

NEIGHBOURHOOD SERVICES COMMITTEE

AGENDA



Monday 17 June 2024

at 5.00 pm

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS: NEIGHBOURHOOD SERVICES COMMITTEE

Councillors Clayton, Cook, Little, Male, Oliver, C Wallace and Young.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the Minutes and Decision Record of the meeting held on 5 February 2024 (previously circulated).
- 3.2 To receive the Minutes and Decision Record of the meeting of the Emergency Planning Joint Committee held on 12 March 2024 (previously published)

4. PRESENTATION

- 4.1 The Role and Remit of the Neighbourhood Services Committee – *Executive Director of Development, Neighbourhoods and Regulatory Services*

5. BUDGET AND POLICY FRAMEWORK ITEMS

None.

6. KEY DECISIONS

- 6.1 Footpath Licensing Policy – *Assistant Director (Neighbourhood Services)*

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

7. OTHER ITEMS REQUIRING DECISION

7.1 Household Waste Recycling Centre - *Assistant Director (Neighbourhood Services)*

8. ITEMS FOR INFORMATION

None.

9. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT



EMERGENCY PLANNING JOINT COMMITTEE

MINUTES AND DECISION RECORD

12 MARCH 2024

The meeting commenced at 10.00 am at the Stockton Baptist Church,
Bishop Street, Stockton-On-Tees.

Present:

Councillor: Councillor Sue Little (Hartlepool Borough Council) (In the Chair)

Also present: Councillor Norma Stephenson (Stockton Borough Council) as substitute
for Councillor Clare Gamble.

Officers: Sylvia Pinkney, Assistant Director, Regulatory Services
Stuart Marshall, Chief Emergency Planning Officer
Jon Hepworth, Group Accountant (Regeneration and Neighbourhoods)
David Cosgrove, Democratic Services Team

31. Apologies for Absence

Councillor Theo Furness (Middlesbrough Borough Council).
Councillor Clare Gamble (Stockton Borough Council).

32. Inquorate Meeting

The Chair noted that the meeting was inquorate. The Members present agreed to hear the matters for information listed on the agenda though acknowledged that any recommendations requiring decision would need to be deferred to the next meeting.

33. Declarations of interest by Members

None.

34. Minutes of the meeting held on 21 November 2024

Confirmed.

The Chair asked of the issue of the smell of gas around Seaton Carew and Seal Sands had been resolved as she had not received any complaints from residents since Christmas. The Assistant Director, Regulatory

Services stated that there were still reports of the odour though it did not appear to be having the same impact.

35. Financial Management Update Report (*Director of Finance, IT & Digital and Chief Emergency Planning Officer*)

Purpose of report

To provide details of the forecast outturn as at 31st December, 2023 for current financial year ending 31st March, 2024.

To propose the budget for 2024/25 and contributions to be requested from Councils.

Issue(s) for consideration by the Committee

As the report required a decision of the Joint Committee in relation to the 2024/25 budget and the funding contributions from the partner local authorities, the Chair, in noting that the meeting was inquorate, reluctantly asked the Joint Committee to defer the report to the next meeting of the Committee, the date of which was yet to be confirmed but would be early in the new Municipal Year.

Decision

That consideration of the proposed budget for 2024/25 and contributions to be requested from Councils be deferred to the next meeting.

36. CEPU and CLRF Future Action Plan Priorities (*Chief Emergency Planning Officer / Senior Emergency Planning Officer*)

Purpose of report

To assist members of the Emergency planning Joint (EPJC) in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities by outlining the priority areas and themes identified for inclusion in the 2024/25 and beyond action plans for the Local Resilience Forum (LRF) and Cleveland Emergency Planning Unit (CEPU).

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer reported that significant change was occurring within the resilience field partially as a result of the inquiries into recent incidents (Manchester Arena and Covid) and through an aspiration to increase resilience outlined within the HM Government UK Resilience Framework.

This had been evidenced through increased grant funding for LRFs and the HM Government's work to develop a pilot programme of stronger LRFs through increased transparency and accountability, with the introduction of

the role of Chief Resilience Officer. The working models of governance for those areas selected as pilots were yet to be released.

Rather than waiting for the outcome of the national pilot project Cleveland LRF has been undertaking a number of reviews with staff, Tactical Tier and Strategic Tiers and commissioned an independent peer review of the LRF. This review, combined with a review of training and exercising, lessons identified from incidents, performance against the non-statutory resilient standards and the statutory requirements provided the foundation for the LRF and CEPU future work programme.

From the independent peer review a number of significant proposals were made (set out in the report) which it was intended to build into a 36 month work plan subject to the LRF Strategic Board's agreement. The Chief Emergency Planning Officer gave an overview of the actions that had been listed as intermediate, short-term and long-term deliverables.

Once finalised and agreed by the strategic board the Chief Emergency Planning Officer would present the full itemised action plans for both the LRF and CEPU to the Joint Committee.

Members questioned the links with other LRFs and the Chief Emergency Planning Officer stated that in terms of the areas north of Cleveland, they were very good with sharing of information and commonality issues. Relationships with the Yorkshire and Humberside LRF had started to develop along the same lines. A Member questioned the management of risks around Teesside International Airport and the recent SAF (Sustainable Airline Fuels) approvals at the Airport. The Chief Emergency Planning Officer stated that for emergency planning the lead tended to lie with Durham and Darlington Civil Contingencies Unit due to the location of the main buildings. In terms of the SAF storage the CEPO identified that the site had not been notified as an upper tier COMAH site within the Cleveland area by the Competent Authority (Health and Safety Executive and Environment Agency).

The Chair referred to the Grenfell Inquiry and asked if there were any outstanding issues in our area relating to cladding on high-rise buildings. The Chief Emergency Planning Officer stated that there had been a number of issues originally identified but now through the action of building owners and the Fire Brigade he was aware of only three sites where there was continued action / mitigation with reference to cladding.

Decision

That the report be noted and the Chief Emergency Planning Officer continues to develop the Cleveland Emergency Planning Unit Annual Action Plan and the Joint Committee standard report to provide assurance to Elected members that the key considerations continue to be met and that members were updated at the quarterly EPJC meetings reference any amendments / additional actions.

37. Emergency Plans and Protocols (*Principal Emergency Planning Officer*)

Purpose of report

To assist members of the EPJC in oversight of Emergency Plans and procedures that the Cleveland Emergency Planning Unit is author or custodian of and provide assurance reference the systems in place regarding emergency planning.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer reported that as a category one responder as defined by the Civil Contingencies Act 2004 there was a duty on Local Authorities to “put in place emergency plans”. A non-statutory resilient standard Emergency Planning identified desired outcomes, legal duties, good practice and leading practice. In addition to the CCA 2004 there is other legislation for specific risks that are more prescriptive in both content and time scale of review. The main ones that fall into this category and require planning from a Local Authority are the Control of Major Accident Hazards (2015) (chemical sites with a threshold of dangerous substances) REPPiR (Radiation (Emergency Preparedness and Public Information 2019) and MAHP (Major accident Hazard pipelines 1996). In addition there are a number of other risk specific plans where a risk (identified on the risk register) specific plan would be beneficial (i.e. flooding, maritime pollution, etc.). A summary of the key emergency plans were set out in an appendix to the report.

All plans were kept both on the Hartlepool Borough Council internal server and Resilience Direct (a government web based portal that allowed storage up to official sensitive documents). In addition to this Major Incident Plans for the respective councils are kept on their own systems. Finally all-time critical plans have paper copies in Police HQ as well as paper copies being made available for council emergency control centres.

Decision

That the Chief Emergency Planning Officer continue to develop emergency plans and monitor these plans covering legislative duty, government guidance and best practise.

38. Overview of Recovery – Plans and Process (*Principal Emergency Planning Officer*)

Purpose of report

The purpose of this report was to provide an overview on recovery and outline the plans and processes Cleveland Local Resilience Forum has in place in relation to recovering from incidents.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer reported that the Civil Contingencies Act assigns a duty to warn and inform the public in the event of an emergency, but otherwise response and recovery activities are not duties under the CCA but effective response and recovery are its intended outcomes.

The CCA guidance identified six distinct phases of emergency management: anticipation, assessment, prevention, preparation, response, and recovery. This was known as the model for Integrated Emergency Management (IEM). While prevention and preparation focussed on minimizing the impact of emergencies, the recovery phase was crucial in restoring a new normality and rebuilding affected communities.

Cleveland Local Resilience Forum has in place a Recovery Framework which summarised the mechanisms that would be adopted in the event of an incident requiring a recovery phase. It was deliberately generic and flexible to facilitate application to a range of situations.

The Assistant Director, Regulatory Services indicated that the recovery framework had been utilised after the Marton Country Club fire, tidal flooding and the closure of the Iron Works. Some work was being undertaken with lead officers on familiarisation as this was an area that was difficult to 'exercise'. The main issues identified in relation to recovery had been around the initial stages of implementation, agreeing an exit strategy, managing public expectation and understanding the community impact.

Decision

That the report be noted.

39. Activities Report 04/11/2023 - 29/02/2024 (*Chief Emergency Planning Officer*)

Purpose of report

To assist members of the Emergency Planning Joint Committee (EPJC) in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer submitted a summary of progress made against the Unit's 2023/24 action plan and the 2023/24 Local Resilience Forum Action Plan for the Committee's information.

Decision

That the report be noted.

40. Incidents Report 04/11/2023 – 29/02/2024 (*Chief Emergency Planning Officer*)

Purpose of report

To assist members in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities through provision of a list of incidents within the reporting period.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer reported on the incidents of note for the period 4 November 2023 to 29 February 2024 for the Committee's information. It was noted that the monitoring of the gas odour around Seaton Carew and Seal Sands was ongoing. The fire at a waste site involving tyres was also noted with the Assistant Director, Regulatory Services, stating that there had been a very favourable wind direction minimising the effects of the dense smoke.

Decision

That the report be noted.

41. Any Other Items which the Chairman Considers are Urgent

None.

The Chair noted that it was the end of her year as Chair of the Joint Committee which had been very informative and she would continue her interest in the work of the Joint Committee in the future.

The meeting concluded at 11.10 am

H MARTIN

DIRECTOR OF LEGAL, GOVERNANCE AND HUMAN RESOURCES

PUBLICATION DATE: 21 MARCH 2024

<p style="text-align: center;">NEIGHBOURHOOD SERVICES COMMITTEE</p> <p style="text-align: center;">17 June 2024</p>



Subject: FOOTPATH LICENSING POLICY

Report of: Assistant Director (Neighbourhood Services)

Decision Type: Key Decision (Forward Plan Reference No. DNRS 05/24)

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- where people are enabled to live healthy, independent and prosperous lives.
- that is sustainable, clean, safe and green.

2. PURPOSE OF REPORT

2.1 To seek approval for a Footpath Licensing Policy as required by the government’s new Permanent Pavement Licensing Regime, in order to provide a streamlined process for businesses and ensure the safety of pedestrians and other highway users.

3. BACKGROUND

3.1 In March 2024, the Government introduced the Permanent Pavement Licensing Regime under the Levelling Up and Regeneration Act 2023. This replaced the temporary regulations introduced during the COVID-19 pandemic, primarily to support businesses in the hospitality sector as they reopened while still under partial lockdown restrictions. The new legislation provides clear guidance to businesses wishing to place seating, or other items associated with outdoor hospitality, signage, or other goods on the public highway/footway.

3.2 The process enables Local Authorities to regulate highway installations, and ensure that they don't negatively impact other highway users, particularly mobility and visually impaired people.

3.3 The policy also gives clear guidance on the process for enforcement and removal of unauthorised items on the highway, where a licence has not been applied for and no application is forthcoming

4. PROPOSALS/OPTIONS FOR CONSIDERATION

4.1 The Footway Licensing Policy is attached at **Appendix 1** of this report.

5. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	<p>There is a risk to public safety by allowing unregulated items to be placed on the public highway. Under the process outlined at Appendix 1, the Council can assess all proposals and either approve, offer guidance to amend, or refuse, where appropriate.</p> <p>Without a licence in place such items are classed as obstructions on the highway, and as such any resulting incidents would leave the Council open to insurance claims if it could be demonstrated they were aware of the installation.</p> <p>There would also be a risk in failing to comply with new regulations, which would further weaken the Council's position when responding to insurance claims.</p> <p>Under the policy, applicants are required to have public liability insurance which indemnifies the Council against all such claims.</p>
FINANCIAL CONSIDERATIONS	<p>The proposed fees are set out in the policy for the different types of installation, for both an initial application and a licence renewal.</p> <p>Both licences cover a 2 year period, in line with the recommendations in the new regulations.</p> <p>The fees have been set based on an assessment of the likely costs incurred by the council. A comparison exercise across Tees Valley showed that this was lower than other authorities propose to charge, with two neighbouring authorities charging £200 and £400 respectively.</p>
SUBSIDY CONTROL	No relevant issues.
LEGAL CONSIDERATIONS	The various installations will be regulated under either the Levelling Up and Regeneration Act 2023, or the Highways Act 1980.

CHILD AND FAMILY POVERTY	No relevant issues
EQUALITY AND DIVERSITY CONSIDERATIONS	Regulating highway installations under the policy ensures that the needs of mobility and visually impaired people are carefully considered before a licence is granted, to ensure safe passage along the footway.
STAFF CONSIDERATIONS	Licences will be processed utilising existing Highways and Asset Management team resources and this will be kept under review to ensure workload can be managed within the existing resource.
ASSET MANAGEMENT CONSIDERATIONS	These are removable installations on the highway rather than permanent ones, so there is no requirement to add them to the Council's asset register.
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	No relevant issues.
CONSULTATION	<p>The Levelling Up and Regeneration Act requires a consultation period of 14 days via public notice, followed by a 14 day determination period. Where resources allow the Council will look to determine applications quicker than the statutory determination period.</p> <p>On receipt of an application, the following will be consulted:</p> <ul style="list-style-type: none"> • Cleveland Police • HBC Licensing • HBC Community Safety • HBC Public Protection • HBC Enforcement • HBC Conservation (Conservation Areas only)

6. RECOMMENDATIONS

6.1 That the Footway Licensing Policy be approved.

7. REASONS FOR RECOMMENDATIONS

7.1 To provide a streamlined process for businesses, ensure the safety of pedestrians and other highway users, and give guidance on the enforcement of unauthorised highway installations.

8. BACKGROUND PAPERS

- 8.1 The Permanent Pavement Licensing Regime under the Levelling Up and Regeneration Act 2023: [Pavement licences: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/pavement-licences-guidance)

9. CONTACT OFFICER

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 Assistant Director (Neighbourhood Services)
 Tel: (01429) 284291
 E-mail: kieran.bostock@hartlepool.gov.uk

AUTHOR OF REPORT

Peter Frost
 Highway Infrastructure Manager
 Tel: (01429) 523200
 E-mail: peter.frost@hartlepool.gov.uk

Sign Off:-

Managing Director	Date: 29/05/2024
Director of Finance, IT and Digital	Date: 29/05/2024
Director of Legal, Governance and HR	Date: 30/05/2024

Footway Licencing Policy

Version 1 June 2024



Document Revision History

Date	Responsible Officer	Revision	Details
01/05/24	Peter Frost	1.00	Final for Committee Approval

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Introduction

On 31 March 2024 the government introduced the Permanent Pavement Licensing Regime under the Levelling Up and Regeneration Act 2023.

This replaced the temporary regulations introduced during the Covid 19 pandemic, primarily to support businesses in the hospitality sector as they reopened while still under partial lockdown restrictions.

The intention of the new regulations is to streamline the process for businesses, while also providing local authorities with the assurance that items placed on the footway are done so safely for pedestrians and other highway users.

It is important to note that approval of a footway licence only permits the placing of furniture on the highway, and does not negate the need to obtain approvals under other licensing and regulatory frameworks.

The policy also gives clear guidance on the process for enforcement and removal of unauthorised items on the highway.

Legislation

The Permanent Pavement Licensing Regime under the Levelling Up and Regeneration Act 2023 commenced in March 2024, as outlined above.

This encourages local authorities to grant licences for the maximum period permitted of 2 years, to give longer term certainty for businesses and reduce the administrative burden on authorities when processing license applications and renewals.

The consultation and determination periods for applications are also extended from the 7 day windows under the temporary regulations to 14 days for each.

The regulations can be accessed via the following link: [Pavement licences: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/pavement-licences)

Highway Features Covered by this Policy

The following items are licensed under the Levelling Up and Regeneration Act 2023.

- Tables and chairs/ other forms of seating
- Counters or stalls for selling or serving food or drink
- Tables, counters or shelves on which food or drink can be placed
- Umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink

The following items are licensed under the Highways Act 1980.

- Advertising signs/ 'A' boards
- Banners
- Goods on the highway
- Canopies/ signs over the highway

Locations

Applications will generally only be granted when relating to the frontage area of the premises making the application.

Applicants should give consideration to the footway width and level of pedestrian footfall in the area when making an application, along with the needs of mobility and visually impaired people.

The placement of banners on the highway has been a long standing issue, and careful consideration will be given to ensuring this does not become excessive. Approval will not be granted for a high number of locations or where they could lead to road safety/ visibility concerns.

Restrictions

A minimum footway width of 1.5m must be maintained at all times.

In busy areas or over a longer distance this width may be insufficient, and further guidance will be provided to applicants on request.

Public Liability Insurance

The licence holder must hold Public Liability Insurance for the operation of the Footway Licence. This must indemnify Hartlepool Council against all claims for injury, damage or loss to users of the public highway, arising from the use of the highway for the permitted purpose. The minimum level of indemnity must be £5 million in respect of any one incident. Evidence of the insurance must be provided to Hartlepool Borough Council before the applicant commences use of the designated area and/or on request.

Exemptions

Charity shops, charitable organisations, community centres/ organisations, libraries and other local authority public buildings will still be required to apply for a licence, but will be exempt from the relevant fee.

Submission of an Application

An application for a Footway Licence must be made to the Council, and the following will be required to be submitted with the application:-

- A completed Application Form (See Appendix 2)
- The appropriate fee, payable at www.hartlepool.gov.uk/*****
- A plan showing (a) the location of the premises shown by a red line, and (b) the proposed area covered by the licence in relation to the highway, with measurements clearly showing footway width/ length, building width, and any other fixed item in the proposed area . The plan must also show the positions and number of all items that the applicant wishes to place on the highway.
- The proposed days of the week and the times of day when it is proposed to put the items on the highway.
- Evidence that the applicant has met the requirement to give notice of the application on the day they submit the application to the local authority (for example dated photographs of the notice outside the premises and of the notice itself).
- A copy of a current certificate of insurance that covers the activity for third party and public liability risks, to a minimum value of £5 million.
- Any other evidence needed to demonstrate how other relevant local authority conditions, and any national conditions will be satisfied.

Consultation

On receipt of an application, in addition to making their own assessment, the highway authority are required to consult with the following:-

Cleveland Police

HBC Licensing

HBC Public Protection

HBC Community Safety

HBC Enforcement

HBC Conservation (Within Conservation Areas Only)

Other consultees may be involved if the specific circumstances of an application dictate.

The period for determining a licence application has been set at 28 days in the Levelling Up and Regeneration Act 2023.

The applicant is required to affix a notice to the premises, so it is easily visible and legible to the public on the day they submit the application to the local authority.

The applicant must ensure the notice remains in place for the duration of the public consultation period (14 days), beginning with the day after the day the application is submitted to the Council.

Applicants are encouraged to keep evidence of the notice placement.

The site notice is shown at Appendix 1 of this policy.

The licence application form is shown at Appendix 2 of this policy.

Site Assessment

The following matters will be taken into account by the Council in considering the suitability of the proposed application:-

- Public health and safety.
- Public amenity – Will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour, excessive noise and litter.
- Accessibility – Taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made;
- Are there other temporary or permanent street furniture or structures in place on the footway that already reduce access;
- The impact of access and egress to the premises;
- The impact on any neighbouring premises;
- Recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people;
- Other users of the space, for example if there are high levels of pedestrian or cycle movements.

Determination of an Application

Once the application has been submitted the Council has 28 days from the day after the application is made to consult on and determine it.

This consists of 14 days for public consultation, and then 14 days to consider and determine the application after the consultation period has ended.

The local authority may determine the application before the end of the determination period, and can choose to:-

- Grant the licence in respect of any or all of the purposes specified in the application;
- Grant the licence for some or all of the part of the highway specified in the application;
- Impose conditions on any licence granted;
- Refuse the application.

Table of Fees

	New Application	Renewal
Tables and chairs (Incl. other features associated with outdoor hospitality)	£150	£100
Advertising signs/ 'A' boards/ Banners	£75	£50
Goods on the highway (<5m ²)	£75	£50
(>5m ²)	£100	£75
Canopies/ signs over the highway	£75	£50

New applications and renewals will apply for **2 years**, unless a shorter duration is specifically requested.

Fees must accompany the application in order for it to be considered valid and for the consultation period to commence.

The fee is an 'application' fee for the assessment and processing of the application. The fee will not be refunded if the application is withdrawn, refused or if a licence is surrendered or revoked before expiration. Fees will be reviewed periodically.

Enforcement

The Council aims to work closely with other enforcement authorities to enforce the provisions of all appropriate legislation. The case remains that an obstruction of the Highway is an offence under The Highways Act 1980 and will be dealt with by either the Highway Authority or the Police.

Obtaining a licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety or Alcohol and Entertainment Licensing, and applicants must ensure all such permissions, etc. are in place prior to operating.

If a condition imposed on a licence either by the Council or via national legislation is breached the Council will be able to issue a notice requiring the breach to be remedied. If the notice is not complied with, the Council may revoke the licence or take the required steps itself and recover the costs of doing so.

The authority may revoke a licence in the following circumstances:-

1. For breach of condition, (whether or not a notice has been issued)

2. Where:-

- There is a risk to public health or safety.
- The highway is being obstructed (other than by anything permitted by the licence).
- Anti-social behaviour or public nuisance is occurring – For example, the use is increasing the amount of noise generated late at night or litter is not being cleaned up.
- It comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed.
- The Council may also revoke the licence where all or any part of the area of the relevant highway to which the licence relates has become unsuitable, for any purpose for which the licence was granted. The Council will give reasons where these powers are used.

Should a business place anything on the highway without permission, they will be asked to either submit a licence application or remove it.

If neither course of action is followed then the Council will remove the items and inform the business of having done so.

For the first occurrence, the items will be placed in storage and the business asked to collect them.

For repeat occurrences, the items will be disposed of and the Council will seek to recover the associated costs. The Council retains the right to charge for any removal costs for either a first of a subsequent offence.

Appendix 1 – Site Notice

Site Notice for display by an applicant for a Pavement Licence.

I/We (*Name of applicants*).....

Hereby give notice that on (*Date of application*).....

[I/We] have applied to Hartlepool Borough Council for a ‘Footpath Licence’ at:

(*Address of premises*).....

.....

The application is for: (*See ‘Highway Features Covered by this Policy’*).....

.....

.....

Any person wishing to make representations to this application may do so in writing, preferably by email, to: highways.@hartlepool.gov.uk or;

Highway Infrastructure Section, Hartlepool Borough Council, Civic Centre, Victoria Road, Hartlepool, TS24 8AY.

The last date for representations being the date 15 days after the date of this notice.

The application and information submitted with it can be viewed on the Council’s website at: www.hartlepool.gov.uk/*****

Signed

.....

Appendix 2 – Licence Application Form (Tables and Chairs)



Hartlepool Borough Council

APPLICATION FOR A FOOTWAY LICENCE TO PLACE REMOVABLE TABLES AND CHAIRS ON THE PUBLIC HIGHWAY

Email: Highways@Hartlepool.gov.uk

Telephone: 01429 523240

Name/Address of Premises:	
Name of Applicant(s):	
Contact Email:	
Contact Phone number:	
Breakdown of quantity of items required	
Specific location in relation to your premises (i.e. front, rear, side etc.)	
Size/Dimension of affected area	
Operating Times (days/times on which items are requested to be positioned Note: The location of the business may result in restricted hours of use enforced by the Council.	

Do you require planning permission?

Yes

If yes, enter your planning reference number

No

Are you licenced to sell alcohol from these premises?

Yes

No

Details of adjoining premises (the Council is required to notify any respective owners)	
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In addition to this application form please also provide the following information;

- A current copy of your public liability insurance.
- A drawing/photograph showing the intended location of your tables and Chairs.
- A photograph/example of the tables and chairs that you intend to use.

Please email all this information to Highways@Hartlepool.gov.uk

Specific queries can be forwarded to the above email addresses or by telephoning:

01429 284141.

Appendix 3 – Licence Application Form (Signs and Goods)



Hartlepool Borough Council

APPLICATION FOR A FOOTWAY LICENCE TO PLACE SIGNS AND GOODS ON THE PUBLIC HIGHWAY

Email: Highways@Hartlepool.gov.uk

Telephone: 01429 523240

Name/Address of Premises:	
Name of Applicant(s):	
Contact Email:	
Contact Phone number:	
Breakdown of type / quantity of items required	
Specific location in relation to your premises (i.e. front, rear, side etc.	
Size/Dimension of affected area	
Operating Times (days/times on which items are requested to be positioned Note: The location of the business may result in restricted hours of use enforced by the Council.	

Details of adjoining premises (the Council is required to notify any respective owners)	
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In addition to this application form please also provide the following information;

- A current copy of your public liability insurance.
- A drawing/photograph showing the intended location of your items / goods
- A photograph/example of the items / goods that you intend to use.

Please email all this information to Highways@Hartlepool.gov.uk

Specific queries can be forwarded to the above email addresses or by telephoning:

01429 523240.

****Please contact the above if you are unsure whether a planning application is required****

**NEIGHBOURHOOD SERVICES
COMMITTEE**
17 JUNE 2024



Subject: HOUSEHOLD WASTE RECYCLING CENTRE
Report of: Assistant Director (Neighbourhood Services)
Decision Type: Non-key decision

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- That is sustainable, clean, safe and green.

2. PURPOSE OF REPORT

2.1 The purpose of this report is to outline the options for the appointment system currently in place at the Household Waste Recycling Centre (HWRC) on Burn Road in Hartlepool.

3. BACKGROUND

3.1 The introduction of a free permit scheme for Hartlepool residents to use the HWRC at Burn Road was included as part of the budget savings proposals considered for introduction in April 2020.

3.2 The appointment system was brought in as a way for the Council to restrict waste from commercial operators and residents from outside the Borough being disposed of at the site.

4. PROPOSALS/OPTIONS FOR CONSIDERATION

4.1 The appointment system has been in place since spring 2020 however there remains a perception that the operation does not meet the demand for the Borough and the system is obstructive. This view was supported by the recent Big Conversation with some residents commenting that they had difficulties in accessing the recycling centre.

4.2 In line with Defra's 2023 consultation, appointment systems are not intended to be obstructive, so a number of options are presented below for Members to consider:

1. Appointment system remains in place;
2. Hybrid system making 1 day a week appointment free; or
3. Removal of appointment system.

5. FINANCIAL CONSIDERATIONS

5.1 The saving accepted in December 2019 may potentially need to be reversed. Should tonnage of waste return to the levels pre 2020 this pressure will be in the region of £75,000.

5.2 If either the hybrid or full removal option is considered to be the most suitable by Members, then it is recommended that further controls, including proof of residency, etc., be put in place to minimise non-resident visitors and mitigate any financial impact.

5.3 Should the current operating model be changed the budgetary position will be closely monitored during the year and action considered within the service budget and wider portfolio to mitigate any detrimental financial position.

6. LEGAL CONSIDERATIONS

6.1 The Council has a duty to provide a HWRC under the Environmental Protection Act 1990 as Section 51 states:

(1) It shall be the duty of each waste disposal authority to arrange —

(a) For places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited;

(2) The arrangements made by a waste disposal authority under subsection (1) (b) above shall be such as to secure that —

(a) Each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;

(b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25th December or 1st January);

(c) Each place is available for the deposit of waste free of charge by persons resident in the area;

- 6.2 The Local Authority have responsibility under the Health and Safety at Work etc. Act 1974 to ensure, so far as reasonably practicable, the health, safety and welfare of its employees and those who may be affected by its work activities.

7. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	<p>Consideration needs to be given as to how the Council will be able to safely operate of the site to ensure that no health and safety risks are created as a result of any changes.</p> <p>Consideration for all traffic in the vicinity of the HWRC will need to be managed safely in the absence of an appointment system.</p>
SUBSIDY CONTROL	No relevant issues.
CHILD AND FAMILY POVERTY	No relevant issues.
EQUALITY AND DIVERSITY CONSIDERATIONS	No relevant issues.
STAFF CONSIDERATIONS	Any changes to the proposed arrangements would require a review of the existing risk assessments.
ASSET MANAGEMENT CONSIDERATIONS	No relevant issues.
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	A well-functioning HWRC helps reduce waste and increase recycling.
CONSULTATION	While no specific consultation has been undertaken on the process since the implementation of the appointment system, the feedback received from the recent Big Conversation exercise highlighted the system is perceived as difficult and obstructive. This feedback has been considered in the development of the options proposed.

8. RECOMMENDATIONS

- 8.1 It is recommended that Members consider the Options presented within Section 4.2 of this report.
- 8.2 If Members choose to alter the current operating model, then it is recommended that any additional control measures required for the safe and efficient use of the site are delegated to the Executive Director for Development, Neighborhoods and Regulatory Services in consultation with the Chair of Neighborhood Services.
- 8.3 It is recommended that the operation of the site remains under review over the next 12 months and a further report be presented to Members for consideration should operational or financial issues arise.

9. REASONS FOR RECOMMENDATIONS

- 9.1 The recommendations put forward within this paper are intended to address the balance between managing the financial and operational needs of the Authority alongside resident satisfaction and perception of the site.

10. BACKGROUND PAPERS

- 10.1 Full Council – Medium Term Financial Strategy (MTFS) 2020/21 to 2023/24 – 19th December 2019
- 10.2 Neighbourhood Services Committee – Household Waste Recycling Centre – 1st December 2022

11. CONTACT OFFICERS / AUTHOR

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Sign Off:-

Managing Director	Date: 04/06/2024
Director of Finance, IT and Digital	Date: 04/06/2024
Director of Legal, Governance and HR	Date: 04/06/2024