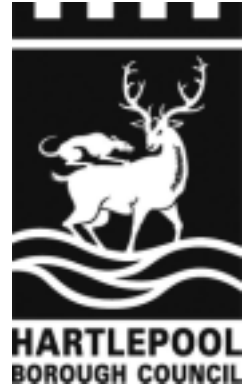


REPLACEMENT AGENDA

CABINET AGENDA



Monday, 20 April 2009

at 9.00 am

in Committee Room B, Civic Centre, Hartlepool

MEMBERS: CABINET:

The Mayor, Stuart Drummond
Councillors Hall, Hargreaves, Hill, Jackson, Payne, and Tumilty.

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

3. MINUTES

To receive the Record of Decision in respect of the meeting held on 6 April 2009

4. BUDGET AND POLICY FRAMEWORK

No items.

5. KEY DECISIONS

No items.

6. OTHER ITEMS REQUIRING DECISION

- 6.1 Employment Land Review - *Director of Regeneration and Planning Services*
- 6.2 Transport Assessment & Travel Plans Supplementary Planning Document -
Director of Regeneration & Planning Services
- 6.3 Household Waste Recycling Centre And Salt Storage Facility – *Director of Neighbourhood Services*

REPLACEMENT AGENDA

7. ITEMS FOR DISCUSSION

No items.

8. ITEMS FOR INFORMATION

- 8.1 Commissioning Services And Support For People With Learning Disabilities And Complex Needs - *Director of Adult and Community Services*
- 8.2 PCT Strategy – Focus On Staying Healthy - *Director of Adult and Community Services*
- 8.3 Six Lives: The Provision Of Public Services To People With Learning Disabilities – *Director of Adult and Community Services*

9. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

- 9.1 Final Report – Quality Of Care Homes Provision In Hartlepool - *Adult and Community Services Scrutiny Forum*
- 9.2 Action Plan – The Quality Of Care Homes Provision In Hartlepool - *Director of Adult and Community Services*

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

10. EXEMPT ITEM REQUIRING DECISION

- 10.1 Victoria Harbour (Para 3) – *Chief Financial Officer and Director of Regeneration and Planning Services*

CABINET REPORT

20 April 2009



Report of: The Director of Regeneration and Planning Services

Subject: EMPLOYMENT LAND REVIEW

SUMMARY

1. PURPOSE OF REPORT

To seek Cabinet approval to use the Employment Land Review (ELR) document as:

- material consideration in the determination of planning applications relating to employment land
- an evidence base to inform the Core Strategy and other relevant Development Plan Documents (DPDs)

2. SUMMARY OF CONTENTS

As part of the new 'Local Development Framework' (LDF) planning system established by the Planning and Compulsory Purchase Act 2004, a robust evidence base in the form of an Employment Land Review to inform preparation of Development Plan Documents has been undertaken by Nathaniel Lichfield & Partners (NLP) and Storeys: ssp on behalf of Hartlepool Borough Council. This report summarises key findings of the study which identify those allocated employment sites which should be retained for employment uses and those areas of land which might be considered for de-allocation. The study concludes that there is a potential over-supply of employment land across the Borough and recommends that the following sites be de-allocated:

- Parts of Oakesway
- Mixed use regeneration site at the Headland (adjacent to the Manor House)
- East of Stranton (Anchor Mills)
- Parts of Tees Bay Retail Park
- Brenda Road East, Southern Part
- Golden Flatts
- Parts of Graythorp

3. RELEVANCE TO CABINET

The Employment Land Review provides a robust evidence base from which key Development Plan Documents, such as the Core Strategy (forming part of the Councils budget and policy framework), will be based.

4. TYPE OF DECISION

Non- Key decision.

5. DECISION MAKING ROUTE

Cabinet 20 April 2009
Planning Committee 22 April 2009.

6. DECISIONS REQUIRED

To agree that the Employment Land Review recommendations be referred to the Planning Committee:

- for use as material consideration in the determination of planning applications relating to employment land
- to be used as an evidence base to inform the Core Strategy and other relevant Development Plan Documents (DPDs)

Report of: The Director of Regeneration and Planning Services

Subject: EMPLOYMENT LAND REVIEW

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of the main findings of the recently completed Employment Land Review for the Borough and the proposed way forward regarding the study's recommendations.

2. INTRODUCTION

- 2.1 As part of the new planning legislation and guidance Local Authorities are required to undertake an Employment Land Review Study to provide a robust evidence base for the production of formal planning policy documents such as the new Core Strategy which will eventually replace the Local Plan.
- 2.2 This work has been done by Nathaniel Lichfield & Partners (NLP) and Storeys: ssp on behalf of Hartlepool Borough Council.
- 2.3 The Employment Land Review has assessed the main employment sites within Hartlepool according to specific categories including:
- General employment sites,
 - Sites retained for specific uses including Port Related uses
 - Key Employments sites serving a wider area than just Hartlepool.
- 2.4 In summary the main aims of the study were to:
- Consider the Borough's future employment land and premises requirements by developing and testing a number of economic growth scenarios;
 - Review the current supply of employment land in Hartlepool in both quantitative and qualitative terms; and
 - Draw the preceding analysis together to identify any surpluses or deficiencies in the provision of employment land.
- 2.5 The study methodology was based upon Government guidance and good practice from comparable studies undertaken elsewhere. The study was prepared following a wide range of consultation involving one to one direct discussions, a workshop involving a number of landowners, developers, businesses, agents and support agencies and also a Business Survey sent out to 200 local companies.

3. CONTEXT

- 3.1 A key aim of regional and local policy is to increase levels of economic growth by increasing business start-up rates and the business stock, attracting more high value businesses. Within Hartlepool strategic sites such as Wynyard and Queens Meadow will underpin future economic growth in the Borough through the provision of modern, high quality business premises, whilst significant intervention is planned to improve the quality of sites and premises in the Southern Business Zone. Ensuring the provision of an adequate supply of employment land (in terms of quantity, range and quality) is critical to our continuing economic regeneration. Conversely the retention of too much employment land may prevent alternative development coming forward.
- 3.2 The report highlights the need to secure a sufficient amount of employment land to be available to meet medium and longer term needs by balancing of the various types and quality of employment land to meet business needs and regeneration aspirations and plans.

4. STUDY RESULTS AND RECOMMENDATIONS

- 4.1 The report identifies and assesses 54 available employment sites within Hartlepool, equating to a net site area of 372 hectares. These comprise:
- 29 hectares of land restricted for port-related uses;
 - 185 hectares of land at Key Employment Locations at Wynyard Business Park and North Burn Electronics Park; and
 - 158 hectares of general employment land.
- 4.2 The report recommends that Hartlepool should be planning to meet demand for employment land of between 2 - 3 hectares per annum, taking account of past performance and a range of factors influencing future demand levels. .
- 4.3 Future demand of 2-3 ha per annum is expected to be driven by:
- The spin-off benefits from projected growth in the process and offshore industries;
 - The 'trickle down' effect from key employment locations such as Wynyard and North Burn; and
 - Planned improvements to the Southern Business Zone
- 4.4 The demand projections identify a requirement for between 50 -75 hectares in Hartlepool over a 25 year period. Given that 54 available employment sites with total net area of over 372 hectares (including Wynyard & North Burn) has been assessed by this Employment Land Review, the Borough has a clear oversupply in quantitative terms.

- 4.5 However, as set out in Regional Spatial Strategy (2008), a significant proportion of this stock should be considered in isolation and not subject to the 25 year requirement. Based upon findings of research and site appraisals, the report recommends that the following can be discounted from the supply of general employment land as shown on Plans 1 & 2 attached:
- 12.89 ha to be restricted for chemical and steel industries;
 - 29.31ha to be restricted for port-related uses; and
 - 185.06ha at Key Employment Locations.
- 4.6 It is considered that land available at Wynyard should be considered out-with the Borough's 25 year portfolio of general employment land because the sites are of regionally significance and serve a market that extends far beyond Hartlepool, owing to their scale and influence. With the omission of the above sites this would leave Hartlepool with 146 hectares of general employment land. Based upon a projected requirement of between 50 -75 hectares over the 25 year period, this still represents a significant oversupply.
- 4.7 The Employment Land Review therefore recommends the de-allocation of the following sites (totalling 46.37ha) as indicated on Plan 3 attached:
- Parts of Oakesway
 - Mixed use regeneration site at the Headland (adjacent to the Manor House)
 - East of Stranton (Anchor Mills)
 - Parts of Tees Bay Retail Park
 - Brenda Road East, Southern Part
 - Golden Flatts
 - Parts of Graythorp
 - Century Park (Former RHM Site)
- 4.8 The resulting supply position will leave the Borough with about 99 hectares of general employment land. This total still exceeds the upper end of the demand projections (75 hectares), thereby providing a degree of flexibility and choice. None of the allocated sites readily lend themselves to alternative uses which might justify further de-allocations as employment sites. The main employment locations available for development are shown on Plan 4. Some other large sites are not shown as these are retained for owners' own longer term expansion and are therefore not available for release for general employment purposes.
- 4.9 Policies and proposals for the de-allocated sites will be prepared as part of the work on the Core Strategy and its subsequent documents.

5. THE WAY FORWARD

- 5.1 The findings of the Employment Land Review will inform the Local Development Framework including the Hartlepool Core Strategy and should be a material consideration in determining planning applications for employment use as well as alternative uses on employment land,
- 5.2 A report is to be made to the Planning Committee at its meeting on 25 April 2009 to seek members' views on the use of the Employment Land Review as a material consideration in determining applications for planning permission.
- 5.3 A copy of the Employment Land Review has been placed in the Members' Room.

6. DECISION REQUIRED

- 6.1 To agree that the Employment Land Review recommendations be referred to the Planning Committee:
 - for use as material consideration in the determination of planning applications relating to employment land
 - to be used as an evidence base to inform the Core Strategy and other relevant Development Plan Documents (DPDs)

**Plan 1: Restricted Employment Sites
(Employment Land Review Study)**



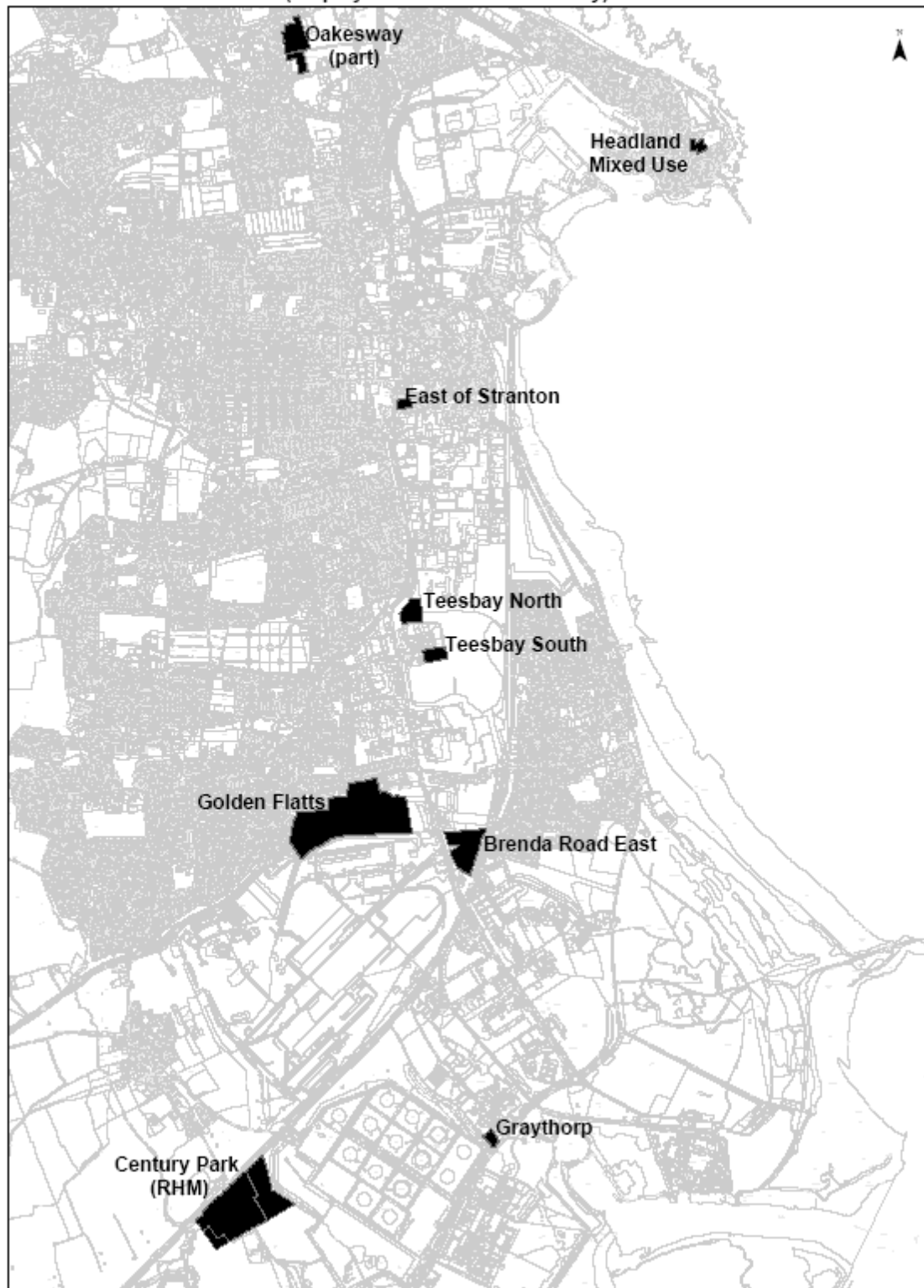
**Plan 2: Key Employment Locations
(Employment Land Review Study)**



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Scale 1:50 000

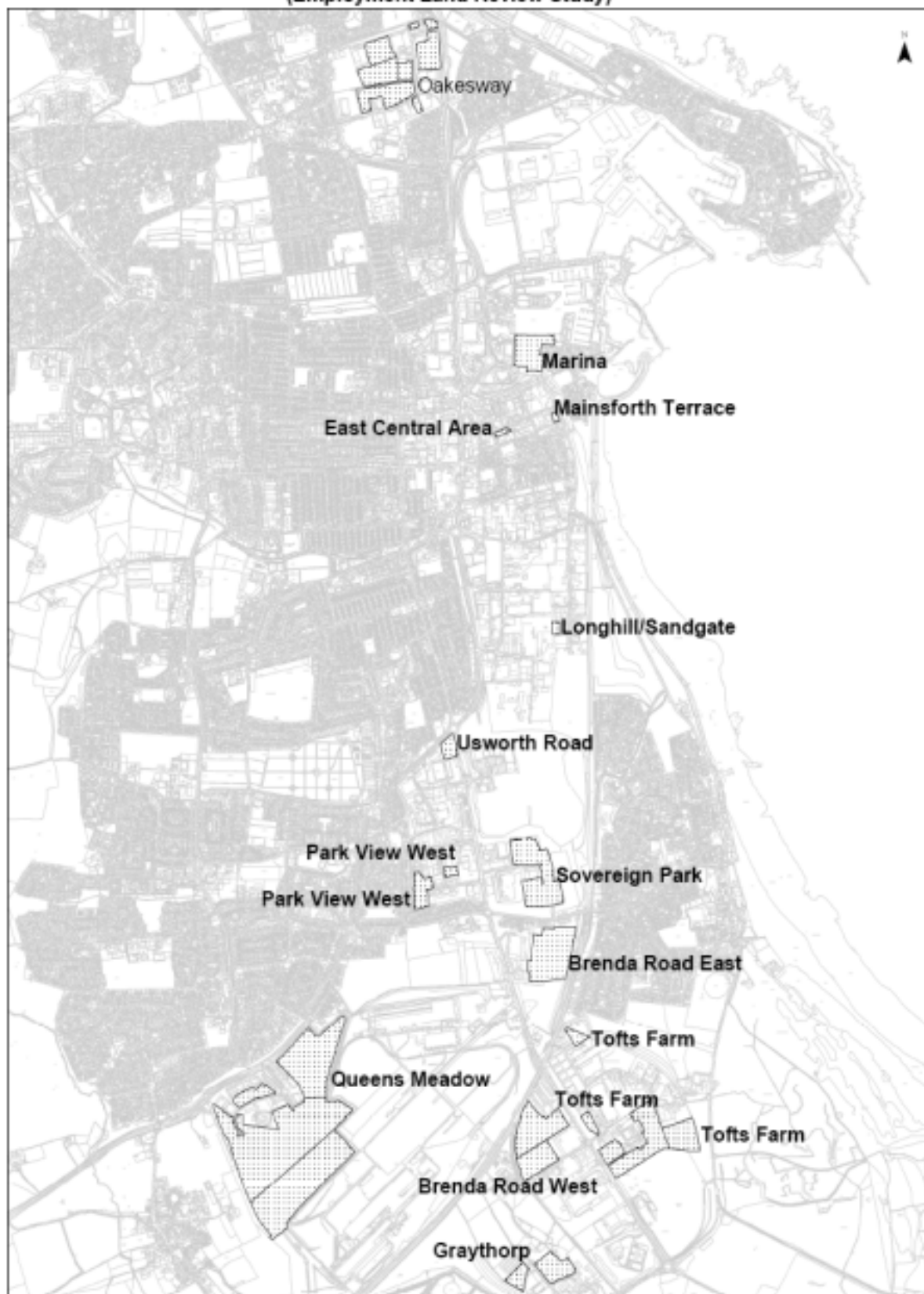
**Plan 3: Suggested Deallocations
(Employment Land Review Study)**



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Scale 1:32 000

**Plan 4: Retain as Employment Land
(Employment Land Review Study)**



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Scale 1:28 000

CABINET REPORT
20 April 2009



Report of: Director of Regeneration & Planning Services

Subject: TRANSPORT ASSESSMENT & TRAVEL PLANS
SUPPLEMENTARY PLANNING DOCUMENT

SUMMARY

1. PURPOSE OF REPORT

To advise Cabinet that a Supplementary Planning Document for Transport Assessment & Travel Plans has been prepared and consulted upon and to seek approval of the report for adoption.

2. SUMMARY OF CONTENTS

By way of context, the report refers to the 2004 changes to the planning system, introduced by the 2004 Planning and Compulsory Act, the purpose of the Hartlepool local plan within the planning system, the use of supplementary planning documents in the planning system and the reasoning behind the delay in adoption of the SPD.

The report advises that The Transport Assessments and Travel Plans Supplementary Planning Document (SPD) will become part of the newly proposed Local Development Framework and will provide guidance on how the Borough Council will implement the saved Hartlepool Local Plan Policy relating to Transport Assessments and Travel Plans.

The process involved in the development of and consultation on the SPD are highlighted and approval is sought for the adoption of the final version of the document.

3. RELEVANCE TO CABINET

The Local Development Framework of which the Transport Assessment & Travel Plans Supplementary Planning Document forms part is part of the budget and policy framework.

4. TYPE OF DECISION

Non Key Decision

5. DECISION MAKING ROUTE

Cabinet 20th April 2009
Full Council in July 2009

6. DECISION REQUIRED

That Cabinet recommends to Council that the SPD be formally adopted.

Report of: Director of Regeneration & Planning Services

Subject: TRANSPORT ASSESSMENT & TRAVEL PLANS
SUPPLEMENTARY PLANNING DOCUMENT

1. PURPOSE OF REPORT

To seek approval of the Transport Assessment and Travel Plans Supplementary Planning Document that has been prepared as part of the Hartlepool Local Development Framework (LDF) for adoption.

2. INTRODUCTION

- 2.1 The Planning and Compulsory Purchase Act which came into force in 2004 introduced new types of planning documents which together will make up a Local Development Framework.
- 2.2 The Local Development Framework (LDF) will comprise a portfolio of Local Development Documents which will together deliver the planning strategy for the Hartlepool area and express the Community Strategy in spatial terms. The LDF will eventually replace the policies in the Hartlepool Local Plan that was adopted in April 2006. In the interim all the Local Plan policies were initially saved until April 2009, and following a review late last year, relevant policies will now be saved until April 2012 and these will continue to form the basis of planning policy for the Borough.

3. LOCAL PLAN POLICY

- 3.1 The Local Plan includes a range of objectives which seek to support sustainable development. An important element in securing sustainable development is to encourage a choice of transport options which are safe, efficient, clean and fair. These objectives are translated into specific policies which seek to minimise the need to travel and to improve accessibility by providing real alternatives to the private car. In particular Local Plan Policy Tra20 states that

“Travel plans should be prepared to accompany proposals for major developments and other developments likely to lead to an increase in travel.

Consideration will be given to the use of planning conditions and/or legally binding agreements to secure the improvement of public transport, cycling and pedestrian accessibility within and to the development”.

4. **Supplementary Planning Document**

- 4.1 The Supplementary Planning Document (SPD), which will become part of the Local Development Framework, provides guidance on how the Borough Council will implement the Hartlepool Local Plan Policy Tra20 relating to Transport Assessments and Travel Plans to further the objective to secure measures to reduce the need for private car travel in new developments.
- 4.2 A copy of the document is set out in **Appendix 1**. The document sets out guidance thresholds which indicate the type and scale of development which will normally trigger the requirement for a Transport Assessment and the level of detail required.
- 4.3 The SPD explains the various broad categories of Transport Assessments and emphasises the need to discuss with the Council the level most appropriate to any proposed development. In particular discussions should be undertaken at an early stage in the planning application process. It explains the distinction between Transport Assessments, Transport Statements for smaller scale developments and Travel Plans which set out the measures to be implemented particularly once the development is in use.

5. **Consultation process**

- 5.1. At the meeting held on 28th August 2007, the Cabinet approved the draft Transport Assessments and Travel Plans Supplementary Planning Document (SPD) for public consultation.
- 5.2 The SPD was subject to public consultation (31st August 2007 until Friday 12th October 2007) formal responses were received, mostly in support of the content and aims of the SPD. Some respondents sought changes to part or parts of the document, the changes were approved by Cabinet on 7th January 2008.
- 5.3 The report to Cabinet on 7th January 2008 informed that the SPD was subject to a Habitats Regulations Assessment (HRA) screening process which would enable the planning authority to ascertain that the SPD would not adversely affect the integrity of any European protected nature conservation site. It was agreed that a scoping report for an Appropriate Assessment be undertaken and made available for public consultation prior to the adoption of the SPD as amended.
- 5.4 The Appropriate Assessment was published on the Council's website on 5th March 2009 and letters were sent to Natural England, The Highways Agency, The Environment Agency and English Heritage informing them of the completion of the Appropriate Assessment and requesting their comments within 21 days.
- 5.5 One letter was received from English Heritage stating that they had no observations to make on the document. No other letters have been received from any of the other bodies' consulted.

- 5.6 Following this process of consultation and screening, it is considered that the Transport Assessment and Travel Plans SOPD would not adversely affect the integrity of any European protected nature conservation sites.

6.0 RECOMMENDATION

- 6.1 That Cabinet recommends to Council that the SPD be formally adopted.

Appendix 1



HARTLEPOOL LOCAL DEVELOPMENT FRAMEWORK

**TRANSPORT ASSESSMENTS AND TRAVEL PLANS
SUPPLEMENTARY PLANNING DOCUMENT**



Amended Version

January 2009

Text extracts can be made available in Braille, talking tapes and large print, on request. If you would like information in another language or format, please ask us.

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.
(Arabic)

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।
(Bengali)

ئەگەر زانیاریت بە زمانیکی که یا بە فۆرمیکی که دەوی تکایە داوامان لی بکه
(Kurdish)

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔
(Urdu)

यदि आपको सूचना किसी अन्य भाषा या अन्य रूप में चाहिये तो कृपया हमसे कहे
(Hindi)

Jeżeli chciałoby Państwo uzyskać informacje w innym języku lub w innym formacie,
prosimy dać nam znać.
(Polish)

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。
(Cantonese)

FOREWORD

This Supplementary Planning Document is the first to be prepared under the new spatial planning system – the Hartlepool Local Development Framework introduced in the Planning & Compulsory Purchase Act 2004.

The document promotes good practice in support of the Council's vision for sustainable development. It gives guidance additional to that set out in the Hartlepool Local Plan with regard to transport and accessibility by encouraging a choice of transport options for new development which are safe, efficient, clean and fair. The guidance seeks to minimise the need to travel and to improve accessibility by providing real alternatives to the private car.

The document encourages developers to take account of transport issues at an early stage in the preparation of development proposals and describes what measures should be taken to achieve the transport objectives through the implementation of Travel Plans.

The document, its accompanying Sustainability Appraisal and the Screening Report under the Habitats Regulations are available for inspection at the Department of Regeneration and Planning Services at Bryan Hanson House, Hanson Square Hartlepool TS24 7BT.

The documents are also available for downloading at www.hartlepool.gov.uk. An on line questionnaire for comments is available on <http://planningpolicy.hartlepool.gov.uk>

The SPD document was subject to public consultation in the period ending on 31 October 2007.



Transport Assessments and Travel Plans Supplementary Planning Document

CONTENTS

1.	INTRODUCTION	
	Purpose of the Supplementary Planning Document	1
	What are Transport Assessments and Transport Statements?	1
	What are Travel Plans?	2
	Policy Context	2
	Outline of the Supplementary Planning Document	3
2.	WHEN ARE TRANSPORT ASSESSMENTS / TRANSPORT STATEMENTS AND TRAVEL PLANS REQUIRED?	4
3.	PRE-APPLICATION DISCUSSIONS:	
	Transport Assessments/Statements	10
	Travel Plans	12
4.	PREPARING A TRANSPORT ASSESSMENT AND MITIGATION PLAN	
	Introduction	13
	What should be covered in a Transport Assessment	14
	Mitigation Measures	16
5.	PREPARING A TRANSPORT STATEMENT	18
6.	PREPARING A TRAVEL PLAN	19

APPENDICES:

Appendix 1	Planning Policies	24
Appendix 2	Pre-application discussion form	25
Appendix 3	Preparing a Transport Assessment	27
Appendix 4	Preparing a Transport Statement	31
Appendix 5	Key components to be incorporated into a Travel Plan Framework	34

TABLES:

Table 1:	Indicative Thresholds for Transport Assessments / Transport Statements and Travel Plans	8
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1 INTRODUCTION

Purpose of the Supplementary Planning Document

- 1.1 The Hartlepool Local Plan, adopted in April 2006, includes a range of objectives which seek to support sustainable development by giving a choice of transport options which are safe, efficient, clean and fair. These objectives are translated into specific policies which seek to minimise the need to travel and to improve accessibility by providing real alternatives to the private car.
- 1.2 This Supplementary Planning Document, which will become part of the Hartlepool Local Development Framework,¹ provides guidance on how the Borough Council will implement the Hartlepool Local Plan policies (set out in Appendix 1) relating to Transport Assessments and Travel Plans which seek to secure measures to reduce the need for private car travel in new developments.
- 1.3 The Travel Plans document has been subject to a Sustainability Appraisal and a screening report under the Habitats Regulations 2000 (HA) to ensure that any significant adverse affects on the environment have been identified. In the case of the Habitats Regulations the possible impacts on internationally protected conservation sites (European Sites) has been carefully assessed.
- 1.4 Current government guidance encourages discussions at an early stage in the formulation of development schemes prior to the submission of any planning application. Consequently developers who intend to bring forward proposals for development should have regard to the advice in this document as it sets out requirements at both the early stage and through measures which might be included at the issue of planning permission and during implementation of the proposals.
- 1.5 Travel Plans and Transport Assessments are required for all major development proposals that will generate significant additional journeys in accordance with the provisions of Department for Transport Circular 02/2007 and the requirement in the Guidance on Transport Assessment (GTA) published in March 2007. These will demonstrate that the strategic road network will be no worse off as a result of the development.

What are Transport Assessments and Transport Statements?

- 1.6 A **Transport Assessment** is a comprehensive and systematic process that sets out at an early stage transport issues relating to a proposed development and identifies what measures will be taken to deal with

¹ The Local Development Framework comprises a portfolio of spatial planning documents and will ultimately replace the Hartlepool Local Plan

the anticipated transport impacts of the scheme. Such measures may include the preparation and implementation of Travel Plans. The Assessment highlights how it is intended to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport. The Transport Assessment will be submitted alongside a planning application. Failure to submit a Transport Assessment where one is needed would mean that a planning application may not be validated and thus not be considered.

- 1.7 In some cases, the transportation issues arising out of the development proposals may not require a full Transport Assessment to inform the process and identify suitable mitigation measures. A simplified or basic report in the form of a **Transport Statement** may be sufficient. A transport statement is appropriate when a proposed development is expected to generate relatively low numbers of trips or traffic flows and would have only a minor impact on transport.
- 1.8 Table 1 at the end of Section 2 below sets out indicative thresholds for developments likely to require Transport Assessments or Transport Statements.

What are Travel Plans?

- 1.9 A **Travel Plan** is a package of measures to assist in managing the transport needs of an organisation. The main objective of a Travel Plan is to provide incentives for users of a development to reduce the need to travel alone by car to a site. A successful travel plan will enable greater travel choice, reduce dependency on the private car and widen the means of accessibility for visitors and staff. Therefore the key to a travel plan is influencing travel behaviour, whilst achieving a shift towards increased use of sustainable travel modes e.g. walking, cycling, public transport, train or car sharing for one or two days a week.
- 1.10 Travel plans are more appropriately viewed in terms of a process rather than as a one off document and should contain a package of measures to encourage alternative and more sustainable modes of transport to be used for commuting, schools journeys and business trips.

Policy Context

- 1.11 The main national, regional and local policy documents relevant to the subject matter of this Supplementary Planning Document are as follows:
- 1.12 **Planning Policy Statement 1 (PPS1)** sets out the Government's key principles for delivering sustainable development including the need to address the causes and potential impacts of climate change, for example by reducing the need to travel by private car.

- 1.13 **Planning Policy Guidance Note 13 (PPG13)** emphasises the link between planning and transport policy. The objectives of PPG13 are to integrate planning and transport at the national, regional and local level to promote more sustainable transport choices. They help promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and seek to reduce the need to travel, especially by car. The Government considers that a Transport Assessment and Travel Plan should be submitted alongside planning applications that are likely to have significant transport implications. Transport Assessments are normally produced by developers and are used by decision makers in the planning process, to determine whether developments are acceptable in transport terms.
- 1.14 **The Regional Spatial Strategy (RSS) for the North East** provides a long term strategy for the spatial development of the region and identifies the priorities for transport investment. It incorporates the Regional Transport Strategy (RTS) to ensure the integration of land use and transport planning. The RSS sets out four main themes, under which the locational strategy is developed:
- delivering economic prosperity and growth,
 - creating sustainable communities,
 - conserving, enhancing and capitalising on the region's natural and built environment, heritage and culture, and
 - improving connectivity within and beyond the region.?
- 1.15 Policy 54 of the RSS requires that travel plans seeking to maximise travel by public transport, cycling and walking should be prepared for all major development proposals that will generate significant additional journeys. At prestige employment sites (including Wynyard) and regional brownfield mixed use developments (including Victoria Harbour) consideration should be given to developing a co-ordinated approach for the whole site.
- 1.16 **Hartlepool's Local Transport Plan (LTP)** describes the long-term strategy for the Borough and sets out a programme of transport improvements to be delivered over the period 2006-2011 to address identified transport problems. These improvements will contribute towards delivering the shared priorities for local government and achieve the long-term vision for Hartlepool. This will be achieved by the following aims:
- to promote social inclusion by ensuring that everyone can **access** the key services and facilities that they need;
 - to improve the overall **safety** and security of the transport system for everyone;
 - to ensure that traffic **congestion** does not hinder continued economic growth and regeneration;

- to reduce the environmental impact of transport on **air quality**, noise and climate change.
- 1.17 The promotion and implementation of Travel Plans contributes towards all of these aims, particularly delivering accessibility and tackling congestion. The LTP includes a wide range of local targets by which the success of the plan will be judged. These include access to local facilities by public transport, area wide traffic flows, cycling trips and bus and rail patronage.
- 1.18 **The Hartlepool Local Plan** (2006) contains specific policies relating to Transport Assessments and Travel Plans (policies Tra19 and Tra20) and the general policy (GEP9) on Developer Contributions – these are set out in full in Appendix 1. In addition the need for travel plans is highlighted in the policies relating to the development of the major employment sites (policies Ind1 to Ind4).

Outline of the Supplementary Planning Document

- 1.19 The following section of this supplementary planning document set out guidance on when transport assessments or transport statements and travel plans may be required to be prepared as part of the planning application process. Section 3 highlights the need for developers to enter into discussions with the Council early in the process. In the preparation of their proposals developers, in order to ascertain any requirements the Council, may have regard to assessing the transport implications of their schemes and to identify the measures to ameliorate these and thus to enable appropriate amendments which would satisfy planning requirements. The final three sections of this document provide guidance on the preparation of Transport Assessments, Transport Statements and Travel Plans.

2 WHEN ARE TRANSPORT ASSESSMENTS / TRANSPORT STATEMENTS AND TRAVEL PLANS REQUIRED?

- 2.1 This section of the Supplementary Planning Document provides some guidance on thresholds and other aspects of proposed developments which are likely to lead to the requirement for the preparation of transport assessments (including transport statements) and travel plans. Table 1 at the end of the section sets out the indicative thresholds which the Council will have regard to in respects of both levels of transport assessment and also travel plans.

Transport Assessments/Transport Statements

- 2.2 As noted in the Introduction to this guidance, Transport Assessments and the more basic Transport Statements (for developments having a less significant effect on travel patterns) set out the transport issues

relating to a proposed development and identify measures to deal with the anticipated transport impacts.

- 2.3 The Hartlepool Local Plan seeks to ensure that Transport Assessments are submitted at the initial development stage (policy Tra19²). The need for, and the level of, formal transport assessment, will be determined in consultation between the developer and the Borough Council and, where the development might affect the wider Strategic Road Network (SRN), the Highways Agency. Accordingly pre-application discussions should be held with the Local Planning Authority to determine whether a Transport Assessment or a Transport Statement is required (see section 3). With respect to any development which could impact upon the A19 trunk road, the Highways Agency (in accordance with Circular 02/2007) would require to be consulted upon any application for development that would cause a material impact on the Strategic Road Network.
- 2.4 As a guide, Table 1 at the end of this section sets out **indicative** thresholds for developments which may require the submission of either a Transport Assessment or a Transport Statement. The land use classes referred to in the table are in accordance with those of the Town and Country Planning (Use Classes) Order 1987 as amended, although not all uses are specified particularly with regard to mixed use development. The thresholds are based upon scenarios which would typically generate 30 two-way peak hour vehicle trips^[1]. Whilst there is no suggestion that 30 two-way peak hour vehicle trips would, in itself, cause a detrimental impact, it is a useful point of reference from which to commence discussions.
- 2.5 The thresholds are for guidance purposes and should not be read as absolutes. In some circumstances, a Transport Assessment may be appropriate for a smaller development than suggested by the thresholds in Table 1. In others, a Transport Statement may be appropriate for a larger development than suggested by these thresholds - for example, where there is an extant permission for one form of development, but an alternative development, that involves a smaller projected transport impact, is now proposed.
- 2.6 Further, there are quantitative and qualitative matters related to a proposed development and its location that need to be taken into account in assessing its transport implications and in deciding whether or not a transport assessment or transport statement will be required and in general, Transport Assessments are likely to be required for developments which are:
- not in conformity with the development plan;
 - generate 30 or more vehicles movements in any hour;

² See Appendix 1

- generate 100 or more vehicle movements per day;
- likely to increase accidents or conflicts among motorised users and non-motorised users, particularly vulnerable road users such as children, disabled and elderly people;
- generate significant freight or HGV movements per day;
- proposed in a location where the local transport infrastructure is inadequate e.g. substandard roads, poor pedestrian/cyclist facilities and inadequate public transport provisions;
- proposed in a location within or adjacent to an Air Quality Management Area (AQMA)³.

2.7 There may be other factors which would lead to the need for a Transport Assessment or Transport Statement to be prepared, thus it is very important that contact is made with the Council early in the process of drawing up a development proposal – see Section 3.

Travel Plans

- 2.8 The Borough Council has an obligation to assess the transportation impact of all development proposals to ensure that they can satisfactorily be integrated into the transport network. Planning Policy Guidance Note 13 requires the submission of Travel Plans alongside planning applications that will have significant transport implications. Travel Plans provide, together with Transport Assessments, the mechanism for assessing and managing access to sites and can help improve accessibility, both to and from the site, and to local amenities and services.
- 2.9 Travel Plans are strategies for managing multi-modal access to a site or development, focusing on promoting access by sustainable modes. They can assist in reducing traffic congestion, widening accessibility, and reducing air pollution. A Travel Plan should contain a package of measures to encourage alternative and more sustainable modes of transport to be used for commuting, schools journeys and business trips. These may include travel by bus, rail, bicycle, motorcycle, walking or car sharing.

³ There are currently (2007) no Air Quality Management Areas in Hartlepool.

2.5 There are five levels of Travel Plan as follows:

- **Travel Plan Framework:** an interim travel plan to be used where outline planning consent is being sought and where the end-users are unknown. The Travel Plan Framework, based on predicted data should specify measures to be implemented before the occupation of the development as far as possible and include a framework and timetable for the final and approved Travel Plan, based on more accurately predicated data. In the case of a speculative development that will be occupied under leasehold arrangements the approach is to secure from the developer a commitment, in principle, to the eventual implementation of a Travel Plan by eventual occupiers. In respect of freehold arrangements, the final implementation of a Travel Plan would be the responsibility of the end occupier and the process of negotiating a Travel Plan may need to be done at a later stage.
- **Minimalist Travel Plan:** to be used for small-scale developments where the end user is known and where the transport implications are not substantial, but are nevertheless important to control. Minimalist plans involve the commitment to a range of soft measures such as marketing and promotion of sustainable travel options, sometimes referred to as 'Smarter Choices';
- **Measures Travel Plan:** this involves developing a comprehensive travel plan containing a range of measures or actions to be provided within an agreed timetable. The advantage of identifying and implementing measures gives the developer more certainty in terms of conditions and/or obligations to be met. The disadvantage is that the measures may not fully achieve any of the desired modal split / shift targets;
- **Outcomes Travel Plan:** this involves developing a comprehensive travel plan that relates to defined and agreed set of targets or outcomes. They are different from a Measures Travel Plan, as they focus their attention on specific outcomes and they allow more flexibility in the choice of actions to achieve modal shift or modal split targets. This approach is used when there is less confidence in the effectiveness of measures to achieve a mode shift. Outcomes Travel Plans require the agreement of sanctions if targets are not met. Where the desire is to achieve a modal shift the travel plan must include a range of actions that will be effective in achieving targets, to avoid remedies or sanctions;
- **Area Wide Travel Plans:** Numerous small developments on one site may individually not require a Travel Plan, but together the cumulative transport implication means an Area Wide Travel Plan will be required for the entire site. This will require each

occupier, and new occupiers, to prepare and implement subsidiary travel plans as appropriate to their particular use and travel characteristics. It should be administered by an agent of the developer / site manager.

2.5.1 Developers have an important role to play in encouraging sustainable travel and will be required to submit a Travel Plan with all applications likely to generate significant amounts of travel. Policy Tra20 of the Hartlepool Local Plan⁴ states that travel plans should be prepared for all major developments and other developments likely to lead to an increase in travel. The Local Plan includes a table setting out thresholds for some types of major development. However, government guidance on thresholds for all use classes has been published since the Local Plan was prepared. This supplementary planning document therefore uses the more recent government advice on thresholds for travel plans as it is more comprehensive and also relates to the preparation of transport assessments.

2.6 Travel Plans may also be required in other circumstances such as:

- for smaller developments comprising jobs, shopping, leisure and services which would generate significant amounts of travel in, or near to, air quality management areas, and in other locations where there are local initiatives or targets set out in the development plan or local transport plan for the reduction of road traffic, or the promotion of public transport, walking and cycling. This particularly applies to offices, industry, health and education uses;
- proposals for small to medium extensions to existing businesses which would result in an increase in the number of employees or visitors. Over time the transport impacts of an original use can change substantially. In these circumstances the introduction of a Travel Plan may allow organisations to reassess the costs and benefits of their existing travel patterns.
- proposals for a site where there are a number of users (at time of application) and which is not already implementing a travel plan.
- where a travel plan would help address a particular local traffic problem associated with a planning application, which might otherwise have to be refused on local traffic grounds

2.7 Thus whilst Travel Plans are usually produced as a response to the identification of issues within Transport Assessments or Transport Statements, this is not always the case.

2.8 The scope and content of a travel plan will relate to unique circumstances of the development site and should be the subject of discussions with the

⁴ See Appendix 1

Borough Council early in the process of preparing a development scheme (see Section 3 paragraphs 3.7 - 3.9).

Table 1: Indicative Thresholds for Transport Assessments/Transport Statements and Travel Plans (areas are gross floorspace)

Land Use	Use/Description of Development	No Assessment	Transport Statement	Transport Assessment/ Travel Plan
A1 Food Retail	Retail sale of food goods to the public – Food Superstores, Supermarkets, Convenience Food Stores.	<250 sqm	>250 <800 sqm	>800 sqm
A1 Non-food Retail	Retail sale of non-food goods to the public; but includes Sandwich Bars – Sandwiches or other cold food purchased and consumed off the premises, Internet Cafés.	<800 sqm	>800<1,500 sqm	>1,500 sqm
A2 Financial & Professional Services	Financial Services – Banks, Building Societies and Bureau de Change, Professional Services (Other than Health or Medical Services) – Estate Agents & Employment Agencies, Other Services – Betting Shops, Principally where services are provided to visiting members of the public.	<1,000 sqm	>1,000<2,500 sqm	>2,500 sqm
A3 Restaurants and Cafés	Restaurants and Cafés – Use for the sale of food for consumption on the premises, Excludes Internet Cafés (now A1).	<300 sqm	>300<2,500 sqm	>2,500 sqm
A4 Drinking Establishments	Use as a Public House, Wine-Bar or other Drinking Establishment.	<300 sqm	>300<600 sqm	>600 sqm
A5 Hot Food Takeaway	Use for the sale of hot food for consumption on or off the premises.	<250 sqm	>250<500 sqm	>500 sqm
B1 Business	(a) Offices other than in use within Class A2 (Financial & Professional Services) (b) Research and Development - Laboratories, Studios (c) light Industry	<1,500 sqm	>1,500<2,500 sqm	>2,500 sqm
B2 General Industrial	General Industry (Other than Classified as in B1), The Former “Special Industrial” Use Classes, B3 – B7, are now all encompassed in the B2 Use Class.	<2,500 sqm	>2,500<4,000 sqm	>4,000 sqm
B8 Storage or Distribution	Storage or Distribution Centres – Wholesale Warehouses, Distribution Centres & Repositories.	<3,000 sqm	>3,000<5,000 sqm	>5,000 sqm
C1 Hotels	Hotels, Boarding Houses & Guest Houses, Development falls within this class if “no significant element of care is provided”.	<75 Bedrooms	>75<100 Bedrooms	>100 Bedrooms

Land Use	Use/Description of Development	No Assessment	Transport Statement	Transport Assessment/ Travel Plan
C2 Residential Institutions - Hospitals, Nursing Homes	Used for the provision of residential accommodation and care to people in need of care.	<30 Beds	>30<50 Beds	>50 Beds
C2 Residential Institutions - Residential Education	Boarding Schools and Training Centres.	<50 Students	>50<150 Students	>150 Students
C2 Residential Institutions - Institutional Hostels	Homeless shelters, accommodation for people with learning difficulties and people on probation.	<250 Residents	>250<400 Residents	>400 Residents
C3 Dwelling Houses	Dwellings for individuals, families or not more than six people living together as a single household. Not more than six people living together includes – students or young people sharing a dwelling and small group homes for disabled or handicapped people living together in the community.	<50 units	>50<80 units	>80 units
D1 Non-residential Institutions	Medical & Health Services – Clinics & Health Centres, Crèche, Day Nursery, Day Centres & Consulting Rooms (not attached to the Consultants or Doctors house), museums, Public Libraries, Art Galleries, Exhibition Halls, Non-residential Education and Training Centres, Places of Worship, Religious Instruction & Church Halls.	<500 sqm	>500<1,000 sqm	>1,000 sqm
D2 Assembly & Leisure	Cinemas, Dance and Concert Halls, Sports Halls, Swimming Baths, Skating Rinks, Gymnasiums, Bingo Halls & Casinos. Other Indoor and Outdoor Sports and Leisure Uses not involving motorised vehicles or firearms.	<500 sqm	>500<1,500 sqm	>1,500 sqm
Others	For example: Stadium, Retail Warehouse Clubs, Amusement Arcades, Launderettes, Petrol Filling Stations, Taxi Businesses, Car/Vehicle Hire Businesses & the Selling and Displaying of Motor Vehicles, Nightclubs, Theatres, Hostels, Builders Yards, Garden Centres, PO's, Travel and Ticket Agencies, Hairdressers, Funeral Directors, Hire Shops, Dry Cleaners	Discuss with appropriate highway authority	Discuss with appropriate highway authority	Discuss with appropriate highway authority

3 PRE-APPLICATION DISCUSSIONS

3.1 The Borough Council strongly encourages developers to discuss proposed schemes prior to submitting planning applications. Pre application discussions can help ensure that the application process runs more smoothly as any problems may be resolved prior to submission. Failure to address any problems may delay the planning process or could lead to a refusal. Such discussions should cover a range of environmental matters and other considerations which are relevant to the proposals. The possible effect of a development on the local transport network would form an important part of any such pre-application discussions. The previous section gives guidance on the circumstances when Transport Assessments or Statements and Travel Plans may be required.

3.2 Where development is likely to have a material impact on the Strategic Road Network it will be important to liaise with the Highways Agency at an early stage. The coverage and the detail of the Transport assessment need to be agreed with the Highways Agency.

Transport Assessments / Statements

3.3 Where developments are likely to have some transport implications, these must be assessed. The precise scope and detail of such an assessment will vary depending on the site location, the scale and the nature of the development. As noted previously, there are two levels of transport assessment:

- Transport Statement – should be used for a development which has relatively small transport implications;
- Transport Assessment – should be used for a development which has significant transport implications.

There may be a need to include specific assessment of environmental impacts that could arise out of an incremental rise in transport related noise, air quality or other pollutions as a result of development proposals. Consideration of other impacts might include those affecting biodiversity and geodiversity and impacts on soil and water. The aim will be to identify potential breaches of statutory thresholds and mitigation measures to address such impacts.

A pro-forma for the identification of basic information on proposed schemes has been developed completion of which would assist pre-application discussions. This pro-forma can be found at Appendix 2.

3.4 The key issues to be addressed during any pre-application consultations include the following:

- planning policy context of the development proposals;
- catchments or study area for the proposed development;
- assessment years - year of opening and horizon year(s);
- assessment of public transport capacity, walking/cycling capacity and the road network capacity;

- person trip generation and trip distribution methodologies and/or assumptions;
- measures to promote sustainable travel;
- mitigation measures (where applicable) – scope and implementation strategy,

3.5 In preparing a transport assessment the following considerations will be relevant:

a) **Encouraging Sustainable Access**

- ***Reducing the need to travel, especially by car*** – reducing the need for travel, reducing the length of trips, and promoting multi-purpose or linked trips by promoting more sustainable patterns of development and more sustainable communities that reduce the physical separation of key land uses;
- ***Improving sustainable transport choices*** - by making it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking, and cycling;
- ***The accessibility of the location*** -the extent to which a site is, or is capable of becoming, accessible by non car modes, particularly for large developments which involve major generators of travel demand;
- ***Other measures which may assist in influencing travel behaviour*** - achieving reductions in car usage (particularly single occupancy vehicles), by measures such as car sharing / pooling. High Occupancy Vehicle lanes and parking control;

b) **Managing the existing network**

- ***Making best possible use of existing transport infrastructure*** - for instance by low cost improvements to the local public transport network and using advanced signal control systems, public transport priority measures (bus lanes), or other forms of Intelligent Transport Systems to improve operations on the highway network. It should be noted the capacity of existing public transport infrastructure and footpaths is finite, and in some areas overcrowding already exists;
- ***Managing access to the highway network*** -taking steps to maximise the extent to which the development can be made to 'fit' within the available capacity by managing access from developments onto the highway network;

c) **Mitigating residual impacts**

- **Through improvements to the local public transport network, and walking and cycling facilities** – for example, by extending bus routes and increasing bus frequencies, and designing sites to facilitate walking and cycling and developing links to the wider rights of way network and cycle routes.
- **Through minor physical improvements to existing roads** – It may be possible in some circumstances to improve the capacity of existing roads by relatively minor physical adjustments such as improving the geometry of junctions etc. within the existing highway boundary;
- **Through provision of new or expanded roads** - It is considered good transport planning practice to demonstrate that the other opportunities above have been fully explored before considering the provision of additional road space such as new roads or major junction upgrades.

3.6 Consideration of these matters should take place at an early stage in the process of preparing a development proposal, so that work on developing the Transport Assessment can help inform, and be informed by, discussions about the location of the site and the scale and mix of uses proposed. Sections 4 and 5 provide guidance on the content of Transport Assessments and Transport Statements.

Travel Plans

3.7 Section 2 sets out the thresholds over which developments will be required to produce Travel Plans and notes that there are other instances where Travel Plans may be required. Developers are thus encouraged to consult with the Borough Council at an early stage, before submission of a planning application, to determine whether a Travel Plan is required. Travel Plans should not be considered as an isolated component of the process. Instead they should be recognised and considered as part of the pre-application process.

3.8 It is critical for planning officers and developers to know when a Travel Plan is required as the preparation of a Travel Plan can be a material consideration in the determination of planning applications. The weight to be given to a Travel Plan in a planning decision will be influenced by the extent to which it materially affects the acceptability of the development proposed and the degree to which it can be lawfully secured. The granting of planning permission may be dependant on the production of a satisfactory Travel Plan prior to occupation of the development and creating a successful Travel Plan may take some time. Early consultation is important as it may influence the design of any final scheme and may have resource implications that should be identified early on in the development of the scheme.

- 3.9 The level of travel plan will be determined in consultation between the developer and the relevant authorities. Section 6 provides further information on preparing Travel Plans.
- 3.10 For all developments with a material impact on the Strategic Road Network the supporting travel plan should be forwarded to the Highways Agency for review and agreement.

4 PREPARING A TRANSPORT ASSESSMENT AND MITIGATION PLAN

Introduction

4.1 A detailed Transport Assessment will be required where a proposed development is likely to have significant transport and related environmental impacts on the study area. The study area for a proposed development should be determined in discussion between the developer and the Borough Council. It will generally depend on the type and scale of the development, and early consultations with the Borough Council will assist in defining its extent. A description of the study area should include reference to the site location, the local transport network and relevant transport features.

4.2 Wherever pre-application consultation identifies a need for a Transport Assessment, it is good practice to agree, as part of the pre-application consultation, the preparation of a scoping study before the Transport Assessment is begun. A scoping study should identify the issues the assessment will address, the methodologies to be adopted, additional supporting data required, and the extent of the assessment area. An agreed scoping study will help to reduce the potential for misunderstandings about the form of the Transport Assessment and avoid abortive work. It does not preclude varying the assessment to reflect the findings of survey results or more detailed analysis. However, it is recommended that any significant variations are agreed with the appropriate authorities⁵ during the development of the Transport Assessment.

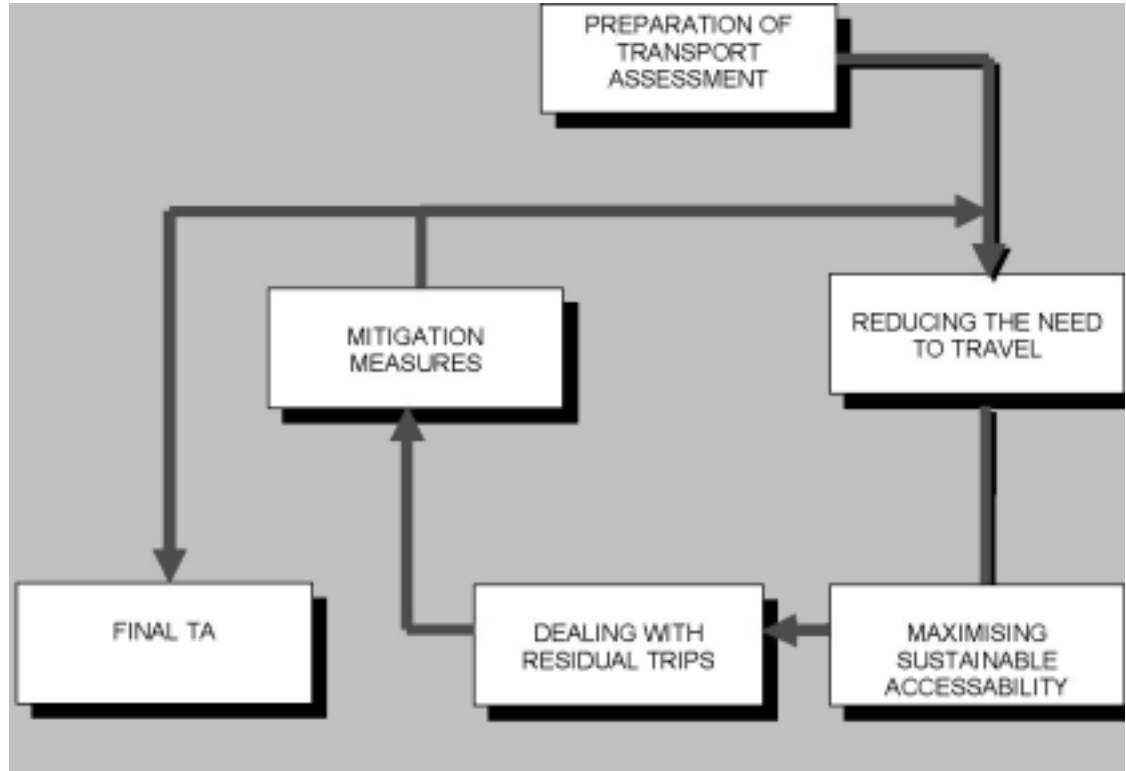
4.3 A Transport Assessment should address the following issues in an iterative manner as illustrated in Figure 4.1:

- ***Reducing the need to travel, especially by car*** - ensure, at the outset, that thought is given to reducing the need to travel by a careful consideration of the types of uses (or mix of uses) and the scale of development to promote multipurpose or linked trips.
- ***Sustainable accessibility*** - promote accessibility by all modes of travel, in particular public transport, cycling and walking; assess the likely travel behaviour or travel pattern to and from the proposed site; and develop appropriate measures to influence travel behaviour.
- ***Dealing with residual trips*** – provide accurate quantitative and qualitative analyses of the predicted impacts of residual trips from the proposed development and ensure that suitable measures are proposed to manage these impacts.
- ***Mitigation Measures*** – ensure as much as possible that the

⁵ The appropriate authorities are the local planning authority, the local highway authority and if there are likely to be traffic impacts on the Strategic Road Network, the Highways Agency.

proposed mitigation measures discourage avoidable physical improvements to highways and promote innovative and sustainable transport solutions.

Figure 4.1: Typical Assessment Process



4.4 An iterative approach may be necessary where initial work on a Transport Assessment indicates that revisions may be necessary to the proposed development, or to the approach taken to the issues in paragraph 4.3 above. The iterative approach ensures that the stages of the assessment are not approached in isolation, but that the full implications of each stage are considered and revisions made to either the development proposal or to any of the measures considered at the other stages. And where revisions are made, their implications in turn are considered across the whole proposal. The final outcome is a Transport Assessment that improves the development proposal to achieve the optimum sustainability.

What should be covered in a Transport Assessment?

4.5 The principal matters to be included in a Transport Assessment are:

- introductory facts and background data including the policy framework, the existing position with respect to the proposal site and baseline transport data, an assessment of the capacity of the existing public transport infrastructure and the cycle, footway and road networks, and full details of the development proposal; and
- an appraisal of the impact of the proposed development.

Where the assessment confirms that a development will have material impact on the highway network, measures to mitigate such effects will need to be agreed prior to the granting of planning permission.

4.6 Introductory Facts and Background Data

- **full details of the development proposal** including its size, scale and phasing, hours of operation where applicable, and proposed access and servicing arrangements and parking strategy together with any traffic impacts of site construction works.
- details of the **planning and transport policy framework** as it affects the development proposal indicating how the proposal will help to deliver the aims and objectives of the development plan (the North East Regional Spatial Strategy and the Hartlepool Local Plan⁶), and how it responds to relevant Government planning policy guidance and statements.
- details of the **existing site conditions** including existing and permitted land uses in the vicinity and existing access considerations;
- **basic transport information** on existing travel patterns and facilities, traffic flows and accident history, together with:
 - an assessment of the capacities of the existing public transport infrastructure and of the cycle and footway and road networks;
 - traffic forecasts;
 - an analysis of accident records and other safety considerations.

Such assessments will help to inform the later stages of the Transport Assessment process in respect of determining modal split, travel plan objectives and, in appropriate cases, what enhancements, if any, are required to the public transport, local cycleway and footpath and road networks, as part of an overall mitigation package. These assessments should be undertaken using the appropriate analytical tools and methodologies as agreed with the relevant authorities.

In undertaking the above assessment, the assessment year(s) in respect of capacity analysis for the transport network should be consistent with the size, scale and completion schedule of the proposed development, and that of other major developments in the vicinity of the site, as well as planned

⁶ Under the new planning system introduced in the 2004 Planning and Compulsory Purchase Act, the 2006 Hartlepool Local Plan will remain as part of the development plan until at least April 2009.

improvements to the transport system. The appropriate horizon assessment year should be agreed with the relevant authorities during pre-application consultations.

4.7 Appraisal of the Impact of the Development - this involves an assessment of the development proposal's impact on:

- **the environment** – including its impact in terms of noise, the emission of greenhouse gases, effects on biodiversity and geodiversity and on important nature conservation and historic sites and on the townscape generally, and on physical fitness and journey ambience. Any potential environmental impact that would breach a statutory limit should be addressed;
- **safety** – including the potential for traffic accidents and perception of personal insecurity;
- **economy** – including impact on regeneration initiatives, journey times, user costs and the various costs of the development;
- **accessibility** – including access to the transport system and to the local area in terms of the beneficial or detrimental effect on the wider community using accessibility modelling techniques.
- **Integration** – including the potential for the integration of different modes of transport, the relationship of the proposal with wider Government initiatives (e.g. on environmental sustainability and health), and with local, regional and national planning policies, and the effects on social inclusion/exclusion.

The analysis period should reflect the person trip generation characteristics of the proposed development as well as conditions on the adjacent transport system. It should be related to known and anticipated peak patterns of demand for both the transportation system and development-generated trips.

4.8 The Borough Council has developed a checklist against which the contents of a Transport Assessment are checked. This is set out in Appendix 3.

Mitigation Measures

4.9 The information provided at the pre-application stage and in the Transport Assessment will be reviewed by the local highway authority and/or the Highways Agency, as appropriate, with the aim of determining the type and scope of mitigation measures to be provided. This process will be undertaken in conjunction with the local planning authority.

4.10 Typically, mitigation could be required where the proposed development is likely to impact adversely upon the transportation system and/or result in breaches statutory environmental limits.

4.11 Where mitigation is proposed and following agreement on the scope of mitigation to be provided, the relevant authorities will require or recommend that either appropriate conditions be attached to any planning permission that may be granted and/or a planning obligation⁷ should be agreed. The conditions or obligations should specify the improvements that will be required to accommodate the proposed development's trips by all modes and should also ensure the safety of all road users, including non-motorised users or vulnerable users. Conditions or obligations may require that necessary mitigation measures be completed before work on the development site itself commences if construction traffic is a major issue, or before first occupation of units on the site.

4.12 In all cases, the transport mitigation plan or package of measures should focus on maximising sustainable accessibility to the development. At the outset, the mitigation plan should consider measures such as:

- improvements to development site layout to facilitate walking and cycling as well as accessibility to the local public transport infrastructure;
- improvements to walking and cycling provisions in the vicinity of the development site; and
- improvements to the local public transport network

4.13 If the mitigation measures require physical improvements to the highway network, the developer should ensure that in any design of mitigation works, appropriate design guides and parameters are used. Road Safety Audits will be likely to be required for all development related highway works and when produced, should be conducted in compliance with the relevant standards.

4.14 In respect of the strategic road network, proposed mitigation measures should provide capacity that is comparable to the general capacity of that part of the network, and not for example, seek to produce a junction with significantly more capacity than the surrounding strategic road network.

⁷ A planning obligation (or Section 106 agreement) is a legal agreement attached to the approval of a planning permission through which the applicant and others with a legal interest in the land agree to undertake or pay for additional works or adhere to restrictions which could not be dealt with by planning condition alone. A separate mechanism for providing highway improvements to the Strategic Highway Network is via a Section 278 agreement under the Highways Act as detailed in Circular 02/2007.

5 PREPARING A TRANSPORT STATEMENT

5.1 The information provided in the pro-forma at the pre-application stage of a development proposal will normally determine whether a more basic form of transport assessment (a Transport Statement) will be required rather than a more detailed Transport Assessment. This will be the case where a proposed development has some but less significant transport implications.

5.2 A Transport Statement should set out the transport issues relating to a proposed development site (existing conditions) and details of the development proposals (proposed development) but like a full Transport Assessment it must demonstrate that the development is acceptable in terms of accessibility, congestion and potential for sustainable travel to the site.

5.3 The Borough Council has developed a checklist against which the contents of a Transport Statement are checked. This is set out in Appendix 4.

5.4 **Existing Conditions** - the developer should provide a full description of:

- i. existing site information – describing the current physical infrastructure and characteristics of the site and its surroundings including existing, permitted or potential uses of the site and other land in the vicinity and existing access arrangements; and
- ii. baseline transport data – background transport data and current transport infrastructure details including a qualitative description of the travel characteristics of the existing site, existing public transport provision. A description and functional classification of the highway network in the vicinity of the site and an analysis of the injury accident records.

This information should be accurately established to understand the context of the development proposal.

5.5 **Proposed Development** - the developer should also provide a full description of the proposed development within the Transport Statement including details of the development, the layout of the site and access to it, travel movements in the vicinity of the site, sustainable transport provision, parking strategy, and the transport impacts of site construction and freight movement.

5.6 **Proposed Mitigation Measures** – a brief description of proposed mitigation measures should be provided that could be incorporated to help address any transport issues that may arise from the development.

5.7 However, not all proposed developments that are considered to require a Transport Statement would necessarily need all of the above matters to be

considered. Therefore, it is important that the scope of the Transport Statement is agreed at the pre-application discussion stage between the developer and the Borough Council.

6 PREPARING A TRAVEL PLAN

6.1 Travel Plans will be unique to any site and there is no standard format or content. In general Travel Plans should have measurable outputs, and should set out the arrangements for monitoring the progress of the plan, as well as the arrangements for enforcement in the event that agreed objectives are not met. They might be designed for the applicant only, or be part of a wider initiative involving other developments in the area. The different levels of Travel Plan are set out in paragraph 3.3 above.

6.2 The following general steps are recommended when developing a Travel Plan:

STEP 1 – Introduction and Existing Site Information

6.3 This is an essential part of preparing a Travel Plan for assessing transport facilities on the site and transport links to it. This information should be accurately established to understand the context of the development proposal. In general, the following information will be required:

- the context for the development and reference to national guidance set out by DfT, regional policies in the Regional Spatial Strategy (RSS) and the Regional Transport Strategy together with local policies for transport.
- any requirements imposed through the planning process
- details on the type and size of the development in terms of number of employees, car parking spaces, (if known);
- an assessment of the current transport situation - using the findings from the Transport Assessment (if undertaken);
- details of proposed development in relation to the surrounding transport system and site access arrangements;
- consideration for the accessibility to the site and access to key services for employees.

STEP 2 – Baseline Transport Data

6.4 Transport data that will be required will include information on existing public transport provision, a qualitative description of the travel characteristics of the existing site, including pedestrian/cyclist movements and associated facilities, and an analysis of local travel behaviour.

6.5 A baseline survey should be undertaken to collect such data on current transport methods and also to find out which incentives to adopt and the alternative modes that would be acceptable and likely to be most effective. Proposed questions within the survey need to be submitted to the Borough Council prior to carrying out the survey. The method of conducting the survey will be up to the developer, however an attempt should be made to ensure maximum return. For example, offering entry into a prize draw for participants has proved successful.

6.6 In respect of a new development, there should be a commitment to conduct an employee travel survey six months after occupation, to establish mode share of commuter travel.

6.7 When an occupier is new to the area, or where travel patterns are unknown, data from the 2001 census should be used to set a baseline. Alternatively, the Transport Assessment may contain an estimate of trip generation and mode split. In this instance this data should be included within the Travel Plan. It is essential that the methodology used in determining trip generation and mode split is transparent and logical.

6.8 In cases where existing development sites are being extended, current travel patterns should be surveyed to provide baseline data. For expansion of existing developments this should be undertaken at the earliest opportunity, although where completely new development is involved this should be undertaken six months after the opening of the development. The assessment of the results will lead on the choice of measures likely to be most effective in achieving the targets.

STEP 3 – Setting Targets

6.9 The Travel Plan should set clear objectives reflecting its broader goals and ensuring that it meets any planning requirements of the Borough Council and of the Highways Agency.

6.10 Targets, correlating to these objectives should be established. They should be SMART (specific, measurable, achievable, realistic and timed). Targets will vary according to the particular circumstances of the site and will depend to a large extent on existing travel patterns, local transport infrastructure and the availability of parking on or near to the site. For new developments with an unknown end user, targets will need to reflect the development.

6.11 Targets will be monitored and in event that they prove to be inappropriate there will be scope to set new targets following the first review of the Travel Plan usually after six months.

STEP 4 - Drafting the Travel Plan

6.12 The Travel Plan can then be drawn up and relevant measures included, based on the survey data, an audit of existing conditions and the type of Travel Plan required. The different levels of Travel Plan are defined in paragraph 3.3 above. In the case of a speculative development that will be disposed of to a freehold occupation, the approach is to bind successors in title to the implementation of a Travel Plan. To these ends an interim travel plan (Travel Plan Framework) should be agreed with the applicant, developer or their agent, before planning application is determined. The developer will be responsible for passing the requirement for a Travel Plan onto the occupier whether the occupier rents, leases or buys all or part of the development.

STEP 5 - Submission and Approval of the Travel Plan

- 6.13 Travel Plans are an integral part of the planning application process. The submission of Travel Plans and their approval are a part of the iterative process of demonstrating how developments do not unduly increase car usage. The travel plan framework should be in place prior to use and occupation of the new development.
- 6.14 **The Travel Plan will be need to be approved in writing by the Borough Council. The developer is required to submit 4 paper-based copies and an electronic version should also be provided.**
- 6.15 The Borough Council will use the checklist at Appendix 5 to assess Travel Plan Frameworks which will be required where end users are unknown.
- 6.16 Travel Plans will be secured by either planning condition(s) and/or planning obligations (Section 106 agreements) attached to the planning permission. Hard measures, such as the provision of bus shelters and cycle storage facilities and improved pedestrian access, will normally be secured by way of a planning condition. Other measures within the Travel Plan which can include for example car parking management, the phasing of works, the appointment of a Travel Plan Coordinator, survey and monitoring arrangements will usually be dealt with by way of a Section 106 Agreement.
- 6.17 In general, Travel Plan Frameworks and Minimalist Travel Plans will be secured by planning condition, whilst Measures, Outcome and Area-wide Travel Plans will be secured by Section 106 Agreements.

STEP 6 – Implementation and Management of the Travel Plan

- 6.18 Implementation of the Travel Plan includes a series of appropriate measures that the developer is committed to undertake over the next three years to achieve associated targets, including both demand restraint and positive incentives, to use sustainable transport modes.
- 6.19 As noted above, in the case of speculative development, where end users are unknown, an agreed Travel Plan Framework will bind the developer to passing on the requirement for a Travel Plan to subsequent occupiers of the development. Where occupiers are known, but are new to the area, the agreed Travel Plan should be implemented within six months of the occupation of the site. Where an existing occupier is extending on site, any new Travel Plan associated with a permission to extend, should be implemented on, or shortly after, occupation on the new site extension.
- 6.20 An important aspect of implementation is the appointment of person/s from within the organisation responsible for the success and running of the Travel Plan, known as the **Travel Plan Coordinator**. This appointment will usually be required as part of the agreed Travel Plan. The post needs to be of sufficient seniority to undertake tasks such as chairing steering groups. The appointment does not to be a new one but instead, it may be a case of extending the job profile of an existing employee. The Council

must be informed as soon as the post holder changes. The Local Authority will ensure that there is support and commitment to the development of the travel plans process from its initial stages onwards.

6.21 The role of the Travel Plan Coordinator will be to manage the implementation of the Travel Plan, liaise with the Council and provide monitoring information as agreed. The role will include:

- overseeing the development and the implementation of the Travel Plan
- obtaining and maintaining support from senior managers, staff and union representatives in the promotion of the travel plan;
- implementing an effective branding and promotional campaign to promote the Travel Plan to all employees;
- setting up and coordinating a Travel Plan Steering Group;
- acting as a point of contact for the Travel Plan and keeping staff informed with up to date information;
- organise workshops and induction seminars to educate existing and new staff;
- arrange for travel surveys to be undertaken by all employees at agreed intervals;
- returning agreed monitoring data to the Council.

STEP 7 – Monitoring and Review

6.22 A monitoring arrangement should be agreed between the developer and the Borough Council.

6.23 **The occupier will monitor and review the workings of the Travel Plan annually and submit a written report to the Council, at a mutually agreed date.** Any revision to the Travel Plan required as a result of monitoring should be done in conjunction with Borough Council.

6.24 Monitoring is necessary to assure the Council that the aims and actions in the Travel Plan continue to be realised at the target dates. If this is not the case a revised plan will need to be submitted for approval and it shall be open to the Council to suggest reasonable ways of improving the effectiveness of the plan.

Enforcement

6.25 The implementation and enforcement of initiatives within the Travel Plan is essential. Travel plans, without effective implementation of initiatives run the danger of becoming a paper exercise, which only plays lip service to sustainable transport objectives. Travel Plans should therefore set out arrangements for enforcement where agreed objectives are not met.

6.26 If during the course of implementing the Travel Plan, there is a disagreement between the occupier and the Council over whether the targets are being met then an arbitrator shall be approached. The arbitrator should be competent in legal matters and acceptable to both parties. The outcome of any arbitration shall be binding to both parties. Costs would be shared equally between the two parties.

6.27 To ensure that agreed measures are delivered and that any failure to deliver outcomes can be remedied, it will be normal practice to include sanctions within the Section 106 Agreement relating to the Travel Plan. Sanctions can take a number of forms for example:-

- payments to the Council to implement previously agreed measures;
- specified works that are expected to remedy the failure to achieve outcomes; and/or
- specified payments to the Council to achieve the agreed outcome e.g. the implementation of a car parking zone around the development.

APPENDIX 1: RELEVANT LOCAL PLAN POLICIES

Policies of the Hartlepool Local Plan which are most relevant to this Supplementary Planning Document are as follows:

Policy Tra20: TRAVEL PLANS

Travel plans should be prepared to accompany proposals for major developments and other developments likely to lead to an increase in travel.

Consideration will be given to the use of planning conditions and/or legally binding agreements to secure the improvement of public transport, cycling and pedestrian accessibility within and to the development.

Policy GEP9: DEVELOPER CONTRIBUTIONS

The Borough Council will, where appropriate, seek contributions from developers for the provision of additional works deemed to be required as a result of the development. Contributions may be required for:

- ◆ highway and infrastructure works,
- ◆ improvements to public transport and the pedestrian and cycleway network,
- ◆ the layout and maintenance of landscaping and woodland planting,
- ◆ the layout and maintenance of open space and play facilities'
- ◆ the provision of neighbourhood parks,
- ◆ works to enhance nature conservation features,
- ◆ additional measures for street cleansing and crime prevention,
- ◆ the acquisition and demolition of surplus housing stock,
- ◆ the rationalisation of retail facilities; and
- ◆ any other community facilities deemed necessary by the local authority as a result of the development.

Contributions may necessitate developers entering into legal agreements with the Borough Council

APPENDIX 2:**PRE APPLICATION DISCUSSION FORM**

This form is designed to assist in pre-application discussions on proposed developments. Completion of this form is voluntary

Developer/Agent Details

Name:	Company:
Address:	
Telephone:	Facsimile:
Email:	

Development Details

Brief Description <i>(Including existing site use):</i>	
Location:	
Address (if known)	
Size <i>(eg., GFA, No. of Units)</i>	
Opening Year(s):	

Please tick the applicable box from the questions below.

YES NO

(i) Is the development Residential with more than 50 units?

☐☐

(ii) Is the development Non-residential with a GFA of over 500 sqm?

☐☐

(iii) Is the development likely to generate over 30 vehicle trips per hour?

☐☐

(iv) Is the development likely to generate over 10 HGVs a day?

☐☐

Signed:

Date:

The completed form should be sent to

**Sustainable Travel Officer
Department of Neighbourhood Services
Bryan Hanson House
Hanson Square
HARTLEPOOL
TS24 7BT**

APPENDIX 3: PREPARING A TRANSPORT ASSESSMENT

A detailed Transport Assessment will be required where a proposed development is likely to have significant transport and related environmental impacts.



Considerations	
1 Existing Site Information and Proposed Development	<ul style="list-style-type: none"> • A site location plan and drawings that shows the proposed development site layout and use in relation to the surrounding area and transportation system. <input type="checkbox"/> • The permitted and existing use of the site. <input type="checkbox"/> • A detailed description of the existing land uses in the vicinity of the site, including development plan allocations or potential future uses in the case of undeveloped sites. <input type="checkbox"/> • Existing site access layout and access constraints, where appropriate, describing arrangements, locations and methods of linkage to transport infrastructure for all modes of travel. <input type="checkbox"/> • Scale of the development, such as number of residential units or gross floor area (site area in hectares). <input type="checkbox"/> • Proposed hours of operation, including weekly profile, weekends where appropriate, over a 16 or 24 hour period. <input type="checkbox"/> • Proposed parking strategy (number of spaces, parking layout, ratio of operational to non operational spaces, disabled parking, motorcycle parking, cycle parking). <input type="checkbox"/> • Developers or promoters of the site such establish the level of activity of the site and results should be included within this section of the TA. <input type="checkbox"/> • Whether the location of the site is within or near a designated Air Quality Management Area (AQMA). <input type="checkbox"/>
2 Baseline Transport Data	<ul style="list-style-type: none"> • The quantification of the person trips generated from the existing site and their modal distribution, or, where the site is vacant or partially vacant, the person trips which might realistically be generated by any extant planning permission or permitted uses. <input type="checkbox"/> • Existing public transport facilities (including frequency of services, location of bus stops/train <input type="checkbox"/>

4 Walking / Cycling Assessment	<ul style="list-style-type: none"> An assessment should be made of the accessibility of those walking and cycling to the proposed development. 	<input type="checkbox"/>
5 Road Network Assessment	<ul style="list-style-type: none"> An assessment should be made of the available vehicular capacity on the road network in the vicinity of the site to establish the potential impact from the development. This assessment should include recent counts (normally surveyed within the last 3 years) for peak period turning movements at critical junctions. Traffic data should reflect normal traffic flow conditions on the transport network in the vicinity of the site. It should also take account of holiday periods, typical weather conditions, tourist areas etc. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
6 Safety Considerations and Accident Analysis	<ul style="list-style-type: none"> Identify any significant highway safety issues and provide an analysis of the accident history of the area for recent years. Accident records should be compared with local average accident rates, or where SRN is involved, it is recommended that appropriate national statistics are used in comparison. Road Safety Audit should be undertaken for any proposed change to the existing highway layout as a result of any mitigation measures proposed. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7 Development Trip Generation	<ul style="list-style-type: none"> The first step in quantifying the impact of the proposed development on the transportation system is to provide an estimate of the person trips (for all modes) that are likely to be generated by the development. 	<input type="checkbox"/>
8 Appraising The Impact Of The Proposed Development	<ul style="list-style-type: none"> Impact on the environment, including noise, atmospheric pollution of differing kinds, impacts on countryside, wildlife, biodiversity, geodiversity, ancient monuments and historic buildings. Impact on accessibility with concerns to the ability by which people can reach different locations and facilities by different modes. 	<input type="checkbox"/> <input type="checkbox"/>

9 Travel Plans	<ul style="list-style-type: none"> It is difficult to be too prescriptive in the scope and content of a travel plan. The findings from the transport assessment will be used to identify the current transport situation and determine the type of travel plan to be submitted along with the planning application. 	□
10 mitigation measures	<ul style="list-style-type: none"> A description of the proposed mitigation measures should be included that could be incorporated to help address any transport issues that have arisen in relation to data collected. Any mitigation measures should be discussed with council officers before the submission of any application 	

APPENDIX 4 - PREPARING A TRANSPORT STATEMENT

A Transport Statement should set out the transport issues relating to a proposed development site (Existing Conditions) and details of the development proposals (Proposed Development).



Considerations		
1 Existing Conditions	<ul style="list-style-type: none"> Existing site information – describing the current physical infrastructure and characteristics of the site and its surroundings. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Baseline transport data – background transport data and current transport infrastructure details. 	<input type="checkbox"/>
2 Existing Site Information	<ul style="list-style-type: none"> A site location plan that shows the proposed development site in relation to the surrounding area and transport system. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> The permitted and existing use of the site. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> The existing land uses in the vicinity of the site, including development plan allocations, or potential future use in the case of undeveloped site. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Existing site access arrangements including access constraints, where appropriate. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Whether the location of the site is within or near a designated Air Quality Management Area (AQMA). 	<input type="checkbox"/>
3 Baseline Transport Data	<ul style="list-style-type: none"> A qualitative description of the travel characteristics of the existing site, including pedestrian and cyclist movements and facilities, where applicable. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Existing public transport provision, including frequency of services, location of bus stops/train stations, park & ride facilities. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> A description and functional classification of the highway network in the vicinity of the site. 	<input type="checkbox"/>

[illegible]

	<p>considerations, disabled parking, motorcycle parking, cycle parking, taxi drop-off points).</p> <ul style="list-style-type: none"> • Residual vehicular trip impact. • The transport impacts of site construction. • The transport impacts of freight or service operations. • If the site of the proposed development has a current use or an extant planning permission with trip patterns/volumes, the net level of change that might arise out of the new proposals should be set out. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5 Mitigation measures	<ul style="list-style-type: none"> • A description of the proposed mitigation measures should be included that could be incorporated to help address any transport issues that have arisen in relation to data collected. • Any mitigation measures should be discussed with council officers before the submission of any application. 	

The above requirements are not exhaustive and there may be a need for supplementary information which takes account of local conditions as well as other material considerations. It is important that the scope of the TS is agreed at the pre-application discussion stage between the developer and appropriate authorities.

¹ In conjunction with the parking layout and provision, the car parking strategy will demonstrate how car parking will be managed and will deal with issues such as reserved areas for disabled and car sharing scheme members.

APPENDIX 5: KEY COMPONENTS TO BE INCORPORATED INTO A TRAVEL PLAN FRAMEWORK



To be used where outline-planning consent is being sought and where the end-users are unknown. (This provides a structure for the initial framework travel plan and supplementary travel plan to be developed within a given timescale)

Section		
1 Introduction	<ul style="list-style-type: none"> • Sets the context for the development and makes reference to local policies for transport. • Includes any requirements imposed through the planning process. 	<input type="checkbox"/> <input type="checkbox"/>
2 Development Site Information	<ul style="list-style-type: none"> • Details on the type and size of the development in terms of number of employees, car parking spaces, (if known). • Using the findings from the Transport Assessment (if undertaken) assess the current transport situation. • Should include a site location plan that shows the proposed development in relation to the surrounding transport system and site access arrangements. • Consideration should be made for the accessibility to the site and access to key services for employees. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3 Baseline Transport Data	<ul style="list-style-type: none"> • Analysis of local travel behaviour to provide baseline data and an estimate of new demand arising from the development. • As this is a new development commitment to conduct an employee travel survey 6 months after occupation, to establish mode share of commuter travel. • A qualitative description of the travel characteristics of the existing site, including pedestrian/cyclist movements and associated facilities. • Existing public transport provision, including frequency of services, location of bus stops/ train stations and park and ride facilities should also be considered 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

CABINET REPORT

20 April 2009



Report of: Director of Neighbourhood Services

Subject: HOUSEHOLD WASTE RECYCLING CENTRE
AND SALT STORAGE FACILITY

1. PURPOSE OF REPORT

- 1.1 The Cabinet is requested to delegate authority to the Portfolio Holders for Neighbourhood and Communities and Finance and Efficiency to submit a proposal to special Council on 30th April to fund the replacement of the salt storage facility and the extension of the Household Waste Recycling Centre providing they agree to the works at their joint meeting to be held on 27th April 2009.
- 1.2 The proposal is to fund the works through prudential borrowing.

CABINET REPORT

20 April 2009



Report of: Director of Adult and Community Services

Subject: COMMISSIONING SERVICES AND SUPPORT
FOR PEOPLE WITH LEARNING DISABILITIES
AND COMPLEX NEEDS

SUMMARY

1.0 PURPOSE OF REPORT

To inform Cabinet of the recommendations of a joint review undertaken in 2008 by the Commission for Social Care Inspection, the Healthcare Commission and the Mental Health Act Commission in nine areas of England to see how well people with learning disabilities and complex needs were being supported by local services.

2.0 SUMMARY OF CONTENTS

- 2.1 The three commissions shared concerns about the quality of services and support for people with learning disabilities, in particular those with complex needs.
- 2.2 Reports had documented how people with learning disabilities received poor services and how their rights were not being safeguarded, despite a wealth of policy and practice guidance about how services should be commissioned and delivered.
- 2.3 The report reviews how local councils and Primary Care Trusts (PCT's) commissioned services and support for people with learning disabilities and complex needs.

3.0 RELEVANCE TO CABINET

The report highlights the findings of nine reviews and presents recommendations to local authorities

4.0 TYPE OF DECISION

Non Key

5.0 DECISION MAKING ROUTE

Cabinet 20 April 2009

6.0 DECISION(S) REQUIRED

Cabinet are requested to:

- Note the contents of the reports
- Support the implementation of recommendations
- Receive an update on progress in six months

Report of: Director of Adult and Community Services

Subject: COMMISSIONING SERVICES AND SUPPORT
FOR PEOPLE WITH LEARNING DISABILITIES
AND COMPLEX NEEDS

1.0 PURPOSE OF REPORT

- 1.1 To inform Cabinet of the recommendations of a joint review undertaken in 2008 by the Commission for Social Care Inspection, the Healthcare Commission and the Mental Health Act Commission in nine areas of England to see how well people with learning disabilities and complex needs were being supported by local services.

2.0 INTRODUCTION

- 2.1 Staff from three commissions worked with an expert reference group, including people with learning disabilities, to develop the review methodology. The review does not cover children but focuses on adults with learning disabilities and complex needs, it does however look at how young people moved into adult services.

3.0 ASSESSMENT FRAMEWORK

- 3.1 A framework was designed to structure the topics to be assessed during the reviews, based on extensive policy and literature review and on the eight steps to effective commissioning as highlighted in the Department of Health's Commissioning Framework for Health and Wellbeing (2007).
- 3.2 The framework incorporated the Valuing People white paper priorities and the eight assessment topics included:-
1. Person centred commissioning
 2. Understanding needs of populations and individuals
 3. Sharing and using information effectively
 4. Assuring high quality providers for all
 5. Recognising links to health, well being and rights
 6. Develop incentives for commissioning
 7. Local accountability
 8. Capability and leadership
- 3.2 The nine areas involved in the assessment were Doncaster, Dorset Dudley, Gateshead, Harrow, Hillingdon, Lancashire, Redbridge and Stoke-on-Trent.

4.0 REPORT SUMMARY AND FINDINGS

- 4.1 Valuing People Now sets out a three year strategy and a delivery plan for making changes happen for everyone, including people with complex needs.
- 4.2 The review has identified ten key challenges for councils and Primary Care Trusts, Learning Disability Partnership Boards and others to address together in their commissioning strategies.

5.0 TEN KEY CHALLENGES

- 5.1
 - 1. Special effort should be made to ensure inclusive approaches. Person centred plans; health action plans and access to good advocacy are basic rights for every person not an optional extra.
 - 2. Agencies should ensure that people with learning disabilities and their families and carers (including people with complex needs) are treated as equal citizens in planning and providing feedback on quality of services.
 - 3. Councils should ensure that direct payments and personal budgets are sufficiently taken up by people with learning disabilities and complex needs and their families.
 - 4. Health and social care organisations should ensure they share information so they can assess how their services and support meet the needs of people with learning disabilities and complex needs.
 - 5. Learning Disability Partnership Boards should ensure they are effective and ensure their objectives are renewed.
 - 6. Joint Strategic Needs Assessments should include information to ensure clear commissioning strategies for services and support for people with learning disabilities and complex needs.
 - 7. Primary Care Trusts and Councils should ensure the effectiveness of community learning disability teams.
 - 8. Primary Care Trusts should ensure that access to healthcare for people with learning disabilities and complex needs is consistent and fair.
 - 9. Councils and Primary Care Trust should ensure the effectiveness of safeguarding arrangements.

10. Primary Care Trusts and Councils should ensure the workforce attitudes and competences are improved.

6.0 RECOMMENDATIONS

Cabinet are requested to:

- Note the contents of the reports
- Support the implementation of recommendations
- Receive an update on progress in six months

CABINET REPORT

20 April 2009



Report of: Director of Adult and Community Services

Subject: PCT STRATEGY – FOCUS ON STAYING HEALTHY

SUMMARY

1. PURPOSE OF REPORT

The purpose of this report is to present to the Cabinet the 'Staying Healthy' section of the PCT Strategy 2009/2014.

The presentation will highlight how implementation of this strategy can only be effectively delivered, through the continued joint strategic approach; partnership working and shared ownership of the health and well being agenda, between the PCT and Local Authority. The presentation will reinforce the significant resources already invested in this area including health improvement staff and the senior officer leadership of the jointly appointed Local Director of Public Health and current Acting Director of Health Improvement.

2. SUMMARY OF CONTENTS

The report will be presented as a visual power point presentation but will cover the following areas:

- The PCT Strategy in context
- World Class commissioning processes and competencies
- The key metrics and measures of success
- 'Staying healthy' – delivering the outcomes

3. RELEVANCE TO CABINET

The relevance to the Cabinet is that the PCT is a key partner sharing the same aspirations and aims as the Local Authority to improve the health and well being of the local population.

- 3.2 The PCT Strategy is essential to supporting delivery of key aspects of the Community Strategy, Local Area Agreement and other significant Local Authority and Health performance indicators.

4. TYPE OF DECISION

Non key

5. DECISION MAKING ROUTE

Cabinet on the 20th April 2009.

6. DECISION(S) REQUIRED

Cabinet is asked to note the contents of the presentation and to agree to receive bi-monthly reports on progress towards delivering key public health and health improvement priorities.

Report of: Director of Adult and Community Services

Subject: PCT STRATEGY – FOCUS ON STAYING HEALTHY

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to introduce the visual presentation to be given to Cabinet presenting the 'Staying Healthy' section of the PCT Strategy 2009/2014.

2. BACKGROUND

- 2.1 PCTs are expected to be able to demonstrate that they are 'World Class Commissioners'. A key part of being able to demonstrate this, is having a clear and ambitious strategy as commissioners and local leaders of the NHS to make significant and measurable improvements to the health and well being of all people across the Tees area.
- 2.2 This Strategy has been developed across all 4 PCTs across the Tees area. This includes Hartlepool PCT, Stockton-on-Tees Teaching PCT, Middlesbrough PCT and Redcar and Cleveland PCT. This approach has allowed for a strong local PCT focus on issues pertinent to a particular area, but for economies of scale and efficiencies to be gained in commissioning services that stretch across Local Authority and individual PCT boundaries. The vision the strategy is based upon is 'that people of Teesside live longer, healthier lives' p5.
- 2.3 The PCT Strategy is a key part of a wider assessment of the PCT that considers the PCTs competence as a commissioner; governance and accountability mechanisms and measurable outcomes. The PCT is measured against 11 competencies and must demonstrate robust processes and governance arrangements in commissioning services. The outcomes the PCT is measured on are based on PCT selected metrics. The metrics Hartlepool PCT will be measured on include:-
- All age all cause mortality
 - Index of multiple deprivation
 - CVD mortality
 - Cancer mortality
 - COPD mortality
 - Smoking in pregnancy
 - 6 month smoking quitters
 - Breastfeeding initiation rates
 - Alcohol related hospital admissions
 - C-diff rates

- 2.4 The 'Staying Healthy' section of the PCT Strategy sets out key initiatives to deliver outcomes to be measured by the 10 metrics listed above.
- 2.5 The key priorities identified within the strategy are consistent with the key health and well being priorities identified in the Local Area Agreement and Community Strategy. This further highlights the shared ownership and focus on joint delivery of this challenging agenda between the PCT and Local Authority.

3. RECOMMENDATIONS

- 3.1 Cabinet notes the content of the presentation, with particular reference to the joint ownership of this agenda between the PCT and Local Authority.
- 3.2 Cabinet agrees to receive a bi-monthly report from the Acting Director of Health Improvement regarding progress towards implementing the priorities within the PCT Strategy – 'Staying Healthy' section.

CABINET REPORT

20 April 2009



Report of: Director of Adult and Community Services

Subject: SIX LIVES: THE PROVISION OF PUBLIC SERVICES TO PEOPLE WITH LEARNING DISABILITIES

SUMMARY

1.0 PURPOSE OF REPORT

To inform Cabinet of the conclusion and recommendations following the report into six investigations conducted by the Health Service Ombudsman for England, three of which were investigated jointly with the Local Government Ombudsman.

2.0 SUMMARY OF CONTENTS

The report details the accounts of six complaints made by Mencap on behalf of the families of six people with learning disabilities, all of whom died between 2003 and 2005 while in NHS or local authority care.

3.0 RELEVANCE TO CABINET

The report highlights significant and distressing failures in service across both health and social care.

4.0 TYPE OF DECISION

Non Key

5.0 DECISION MAKING ROUTE

Cabinet - 20 April 2009

6.0 DECISION(S) REQUIRED

Cabinet are requested to:

- Note the contents of the reports
- Support the implementation of recommendations
- Receive an update on progress in six months

Report of: Director of Adult and Community Services

Subject: SIX LIVES: THE PROVISION OF PUBLIC SERVICES TO PEOPLE WITH LEARNING DISABILITIES

1.0 PURPOSE OF REPORT

- 1.1 To inform Cabinet of the conclusion and recommendations following the report into six investigations conducted by the Health Service Ombudsman for England, three of which were investigated jointly with the Local Government Ombudsman.

2.0 INTRODUCTION

- 2.1 In March 2007 Mencap published a report, Death by Indifference, which set out case studies relating to six people with learning disabilities. Mencap believe they died unnecessarily as a result of receiving worse healthcare than people without learning disabilities.
- 2.2 On behalf of the families involved Mencap asked the Health Service and Local Government Ombudsman to investigate complaints about all six cases, three of which span both health and social care.

3.0 ROLE OF THE OMBUDSMAN

- 3.1 The Health Service Ombudsman is empowered to carry out independent investigations into complaints made by, or on behalf of people who have suffered injustice or hardship because of poor treatment or service provided by the NHS. The Local Government Ombudsman has a similar remit in respect of services provided by councils, which includes social care.

4.0 REPORT FINDINGS

- 4.1 The investigation reports illustrate some significant and distressing failure in services across both health and social care.
- 4.2 The issues range from a complaint about the care provided in a single hospital to complaints about service failures which involve the whole system of health and social care, including the ability of organisations to respond appropriately to complaints.
- 4.3 A total of 20 organisations were involved, including 3 councils and 16 NHS bodies. Complaints about the Healthcare Commission's handling of complaints were made in 5 of the 6 cases.

- 4.4 All of the six people died between 2003 and 2005 in circumstances which Mencap alleged amounted to institutional discrimination.

5.0 COMPLAINT HANDLING

- 5.1 Most of the complaints which were investigated had been reviewed first by the NHS or council complaints systems. The families experiences of these systems had left them drained and demoralised and with a feeling of hopelessness.
- 5.2 Families gave repeated examples of failures to understand their complaints, with little effort made to clarify matters with them; confused and fragmented systems; poor investigations with little rigorous testing of evidence; defensive explanations; a failure to address the heart of the complaint; and a reluctance to offer apologies.

6.0 TREATING PEOPLE AS INDIVIDUALS

- 6.1 The Disability Discrimination Act 1995 makes it unlawful for service providers to treat disabled people less favourably than other people for a reason relating to their disability unless such treatment is justified.
- 6.2 In many of the organisations whose actions were investigated it did not appear that the level of understanding of the need to make reasonable adjustments had become embedded.

7.0 LEADERSHIP

- 7.1 Guidance on standards of practice across a range of health and social care functions is regularly issued and sets out a broad and consistent approach which should be familiar to all professionals. These standards offer many of the safeguards essential to ensuring that the needs of people who are vulnerable are addressed and appropriate adjustments made to their care.
- 7.2 The report made reference on many occasions suggesting that basic policy, standards and guidance were not observed, adjustments were not made and services were not co-ordinated. There was a lack of leadership and in some situations it appeared that no one had a real grasp of what was happening.

8.0 OVERVIEW AND SUMMARY INVESTIGATION REPORTS

- 8.1 The full investigation reports give details of the various complex factors which led to failure to offer good care to individuals in very

vulnerable situations. The areas of concern included, communication, partnership working and co-ordination, relationships with families and carers, failure to follow routine procedures, quality of management and advocacy.

8.2 The report recommends that all NHS and social care organisations in England should review urgently:-

- the effectiveness of the systems they have in place to enable them to understand and plan to meet the full range of needs of people with learning disabilities in their areas.
- the capacity and capability of the services they provide and / or commission for their local populations to meet the additional and often complex needs of people with learning disabilities
- and should report accordingly to those responsible for the governance of those organisations within 12 months of the publication of the report.

8.3 That those responsible for the regulations of health and social care services (specifically the Care Quality Commission, Monitor and the Equality and Human Rights Commission):

- should satisfy themselves that health and social care organisations are meeting statutory and regulatory requirements.
- and report accordingly to their respective boards within 12 months of the publication of the report

8.4 That the Department of Health should:-

- promote and support the implementation of the recommendations, monitor progress against them
- publish a report in 18 months of the publication of the report.

9.0 RECOMMENDATIONS

Cabinet are requested to:

- Note the contents of the reports
- Support the implementation of recommendations
- Receive an update on progress in six months

CABINET REPORT

20 April 2009



Report of: Adult and Community Services Scrutiny Forum

Subject: **FINAL REPORT – QUALITY OF CARE HOMES
PROVISION IN HARTLEPOOL**

SUMMARY

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to outline the findings and conclusions of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool'.

2. SUMMARY OF CONTENTS

- 2.1 The Final Report outlines the overall aim of the scrutiny investigation, terms of reference, methods of investigation, findings, conclusions, and subsequent recommendations.

3. RELEVANCE TO CABINET

- 3.1 It is Cabinet's decision to approve the recommendations in this report.

4. TYPE OF DECISION

- 4.1 This is a Non-key decision.

5. DECISION MAKING ROUTE

- 5.1 The final report was approved by Scrutiny Co-ordinating Committee on 13 February 2009. Cabinet is requested to consider, and approve, the report at today's meeting.

6. DECISION(S) REQUIRED

- 6.1 Cabinet is requested to approve the recommendations outlined in section 17.1 of the bound report, which is attached to the back of the papers for this meeting.



ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

FINAL REPORT QUALITY OF CARE HOMES PROVISION IN HARTLEPOOL

April 2009

CABINET
20 April 2009



Report of: Adult and Community Services Scrutiny Forum

Subject: THE QUALITY OF CARE HOMES PROVISION IN
HARTLEPOOL – FINAL REPORT

1. PURPOSE OF REPORT

- 1.1 To present the findings of the Adult and Community Services Scrutiny Forum following its investigation into the Quality of Care Homes Provision in Hartlepool.

2. SETTING THE SCENE

- 2.1 At the meeting of the Adult and Community Services Scrutiny Forum of 20 June 2008, Members determined their Work Programme for the 2008/09 Municipal Year. The topic of the 'Quality of Care Homes Provision in Hartlepool' was agreed to inform a major in-depth Scrutiny Inquiry for the Forum's 2008/09 work programme.
- 2.2 A care home is a place where people can live and be looked after by trained staff in homely surroundings. Moving into a care home is a major step and one that is often taken under difficult circumstances. The decision to consider moving into a care home is an important one for both the person concerned and their families. The government is currently committed to helping people stay in their own homes for as long as practically possible so that moving into a care home need only be considered as a last resort.
- 2.3 Care homes are regulated by the Commission for Social Care Inspection (CSCI) who are responsible for the registration and inspection of the care home. The Secretary of State for Health published National Minimum Standards for Care under Section 23(1) of the Care Standards Act 2000. These standards are applicable to care homes, which provide accommodation, together with nursing or personal care. The standards set out the quality of care and facilities that are expected. The CSCI inspects all registered care homes to make sure they meet these National Minimum

Standards and will only register the home if they meet the required standards.

2.4 The standards are grouped under the following key topics:

- (a) Choice of Home;
- (b) Health and Personal Care;
- (c) Daily Life and Social Activities;
- (d) Complaints and Protection;
- (e) Environment;
- (f) Staffing; and
- (g) Management and Administration.

2.5 Local Authorities are responsible for the social care needs of older people and they have a legal responsibility to identify what types of social care their local residents need and to provide or commission that care.

2.6 Within Hartlepool there are 35 care homes, which are registered to provide the following types of care:

- (a) 22 care homes (of which 3 are dual or multi-registered) provide care to older people / people with elderly mental illness;
- (b) 10 care homes provide care to people with learning disabilities; and
- (c) 3 care homes provide mental health care.

3. OVERALL AIM OF THE SCRUTINY INVESTIGATION

3.1 To explore initiatives and practices that have a measurable impact on improving standards of care and the quality of life of residents in Care Homes within Hartlepool.

4. TERMS OF REFERENCE FOR THE SCRUTINY INVESTIGATION

4.1 The following Terms of Reference for the investigation were agreed by the Adult and Community Services Scrutiny Forum on 23 July 2008:-

- (a) To gain a clear understanding of the differentiation between the provision of care homes and care homes with nursing, both in a national and local context;

- (b) To gain an understanding of the roles and responsibilities of key agencies in care home provision, such as the Commission for Social Care Inspection, Hartlepool PCT; and Hartlepool Borough Council;
- (c) To examine the national approach to care homes in order to gain an understanding of the acceptable standard required;
- (d) To gain an understanding of the statutory and regulatory framework covering standards of care in order to examine how Hartlepool Council and other Local Authorities/organisations ensure acceptable standards in care are achieved;
- (e) To visit a selection of care homes within Hartlepool to gain an insight into the variety of provision provided;
- (f) To explore initiatives and practices which have a significant and measurable impact on standards of care and quality of life for residents; and
- (g) To seek a range of views from care home managers, service users and carers on standards of care.

5. MEMBERSHIP OF THE ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

5.1 Membership of the Adult and Community Services Scrutiny Forum for the 2008/9 Municipal Year was as outlined below:-

Councillors Atkinson (Vice – Chair), Brash, Fleet, A Marshall, McKenna, Plant, Preece, Simmons (Chair), and Worthy

Resident Representatives:

Evelyn Leck and Mary Power

6. METHODS OF INVESTIGATION

6.1 The Members of the Adult and Community Services Scrutiny Forum met formally from the 23 July 2008 to 21 January 2009 to discuss and receive evidence directly relating to their investigation into the Quality of Care Homes Provision in Hartlepool. A detailed record of these meetings is available from the Council's Democratic Services or via the Hartlepool Borough Council website.

6.2 A brief summary of the methods of investigation are outlined below:-

- (a) Detailed reports from Hartlepool Borough Council Officers which was enhanced with verbal evidence;

- (b) Evidence provided by the Portfolio Holder for Adult and Public Health;
- (c) Presentations and verbal evidence from Hartlepool Primary Care Trust;
- (d) Verbal evidence from Members of the former Patient and Public Involvement (PPI) Forum;
- (e) Site visits by Members to a selection of care homes in Hartlepool ;
- (f) Site visit by Members to an out of borough care home, Ashfield Court in Harrogate to compare areas of good practice;
- (g) Verbal evidence from the Commission for Social Care Inspection;
- (h) Verbal evidence form Care Home Managers / residents / relatives; and
- (i) An evidence gathering meeting held at a Care Home in Hartlepool.

FINDINGS

7. CARE HOME – DEFINITION

- 7.1 Members of the Forum were keen to gain an understanding of the definition of a care home along with the different types of care package available. The Care Standards Act 2000 contains the following definition of a care home:

“An establishment is a care home if it provides accommodation together with nursing or personal care for any of the following persons:

- (a) persons who are or have been ill;
- (b) persons who have or have had a mental disorder;
- (c) persons who are disabled or infirm; or
- (d) persons who are or have been dependent on alcohol or drugs.

- 7.2 Care homes provide help and assistance with:

- (a) Personal Hygiene, including help with washing, bathing, shaving, oral hygiene and nail care;
- (b) Continence management, including assistance with toileting, skin care, incontinence laundry and bed changing;
- (c) Food and Diet, including preparation of food and fulfilment of dietary requirements and assistance eating;

- (d) Counselling and support, including behaviour management, psychological support and reminding devices;
 - (e) Simple treatments, including assistance with medication (including eye drops), applications of simple dressings, lotions and creams and oxygen therapy; and
 - (f) Personal assistance, including help with dressing, surgical appliances, mechanical or manual aids, assistance getting up or going to bed.
- 7.3 A care home with nursing provides the same help and assistance with personal care as those without nursing care. However, a care home with nursing also has professional registered nurses and experienced care assistants in constant attendance to provide 24-hour nursing care services for more complex health needs.

8. ROLES AND RESPONSIBILITIES OF KEY STAKEHOLDERS IN PROVIDING CARE HOME PROVISION

- 8.1 Members of the Forum agreed that it would be beneficial to their investigation if a number of important stakeholders outlined their roles and responsibilities in relation to care home provision in Hartlepool. The evidence of key stakeholders is outlined below.

Evidence from the Portfolio Holder for Adult and Public Health

- 8.2 The Portfolio Holder outlined that Social Care is a high priority for both central and local government and there is a significant role for Elected Members.
- 8.3 Members were informed by the Portfolio Holder that the Adult and Social Care Green Paper is planned to reform Adult Social Care over the next ten to fifteen years. The Portfolio Holder highlighted that demographic changes will place new demands on society. For example, people are living longer which may lead to an increased demand for care home provision in future years. As the demographic changes have a greater impact, the amount of money the Council will spend on residential care will continue to increase. Although, new models of care provision are becoming increasingly popular, for example retirement villages which are aimed at promoting independence and choice through a combination of high quality accommodation, communal amenities and the availability of support and well being services, if required. The Portfolio Holder encouraged efforts to be made to promote independence and the links between community and leisure provision. The Forum agreed with the need to continue to explore opportunities for the elderly and vulnerable adults to live independently.

- 8.4 With regard to care home quality ratings, the Portfolio Holder informed the Forum that Hartlepool had much to be proud of, which was as a result of the dedication of staff.

Evidence from the Council's Adult and Community Services Department

- 8.5 The Director of Adult and Community Services outlined that the responsibilities of the Council are split into two areas, strategic and individual. The strategic side focuses on the planning and commissioning of care services whereas the individual aspect looks at local homes and individual care needs.
- 8.6 Strategically, through market management the Council ensures that sufficient information is known about local needs in order for the Council to commission the right kind of care and the right level of care home provision. As part of market management the Council ensures that a fair cost of care is paid. A fair cost of care is a model agreement outlining the costs for care covering factors such as staff wages and the cost of food. This enables high quality of care to be provided along with the attainment of appropriate staffing levels and acceptable standards of accommodation and facilities.
- 8.7 The Council have a responsibility to all residents who live in care homes and the Council's role is to enter into effective, well structured contracts with care providers to ensure that best value and good quality care is provided. This includes overarching contracts and service specifications that all homes sign up to along with individual contracts that are very specific to the individual needs of residents. The Council are legally obliged to contract with homes that meet their contractual requirements. Although, all homes have to meet the National Minimum Standards, the Council can impose additional standards / requirements.
- 8.8 The Forum was interested to hear how the Council monitors the quality of care provided. The Adult and Community Services Department informed Members that ongoing monitoring of quality and adherence to the terms and conditions of the contract is carried out by the Adult and Community Services Department's Commissioning Team. The Commissioning Team work in partnership with care providers to ensure that the continued improvements to services and the ongoing individual care management of the residents are being met. The Council have a dual responsibility to monitor both the contract and individual needs.
- 8.9 The Forum was informed that in terms of staffing levels and training, the National Training Strategy along with workforce planning ensures that care homes are supported to maintain safe, effective and competent staffing levels. This is achieved through supported and externally funded training.
- 8.10 The Council are also responsible for ensuring that procedures for the protection and safeguarding of vulnerable adults is well embedded and carried out when necessary. Members discussed issues surrounding the harm to elderly people in care homes and the Council indicated that there is

an established Multi-Agency Committee that oversees the running of the Safeguarding Framework. There are some issues/concerns/complaints that are raised with the Department relating to Care Homes that do not necessarily come into the Safeguarding Framework. These are taken seriously and may be investigated in a range of ways; by the Care Home Provider; by Adult and Community Services Department staff; or by an Independent Investigating Officer. This process would depend upon whether matters are being considered within the Providers' complaints procedure and/or, the department's statutory complaints procedure or the department's contract compliance arrangements. The outcome for all cases is the immediate protection and safeguarding of the individual's concerned and also for lessons to be learned to improve practice.

- 8.11 The Forum was informed that the Council had trained over 380 people in the 'No Secrets' guidance, designed to protect vulnerable people from abuse, which included a large number of people from the voluntary sector. From the 1 April 2007 – 31 March 2008 there were 113 safeguarding investigations; of which 48% were located in care homes.

Evidence from the Commission for Social Care Inspection (CSCI)

- 8.12 The Forum was very pleased to receive evidence from the national regulator of care homes, the Commission for Social Care Inspection (CSCI). The CSCI was set up by the Government but are an independent organisation that promote improvements in social care and eradicate bad practice. The CSCI register, regulate, inspect and review all social care services in the public, private and voluntary sectors in England.
- 8.13 Members were informed that the CSCI assess the whole process of providing care, all the way from the first assessment of an individual's needs through to the services received. The CSCI also looks at how the services are paid for, for example whether the individual is paying for their own care or whether supported publicly.
- 8.14 The CSCI has a responsibility to register all care homes. Therefore, before any care homes can start operating, the CSCI must be satisfied that the people who run it are suitable and the home will be run in line with regulations and standards set by the Government. Therefore, CSCI will undertake checks on the company / individual, for example, Criminal Record Bureau checks, site visits and requests for references.
- 8.15 The main duties of the CSCI are outlined as follows:
- (a) carry out local inspections of all social care organisations (public, private and voluntary) against National Minimum Standards and publish reports;
 - (b) register services that meet National Minimum Standards;

- (c) carry out inspections of local social service authorities;
 - (d) publish an annual report to parliament on national progress on social care and an analysis of where resources have been spent;
 - (e) validate all published performance assessment statistics on social care;
 - (f) publish star ratings for social services authorities; and
 - (g) publish quality ratings for each care home to compare the quality of different services.
- 8.16 The Forum did express some concern that the responsibility for regulating standards of care is solely a matter for the CSCI, however, the Forum were informed that standards for care and how well individual needs are being met is the Council's responsibility. The Council regularly liaise with the CSCI formally and informally to report any allegations of abuse or areas of concern.
- 8.17 From April 2009, the Care Quality Commission (CQC) will be the new independent regulator of health and social care services across England. The CQC established in October 2008 by the Health and Social Care Act 2008 brings together the work of the CSCI, the Healthcare Commission and the Mental Health Act Commission. This will for the first time create an independent regulator of health, mental health and adult social care in England.
- 8.18 The CQC's vision is to create high quality health and social care that supports people to live healthy and independent lives, empowers individuals, families and carers in making informed decisions about their own care and is responsive to individual needs.

Evidence from Hartlepool Primary Care Trust (PCT)

- 8.19 The PCT informed the Forum of its roles and responsibilities relating to care home provision in Hartlepool. The PCT's Continuing Care Manager informed Members that the primary role of the PCT is to ensure that appropriate nursing care is provided, as required, to all individuals with continuing health care needs. Continuing healthcare and NHS-funded nursing care is usually provided over an extended period of time to meet physical or mental health needs that have arisen as a result of disability, an accident or illness. The care can be provided in a variety of settings including a hospital, nursing home, hospice or the patient's own home.
- 8.20 The PCT is responsible for funding the total cost of a continuing health care placement which includes the accommodation, personal care and nursing care. In doing so, the PCT assess the appropriateness of the placement and where special needs are identified, they ensure that the care home has the right environment and skilled staff to provide for the individual. This provides

an oversight in relation to the quality of the package via regular review in line with the National Service Framework for Continuing Health Care. Where an individual is eligible for nursing care the PCT contributes the cost of that nursing care and the Local Authority pays for the residential care element.

- 8.21 The PCT work very closely with Adult Social Care to undertake assessments and reviews to ensure that the appropriate care package is being provided ensuring that all residents have access to primary medical care provided by General Practitioners. Within care homes the PCT ensures residents have access to other community services in the same way that people living in their own homes have, for example community nursing and therapy. Every effort is made to try and maintain people in their own homes for as long as possible.
- 8.22 The Forum was very pleased to hear that the PCT has good working relationships with all care homes and provides support and training to ensure continuous improvement.

9. STATUTORY AND REGULATORY FRAMEWORK COVERING STANDARDS OF CARE

- 9.1 The Forum was interested to explore the statutory and regulatory framework covering standards of care in order to gain an understanding of how Hartlepool Borough Council and other Local Authorities/organisations ensure acceptable standards are achieved. Members received evidence from a variety of witnesses as outlined below:

Evidence from the CSCI

- 9.2 The Forum was informed by the CSCI that there are certain Acts and Regulations which care homes have to follow by law. The Act which is specific to the regulation of care homes is the Care Standards Act 2000. This Act is supplemented with the Care Homes Regulations 2001 which provide more detail on issues such as registration, fees and basic requirements. To help the understanding of these regulations, there is a set of National Minimum Standards which set a minimum level / standard for each element of providing a care service.
- 9.3 The Standards focus on achievable outcomes for people who utilise the services and are grouped under key topics that highlight the most important aspects of individuals' lives when living in a care home.
- 9.4 The Standards are not enforceable by law but are important guidelines to help providers, inspectors and people who use the services to judge the standard of care provided. They are designed to make sure everyone understands what is expected and help to achieve consistency. The Standards are open to interpretation and not everyone will have the same understanding but the CSCI do provide guidance along with their interpretation of the Standards. The guidance helps the Inspectors at the CSCI judge if a service is meeting the minimum standard or exceeding it.

- 9.5 Members of the Forum were concerned that the National Minimum Standards could not be enforced and were informed by the CSCI that some of the main Standards do not have Regulations (as detailed in the Care Homes Regulations 2001) attached to them. Therefore, care homes were not legally obliged to adhere to these Standards.
- 9.6 After further consideration of the Standards, Members expressed further concerns that there were no Standards relating to suggested staffing levels based on the number of residents or the number of hours worked by the care staff. It was considered by the Forum that this may have a detrimental effect on the standards of care provision. The standards make reference to staff but only in relation to the fact that care homes must demonstrate that suitably qualified staff are on duty at appropriate times. Members also raised concerns over the number of hours worked by staff, for example, if twelve hour shifts are worked, then the quality of care towards the end of the shift may deteriorate due to these long hours.
- 9.7 An independent study carried out by the National Care Forum indicated that staff turnover in care homes nationally is high. The turnover for 2008 has increased to 42.3% from 34.5% in 2007 and to 61.5% from 53.9% that left in two years. Des Kelly, Executive Director of the National Care Forum commented on the study, highlighting that 'the most disturbing result is the loss of so many care workers in the first year or two of work.....we don't yet know enough about why they leave or where they go. As we enter a period of unprecedented change to deliver the policy of more personalised care and support services, a stable and well-trained workforce is crucial to success. Paying attention to staff retention, satisfaction and motivation is therefore absolutely essential.'
- 9.8 It was considered by the Forum that low rates of pay for care staff, heavy workloads and low staff levels contributed to the high turnover of staff and as it is a national problem, the Forum felt that it should be addressed by central government.

Inspections undertaken by the CSCI

- 9.9 The Forum were informed that the CSCI carry out three types of care home inspections, these are:
- (a) **Key Inspections:** These inspections take a thorough look at how well the care home is doing and are usually unannounced. The inspection takes into account detailed information sent to the CSCI by the care home owner or manager along with the views and experiences of people who are using the service and any further information received since the last inspection. The Inspector looks at how well the service is meeting the standards and a quality rating is then calculated. The quality ratings awarded range from a zero star which is classed as a poor service through to a three star service which is classed as excellent.

- (b) **Random Inspections:** These inspections are short and targeted inspections which focus on specific issues that have arose or to check on improvements that should have been made. Random inspections are usually unannounced.
 - (c) **Thematic Inspections:** These inspections look at how well the care home is performing in a particular area and help to gain a national level trend picture. The findings are then reported to government detailing what is happening in England's care services.
- 9.10 If a service is rated as good or excellent, then the CSCI visit less frequently. However, for each year that the CSCI do not inspect a care home, an annual review of the service is carried out. If it is thought that the quality of the service may have changed, then a key or random inspection may be brought forward.
 - 9.11 Before an inspection the CSCI ask those people who know the most about the service, for example, the residents, their relatives and friends and collect the information via questionnaire. Information is also sought from the care home manager / owner about the quality of their services along with the staff who work at the care home and health care professionals.
 - 9.12 During an inspection the National Minimum Standards are considered, as these form the basis of what people should expect from care services. While visiting the care home the Inspector will talk to the residents, their relatives and friends to ascertain their views of the services. The Inspector will observe the staff and their interaction with the residents and look at how well people are cared for to make sure they are treated with dignity and respect. All paperwork is reviewed and staff recruitment and training is examined. Care staff are asked to complete surveys based on, for example, their training packages, inductions carried out and any concerns they may have. Previous concerns / complaints will be looked at along with the subsequent actions taken.
 - 9.13 All the information collected is then collated by the Inspector and a report detailing the findings is produced. The care home then receives a copy of the report for comments and the report is published on the CSCI website.
 - 9.14 The CSCI not only base their inspections on the National Minimum Standards but also a set of guidelines called the Key Lines of Regulatory Enquiry (KLORA) introduced in June 2006. The KLORA outline the areas which CSCI look for in a service in order to decide if they provide poor, adequate, good or excellent outcomes for the people who use the service. In order for care homes to continually improve their services, the KLORA pays particular attention to examples of excellent and good practice. The KLORA ensures that there is a consistent approach across the Inspectorate.
 - 9.15 After an inspection, if the Inspector is of the opinion that people are at risk, for example, fire exits are blocked, then an immediate requirement notice is placed on the home. The home has a maximum of 24 hours to rectify the problem and follow up checks by the Inspector will be made. The CSCI also make good practice recommendations to improve the quality of the services

offered. These recommendations relate to the National Minimum Standards and are seen as good practice for the care home to consider carrying out.

- 9.16 The Forum was informed that the CSCI also looks at the statutory requirements and whether homes are meeting these requirements. If the statutory requirements are not being met, then the Inspector will set out actions in their report, which must be completed so that the home complies with the Care Standards Act 2000 and the Care Homes Regulations 2001. As CSCI and the Council work in close partnership, a referral to the Council could be made if it is thought that the home is not complying with their agreed contract.
- 9.17 It was evident from the Forum meetings that the CSCI, the Council and Care Home Managers work very closely alongside each other and have good working relations. Although, the Forum did indicate their concern regarding the possible development of a close relationship between a CSCI Inspector and a care home. Measures have been put in place to address this with case loads changing yearly.
- 9.18 The forum was extremely pleased to hear that the standard of care in Hartlepool is of good quality, as shown by the quality ratings below:
- (a) 1 care home is rated as excellent;
 - (b) 25 care homes are rated as good;
 - (c) 5 care homes are rated as adequate;
 - (d) 1 care home is rated as poor but changing to adequate;
 - (e) The remaining care homes are not rated as they are newly registered.

Evidence from the Council's Adult and Community Services Department

- 9.19 In terms of inspection and regulation Hartlepool Borough Council is responsible for the quality of the services outlined in each care home's individual service specification. It is therefore essential that appropriate monitoring arrangements are put in place by the Council and the care home to identify problems in complying with the terms and conditions as set out within the service specification or failure to achieve the required standards.
- 9.20 The Council, in terms of contract monitoring carries out formal monitoring, where the home is aware that contract monitoring is due to take place or a 'call-in', whereby the home is unaware. Monitoring will be carried out by evaluation of compliance with the general standards outlined in the service specification. This will be carried out by the Contracts Officer. The continuous review of the needs of an individual as detailed in their individual Care Plan is the responsibility of the care home staff including the resident's key worker in the home. The Local Authority Care Manager (Social Worker) is responsible for ensuring the individual needs of the person as per the Care Plan are being met appropriately by the care home.

- 9.21 Officers from the Adult and Community Services Department informed the Forum that it is important that good working relationships are established between all parties involved in the monitoring process. This requires good communication, maintenance of effective records, production of regular reports and early notification of identified problems. Visits to the home and/or residents may be arranged in advance or unannounced as determined by the Council.
- 9.22 If the Council is of the opinion that the care home is not complying with the terms and conditions as set out within the service specification or fails to achieve the required standards then the Council can carry out an investigation and can place a moratorium on future referrals to the home with immediate effect. After investigation, if it is found that the care home is still not compliant, the Council could terminate the contract and relocate the residents.
- 9.23 An anonymised copy of an action plan review report that was drawn up by the Council following an investigation was circulated to the Forum. The investigation involved inspection of care plans, documentation, policies and procedures and staff were interviewed. On conclusion of the investigation a report was produced to summarise the issues in relation to systems, processes etc and in relation to individual residents. The report clearly outlines what actions the home needs to take to ensure improvement in practice and as a result an improvement in the safety and comfort of the residents in the home.
- 9.24 Following the specific investigation outlined to Members, it was proposed by the Council that the moratorium remain on the home and the Council undertake progress monitoring of the Action Plan until the Council and the CSCI were satisfied with the improvements made.
- 9.25 The Council ensures that acceptable standards of care are achieved by:
- (a) linking the statutory and regulatory framework with contract management;
 - (b) adhering to service specifications and regular monitoring;
 - (c) using moratoriums where concerns exist until improvements are seen;
 - (d) Jointly working with providers and the CSCI to agree action plans and how they will be monitored. The need for joint working with the CSCI is imperative; and
 - (e) Regular linking of information from care management reviews, visits, Adult Protection referrals and complaints to support the need for action.
- 9.26 Members were informed that the Council also grade care homes in addition to the quality ratings awarded by the CSCI. As part of a 'cost of care exercise' which the Council undertook in 2005 / 06, each care home was given a grading ranging from one to four, with one fully meeting the expected

standards and four meeting less than 55% of the standards. The grades are based on the home's ability to meet the physical environmental standards contained within the National Minimum Standards, which are specific about sizes of bedrooms and communal areas, provision of en-suites and door widths. However, the grades only apply to older people homes as the other homes have no specific environmental standards just that they are appropriate to meet the needs of the individuals who live there.

- 9.27 It was questioned by the Forum whether the gradings were equitable as it was inevitable that an older property would be less likely to meet all the environmental standards compared to a new build, which would incorporate the standards into their designs. Although, this did not necessarily mean that the standards of care offered were lower. The Forum expressed their support for the Council gradings to be combined with the CSCI quality ratings in order to give an overall rating making the ratings easier to understand.
- 9.28 Members of the Forum expressed the need for these ratings to be publicised to encourage further improvements to standards of care. Although, all inspection ratings / reports are available on request or can be accessed on the internet, it was thought that the ratings should be publicised on the Council's website, and linked to the CSCI website along with publications in the Council's magazine, 'Hartbeat' and local newspapers / newsletters.

10. INITIATIVES AND PRACTICES

- 10.1 Members of the Forum were keen to learn about initiatives and practices which have a significant and measurable impact on standards of care and quality of life for residents. In order to understand the various initiatives and practices, Members drew on evidence from a number of sources that are detailed below.

Evidence from Hartlepool Borough Council

- 10.2 The Adult and Community Services Department informed the Forum that many initiatives and practices aimed at care homes are driven and prompted by national drivers, for example, the development of the CSCI and the National Minimum Standards. The Forum was very pleased to hear that local funding given to improve the quality of accommodation in care homes made a visible difference last year.
- 10.3 The Council have found that by working closely with care homes to support the training and development of staff has certainly paid dividends in how people are treated and supported.
- 10.4 The Forum were informed that some local initiatives had had a positive impact on residents' lives, e.g., the appropriate development of the fair cost for care exercise that has 4 levels for quality of accommodation with a final payment linked to quality of life initiatives such as activities.

- 10.5 Hartlepool Borough Council is very strict regarding the monitoring of contracts, immediately acting if required. This together with a proactive approach to working with providers is driving up the quality of care. This combined with a zero tolerance approach to allegations of abuse and the use of moratoriums has impacted. This can be seen by the lack of poorly rated homes in the CSCI ranking.
- 10.6 Many homes have developed a close relationship with relatives which has resulted in real commitment to work together to improve areas for residents. Homes having an open and transparent approach and who welcome and encourage visitors tend to improve the quality of life for residents.
- 10.7 Integrated teams that have emerged from the closer relationship that adult social care staff now have with the PCT have ensured greater flexibility of working, e.g., if a visiting district nurse has concerns about a social care issue it will be reported to a member of staff immediately.
- 10.8 The greater push to develop a much more personalised approach to care and how someone is cared for is very important. Therefore conducting a self assessment and developing a support plan with a family is very important. The support plan gives knowledge that is only known within the family, basic issues such as the individual's hobbies or activities they enjoy doing. This linked with a focused key worker system which many homes have in place is a very positive way of improving the quality of life for residents.
- 10.9 Residents benefit greatly where homes have a well-developed induction/supervision programme that covers health and safety and care issues as well as basic relationship work. The development of Local Involvement Networks (LINKs) will be instrumental in supporting the development of information regarding dignity in care and quality of life.

Evidence from the CSCI

- 10.10 The CSCI outlined to the Forum the initiatives and practices which they have found significantly improve the quality of life for residents, as detailed below:
- (a) The moderation of standards by using the KLORA which ensures consistency across the Inspectorate;
 - (b) The CSCI Inspectors change their case load each year so that long term relationships do not build up;
 - (c) CSCI work with 'experts by experience', these are people who have experience of using services, who join some inspectors to help them gain a good picture of the service from the viewpoint of the people who use it; and
 - (d) CSCI clearly publicise all their quality ratings.

Evidence from the PCT

- 10.11 The PCT provided the Forum with several local examples of initiatives that they deliver aimed at improving the quality of care, as summarised below:
- (a) District nurses are aligned to each care home to strengthen communication and ensure relationships are built and maintained between both residents and care providers;
 - (b) The OPTIN team provides each care home with case managers who are trained nurses who work closely with General Practitioners to provide the right type of care / regime for the individual. This has a significant impact of improved management, keeping people well and out of hospital;
 - (c) Low vision / adaption training improves the quality of aids and adaptations within the home;
 - (d) The end of life care which is a recently introduced initiative offers support to people to keep them in their familiar home surroundings. This initiative is recognised as excellent practice and has received a national award; and
 - (e) The Community Infection Prevention and Control Team develop skills of workers in care homes.

11. FINANCIAL ASSESSMENT

- 11.1 Members of the Forum were very keen to understand the financial implications / assessments for people moving / planning to move into a care home. Members received evidence from the Council's Principal Finance Manager, as outlined below.
- 11.2 Care home fees in Hartlepool range from £368 - £424 and individuals have a choice of which home they wish to reside in. Individuals are never directed to a particular home on the basis of associated cost. The Principal Finance Manager informed the Forum that whether the individual was self funded or supported publicly, the same level of service and monitoring of their individual needs is offered irrespective of payment methods.
- 11.3 Each individual is assessed on their own individual financial circumstances and no two people are the same. One of the important parts of the process undertaken with individuals is the maximisation of the benefits they are entitled to. Many people are either not fully aware of what benefits they are entitled to or some are simply too proud to claim. The financial assessment process ensures that everyone is able to claim all the benefits that are due to them.

- 11.4 All financial assessments are undertaken in accordance with the appropriate 'Charging for Residential Accommodation Guidance' (CRAG), which is set by the government.
- 11.5 In relation to people who own property, there is a deferred payment scheme. The Council values their property and the payment is offset against the property value. Members commented on the use of property valuations and indicated that they understood that if the property had been transferred to members of the family for a certain period of time, it could not be taken into account. The Principal Finance Manager highlighted that there is no set time limit though each case is dealt with individually.
- 11.6 Members were concerned that the financial assessment did mean that those that could afford to 'top up' their payments could have access to the pick of the care homes, while others simply had to choose from those that they could afford. Choice could frequently be limited to the type of care a person required as different homes provide different services.
- 11.7 In relation to the personal expenses allowance, prescribed by Government, which currently stands at £21.15 per week, the Principal Finance Manager indicated that how this is dispersed to individual people depended very much on their own circumstances. This could be done via the care home manager or through an arrangement with the Council. If the resident retains their own bank account and management of their own money, the money would be paid into it.
- 11.8 In relation to the personal expenses allowance, Members expressed concerns that the allowance was not reflective of the differing needs and abilities of individuals. The Forum was of the opinion that the allowance should reflect the individual circumstances / physical condition of an individual and should be appropriate to an individual's interests and aspirations, and therefore would increase independence, dignity and quality of life for residents.

12. CARE HOME OCCUPANCY LEVELS IN HARTLEPOOL

- 12.1 The Forum was interested to explore the occupancy levels of care homes in Hartlepool to establish whether this was linked to the standard of care or the cost of the care.
- 12.2 The table below was presented to the Forum outlining the occupancy figures for care homes in Hartlepool.

Table 1 - Care Home Occupancy Information

Category	Registered Beds	Number Occupied	Percentage Occupied
Older People / EMI	896	613	68%
Learning Disability	59	59	100%
Mental Health	76	58	76%
Physical Disability	13	11	85%
Total	1044	741	71%

- 12.3 The Forum were surprised by the under occupancy of care homes and queried what measures the Council could take to address this. The Council informed the Forum that there had been a significant rise in the number of places in residential care over the last six years but the Council has a responsibility to encourage the market to develop and to manage over provision. However, a resident's legal right of choice as to which home they want to live in determines the occupancy figures. Although, high occupancy levels do result in a reduction of choice for individuals.
- 12.4 Members also felt that the high degree of under occupancy may have been created by an over supply of beds. The Adult and Community Services Department indicated that over recent years, the number of people in care homes has not fluctuated much and has remained at around the 600 mark but what has changed is the number and types of places available. The demographics of the town are changing with an aging population, but people are much fitter, healthier and more active than in the past so are tending not to need residential care until much later in their lives. Also, due to supported living / sheltered housing schemes people are encouraged to live independently and the thoughts of the Forum were that the market for care homes may need to re-adjust. However, the number of people in homes has not reduced just new homes have opened.
- 12.5 Care Home Managers present at the meeting when occupancy levels were discussed did not see under occupancy as a major issue, although felt that the new retirement village, 'Hartfields' may change the situation. Although Members did comment that it was not always the case that new homes were best. One of the homes visited by Members during this investigation was an older property and Members said that it felt very much like it was the resident's home and not simply the place they lived.

13. PATIENT AND PUBLIC INVOLVEMENT FORUM

- 13.1 The Forum expressed their concern at the devolvment of the Patient and Public Involvement Forum (PPI Forum), which has been devolved due to the development of LINKs. The PPI Forum created lay assessors that visited and inspected care homes reporting on any areas of concern. The Forum was informed that work is currently underway to establish LINKs which aim to give local citizens a stronger voice in how their health and social care services are delivered. It is anticipated that LINKs will incorporate the work of the former PPI Forum.
- 13.2 The former members of the PPI Forum attended the Forum meetings and emphasised the importance of lay assessors and the PPI Forum's valuable role and expertise was acknowledged by the Forum.

14. EVIDENCE FROM MEMBERS OF THE SCRUTINY FORUM – SITE VISITS

- 14.1 Members of the Forum thought it would be beneficial to the undertaking of their investigation if they visited a selection of care homes in Hartlepool along with a visit to an out of borough care home in order to gain an understanding of how care homes deliver acceptable standards of care.
- 14.2 For the site visits in Hartlepool, Members decided that they would visit a care home from each category of Council grading, all with different quality ratings from CSCI. Following each visit Members completed a set of questions to gain an overview of the standard of care provided and to ensure that the findings were consistent. Throughout the visits Members talked to residents, relatives and staff gaining a good insight into residents' lives. The collective feedback from Members can be summarised as follows:
- (a) The car parking facilities for visitors were adequate and the security measures in place were satisfactory, although Members felt as though all homes should ask visitors to sign in/out;
 - (b) Residents' privacy was respected and residents' appeared very content, well cared for and happy, although a concern was raised that occasionally some residents were left to lie in uncomfortable positions;
 - (c) Relatives were satisfied with the care that was provided;
 - (d) The homes had flexible meal time arrangements and residents had a choice of food with which they were pleased. Some Members raised concerns over the lack of variety of food provided;
 - (e) The homes were clean and tidy and the communal areas were comfortable with nice personal touches, although some were awaiting redecoration and refurbishment;
 - (f) The staff were very welcoming, friendly and approachable and had good relationships with the residents;

- (g) Staff had received training and there appeared to be enough staff on duty to provide quality of care;
 - (h) A range of activities were offered to residents including bingo, computer rooms and days out, with all residents being encouraged to take part in the activities; and
 - (i) Members raised concerns over how residents would evacuate the building if doors are locked with mechanical key pads.
- 14.3 When discussing the site visit to an out of borough care home, Members of the Forum were informed by the CSCI Inspector that there was an excellent practice care home in Harrogate, Ashfield Court. Members thought that it would be beneficial to their investigation to visit Ashfield Court to compare areas of good practice. The site visit to Ashfield Court took place on 13 October 2008 and the feedback from Members can be summarised as follows:
- (a) An excellent home with very good facilities;
 - (b) Welcoming and homely; and
 - (c) On par with the homes in Hartlepool.

15. EVIDENCE FROM CARE HOME MANAGERS / RESIDENTS / RELATIVES

- 15.1 The Forum was very keen to engage with local care home managers and residents along with their relatives to hear their views on the quality of care home provision in Hartlepool.
- 15.2 As such, all care home managers, residents and relatives were invited to attend the Forum meetings to share their experiences and professional opinions along with any of their concerns. Their comments are summarised below:
- (a) Concerns were raised over the amount of personal expenses allowance payable to residents and how people with differing needs received the same allowance regardless of their circumstances;
 - (b) Managers strive to increase standards of care;
 - (c) Concerns that new developments may result in continued under occupancy; and
 - (d) The PCT initiated a Hartlepool Care Managers' Forum but the Forum has ceased over time, although managers would welcome its reform.

- 15.3 The Forum was very pleased with the interest expressed by care home managers, residents and relatives in this investigation along with their participation at Forum meetings and wanted to furthermore encourage people to attend. Therefore, Members explored the possibility of holding one of their Forum meetings in a care home as it was a less formal setting and it was felt that participants would feel comfortable with the surroundings. The meeting of the 5th November 2008 was held at a local care home and was well attended by care home managers, residents, relatives and members of the public. Members expressed their thanks to the care home and found the meeting very informative and valuable to their investigation.

Forum meeting held at a local care home



16. CONCLUSIONS

- 16.1 The Adult and Community Services Scrutiny Forum concluded:-

- (a) That good working relationships exist between the Council, the CSCI, the PCT and Care Home Managers, who all aim to improve standards of care for residents;
- (b) That the overall standard of care in Hartlepool is very good and it is obvious that care home managers take pride in their homes and the standards they apply;
- (c) That there will always be a need for care homes but due to new models of care, such as retirement villages, people may choose this type of accommodation as opposed to a traditional care home;
- (d) That Members of the former PPI Forum were dedicated to improving standards of care and the quality of life for individuals and the Forum acknowledges their hard work and commitment and the contributions they made to the enquiry;

- (e) That it was apparent from the care homes visited by Members that they operate open and transparently and welcome and encourage visitors;
- (f) That the Forum welcome a personalised care approach which will continue to improve standards of care;
- (g) That the Council and the CSCI have good monitoring / inspection arrangements in place in order to identify areas for concern; and
- (h) That it was unacceptable that some of the National Minimum Standards were not enforceable by law.

17. RECOMMENDATIONS

17.1 The Adult and Community Services Scrutiny Forum has taken evidence from a wide range of sources to assist in the formulation of a balanced range of recommendations. The Forum's key recommendations to the Cabinet are outlined below:

- (a) That the Council, through its Adult and Community Services Department and relevant Portfolio Holder, works in partnership with LINKs to ensure that the statutory requirements in relation to care home inspection in Hartlepool are fully met;
- (b) That the Council re-establishes the Hartlepool Care Managers' Forum in consultation with Hartlepool PCT to ensure that regular dialogue is maintained between care home managers and key partners;
- (c) That the Council regularly publicises its gradings for individual Care Homes along with the Commission for Social Care Inspection quality ratings on the Council's website, in 'Hartbeat', in the local press and public libraries in order to raise public awareness of ratings and to encourage care homes to raise their standards;
- (d) That the Council aligns its care home gradings with the Commission for Social Care Inspection quality ratings to provide an overall grading;
- (e) That the Council considers including within their service specifications the minimum standards which are not legally enforceable through the Care Homes Regulations 2001;
- (f) That, where possible, the Council influence future residential care developments to locate dementia units on the ground floor of any new development in Hartlepool; and

- (g) That the Portfolio Holder for Adult and Public Health lobby the Government to review the personal expenses allowance so that it is reflective of a person's needs and abilities.

18. ACKNOWLEDGEMENTS

- 18.1 The Forum is grateful to all those who have presented evidence during the course of the Scrutiny Inquiry. We would like to place on record our appreciation for all those witnesses who attended the Forum. In particular the Forum would like to thank the following for their co-operation during the Scrutiny Investigation:-

Hartlepool Borough Council:

Councillor Ged Hall – Cabinet Member Portfolio Holder for Adult and Public Health.

Nic Bailey – Director of Adult and Community Services

Jill Harrison – Assistant Director (Adults Commissioning)

Alan Dobby – Assistant Director (Support Services)

Phil Hornsby – Principal Commissioning Manager

Deborah Lovatt – Assistant Commissioning Manager

Jeanette Willis – Principal Finance Manager

Janet Dickinson – Team Manager

External Representatives:

Sue Holland - Continuing Care Manager, Hartlepool Primary Care Trust

Sue Judge, Locality Team Manager, Hartlepool Primary Care Trust

Bridgit Stockton - Inspector, The Commission for Social Care Inspection

Care Home Managers / residents / relatives

Care Providers

**COUNCILLOR CHRIS SIMMONS
CHAIR OF THE ADULT AND COMMUNITY SERVICES SCRUTINY FORUM**

Contact Officer:- Laura Starrs – Scrutiny Support Officer
Chief Executive's Department - Corporate Strategy
Hartlepool Borough Council
Tel: 01429 523 647
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BACKGROUND PAPERS

The following background papers were used in preparation of this report:-

- (a) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool – Scoping Paper' presented to the Adult and Community Services Scrutiny Forum of 23 July 2008.
- (b) Report of the Scrutiny Support Officer entitled 'Quality of Care Home Provision in Hartlepool – Setting the Scene Presentation – Covering Report' presented to the Adult and Community Services Scrutiny Forum of 23 July 2008.
- (c) Presentation of the Assistant Director of Adults Commissioning and the Principal Commissioning Manager entitled 'Quality of Care Home Provision in Hartlepool – Setting the Scene' delivered to the Adult and Community Services Scrutiny Forum of 23 July 2008.
- (d) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool – Evidence from the Director of Adult and Community Services – Covering Report' presented to the Adult and Community Services Scrutiny Forum of 27 August 2008.
- (e) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool – Evidence from the Commission for Social Care Inspection – Covering Report' presented to the Adult and Community Services Scrutiny Forum of 27 August 2008.
- (f) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool – Evidence from the Authority's Portfolio Holder for Adult and Public Health – Covering Report' presented to the Adult and Community Services Scrutiny Forum of 27 August 2008.
- (g) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool – Evidence from the Adult and Community Services Department – Covering Report' presented to the Adult and Community Services Scrutiny Forum of 30 September 2008.

- (h) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool – Evidence from Hartlepool PCT – Covering Report' presented to the Adult and Community Services Scrutiny Forum Services Scrutiny Forum of 30 September 2008.
- (i) Presentation of Hartlepool PCT entitled 'Care Home Provision in Hartlepool – PCT Contribution' delivered to the Adult and Community Services Scrutiny Forum Services Scrutiny Forum of 30 September 2008.
- (j) Report of the Scrutiny Support Officer entitled 'The Quality of Care Homes Provision in Hartlepool: Discussion with Care Home Managers / Residents / Relatives - Covering Report' presented to the Adult and Community Services Scrutiny Forum Services Scrutiny Forum of 30 September 2008.
- (k) Report of the Scrutiny Support Officer entitled 'The Quality of Care Homes Provision in Hartlepool: Feedback from Site Visits - Covering Report' presented to the Adult and Community Services Scrutiny Forum Services Scrutiny Forum of 30 September 2008.
- (l) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool: Evidence from Key Stakeholders' presented to the Adult and Community Services Scrutiny Forum Services Scrutiny Forum of 05 November 2008.
- (m) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into the Quality of Care Homes Provision in Hartlepool: Feedback from Site Visits to a Selection of Care Homes in Hartlepool and to Ashfield Court Care Home in Harrogate' presented to the Adult and Community Services Scrutiny Forum Services Scrutiny Forum of 05 November 2008.
- (n) Care Homes for Older People: National Minimum Standards.
- (o) The Care Homes Regulations 2001.
- (p) The Care Standards Act 2000.
- (q) The Commission for Social Care Inspection Reports and Guidance Documents.
- (r) The Care Quality Commission, Enforcement Policy Consultation, 2008.
- (s) The Nursing Times: Article: Concerns over High Staff Turnover in Care Homes: reported 22 August 2008.
- (t) Department of Health Publication: No Secrets: Guidance on Developing and Implementing Multi-Agency Policies and Procedures to Protect Vulnerable Adults from Abuse.

- (u) Department of Health Publication: Adult and Social Care Green Paper: Independence, Well-Being and Choice: Our Vision for the Future of Social Care for Adults in England.
- (v) Minutes of the Adult and Community Services Scrutiny Forum of 23 July 2008, 27 August 2008, 30 September 2008 and 05 November 2008.

CABINET REPORT

20 April 2009



Report of: Director of Adult and Community Services

Subject: ACTION PLAN – THE QUALITY OF CARE HOMES PROVISION IN HARTLEPOOL

SUMMARY

1. PURPOSE OF REPORT

- 1.1 To agree an Action Plan in response to the findings and subsequent recommendations of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool'.

2. SUMMARY OF CONTENTS

- 2.1 The report provides brief background information into the 'Quality of Care Homes Provision in Hartlepool' Scrutiny Investigation and provides a proposed Action Plan (**Appendix A**) in response to the Scrutiny Forum's recommendations.

3. RELEVANCE TO CABINET

- 3.1 To assist the Cabinet in its determination of either approving or rejecting the proposed recommendations of the Adult and Community Services Scrutiny Forum, attached as **Appendix A** is the proposed Action Plan for the implementation of these recommendations which has been prepared in consultation with the appropriate Portfolio Holder(s).

4. TYPE OF DECISION

- 4.1 Non-Key.

5. DECISION MAKING ROUTE

- 5.1 The Action Plan and the progress of its implementation will be reported to the Adult and Community Services Scrutiny Forum in the new municipal year (subject to availability of the appropriate Portfolio Holder(s)).

6. DECISION REQUIRED

- 6.1 That Members of the Cabinet approve the Action Plan (**Appendix A refers**) in response to the recommendations of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool'.

Report of: Director of Adult and Community Services

Subject: SCRUTINY INVESTIGATION INTO THE ‘QUALITY OF CARE HOMES PROVISION IN HARTLEPOOL’ – ACTION PLAN

1. PURPOSE OF REPORT

- 1.1 To agree an Action Plan in response to the findings and subsequent recommendations of the Adult and Community Services Scrutiny Forum’s investigation into the ‘Quality of Care Homes Provision in Hartlepool’.

2. BACKGROUND INFORMATION

- 2.1 To assist the Cabinet in its determination of either approving or rejecting the proposed recommendations of the Adult and Community Services Scrutiny Forum’s investigation into the ‘Quality of Care Homes Provision in Hartlepool’, attached as **Appendix A** is the proposed Action Plan for the implementation of these recommendations which has been prepared in consultation with the appropriate Portfolio Holder(s).
- 2.2 The overall aim of the investigation was to explore initiatives and practices that have a measurable impact on improving standards of care and the quality of life of residents in Care Homes within Hartlepool.

3. ACTION PLAN

- 3.1 As a result of the Adult and Community Services Scrutiny Forum’s investigation into the ‘Quality of Care Homes Provision in Hartlepool’, the following recommendations have been made:-
- (a) That the Council, through its Adult and Community Services Department and relevant Portfolio Holder, works in partnership with LINKs to ensure that the statutory requirements in relation to care home inspection in Hartlepool are fully met;
 - (b) That the Council re-establishes the Hartlepool Care Managers’ Forum in consultation with Hartlepool PCT to ensure that regular dialogue is maintained between care home managers and key partners;
 - (c) That the Council regularly publicises its gradings for individual Care Homes along with the Commission for Social Care Inspection quality

ratings on the Council's website, in 'Hartbeat', in the local press and public libraries in order to raise public awareness of ratings and to encourage care homes to raise their standards;

- (d) That the Council aligns its care home gradings with the Commission for Social Care Inspection quality ratings to provide an overall grading;
- (e) That the Council considers including within their service specifications the minimum standards which are not legally enforceable through the Care Homes Regulations 2001;
- (f) That, where possible, the Council influence future residential care developments to locate dementia units on the ground floor of any new development in Hartlepool; and
- (g) That the Portfolio Holder for Adult and Public Health lobby the Government to review the personal expenses allowance so that it is reflective of a person's needs and abilities.

- 3.2 An Action Plan in response to these recommendations has now been produced in consultation with the appropriate Portfolio Holder(s) and is attached at **Appendix A** which is to be submitted to the Adult and Community Services Scrutiny Forum in the new municipal year (subject to the availability of appropriate Portfolio Holder(s)).

4. RECOMMENDATION

- 4.1 Cabinet is requested to approve the Action Plan attached as **Appendix A** in response to the recommendations of the Adult and Community Services Scrutiny Forum's investigation into the 'Quality of Care Homes Provision in Hartlepool'.

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Adult and Community Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: The Quality of Care Homes Provision in Hartlepool

DECISION MAKING DATE OF FINAL REPORT: April 2009

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
(a) That the Council, through its Adult and Community Services Department and relevant Portfolio Holder, works in partnership with LINKs to ensure that the statutory requirements in relation to care home inspection in Hartlepool are fully met;	The Council's contract with care home providers requires them to give access to nominated persons (in this case LINKs representatives). Agreed with LINKs Co-ordinator that reports from 'Enter & View' visits will be posted on Council's website for access by Public.	None	Commissioned Services Manager – A&CS	April 2009
(b) That the Council re-establishes the Hartlepool Care Managers' Forum in consultation with Hartlepool PCT to ensure that regular dialogue is maintained between care home managers and key partners;	Care Home Managers are invited to provider forum meetings that are already established and meet 3 times a year. In addition, the managers will be offered the opportunity to meet and discuss good practice and development opportunities.	£500 p.a. Room bookings/refres hments	Commissioned Services Manager – A&CS	June 2009
(c) That the Council regularly publicises its gradings for individual Care Homes along with the Commission for Social Care Inspection quality ratings on the Council's website, in 'Hartbeat', in the local press and public libraries in order to raise public awareness of ratings and to encourage care homes to raise their standards;	CSCI reports with gradings are available now, via a link, on the Council's website. http://www.hartlepool.gov.uk/site/scripts/documents_info.php?categoryID=4120&documentID=925 Further work on aligning the Council's grading of care homes and CSCI ratings will lead to the publicising of the combined gradings	None	Commissioned Services Manager – A&CS	October 2009

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Adult and Community Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: The Quality of Care Homes Provision in Hartlepool

DECISION MAKING DATE OF FINAL REPORT: April 2009

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
(d) That the Council aligns its care home gradings with the Commission for Social Care Inspection quality ratings to provide an overall grading;	Work has started with providers to develop the quality gradings approach for care homes for older people.	None	Strategic Commissioner – Older People	October 2009
(e) That the Council considers including within their service specifications the minimum standards which are not legally enforceable through the Care Homes Regulations 2001;	Revision of the current service specifications will include specific reference to the National Minimum Standards	None	Commissioned Services Manager – A&CS	October 2009
(f) That, where possible, the Council influence future residential care developments to locate dementia units on the ground floor of any new development in Hartlepool; and	The Council in consultation with Planning and CSCI to consider whether this recommendation can be implemented.	None	Strategic Commissioner – Older People A&CS	June 2009
(g) That the Portfolio Holder for Adult and Public Health lobby the Government to review the personal expenses allowance so that it is reflective of a person's needs and abilities.	The Portfolio Holder for Adult and Public Health to approach the MP for Hartlepool to seek his support and write to the Department of Health requesting a review of the personal expenses allowance to reflect the person's needs and abilities.	None	Principal Finance Manager – A&CS	July 2009