to deal with houses allegedly no longer suitable for human habitation, and simply seen as a call for demolition.

The District Council's housing duties were constrained within the confines of a County policy based on a conventional wisdom which rightly belonged to the nineteenth century. Just over one hundred years ago

the first of the Cross Acts, the Artizans and Labourers Dwellings Act, 1875, introduced a concept which developed into the planning principle that renewal programmes should uniformly tackle areas in their entirety. Hence subsequent planning refusals on the grounds that certain proposals, for example rebuilding on demolished sites, would prejudice long term aims. In addition there was a dogmatic insistence that all housing must satisfy the needs of a type of household norm, namely the family with young children, which was predominant on Council housing estates. Any deviation from that cherished concept of social balance, a semi-detached syndrome, was regarded, as unhealthy.

Blight

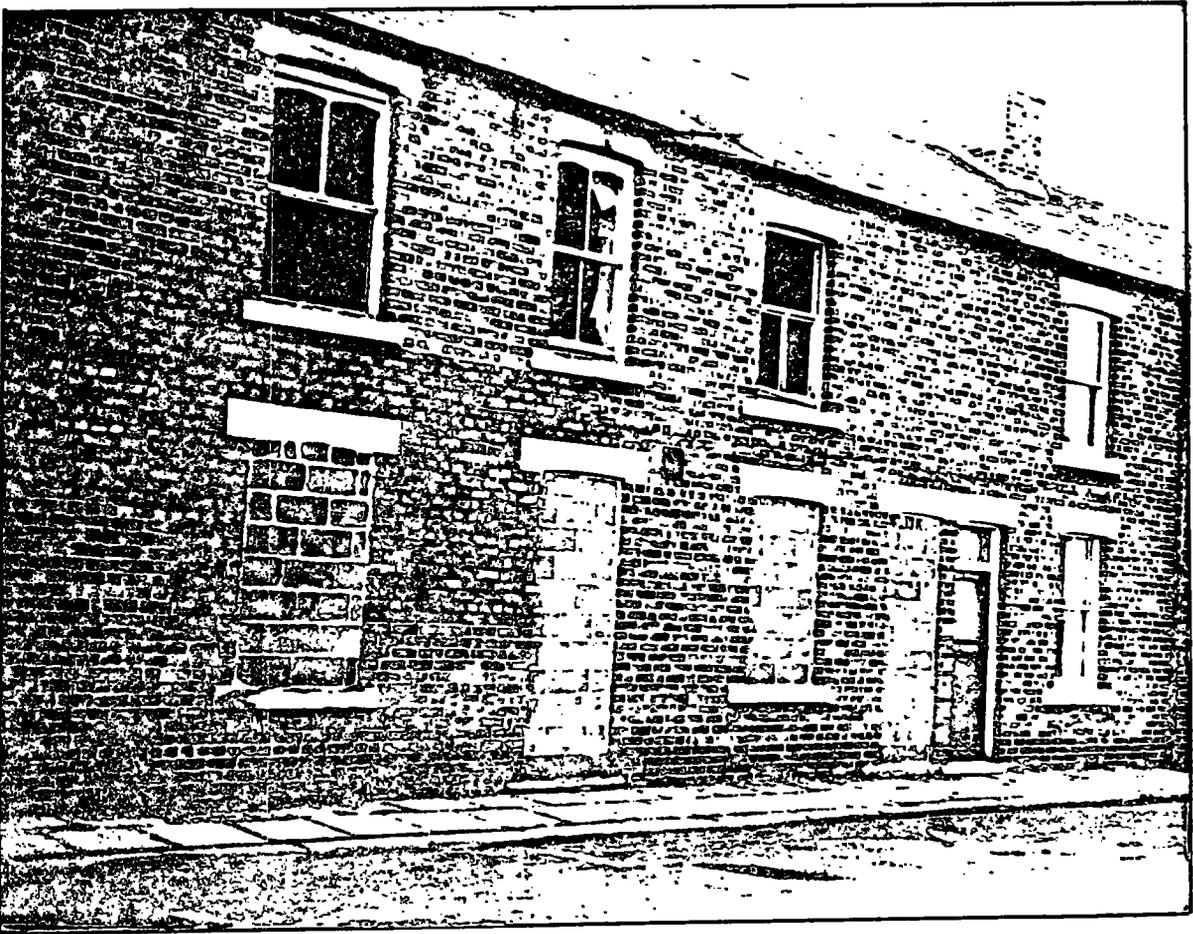
Sometimes, ideals and policies, can be explained by examining and evaluating alternative calculations upon which the best means for attaining goals are based, and then scrutinising social factors influencing choice. But often what actually happens is quite different from that intended; consequently there may arise what has been described as "the production of multiple effects by single causes", and the perceived discrepancy can be substantial.

It was anticipated at County and District levels that the two thousand three hundred and ten houses in the Urban Area listed as unfit in 1951 would be demolished within twenty years, and the Bishop Auckland programme was geared to that end. According to Dennis (2) it is a "logical impossibility to base long term policies on present day information, because the future is totally unpredictable and indefinite". It is also illusory to claim a total number of unfit houses and then declare that all will be cleared by a certain year. But that happened, (as it did in the majority of Town Halls), and at Bishop Auckland 2,310 houses were immediately "lifer", in terms of five, ten, fifteen or twenty years future existence. Consequently

the real issues were side-stepped, and the useful life of many properties reduced to a function of the Council's housing programme timetable. In my view the useful life of any house does not solely depend on the durability of its structure, although that was the sole criterion in the 1950's and 1960's. The future life of a dwelling depends also on its capacity to continue attracting the necessary costs of occupation, rent, mortgage, rates, repairs, and that in turn depends on many extraneous and complex socio-economic considerations. Those considerations were ignored in favour of a crude administrative definition of a dwelling's life, and which, far from being the product of thought and awareness was an alibi for their absence.

The sub-standard list was never published because it was thought that the onus was on owners to ascertain the future life of their houses through legal searches, and therefore not the Council's duty to inform them. Even the short term slum clearance five years programmes were only publicised if a Reporter thought them sufficiently newsworthy to warrant a column in the local newspaper. Not at any time were the public officially informed of 'lifying' houses in terms of limited years, or of slum clearance proposals. Nevertheless the consequential blight in certain areas and villages gradually became known and apparent. Some property owners found difficulty in selling their houses; prospective purchasers could not raise mortgages; empty houses often were not re-occupied, and only occasionally secured against unauthorised entry (Photograph: 52); property values and maintenance drastically reduced; confidence in an area eroded, and credit worthiness was challenged as the image deteriorated. To some extent, and not altogether unintentional, decay was accelerated by the local authority

when Demolition or Closing Orders were made in respect of houses later included in Clearance Areas. It could be argued that the Council consciously created conditions favourable to their contention that the houses should be demolished urgently, but it must be remembered that they had an 'absolute' duty to enforce



Property Blight

Photograph: 52

The house on the right is occupied;
the remainder subject to Closing
Orders.

Bishop Auckland, 1979.

the provisions of the 1957 Housing Act, Part 2.

Table: 24 shows that between 1957 and 1969, one hundred and twenty three Demolition and Closing Orders were made in advance of the clearance process; and if reference is also made to Table: 16 (Page 138) it will be seen that of the three hundred and eighty one Witton Park houses represented in clearance areas during that same period, forty or 10.49% were subject to individual Housing Orders. Once vacated, the properties were quickly stripped and vandalised with the inevitable result that the village always had a derelict appearance.

TABLE: 24

Houses, subject to Demolition or Closing Orders,
subsequently included in Clearance Areas.

DISTRICT	1957	58	59	60	61	62	63	64	65	66	67	68	69	TOTAL
Witton Park	2	2	4	4	9	6	5	-	4	1	1	1	1	40
Escomb	1	1	3	-	2	-	-	-	-	-	-	-	-	7
St. Helen	1	-	-	1	2	-	-	-	-	-	-	-	-	4
Bishop Auckland	-	-	-	2	1	-	-	-	3	7	-	-	1	14
South Church	-	1	4	4	5	2	1	-	-	1	-	1	3	22
West Auckland	-	-	1	-	-	-	1	-	2	3	6	-	1	14
Coundon	-	-	2	1	-	4	-	-	-	-	-	-	-	7
Coundon Gate	-	-	-	3	1	-	-	-	1	1	-	-	-	6
New Coundon	-	-	-	-	1	-	-	-	-	1	-	-	-	2
Etherley Dene	-	-	-	-	1	-	-	-	-	-	-	-	-	1
Coundon Grange	-	-	-	-	-	-	-	-	-	2	-	1	1	4
Auckland Park	-	-	-	-	-	-	-	-	-	-	-	1	1	2
Totals	4	4	14	15	22	12	7	-	10	16	7	4	8	123

Source: Wear Valley District Council
Environmental Health Department

N.B. The above figures are not shown separately on Tables 15 to 21 as they are included in the clearance area columns.

To the 'professional' a proposed clearance area is just a collection of mean and dreary houses; to the local authority merely an administrative problem of processing unfit houses in order to provide, in substantial numbers, a pool of tenants for their new housing estates; but to a resident it is the loss of a home; perhaps the loss of an inheritance or security for old age; it is disruptive; it is the loss of the 'best butcher's shop or cosy pub', or hot meals from a neighbour; or the short road to the cemetery where relatives and friends are buried; it can mean an unsure and possibly frightening future.

How socially just is it to deprive people of their houses and relocate them? Under certain circumstances the law prescribes (3) that a local authority have powers to deal with private property classified as unfit for human habitation. If houses are in such a deplorable state as to degrade the living conditions of the occupants, and regarded as irredeemably unfit, then justice would demand their removal. Who decides unfitness? The 1957 Housing Act provides that a local authority must be satisfied that certain conditions subsist before resolving to declare a clearance area (4), and the most satisfactory method of dealing with the alleged conditions is the demolition of all the buildings in the area.

In practice the Bishop Auckland Council, from 1955 to 1974, merely 'received' the Official Representation from the Medical Officer of Health or a Report from their Chief Public Health Inspector, who listed numbers of houses and stated that in 'their opinion' the dwellings were unfit and should be demolished. As a technical exercise slum clearance was simple which required not too much skill, and often less thought, but it was a process which normally produced quick visible results. Opinion as to the unfitness of a dwelling is

not a deified revelation, as some would believe, but a statement of subjective judgement. Assessment can be regarded as akin to the post-mortem inspection of animals, the art of which is not condemnation, but knowing what and how much meat can be saved. Housing skills are to be found in the field of rehabilitation, not demolition. In my view there was too often a tendency to slavishly follow the sub-items of Section 4, Housing Act 1957 (see Page 257), and too much concentration on objective factors such as the lack of an internal water closet, or "x" inches of rising dampness under the staircase. The line between fitness and unfitness of property is finely drawn, and not infrequently fit properties and 'marginal' cases have been classified as unfit in an over-enthusiastic effort to justify a Council's policy, on the argument that the Ministry Inspector was, in any case, the final arbiter (assuming objections were lodged). From 1955 to 1974 I was involved in the preparation and/or presentation of one hundred and fifty three clearance areas, containing a total of two thousand three hundred and ninety one houses. (Table: 19) Page 143 refers), and not once did a Council Member query either the unfitness of the houses or the solution proposed. The amalgam of fears and aspirations of residents were never considered, or mentioned.

Because the Council were not under a legal obligation to inform interested parties of proposed clearance, or consider their views prior to making an Order, it was not unknown for property owners to be completely unaware of slum clearance activity, particularly as the proposals had been included in a loosely defined programme, formulated, agreed, and under publicised many years previously. Often, first intimation was notification of the Clearance or Compulsory Purchase Order, which had been submitted to the Minister for confirmation, indicating a period of time within which objections could be lodged.

On receipt of the notification an owner was faced with the decision whether to object or acquiesce to what appeared to be a fait accompli. Many did not object because; they failed to understand the official document and meagre information sent to them; they regarded a 'fight against the Town Hall' a hopeless task; or they accepted what they thought inevitable. Experience at many Public Local Inquiries suggests that objections were based upon three main arguments. First, the principle that a private right, the right to live in and/or possess a home of their own choice, was to be violated and subordinated to an alleged public need. That particularly applied to owners in Category 'D' villages, where it was argued that there was no public need of the land because County policy prevented redevelopment on site. Second, that a particular house was not unfit. Third, that if the dwelling was to be demolished undue financial hardship would follow. The owner occupiers of Witton Park had a particular sense of grievance and injustice, because apart from having to pay demolition costs, they were subject to the extremely low levels of compensation payable.

The 'justice' of compensation?

From the beginning of slum clearance the basic financial principle has been that when a house had to be demolished, as being unfit for human habitation, it ceased to have value therefore compensation was not payable if the land remained in the owner's possession following the execution of a Clearance Order; but where the land was acquired by Compulsory Purchase Order compensation was at site value. From time to time the application of that principle has been varied. For example, in 1960 an owner occupier who had purchased his house between 1939 and 1955, when clearance was in abeyance, received market value compensation by way of a supplement, but other owners (occupiers and landlords) received only site value of £5-£10, provided the land was compulsorily purchased. It is only since 23rd April 1968 that all

owner occupiers subject to their dwellings being compulsorily acquired received market value; and other owners have received an additional payment to site value where their houses were well-maintained.

Further, the law provided, as now, that well-maintained payments could be made to tenants who had spent money on maintenance of property, but at that time it was left to the landlord to notify the tenant of his rights. Because of the extent and complexity it is not possible to chronicle compensation changes over the past thirty years, but sufficient to state that invariably the greatest resentment and sense of injustice revolved around the distinction between the fit and unfit classification, and the different rates of compensation paid on properties apparently in all respects similar. Most people did not understand the distinctions, and no attempt was made by the Council to alter that situation. In 1967 the Minister of Housing and Local Government recommended (5) all local authorities "to inform occupiers in clearance areas of their rights". The advice was ignored by Bishop Auckland Council, and residents were never told what, when or how, compensation could be claimed. Not unnaturally owners suffered from a sense of deprivation and injustice, and were convinced that they were victims of legalised robbery and exploitation by their local Council. In mitigation it could be argued, although not very convincingly, that the system prevented dissemination of information. Who informs owners of their rights? Health Inspectors when inspecting the property? Housing Officers who would arrange rehousing?, or administrators in the Clerk's Office responsible for serving the legal notices? Perhaps some qualified 'co-ordinator' familiar with the complexities of housing law. But departmental separatism prevented that happening, and any resident venturing to find out for himself soon encountered the quick sands of ambiguity and interpretation. What chance would an average individual have with the following

extreme example from the Housing Act, 1957, Second Schedule, Part 2, paragraph 7?:

"Full compulsory purchase value" in relation to any interest in a house, means the compensation payable in respect of the compulsory purchase of that interest if that compensation fell to be assessed in accordance with sub-sections (1) and (4) of Section 59 of this Act and paragraph 2 of Part 3 of the Third Schedule to this Act had not been passed and, in the case of a house subject to a clearance order, demolition order or closing order, if the making of that order were a service of the notice to treat".

There is no doubt at all that fewer people would have been so aggrieved had they been informed, in simple terms, of their rights and access to possible compensation, especially when between 1955 and 1965 the making of Clearance Orders required them to pay the costs of demolition and retain sites which had no value, in Category 'D' villages. In 1965 the Council's policy was criticised by a Ministry Inspector in his Report (6) on a Public Local Inquiry into a Witton Park Clearance Order:

"In view of the multiplicity of ownerships, a compulsory purchase order would have been more appropriate. It would have avoided owners being put in peril twice; it would have saved them the costs of demolition; it would have removed them from the liability of owning land which cannot be redeveloped. Between now and the ultimate rehabilitation of the village the appearance of the area, due to lack of overall control, may well be most unfortunate".

Redress of Grievance?

For almost seven hundred and sixty five years it has been explicit in English law that:

"no free man shall be disseised (that is deprived of his lands) except by the lawful judgement of his peers (7).

Opposition to a clearance area, in the form of written objections to the Minister, requires the holding of a Public Local Inquiry to determine a 'lawful judgement'. To each objector the local authority must send, at least fourteen days before the date of the Inquiry, a "Statement of Principal Grounds" upon which the authority based their

decision that a house was unfit for human habitation.

There has been much criticism in the past about this particular instrument of the administrative machine, and the outstanding diatribe, regarded as an insane masterpiece, was by Lord Chief Justice Hewart, who in his book, "The New Despotism" concluded a complete lack of justice in the process. Even now there are many who consider that the Departmental Inspectors at an Inquiry should not be on the staff of the Minister who is required to make the final decision. They argue that prima facie it would seem that he is merely acting as a "judge in the Minister's cause". The Franks Committee (8) considered that point and recommended that Inspectors should be placed under the control of a Minister not directly concerned with the subject matter of their work, and the Lord Chancellor's Office was selected as being appropriate. The recommendation was not accepted. To some extent I agree with the principal argument, but only insofar that I believe the Public Inquiry system has been used as an informal means of minimising and maximising Governmental policy on slum clearance. For at least ten years after 1955 not one house, in the Bishop Auckland area, was excluded from a Clearance Order on the grounds that it was not unfit. That was the period of greatest pressure by Government to clear the "ugly venomous slums". Statements of Principal Grounds, numbers 7, 8 and 9 (Pages 125, 126 and 127) are examples of unfit houses confirmed by the Minister on the advice of the Inspector, his arbiter, and support my belief. In the middle 1960s there was a period when undue attention was given to awarding well-maintained payments to owners who had not applied within the prescribed time period, but who had made a "doorstep" application" to the Inspector at the time of his site visit. That arbitrary practice presented an unfair advantage to the opportunist who was at home at the appropriate time, but was contrary to the official directive (9) which stated that the Minister would not arrange for a

property inspection where an objection or claim had not been lodged prior to the Inquiry. Nevertheless the practice was a precursor to a change in the law of housing compensation. In the late 1960's there was an informal move against the formal policy of wholesale demolition, and Inspectors increasingly excluded unfit houses from Orders on the basis (again contrary to directives) that they were not beyond redemption, and that heralded by three or four years what became official policy.

"Equality?"

However, those who attended Public Local Inquiries could not fail but to have been impressed by the fair and impartial manner with which the proceedings were conducted. But is the Public Inquiry an adequate device available to a property owner liable to lose his home? The principle of 'audi alterem partem' was legally formulated in a leading case (10) wherein it was stated that:

"a man cannot incur loss of property until he has had a fair opportunity of answering the case"

The Public Local Inquiry provides the opportunity, and is governed by the maxim:

".... ye shall hear the small as well as the great (11)".

But how fair is the opportunity?, bearing in mind that objectors are equal in their objections; they can state their case freely, and cross-examine the Council's witnesses. Legal aid is not available, and to the impecunious that would appear to be a distinct disadvantage. All objectors do not possess the same natural advantages, and many who appear at an Inquiry are inarticulate, and consequently unable to test the credibility of so-called expert witnesses. But in my opinion it is the disadvantaged who benefit more at an Inquiry because the Ministry Inspector, representing the personified figure of British Justice, will always ask on their behalf those questions that should be asked of

TABLE: 25

SLUM CLEARANCE: 1949-1979
BISHOP AUCKLAND URBAN DISTRICT

OBJECTORS AT PUBLIC LOCAL INQUIRIES

DISTRICT	Houses in Clearance Areas.	No. of houses subject to objections.	% of houses subject to objections in each District (i.e. % of (a))	Total % of houses subject to objections (% of (b) Total)
	(a)	(b)		
*Witton Park	458	86	18.78%	24.37%
Bishop Auckland	396	41	10.35%	11.61%
Coundon	416	50	12.02%	14.16%
West Auckland	264	42	15.91%	11.80%
St. Helen Auckland	85	29	34.12%	8.23%
*Coundon Grange	85	7	8.24%	1.98%
*Escomb	73	5	6.84%	1.43%
*Leasingthorne	78	-	-	-
South Church	181	24	13.26%	6.79%
*Newfield	79	-	-	-
*Eldon Lane	10	-	-	-
*Westerton	23	9	39.13%	2.55%
*Gurney Valley	41	40	97.56%	11.33%
*New Coundon	35	-	-	-
*Etherley Dene	60	6	10.00%	1.60%
*Canney Hill	21	2	9.52%	0.57%
*Coundon Gate	39	8	20.51%	2.27%
*Auckland Park	102	4	3.92%	1.13%
Totals.	2446	353	-	100%

*Indicates Category 'D' classification in 1951.

Source: Wear Valley District Council
Environmental Health Department

witnesses, and which professional advocates frequently fail to appreciate. It is the professionally represented objector who often is aggrieved, not so much by the public posing of his advocate, but the fact that he pays costs which are not recoverable if the objection fails. Table 25 details, in District order, the number of houses included in clearance areas, post war, and indicates the number and location of houses subject to an objection. The three hundred and fifty three dwellings involved was 14.43%, approximately one in seven, of the total represented. Almost half (47.32%) the objections were in respect of houses in Category 'D' settlements or villages, although the nine hundred and two dwellings in clearance areas (which were subject to objections in the 'D' settlements)

represent only 36.88% of the total. There is no pattern of objections in terms of location, reasons, professional representation, or typical objector, but less than 10% (15 out of 167) of objections were successful, and eleven of those were in areas represented after 1965 when a more enlightened national policy was emerging.

Local Lawful Judgement

Tables: 19 and 24 list five hundred and thirty five Demolition and Closing Orders made between 1955 and 1979. Each house was reported as unfit for human habitation to a Health Committee, and then referred to a Sub-Committee so that owners could attend and object, agree, or make an offer to remedy the unfitness (12). The "Time and Place" meeting is a legal requirement because every interested party is entitled to be heard judicially when the Council formally considers the representation, but the procedure does not incorporate the principle of natural justice that a party to a quasi-judicial proceeding should know the case to answer. Although it is the converse of the requirement to issue a Statement of Principal Grounds prior to a Public Inquiry, after a Clearance Order or Compulsory Purchase Order has been made, at least an owner does have the opportunity of objecting before the making of the Demolition or Closing Order. Only about 5% of owners attended a Time and Place meeting, and the majority of those were totally bewildered by the event even though the proceedings were relatively informal. Not once was a reasoned argument advanced against the unfitness classification, and consequently the recommendations of the reporting officer were adopted, namely the making of an Order. After confirmation by full Council the owner received a copy of the Order, which had on the reverse side "explanatory notes" regarding appeals, submitting proposals for carrying out works of reconstruction, and compensation. In view of their length and complexity it is not surprising that owners failed, for

instance, to apply for well-maintained payments (see copy of Form, reverse side, at end of this Chapter, Page 229). Although Circulars (13) issued, in 1972, 1973, 1974 and 1977, by the Department of the Environment requested local authorities to inform owners, in simple terms, of the various classes of compensation, it is only within the past two or three years that some effort has been made in that direction. Bishop Auckland U.D.C. just issued the appropriate Order, but now, attached to it is a short letter which states

"as occupier of the property you may be entitled to a Home Loss Payment under Section 29 of the Land Compensation Act, 1973, and if you wish to apply for a payment please contact"

There is no mention that there is a residential qualifying period, or that the claim must be submitted within six months of displacement. The letter does not advise that the occupier may also be entitled to a 'Disturbance Payment', enabling him to recover reasonable expenses incurred in removing from the land, for which there is neither a residential period of qualification, nor time limit for submitting a claim.

Even though Wear Valley District Council fully and freely accept the legal dictum of "suum cuique" - to each his due - the administrative machine in applying it has been somewhat dilatory - a situation shortly to be remedied.

Accelerated decline

The problems associated with the demolition of, and rehousing from, unfit houses have been adequately discussed by, for example, Dennis (14) and Jacobs (15), who argued that protracted clearance and slow rehousing precipitated accelerated decline, vandalism, rubbish dumping, rat infestation and decay.

The villagers of Witton Park would certainly testify the truth of that argument, because for more than a generation (Table: 26) they suffered the effects of long term demolition, where bulldozers gnawed at end houses at an average rate of twenty houses a year, and the village was slowly eaten away (Photograph: 53). The conditions provided a training ground and apprenticeship in vandalism for young children and adolescents who were raised in the area (Photograph: 54). Both Dennis and Jacobs further argued that houses should be cleared street by street, or demolished on group basis, before demolition began

DEMOLITION AT WITTON PARKTABLE: 26

YEAR	NUMBER OF HOUSES DEMOLISHED
1955	18
1956	10
1957	3
1958	11
1959	43
1960	14
1961	10
1962	8
1963	6
1964	32
1965	76
1966	6
1967	96
1968	36
1969	10
1970	10
1971	71
1972	13
1973	-
1974	-
1975	19
1976	10
1977	4
1978	2
TOTAL	508

SOURCE: Environmental Health Department
Wear Valley District Council

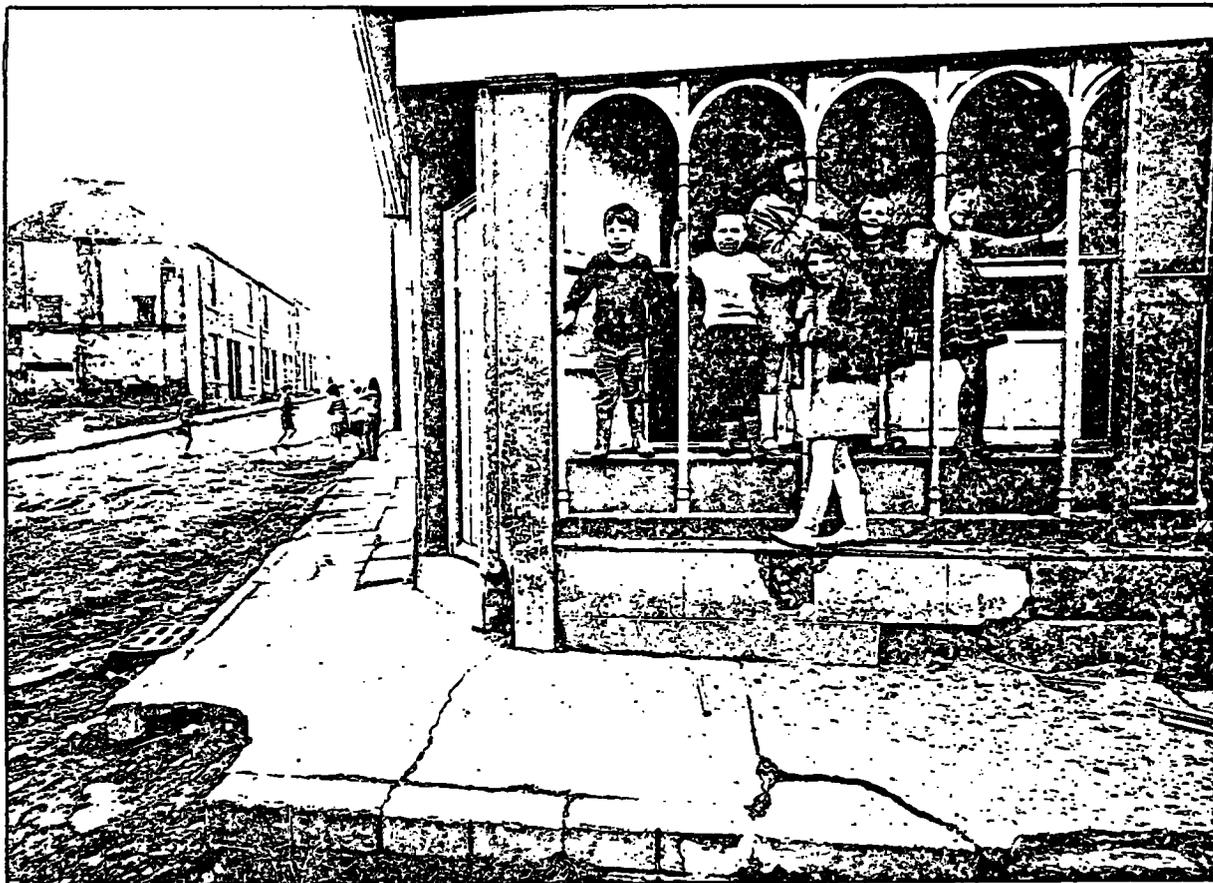
in other areas, if only for humanitarian reasons. Because of efforts by the Housing Manager to rehouse together relatives who lived in different streets, it was not practically possible to demolish street by street. It would, however, have been quite feasible to concentrate on rehousing from Witton Park alone and then demolish on a group basis. But that was not politically acceptable, because of a parochial 'fair shares for all' attitude. Although Witton Park was priority for the representation of unfit houses, there was no priority for rehousing or demolition. The latter



"Bulldozers gnaw away at the end houses
and the village is slowly eaten away"
Daily Telegraph Magazine, 1969

Photograph: 53

can be partly explained by the argument over property purchase which had raged between the County and District Council for many years. Originally the County Council intended that once razed to the ground, Witton Park would be reclaimed for afforestation. The District Council, argued that the County should purchase the properties and



DAILY TELEGRAPH 1969

Photograph: 54

"HORDES OF GRUBBY, BRIGHT-EYED CHILDREN RAMPAGE THROUGH THE CRUMBLING REMAINS OF THE EMPTY HOUSES AND CLOSED SHOPS".

land for that purpose, because they (the District Council) were unable to do so under Part 3 of the 1957 Housing Act - the land not being required for redevelopment. The non-resolution of the argument as to which authority should acquire had its effect on Witton Park and expressed in a letter to the Northern Echo, in 1962 (16):

"At the Public Hearing in the Bishop Auckland Town Hall in 1954 we of the Witton Park Defence Committee protested against the County Planning Officers Town Map which sought to destroy our village. Unfortunately we lost our case, but during this Hearing Mr. Geenty was asked by our Solicitor how he intended to heal the scar once he had pulled down the houses. To this he promised to transport soil from the new estate and then plant trees.

Since 1954 we have been very patient. We have taken for granted that people must leave the village against their wishes. We have seen some families return because they could not afford to live on the new estate. We have

seen cases where people have applied to build their own houses in the villages, only to be refused permission. The County Planning Officer has done his utmost to break our spirit.

Is this then part of his plan to leave the site in such a state that we who remain shall be so disgusted that we too will eventually break and ask to be transported to the new estate.

After waiting eight years it is time the promise was kept otherwise there will not be enough soil to heal our scars".

Eight years later the Clerk of Bishop Auckland Council wrote to the County (17):

"... in respect of Witton Park the whole climate of opinion has changed completely and has become increasingly bitter and inflexible. I warned the County Council that this would be the case, and yet at this late date, when conditions in that village can only be described as a public scandal, you still hesitate to implement policies agreed many years ago.

Ultimately Bishop Auckland UDC compulsorily purchased the sites of the former houses, after owners had paid for demolition, and in 1977 the Wear Valley Council agreed to a County prepared scheme for partial reclamation, but which by June 1979 had not commenced.

With redevelopment denied in the Category 'D' villages the residents affected by Clearance were rehoused (re-located) to the growth centre at Woodhouse Close, Bishop Auckland, an estate of almost two thousand houses. Coupled with a twenty years exercise in demolition, relocation involved more than just a rupture of social networks; it involved a rupture with a particular place, an identified home ground invested with social memories and associations; and it made former villagers semi-detached occupying troglodytes subject to controls issued from the top of the Council housing pyramid.

Apart from the physical severance with their place of identity what did the villagers of Witton Park, for example, lose and gain? They lost the pride and prestige of home ownership; the corner shop; the favourite public house; the surrounding views; the pleasure of walking along, and fishing in, the nearby river; the hobby of racing

pigeons, and cultivating an allotment. Village life, which in its freedom, individuality, diversity of social activities, and the ability of families to decide what they want to do, is a sophisticated life. The necessities and features of village family life are the neighbourliness of gossip; reciprocity; the casual greeting and nod; identity, and the measuring of one against another, the need to recognise and be recognised. It has been said that the great thing about a village is that even if you are not loved at least you can be hated, but never ignored. They lost a life-style.

On being moved to Woodhouse Close Estate, where trellises and fences were banned, every fourth door painted olive green, and only standard size greenhouses allowed, they had the benefit of modern houses at higher rents, and for a long time they experienced social isolation; for the elderly, problems posed cast deeper shadows because they no longer had the resilience of youth. In the 1963 Written Statement to the County Development Plan, First Review the County Planning Officer wrote (18):

"Many villages suffer from lack of support because younger people demand a wider range of better facilities which are not available and cannot be provided within each village. The need to provide a better quality social life and recreational facilities can only be met by concentrating development in selected areas".

At Woodhouse Close for many years there was a complete lack of play areas and social facilities. Even now provision is minimal, and over a period of almost twenty five years Witton Park exiles have regularly returned to their village to enjoy the social life offered, though on a much reduced scale.

Environment

For some it has always been a self-evident truth that the physical environment was extremely important for the well being of society. To the planners and many local authority Members it was something of

a shibboleth that if the physical environment was right, in the form of planned semi-detached housing estates, or high rise blocks, it would automatically lead to the correct kind of social balance and happiness that society sought.

According to Gans (19) there is considerable evidence that the physical environment does not play as significant a role in peoples lives as the bureaucrats believe. He thought that:

"the planner ignores almost entirely the people who live in the community. He does not plan for them either as individuals or as members of groups. He pays no attention to the social structures, institution, cultures or sub-cultures and age groups which are the fabric of society. He does not see that most people live most of their lives around the family, the pub, the job, their friends, the church: he does not recognise that they have goals or aspirations, problems or worries. He sees them only as occupiers of buildings. To him people are little more than artifacts, who are expected to function within the housing and other community arrangements - which he provides for their good ... What affects people is not the raw physical environment, but the social and economic environment in which that physical environment is used".

Gans' argument, expressed in strong terms, that peoples behaviour is not determined by the buildings in which they live, learn, work and play, but by the economic, cultural, and social relationships within them, was recognised at the beginning of this Century by Lady Florence Bell when she described the genesis of Middlesbrough as ' a place in which every sense is violently assailed all day long by the manifestations of ironmaking', but:

"to the spectator who suddenly comes upon this gaunt assemblage of abodes, and forms a gloomy picture of what life must be like in them it is an actual consolation to know that many of the dwellers in the place have a deeply rooted attachment to it as though it were a beautiful village It is not after all every man or woman who is susceptible to the outward aspect of the world around him; there are many who are nourished by human intercourse rather than natural beauty ... many of the dwellers have a veritable keen zest in existence, a fund of human sympathy and a spirit of enterprise". (20).

Whilst agreeing with the views expressed by both Gans and Lady Bell, I dissent from an absolute position that physical environment is not important. The appearance of Witton Park with its unmade streets was depressing, but who can quantify the value and benefits of the surrounding open countryside, and the nearby River Wear?

Similarly how do we define "houses unfit for human habitation"?

Normally in terms of physical condition: judged against the sub-items of Section 4, Housing Act, 1957, but those items are negative judgments, merely intended to assess the absence of certain features, and fail to take into account equally positive factors of village scape or quality of life. Good living conditions can never be achieved merely by compliance with present standards of fitness for human habitation. A modern housing block may have every modern amenity yet psychologically be unfit to live in. Conversely a substandard house in an old mature community may be delightful in a way which planners and architects are incapable of matching.

It is difficult to measure not only environmental benefits consisting of a high level of unconscious townscape, but also the tangible aura of a continuing community, of people with roots in a village, of a sense of continuity, and a wide range of communal activities and amenities. A major heresy of the County Development Plan was that by assuming 'community' meant communal facilities, and imagining 'visual uniformity' equalled social cohesion, they 'Condemned to Die' many villages for an alleged lack of both, and thought that a spatially circumscribed semi-detached area would re-incarnate the loss. Fried and Gleicher carried out some research in Boston, Massachusetts, which supports the argument against relocation on social grounds. They stated (21) that urban renewal planning had assumed social benefits would accrue to former residents of 'slums' if they moved away to 'better' houses. The assumption was questioned. In the 'slum'

area which they studied Fried and Gleicher found that most residents experienced profound satisfaction from living in an area which had been defined to be a 'slum' by outsiders. The satisfaction derived in large part from the close associations formed and maintained among local people, and from their strong sense of identity to local places. In turn "people and places provided a framework for personal and social integration".

To Jane Jacobs (18):

"real people are unique; they invest years of their lives in significant relationships with other unique people, and are not interchangeable in the least. Severed from their relationships, they are destroyed as effective social beings - sometimes for a little while, sometimes forever".

Value judgements differ, as they must, on the difficult question of the limits of public intervention.

Slum clearance procedures were extensively used in the Bishop Auckland District as a means of removing people from unfit houses. In "Public Participation and Planner's Blight" Dennis posed the question, "how much improvement in public health may be regarded as adequate compensation for the distress of people rehoused against their will?" A more basic question would be "to what extent did the older, unfit, houses contribute to ill health, and what measurable improvement have resulted from rehousing?" There is no argument against well established documentation that grossly overcrowded slums of the Dickensian era were 'hot-beds' of culture for typhoid, typhus, tuberculosis, smallpox, scarlet fever, and similar once endemic diseases. Due to many interrelated reasons those diseases belong to the past, except on rare occasions, and I suggest that the vast majority of unfit houses at Witton Park, and other parts of the Bishop Auckland District were inconvenient rather than unhealthy. To compare Witton Park's unfit houses with Victorian Slums is to unfairly compare like with unlike, so consequently conclusions must be in direct

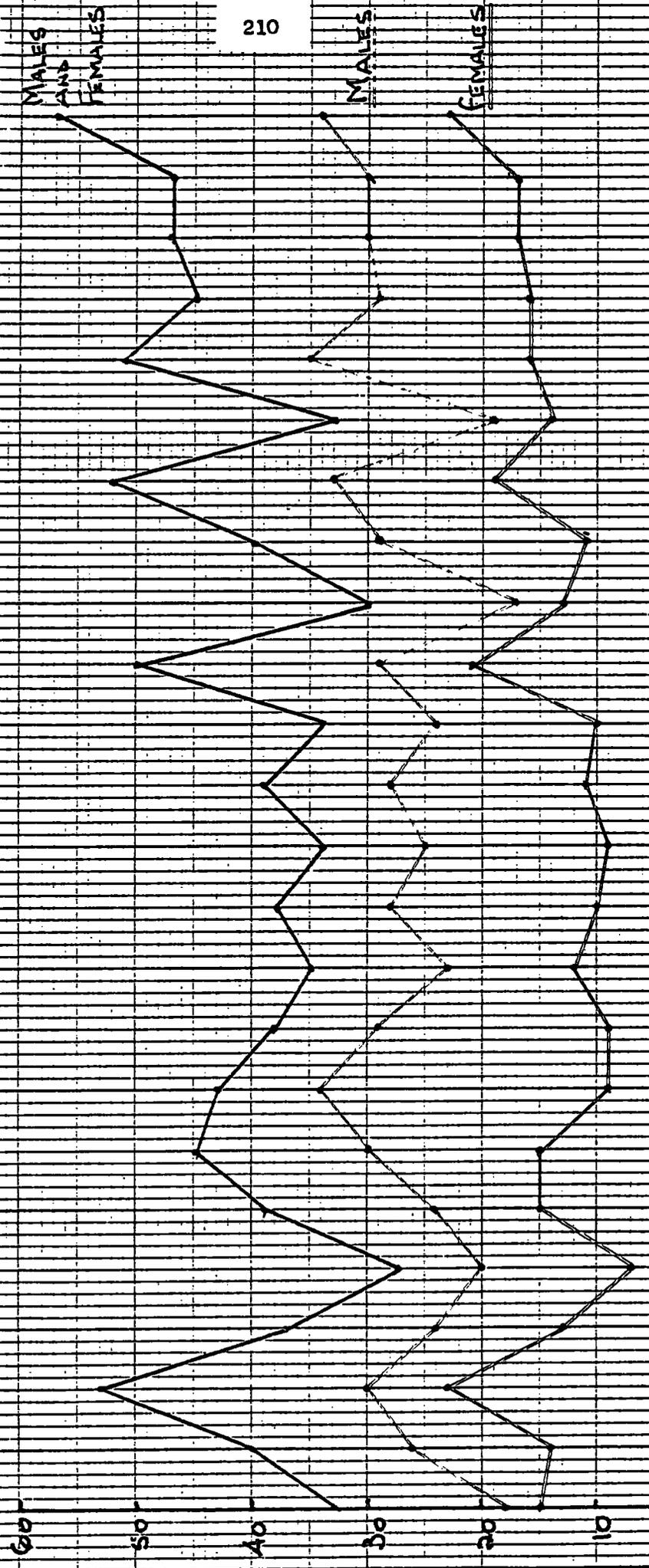
relationships. To what degree do eighteen inches of rising dampness injure health? Cracked or perished plaster is decoratively inconvenient, but not unhealthy. A shared toilet may present the hazard of Phthirus Pubis, but what ailments are caught by visiting an outside water closet? Does an internal standpipe tap and lack of a sink exacerbate illness? Back to back dwellings with poor natural lighting, inadequate ventilation and limited cramped living accommodation are much more likely to contribute to ill health than unfit terrace 'through' houses.

Dr. H.J. Shuttleworth, Witton Park's General Practitioner expressed the opinion that the villagers were normal healthy human beings who occasionally suffered from normal complaints. He wholeheartedly supports the view that the houses were not direct contributory factors to unhealthy living, but were inconvenient and not altogether conducive to comfort, easy to manage, or adapted for 'modern' enjoyment. As an exercise of interest rather than substantiation, Diagram: 14, has been included to indicate improvement or change in the mortality rate due to respiratory diseases in the Bishop Auckland area. The graph covers the period from 1949 to 1972, and the information was abstracted from the Annual Reports of the Medical Officer of Health. Respiratory diseases were those listed as Pneumonia, Tuberculosis, Bronchitis, and other non-specified respiratory conditions. The lower level of incidence occurs in the ten years span from 1955, during intense clearance activity. From 1966 to 1972 a much higher incidence is shown. Certainly in Bishop Auckland there has not been sufficient, if any, research to answer questions which obviously arise. But it is interesting to speculate, for example: could the higher level of deaths attributable to respiratory diseases be due to "modern living", where lack of fireplaces and ventilation bricks, together with central heating, produce conditions which cause excessive condensation, especially in bedrooms? Could the higher rate have

DEATHS DUE TO RESPIRATORY DISEASES

Diagram: 14

210



1949 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72

YEAR

BISHOP AUCKLAND UDC

SOURCE: M.P.H. ANNUAL REPORTS

been merely the result in an increase in the number of deaths of older people, who would normally be victims of respiratory problems? Could premature relocation and social isolation have been contributing factors? The whole question is really open-ended, but does highlight a current issue. Because of extensive dampness, mould and inherent defects of design and construction hundreds of post-war dwellings in the Northern Region alone have been demolished, will be demolished, or are difficult to let. For instance, Noble Street, Newcastle was demolished nineteen years after construction; the multi-storey St. Cuthbert's Village, Gateshead will soon be demolished after ten years 'life'; the East End Flats at Longbenton, housing 1700 people, are soon to be subjected to demolition; both Sedgefield and Wear Valley District Councils have received petitions from their tenants protesting against intolerable conditions in houses built since 1976.

One declaration in the 1951 Development Plan was that:

"the public must be fully aware of the aims of the plan, and be able to express their desires and ideas for incorporation. Unless there is active participation by the citizens; unless he is prepared to realise that anticipation of, and adjustment to, future changes, is more important than dwelling on past events, then the Development Plan can never be more than a skeleton of ideas, a mere paper pattern (23)", and later, in 1963

"A few local authorities and individuals have objected to the policy applying to individual villages, but in general the need for the regrouping policy has been widely accepted" (24).

The Public was not made aware of the Plan, nor was there any procedure for consultation, participation, or objection, except through a Public Inquiry. Although the citizen was expected to adapt and make adjustments, the inflexible form and content of the Plan was not adapted to new techniques, concepts or changes, and the centralised procedure required for amendments imposed unacceptable delays.

The policy was not widely accepted, and a major consequence of Category 'D', and extensive clearance activity, was the acceleration of

opposition through an increase in community politics. The Witton Park Defence Committee opposed such housing action and development restriction from 1952, but the local Councillors lacked voice and power in the Labour Party machine, and failed to gain support for their Ward. Eventually they were replaced by Civic and Independent Members. In 1962 ELDRA was formed, and their support for candidates in the 1964 District Election played a major part in Labour losing control of Bishop Auckland UDC, when three Labour Councillors lost their seats to a Civic and two Conservative candidates. The political swing was significant because traditional Labour seats in working class areas progressively changed, and the loss of control was not regained.

In the main Category 'D' villages (Table: 4, Page 19), the Labour Party had ten Councillors elected in 1952; they lost one seat in 1955, a further two in 1961, and three more in 1964; they had only three Councillors out of a possible eleven in 1967 and just two in 1970.

Labour domination with an eighteen Member majority had been reversed within twelve years to a Non-Labour Alliance majority of four (Table: 1, Page 14). Until 1967 several Independent and Civic Councillors had separately opposed the 'D' policy, and in December of that year four Members representing Witton Park, Newfield, and Coundon Grange joined forces and formed the County Redevelopment of Villages Action Committee (CROVAC). The first meeting was attended by several of their Labour colleagues who declined to continue an association with the Committee because "the aims were contrary to Group policy" (25). I am convinced that continued pressure by the Witton Park Defence Committee, ELDRA and CROVAC over many years altered the views of influential Labour Members, some of whom confessed (26) that they had initially agreed to the policy out of

ignorance, and the assumption that the situation would change. Certainly the local Labour Group eventually bowed to public opinion, and in later years Bishop Auckland U.D.C. was theoretically and practically totally opposed to the County Plan in respect of village classification. C.R.O.V.A.C. was particularly active with organised opposition at Public Inquiries; and "Category D" rallies where Shadow Ministers, Graham Page and Geoffrey Rippon, pledged support against "the legal vandalism carried out daily in the name of planning" (27). Their demonstration in the Market Place, Bishop Auckland, forced the prophet of public participation, Arthur Skeffington, M.P., to secretly leave the Town Hall by a side exit; and a petition presented to the Minister of Housing (A. Greenwood) when he opened the Bessemer Housing Development at Spennymoor, stole the news headlines. They petitioned local Councillors, County Councillors, Members of Parliament, successive Housing Ministers, the Prime Minister, Leader of the Opposition, and Her Majesty the Queen (28). The Witton Park group even wrote to the Belgian Embassy in London to enlist help in the 'D' village fight (29). In 1968 (30) Councillor Callaghan announced at a C.R.O.V.A.C. meeting that he, a Hexham Solicitor, and five Bishop Auckland Councillors intended forming the Durham County Housing Association Limited, with the single aim of renovating property, wherever possible, in Category 'D' villages. The concept of the Housing Association was germinated when that Solicitor, involved as Chairman of the Hexham Self-Help Housing Association Limited contacted Councillor Callaghan after reading a 'Times' article on the activities of C.R.O.V.A.C. During the past eleven years the Housing Association has improved scores of houses in the Bishop Auckland area, mainly at Binchester, (Photographs: 37, 38 and 39): Eldon Lane/Coundon Grange (Photographs: 41, 42 and 55) Newfield (Photographs: 56 and 57) and Witton Park (Photograph: 58).

The Association has been described as 'CROVAC in Action', and the two interconnected groups claim some credit for the various reprieves granted to Category 'D' villages; Eldon Lane/Coundon Grange, in the Bishop Auckland Area, and others in the County, for example Chopwell, Rookhope, Trimdon Grange, New Brancepeth and Hamsterly Colliery (25). The rigidity of the County Development Plan was attacked by those who were concerned about the absolute refusal by the County Council to alter course. Ken Patton (32), in his address to the British Association, commented that the policy had neither changed nor been adapted over twenty years. Referring to the 1963 Review Document which stated that:

"people travel long distances to work, not because they like travelling but because living conditions they want are not available near their work. People do not wish to continue living in isolated communities!".



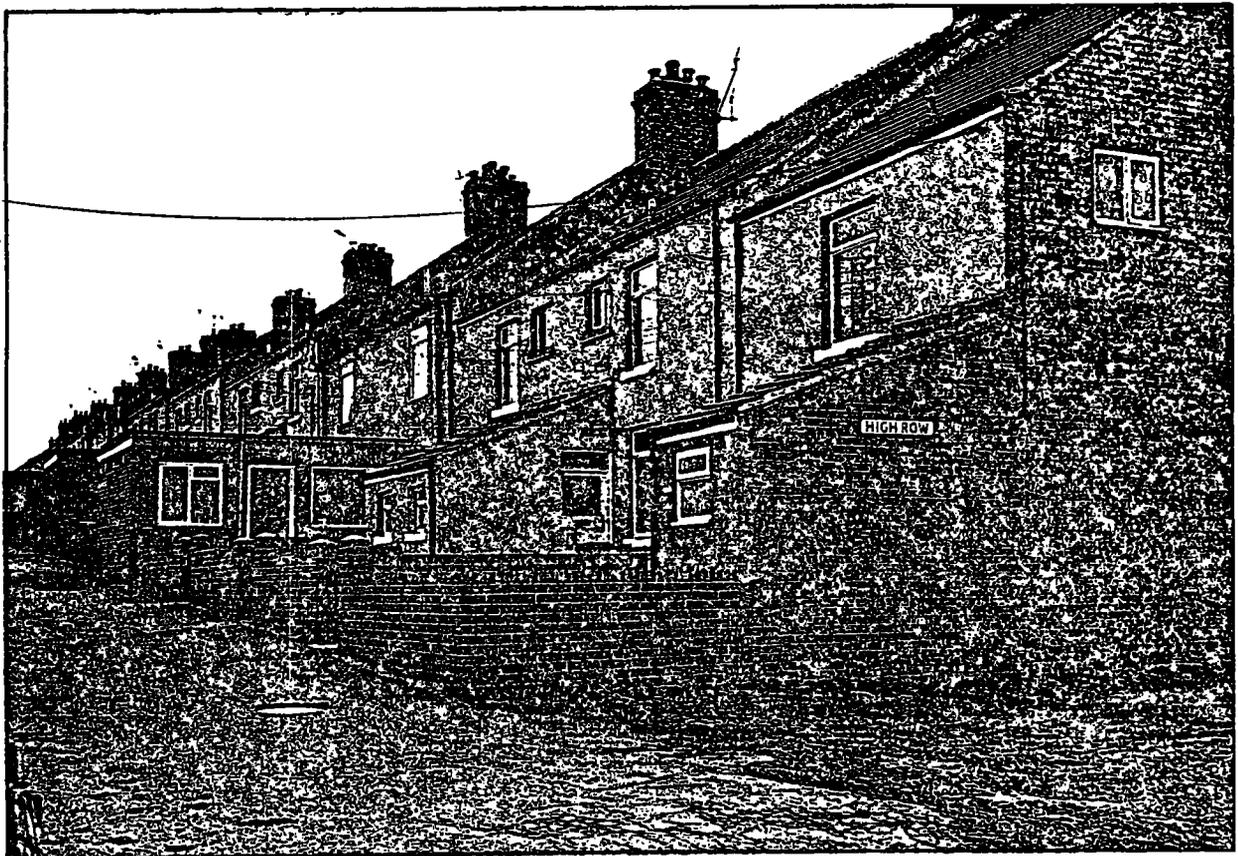
Typically improved dwelling by Durham County Housing Association at Coundon Grange, 1979.

Photograph: 55



Houses improved by Durham County Housing Association at Newfield, Bishop Auckland, 1979.

Photograph: 56



Photograph: 57



Durham County Housing Association improved
houses at Woodside, Witton Park, 1979

Photograph: 58

he argued that although commuting was general, it was substantially less than that in other areas. People preferred to live away from their work, and travel relatively long distances for that privilege. That simple fact was not acceptable to the County, even though successive Census volumes on journeys to work information (1951, 1961, 1966 and 1971) indicated that commuting had greatly increased, in the proportion of working population involved and distances travelled. The ever increasing opposition, sustained and determined, by Defence Committees, Action Groups and individuals, did succeed in persuading less dogmatic and more enlightened Local and County Councillors that the Category 'D' policy should be changed.

A change of direction from clearance to rehabilitation of houses, and areas, had somewhat different effects. The residents of Binchester, for instance, suffered a short term inconvenience of temporary rehousing when their dwellings were improved by the Durham County Housing Association, and were then re-offered the tenancy or an opportunity to purchase. Many new owners, eight years later in 1979, find themselves occupying houses, with direct access onto a main road which is in an atrocious condition. A total lack of drainage is responsible for flooding during periods of heavy rain (Photograph: 59). They also find that the cost of drainage and resurfacing works, as frontagers, is their responsibility. Similar to many owners and occupiers in other areas they had attended Public Meetings where ambitious plans for environmental work within General Improvement Areas were displayed. Play areas, garage spaces, new roads, amenities



Granville Terrace, Binchester, following
torrential rain, 1979.

Photograph: 59

were all to be provided at "the public expense". Local Government reorganisation and a reduction in public expenditure have turned expectations into anger and financial disenchantment.

Even where General Improvement Areas had progressed residents were divided, and often acrimonious, about proposed traffic schemes, and play areas, but were united in opposition to trees being planted outside their homes.

In the Eldon Lane/Coundon Grange Housing Action Area there was compulsion of a different kind, namely that of house improvement. Landlords who would not, or could not, finance renovation works faced the choice of either selling their houses, or having them improved in default by the Council, with consequent loss of grant. Even though 90% grants (£4500) were available to owners of proven financial hardship, they were of no value to the impoverished who had to raise a minimum £500 in order to qualify. However, with the accent on municipalisation many owners were only too pleased to rid themselves of a burden, and the Council was in danger of becoming a large scale landlord of sub-standard property, due to a lack of resources for financing improvements to the acquired property.

Within the framework of Durham County Council's Development Plan, 1951, to the end of 1978, approximately three thousand houses in Bishop Auckland Urban District were demolished. It has been argued that the County policy was legitimated by the need to halt emigration; encourage new industrial development; and provide for that industry a pool of labour properly housed in modern houses at selected growth areas.

It has been argued that the District Council's policy of comprehensive clearance was legitimated by the need to improve public health standards, with the removal of insanitary, obsolete, and backwood areas, such as the village of Witton Park.

It could be argued that the policies of both County and District Councils were 'illegitimate', not so much in terms of distributive social justice, but by the need, according to middle class standards, to remove that which was alleged to be ugly and useless.

Various sources had stated that many of the villages were:

- "isolated communities housed in terraces totally devoid of reasonable amenities, and overshadowed by black evil smelling tips"
- "hopelessly overcrowded and obsolete".
- "inhabited by an unbalanced population; aged, with decreasing reproduction, and increasing mortality, rates"
- "lacking in any form of reasonable social amenities"
- "isolated, with the inhabitants required to travel long distances to work"
- "populated by residents overcome by a sense of hopelessness because of years of unemployment".
- "centres of drifting population which indicates that the purpose of the villages is practically forgotten, and their utility is finished".

The only solution therefore was to:

"relocate the inhabitants; that is, 'gather them' at local and regional centres to which industry will be attracted; the settlements will subsequently disappear".

Legally legitimate, the County and District policies of 'live and let die' were neat and tidy, but rigid and narrow in application.

Paradoxically, powers enabling a local authority to operate gradual renewal have been available since 1957 (33), with the availability of improvement grants eight years earlier, and the 1964 Housing Act providing the opportunity for the declaration of Improvement Areas. Local Members, however, were not wholly aware of all those provisions because their officers at times lacked the enthusiasm necessary to re-orientate their thinking and attitudes, and were not sufficiently inclined to surmount and then project the complexities of new legislation. Equally, Members failed to encourage property improvement through grant aid because of a shallow conception of housing action and responsibilities in the private sector. In a myopic endeavour to succeed with slum clearance and Council house building programmes, they failed to recognise the problem of increasing obsolescence. Not until the late 1960's was there a growing appreciation of old and new available powers which, together with a change in political dogmatism, accelerated gradual renewal ideas; applied with the tacit consent of, and benefit to, the inhabitants of the District.

Both County and District Policies were effective:

- a) - in demolishing more than three thousand houses in the Bishop Auckland Urban District; dwellings which represented a deprivation calculus of discomfort and inconvenience, dampness and disrepair, and lack of modern amenities;
- b) - in not removing deprivation, but transferring, and creating new, social problems;
- c) - in demolishing three thousand houses, many of which represented a valuable social asset.

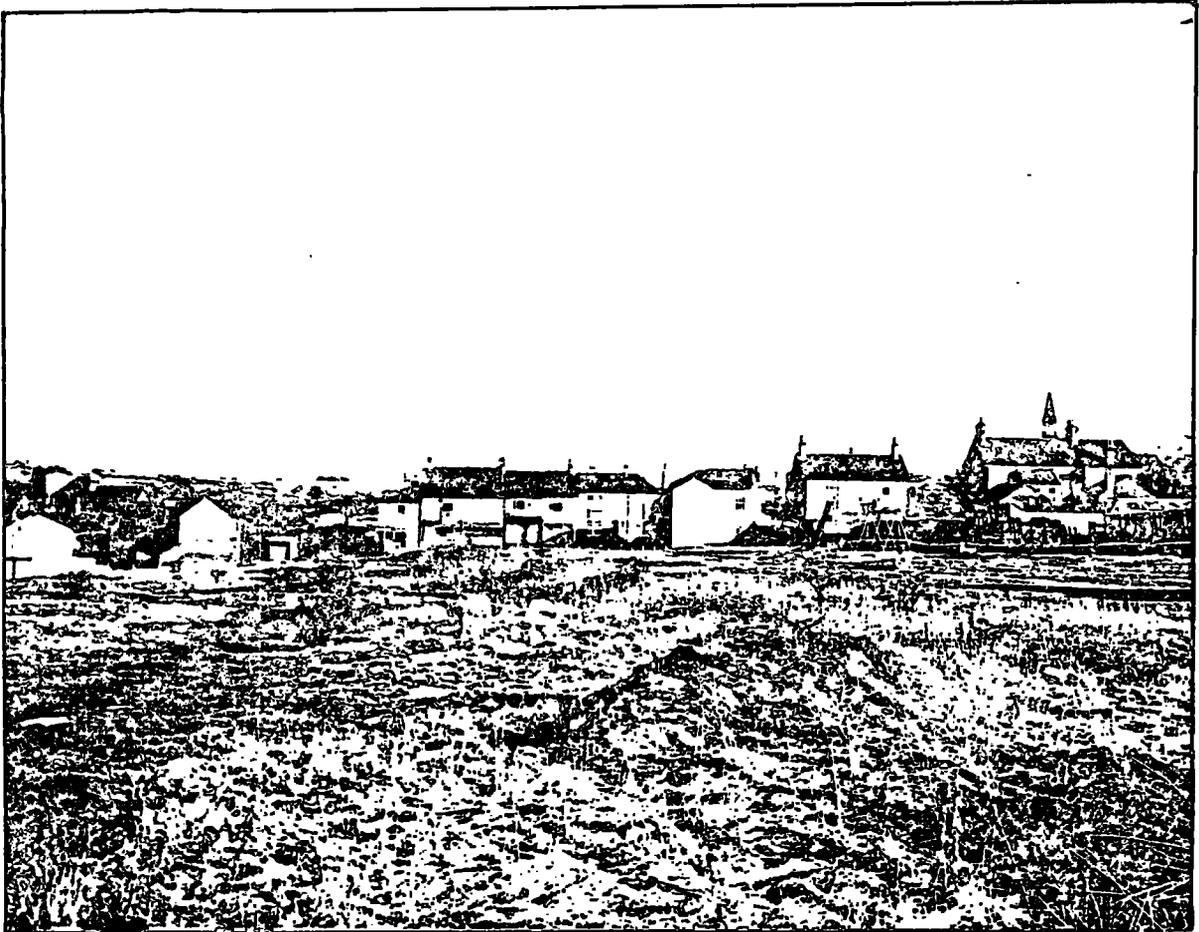
- d) - in disrupting communities; and destroying the territorial basis of community life, with Witton Park as the prime example;
- e) - in demolishing three thousand houses, many of which should not have been demolished, but renovated with grant aid;
- f) - in failing to recognise the financial and social benefits of village rehabilitation;
- g) - in ignoring people, their aspirations and life style;
- h) - in creating an inflexible and bitter climate in which was nurtured an unintended, unanticipated, but resolute opposition;

Although Witton Park was devastated (Photograph: 60), and opposition to its present existence rumbles on at County Hall, housing action within the prescribed policies was not wholly negative.

Overall, more than three thousand one hundred dwellings were improved with the help of monetary grants, enabling owners to retain their ties of friendship and social relationships, yet benefitting from house modernisation.

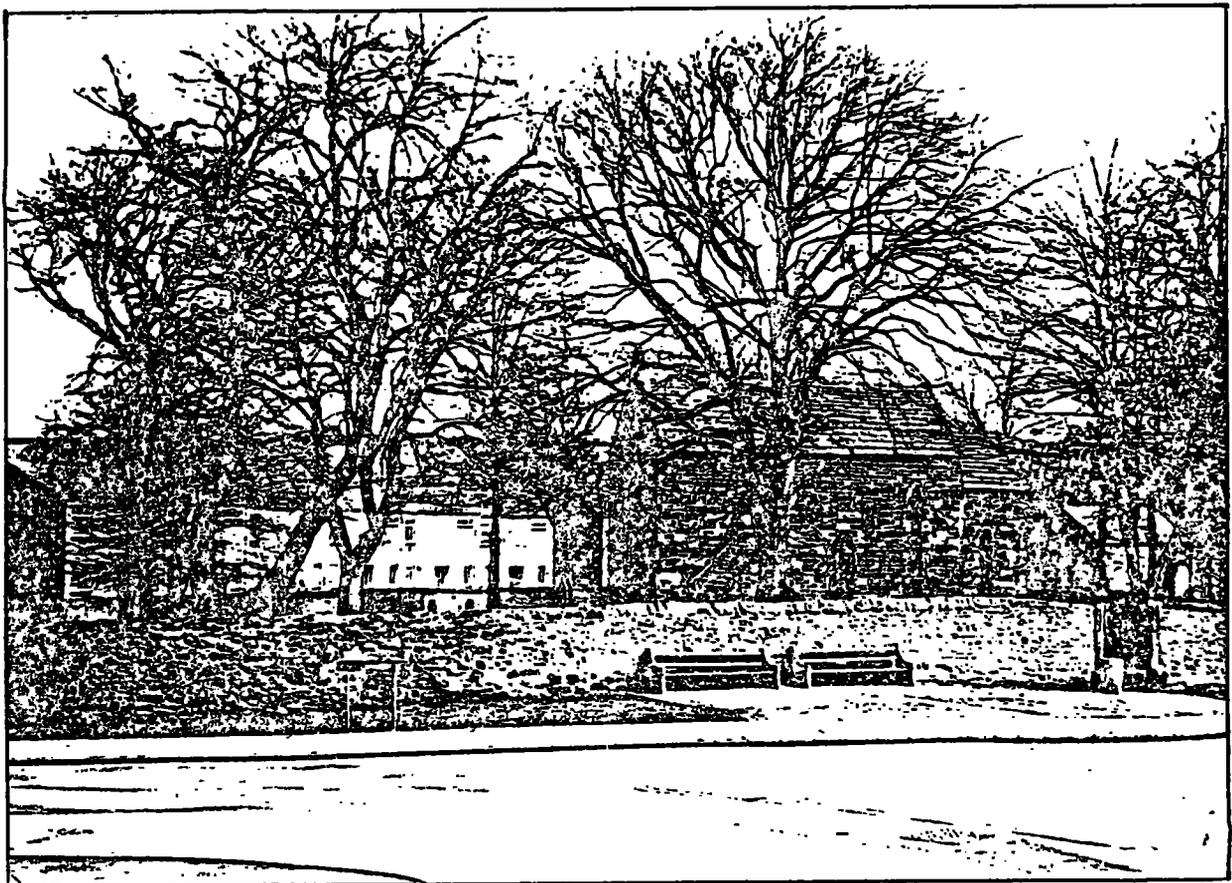
Several thousand residents enjoy daily the benefits of environmental schemes carried out in General Improvement Areas.

The village of Escomb was completely rebuilt around its Saxon Church (Photograph: 61).



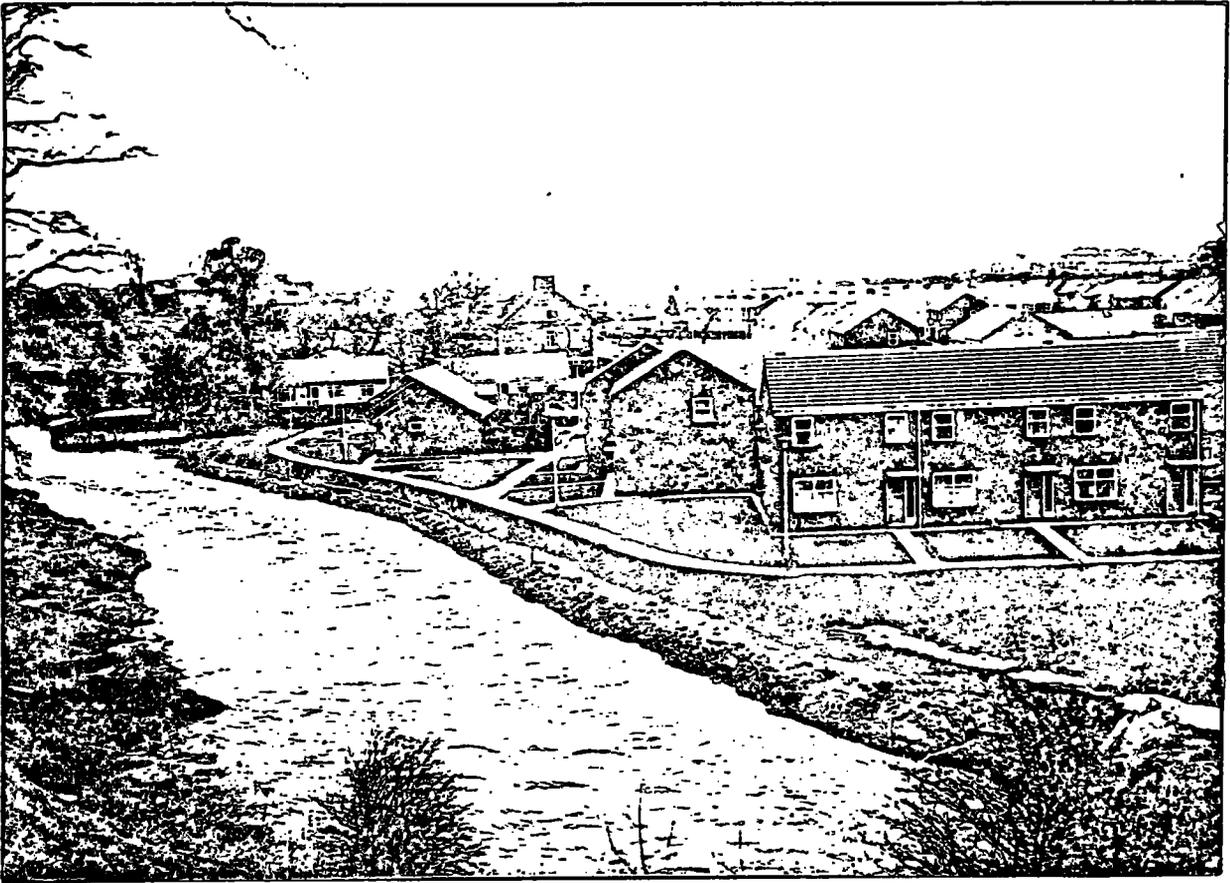
Witton Park, 1979
View facing Main Street across the demolished housing sites.

Photograph: 60



The Saxon Church, 1979
In the background is part of the new development.

Photograph: 61



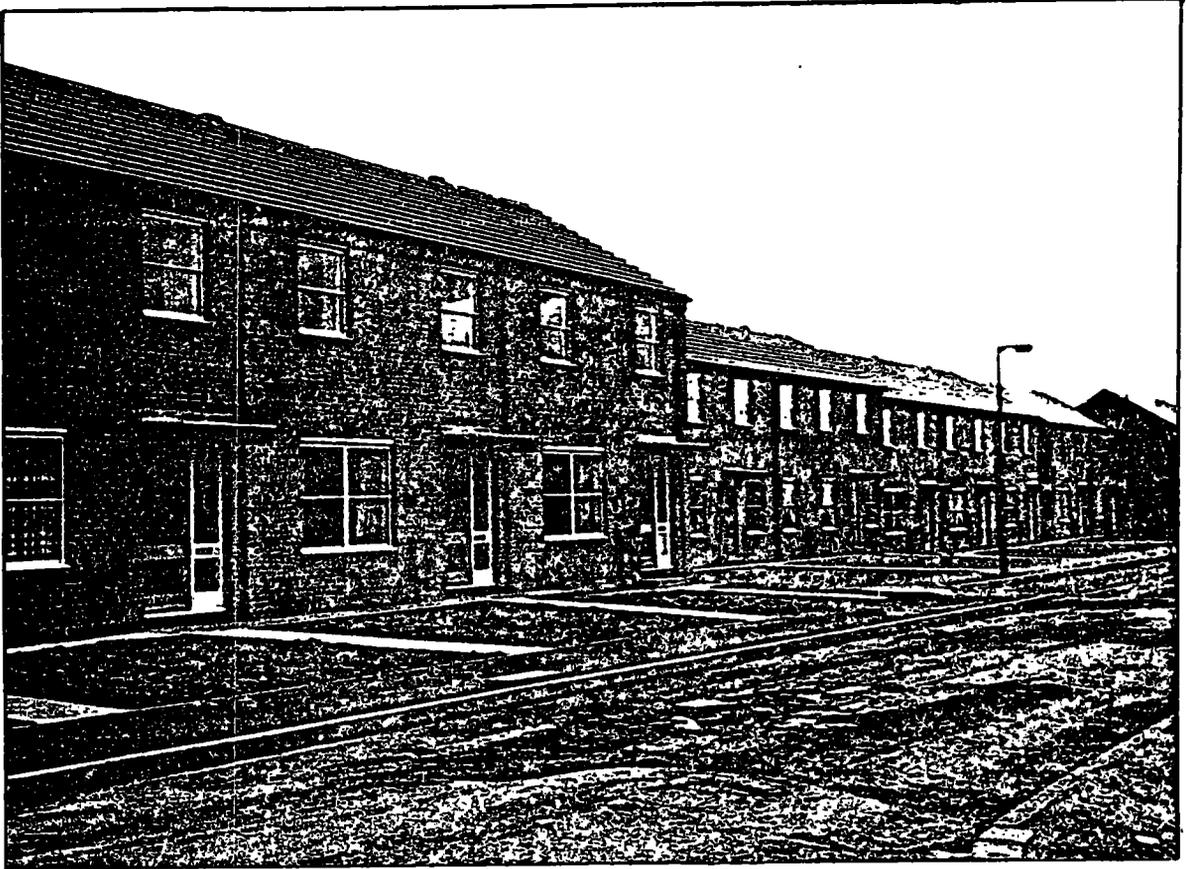
Redeveloped South Church

Photograph: 62

River Gaunless almost at flood level 1979

South Church was similarly renewed, although still in danger of being flooded after heavy rain, or the melting of deep snow. (Photograph: 62)

Binchester houses were revitalised by the Durham County Housing Association, and almost had the advantage of environmental improvements, now awaited. Eldon Lane/Coundon Grange is currently emerging from the pupa stage of village rehabilitation with the improvement of existing dwellings and an injection of new Council houses, following removal of Category 'D' status by the County Council when the Bishop Auckland Town Map Amendment, 1973, was accepted (Photographs: 63 and 64)



Photograph: 63

New, Terraced Council Houses
at Coundon Grange.
Occupied 1979.



Photograph: 64

A mixture of new building and
rehabilitated dwellings, at
Coundon Grange, 1979.

Witton Park, "Condemned to Die " in 1951, by Durham County Council ably supported by Bishop Auckland Urban District Council, has survived despite extensive, often unnecessary, demolition following numerous Clearance Orders made with indecent haste between 1955 and 1966.

The village was almost destroyed by ignorance, prejudice, indolence, intransigence, renewal inertia, and lack of resources.

Above all, in relation to present attitudes, available powers and their effective application, Witton Park was a victim of Time.

Policies adopted by the autonomous political bureaucracies of local government have far reaching consequences, intended and unintended.

It is not enough that a chosen direction is determined with good intent based on persuasive theory, because the pursuit of success, especially in the housing arena, inevitably encroaches on the freedom and responsibilities of individuals. Concern for people is paramount. During thirty years of intensive housing action too many ordinary people were 'losers' because they lacked the influence required for political control even though theoretically they were the masters. Neither the losses nor gains of Category 'D' and wholesale clearance policies can be quantified in terms of success, failure or social justice.

It is perhaps apposite to paraphrase Weber's sanguine view of bureaucracy (35):

"They have not measured up to their own doings
 or reality in its everyday routine.
 Objectively and actually they have not experienced
 the vocation for politics in its deepest meaning
 They would have done better in simply cultivating
 plain brotherliness in personal relations"

Only the future can record whether present policies will repeat the failures, shortcomings and despair of the past.

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NOTES.

A person aggrieved by this order may appeal against it to the County Court. The appeal must be brought within 21 days after the date of the service of the order to the County Court within the jurisdiction of which the house is situate, and if an appeal is brought, no proceedings may be taken by the local authority to enforce the order until the appeal has been finally determined or withdrawn. An appeal cannot be brought by a person in occupation of the house under a lease or agreement of which the unexpired term does not exceed three years.

The County Court Rules provide that an appeal shall be brought by requesting the Registrar of the County Court having jurisdiction in the matter to enter the appeal. A copy of this order must at the same time be filed in the Court Office together with an additional copy of the request to the Registrar for service on the local authority.

The County Court Rules further provide that the request to the Registrar for entry of the appeal shall be in accordance with the form prescribed by the rules, with such variations as the circumstances may require.

This order will become operative 21 days after the date of the service of the order unless an appeal has been brought against it. If an appeal is brought, the order will not become operative until the appeal is finally determined or withdrawn.

A person who knowing that this order has become operative enters into occupation of the house to which it applies, or any part thereof, after the date by which the order requires the house to be vacated, or permits any other person to enter into such occupation after that date is liable on summary conviction to a fine not exceeding £20, and to a further fine of £5 for every day, or part of a day, on which the occupation continues after conviction.

If the owner of the house to which this order relates or any other person who in the opinion of the local authority is or will be in a position to put his proposals into effect submits proposals to the local authority for the execution by him of works designed to secure the reconstruction, enlargement, or improvement of the house, or of any buildings of which the house is one, and the local authority are satisfied that the result of the works will be the provision of one or more houses fit for human habitation, the authority have power to extend for such period as they may specify the time within which the owner of the house is required to demolish it in order that the person submitting the proposals may have an opportunity of carrying out the works. The authority have a discretionary power of further extending the time. If the works are completed to the satisfaction of the authority, they must revoke this order. (See the last paragraph of these Notes.) This will not prevent them from commencing proceedings subsequently in relation to the making of a demolition order if the house again becomes unfit for human habitation.

If the owner of the house to which this order relates, or any other person who has an interest in the house, submits proposals to the local authority for the use of the house for a purpose other than human habitation, the local authority may, if they think fit, determine the order and substitute a closing order.

Compensation

If the order becomes operative compensation will be payable in the following two types of case in respect of an interest of a person in the house if certain conditions, set out in outline as follows, are satisfied—

- (i) where the unfit house has been vacated in pursuance of this order and it has been wholly or partly occupied as a private dwelling by a person (or persons in succession) having an interest of more than a year in the house, or by any member of the family of such a person, throughout a qualifying period, which is generally 2 years ending with the date on which this order was made, then, if at that date the house was wholly occupied for the purposes of a private dwelling, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.) A person who acquired an interest in the house within the 2 year period (or a member of his family who was entitled to the interest when the house was vacated) may be entitled to compensation if the other conditions for payment are satisfied and provided that person made all reasonable enquiries to find out whether a demolition order would be made within 2 years of acquisition and had no reason to believe that it was likely;
- (ii) where the house has been vacated in pursuance of this order and it has been wholly or partly occupied for business purposes and a person entitled to the receipts of a business carried on wholly or partly therein had an interest of more than a year in the house either on 13th December 1955 or at all times during the 2 years before this order was made, then, if at the date when the order was made the house was wholly occupied for business purposes and the person entitled to the receipts of the business had an interest of more than a year in the house, the full amount of compensation will be payable. (If the house was only partly so occupied at that date there will be a corresponding reduction in the amount.)

It is important that any person on whom a copy of this order is served, who thinks that he may be entitled to compensation on the vacation of the house, if the order becomes operative, should write to the clerk of the local authority setting out the details of his interest in the property, as it is necessary to establish the facts concerning ownership and occupation of the house as soon as possible.

Where the full amount of compensation is payable in respect of any interest in the house, the amount will be equal to the difference between the full compulsory purchase value of that interest and its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest. Subject to this, however, if a person thinks that notwithstanding its unfitness the house has been well maintained by him or at his expense, he may within 3 months after the service of a copy of this order make a representation to the local authority accordingly. A form of representation can be obtained from the Council Offices. A person on whom a copy of this order is served who has a tenancy in occupation of the house or any part of it is requested to bring this paragraph to the notice of any such occupier.

Where the local authority are satisfied as to the correctness of any representation made to them by any person concerning the good maintenance of the house, that person may, on the vacation of the house in pursuance of the order, be entitled to a payment from them. If the house as a whole has been well maintained the amount of the payment is equal to the rateable value of the house multiplied by 4 (or other prescribed multiplier). If the house as a whole has not been well maintained, but the exterior or the interior of the house has been well maintained, the amount of the payment will be one-half of what it would be for full maintenance. The amount of a payment for good maintenance cannot, however, in any case exceed the amount (if any) by which the full compulsory purchase value of the house exceeds its site value. No payment for good maintenance can be made for any part of the house in respect of which the full amount of compensation is payable for any interest.

If the local authority on receiving any representation from any person as to good maintenance consider that the house has not been well maintained, they must serve on that person notice that no payment falls to be made to him. If he is aggrieved by that notice, he can within 21 days after the date of its service on him appeal to the County Court within the jurisdiction of which the house is situate, unless he agrees with the local authority to submit the matter to arbitration. (See the second and third paragraphs of these Notes as to the requirements of the County Court Rules.)

The local authority will reimburse professional fees reasonably incurred in preparing a claim for compensation (but not a claim for good maintenance).

Any mortgagor or mortgagee of the house or any person buying or selling it by instalments, should seek advice as to the right which he may have in certain circumstances, of applying to the County Court for the modification or discharge of the terms of the mortgage or other charge or agreement to purchase by instalments.

If this order is revoked under section 24 of the Housing Act 1957 and at that time any person to whom the local authority paid compensation or made a payment for good maintenance in connection with this order is entitled to an interest of more than a year in the house, that person must on demand repay the compensation or the payment to the local authority.

CHAPTER 6'THE FUTURE?'

The argument about whether houses and villages should be rehabilitated, rebuilt or abandoned has been polemic a long time. For many years there was an overriding insistence on 'slum' clearance; demolition, relocation, and new building programmes reigned supreme. During the past decade it has been recognised that wholesale clearance is not the answer to any problem. The benefits, particularly social benefits, which accrue from the preservation of familiar neighbourhoods, social facilities, street patterns and places of identity have become established. The pendulum has moved from redevelopment towards preservation and renovation. There is now an awareness of the need not only to evaluate alternative courses of housing action in terms of financial benefits and losses, but also to carefully assess significant, but intangible and non-quantifiable, benefits and losses such as disruption, visual amenity, demolition of low rent houses; removal of social facilities; prestige of owner occupation; the premium of established residence, and identity of place.

On 10th November, 1977, the County Council's Policy and Resources Committee resolved that:

"The County Structure Plan Settlement Policy be confined to allow all villages to be placed in A or B of the original County Development Plan"

The County Planning Officer was instructed to make recommendations for placing settlements in one of those two classifications. Eldon Lane/Coundon Grange became Category A; Binchester and Witton Park were classified 'B'.

In addition he recommended that the original definition of Categories A and B (Page 27) should be worded as follows (1):

- A. - "Settlements in which the investment of considerable further capital is envisaged and in which general housing development may take place in accordance with the basic principles for housing development"
- B. - "Settlements in which infilling and replacement, appropriate in scale and character, may be approved within defined limits of development"

The contents of the County Planning Officers Report were considered at a Special Meeting of Wear Valley District Council (2), when it was resolved to ask that, inter alia, Witton Park and Binchester should be transferred to the A Category. Five months later, in June 1978 (3) the District Council, when considering the Structure Plan document, "Choosing the Policies" noted that their request had been ignored, and it was recommended that further representation be made to the County. That was formally re-affirmed after four more Special Council Meetings (4) when it was resolved:

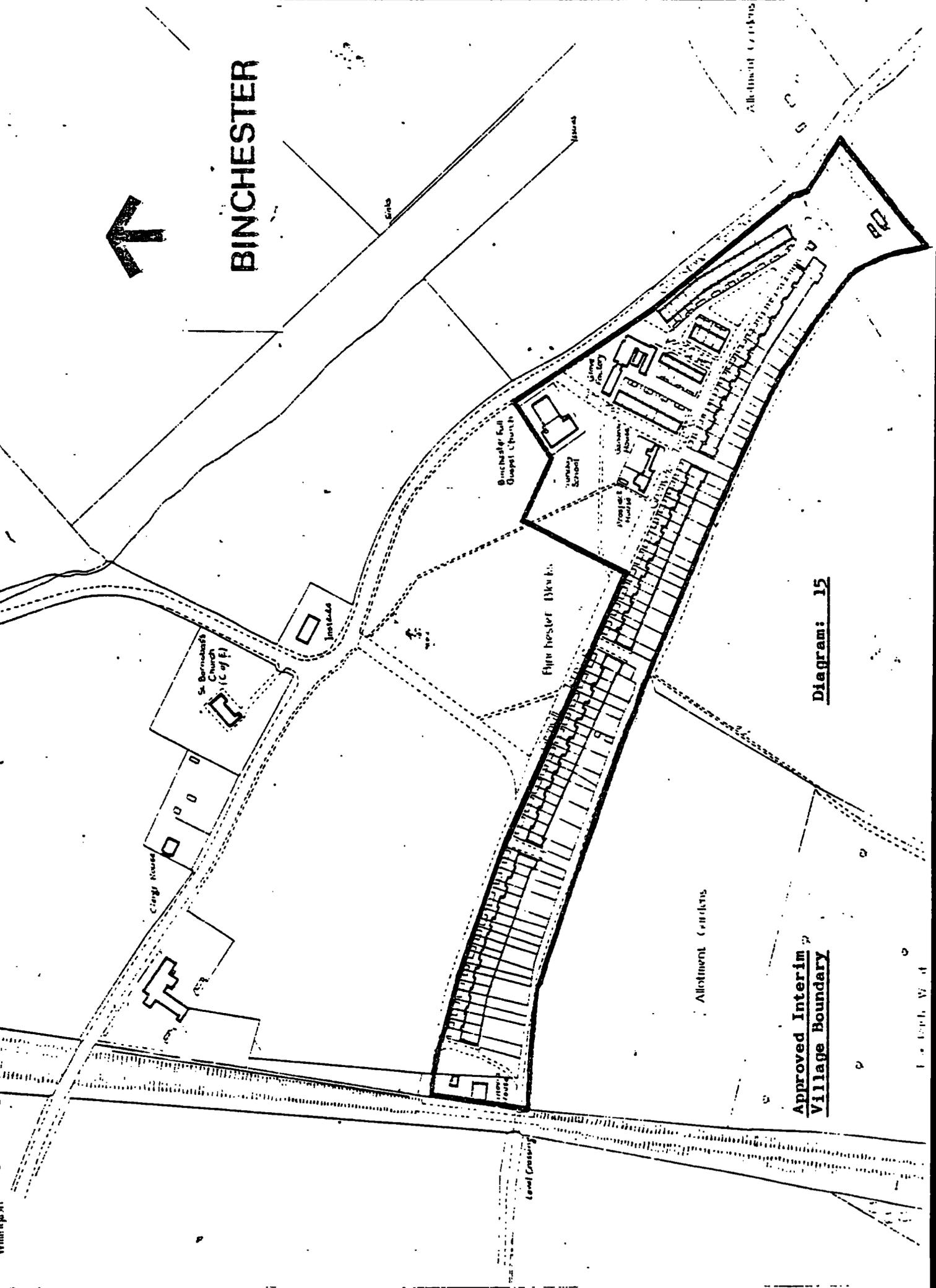
"To accept the 'A' Category policy, with the addition of Binchester and Witton Park", and that Category 'B' should be amended to read: "Housing Development to be approved, appropriate in scale and character, within defined limits of development, as shown in village plans prepared by the District Council"

In February 1978 it had been agreed that for 'B' villages interim boundaries would be determined prior to the preparation of local plans to indicate where development could proceed, and the County Planning Officer forwarded to Wear Valley District Council his proposals for the twenty one villages in their Area classified 'B'. Almost a year later agreement had been reached in respect of sixteen villages, including Binchester (Diagram: 15), and there was partial agreement on four other villages. In respect of Witton Park, however, the District Planning Officer reported:

"no agreement has been reached because I consider the County Planning Officer to be intransigent in his denial of existing housing in the village, and prospects for redevelopment".



BINCHESTER



Approved Interim
Village Boundary

Diagram: 15

Allotment Gardens

Binchester Blocks

Binchester Full Gospel Church

St. Barnabas Church (C of E)

Clergy House

Level Crossing

15

Diagram: 16 shows the wide difference of opinion on the question of new housing at Witton Park. The area coloured red within the black continuous line is that recommended by the County Planning Officer for infill housing: the green areas circumscribed by the broken black line indicate the District Planning Officers proposals for redevelopment, and infill.

Despite further representations by Wear Valley District Council the County Planning Officer wrote in April 1979 (5)

"with regard to Witton Park the Environment Committee considered that to agree the additional areas suggested by your Council at this stage would pre-empt the preparation of local plans. It was considered that (this) village needs comprehensive treatment to resolve its problems, and urge the District Council to prepare the local plan as speedily as possible. In the meantime the Committee agreed to the interim boundary which I suggested. Applications for housing development in Binchester and Witton Park will of course continue to be County matters until the approval of the Structure Plan, as housing development in them is contrary to the approved County Development Plan of 1951, as amended"

The current pervading County attitude is summed up in the latest Structure Plan Report of May, 1979 (6):

"The towns and villages suitable in principle for housing development are identified in the Plan, but this does not mean that they should or will have considerable development in them Places which consist of more than 30 long life houses and 100 people and are not just ribbons of development or sporadic groups of houses are considered suitable for limited infill houses - appropriate in scale, character and location".

For Eldon Lane/Coundon Grange the future is one of renewed confidence and hope as houses are improved, new housing constructed, and environmental improvements planned. The declaration of the Housing Action Area encouraged many owner occupiers to renovate their houses to a high standard. The involvement of Wear Valley Council and the Durham County Housing Association resulted in an overall 67% of houses being improved

by June 1979. Fifteen new houses in Phase 1 (coloured red on Diagram: 17) had been built and occupied; the construction of fourteen dwellings in Phase 2 (coloured green), and twenty eight in Phase 3 (coloured Blue) is scheduled to start in 1979. It is expected that a further sixty two houses will be built between Coundon Grange and Close House within the next two or three years (Diagram: 18). If the Housing Action Area period is extended by two years, then in the spring of 1982 it will be substituted by a General Improvement Area so that extensive environmental works can be executed. The District Planning Officer, in close liason with Sedgefield District Council is currently preparing an Action Area Plan, for the Eldon Lane/Coundon Grange area, which will survey, analyse and make recommendations on population and employment, housing, environment and open space, industry, traffic circulation, shopping facilities, and social services.

In December, 1978, the County Council after considering a Report by their Planning Officer on "Deprivation in County Durham" (7) submitted an application, to the Secretary of State, Department of the Environment, for special government aid under the Urban Programme. Included were projects recommended by Wear Valley Council. For Eldon Lane/Coundon Grange it is hoped that financial aid will be forthcoming for landscaping and reclamation, surfacing unmade roads, providing community facilities, and constructing the Coundon Grange By-Pass road.

At Binchester the Urban aid proposals include surfacing the unmade private street at Granville Terrace; providing a community centre; constructing purpose-built bungalows for the elderly; providing a new garage court; and landscaping the existing overgrown open space. In a report to Wear Valley Council the District Planning Officer (8) thought that two areas of land would be suitable, and available for limited housing development, the more important of the two was to

Coundon Grange

PROPOSED
NEW HOUSING -
25 UNITS

- START WINTER
1979

Coundon Grange & District
Boys Club

Eldon Lane

PROPOSED
NEW
HOUSING

ELDON LANE
PHASE II
14 HOUSES

- WORK TO START
SPRING 1979

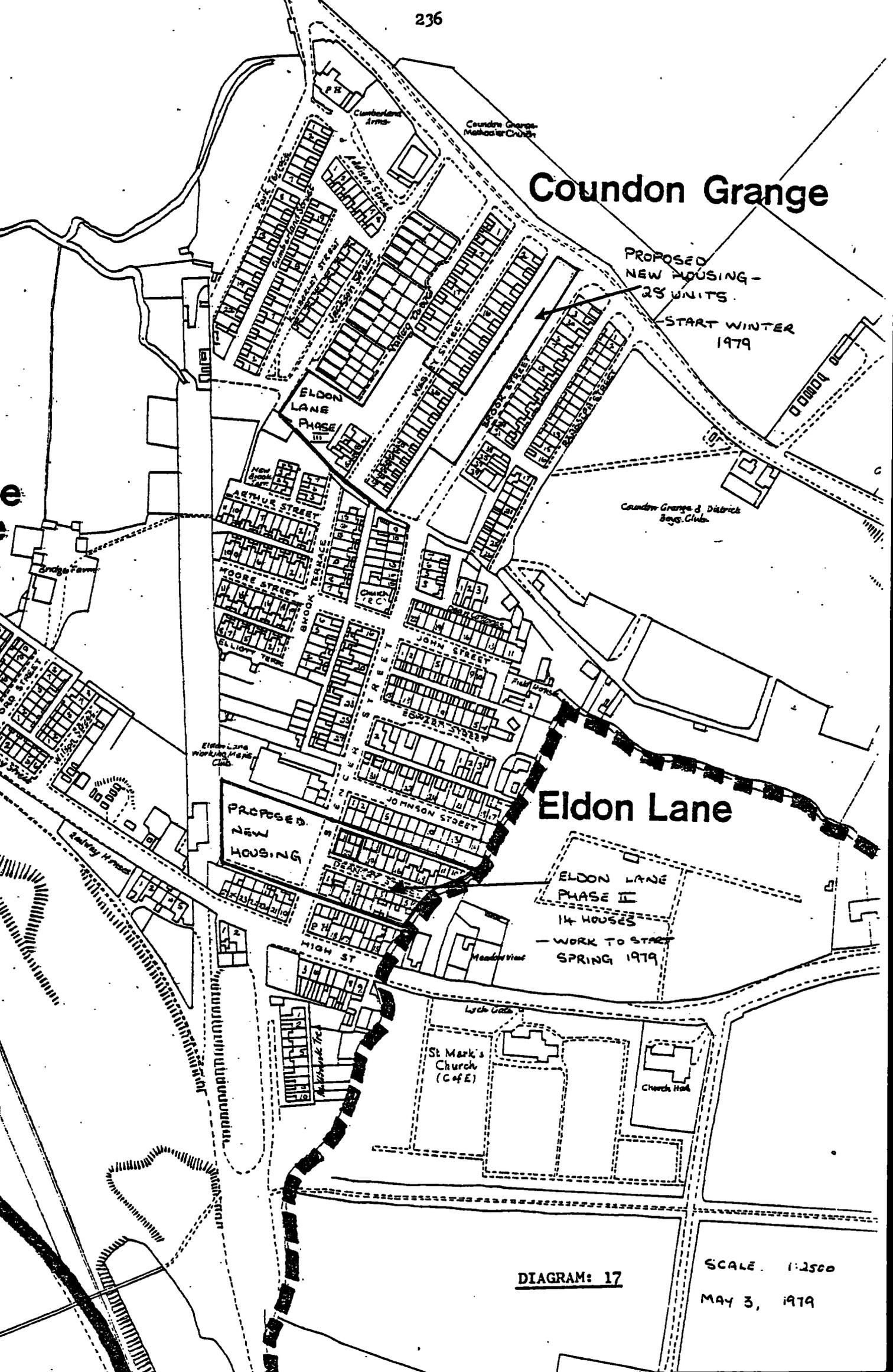
St Mark's
Church
(C of E)

Church Hall

DIAGRAM: 17

SCALE 1:2500

MAY 3, 1979



the West of Peel Street. It was suggested that ten houses could be built on the site and so give more centre to the village (Diagram: 19). All the houses are improved, and the former village school has been converted into residential and commercial (ice-cream manufacturing factory) premises.

The proposed improvements and new housing, when completed will transform the former 19th Century settlement into a 21st Century dormitory village.

The seemingly uncompromising posture of the County on Witton Park is difficult to understand, unless they intend it to be a shrine in memory of Category 'B'.

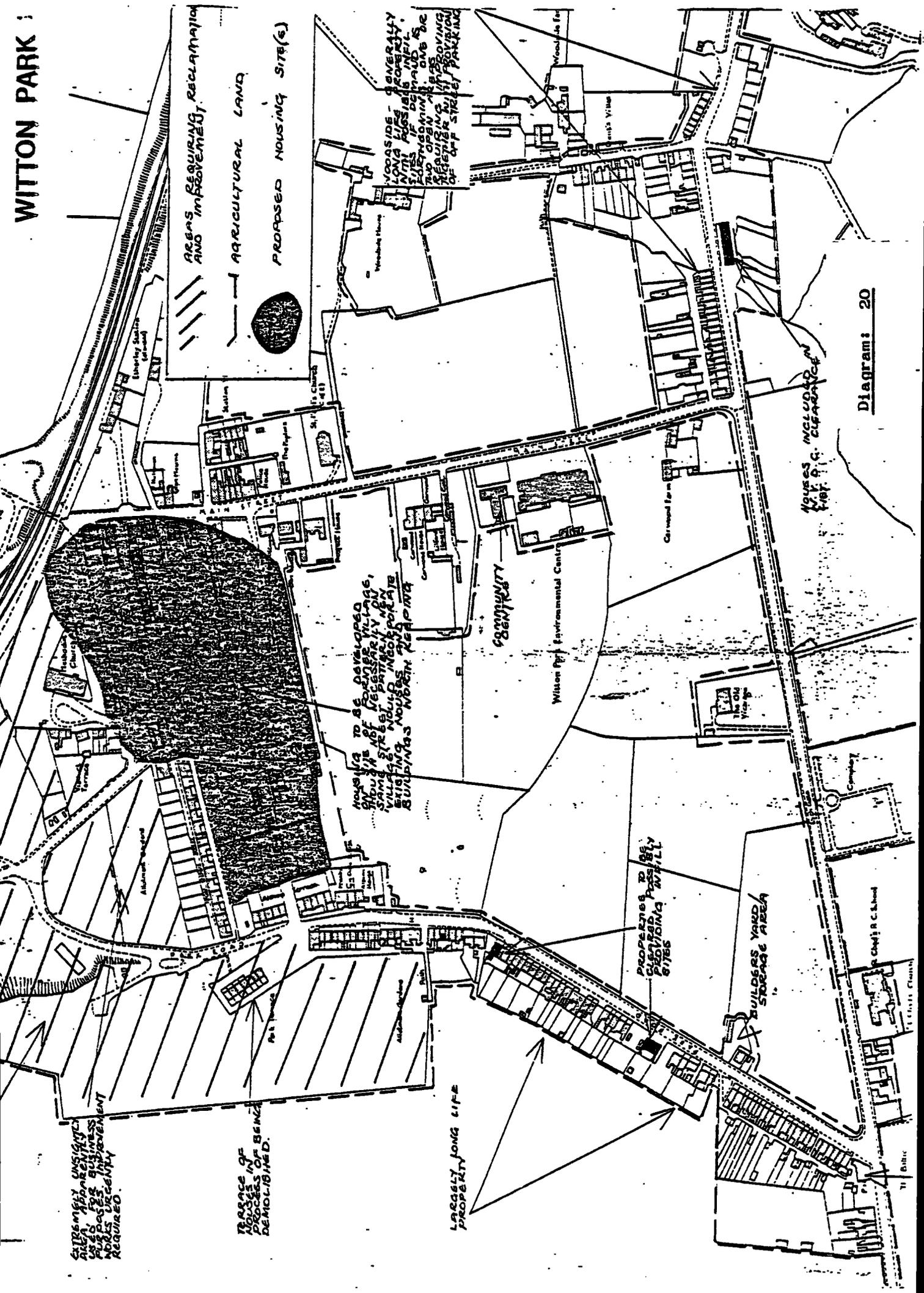
A major part of the village has been demolished as the derelict overgrown sites in the centre mutely testify, but the remaining houses are being renovated by old and new owners. Despite official scepticism there is a demand, and a growing demand, for new housing to be built in the village for people who wish to live there, as well as those who want to return. The District Planning Officer recognised that in his Physical Assessment Report when he stated that (9)

"it is not a question of identifying infill sites, but rather of establishing what would be virtually a new village bearing the name of Witton Park and incorporating into the new development what is left of the old"

Diagram:20 exemplifies his contention.

In addition to the innumerable expressions of 'an intention to return' made in the course of interviews and discussions, local Estate Agents confirm that vacated Witton Park houses are eagerly sought, and quickly sold. Wear Valley Council readily approve Grant applications, and it is estimated that at least 85% of the remaining houses have been renovated.

WITTON PARK



AREAS REQUIRING RECLAMATION AND IMPROVEMENT

AGRICULTURAL LAND

PROPOSED HOUSING SITE(S)

HOUSES TO BE DEVELOPED
 SHOWING OF LOCAL VILLAGES,
 SOME SITES BEING IN AN
 VILLAGES TO BE DEVELOPED
 BUILDINGS NORTH REPAIRING

VOOASIDE - GENERALLY
 LONG LINES PROBABLY
 WITH FISSURE INFILL.
 FUTURE DEVELOPMENT
 TWO OPEN AREAS BE
 REQUIRING IMPROVING
 REQUIRING IMPROVING
 OF OFF STREET PARKING

PROPERTIES TO BE
 SUBSIDISED POSSIBLY
 6/7/85

BUILDERS YARD
 STORAGE AREA

HOUSES INCLUDED
 BY C. CLEARANCE

Diagram: 20

EXTREMELY UNSUITABLE
 AREA, APPARENTLY
 USED FOR BUSINESS
 PURPOSES, IMPROVEMENT
 REQUIRED.

TRACE OF
 HOUSES IN
 PROCESS OF BEING
 DEMOLISHED.

LARGELY LONG LIFE
 PROPERTY

WITTON PARK Environmental Centre

Public

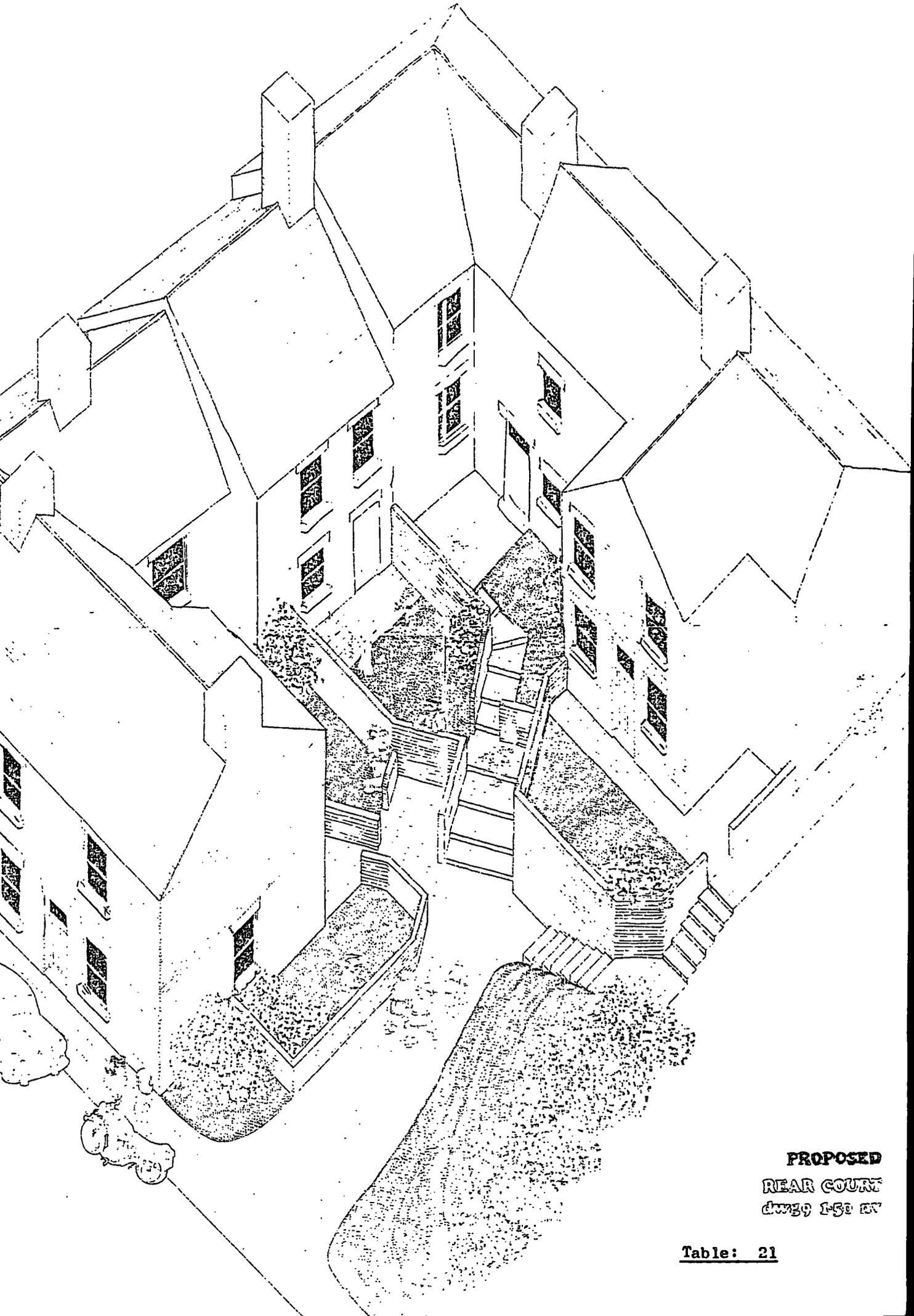
Public

Public

In 1977 the re-named and re-formed Witton Park Action Committee prepared a report, for the tidying up of underused and derelict land, which was submitted to Wear Valley District Council for approval in principle. The report emphasised two main areas of need. First the long term planning of the village; and second, the improvement of the overall physical fabric. The Action Committee knew that progress would only be effective through self-help schemes and voluntary activity. Since that Report they have been working closely with the Community Service for Durham County Limited, a voluntary organisation based in Durham City whose Countryside Officer, Mr. Ken Payne has been acting as Adviser and Co-ordinator.

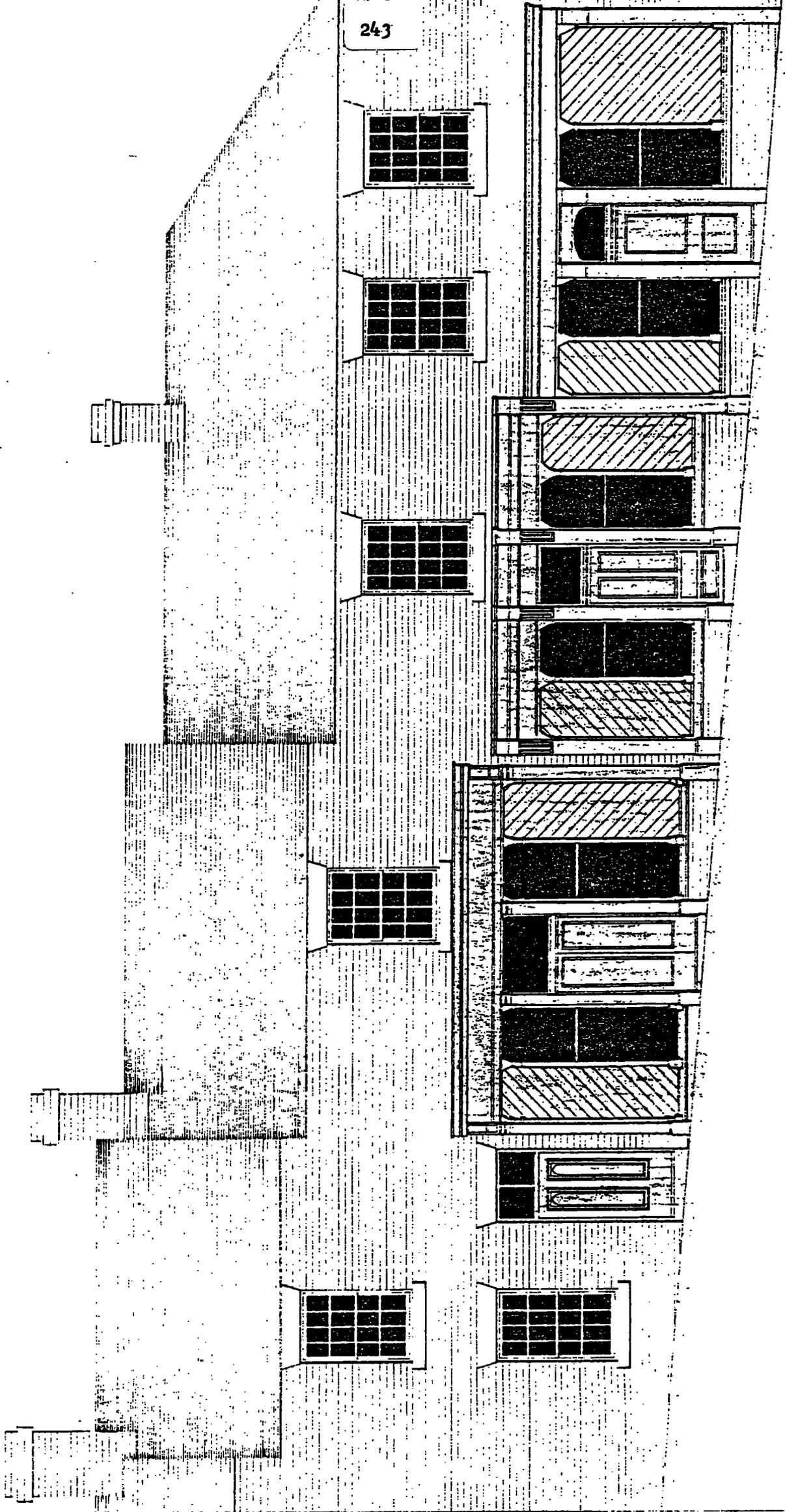
It is expected that in 1979 work on several projects will have commenced. The Bishop Auckland Unit of the Territorial Army Volunteer Reserve have been engaged to bulldoze derelict areas (as seen on Photographs: 6, 50 and 60) and 'grub up' the foundations of the demolished houses. Fifteen young people from the Youth Opportunities Programme Scheme will then grade top soil over the reclaimed land, and soft planting will follow. The Manpower Services Commission have agreed to finance labour costs, through its Special Temporary Employment Programme, for renovation works to empty and neglected buildings. The first project is to be the complete rehabilitation and conversion of the empty Main Street shops (Photograph: 10 refers). The axonometric perspective of Diagram: 21 and front elevation (Diagram: 22) drawn by Durham Architect Neil Verow illustrate the standards sought which hopefully will be achieved. Further financial assistance may be provided by the Housing Corporation through the Three Rivers Housing Association, who have expressed an interest in the future letting of the five units of accommodation to be provided, and the possibility of a new housing pilot scheme.

A suggested housing scheme with house types and layout, prepared and drawn by Keith Belton are shown by Diagrams: 23, 24 and 25.



PROPOSED
REAR COURT
dwg. 1-51 EV

Table: 21



main street

Diagram: 22

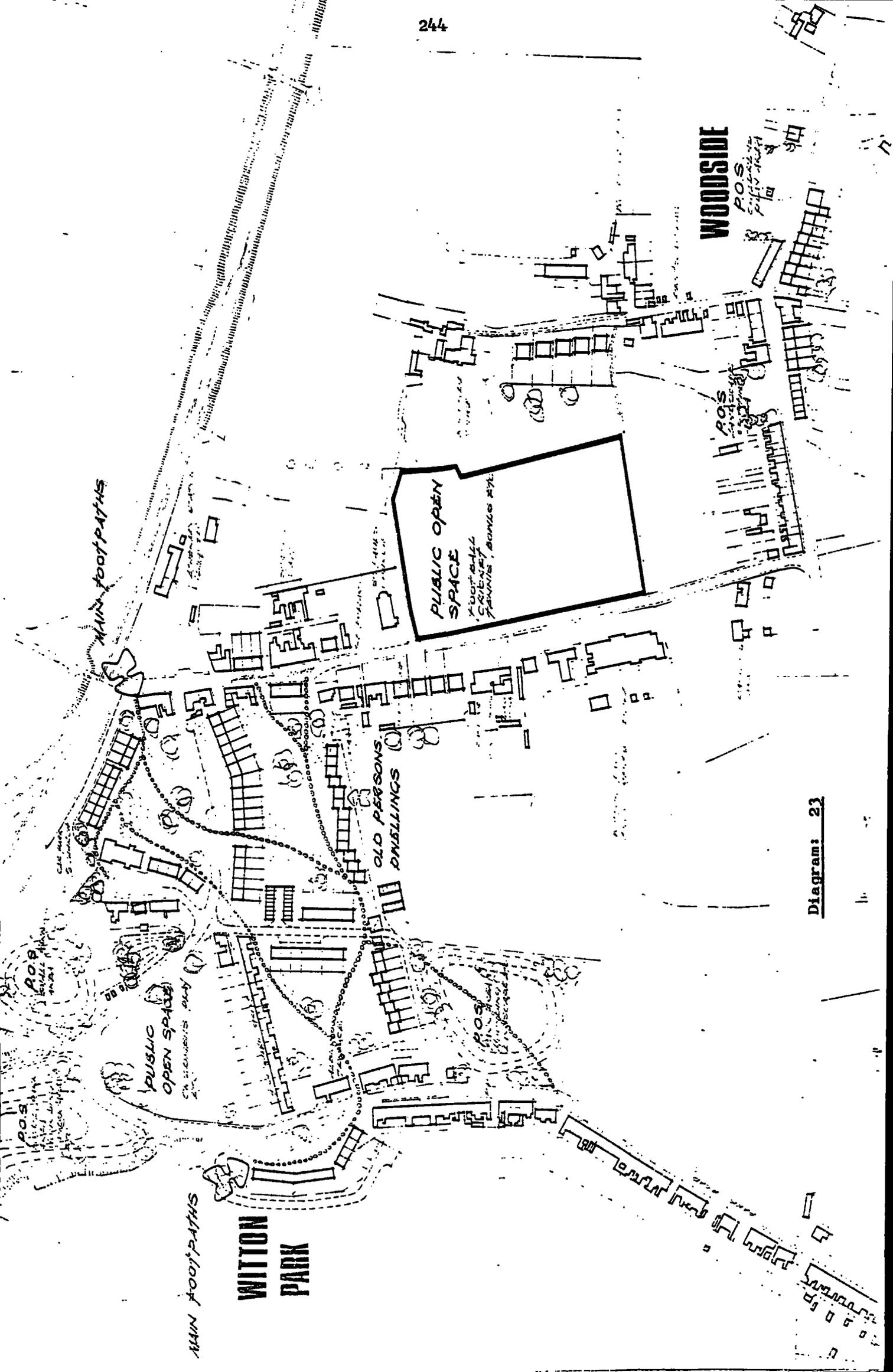


Diagram: 23



WITTON PARK VILLAGE

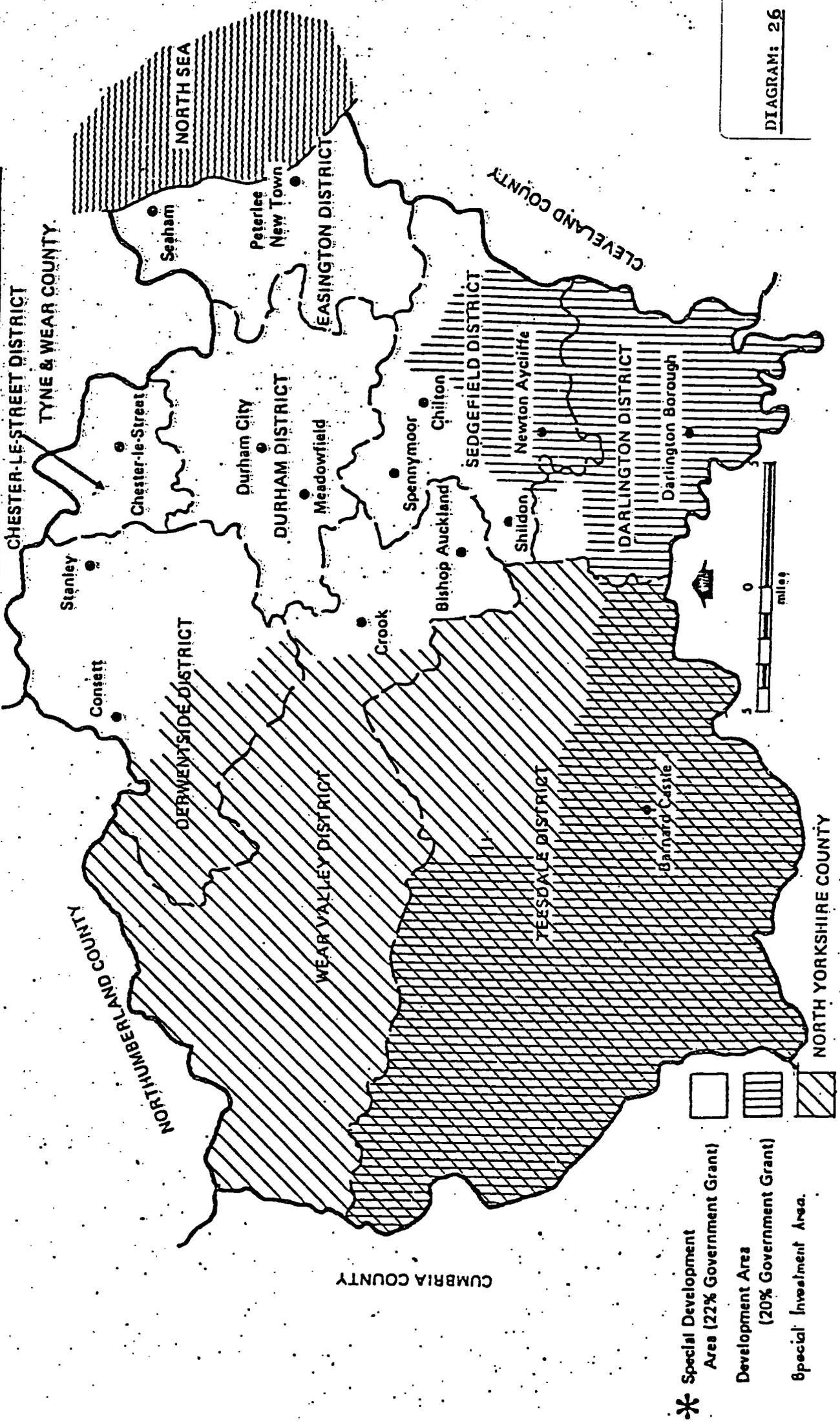


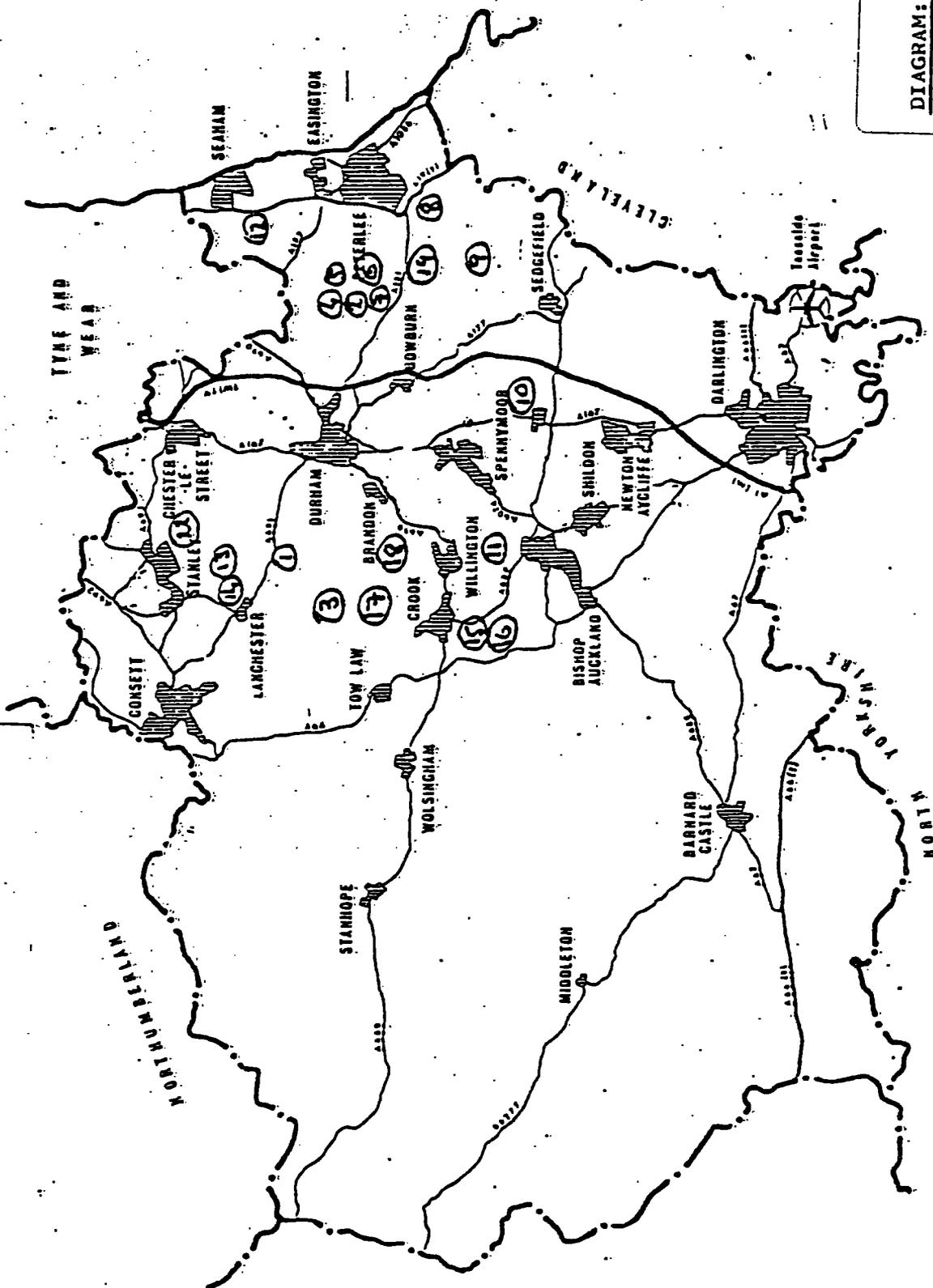
HOUSE TYPES

Finally, the Council for Small Industries in Rural Areas submitted in 1978, to the Development Commission, an Interim Action Plan which identified the need for small factories in certain areas. Subsequently, a Special Investment Area for the Rural West of Co. Durham was approved. (Diagram: 26) Seven advance factories have been agreed by the Commission at Middleton-in-Teesdale, Barnard Castle, Cockfield, Evenwood, Stanhope, Wolsingham and Tow Law. Further areas to be investigated include Witton Park (Diagram: 27).

Through the determination of residents, the Action Committee, many other organisations, and individuals interested in the Village, Witton Park should again emerge as a viable and vigorous community. But in the final analysis, because of the County Council's uncompromising posture in refusing a formal reprieve, the future of Witton Park may depend on the decision arising from an unavoidable public examination of the Durham County Council Structure Plan.

Map showing District Council Boundaries and Regional Development Status *





DERWENTSIDE

- 13. Burnhope
- 14. Lanchester
- 1. Langley Park
- 22. Craghead

CITY OF DURHAM

- 3. Esh Winning
- 4. Shadforth

EASINGTON

- 2. Thornley Hill
- 2. Wheatley Hill
- 12. Murton
- 5. Haswell
- 5. Haswell Plough
- 5. Ludworth
- 6. Shotton Colliery
- 7. Wingate

- 19. Station Town
- 8. Hutton Henry

SEDFIELD

- 9. The Trimdons
- 10. Fishburn

WEAR VALLEY

- 11. Hunwick
- 15. Howden-le-Wear
- 16. Mitton Park
- 17. Mount Pleasant/Stanley
- 18. Oakenshaw



POCKETS OF NEED -- DURHAM

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APPENDIXLOCAL AUTHORITY HOUSING POWERS
PRIVATE SECTORA) HISTORICAL

"Whereas it is expedient to make provision for taking down or improving dwellings occupied by working men and their families, which are unfit for human habitation, and for buildings and maintenance of better buildings for such persons instead thereof".

So read the preamble to the Artizans and Labourers' Dwellings Act of 1868. Known as the Torrens Act, the statute established a principle that the State possessed the power and will to interfere with property rights, in the interests of public health. For the first time power was given to a local authority to require an owner to repair his property, and if he failed in his duty the law was justified in compelling him to perform it. The Act also provided that unfit houses should be closed, or demolished, in the public interest. It was the first of many faltering steps in Urban renewal.

Because local authorities were indolent in putting into effect that modest legislation there followed, in 1885, the Housing of the Working Classes Act, which required (Section 7) every local authority, entrusted with the administration of public health law, to enforce their powers so as to achieve proper sanitary conditions in their area. Until that Act was passed the rule of common law had been that where a landlord let an unfurnished dwelling there was no implied contract that it was fit for human habitation, and the intending tenant accepted the house as it stood. The 1885 Act placed a duty on landlords of houses, let within certain rent limits and for specified tenancy periods, to execute works as were necessary to keep their dwellings:

"in all respects fit for human habitation".

The condition to be implied on letting houses for habitation has since appeared in subsequent legislation on house repair. For example, Section 75 of the Housing of the Working Classes Act, 1890 stated that:

"in any contract for letting for human habitation by persons of the working classes a house, there shall be implied a condition that the house is at the commencement of the holding in all respects reasonably fit for human habitation".

The standard of fitness was held in *Jones v. Green* (1925, 1K.B.659) to be a humble standard requiring only that the dwelling must be decently fit for human beings to live in, and that remained so until 1954.

The 1875-1879 Artizans and Labourers' Dwellings Improvement Acts (Sir Richard Cross Acts) proceeded on a different principle, dealing with whole areas of houses which were so structurally defective as to be incapable of repair, and so ill-placed with reference to each other as to require nothing short of demolition and reconstruction.

Other Housing Acts followed in rapid succession, and the 1890, Housing of the Working Classes Act, consolidated and extended the numerous shorter enactments dealing directly with housing. That Act firmly established the principle of dealing with groups of houses by way of demolition or reconstruction, and of securing the repair of insanitary houses.

Various amending and extending Acts appeared after 1890, but the Act of that year remained the principal one until the 1925 Housing Act. In 1909, the Housing, Town Planning, etc. Act meant that planning became linked with housing, but because the two subjects became too large to be encompassed in a single statute, the Housing Act of 1925 was passed to deal exclusively with housing, and a separate Act in the same year dealt with planning.

The 1925 Act was substantially amended by the Housing Act of 1930. In the 1930 Act schemes of group demolition and reconstruction were

abandoned, and a distinction was drawn between the declaration of a Clearance Area, and an Improvement Area. The latter provided for the repair of insanitary houses; demolition of insanitary houses not capable of repair at a reasonable cost, and the purchase by a local authority of property for the purpose of 'opening out' an area. In respect of individually unfit houses the procedure was changed to allow an owner to attend a "Time and Place" meeting to state his case, prior to the making of a Closing Order. The 1925 Act had merely provided for a local authority to make the Order, then notify the Owner.

The 1930 Act was in turn repealed by the Housing Act, 1936 which remained the principal Act until 1957, although the Housing Act 1949, and Housing Repairs and Rent Act 1954 modified and improved the Act of 1936. In fact the 1954 Act set the pattern for the future by introducing a new and more comprehensive means of determining unfitness.

The evaluation of housing legislation between the world wars was along two clearly defined paths; First, the demolition of insanitary areas, later termed slum clearance; and second, the repair and conditioning of houses not up to a reasonable standard of fitness. Post War, there were added in 1949 and 1959 powers for property revitalisation by means of grant aid; and in 1954 and 1957 a new approach to determining unfit houses and their repair. In 1964 the concept of area improvement with compulsory powers was introduced, and local authorities were empowered to declare Improvement Areas if satisfied that they contained dwellings lacking in such basic amenities as bathroom, wash hand basin, sink, hot and cold water, and internal water closet. The compulsory improvement powers, which applied to houses in improvement areas, were complex, and lengthy in process with preliminary improvement, immediate improvement, suspended improvement, and final improvement notices thwarting all but the most enthusiastic optimist.

B) CONTEMPORARY POWERS

Provisions relating to private sector housing maintenance, improvement and renewal are contained in Public Health and Housing legislation passed by Parliament between 1936 and 1974 which currently confer on a local authority powers to deal with disrepair and unfitness; rehabilitation and clearance; and environmental improvements.

(1) Repair

The Public Health Act 1936 (1) imposes a duty on each local authority to cause their District to be inspected from time to time for the detection of matters requiring to be dealt with as Statutory nuisances.

The condition that:

"any premises in such a state as to be prejudicial to health or a nuisance" (2)

is still used in dealing with sanitary defects; and dampness, defective roofs and eavesgutters are examples of "states" or "conditions" which can be dealt with summarily by the nuisance procedure.

Probably since the Public Health Act of 1875 local authorities and the Courts have been ordering property repairs on the basis that defects were causing premises to fall within the scope of Section 92 (1) (a), and reassurance was given in a 1942 decision (3) which confirmed that it was sufficient to prove that the premises were in such a state as to interfere with the personal comfort of the occupiers (almost invariably tenants). House defects could thus be remedied with a relatively simple procedure of serving an abatement notice requiring the execution of works. In default the local authority would apply to a Court of Summary Jurisdiction for an Abatement Order which was enforced by fine and subsequent daily penalty. This procedure, although straight forward, is somewhat cumbersome. Criticism of delay in operating such a process was met by the provisions of the Public

Health Act, 1961, (4) which authorises a local authority, in certain urgent circumstances, to serve notice requiring works to be completed within nine days, and in default to carry out the works necessary to abate the nuisance.

The view expressed in *Betts v. Penge UDC.* that it is sufficient to show interference with an occupier's personal comfort has been radically altered (5), and the common law definition of nuisance, which requires that persons other than the occupiers must be affected, has now to apply in all such cases. This latest judgement only applies to "nuisance", and action with regard to premises being in such a condition as to be prejudicial to health is unaffected. Nevertheless a local authority's powers to require property repairs have been qualified to some considerable extent, and alternatively therefore may wish to use, if appropriate, Housing Act powers, although it has been held (6) and (7) that the Housing Acts and Public Health Acts are separate and distinct codes, and a local authority cannot take action under Part 2 of the 1957 Housing Act as a reason for inaction under the 1936 Public Health Act, and vice versa.

Additional powers, principally to prevent improved properties from deteriorating and as a general means of preventing old houses which are not unfit from decaying, were enacted in the Housing Act 1969 (8).

This insertion after Section 9 (1), Housing Act 1957 states:-

"(1A) Where a Local authority are satisfied that a house is in such a state of disrepair that, although it is not unfit for human habitation, substantial repairs are required to bring it up to a reasonable standard having regard to its age, character and locality, they may serve notice upon the person having control of the house a notice requiring him, within such reasonable time, not being less than twenty one days, as may be specified in the notice, to execute the works specified, not being works of internal decorative repair".

According to the then Ministry of Housing and Local Government this is "clearly not a provision to be invoked lightly" (9). The view was expressed by the Ministry that substantial repairs in Section 9 (1A) could reasonably be taken as including one or more large items, or a combination of smaller items that together are substantial. The section is not designed to provide for the rectification of minor defects, but with defects which have led to a cumulative deterioration in the property's fabric. Thus a Local Authority has the power to secure necessary repairs not only to older houses but also to properties where substantial improvement works have been carried out with the aid of public money, whether or not they are tenanted and, irrespective of any nuisance factor.

(2) Individual Unfit Houses

The Housing Act 1969 (10) states that it shall be the duty of every Local Authority to cause an inspection of their district to be made from time to time with a view to determining what action to take in the performance of their functions under Parts 2 or 3 of the Housing Act of 1957, (dealing with the repair, maintenance and sanitary condition of houses); Part 2 of the Housing Act 1961 and Part 4 of the Housing Act, 1964 (Houses in Multiple Occupation); and Part 2 of the 1969 Act (General Improvement Areas).

This has been extended by Section 48(3) of the Housing Act 1974, so that local authorities must now survey their district and decide appropriate action in respect of unfit houses, multiple occupation, overcrowding, general improvement areas, housing action areas, and priority neighbourhoods in order to develop their housing renewal strategy.

Section 4 of the Housing Act 1957 lists matters to be taken into account in deciding whether a house is unfit. It states:-

"In determining for any purposes of this Act whether a house is unfit for human habitation regard shall be had to its condition in respect of the following matters, that is to say -

- a) repair;
- b) stability;
- c) freedom from damp;
- d) natural lighting;
- e) ventilation;
- f) water supply;
- g) drainage and sanitary convenience;
- h) facilities for storage, preparation and cooking of food and for the disposal of waste water;

and the house shall be deemed to be unfit for human habitation if, and only if, it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition".

The purpose of the section is to make clear

"what are the relevant matters (and only the relevant matters) to be considered in deciding whether a house is fit or not. It is so drafted that a decision that a house is unfit maybe based upon a major defect in one of the matters listed or upon an accumulation of smaller defects in two or more of them" (11)

Section 4 (1) was amended (12) by the insertion after paragraph c) of paragraph:

"(cc) - internal arrangement"

and the word

"storage" omitted from paragraph (h).

Where a local authority upon consideration of information are satisfied that any house is unfit for human habitation, they shall, unless satisfied that it is not capable at a reasonable expense of being rendered fit, serve upon the person having control of the house. a notice -

- a) requiring him, within reasonable time, not being less than twenty one days, as may be determined, to execute the works specified, and
- b) stating that, in the opinion of the authority, those works which will render the house fit for human habitation (13).

In the exercise of this function the local authority must act in a judicial manner and carefully weigh the information before them, although they are entitled to consider the matter without the owner being present; that is they may act *ex parte*. They must however be satisfied on three points:-

- i) the house is unfit; and
- ii) that it is capable of being rendered fit at a reasonable expense; and
- iii) any works to be specified in the notice will render the house fit for human habitation:

If the notice is not complied with in the specified period, and providing an appeal has not been lodged, the local authority may carry out work in default and recover summarily costs reasonably incurred (14).

If, however, on consideration of information, a local authority are satisfied that any house -

- a) is unfit for human habitation, and
- b) is not capable at a reasonable expense of being rendered so fit.

they shall serve upon the 'owner' notice of the time (not being less than twenty one days after service) and place at which the condition of the house, and any offer with respect to the carrying out of works, or the future user of the house, which he may wish to submit, will be considered by them. (15).

Any person upon whom such a notice has been served, who intends to submit an offer to carry out works must, within twenty one days, serve notice on the local authority of this intention, or within a reasonable time determined by the local authority submit a list of proposed works. (16).

The "Time and Place" meeting before the local authority is quasi-judicial and must be so conducted. At this meeting the local authority consider any representations, and may accept or reject an undertaking that either:-

- a) the owner will, within a specified period carry out such works as will in the opinion of the authority render the house fit for human habitation;
- OR
- b) the house will not be used for human habitation (upon vacation) until the authority, on being satisfied that it has been rendered fit for that purpose, cancel the undertaking. (17).

If an undertaking is not received, or accepted, or work not carried out within the period specified, or the premises used in contravention of an undertaking, the local authority must forthwith make a Demolition Order, (18) but has no power to act in default to execute works.

If it is considered inexpedient to make a Demolition Order, having regard to the effect of demolition upon any other house or building, the local authority may, instead, make a Closing Order (19). Also, in the case of any house listed as being of architectural merit or historic interest a Closing Order, and not a Demolition Order, must be made (20).

In addition, the local authority may at any time substitute a Demolition Order for a Closing Order (21). Any person aggrieved by the making of a Statutory Order within twenty one days after the service of the notice, may appeal to the County Court (22).

Where an owner of a house, subject to an operative Demolition Order submits proposals (or any other person who is in, or will be in, a position to put his proposals into effect) to reconstruct the house, the local authority if satisfied that the works will make the house

fit for human habitation, may allow sufficient time to give that person the opportunity of carrying out the works (23), and upon completion would revoke the Order.

The local authority may revoke a Closing Order on being satisfied that the premises had been rendered fit for human habitation. (24)

3) "Slum" Clearance

The usual procedure for dealing with two or more unfit houses is contained in Part 3 of the 1957 Act. Where the local authority, after considering information, are satisfied as respects any area in their district -

"a) that the houses in that area are unfit for human habitation, or are by reason of their bad arrangement, or the narrowness or bad arrangement of the streets, dangerous or injurious to the health of the inhabitants of the area

and

b) that the most satisfactory method of dealing with the area is the demolition of all the buildings therein.

the authority shall cause that area to be defined on a map ... and shall pass a resolution declaring the defined area to be a Clearance Area" (25).

The "unfitness" standard in Section 4, Housing Act 1957, and subsequent interpretation have now literally been telescoped into one phrase "irredeemably unfit". Although the Secretary of State has declared that he has no wish to deter local authorities from taking clearance action this must only be carried out where the houses are beyond redemption - irredeemably unfit - and that demolition is considered the only solution (26); and, further, it has been established that other action, such as a Housing Action Area Declaration, is not considered more appropriate (27).

A clearance area may include buildings other than houses, but only on the grounds of their bad arrangement, or narrowness or bad arrangement of the streets. The area must be a single self-contained area although it may surround "islands" of fit properties, but by virtue of Section 29 of the 1969 Housing Act it must not include any land which is for the time being included in a general improvement area.

Having declared a clearance area it becomes the duty of the local authority "so soon as may be" to proceed to secure the clearance of the area.

Until 1974 the local authority had the option of deciding whether to proceed either by making a Clearance Order, where owners were responsible for demolition but retained ownership of their sites; or a Compulsory Purchase Order where ownership of the property and land would ultimately be transferred into the public sector (28). On 1st September 1974 this power of local authorities to make a Clearance Order under Part 3 of the 1957 Act was abolished (29) and thereafter a local authority must acquire by agreement or compulsion, and either demolish (30), temporarily retain (31), or subsequently rehabilitate the properties (32).

If land in a clearance area cannot be acquired by agreement, the Compulsory Purchase Order must be submitted to the Secretary of State for confirmation within six months of the clearance area resolution date. This time period is extended to twelve months where land and fit property, surrounded by or adjoining the clearance area, is included in the Order.

(4) Compulsory Purchase Orders

The circumstances in which Parliament has given local authorities power to purchase land compulsorily for slum clearance purposes are:

- i) Where the land to be acquired is within a clearance area;
- ii) Where the authority have determined to purchase land within the area, they may also purchase land surrounded by the area, the acquisition of which is reasonably necessary for the purpose of securing a cleared area of convenient shape and size, and also any adjoining land the acquisition of which is reasonably necessary for the satisfactory development or use of the cleared area;
- iii) Land within or adjoining a general improvement area;
(33)
- iv) Land within a Housing Action Area or Priority Neighbourhood on which are situated premises which consist of or include housing accommodation (34);
- v) Land which they may be authorised to acquire compulsorily under the Town and Country Planning Act 1971, Section 112;
- vi) Part 5 of the 1957 Housing Act - acquisition of land for housing development otherwise than by way of clearance area;
- vii) Where the local authority have determined to purchase a house, instead of making a demolition order under Section 17 (2) of the 1957 Act (35).

In most cases of compulsory purchase by a local authority the authorisation procedure, whereby the acquiring authority's Order is confirmed (or otherwise) by the Secretary of State, is governed by the Acquisition of Land (Authorisation Procedure) Act 1946, but in the case of acquisition under Part 3 of the 1957 Housing Act (cases i) and ii) above), a separate code of procedure under the 1957 Act applies, although the two procedures are virtually the same - except, basically, a different set of statutory prescribed forms are used.

Before submitting the Compulsory Purchase Order to the Secretary of State, a notice stating that the order has been made must be published in a local newspaper, and a notice served on every owner, lessee and occupier (36).

This notification to interested parties should (not must) now include a statement of reasons for declaring an area to be a clearance area and seeking to acquire, as requested by the Secretary of State (37).

If there are no objections to the Order, or, if made are withdrawn, the Order may be confirmed with or without modification, but in any other instance a Public Local Inquiry will be held (38).

Where a Public Inquiry is to be held, the Compulsory Purchase by Local Authorities (Inquiries Procedure) Rules, 1962, will apply to the procedure regulating the Inquiry; forty two days notice, in writing, must be given of the holding of the Inquiry, and the local authority must give to each objector in respect of an unfit house a Statement of Principal Grounds of Unfitness, and a statement of their reasons for making the Order. At the Inquiry the Secretary of State's Inspector has discretion to allow any person to appear and/or be represented by counsel, solicitor, or any other person.

In almost every case of compulsory purchase of land the procedure for taking the land after confirmation of the Order is regulated by the Compulsory Purchase Act 1965, and the first step in the procedure is for the acquiring authority to give notice to treat when they require to purchase (39). A notice to treat by itself does not create a contract of sale; the land remains the property of the owner in law and in equity, but it creates a relationship analagous to that of vendor and purchaser, and either party has the right to have compensation assessed and the purchase completed. When purchase has been completed the acquiring authority has the right to take possession, although the assessment of compensation, and purchase completion, may

take a considerable time.

The Compulsory Purchase Act provides two alternative procedures for the exercise of a power of entry before completion (40), namely, with the consent of the owner and occupier, or, after serving the notice to treat. Thus the purchase is technically a purchase by agreement under Section 3 of the Compulsory Purchase Act of 1965, and compensation will be governed by the terms of contract in accordance with the ordinary law relating to sale and purchase of land. If a notice to treat is served, but the purchase price is agreed without recourse to arbitration, the rules applicable to completion are then governed by the provisions of the 1965 Act (41).

(5) Compensation

The law relating to compensation is too extensive and complex for detailed examination, although a general review of relevant principles is appropriate.

An owner of land and property subject to compulsory acquisition will have a claim in respect of purchase money, and may have a claim in respect of good maintenance of property, home loss, and disturbance. The owner of a house subject to a Demolition or Closing Order also has certain rights, although here he would retain ownership of the site, if compulsory powers of purchase were not enforced.

The rules of compensation are concerned with the assessment of the pecuniary or other remedy that may be claimed from the acquiring authority by the person whose land is being acquired. Primarily the compensation is assessed on the value of the land, and in making this assessment the District Valuer, acting for the local authority, must apply the statutory rules of the Land Compensation Act 1961 (42).

The rules of the 1961 Act require land to be valued for compulsory acquisition on the basis of a voluntary sale between a willing seller and a willing buyer negotiating at "arm's length", and the Valuer has to consider and assess the existing use, then add on the various potential uses by way of supplements that are authorised by the Act in the particular case.

Where land is compulsorily acquired under Part 3 of the 1957 Housing Act, the compensation payable for unfit houses (43) is assessed in accordance with Section 5 of the Land Compensation Act 1961, subject to the general principle that compensation for the price of land is to be the value of the land as a site cleared of buildings and available for development.

A similar provision applies to single houses acquired under Section 17 of the 1957 Housing Act (e.g. Demolition Orders). In either case, however, there may be paid, in addition, an owner-occupier or home loss supplement.

From 1st January 1971 the 1969 Housing Act revised, by complicated provisions, the compensation scheme for owner occupiers of unfit houses, subject to special circumstances and especially providing that there was a successive owner occupation for more than two years (44).

(a) Well-maintained Payments

In two different sets of circumstances a person may be able to claim a payment in respect of a house that is "well-maintained", and in each case the amount of payment is ascertained in accordance with the rules prescribed (45).

Section 30 of the 1957 Act provides that a claim may be made, within three months of the service by a local authority of a copy of a Demolition or Closing Order and in respect of a house found not capable of being rendered fit at reasonable expense, by any person who represents that the house has been well maintained by him or at his

expense. The local authority must make a payment if the house is vacated in pursuance of an Order, and they are satisfied the representation is correct. If not satisfied, the local authority must serve on the person making his representation a notice that payment will not be made, and any person aggrieved may appeal, within twenty one days, to the Local County Court.

Prior to 1969, as regards any unfit house subject to a Clearance, or Compulsory Purchase Order, the local authority had to make a well-maintained payment if so directed by the Secretary of State following an inspection of the house by an officer of his Department (46), or, in exceptional circumstances, the District Valuer.

In 1969, the concept of partially well-maintained houses was introduced to remedy the situation where repair of either the interior or exterior (but not both) had been established (47). The old procedure under Section 60, Housing Act 1957 has been replaced (48), and the local authority must now notify, by prescribed form, all interested parties if any property included in the Compulsory Purchase Order has been well maintained internally and externally; or, either internally or externally; or, has not been at all well-maintained. Reasons must be given, in writing, in respect of the latter two categories. If satisfied that a house has been wholly or partially maintained, the local authority must make a payment in accordance with Part 1 of Schedule 2 of the Housing Act 1974. If the notification is to the effect that a house has not been wholly or partially maintained an aggrieved person may make written representation to the Secretary of State who, may cause the dwelling to be inspected and, give directions to the local authority to make an appropriate payment. The payment made will be of an amount equal to the rateable value of the house multiplied (1979) by $3\frac{1}{2}$ (49), and the amount of payment

must not exceed the amount by which the "full value" of the house (on a basis of compulsory acquisition of a fit house) exceeds the site value thereof.

b) Home Loss Payments

Any person displaced from a dwelling, after 17th October 1972, in consequence of compulsory acquisition, the making of a Housing Order, the acceptance of an Undertaking, or the service of a Compulsory Improvement Notice, is entitled to receive a "home loss" payment, providing he can prove that throughout a period of five years prior to the date of displacement he had been in occupation of the property, and that he claims within six months from the displacement date (50). Where the displacement took place before 1st April 1973 the amount was seven times the rateable value of the dwelling, and after that date the amount is three times the rateable value, subject in either case to a minimum payment of £150 and maximum of £1500. Those amounts and multipliers may be varied by Order made by the Secretary of State.

c) Disturbance Payments

Also under the Land Compensation Act, 1973, a person similarly displaced from any land is entitled to a "disturbance" payment, providing he is not entitled to an owner-occupier's supplement (51). There are no qualifying residential or claim periods, and the amount of a disturbance payment is assessed as being equal to the reasonable expenses of the claimant in removing from the land.

d) Costs

The Costs of a conveyance to the acquiring authority are payable by the authority, and these include the costs of deducing evidence of and verifying title, and furnishing an abstract (52). The fees of Surveyors are also usually paid.

The costs of Public Local Inquiries, and the costs of either party thereto, in any case of a contested Compulsory Purchase Order, under Part 3 of the 1957 Housing Act, are in the discretion of the Secretary of State (53). In practice, they do not normally follow the event, and both parties were usually left to bear their own costs, although the local authority is normally required to pay the costs of the Inquiry.

The Council on Tribunals considered this matter and in their Report (54) recommended (inter alia) that:

- i) costs should normally be awarded to successful objectors - but not to unsuccessful objectors unless it can be shown that policy or chance was the deciding factor between one objector and another and the claimant had not acted unreasonably, vexatiously, or **frivolously**.

(This main recommendation was accepted by the Minister of Housing and Local Government) (55).

- ii) A proportion of his costs should be awarded to the partially successful objector (Not accepted by the Minister).

6) Rehousing of displaced persons

When a local authority declare a clearance area they must consider the availability of housing for persons displaced (56). Until 1973 there was no legal obligation to rehouse persons displaced as a result of action taken in respect of individually unfit houses, although most local authorities recognised a moral obligation. However, the Land Compensation Act 1973 (57) now imposes a duty on the authority if

"suitable alternative residential accommodation on reasonable terms is not otherwise available",

to secure that a person displaced from "residential accommodation" is provided with such other accommodation, if the displacement is in

consequence of:

- i) acquisition powers; or
- ii) an Undertaking accepted, or a Demolition or Closing Order made under Part 2 of the 1957 Housing Act, or
- iii) the service of an Improvement Notice within the meaning of Part 8 of the 1974 Housing Act.

The person making the claim for rehousing must have been in residence at the time when the Housing Order was made, the Undertaking accepted, or the Notice served.

7) Rehabilitation of Unfit Houses in confirmed Orders

Successive Governments have expressed the view that schemes of wide-spread comprehensive redevelopment are not always necessarily the best method of dealing with areas of sub-standard housing, and that consideration should be given to the alternative of rehabilitation where this is recognised to be practicable (58). Consequently local authorities now have power to make a Rehabilitation Order in respect of any house included in a clearance area as being unfit for human habitation, and which was acquired by the authority under Section 43 of the 1957 Act before 2nd December 1974, or included in a Compulsory Purchase Order made under that section before that date and confirmed prior to the 2nd March 1975. Before deciding to make a Rehabilitation Order the local authority must be satisfied that the unfit properties to be included can, and ought to be, brought up to the full standard of improvement as defined in Section 66, sub-section 2 of the 1974 Housing Act. Upon being so satisfied a local authority must advertise and serve personal notices on all recipients of the notice of the making of the Compulsory Purchase Order, or their successors in title, and where appropriate, on persons from whom property was purchased by agreement. The recipients have the right of objection, including the right to represent that their property also should be included in

the Rehabilitation Order. The order is subject to confirmation by the Secretary of State who will normally hold a Public Local Inquiry if there are objections. (59)

The confirmation and coming into operation of a Rehabilitation Order frees the local authority from the duty to demolish or secure the demolition of the Order properties concerned, but they must ensure that any unfit houses in the clearance area so affected are properly improved. It is recognised that it would be inequitable if owners received only site value for houses which are not now to be demolished as worthless, but retained and rehabilitated. Where properties have been acquired by agreement, or where the compulsory acquisition of an interest continues, compensation must be re-assessed, and the local authority, in such cases, must serve a prescribed notice within six months from the Order confirmation, on all interested parties (60).

8) Grant-aided improvement and repair of dwellings

The provisions for financial assistance towards work of improvement, repair and conversion of properties are contained in Parts 7 and 8 of the Housing Act, 1974, and the Homes Insulation Act, 1978.

Part 7 of the 1974 Act contains provisions relating to four types of house renovation grant for which local authorities may, subject to certain qualifications, entertain applications:

- i) Improvement Grants - formerly known as Discretionary Grants.
Level, normally at 50% of a £5000 eligible expense.
- ii) Intermediate Grant - formerly the Standard Grant. Maximum eligible expense is £1200 for amenities, and £1500 for repairs.
- iii) Special Grant - available at Local authority's discretion for provision of basic amenities in houses in multiple occupation.

iv) Repairs Grant - at a Council's discretion, and payable only for houses in General Improvement, or Housing Action Areas. Financial capacity of applicant tested. Grant may be as high as 90% of eligible expense which must not exceed £1500.

A local authority is prohibited (61) from entertaining applications, disabled applicants excepted (62), relating to the improvement, repair of dwellings and the conversion of buildings erected after 2nd October 1961, and the prohibition extends to all four types of grant. The significance of the date is, that since 2nd October 1961 a local authority has had power (63) to reject plans for dwellings that did not have a bathroom, fixed bath or shower, or means of supplying hot and cold water thereto.

Until 14th August 1977, dwellings with a rateable value higher than £175 (outside Greater London) could not be improved with grant aid. That limit was increased to £225 (64) and it was on 15th August 1977 that Grant Eligible Expense Limits were raised to their present level (65).

By virtue of Section 57 (4) of the 1974 Act the Secretary of State is empowered to give directions to local authorities, preventing them from approving applications for an improvement or intermediate grant of a specified description unless they have his consent. In exercise of these powers the Secretary of State has four times so directed, and the current position (1979) which relates mainly to the conversion of premises to provide a dwelling or dwellings took effect from 14th September 1977 (66). The Secretary of State, also in exercise of his powers under Section 57, sub section 2, has specified (67) the particulars which an application for improvement grant must contain

(in addition to those required under Section 57, sub section 2 paragraphs (a) and (b), and the certificate of future occupation under Section 60).

These include the provision of plans and specification of works, statements of housing arrangements for tenants during improvement work, rateable value of the property, and that the dwelling was built before 2nd October 1961.

In a further exercise of powers, under Section 61, sub section 3, of the 1974 Act the Secretary of State has specified (68) the construction, physical conditions, and provision of services and amenities with which a dwelling must conform on completion of improvement grant works or conversion, and these are that the dwelling must, in addition to having the basic amenities;-

- i) be substantially free from damp;
- ii) have adequate natural lighting and ventilation in each habitable room;
- iii) have adequate and safe provision throughout for artificial lighting, and have sufficient electric socket outlets for the safe and proper functioning of domestic appliances;
- iv) be provided with adequate drainage facilities;
- v) be in a stable structural condition;
- vi) have satisfactory internal arrangement;
- vii) have satisfactory facilities for preparing and cooking food;
- viii) be provided with adequate facilities for heating;
- ix) have proper provision for the storage of fuel (where necessary) and for the storage of refuse;
- x) have in the roof space, thermal insulation sufficient to give, for the relevant structure, a U value of $0.4 \text{ w/m}^2 \text{ } ^\circ\text{C}$.

Sub-item x) was changed from the Building Regulation standard, in 1978, to a higher level applicable for grant aid (69).

Until late 1978 grant was not available in respect of x) above, except for elderly or disabled applicants (70). The Homes Insulation Act, 1978 made available to landlords, owner occupiers and tenants a grant of £50 or 66% of the cost, whichever is the lower amount, for loft insulation, lagging of pipes and water tanks in roof spaces, and insulating hot water cylinders.

Special provisions are contained in the 1974 Act (71), and Department of Environment Circular (72), for adapting houses occupied by people who are physically disabled.

The Intermediate grant replaced the former Standard grant, first introduced by the House Purchase and Housing Act, 1959, and in addition to assisting with the cost of providing missing basic amenities such as a fixed bath or shower; wash hand basin, sink; each with a hot and cold water supply; and water closet; the grant may also provide help towards the cost of repairs.

The 1974 Act introduced the concept of Repairs grants available only in housing action areas and general improvement areas, and which are intended to help owners with limited means to carry out basic repairs that they would not otherwise be able to finance. They are entirely at the discretion of the local authority, and approval depends upon the capacity of the applicant to finance, without undue hardship, the cost of works without grant aid (73).

Re-introduced by the 1974 Act are grant conditions, which broadly ensure that if the use made of an improved dwelling throughout a prescribed period of five years (seven years as regards a tenanted house in a housing action area) is not consistent with the stated intention of either letting or owner occupying the property, the

grant is repayable with compound interest - subject to any discretion exercised by the local authority (74).

9) Compulsory Improvement

Compulsory improvement of dwellings was introduced by the Housing Act of 1964, and related, firstly to dwellings within what were termed "Improvement Areas" and, secondly to dwellings outside such areas.

The power to declare Improvement Areas was repealed by the Housing Act 1969, but the compulsory powers to improve dwellings outside remained until 1974, when the whole procedure was revised and re-enacted (75). Before taking action in respect of any house outside a housing action area or general improvement area, the local authority must be in receipt of a written representation from the tenant (76); but within those areas the authority may take action unilaterally (77) providing they are satisfied:-

- a) the house is in a General Improvement Area, or Housing Action Area, and
- b) it lacks one or more of the standard amenities; and
- c) is capable at reasonable expense of improvement to a full, or reduced standard, and
- d) it was provided before 3rd October 1961.

On being satisfied as to the qualifying conditions the local authority may then serve a Provisional Notice, on the owner and occupier, specifying required works and stating a "Time and Place" at which may be discussed the authority's proposals, any alternative proposals, proposed housing arrangements for displaced tenants, the views and interests of the occupying tenant, and any other relevant matters. Following this quasi-judicial meeting, but prior to serving an Improvement Notice, the local authority may accept from the owner an Undertaking, in writing, that he will improve the dwelling. Before accepting this, the authority must be satisfied that the tenant has

agreed in writing, and that any housing arrangements required are satisfactory. These housing arrangements provide a new safeguard for tenants affected by compulsory improvement works, and consist of a written agreement between the tenant and either his landlord or the local authority, or both, providing for the temporary or permanent accommodation of himself and his household during (and after if necessary) improvements. The arrangements can cover not only the actual housing of an occupying tenant and the rent to be paid, but also matters incidental or ancillary to that housing, for example, temporary storage of furniture or removal costs (78).

Both owner and tenant have the right of appeal to a County Court against the terms of an Improvement Notice (79).

If the works required by an Improvement Notice have not been completed within the required period (normally 12 months) the local authority may then execute uncompleted works and recover all expenses reasonably incurred. However, where an Undertaking is 'in default' an Improvement Notice must be served allowing, again, a prescribed period for completion of the improvement works and necessary repairs.

Section 101 of the 1974 Act, gives to a person served with an Improvement Notice the right to require the local authority to purchase his interest in the dwelling, provided that he exercises this right within six months of the notice becoming operative.

Any person permanently displaced from his home in consequence of compulsory improvement action may be entitled to rehousing, home loss payment and/or disturbance payment. In addition, where a person thus permanently displaced has no greater interest than that of a tenant for a year, or from year to year, the displacing authority may pay any reasonable expenses incurred, other than the purchase price, in connection with the acquisition of an alternative dwelling (80).

10) General Improvement Areas

Although the procedure for general improvement areas has been drastically revised (81), the definition remains unaltered as a:-

"predominantly residential area where the local authority is satisfied that living conditions can most appropriately be improved by the improvement of the amenities of the area, or dwellings therein, or both" (82).

If satisfied that this is the appropriate course of action, after considering a Report submitted by a suitably qualified person, the local authority may cause the area to be defined on a map, and by "preliminary resolution" declare their intention that the area should become a General Improvement Area.

Before declaring the area to be a General Improvement Area by "confirmatory resolution", the local authority must, within six months, notify the Secretary of State of this intention, and furnish to him all relevant documents and information. After acknowledging receipt of the notification the Secretary of State will consider the proposal and then notify the local authority either that

- a) they may not pass a confirmatory resolution with respect to the proposed G.I.A., OR
- b) that they are at liberty to pass such a resolution.

As soon as maybe after the passing of a confirmatory resolution the local authority must publish details of the proposed area in at least two locally circulating newspapers, and take necessary steps to bring the resolution to the attention of persons residing or owning property in the area - usually by leaflet and/or Public Meeting. In order to improve living conditions in the area the local authority may carry out works on their own land, assist with works on other people's land, and even acquire by agreement or compulsion land within or adjoining the area. These works may consist, for example, of tree and shrub planting, providing play spaces, sitting areas, parking spaces, and extend to the

pedestrianisation of highways. Providing that the environmental improvement costs, as approved, exceed in aggregate the number of houses in the area multiplied by £200, the Secretary of State will contribute a maximum of £100 per house, although a local authority may substantially incur more than the expenditure authorised for contribution purposes. As soon as the confirmatory resolution has been passed the improvement grant provisions as they affect a General Improvement Area apply, and the local authority may authorise grant aid for house renovation upto a maximum of 60% of the eligible expense; that is, a maximum grant of £3,000, being 60% of £5000 (1979).

11) Housing Action Areas

The Housing Action Area is a new concept originally conceived as a means of alleviating severe housing stress in the large conurbations, but now accepted as applying elsewhere.

As declaration of this type of area should not be merely a gesture of concern or good intention, but lead to a relatively prompt and appreciable improvement in living conditions, a local authority must carefully research existing conditions in relation to physical and social stress.

Consequently, after considering a Report prepared by a suitably qualified person, a local authority if satisfied (8):-

"that living conditions in the area are unsatisfactory and can most effectively be dealt with within a period of five years so as to secure.

- a) the improvement of the housing accommodation in the area as a whole, and
- b) the well-being of the persons for the time being residing in the area, and
- c) the proper and effective management and use of that accommodation".

may declare the area a housing action area, providing, of course,

that financial and staff resources are adequate and available.

When such a declaration has been made the resolution must be publicised in the like manner of a General Improvement Area declaration, and all relevant documents sent to the Secretary of State who, after acknowledging receipt, must notify the local authority within twenty-eight days, only if he does not propose to take further action with respect to the declaration. Housing Action Area powers come into force immediately on declaration and no decision by the Secretary of State is required to activate them. But the purpose of sending documents is to assist him in a decision whether or not to exercise his powers to rescind a Housing Action Area or to reduce it in size (84). His powers are intended to be a safeguard, necessitated by the implications for residents and owners of property within an area, and for the deployment of public resources, against excessive, premature, or inappropriate declarations.

A basic, and novel, feature in a Housing Action Area is the statutory provision which makes the well-being of residents an objective. This should mean involving people, and groups, in the scale, nature and timing of a proposed action programme, and a local authority is under a duty to bring to the attention of residents (85):-

- a) the action they propose to take in relation to the housing action area, which may involve compulsory acquisition of land;
- AND
- b) the assistance available for house improvement, and environmental works.

by publishing, from time to time, such information as thought best designed to further the purpose of the declaration.

This obviously leaves much to the enthusiasm and discretion of the local authority.

A notification system originally incorporated in the 1964 Housing Act

(86), in connection with the service of suspended notices in Improvement Areas, has been revived by Section 47 of the 1974 Act. This provides the local authority with a systematic means of identifying which tenanted properties in a Housing Action Area are being bought and sold, and in which the tenants are in risk of displacement. Failure by a landlord or owner of a property to comply with the requirements of the system is a criminal offence, and Section 36 (4) of the Act requires a local authority to take steps to bring to the attention of those affected their obligations. On receiving such a notification the local authority must state within four weeks, what action they propose to take in response to it - for example, purchase, or the offer of an improvement grant. Grant level in a Housing Action Area normally stands at 75% of the eligible expense, but in cases of proven financial hardship it may be increased upto 90% (87).

12) Priority Neighbourhoods

These are designed to prevent the housing stock around stress areas from deteriorating further, and stop stress from rippling out from areas which are the subject of concentrated action, normally by the use of Housing Action Area powers, and may also serve to pave the way for later, more intensive, treatment if needed. The broad criteria for selection are indicated by Section 52 of the 1974 Housing Act, which provides that a Priority Neighbourhood must surround or have a common boundary with land included in either a General Improvement Area or Housing Action Area.

The declaration is similar to that of a Housing Action Area, as also are most of the provisions, such as grant levels and the notification system, but not, for example the procedure relating to the compulsory improvement of houses.

13) Overcrowding

The Housing Act 1957 (88) defines an overcrowded dwelling as:-

"A dwelling house shall be deemed ... to be overcrowded at any time when the number of persons sleeping in the house either:-

- (a) is such that any two of those persons, being persons ten years old or more of opposite sexes, and not being persons living together as husband and wife, must sleep in the same room;
and
- (b) is, in relation to the number and floor area of the rooms of which the house consists, in excess of the permitted number of persons as defined in the Sixth Schedule of this Act."

In calculating overcrowding a "person" is a person, male or female, over the age of ten years, and a child over the age of one year and under ten years counts as half a person, whilst an infant below the age of one year, does not count at all. The determination as to a house being overcrowded rests upon whether or not the "permitted number of persons" is exceeded.

This "number" is calculated with reference to two tables (in the Annex to Schedule 6 of the 1957 Act), which refer to numbers of persons in relation to either room size (floor area) or the number of rooms in the house, and the lower figure is taken.

The Act clearly fixes the number of persons who may sleep in a house but does not impose any restrictions as to how members of a family utilise the accommodation available. Thus a family may live and sleep in one room if they so elect provided the house as a whole contains sufficient accommodation for the permitted number of persons. Although the standard necessitates the inclusion of living rooms for the purpose of ascertaining the permitted number it does not imply that they must be used for sleeping purposes.

In enforcing the provisions relating to the abatement of overcrowding considerable difficulty is experienced in determining the class of

houses subject to the Act. The term "dwelling house" relates to premises used by members of the working classes (89). The term "working class" was formerly defined in the eleventh schedule of the 1936 Housing Act to include "Mechanics, artisans, labourers, and others working for wages; hawkers, costermongers, and others not working for wages but working at some trade without employing others". The definition was repealed so consequently is now capable of a very wide or narrow interpretation embracing persons from many walks of life.

Because of the extremely low overcrowding standard prevailing which bears no relation to current values, that part of the 1957 Housing Act is rarely enforced, despite an absolute duty of enforcement (90).

N.B.

The legal provisions referred to in the Appendix, and throughout the Thesis, are those in force on 1st July, 1979.

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- | | |
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| (10) HOUSING ACT, 1969 | - Section 70. |
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| (13) HOUSING ACT, 1957 | - Section 9 (1) |
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| (15) IBID | - Section 16 (1) |
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- (32) HOUSING ACT, 1974 - Section 114, as amended by the Housing Rents and Subsidies Act, 1975, Schedule 5, Paragraph 21.
- (33) HOUSING ACT, 1969 - Section 32.
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- (35) HOUSING ACT, 1957 - Section 29.
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- (40) IBID - Section 11
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