

CABINET AGENDA



Monday, 19 October 2009

at 9.00 am

**in the Council Chamber,
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

- 3.1 To receive the Record of Decision in respect of the meeting held on 5th October 2009 (*Previously circulated*)
- 3.2 To receive the Record of Decision in respect of the meeting of the Emergency Planning Joint Committee of 17 July 2009

4. BUDGET AND POLICY FRAMEWORK

- 4.1 Affordable Housing Development Plan Document Preferred Options Document – *Director of Regeneration and Neighbourhoods*
- 4.2 Planning Obligations Supplementary Planning Document – *Director of Regeneration and Neighbourhoods*

5. KEY DECISIONS

- 5.1 Older People's Housing, Care and Support Strategy – *Director of Child and Adult Services and Director of Regeneration and Neighbourhoods*
- 5.2 Third Local Transport Plan (LTP3) – *Director of Regeneration and Neighbourhoods*

- 5.3 Building Schools for the Future – Transport of Students from Dyke House Sports and Technology College to the Former Brierton School Site – 2010-2012 – *Director of Child and Adult Services*
- 5.4 Primary Capital Programme – The Future Organisation of Primary Education in Seaton Carew – *Director of Child and Adult Services*
- 5.5 Local Authority Bid for Social Housing Grant for the Development of Affordable Housing – Round 2 – *Director of Regeneration and Neighbourhoods*
- 5.6 Floods and Waters Bill – *Director of Regeneration and Neighbourhoods*

6. **OTHER ITEMS REQUIRING DECISION**

- 6.1 Tees Valley Regeneration Succession Arrangements – *Chief Executive*
- 6.2 Review of Schools Transformation Project Board – *Director of Child and Adult Services*

7. **ITEMS FOR DISCUSSION / INFORMATION**

No items

8. **REPORTS FROM OVERVIEW OF SCRUTINY FORUMS**

No items

EMERGENCY PLANNING JOINT COMMITTEE

MINUTES AND DECISION RECORD

17 July 2009

The meeting commenced at 12 noon in the Emergency Planning Unit,
Middlesbrough Fire Station, Park Road South, Middlesbrough

Present:

Councillor Barry Coppinger, Middlesbrough Borough Council (In the Chair)
Councillor Terry Laing, Stockton Borough Council
The Mayor, Stuart Drummond, Hartlepool Borough Council

Denis Hampson, Chief Emergency Planning Officer
Alyson Carr, Assistant Chief Accountant
Sarah Bird, Democratic Services Officer

1. Apologies for absence

Councillor Dave McLuckie, Redcar and Cleveland Borough Council

2. Declaration of interest by members

None.

3. Confirmation of the Minutes of the Meeting held on 15 December 2009

The minutes were accepted as an accurate account.

4. Prepare for Emergencies (Z Card) – Chief Emergency Planning Officer

Purpose of Report

To inform Members that the Prepare for Emergencies leaflet has been produced and distributed to all homes across Cleveland.

To inform Members that the leaflet assists Local Authorities to meet their warn and inform duties as required by the Civil Contingencies Act.

Issues for Consideration

The Chief Emergency Planning Officer outlined the purpose and

background to the Prepare for Emergencies leaflet which had been prepared by the Cleveland Emergency Planning Unit on behalf of the four local authorities together with the support of the Emergency Services and Environment Agency. This had been distributed to all residential addresses in Cleveland and publicised in the local press and the NHS Life Store in Middlesbrough town centre. Monies from the Beacon Status fund had been used to produce and distribute this.

Decision

Members noted the report and acknowledged the excellent work that went into producing the leaflet and its distribution.

5. Cleveland Emergency Planning Unit Annual Plan 2009 – 2010 – Chief Emergency Planning Officer

Purpose of Report

To present to the members of the Cleveland Emergency Planning Joint Committee the Annual Plan for the Cleveland Emergency Planning Unit for the year 2009-10.

Issues for Consideration

Members were informed that this plan was produced yearly in order to inform the 4 Local Authorities of plans for the year. Much of the workload involved that required for compliance with government legislation and there was a lot of work with partners, particularly the emergency services. Workload had increased because of the Pitt review into flooding. A structural review of the unit had resulted in one extra member of staff. The Annual Plan identified 14 themes linked into objectives and Performance Indicators.

The planning around Hartlepool's hosting of the 2010 Tall Ships Race was highlighted, including the need to plan for the expected 1,000,000 visitors attending the town over a four day period, so it was expected that there would be a lot of people and traffic management.

The Chief Emergency Planning Officer informed members that the structure, format and content of the emergency response plans produced by the Cleveland Emergency Planning Unit had been adopted as best practice by the Health and Safety Executive within their internal guidance relating to the chemical industry and COMAH Regulations.

Decision

Members noted the report and endorsed the 2009-2010 Annual Plan including the Performance Indicators

6. Multi-Agency Exercise Calendar – Chief Emergency Planning Officer

Purpose of Report

To inform members of the Emergency Planning Joint Committee of the multi agency exercise and training calendar for 2009-2010.

To provide Members with an overview of the multi-agency exercises that took place during 2008-2009.

To provide a summary of the significant lessons learned identified as a result of the exercises conducted in 2008-2009.

Issues for Consideration

The report provided details of various exercises which had taken place in the previous year. Members were informed that recent Health and Safety Executive internal guidance and courses at the national Emergency Planning College at Easingwold were based on practices initiated in Cleveland. The Chief Emergency Planning Officer informed the Committee that previously an external agency had carried out debriefing training but this had now been developed and provided “in house”. Some issues had been identified from the exercises including staff not having correct personal safety equipment or having to rely on non-intrinsically safe communication systems, on sites where it was potentially dangerous to do so.

Some exercises planned for the next year were outlined including one with Northumbria Water regarding loss of water containment and one at the Nuclear Power Station.

Decision

Members noted the schedule of exercises for 2009-10, supported the role undertaken by the Exercise Planning Group and the creation of a joint Civil Contingency Act (CCA) and Control of Major Accident Hazard (COMAH) exercise matrix and noted that the issues identified in section 7 of the report were receiving attention through the Exercise Planning Group and/or respective Category 1 organisations.

7. Incident Recovery Plan - Chief Emergency Planning Officer

Purpose of Report

To inform Members of the Emergency Planning Joint Committee that the Cleveland Emergency Planning Incident Recovery Plan had been revised in line with the new National Recovery Guidance issued by the Civil Contingencies Secretariat in the Cabinet Office.

To outline the responsibilities of the Local Authorities and other responders in the event of an incident requiring a restoration and recovery phase.

Issues for Consideration

The original Plan was first written over 2 years previously but had been reviewed and revised in order to meet changes in practice and procedures at a national and local level. Members were provided with a copy of the plan and informed of the responsibilities of the various emergency services and local authorities.

A member asked whether elected members would receive training pertaining to the Community Recovery Committee and was informed that this would take place.

Decision

Members noted the report.

8. Swine Flu – Chief Emergency Planning Officer

Purpose of Report

To inform Members of the present situation in respect of the Swine Flu pandemic.

To inform Members that the situation in respect of swine flu was very fluid and the information contained in the report was correct at the time of writing. Members would be informed of any changes at the meeting.

Issues for Consideration

Members were informed that there had been 29 deaths in the UK and the most affect age group was 10 – 20 years old. The vast majority of cases had only mild symptoms, most receiving treatment at home. There was an average of 30 cases per day across Cleveland.

A Member queried why patients from Hartlepool had to get Tamiflu supplies from Stockton and was informed of the current arrangements which were deemed sufficient at present for the distribution of Tamiflu. However, should the number of cases increase, then further distribution centres had been highlighted. There were limited arrangements for delivery of Tamiflu but generally 'flu friends' would be asked to collect the drug. A dedicated swine flu telephone number (0800 1513513) would be operational from Monday, 20 July and the Chief Emergency Planning Officer agreed to provide a briefing note for Members so that the information could be passed on to their colleagues.

Decision

Members noted the report.

9. Reservoir Inundation Preparedness - *Chief Emergency Planning Officer*

Purpose of Report

To inform Members that the Civil Contingencies Secretariat (CCS) in conjunction with the Environment Agency and DEFRA had produced draft guidance for off-site reservoir planning, including templates for specific and generic plans.

To inform Members that the Chief Emergency Planning Officer on behalf of the four local authorities and the Local Resilience Forum (LRF) had responded to the draft guidance issued as part of the consultation process.

To inform Members of the expectation that a generic Cleveland Reservoir Inundation Plan would be completed by the end of 2009 and then thereafter specific plans for each reservoir by April 2010, prior to which a national public awareness campaign would commence in January 2010.

The report outlined the responsibilities and requirements being placed on the Cleveland Emergency Planning Unit on behalf of the four local authorities within the draft guidance.

Issues for Consideration

The Committee were informed that this had arisen as a result of the Pitt Review into the serious flooding that occurred in 2007. The EPU would prepare a generic plan and also specific plans for the 6 reservoirs in the area of over 25,000 cubic metres by the deadlines.

Decision

Members noted the report as well as the requirement to complete a generic plan by the end of 2009 and specific plans thereafter. Members also noted the projected exercising and testing commitment that would be required once the plans had been completed.

10. Revenue Outturn Report and Annual Return to Audit Commission for 2008/09 – *Assistant Chief Accountant*

Purpose of Report

To provide details of the Emergency Planning Revenue Outturn and

Annual Return to the Audit Commission for the Cleveland Emergency Planning Joint Committee for the year 2008/2009.

Issues for Consideration

The revenue outturn report was submitted to the committee on an annual basis and then returned to the Audit Commission. This was a requirement under the Accounts and Audit Regulations 2003 for all smaller relevant bodies in England. The Emergency Planning Joint Committee, as a joint committee of more than 1 authority, fell within the definition of a smaller relevant body and therefore a return had to be completed.

A Member queried the less than anticipated income received from Control of Major Accident Hazard (COMAH) Regulations and was informed that not all planned reviews were able to be completed because of staff vacancies and changes and as the Unit was paid per plan, revenue from this source was less than expected.

Decision

Members approved the 2008/2009 revenue outturn and 2008/2009 Audit Commission return.

11. The National Capabilities Survey 2008 – Chief Emergency Planning Officer

Purpose of report

To inform Members of the EPJC of the results of the National Capabilities Survey 2008 as they affect the Local Authorities and EPU. This survey followed on from the previous survey held in 2006.

The survey was considered by the Cabinet Office and Civil Contingencies Secretariat to provide an assessment of the current levels of national resilience. The survey results were compiled from information gathered from Local Authorities as well as a variety of resilience stakeholders, including Police, Fire, Ambulance and the health community. The survey was used by Cabinet Office to identify the United Kingdom's readiness to respond to a number of assessed risks and was also being used to improve understanding of national preparedness, inform priorities for future investment, exercises and policy development. It contained 180 questions and each of the local authorities were required to complete it separately. This had been completed on behalf of the four authorities by the Chief Emergency Planning Officer with the support of representatives from other category 1 responders and the local authorities.

Issues for Consideration

Findings from this survey concluded that the general level of preparedness was higher than in the 2006 survey although this had been the expected outcome due to the attention given to resilience since the introduction of the Civil Contingencies Act and the work of the Local Resilience Forum. The survey had highlighted a need for validation of plans through testing and exercising and more emphasis on the training of key staff although generally had reflected well on the Cleveland EPU. Much of the additional work required was already being focussed on or being undertaken by the EPU and the Exercise Planning Group. However, the survey did not take account of or recognise the large workload and work streams placed upon this area due to its industrial heritage or the size of the EPU when compared to other areas.

Decision

Members noted the report.

12. Reported Incidents/Cleveland Communications Strategy – Chief Emergency Planning Officer

Purpose of Report

To inform Members of the incidents reported, severe weather and flood risk warnings received and communications strategy faxes received and dealt with by the Cleveland EPU. The reported covered the period between 1 January and 30 June 2009.

Issues for Consideration

There had been 34 warnings relating to adverse weather conditions, 8 flood warnings and 2 flood watch messages. The extreme rainfall warning scheme had now been adopted into the Met Office's new Severe Weather Emergency Response Service which was available to emergency planners through a secure web based browser.

The EPU had also received and dealt with 63 'blue' faxes and 15 incidents of note which were detailed in an appendix to the report.

Decision

Members noted the report.

The meeting concluded at 1.35 pm.

B COPPINGER
CHAIR

<p style="text-align: center;">CABINET REPORT 19th October 2009</p>
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Report of: Director of Regeneration and Neighbourhoods

Subject: AFFORDABLE HOUSING DEVELOPMENT PLAN
DOCUMENT PREFERRED OPTIONS DOCUMENT

SUMMARY SHEET

1. PURPOSE OF REPORT

1.1 To seek approval of the Preferred Options document of the Hartlepool Affordable Housing Development Plan Document for consultation purposes.

2. SUMMARY OF CONTENTS

2.1 Cabinet on 1st September 2008 approved a Preferred Options paper on Affordable Housing for consultation.

2.2 Public consultation was undertaken during October 2008 on the Affordable Housing Development Plan Document (DPD). However, due to fundamental changes in the housing market and experience of other Local Authorities elsewhere in the country an Affordable Housing Economic Viability Assessment was undertaken to consider the impact that various policy options would have on the residual land values and the viability of seven indicative development sites within the Borough.

2.3 It has been necessary to prepare a new Preferred Options document to incorporate the findings of the Economic Viability Assessment.

2.4 Therefore, the document represents a further public consultation stage in the production of the Affordable Housing DPD that will form part of the Hartlepool Local Development Framework.

2.5 The Preferred Options document sets out for comment preferred policy options for each of the main issues highlighted in previous consultation documents in terms of the delivery of affordable housing and justification for the Preferred Options.

- 2.6 The consultation of the Preferred Options will be in accordance with the adopted Statement of Community Involvement and will last for eight weeks from Friday 30th October 2009 until Monday 4th January 2010.
- 2.7 In the light of responses to the consultation and of the Sustainability Appraisal of the options and any additional options put forward, a preferred policy will be developed in the form of a Publication Document for further consultation in April 2010.

3. RELEVANCE TO CABINET

- 3.1 The Affordable Housing DPD will comprise part of the Development Plan for the area and is thus part of the Budget and Policy Framework.

4. TYPE OF DECISION

- 4.1 Budget and Policy Framework.

5. DECISION MAKING ROUTE

- 5.1 Cabinet 19th October 2009.

6. DECISION(S) REQUIRED

- 6.1 Approval of the Affordable Housing DPD Preferred Options document for the Affordable Housing DPD for consultation purposes subject to minor editing and updating if necessary.
- 6.2 Delegated power to the Director of Regeneration and Neighbourhoods is sought to approve the associated Sustainability Appraisal Report and Habitats Appropriate Assessment for consultation within the same period.

Report of: Director of Regeneration and Neighbourhoods

Subject: AFFORDABLE HOUSING DEVELOPMENT PLAN
DOCUMENT PREFERRED OPTIONS DOCUMENT

1. PURPOSE OF REPORT

- 1.1 To seek approval of, for consultation purposes, the Preferred Options document, comprising the third public stage in the preparation of the Hartlepool Affordable Housing Development Plan Document (DPD).

2. BACKGROUND

- 2.1 The Planning and Compulsory Purchase Act 2004 introduces a new plan-making system to replace the system of Structure Plans and Local Plans. In summary, the new planning system envisages, at the local level, a portfolio of planning documents (Local Development Framework) to replace the Local Plan and at the strategic level, the Regional Spatial Strategy to replace the structure plan.
- 2.2 This Affordable Housing DPD is one document within the portfolio of documents in the Local Development Framework.
- 2.3 The document discusses issues concerning when affordable housing should be required, how much affordable housing should be provided, what tenure of affordable housing should be required and the future management of the affordable units. Once adopted by the Council the Affordable Housing DPD will provide the local planning policy framework for securing affordable housing on private housing schemes in the Borough.
- 2.4 Cabinet on 1st September 2008 approved a Preferred Options paper on Affordable Housing for consultation.
- 2.5 Public consultation was undertaken during October 2008 on the Affordable Housing Development Plan Document (DPD). However, due to fundamental changes in the housing market and experience of other Local Authorities elsewhere in the country an Affordable Housing Economic Viability Assessment was undertaken to consider the impact that various policy options would have on the residual land values and the viability of seven indicative development sites within the Borough.
- 2.6 It has been necessary to prepare a new Preferred Options document to incorporate the findings of the Economic Viability Assessment.

- 2.7 Therefore, the document represents a further public consultation stage in the production of the Affordable Housing DPD that will form part of the Hartlepool Local Development Framework.
- 2.8 The Preferred Options document sets out for comment preferred policy options for each of the main issues highlighted in previous consultation documents in terms of the delivery of affordable housing and justification for the Preferred Options.
- 2.9 The consultation of the Preferred Options will be in accordance with the adopted Statement of Community Involvement and will last for eight weeks from Friday 30th October 2009 until Monday 4th January 2010.
- 2.10 The Preferred Options document has been prepared to form the basis of this consultation. This is attached as **Appendix 1**.

3. THE AFFORDABLE HOUSING PREFERRED OPTIONS DOCUMENT

- 3.1 The purpose of the Preferred Options document is to set out the different options considered during the preparation process and to explain how and why each Preferred Option was chosen. In addition to this, the Preferred Options document seeks the views of the community and other stakeholders on the proposed Preferred Options and also any alternative options for the delivery of affordable housing in Hartlepool.
- 3.2 The Affordable Housing Preferred Options document sets out for each issue a summary of the consultation responses, the outcome of the initial Sustainability Appraisal and justification from the evidence base. A set of Preferred Options from each issue are presented, for comment along with a proposed planning policy wording based on the Preferred Option. These Preferred Options reflect both the Hartlepool Community Strategy key aim 6 (Housing) and the emerging Core Strategy themes and objectives.
- 3.3 Once adopted by the Council the Affordable Housing DPD will provide the local planning policy framework for securing affordable housing on private housing schemes in the Borough.

4. SUSTAINABILITY APPRAISAL AND HABITATS REGULATION ASSESSMENT REPORTS

- 4.1 A Sustainability Appraisal and Habitats Regulation Assessment have been prepared to evaluate the effects of the Preferred Options suggested in the Preferred Options document. The Sustainability Appraisal Report and Habitats Regulation Assessment reports will be made available with the Preferred Options during the consultation period.

5. THE NEXT STAGES

- 5.1 The Preferred Options document, the associated Sustainability Appraisal Report and Habitats Regulation Assessment will be made available for consultation purposes for a period of eight weeks from 30th October 2009 until 4th January 2010. The consultation will be undertaken in accordance with the adopted Statement of Community Involvement.
- 5.2 All comments received will then be considered, and then, in the context of a further Sustainability Appraisal, a Publication document will be prepared establishing a local affordable housing planning policy framework.
- 5.3 In April 2010, representations will be invited on the draft document agreed by Cabinet, for a statutory period of 6 weeks.

6. DECISION(S) REQUIRED

- 6.1 Approval of the Affordable Housing DPD Preferred Options document for the Affordable Housing DPD for consultation purposes subject to minor editing and updating if necessary.
- 6.2 Delegated power to the Director of Regeneration and Neighbourhoods is sought to approve the associated Sustainability Appraisal Report and Habitats Appropriate Assessment for consultation within the same period.

Hartlepool Borough Council Affordable housing Development Plan Document



Preferred Options



October 2009



Contents

No	Subject	Page No
1.0	Introduction	3
1.2	The Need for Further Consultation	3
2.0	Affordable Housing DPD Objectives	3
3.0	What is Affordable Housing?	4
3.2	Socially Rented	4
3.3	Intermediate Tenure	4
4.0	Preferred Options Background Information	5
4.4	DPD Production Process	5
4.5	The Consultation Process	5
4.7	How to Comment	6
5.0	Hartlepool Local Development Framework	7
6.0	Planning Policy Context	8
6.2	Housing Green Paper	8
6.3	PPS3: Housing	8
6.4	Regional Spatial Strategy	8
6.5	Regional Housing Strategy 2007	9
6.6	Tees Valley Sub-Regional Housing Strategy 2007	9
6.7	Hartlepool Community Strategy 2008	9
6.8	Hartlepool Housing Strategy 2006 & Update 2008	9
7.0	Housing Need and Affordability	10
7.2	Hartlepool Strategic Housing Market Assessment 2007	10
7.4	Tees Valley Strategic Housing Market Assessment 2008	10
7.5	Affordable Housing Economic Viability Assessment 2009	10
8.0	Consideration of Options	12
Issue 1:	When Should Affordable Housing be Required?	13
Issue 2:	How Much Affordable Housing Should be Provided?	16
Issue 3:	Where Should Affordable Housing be Provided?	22
Issue 4:	Type & Tenure of Affordable Housing?	25
Issue 5:	How Should the Affordable Units be Managed and Sustained in the Future?	30
9.0	Next Steps	34

1. Introduction

1.1 The purpose of this document is to present Hartlepool Borough Council's preferred policy options for the delivery of affordable housing on new housing and mixed use developments within the town. When adopted the affordable housing policy will;

- Set out the criteria against which planning applications for residential developments will require affordable housing provision.
- Set the standards and requirements of that affordable housing provision.

The Need for Further Consultation

1.2 The Affordable Housing Development Plan Document (DPD) has already proceeded to a Preferred Options stage, however due to fundamental changes in the housing market and the wider economy it was felt that it would be prudent that further consultation should take place to take this into consideration.

1.3 As a direct response to the downturn in the housing market an Affordable Housing Economic Viability Assessment was undertaken to consider the impact that various policy options would have on the residual land values and the viability of seven indicative development sites within the Borough. The Viability Assessment has facilitated a new Preferred Option that needs to be considered and consulted upon; this has been included in this Preferred Options document.

1.4 Therefore, this document represents a third public consultation stage in the production of the Affordable Housing DPD (following the initial Issues and Options stage and the previous Preferred Options stage) that will form part of the Hartlepool Local Development Framework.

2. Affordable Housing DPD Objectives

2.1 The objectives outlined within this Affordable Housing DPD are considered appropriate and previous consultation highlighted no objection to these proposed objectives. The proposed objectives are in line with Government guidance and in keeping with the Regional Spatial Strategy (RSS) for the North East. In addition to this the objectives support the principles outlined within the Hartlepool Core Strategy Issues and Options Report and support Hartlepool's strategic housing objectives and the Hartlepool Vision – The Hartlepool Community Strategy.

2.2 Affordable Housing DPD objectives:

- 1) Provide good quality affordable accommodation to meet the needs within the Borough.
- 2) Provide affordable dwellings in the right locations that can help to deliver sustainable mixed communities.

3. What is Affordable Housing?

- 3.1 Affordable housing is housing designed for those whose income generally denies them the opportunity to purchase houses on the open market. Affordable housing is either outright Socially Rented or Intermediate Tenure housing, in the form of Shared Ownership or Shared Equity schemes whereby the affordable units are retained in perpetuity. Affordable houses are generally owned and managed by Registered Social Landlords.

Socially Rented

- 3.2 This type of housing is normally owned and managed by Local Authorities or Registered Social Landlords (RSL). In the Borough of Hartlepool the vast majority of the socially rented stock is owned and managed by the Housing Hartlepool RSL. These properties are then rented out to tenants who are on the Housing Waiting List.

Intermediate Tenure

- 3.3 This type of housing, also known as Shared Ownership or Shared Equity, enables people to privately buy a share of a property being sold and pay a subsidised rent on the remainder. The exact bought share will vary and depend on what is affordable to the purchaser. The combined monthly costs of the rent and the mortgage will normally be significantly less than buying a home outright.
- 3.4 The definitions do not exclude homes provided by private sector bodies or provided without grant funding. Where homes meet the definition detailed in PPS3: Housing, they may be considered, for planning purposes, as affordable housing. Those homes that do not meet the definition, for example, 'low cost market' housing, may not be considered, for planning purposes, as affordable housing.

4. Preferred Options Background Information

- 4.1 The Affordable Housing DPD is currently at the Preferred Options stage. The Preferred Options represents the third stage of the process for determining how affordable housing will be delivered in Hartlepool in the future. This document sets out a range of Preferred Options and justification for this preference and will ultimately form the background for the final policy within the Publication Stage.
- 4.2 Preparation of this DPD is in accordance with the required procedures established in the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. Further information on the Council's guiding principles for involving the community in the preparation of new planning documents is set out in the Statement of Community Involvement (SCI).
- 4.3 There may be alternative options or further comments, which you feel, should be considered. The purpose of this document is to produce the most appropriate affordable housing policy for Hartlepool taking into consideration consultation responses, evidence base and Government guidance.

DPD Production Process

- 4.4 Following the close of consultations on the Preferred Options, the Affordable Housing DPD will be prepared for submission to Government for independent examination. It will be published prior to submission, at which time objections and representations regarding the soundness of the document can be made. The tests of soundness are nationally prescribed tests whereby they ensure that the DPD is justified, effective and consistent with regional and national policy. A summary of all the responses received to this consultation, together with the actions that will be taken on them, will be published as soon as possible after the consultation period closes.

The Consultation Process

- 4.5 This Affordable Housing DPD Preferred Options document and accompanying Sustainability Appraisal (SA) will be widely available for a period of eight weeks from Friday 30th October 2009 until Monday 4th January 2010. They will be available for inspection at Bryan Hanson House, the Civic Centre and the town's libraries. A number of copies will be available for viewing or borrowing at the Central Library. The documents are also available for downloading at the Council's website or on the online consultation website.
- 4.6 Officers from the Planning Policy team are available at Bryan Hanson House during normal office hours to comment on anything included in this document and/or to discuss any other matters relating to the preparation of the Affordable Housing DPD. Officers can also visit you at home if you are unable to get to Bryan Hanson House. If you are a member of a group of residents of businesses and would like an officer to attend one of your meetings, please contact the planning policy team.

How to Comment

4.7 The following contact details are relevant:

Council Website: www.hartlepool.gov.uk
Consultation Website: <http://planningpolicy.hartlepool.gov.uk>

Planning Policy Email: planningpolicy@hartlepool.gov.uk

Planning Policy Tel: (01429) 523279

Planning Policy Fax: (01429) 523701

Council Address: Planning Policy
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

4.8 There are a number of ways, which you may make your views known:

- You can complete a questionnaire and return it to Bryan Hanson House; the questionnaires are available from Bryan Hanson House, the Civic Centre and the libraries or can be requested by phoning or emailing.
- You can complete the questionnaire on our online consultation website. If you have not previously joined, you will need to register when you visit the site, and you will be kept informed by email of consultations on later stages of the Affordable Housing Development Plan Document and other planning documents that are being produced.
- You can also send your comments by letter to the Planning Policy Team or by email.

4.9 All comments and questionnaires should be received by Monday 4th January 2010 at 4pm.

5. Hartlepool Local Development Framework

- 5.1 The Planning and Compulsory Purchase Act 2004 resulted in major changes to the way the planning policy system operates and how the new types of planning document will be prepared. Local Development Documents (LDDs) contained within a Local Development Framework (LDF) will progressively replace the Local Plan and Supplementary Planning Guidance.
- 5.2 The Local Development Framework for Hartlepool will comprise a portfolio of Local Development Documents which together deliver the spatial planning strategy for the Hartlepool area.
- 5.3 The LDF system goes beyond the old system of purely land use planning to bring together and integrate policies for the use and development of land with other policies and programmes which influence the nature of places and how they function.
- 5.4 The Affordable Housing DPD will form part of the Hartlepool LDF and is a Local Development Document.
- 5.5 The Development Plan for the Borough of Hartlepool consists of the adopted Local Plan, the emerging LDF along with the Regional Spatial Strategy (RSS) for the North East Region.

6. Planning Policy Context

- 6.1 This DPD takes account of various planning and housing policy guidance, nationally, regionally and sub-regionally. It reflects the overall central government agenda to provide more affordable homes and to achieve sustainable mixed communities. In developing these Preferred Options, where specific reference has been drawn to a national or regional planning policy it has been detailed and identified in the supporting text.

Housing Green Paper: 'Homes for the future, more affordable, more sustainable'

- 6.2 This green paper sets out the Government's commitment to deliver affordable housing, highlighting a £8 billion Government investment in affordable homes and the aim of providing 70,000 affordable homes a year by 2010-11. Local Authorities' role in facilitating the supply of affordable housing is emphasised and a joined-up approach with alignment of housing plans and the planning framework suggested as a means of increasing affordable housing provision. The need is emphasised, for local authorities to identify enough land to deliver the homes required in their area over the next 15 years by rapidly implementing new planning policy for housing and undergoing an intensive assessment of housing land availability. (The Strategic Housing Land Availability Assessment (SHLAA) is currently being prepared by Hartlepool Borough Council as part of the evidence base for the various documents to be included in the LDF).

Planning Policy Statement (PPS) 3, Housing

- 6.3 PPS3 Housing was published in December 2006 and has been developed in response to The Barker Review of Housing Supply in March 2004. It sets out the Government's vision, objectives and policies in relation to housing provision and delivery. The principal aim of PPS3 is to increase housing delivery through a more responsive approach to local land supply, supporting the Government's goal to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. The requirement for a Strategic Housing Market Assessment (SHMA) is emphasised within this PPS, the findings of which should help develop policies on affordable housing within the Borough (Hartlepool SHMA in June 2007 and Tees Valley SHMA in November 2008). Local Authorities are required to set an overall target for the amount of affordable housing to be provided and that target should reflect the new definition of affordable housing (see above). They are also required to ensure that provision of affordable housing meets the needs of both current and future occupiers by setting separate targets for social-rented and intermediate affordable housing, specifying the size and type of affordable housing and setting out a range of circumstances in which affordable housing would be required. This Affordable Housing DPD aims to set clear guidance in response to these requirements.

Regional Spatial Strategy for the North East

- 6.4 The Regional Spatial Strategy (RSS) for the North East, approved in July 2008, acknowledges the significant inequalities in demand and affordability in the Region's housing stock and that it is not meeting the housing needs of people on modest or low incomes. The RSS states that 'it will be for

LDF's to determine the actual target for affordable housing provision and the range of housing requirements through up-to-date housing assessments, although Strategic Housing Market Assessments will assist this. However, low level thresholds should be set to determine the size of developments above which affordable housing should be provided'. Although Hartlepool's affordable housing need is not specified within the RSS the up-to-date SHMA provides the appropriate robust evidence required to determine the affordable housing target in the Borough.

Regional Housing Strategy 2007

- 6.5 The issue of affordable housing is addressed under Strategic Objective Two: to ensure the supply, type and mix of new housing for rent and for sale meets social and economic needs, provides choice and supports growth. This will reflect the diversity of urban and rural communities and the needs for affordable, family and executive housing.

Tees Valley Sub-Regional Housing Strategy 2007

- 6.6 Affordability and an increase in homelessness is highlighted as a particular pressure within the Tees Valley and specifically within Urban Areas, this is due to the disparity between house prices and household income. The aim of the document is to provide advice for consumers whilst maintaining quality and accessibility for all members of the community. It advises that all LDF's should include appropriate and specific affordable housing policies to address the affordable gap, these should be backed by Section 106 Agreements.

Hartlepool Community Strategy (Hartlepool's Ambition) 2008

- 6.7 The provision of affordable housing will support Key Aim 6: Housing, within the community strategy and will help to ensure that there is access to good quality and affordable housing in sustainable neighbourhoods and communities where people want to live. This is one of the strategy's eight key aims for achieving its long term vision for the Borough.

Hartlepool Housing Strategy (2006 & Update 2008)

- 6.8 The provision of affordable housing within Hartlepool is strongly supported through the Hartlepool Housing Strategy and subsequent update. The importance of developing a planning policy framework and identifying sites to help promote housing development and to facilitate the provision of affordable housing is highlighted within the Strategy. The provision of affordable housing by RSL's through the planning process is also identified as a key priority for the next five years. The report identifies the level of affordable housing need in the town and the methods in which this could potentially be delivered.

7. Housing Need and Affordability

7.1 The following assessments provide a robust evidence framework enabling the plan preparation process and in the determination of planning applications with specific regard to the affordable housing need in the Borough.

Hartlepool Strategic Housing Market Assessment (June 2007)

7.2 David Cumberland Housing Regeneration Ltd was commissioned by Hartlepool Borough Council to undertake a Strategic Housing Market Assessment (SHMA) in December 2006. The completed assessment (June 2007) included a survey of all 39,271 households in Hartlepool, a 16.7% response rate allowed robust and defensible statistics for individual wards. An analysis of the current and future housing markets concluded that market demand was exceeding supply in most areas and that a degree of pressure in the current housing market was a result of considerable uplift in house prices across the Borough over the past five years. A shortfall of affordable units was identified, this affordable need was heightened by the limited capacity of the social rented sector with low vacancy rates and long waiting lists.

7.3 On the basis of this evidence, the report suggested a target for affordable housing on new developments of 30% of which 80% should be social rented and 20% intermediate tenure. The PPS3 threshold of 15 dwellings or more on which such a requirement would apply was considered appropriate for Hartlepool. The report highlights that up to 2012 there are a number of significant supply side issues that will exacerbate the affordable housing situation, including, the lack of an affordable housing planning policy, the high number of extant planning permissions, significant number of planned demolitions (through HMR), continued Right-to-Buy activity and increasing house prices. The aim of this affordable housing DPD is to reduce this pressure by providing clear policy guidance for developers and providing the policy framework to secure affordable housing provision on housing sites.

Tees Valley Strategic Housing Market Assessment (November 2008)

7.4 The assessment supported the affordable housing need identified within the Hartlepool SHMA. In addition to this it suggested a 20% affordable housing requirement for housing developments across the Tees Valley. This 20% figure was viewed as achievable and reasonable figure to expect private developers to contribute to, based on a comparison of sensible affordable housing policies in place across the North East of England and local needs within the Tees Valley. The evidence within the TVSHMA will be used alongside local evidence to identify the preferred policy option for each of the affordable housing issues.

Affordable Housing Economic Viability Assessment (March 2009)

7.5 The Council needs to maintain a robust and credible evidence base. To reflect the sudden and dramatic economic downturn and resultant housing market difficulties, Hartlepool Borough Council commissioned DTZ in January 2009 to study the development viability of different affordable housing scenarios on a selection of sites across the Borough.

- 7.6 At the baseline position of January 2009 it was demonstrated that, across the Borough, there was little scope to deliver any affordable housing in the prevailing market conditions on the sites selected. Crucially, however, it was demonstrated that the delivery of all housing development is potentially unviable due to extended build periods, uncertainty in the financial market and falls in property values. The impact of the unprecedented market conditions at the baseline date of valuation mean that if the Council's affordable housing policy were formulated based solely on this viability assessment at this time, an affordable housing requirement of 0% would be deliverable.
- 7.7 The assessment goes further to suggest that setting an indicative affordable housing requirement of 0% based on the results of the baseline analysis is unsustainable across the course of the plan period and will not meet the identified housing need of people across the Borough. In the short term, as the housing market and economic conditions change, the assessment shows that on the sites assessed, in certain market conditions, schemes including 10% affordable housing were economically viable.
- 7.8 The assessment suggests that in order to ensure that any future developments are viable and not stifled by an onerous affordable housing requirement, any new policy formulated in the DPD should be flexible enough to have regard to prevailing market conditions. This method will allow both for the maximisation of affordable housing on site and the viability of schemes aiding delivery in the long term.

8. Consideration of Options

- 8.1 Each Preferred Option was formulated taking into consideration further researched evidence on current housing market conditions and bearing in mind the previous consultation done at the Issues and Options stage and previous Preferred Options stage. The following section outlines the range of options consulted upon and the purpose of this section is to outline the responses and how these have been considered in proposing the Preferred Options. A Preferred Option and draft policy wording is presented for each issue after a review showing how the Council reached the option, based on previous consultations, planning policy guidance and a robust evidence base.
- 8.2 As previously stated, the Affordable Housing DPD has already proceeded to a Preferred Options stage, however due to fundamental changes in the housing market and the wider economy it was felt that it would be prudent that further consultation should take place to take this into consideration. The previous Preferred Options stage included several options attached to each issue; these were numbered 1 to 18. The numbers are followed through and reflected as these Preferred Options; where new options are proposed that were not previously considered, they are given a “NEW” number, such as “NEW1”.
- 8.3 The consultation process at the Issues and Options and Preferred Options stages were wide ranging and followed the consultation principles established within the Hartlepool Statement of Community Involvement (SCI). Key stakeholders including housebuilders, Registered Social Landlords (RSL’s) and landowners were invited to make representations on the documents, an on-line questionnaire was set up on the Hartlepool Borough Council consultation system and officers attended the Hartlepool Partnership, neighbourhood consultative groups and a range of other community groups in the town. Drop-in-sessions were conducted within Middleton Grange shopping centre and Central Library and all events were promoted within the local press.

Issue 1	When Should Affordable Housing be Required?
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8.4 As there is an established need for more affordable housing in the Borough of Hartlepool there is a requirement for all new housing developments to provide an element of affordable housing as part of their overall housing offer. It is recognised that a requirement on smaller sites may have a severe impact on the viability of such developments therefore a sensible threshold has to be established above which an affordable housing requirement will be expected. This approach will be in line with the national guidance detailed in PPS3. The following options have been prepared to explore the different threshold options and to discover which would be most suitable for the Borough of Hartlepool.

No	Issue 1 Options
1	Set the site threshold to 15 units or more in line with PPS3.
2	All residential developments to contribute to the delivery of affordable housing and no site threshold set.
3	Reduce the thresholds for the provision of affordable housing in the areas highlighted as having the greatest need?

8.5 The following table identifies the process gone through to reach the Preferred Option and the draft policy wording and offers an overall justification as to how the policy was formulated.

Process	Issue 1 Policy Formulation Consultation Process
2008 Issues & Options	Option 1 received the most support, with seven representations. The majority of these responses were from housebuilders who were concerned that setting a lower threshold may impact on the financial viability of schemes. This was of particular concern to local housebuilders who develop smaller sites and have limited ability to absorb the costs associated.
2008 Preferred Options	Option 1 received by far the most support, with eight representations. All of these specific responses were from housebuilders or planning consultants concerned that setting a lower threshold may impact on viability, further to this, they cited that option 1 would be in accordance with PPS3.

Process	Issue 1 Policy Formulation Consultation Process
2009 Sustainability Appraisal	<p>In order to secure the delivery of affordable housing it is assumed that there will be an overall increase in housing provision within the Borough. This will almost certainly have an effect on the vast majority of SA objectives. The overall delivery of additional housing throughout the LDF process will be set out in the Core Strategy. The SA attached to the Core Strategy will be the forum to generally assess the sustainability of additional housing in the Borough. Bearing this in mind, the options relating to the Affordable Housing DPD have been assessed taking account of specific implications, assuming housing has already been secured or delivered on the site.</p> <p>All 3 options have an almost identical impact on housing, liveability and place, equity, diversity, equality and participation and futurity.</p> <p>No option is considered more sustainable than the other in this instance.</p>
National Planning Policy Guidance	<p>PPS3: Housing states in paragraph 29 that the national indicative minimum site size threshold is 15 dwellings.</p> <p>In the absence of any other local contrary evidence suggesting a lower or higher threshold it would be prudent to set the level at 15 dwellings.</p>
Regional Planning Policy Guidance	<p>In paragraph 3.104 in the RSS it states that low level thresholds should be set to determine the size of developments above which affordable housing should be provided. In some circumstances these may be below the levels indicated in PPS3.</p> <p>However, in the absence of any other contrary local evidence suggesting a lower or higher threshold it would be prudent to set the level at 15 dwellings.</p>
Overall Policy Justification	<p>The 15 unit or more threshold proposed within Option 1 is in line with Government Guidance contained within PPS3. The findings of the SHMA (2007) also supports the proposed 15 unit site threshold. The SHMA also stated that to reduce the threshold below 15 units, current patterns of development across the Borough need to be reviewed to identify the profile of sites coming forward for development.</p> <p>Information from the recently produced 5 year Housing Land Supply document indicated that of the unallocated sites likely to come forward during that period only two of these fall below the 15 unit threshold (both of which are proposed for Registered Social Landlord (RSL) development). This, alongside the arguments for economic viability of schemes, illustrates that a lower threshold would not be sustainable within Hartlepool.</p>

8.6 The following policy text is proposed based on the previous consultation stages at Issues and Options, Preferred Options and other relevant evidence:

DRAFT POLICY AH1	AFFORDABLE HOUSING THRESHOLD
AFFORDABLE HOUSING WILL BE REQUIRED ON ALL PLANNING APPLICATIONS FOR RESIDENTIAL DEVELOPMENT THAT CONSIST OF A GROSS ADDITION OF 15 DWELLINGS OR MORE, INCLUDING RENEWAL OF LAPSED UNIMPLEMENTED PLANNING PERMISSIONS, CHANGES OF USE AND CONVERSIONS.	

Supporting Text

- 8.7 Given the level of identified need and the limited opportunities for securing affordable housing provision in the Borough, planning permission will not be granted for residential applications that meet or exceed the gross additional thresholds set out in above draft policy wording and do not include any on-site affordable housing or off-site provision.
- 8.8 Where an initial full or outline planning permission is granted for residential development immediately below the dwelling threshold, a condition will be attached to the planning permission indicating that if the dwelling numbers meet or exceed the thresholds outlined above, the developer will then be expected to provide affordable housing either on site or by means of a financial or other contribution to the Council to enable the provision of affordable housing elsewhere.
- 8.9 The Council will be alert to the sub-division of sites or phasing of development as a cynical means to avoid providing an affordable housing requirement. Therefore, for the purposes of establishing the affordable housing requirement, planning applications will be viewed as any composite or naturally defined larger area, whether or not subject to phased development and regardless of ownership. This will normally mean the curtilage of the property, defined as the area of land attached to a building. If development is proposed in phases, later phases must fulfil affordable housing requirements from previous phases, where it has not already been adequately provided.

- 8.10 As there is an established need for more affordable housing in the Borough of Hartlepool there is a requirement for all new housing developments, above an established threshold, to provide an element of affordable housing as part of their overall housing offer. The Council has agreed a set of assessment criteria in relation to the sale of Council owned land at below market value to assist the delivery of affordable housing in the Borough. However, providing affordable housing purely on Council owned land will not sufficiently meet the identified need in the Borough, private housing development also have to deliver affordable housing.
- 8.11 The Council is committed to the development of mixed and balanced communities, including affordable housing within new private housing developments. However, it is generally accepted that including affordable housing, as part of a private development, will have implications on profitability and overall economic viability of the scheme. Bearing this in mind an acceptable target has to be established, giving certainty to developers that can be applied to all sites, above the agreed threshold, to ensure the delivery of affordable housing.
- 8.12 To reflect the sudden and dramatic economic downturn and resultant housing market difficulties, Hartlepool Borough Council commissioned DTZ in January 2009 to study the development viability of different affordable housing scenarios on a selection of sites across the Borough. Therefore the following options were consulted on to explore the different target options and to discover which would be most suitable for the Borough of Hartlepool. Taking into direct consideration the current economic downturn, housing market uncertainty and the recent Economic Viability Assessment a new un-consulted option (since the previous Preferred Options stage) has been included.
- 8.13 The Hartlepool Strategic Housing Market Assessment in 2007 advocated a 30% target, the Tees Valley Strategic Housing Market Assessment in 2008 advocated a 20% target and the recent 2009 Economic Viability Assessment advocated a flexible 10% target.

No	Issue 2 Options
NEW1	Set the affordable housing target at a minimum of 10% on all sites. Negotiated on a site by site basis, the minimum 10% target would increase incrementally as the current housing market and therefore economic viability of sites improves, in accordance with the Economic Viability Assessment findings?
4	Set the affordable housing target to 30% on all sites in line with Hartlepool SHMA findings?
5	Increase the percentage target of affordable housing to 40% across all eligible sites?
6	Set a differing target depending on the number of units e.g. 1-2 units- financial contribution 2-15 units- 30% Affordable 15 or more units- 40% Affordable
7	Negotiation based on the viability of schemes?

8.14 The following table identifies the process gone through to reach the Preferred Option and the draft policy wording and offers an overall justification as to how the policy was formulated.

Process	Issue 2 Policy Formulation Consultation Process
2008 Issues & Options	<p>Three representations received supported the Option 4 affordable housing targets, this included a RSL who believed this should be a minimum target on all sites.</p> <p>Option 7 received the greatest level of support from those representations received. The majority of these responses were from housebuilders or landowners who wanted to ensure that the level of affordable housing delivered is considered on a site by site basis, dependant on other issues which affect the viability of particular sites. Reference was also made to the then emerging Tees Valley Strategic Housing Market Assessment (TVSHMA), initial findings of which are suggesting a 20% affordable housing requirement across the Tees Valley (with the exception of Darlington Borough Council).</p>
2008 Preferred Options	<p>There was an equal split between support for Options 4 and 7. Option 4 was primarily supported by residents and the North East who quoted the conformity with the RSS and the already existing evidence base gathered by the Council. Of the Option 7 supporters, mainly private developers, there was a belief that the viability of schemes should dictate the amount of affordable housing that is provided as part of the development.</p>

Process	Issue 2 Policy Formulation Consultation Process
<p align="center">2009 Sustainability Appraisal</p>	<p>In order to secure the delivery of affordable housing it is assumed that there will be an overall increase in housing provision within the Borough. This will almost certainly have an affect on the vast majority of SA objectives. The overall delivery of additional housing throughout the LDF process will be set out in the Core Strategy. The SA attached to the Core Strategy will be the forum to generally assess the sustainability of additional housing in the Borough. Bearing this in mind, the options relating to the Affordable Housing DPD have been assessed bearing in mind their specific implications, assuming housing has already been secured or delivered on the site.</p> <p>All 5 options have a similar impact on housing, liveability and place, equity, diversity, equality and participation and futurity, however some are more sustainable than others. The most sustainable options appear to be options NEW1 and 6 which have a positive impact on the housing objective over the whole assessment timescale. The least sustainable option appears to be option 7, as this may not result in the delivery of any affordable housing in the short term.</p> <p>A combination of option NEW1 and 6 should be utilised.</p>
<p align="center">2007 Hartlepool Strategic Housing Market Assessment</p>	<p>An analysis of the current and future housing markets concluded that market demand was exceeding supply in most areas and that a degree of pressure in the current housing market was a result of considerable uplift in house prices across the Borough over the past five years. A shortfall of affordable units was identified, this affordable need was heightened by the limited capacity of the social rented sector with low vacancy rates and long waiting lists.</p> <p>The report suggested a target for affordable housing on new developments of 30% of which 80% should be social rented and 20% intermediate tenure.</p>
<p align="center">2008 Tees Valley Strategic Housing Market Assessment</p>	<p>The assessment supported the affordable housing need identified within the Hartlepool SHMA. In addition to this it suggested a 20% affordable housing requirement for housing developments across the Tees Valley. This 20% figure was viewed as achievable and reasonable figure to expect private developers to contribute to, based on a comparison of sensible affordable housing policies in place across the North East of England and local needs within the Tees Valley.</p>

Process	Issue 2 Policy Formulation Consultation Process
<p align="center">2009 Economic Viability Assessment</p>	<p>The results of the economic viability assessment show that in current market conditions, the development of residential property is generally economically unviable, regardless of affordable housing.</p> <p>The results suggest that any policy put in place will need to be flexible and perhaps have built in trigger points or similar mechanisms which enable more affordable housing to be delivered as market conditions improve.</p> <p>The assessment states that setting a policy at 0% based on the results of the baseline analysis is unsustainable across the course of the plan period and will not meet the identified housing need of people across the Borough. In order to ensure that any future developments are viable and not stifled by an onerous affordable housing requirement, the policy should be flexible enough to have regard to prevailing market conditions. This method will allow both for the maximisation of affordable housing on site and the viability of schemes aiding delivery in the long term.</p> <p>The assessment shows that on the sites assessed, in certain market conditions, schemes including 10% affordable housing are viable. It is the aim of the Local Authority to maximise the number of affordable homes delivered across the borough, regardless of market conditions. Therefore a policy which builds in both some certainty for landowners and developers and flexibility to account for differing market conditions and allows for the establishment of viability on a scheme by scheme basis would seem to be the best way of meeting this role.</p>
<p align="center">National Planning Policy Guidance</p>	<p>PPS3: Housing states in paragraph 29 that a DPD should set an overall (ie plan-wide) target for the amount of affordable housing to be provided. This will not be done in this DPD however it will be identified in a subsequent DPD delivered as part of the LDF. Paragraph 29 goes further to state that the DPD should also reflect an assessment of the likely economic viability of land for housing within the area along with information from the Strategic Housing Market Assessment.</p> <p>The policy development process takes into consideration the evidence in the Economic Viability Assessment and the Hartlepool and Tees Valley SHMAs.</p>
<p align="center">Regional Planning Policy Guidance</p>	<p>In paragraph 3.104 in the RSS it states that It will be for LDFs to determine the actual target for affordable housing provision and the range of housing requirements through up-to-date local housing assessments, although Strategic Housing Market Assessments will assist this.</p> <p>The policy development process takes into consideration the evidence in the Economic Viability Assessment and the Hartlepool and Tees Valley SHMAs.</p>

Process	Issue 2 Policy Formulation Consultation Process
<p>Overall Policy Justification</p>	<p>Through the previous consultations there was strong support for setting a % affordable housing requirement that also took into consideration the economic viability of schemes.</p> <p>This view was reinforced by the recent Economic Viability Assessment. The assessment revealed that in certain market conditions, schemes including 10% affordable housing are viable. The assessment went further to advocate that the policy needs to build in and balance both certainty for landowners and developers and also the flexibility to account for differing market conditions allowing for the establishment of viability on a scheme by scheme basis.</p> <p>Bearing this in mind a minimum affordable housing requirement of 10% will be required on all developments and the requirement will be increased where there is an identified local need and/or the economic viability of schemes allows for a greater requirement.</p> <p>It is the intention of the Council to assess/verify the economic viability of new housing schemes with regard to the amount of affordable housing provision; utilising an Economic Appraisal Tool provided by the consultants DTZ as part of the recent Economic Viability Assessment.</p> <p>The Homes and Communities Agency provides the same model and offers online guidance to help local authorities and developers establish the economic viability of housing and mixed-use regeneration schemes.</p> <p>The Economic Appraisal Tool allows local authorities to establish effective but realistic affordable housing targets in order to meet national planning policy requirements, based on a calculation of residual land value. The tool is designed to be site specific, but can also be used to inform viability modelling to test affordable housing targets in Local Development Frameworks.</p>

8.15 The following policy text is proposed based on the previous consultations stages at Issues and Options, Preferred Options and other relevant evidence:

DRAFT POLICY AH2	AFFORDABLE HOUSING TARGET
A MINIMUM AFFORDABLE HOUSING TARGET OF 10% WILL BE DELIVERED ON ALL SITES.	
HIGHER PERCENTAGES OF AFFORDABLE HOUSING WILL BE SUBJECT TO NEGOTIATION ON A SITE-BY-SITE BASIS WHERE THERE IS AN IDENTIFIED LOCAL NEED AND/OR THE ECONOMIC VIABILITY OF SCHEMES ALLOWS FOR A GREATER PROVISION.	

Supporting Text

- 8.16 The affordable housing target that will be sought as part of new housing developments will be calculated as a percentage of the total number of gross additional dwellings planned in the development.
- 8.17 Although there is a minimum target established it is the intention of the Council to assess and verify the economic viability of new housing schemes with regard to the amount of affordable housing provision they can deliver. If it is established that the development's profitability is such that it will facilitate a higher percentage, above the minimum affordable housing target, the Council will seek for a greater affordable housing provision.
- 8.18 The economic viability of new residential developments will be assessed using the most up to date Economic Viability Tools available to the Council.

Issue 3	Where Should Affordable Housing be Provided?
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- 8.19 The Council is committed to the development of mixed and balanced communities. One way of delivering this is by including an element of affordable housing within new private housing developments. On-site provision will, in most cases, prove to be the best solution, however, there may be exceptional circumstances where off-site provision, or a financial contribution, may be more appropriate in tackling the identified local affordable housing needs in the Borough of Hartlepool.
- 8.20 The following options have been prepared to explore the different provision type options and to assess which would be most suitable for the Borough of Hartlepool.

No	Issue 3 Options
8	All affordable provision to be provided on-site?
9	Off-site provision to be allowed if it is demonstrated that off-site provision will make a better contribution towards achieving strategic housing objectives?
10	Allow commuted sums for developments where it can be demonstrated that a scheme is unviable in terms of delivering on site affordable units?
11	Allow off-site provision to be provided in an alternative area of greater affordable housing need?

- 8.21 The following table identifies the process undertaken to reach the Preferred Option and the draft policy wording and offers an overall justification as to how the draft policy was formulated.

Process	Issue 3 Policy Formulation Consultation Process
2008 Issues & Options	<p>From the representations received only two supported the option of all affordable housing provision being provided on site. A number of the comments received did however highlight that in certain circumstances it would be inappropriate to provide affordable housing on the site, for example on executive housing sites.</p> <p>Seven of the responses received considered that provision of affordable housing off-site should be supported if it is demonstrated that it would go further towards achieving strategic housing objectives. The majority of these responses were from housebuilders who supported a degree of flexibility within the issue of where affordable housing should be provided, particularly option 9.</p>

Process	Issue 3 Policy Formulation Consultation Process
2008 Preferred Options	All of the options received support, suggesting that the policy should incorporate an element of all of the options. However, the majority of representations were split between option 8 and option 9 whereby provision should be predominantly on-site with justified off-site provision.
2009 Sustainability Appraisal	<p>In order to secure the delivery of affordable housing it is assumed that there will be an overall increase in housing provision within the Borough. This will almost certainly have an affect on the vast majority of SA objectives. The overall delivery of additional housing throughout the LDF process will be set out in the Core Strategy. The SA attached to the Core Strategy will be the forum to generally assess the sustainability of additional housing in the Borough. Bearing this in mind, the options relating to the Affordable Housing DPD have been assessed bearing in mind their specific implications, assuming housing has already been secured or delivered on the site.</p> <p>All 4 options have a similar impact on housing, liveability and place, equity, diversity, equality and participation and futurity, however some are more sustainable than others. The most sustainable option appears to be option 8 which has a positive impact on the housing objective over the whole assessment timescale. The least sustainable options appear to be options 10 and 11, which essentially allow for off-site provision and delivery via commuted sums which may not result in the delivery of any affordable housing in the short term.</p>
National Planning Policy Guidance	<p>PPS3: Housing states in paragraph 29 that in seeking developer contributions, the presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. However, where it can be robustly justified, off-site provision or a financial contribution in lieu of on-site provision (of broadly equivalent value) may be accepted as long as the agreed approach contributes to the creation of mixed communities in the local authority area.</p> <p>In lieu of any local evidence to the contrary, the policy development process takes this into consideration and reflects the guidance.</p>
Overall Policy Justification	<p>It is considered that this proposed approach falls in line with the guidance contained within PPS3 which advocates that affordable housing should be delivered on the development site so that it contributes towards creating a mix of housing.</p> <p>The consultation responses advocated a need for a more flexible approach to where the affordable housing provision should be within the town. Acknowledging however that the majority of these responses are from housebuilders, it is accepted that the policy wording allow a certain degree of flexibility, if it can be justified, whilst ensuring that the policy remains in line with national guidance.</p>

8.22 The following policy text is proposed based on the previous consultations stages at Issues and Options, Preferred Options and other relevant evidence:

DRAFT POLICY AH3	WHERE AFFORDABLE HOUSING IS PROVIDED
<p>ALL AFFORDABLE HOUSING WILL BE DELIVERED THROUGH ON-SITE PROVISION.</p> <p>ONLY IN EXCEPTIONAL CIRCUMSTANCES WILL IT BE ACCEPTABLE FOR PROVISION TO BE MADE OFF-SITE. APPLICANTS WILL NEED TO PROVIDE SOUND, ROBUST EVIDENCE WHY THE AFFORDABLE HOUSING CANNOT BE INCORPORATED ON-SITE AND SHOW HOW OFF-SITE PROVISION OR COMMUTED SUMS WILL CONTRIBUTE TO THE CREATION OF SUSTAINABLE MIXED COMMUNITIES ELSEWHERE IN THE BOROUGH.</p>	

Supporting Text

- 8.23 The delivery emphasis of affordable housing will be very strongly favoured to provide on-site provision as there is a short supply of available development land within the urban area of Hartlepool to cater for off-site developments. In the unlikely event that a developer is proposing the provision of affordable housing off-site, there should be early discussions with the Council to identify a suitable site or sites.
- 8.24 In the unlikely event that off-site provision is proposed, similar to the on-site provision, the timing of off-site provision will be related to the completion of numbers of properties on the associated general market housing site. The general approach will be to secure completion of the affordable homes in step with the general market housing, unless the timing is otherwise agreed with the Council.
- 8.25 The least preferred option is for a financial contribution to be made. Where a financial contribution is acceptable to the Council, the amount will be calculated by deducting the transfer price of the unit from its open market value.

Issue 4	Type & Tenure of Affordable Housing?
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- 8.26 The Council is committed to the development of mixed and balanced communities. As affordable housing is secured as part of a new housing development the delivered units will fall into various types and tenures. Bearing this in mind an aspirational percentage ratio of tenure types needs to be established, giving guidance to developers that can be applied to all sites above the agreed threshold to ensure delivery of affordable housing that meets the identified local need.
- 8.27 The following options have been prepared to explore the different type and tenure options and to discover which would be most suitable for the Borough of Hartlepool.

No	Issue 4 Options
12	80% Social Rented and 20% intermediate tenure on each site, in line with SHMA findings?
13	An 80/20% tenure split across all housing developments with the split on each individual site being negotiated having regard to the mix of tenures nearby?
14	A more even split of social rented and intermediate tenure properties?
15	Should housing types be specified within the policy e.g. family homes/bungalows etc?

- 8.28 The following table identifies the process gone through to reach the Preferred Option and the draft policy wording and offers an overall justification as to how the policy was formulated.

Process	Issue 4 Policy Formulation Consultation Process
2008 Issues & Options	<p>From the representations received only one supported a tenure split of 80% social rented and 20% Intermediate as proposed by option 12. Option 13 was only supported by two representations. It was also indicated that RSL's should be consulted when the planning application is being considered to provide details of current waiting list requirements.</p> <p>Option 14 received the greatest level of support. However it is important to note that of these responses 6 were from developers highlighting the preference for intermediate housing products amongst the development industry. It was also indicated that a flexible approach to tenure split depending on the individual application site is considered most appropriate by private developers.</p>

Process	Issue 4 Policy Formulation Consultation Process
2008 Preferred Options	All of the options received support, suggesting that the policy should incorporate an element of all of the options. However, the majority of representations were split between option 13 and option 14 whereby tenure is split between 80% social rented and 20% intermediate tenure. However, with support for option 14, especially from developers and the HBF there should be flexibility built into the policy wording.
2009 Sustainability Appraisal	<p>In order to secure the delivery of affordable housing it is assumed that there will be an overall increase in housing provision within the Borough. This will almost certainly have an affect on the vast majority of SA objectives. The overall delivery of additional housing throughout the LDF process will be set out in the Core Strategy. The SA attached to the Core Strategy will be the forum to generally assess the sustainability of additional housing in the Borough. Bearing this in mind, the options relating to the Affordable Housing DPD have been assessed bearing in mind their specific implications, assuming housing has already been secured or delivered on the site.</p> <p>All 4 options have an identical impact on housing, liveability and place, equity, diversity, equality and participation and futurity.</p> <p>No option is more sustainable than the other in this instance.</p>
2007 Hartlepool Strategic Housing Market Assessment	The Hartlepool SHMA has identified the tenure split of 80% social rented 20% intermediate affordable accommodation would be appropriate for the Borough of Hartlepool.
2008 Tees Valley Strategic Housing Market Assessment	The Tees Valley SHMA has identified the same tenure split as the Hartlepool SHMA of 80% social rented 20% intermediate affordable accommodation to apply across the Tees Valley.
National Planning Policy Guidance	<p>PPS3: Housing states in paragraph 29 that a DPD should set separate targets for social-rented and intermediate affordable housing where appropriate.</p> <p>The draft policy wording specifically sets an aspirational target split of social-rented and intermediate affordable housing provision.</p>
Regional Planning Policy Guidance	<p>Policy 30 in the RSS states that plans should make provision for a range of dwelling type, size and tenure to meet the assessed needs of all sectors of the community.</p> <p>The draft policy wording specifically sets an aspirational target split of social-rented and intermediate affordable housing provision and also advocates negotiating affordable housing type provision on a site-by-site basis.</p>

Process	Issue 4 Policy Formulation Consultation Process
Overall Policy Justification	<p>The tenure split of 80% social rented and 20% intermediate affordable housing is considered most appropriate to meet Hartlepool's strategic housing aims and the identified housing need within the town. Based on the evidence gathered for the Hartlepool SHMA recommendations were made for a 80% social rented and a 20% intermediate affordable housing split to meet the need within the town.</p> <p>Further justification for this is the reduction of social rented stock through the Right to Buy scheme, taking into consideration the increasing numbers of residents on the housing waiting list. This suggests a strong demand for social rented stock. In contrast to this intermediate affordable housing products are limited within Hartlepool and the demand for these products is relatively low, thus there is currently no evidence to suggest that setting a higher requirement for intermediate housing products would be successful or would meet the needs of Hartlepool residents identified within the evidence base.</p> <p>The housing type will be negotiated on a site-by-site basis based on the most up-to-date evidence of need in the area.</p>

8.29 The following policy text is proposed based on the previous consultations stages at Issues and Options, Preferred Options and other relevant evidence:

DRAFT POLICY AH4	TYPE & TENURE OF AFFORDABLE HOUSING
<p>DEVELOPERS WILL BE EXPECTED TO ACHIEVE AN ASPIRATIONAL TARGET OF 80% SOCIAL RENTED AND 20% INTERMEDIATE TENURE MIX ON EACH SITE.</p> <p>HOUSING TYPE AND TENURE SPLIT WILL BE NEGOTIATED ON A SITE-BY-SITE BASIS, HAVING REGARD TO THE MOST UP-TO-DATE EVIDENCE OF NEED, MIX OF TENURES OF EXISTING HOUSING NEARBY, THE DESIRE TO CREATE BALANCED COMMUNITIES AND THE CONSTRAINTS AND REQUIREMENTS OF PROVIDING ON-SITE-PROVISION.</p>	

Supporting Text

8.30 The aspirational tenure split of 80% social rented and 20% intermediate affordable housing is considered most appropriate to meet Hartlepool's strategic housing aims and the identified housing need within the town. This is based on robust Hartlepool and Tees Valley Strategic Housing Market Assessment evidence and recent evidence from the Council's housing waiting list. The need is compounded by the reduction of social rented stock through the Right to Buy scheme.

- 8.31 Bearing in mind the aspirational target, the Council recognises that negotiation on a site-by-site basis would be the best approach; ensuring that nearby housing is taken into consideration in the desire to create sustainable balanced and mixed communities. Where a developer is proposing a target that deviates from the 80/20 split, there should be early discussions with the Council to ensure an appropriate target is achieved.
- 8.32 The Council promotes the development of energy efficient housing. It is important not only to minimise the running costs of a home to the occupier but also to create sustainable homes and reduce emissions. The Council will be assessing schemes using the Code for Sustainable Homes. It is expected that all affordable properties will achieve a Code Level 3 or greater. If there are changes to Building Regulations following the publication of this document that require level 4 as a minimum the Building Regulations will take precedence over the level specified within this DPD.
- 8.33 In respect of affordable homes which are receiving funding from the Homes and Communities Agency (HCA), these properties would be expected to meet the design standards set out within the HCA Design and Quality Standards in April 2007 or any subsequent standards that amend or replace those standards.
- 8.34 The Council will expect applicants to ensure that the affordable properties are integrated into the overall development, in terms of their built form and external appearance, so that they are indistinguishable from the market properties. Affordable properties should not be marked out by being of poorer design, specification and quality of finish than neighbouring market properties. It is recommended that the skills and experience of RSL's be employed at an early stage in the design process to ensure that the future management of the affordable housing units is fully considered.
- 8.35 The Council supports the development of sustainable mixed and balanced communities. In order to avoid the negative implications of social exclusion and isolation, affordable homes within housing schemes should be evenly distributed across the site and not disproportionately allocated to the periphery or in one particular area. The Council will require affordable homes to be grouped together in clusters of no more than 5 properties.
- 8.36 In apartment/flat schemes the Council requires pepper potting to be maintained. However it is recognised that other issues impact upon the provision of affordable units in apartment blocks, including difficulties in their management and financial concerns regarding levels of service charges. The benefits of this will be weighed against the scope to achieve a better degree of pepper potting. The level of pepper-potting on apartment schemes will be negotiated on a site-by-site basis.
- 8.37 The Council expects the location of the affordable housing will be discussed and agreed at an early stage in conjunction with the appointed RSL. The final location must be agreed before development starts.

8.38 There is a need for properties that are either accessible for wheelchair users now or can be easily adapted to meet the changing mobility needs of the occupants over time. The Council therefore, negotiated on a site-by-site basis, will be seeking a proportion of affordable units to be built to Lifetime Homes standards.

Issue 5	How Should the Affordable Units be Managed and Sustained in the Future?
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- 8.39 The Council is committed to the development of mixed and balanced communities. As affordable housing is secured as part of a new housing development the delivered units will need to be managed in the future. In order to give certainty to developers and to the Registered Social Landlords that manage affordable housing in the Borough an approach has to be developed that can be applied to all sites above the agreed threshold.
- 8.40 The following options were prepared to explore the different affordable housing delivery and management options and to discover which would be most suitable for the Borough of Hartlepool.

No	Issue 5 Options
16	Affordable units should be delivered in partnership with a registered social landlord (RSL) by means of a Section 106 legal agreement?
17	Affordable units should be delivered in partnership with a registered social landlord (RSL) by means of a Section 106 legal agreement with right to buy for tenants removed?
18	Affordable units to be delivered and managed by the developer and the Council by means of planning conditions setting out occupancy criteria and criteria to retain the units in perpetuity?

- 8.41 The following table identifies the process gone through to reach the Preferred Option and the draft policy wording and offers an overall justification as to how the policy was formulated.

Process	Issue 5 Policy Formulation Consultation Process
2008 Issues & Options	<p>Of the representations received option 16 was considered most favourable by the respondents. No comments within the consultation suggested that management of affordable stock by a RSL was not acceptable within Hartlepool. It is important to consider that only a minority of the consultation responses were from RSL's.</p> <p>Only a minority of the responses selected options 17 and 18. It was highlighted within the consultation by a number of housing professionals that removal of the right to buy entitlement from the affordable units may not be appropriate and may contradict Landlord and Tenant Law.</p>

Process	Issue 5 Policy Formulation Consultation Process
2008 Preferred Options	There was support for all options, however the majority supported option 16 whereby affordable units are delivered via a Section 106 agreement and delivered in partnership with an RSL.
2009 Sustainability Appraisal	<p>In order to secure the delivery of affordable housing it is assumed that there will be an overall increase in housing provision within the Borough. This will almost certainly have an effect on the vast majority of SA objectives. The overall delivery of additional housing throughout the LDF process will be set out in the Core Strategy. The SA attached to the Core Strategy will be the forum to generally assess the sustainability of additional housing in the Borough. Bearing this in mind, the options relating to the Affordable Housing DPD have been assessed bearing in mind their specific implications, assuming housing has already been secured or delivered on the site.</p> <p>The options have varying effects on sustainability across the board. The most sustainable options appear to be options 16 and 17 which have a positive impact on several objectives. The most sustainable option is 17, particularly because of the RSL involvement and the requirement to provide affordable housing in perpetuity, this being sustainable in the short, medium and long term. The least sustainable option was 18 as it does not involve a partnership with an RSL in the process.</p> <p>Option 17 is the most sustainable option whereby and RSL is involved and affordable housing is provided in perpetuity.</p>
National Planning Policy Guidance	<p>PPS3: Housing states in paragraph 29 that a DPD should set out the approach to seeking developer contributions to facilitate the provision of affordable housing.</p> <p>The draft policy wording specifically states how affordable housing will be delivered through planning obligations and managed in the future.</p>
Regional Planning Policy Guidance	<p>Policy 30 in the RSS states that plans should have regard to the level of need for affordable housing, including the use of planning obligations in the development of all housing sites.</p> <p>The draft policy wording specifically states how affordable housing will be delivered through planning obligations and managed in the future.</p>

Process	Issue 5 Policy Formulation Consultation Process
Overall Policy Justification	<p>Option 17, although the most sustainable, could not be practically operated as right to buy is available to tenants with secured tenancies and is legally required as part of this tenancy. The right to acquire is available to tenants on an assured tenancy and is also a legal requirement. It would not be possible to remove the right to buy/acquire from any social rented property as it is a legal entitlement for the tenant.</p> <p>Option 16 is considered to be the most appropriate option for the management of affordable accommodation. It is the Council's aspiration to ensure that affordable units remain affordable taking into account government guidance. It is also important to consider that an element of flexibility must remain within the final policy to respond to changing economic circumstances and new methods of affordable housing management that may prove to be appropriate for Hartlepool.</p>

- 8.42 The following policy text is proposed based on the previous consultations stages at Issues and Options, Preferred Options and other relevant evidence:

DRAFT POLICY AH5	AFFORDABLE HOUSING FUTURE MANAGEMENT
<p>ALL AFFORDABLE UNITS WILL BE DELIVERED IN PARTNERSHIP WITH A REGISTERED SOCIAL LANDLORD BY MEANS OF A SECTION 106 LEGAL AGREEMENT, WITH APPROPRIATE PROVISION TO SECURE LONG TERM AVAILABILITY.</p>	

Supporting Text

- 8.43 The Council regards partnership delivery with a Registered Social Landlord (RSL) as the preferred means of securing affordable housing, tied in by means of a Section 106 legal agreement to which the RSL will be party. This applies to all the forms of affordable housing.
- 8.44 Where a developer is proposing providing affordable housing involving an RSL there should be early discussions with the Council to establish the Section 106 legal agreement.
- 8.45 Although the emphasis in determining affordability is primarily focussed on rent or purchase price, it is the total cost of occupation that ultimately determines affordability. Some residential developments have high levels of service charges, and this has an impact upon the relative affordability of the accommodation. Such potentially significant additional costs may result in affordable housing extending beyond the financial reach of those in housing need. It is therefore anticipated that the cost of service charges will be

minimised. The proposed level of service charges will form part of pre-application discussions.

- 8.46 The HCA is the main provider of external funding for affordable housing. Their approach is that affordable housing on Planning Obligation sites should be delivered without the input of Grant. If Grant were to be considered on a site, their objective would be to ensure that the site delivers more affordable housing or a different mix or higher standards, than would have been possible without Grant. The HCA will assess the 'additionality' offered by a scheme in making a decision regarding potential funding. Developers should therefore assume that no Grant will be available to fund the affordable housing, unless an agreement has been made with the HCA (before the HCA is approached developers must ensure that the Local Authority will support a bid to the HCA for grant funding).
- 8.47 The Council will seek to negotiate, on a site-by-site basis, transfer prices as these are likely to fluctuate depending on housing market conditions.

9. NEXT STEPS

- 9.1 As previously illustrated, following the close of consultations on the Preferred Options, the Affordable Housing DPD will be prepared for submission to Government for Independent Examination. It will be published prior to submission, at which time objections and representations regarding the soundness of the document can be made. The tests of soundness are nationally prescribed tests whereby they ensure that the DPD is justified, effective and consistent with regional and national policy.
- 9.2 Each of the issues represented at this production stage have developed a Preferred Option which has resulted in a draft policy wording addressing the specific issue. Taking into consideration representation resulting from subsequent consultations on these Preferred Options it is assumed that at the submission stage the five individual draft policy wordings will be brought together to form a single affordable housing policy wording.

<p style="text-align: center;">CABINET REPORT 19TH October 2009</p>
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Report of: Director of Regeneration and Neighbourhoods

Subject: PLANNING OBLIGATIONS SUPPLEMENTARY
PLANNING DOCUMENT

SUMMARY

1. PURPOSE OF REPORT

1.1 Cabinet is asked to approve the Planning Obligations Supplementary Planning Document (SPD) for public consultation. This SPD will form part of the Local Development Framework.

2. SUMMARY OF CONTENTS

2.1 The SPD will provide a framework for obtaining contributions from developers towards a range of vital infrastructure and other relevant works deemed necessary as a result of new developments. The SPD primarily sets out a set of general principles regarding planning obligations covering issues such as relevant policy background, types of obligations and thresholds. The second part of the SPD focuses on specific financial contributions and levels and thresholds.

3. RELEVANCE TO CABINET

3.1 The Planning Obligations SPD is a strategic document within the Local Development Framework.

4. TYPE OF DECISION

4.1 Budgetary and Policy Framework

5. DECISION MAKING ROUTE

5.1 Cabinet meeting on 19th October 2009.

6. DECISION(S) REQUIRED

- 6.1 Cabinet is asked to approve the Planning Obligations SPD for public consultation subject to minor editing. Cabinet is also asked to delegate power to the Director to approve the Sustainability Appraisal and Appropriate Assessment Scoping Report for this SPD prior to the consultation event.

Report of: Director of Regeneration and Neighbourhoods

Subject: PLANNING OBLIGATIONS SUPPLEMENTARY
PLANNING DOCUMENT

1. PURPOSE OF REPORT

- 1.1 Cabinet is asked to approve the Planning Obligations Supplementary Planning Document (SPD) for public consultation. This SPD will form part of the Local Development Framework.

2. BACKGROUND

- 2.1 The purpose of this SPD is to provide developers and other interested parties with information and guidance concerning the Local Authority's approach towards securing planning obligations associated with development within the Borough (enclosed as **Appendix 1**). To date Council Officers have relied upon Policy GEP9 of the Hartlepool Local Plan 2006 to draw down planning obligations (Using Section 106 Legal Agreements) from developments as part of the planning process. This Planning Obligations SPD uses the principles underpinned in GEP9 as the policy basis for this document.
- 2.2 Since the Local Plan was adopted in 2006, it has been necessary, as part of the development of the Local Development Framework (LDF), to undertake a number of "evidence base" documents and studies. Studies including the Hartlepool Strategic Housing Market Assessment, the PPG17 Open Space Assessment, the Tees Valley Green Infrastructure Strategy, the Employment Land Review and the Indoor Sports Facilities Strategy have all helped to improve the evidence base in relation to the development of LDF documents. The findings from some of these studies have informed the Planning Obligations SPD making it relevant and up-to-date.
- 2.3 An initial consultation on planning obligations was carried out between September and October 2007 to ascertain views on the types of planning obligations that should be sought. The views received during this consultation have been taken into account in drafting this SPD.
- 2.4 Once the SPD is adopted, it will be a material consideration in determining planning applications and, if development proposals do not comply, the SPD may be used as a basis for the refusal of planning permission by the Local Planning Authority. Planning Obligation Agreements have to be agreed and to be in place before planning permission can be granted. The SPD aims to

increase understanding and enable developers to take into account the potential costs of a proposed development at the earliest stage.

- 2.5 The SPD is made up of two sections. The first section sets out the Local Authority's general principles with regards to Planning Obligations, and the second section explains the thresholds and levels of financial contributions of the specific planning obligations that the local authority may wish to seek.
- 2.6 It is recognised that this SPD is being prepared during hard economic times and, as such, this is reflected in the levels of contributions that are required from developers. The types of specific contributions which may be sought, the thresholds which will trigger the need for those contributions and the levels of contributions necessary have been set at realistic levels that will allow the delivery of vital infrastructure improvements without unduly impacting on the viability of proposed schemes. It is anticipated that the SPD will be reviewed and updated which will be particularly important when the economic climate improves in time.
- 2.7 The SPD also sets out a wide range of national, regional and local policies and guidance that support the requirement to seek certain planning obligations as part of the planning process. One of the key pieces of national policy relating to planning obligations is Circular 05/2005 which updated policy guidance on the use of obligations within the existing legislative framework. Circular 5/05 reiterates previous guidance that planning obligations should only be sought where they meet the following tests:
- (i) relevant to planning;
 - (ii) necessary to make the proposed development acceptable in planning terms;
 - (iii) directly related to the proposed development;
 - (iv) fairly and reasonably related in scale and kind to the proposed development; and
 - (v) reasonable in all other respects.

It is therefore necessary that any requirements made of a development as set out within this SPD can satisfy the tests set out above.

- 2.8 The SPD also reflects Circular 05/2005 which provides guidance on provision for subsequent ongoing and future maintenance of facilities. In cases where individual developments will have some impact but not sufficient to justify the need for a discrete piece of infrastructure contributions may be put towards a fund which will be used on more significant developments (for example towards the renewal or replacement of a leisure facility).
- 2.9 The specific obligations that are highlighted as key priorities to the Council are detailed within the second part of the SPD. These include;
- Affordable Housing
 - Open Space, Outdoor Sport/Recreation and Play Facilities
 - Built Sports Facilities

- Green Infrastructure
- Highway Infrastructure
- Community Facilities
- Community Safety
- Training and Employment
- Public Art

Although these are seen as priorities to the Council this does not rule out contributions towards other types of obligation being required if it is considered that a certain development necessitates it.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial pressures put on the Council as a result of this document as it is proposed within the SPD that the Council will be able to charge legal costs, incurred by the Council, involved in the preparation of Section 106 Agreements to the developers. This would be based on an hourly rate of the legal department officer and would be agreed with the developer at the outset of the planning process.
- 3.2 The requirements within the SPD will be of great benefit to the town as it will ensure that developments will contribute, in an open and transparent manner, towards essential infrastructure and community provisions and financial contributions towards future implementation of new and improved infrastructure that the development has an impact on.

4. PUBLIC CONSULTATION AND NEXT STEPS

- 4.1 The Local Development Scheme 2009 indicates that it is necessary to start a public consultation exercise on the Planning Obligation SPD in October 2009. As such it is proposed that public consultation on this document would begin on the Friday 30th October 2009 and would run for 6 weeks until Friday 11th December 2009.
- 4.2 In order to ensure that it reaches a wide ranging audience, and in accordance with the provisions of the Statement of Community Involvement (SCI), the SPD will be made available at a variety of Council buildings including the Civic Centre, Bryan Hanson House and the libraries. It will also be available on the Council's website and the Planning Policy Consultation website.
- 4.3 Comments and representations received during the consultation period will then be taken into account and where appropriate will be incorporated into the SPD prior to formal adoption of the Planning Obligations SPD in early 2010.

5. RECOMMENDATIONS

- 5.1 Cabinet is asked to approve the Planning Obligations SPD for public consultation subject to minor editing. Cabinet is also asked to delegate power to the Director to approve the Sustainability Appraisal and Appropriate Assessment Scoping Report for this SPD prior to the consultation event.



Hartlepool Borough Council Planning Obligations

**Supplementary
Planning Document**



October 2009



app

This document is the Supplementary Planning Document (SPD) which outlines Hartlepool Borough Council's approach on Planning Obligations which will be required in relation to development within the Borough. This is a draft document and is subject to a formal six-week public consultation period, from Friday 30th October 2009 until Friday 11th December 2009. Comments on this draft should be emailed to planningpolicy@hartlepool.gov.uk. or sent in writing to:

Matthew King
Principal Planning Officer
Planning Policy and Implementation Team
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

(All responses should be received by 4.30pm on Friday 11th December 2009.)

This draft SPD, its accompanying Sustainability Appraisal Scoping Report, other background documents and a comments form are available on the Council's website at:

www.hartlepool.gov.uk

<u>CONTENTS</u>		
PART ONE – GENERAL PRINCIPLES		
Section Number	Subject	Page Number
1.0	Introduction	1
2.0	Purpose of SPD	2
3.0	Status of SPD	3
4.0	National Policy	3
5.0	Regional Policy	5
6.0	Local Policy	5
7.0	Priorities	6
8.0	Types of Obligations and Thresholds	6
9.0	In kind Contributions	8
10.0	Financial Contributions & Pooling of Contributions	8
11.0	Existing Uses	9
12.0	Unilateral Undertakings	9
13.0	Index Linking	9
14.0	Review of Baseline Figures	10
15.0	Maintenance Costs	10
16.0	Economics of Provision	10
17.0	Legal and Admin Costs	10
18.0	Drafting of Agreements	10
19.0	Monitoring	11
20.0	Contact Details	11
PART TWO – SPECIFIC CONTRIBUTIONS		
21.0	Affordable Housing	12
22.0	Open Space, Outdoor Sport/Recreation and Play Facilities	21
23.0	Built Sport Facilities	26
24.0	Green Infrastructure	30
25.0	Highway Infrastructure	34
26.0	Community Facilities	37
27.0	Community Safety	40
28.0	Training and Employment	42
29.0	Public Art	44
APPENDICES		
Appendix 1	Summary of Pre-Consultation Exercise	46
Appendix 2	Standardised Section 106 Agreement Template	48
Appendix 3	Glossary of Terms	49

LIST OF TABLES		
	Table Title	Page
Table 1	Types of Obligations and Thresholds	7
Table 2	Contact Details	11
Table 3	Level of contribution for Open Space, Outdoor Sport and Children's Play	24
Table 4	Level of contribution for Built Sports Facilities	29
Table 5	Level of contribution for Green Infrastructure	33
Table 6	Development thresholds requiring a Travel Plan	35
Table 7	Development thresholds requiring a Training and Employment Plan	43

1.0 Introduction

- 1.1 The purpose of this Supplementary Planning Document (SPD) is to provide developers and other interested parties information and guidance concerning the local authority's approach towards securing planning obligations associated with development within the Borough.
- 1.2 The Local Authority will continue to use planning conditions as part of the planning application process to ensure that new developments in the town well designed and attractive and will have a positive impact on the townscape of Hartlepool. New development however, often puts pressure on already over-stretched infrastructure and it is generally expected that developers will mitigate or compensate for the impact of their proposals by way of 'Planning Obligations'. These are usually concluded under Section 106 of the Town & Country Planning Act 1990 (as amended) and are agreements between local planning authorities and developers (and the landowner where the developer does not own the land) that secure contributions (in cash or in kind) to address community and infrastructure needs associated with development.
- 1.3 A pre-consultation was carried out between September and October 2007 to ascertain views on the types of contribution that should be sought. A summary of the pre-consultation exercise is included at appendix one.
- 1.4 This SPD will help to ensure that developments make a positive contribution to sustainable development by providing social, economic and environmental benefits to the community as a whole. To ensure that these benefits are optimised, and as part of the statutory process, a Sustainability Appraisal of this SPD has also been prepared to assess the sustainability of the guidance contained within it.
- 1.5 This SPD is made up of two sections. Section One sets out the local authorities general principles with regards to Planning Obligations, and Section Two explains the thresholds and formulae used to calculate the levels of Planning Obligations that the local authority may wish to seek.
- 1.6 Once adopted, this SPD will be a material consideration in determining planning applications and if development proposals do not comply, the SPD may be used as a basis for the refusal of planning permission by the local authority. Planning Obligation Agreements have to be agreed and in place before planning permission can be granted. It is advised that any potential developer should contact the local authority at the earliest stages of the development process to discuss their proposal and establish whether there is likely to be a requirement for a Planning Obligations agreement.

2.0 Purpose of SPD

- 2.1 This Supplementary Planning Document (SPD) has been prepared to set out comprehensively the local authority's approach, policies and procedures in respect of Planning Obligations. It aims to increase understanding and enable developers to take into account the potential costs of a proposed development at the earliest stage.
- 2.2 It is recognised that this SPD is being prepared during hard economic times and this is reflected in the levels of contributions that are required from developers. The types of specific contributions which may be sought, the thresholds which will trigger the need for those contributions and the levels of contributions necessary have been set at realistic levels that will allow the delivery of these vital infrastructure improvements. The Local Authority will regularly review this SPD and should the economic climate improve the levels of contributions will be reassessed.
- 2.3 The Planning Obligations SPD will provide guidance on the requirements and mechanisms for contributions from development for infrastructure and other related provision. It will:
- provide greater clarity for developers and applicants;
 - speed up the processing of applications;
 - provide a clearer framework for assessing requirements and for calculating contributions; and
 - play an important role in ensuring community and infrastructure needs are fulfilled as part of new development.
- 2.4 The major areas that are expected to arise in considering development proposals are:
- Affordable Housing
 - Open Space, Outdoor Sport/Recreation and Play Facilities
 - Built Sport Facilities
 - Highway Infrastructure
 - Community Facilities
 - Green Infrastructure
 - Community Safety
 - Training and Employment
 - Public Art
- 2.5 This list is not exhaustive, but illustrates some of the local authority's main priorities. However, in certain circumstances, other contributions may be sought towards issues such as housing market renewal, flood protection or renewable energy.

3.0 Status of SPD

- 3.1 The SPD expands on established national and regional planning policies and also policies contained within the adopted Hartlepool Local Plan 2006 , in particular GEP9 (Developer Contributions) and will support documents produced as part of the Local Development Framework. The guidance within the SPD will therefore be a material consideration in determining planning applications.
- 3.2 This SPD has been prepared in accordance with Planning Policy Statement 12 – Local Development Frameworks and the associated Town and Country Planning (Local Development) (England) Regulations 2004. Hartlepool Borough Council is currently preparing its Local Development Framework and consequently the Adopted Hartlepool Local Plan (2006) and its policies will be retained until it is replaced by Local Development Documents.
- 3.3 The Planning and Compulsory Purchase Act 2004 requires that a Sustainability Appraisal be undertaken alongside the preparation of an SPD. The Sustainability Appraisal is also required to incorporate the requirements of the European Union Directive 2001/42/EC on Strategic Environmental Assessment. The aim of this is to better integrate the sustainability objectives into plan preparation. A Sustainability Appraisal Scoping Report has been carried out and will be published separately.
- 3.4 This SPD is currently at the draft stage and will be put out to consultation for 6 weeks from Friday 30th October 2009 until Friday 11th December 2009. All responses received will be taken into consideration when drawing up the final draft of the document. The Local Authority's Cabinet will then approve the changes before the SPD is formally adopted.

4.0 National Policy

- 4.1 National planning policy is primarily established in Planning Policy Statements, Planning Policy Guidance and Circulars.
- 4.2 Planning Obligations are legal agreements made under Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12(1) of the Planning and Compensation Act 1991) usually in association with planning permissions for new development. They normally relate to an aspect of a development that cannot be controlled by imposing a planning condition or by other statutory controls. They can serve various purposes including:
- Restricting the use of land
 - Requiring specific operations to be carried out, in, on, under or over the land
 - Requiring land to be used in a specific way

- Requiring a sum or sums to be paid to the Local Planning Authority on a specified date or dates, or periodically.

Circular 5/2005

- 4.3 In July 2005 the Government issued Circular 5/05, which updated policy guidance on the use of obligations within the existing legislative framework.
- 4.4 Circular 5/05 reiterates previous guidance that planning obligations should only be sought where they meet the following tests:
- (i) relevant to planning;
 - (ii) necessary to make the proposed development acceptable in planning terms;
 - (iii) directly related to the proposed development;
 - (iv) fairly and reasonably related in scale and kind to the proposed development; and
 - (v) reasonable in all other respects.
- 4.5 The Circular also provides guidance on provision for subsequent maintenance of facilities and on pooling developer contributions from planning obligations in cases where individual developments will have some impact but not sufficient to justify the need for a discrete piece of infrastructure. It also encourages local authorities to use formulae and standard charges as part of their framework for negotiating and securing planning obligations. They can help speed up negotiations, and ensure predictability, by indicating the likely size and type of some contributions in advance.

Planning Policy Statement 1, Delivering Sustainable Development (2005)

- 4.6 PPS1 states that 'Sustainable development is the core principal underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. It also states that 'Planning has a key role to play in the creation of sustainable communities: communities that will stand the test of time, where people want to live, and which will enable people to meet their aspirations and potential.' PPS1 also refers to the role of planning in delivering the vision for the area as set out in the Community Strategy; for Hartlepool the vision is that: 'Hartlepool will be an ambitious, healthy, respectful, inclusive, thriving and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential' and this planning obligations SPD has been drafted to ensure that new developments support the delivery of this vision in line with the tests set out in Circular 5/2005.

Community Infrastructure Levy

- 4.7 The Government is currently consulting on a proposal to implement the Community Infrastructure Levy (CIL). CIL will be a new charge which Local Authorities in England and Wales will be empowered, but not required, to charge on most types of new development. The Planning

Act 2008 sets the legislative framework for CIL to be delivered. The Government feels that CIL will improve predictability and certainty for developers as to what they will be asked to contribute, will increase fairness by broadening the range of developments asked to contribute, will allow cumulative impact of small developments to be better addressed and will enable important sub-regional infrastructure to be funded.

- 4.8 The Local Authority is currently preparing a response on the CIL consultation, however, there are a number of concerns and issues that have been identified which may mean that the Local Authority chooses not to use CIL and instead continues to use Planning Obligations.

5.0 Regional Policy

- 5.1 Regional policy is established in the Regional Spatial Strategy (RSS) for the North East of England published in 2008. The Plan sets out a broad development strategy for the region for the period up to 2021.

6.0 Local Policy

- 6.1 Previously the Local Authority has not had set criteria for requiring specific planning obligations and has used Section 106 Agreements to obtain contributions towards housing market renewal, transport improvements and open space and play provision amongst others. This Planning Obligations SPD will support policy GEP9 of the Local Plan and will allow a more structured and transparent approach to obtaining contributions in the future.

- 6.2 Policy GEP9 (Developer Contributions) of the adopted Hartlepool Local Plan April 2006 (http://www.hartlepool.gov.uk/site/scripts/download_info.php?fileID=961) sets out where obligations will be used and the benefits that will be sought in furtherance of the Plan's strategy. Supplementary Note 8 on Developer Contributions supports policy GEP9.

POLICY GEP9 - DEVELOPERS' CONTRIBUTIONS
THE BOROUGH COUNCIL WILL 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 (SEE POLICY Tra19),
- ◆ THE LAYOUT AND MAINTENANCE OF LANDSCAPING AND WOODLAND PLANTING,
- ◆ THE LAYOUT AND MAINTENANCE OF OPEN SPACE AND PLAY FACILITIES (SEE POLICY Rec2),
- ◆ THE PROVISION OF NEIGHBOURHOOD PARKS (SEE POLICY Rec3),
- ◆ WORKS TO ENHANCE NATURE CONSERVATION FEATURES,
- ◆ ADDITIONAL MEASURES FOR STREET CLEANSING AND CRIME PREVENTION (SEE POLICIES Com12 and Rec13),

- ◆ THE ACQUISITION AND DEMOLITION OF SURPLUS HOUSING STOCK AND HOUSING IMPROVEMENTS IN LOW DEMAND HOUSING AREAS (SEE POLICIES Hsg6 AND Hsg5),
- ◆ 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 (SEE SUPPLEMENTARY NOTE 8).

- 6.3 Hartlepool Borough Council is also working closely with the other Tees Valley authorities to ensure that a consistent approach to planning obligations across the Tees Valley. Wherever possible the Tees Valley authorities will look to standardise the levels of contributions towards provision and maintenance of infrastructure required. It should be noted however that certain provision will be dictated by local needs and therefore it is not possible to fully standardise the approach across the Tees Valley. However, greater consistency will be beneficial to developers as they will have a good idea of what will be expected as part of any new development.

7.0 Priorities

- 7.1 Planning Obligations will be negotiated on a site-by-site basis. The priority given to any particular type of Planning Obligation will be at the discretion of the Local Authority. It would not be possible to set out townwide priorities relating to development types in any sort of priority order as each development proposal will have different circumstances, whether they are physical, financial, environmental or social. Priorities may vary and will depend on a number of factors including local need as well as central, regional and local government guidance and the current political agenda.
- 7.2 Whilst each obligation will be negotiated on a site-by-site basis the local authority will have due regard for the priority theme areas within the Community Strategy along with other studies that have been undertaken such as the PPG17 Open Space Assessment, Indoor Sports Facilities Study, Developer Contributions for Play & Recreation and the Hartlepool Strategic Housing Market Assessment (SHMA). The desires of the Community Strategy and the findings of these studies will help in guiding where the contributions will be spent.
- 7.3 There may be site-specific requirements other than those highlighted in this SPD that are flagged up whilst an application progresses and these would also need to be included in the planning agreement.

8.0 Types of Obligations and Thresholds

- 8.1 The thresholds for seeking planning contributions are set out in Table 1 below. These thresholds should be read as a guide for normal procedure and are set at practical levels that can be easily identified

and measured. However each planning application will be judged on its own merits and in light of local concerns. There may be instances where obligations will be sought that are below the threshold level if the local authority feel that the impact the development will have justifies the need to require contributions.

Table 1 – Types of Obligations and Thresholds

Landuse	Contribution towards	Threshold (number of units)
Residential	Affordable Housing / Housing Market Renewal	15
	Open Space, Outdoor Sport/recreation and play facilities	5
	Built Sports facilities	5
	Green Infrastructure	5
	Highway Infrastructure	Site-by-Site
	Community Facilities	Site-by-Site
	Community Safety	Site-by-Site
	Training and Employment	20
	Public Art	50
	Commercial:	
A1 Food Retail/Non Food Retail	Training and Employment	500sq m (gross) or more of additional floorspace
	Highway Infrastructure	
	Open Space, Outdoor Sport/recreation and play facilities	
	Green Infrastructure	
	Public Art	
	Community Safety	
B1 Including Offices	Training and Employment	1000sq m (gross) or more of additional floorspace
	Highway Infrastructure	
	Open Space, Outdoor Sport/recreation and play facilities	
	Green Infrastructure	
	Public Art	
	Community Safety	
C1 Hotels	Green Infrastructure	New hotels or extensions of 10 bedrooms or more to existing hotels (based on no. of bedrooms)
	Highway Infrastructure	
	Public Art	
	Open Space, Outdoor Sport/recreation and play facilities	
	Training and Employment	
	Community Safety	
D2		

Including leisure	Highway Infrastructure	1000sq m (gross) or more of additional floorspace
	Play/ Leisure Facilities	
	Green Infrastructure	
	Public Art	
	Training and Employment	
	Open Space, Outdoor Sport/recreation and play facilities	
Other	Case by Case basis	Case by case basis

8.2 Planning Obligations will be sought on developments below these thresholds if the Local Authority feels that the site in question is part of a larger development site. When determining contributions, the Local Authority will look at the cumulative impact of a number of adjoining small developments. Developing sites incrementally or sub-dividing a site to avoid contributions will not be acceptable. Where it is likely that this could occur the Local Authority would request a comprehensive masterplan developed for the area to ensure that the full potential and regeneration benefits of the site are realised. This includes cases where one site is divided between different developers, or is proposed to be developed in a phased manner.

8.3 This is to ensure that the necessary contributions are divided fairly between developers on the whole site and so that services and facilities, to meet overall needs, can be delivered in a comprehensive, rather than piecemeal fashion.

9.0 In Kind Contributions

9.1 The presumption will be that where there is a requirement for on-site improvement, the developer will provide facilities themselves. Where the Local Authority wishes to provide certain facilities themselves, developers will need to donate the land free of charge, together with a financial contribution in lieu of the developer providing the facilities.

10.0 Financial Contributions and Pooling of Contributions

10.1 In cases where the level of contribution secured by the development is insufficient to on its own to provide a facility eg a new play area, then a financial contribution will be paid to the Local Authority upon commencement of the development. This payment will be held in an account along with other similar contributions received. The pool of money within this account will be used to pay for the implementation of schemes once there are sufficient funds. Any contributions that remain unspent at the end of the time period specified in the planning agreement may be repaid upon request by the developer.

11.0 Existing Uses

- 11.1 For the majority of contributions that the Local Authority will be seeking the existing use of the site will be taken into account when determining the levels of contributions. For example, for residential developments, all contributions, with the exception of affordable housing and play, will be based on the increase in population caused by the new development. If the new proposal will result in a lower population then no other contributions would be sought.
- 11.2 The exceptions to this rule are affordable housing and play. As affordable housing is not a requirement that is linked to the demands of an increasing population, existing uses will not be taken into account. The level of affordable housing will be determined by the total number of dwellings proposed in the new development. It is also considered that the provision of play in relation to new housing developments is critical to help to ensure a healthy and active population and as such play contributions will be required in all new housing/residential schemes.

12.0 Unilateral Undertakings

- 12.1 A Unilateral Undertaking is made where an applicant offers an Obligation either in support of a planning application or a planning appeal. Unilateral Undertakings bind the developer to their terms but not the Local Authority. When submitted in connection with an appeal, the appellant's solicitors normally draft the Undertaking, although the Local Authority will usually welcome an opportunity to discuss terms prior to submission to the Inspector.

13.0 Index Linking

- 13.1 In large scale developments which will be delivered in a number of phases, it is likely that financial contributions will be paid in stages. Trigger dates for the payment of financial contributions will be written into the Planning Obligation.
- 13.2 In order to maintain the value of financial contributions between the date of the planning permission and the date that they are paid, the payments will be index linked in accordance with the All Items Retail Prices Index excluding Mortgage Interest Payments Index (RPIX) published by the Office for National Statistics (ONS), or such replacement index as agreed between the parties.
- 13.3 The Council will charge interest for the late payment of financial contributions. Any such liability will be written into the Planning Obligation so that developers are aware of the implications of late payment and agree to the terms when completing the agreement.

14.0 Review of Baseline Figures

14.1 In order to ensure “best value” the Local Authority will regularly review all baseline figures used to calculate Planning Obligations. If any legislation or guidance upon which the strategy is based is subject to change, any such changes would be taken into consideration when reviewing the SPD.

15.0 Maintenance Costs

15.1 Circular 05/2005 states that where planning contributions are secured for facilities that are predominantly for the benefit of users of the associated development then it may be appropriate for the maintenance of these facilities to be contributed to by the developer.

16.0 Economics of Provision

16.1 For all developments, both residential and non-residential, the Local Authority expects the full relevant Planning Obligation requirements, as outlined in this document, to be taken into account when negotiating the price of the land. Applicants should engage in pre-application discussions with the Local Authority. In order for the Local Authority to consider reducing or waiving certain requirements, the developer must be able to show that there are abnormal development costs associated with the site that could not reasonably have been foreseen at the time the land was bought. In exceptional circumstances, for example where the site is found to be heavily contaminated, it may be possible to accept reduced Planning Obligations contributions in order to achieve an acceptable land use or development.

17.0 Legal and Admin Costs

17.1 The lead responsibility of producing a Section 106 Legal Agreement lies with the developer. Developers will be required to pay any legal/professional fees incurred by the Local Authority's in the preparation and completion of the Section 106 Agreement. Legal fees will be charged at the hourly rate of the officer completing the agreement.

18.0 Drafting of Agreements

18.1 The developer will be expected to submit a draft Section 106 Legal Agreement on submission of a planning application. The Local Authority has a standardised template (attached at appendix 2) which will enable agreements to be drawn up quickly so as not to slow down the planning process. The developer can use its own legal team to complete this or, at the cost of the developer, the Section 106

Agreements can be drafted by the Local Authority's Legal Services Team or by Solicitors acting on the Local Authority's behalf.

19.0 Monitoring

19.1 The Local Authority has an established process for monitoring and managing Section 106 Legal Agreements, including a database with details of all agreements and where those financial contributions have been / will be spent. The Local Authority will pro-actively pursue and late payments.

20.0 Contact Details

20.1 Although this document sets out the types of contributions that will be sought early contact with a member of the planning policy team will be advisable to discuss the likely obligations that may be sought on particular developments.

Table 2 – Contact Details

Richard Waldmeyer	Team Leader, Planning Policy and Information	01429 523280
Matthew King	Principal Planning Officer	01429 284084
Tom Britcliffe	Principal Planning Officer	01429 523532

Part Two – Specific Contributions

21.0 Affordable Housing

Policy and Background Information

- 21.1 Various national, regional and sub-regional policy documents highlight the need for affordable housing in new developments. Some of the key documents which support the need for affordable housing are listed below.

Planning Policy Statement (PPS) 3, Housing (2006):

- 21.2 PPS3 Housing was published in December 2006 and was developed in response to *The Barker Review of Housing Supply* in March 2004. It sets out the Government's vision, objectives and policies in relation to housing provision and delivery. The principle aim of PPS3 is to increase housing delivery through a more responsive approach to local land supply, supporting the government's goal to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. Local Authorities are required to set an overall target for the amount of affordable housing to be provided and that target should reflect the PPS3 definition of affordable housing. They are also required to ensure that provision of affordable housing meets the needs of both current and future occupiers by setting separate targets for social-rented and intermediate affordable housing, specifying the size and type of affordable housing and setting out a range of circumstances in which affordable housing would be required.

Housing Green Paper: 'Homes for the future, more affordable, more sustainable' (2007):

- 21.3 This green paper sets out the Government's commitment to deliver affordable housing, highlighting a £8 billion Government investment in affordable homes and the aim of providing 70,000 affordable homes a year by 2010-11. Local Authorities' role in facilitating the supply of affordable housing is emphasised and a joined-up approach with alignment of housing plans and the planning framework suggested as a means of increasing affordable housing provision.

Regional Spatial Strategy for the North East (2008)

- 21.4 The Regional Spatial Strategy (RSS) for the North East, approved in July 2008, acknowledges the significant inequalities in demand and affordability in the Region's housing stock and that it is not meeting the housing needs of people on modest or low incomes. The RSS states that 'it will be for LDF's to determine the actual target for affordable housing provision and the range of housing requirements through up-to-date housing assessments, although Strategic Housing Market Assessments (SHMA) will assist this. However, low level thresholds should be set to determine the size of developments above which affordable housing should be provided'. The up-to-date SHMA provides

the appropriate robust evidence required to determine the affordable housing requirement in the Borough (see below).

Regional Housing Strategy Update (2007)

- 21.5 The provision of affordable housing within Hartlepool is strongly supported through the Hartlepool Housing Strategy and subsequent update. The importance of developing a planning policy framework and identifying sites to help promote housing development and to facilitate the provision of affordable housing is highlighted within the Strategy. The provision of affordable housing by Registered Social Landlord's (RSLs) through the planning process is also identified as a key priority for the next five years. The report identifies the level of affordable housing need in the town and the methods in which this could potentially be delivered.

Evidence of Local Need

- 21.6 Until 2006 the need to provide affordable housing in new developments had not been an issue in Hartlepool as affordability had not been a problem given the relatively low cost of housing (compared with the national average), the existing supply of social housing and the variety of choice across the market. This is reflected within the Hartlepool Local Plan 2006 which does not have a specific policy on affordable housing provision. Subsequent changes in the housing market and detailed assessments of the sub-regional and local housing markets (as highlighted below) revealed increasing problems of affordability.

Tees Valley Sub-Regional Housing Strategy (2007)

- 21.7 Affordability and an increase in homelessness is highlighted as a particular pressure within the Tees Valley and specifically within urban areas, this is due to the disparity between house prices and household income. The strategy advises that all LDF's should include appropriate and specific affordable housing policies to address the affordability gap; these should be backed by section 106 agreements.

Hartlepool Strategic Housing Market Assessment (2007)

- 21.8 In December 2006 Hartlepool Borough Council appointed consultants to undertake a Strategic Housing Market Assessment (SHMA), the results of which highlighted the need for new developments to provide affordable housing.
- 21.9 The completed SHMA assessment included a survey of all 39,271 households in Hartlepool, a 16.7% response rate generated robust and defensible statistics for individual wards. An analysis of the current and future housing markets concluded that market demand was exceeding supply in most areas and that a degree of pressure in the current housing market was a result of considerable uplift in house prices across the Borough over the previous five years. A shortfall of affordable units was identified, this affordable need being heightened by the limited capacity of the social rented sector with low vacancy rates and long waiting lists.

21.10 On the basis of this evidence, the report suggested a target for affordable housing on new developments of 30% of which 80% should be social rented and 20% intermediate tenure. The PPS3 threshold of 15 dwellings or more on which such a requirement would apply was considered appropriate for Hartlepool. The report highlighted that up to 2012 there are a number of significant supply side issues that will exacerbate the affordable housing situation, including, the lack of an affordable housing planning policy, the high number of extant planning permissions, significant number of planned demolitions (through Housing Market Renewal (HMR)), continued Right-to-Buy activity and increasing house prices.

Tees Valley Strategic Housing Market Assessment (2008)

21.11 The Tees Valley Strategic Housing Market Assessment (TVSHMA) supported the affordable housing need identified within the Hartlepool SHMA. Taking account of revised government guidance for the assessment of need, and changes in the housing market since 2006, the Tees Valley SHMA proposed 20% affordable housing requirement for housing developments across the Tees Valley. This 20% figure was viewed as an achievable and reasonable figure to expect private developers to contribute based on a comparison of affordable housing policies in place across the North East of England and local needs within the Tees Valley.

21.12 Following the findings of the Tees Valley and Hartlepool SHMA's it was considered that a Development Plan Document (DPD) was needed to guide the development of Affordable Housing in the town; the document is currently in preparation.

Hartlepool Community Strategy (Hartlepool's Ambition) (2008)

21.13 The Community Strategy supports the provision of affordable housing through Key Aim 6: Housing, which seeks to ensure that there is access to good quality and affordable housing in sustainable neighbourhoods and communities where people want to live.

Planning Scrutiny Investigation (2008)

21.14 A recent Local Authority Regeneration and Planning Scrutiny investigation into the provision of good quality social rented affordable accommodation in Hartlepool also highlighted the need for affordable housing in the town and the associated action plan suggested a series of recommendations that support the development of affordable housing requirements.

Affordable Housing Economic Viability Assessment (2009)

21.15 As part of the evidence base for the Affordable Housing DPD Hartlepool Borough Council commissioned DTZ in January 2009 to study the development viability of different affordable housing scenarios on a selection of sites across the Borough.

21.16 At the baseline position of January 2009, which was considered to be the “low point” in the housing market cycle, the viability assessment indicated that, across the Borough, there was little scope to deliver any affordable housing in the prevailing market conditions on the sites selected. Crucially, however, it was demonstrated that the delivery of all housing development is potentially unviable due to extended build periods, uncertainty in the financial market and falls in property values. The impact of the unprecedented market conditions at the baseline date of valuation mean that if the Council’s affordable housing policy were to be formulated based solely on this viability assessment at this time, an affordable housing requirement of 0% would be deliverable. The assessment goes further to suggest that setting an indicative affordable housing requirement of 0% based on the results of the baseline analysis is unsustainable across the course of the plan period and will not meet the identified housing need of people across the Borough. In the short term, as the housing market and economic conditions change, the assessment shows that on the sites assessed, in certain market conditions, schemes including 10% affordable housing were economically viable.

Affordable Housing DPD

21.17 The Local Authority is currently at the Preferred Options Stage in the development of an Affordable Housing DPD. The policies contained within the DPD will be used to set levels of affordable housing required in connection with future housing developments in the town.

Negotiating Affordable Housing

Threshold

21.18 Affordable housing will be required on all planning applications for residential development that consist of a gross addition of 15 dwellings or more, including renewal of lapsed unimplemented planning permissions, changes of use and conversions.

21.19 Given the level of identified need and the limited opportunities for securing affordable housing provision in the Borough, planning permission will not be granted for residential applications that meet or exceed the gross additional thresholds and do not include any on-site affordable housing or off-site provision. Where an initial full or outline planning permission is granted for residential development immediately below the dwelling threshold, a condition will be attached to the planning permission indicating that if the dwelling numbers meet or exceed the thresholds outlined above, the developer will then be expected to provide affordable housing either on site or by means of a financial or other contribution to the Council to enable the provision of affordable housing elsewhere.

21.20 The Council will be alert to the sub-division of sites or phasing of development as a cynical means to avoid providing an affordable housing requirement. Therefore, for the purposes of establishing the

affordable housing requirement, planning applications will be viewed as any composite or naturally defined larger area, whether or not subject to phased development and regardless of ownership. If development is proposed in phases, later phases must fulfil affordable housing requirements from previous phases, where it has not already been adequately provided.

Level of Contribution

- 21.21 A minimum affordable housing target of 10% will be required on all sites above the minimum threshold. Higher percentages of affordable housing will be subject to negotiation on a site-by-site basis where there is an identified local need and/or the economic viability of schemes allows for a greater requirement.
- 21.22 The amount of affordable housing requirement that will be sought as part of new housing developments will be calculated as a percentage of the total number of gross additional dwellings planned in the development.
- 21.23 Although there is a minimum target established it is the intention of the Council to assess and verify the economic viability of new housing schemes with regard to the amount of affordable housing provision they can deliver. If it is established that the development's profitability is such that it will facilitate a higher percentage, above the minimum affordable housing target, the Council will seek for a greater affordable housing provision.
- 21.24 The economic viability of new residential developments will be assessed using the most up to date Economic Viability Tools available to the Council.

Where Affordable Housing is Provided

- 21.25 Generally all affordable housing will be delivered through on-site provision. Only in exceptional circumstances will it be acceptable for provision to be made off-site. Applicants will need to provide sound, robust evidence why the affordable housing cannot be incorporated on-site and show how off-site provision or commuted sums will contribute to the creation of sustainable mixed communities elsewhere in the borough.
- 21.26 The delivery emphasis of affordable housing will be very strongly favoured to provide on-site provision as there is a short supply of available development land within the urban area of Hartlepool to cater for off-site developments. In the unlikely event that a developer is proposing the provision of affordable housing off-site, there should be early discussions with the Council to identify a suitable site or sites.
- 21.27 In the unlikely event that off-site provision is proposed, similar to the on-site provision, the timing of off-site provision will be related to the completion of numbers of properties on the associated general market

housing site. The general approach will be to secure completion of the affordable homes in step with the general market housing, unless the timing is otherwise agreed with the Council.

21.28 The least preferred option is for a financial contribution to be made towards unspecified affordable housing provision off-site. Where this is agreed to be the only practical option, the level of contribution will be calculated by deducting the transfer price of the unit from its open market value (OMV).

21.29 Example of Financial Contribution:

Development of 20 flats (10 x 2-bed, 10 x 1-bed)
Affordable housing obligation of 10% requires provision of 2 flats (1 x 2-bed, 1 x 1-bed).

- A) OMV of 2 bed flats: £
- B) OMV of 1 bed flats: £
- C) Transfer price of 2 bed flats: £
- D) Transfer price of 1 bed flats: £

Subsidy per 2 bed flat: £A - £C = £E
Subsidy per 1 bed flat: £B - £D = £F

Subsidy: 1 x £E = £G
1 x £F = £H

The total sum required for affordable housing in the example shown above would be £G + £H

Type and Tenure

21.30 Developers will be expected to achieve an aspirational target of 80% social rented and 20% intermediate tenure mix on each site. Housing type and tenure split will be negotiated on a site-by-site basis, having regard to the most up-to-date evidence of need, mix of tenures of existing housing nearby, the desire to create balanced communities and the constraints and requirements of providing on-site provision.

21.31 The aspirational tenure split of 80% social rented and 20% intermediate affordable housing is considered most appropriate to meet Hartlepool's strategic housing aims and the identified housing need within the town. This is based on robust Hartlepool and Tees Valley Strategic Housing Market Assessment evidence and recent evidence from the Council's housing waiting list. The need is compounded by the reduction of social rented stock through the Right to Buy scheme.

21.32 Bearing in mind the aspirational target, the Council recognises that negotiation on a site-by-site basis would be the best approach; ensuring that nearby housing is taken into consideration in the desire to create sustainable balanced and mixed communities. Where a

developer is proposing a target that deviates from the 80/20 split, there should be early discussions with the Council to ensure an appropriate target is achieved.

Future Management of Affordable Housing

- 21.33 All affordable units should be delivered in partnership with a registered social landlord by means of a Section 106 legal agreement, with appropriate provision to secure long term retention of the properties as affordable units.
- 21.34 The Council regards partnership delivery with a Registered Social Landlord (RSL) as the preferred means of securing affordable housing, tied in by means of a Section 106 legal agreement to which the RSL will be party. This applies to all the forms of affordable housing. (Again the Local Authority must be approached by the developer when consideration is being given to which RSL is to be involved).
- 21.35 Where a developer is proposing providing affordable housing involving an RSL there should be early discussions with the Council to establish the Section 106 legal agreement.

Design and Specification of Affordable Housing

- 21.36 The Council promotes the development of energy efficient housing. It is important not only to minimise the running costs of a home to the occupier but also to reduce carbon emissions. The Council will be assessing schemes using the Code for Sustainable Homes (CSH). It is expected that all affordable properties will achieve a Code Level 3 or greater. If there are changes to building regulations and the CSH following the publication of this document that require a higher minimum level, they will take precedence over the level specified within this SPD.
- 21.37 In respect of affordable homes which are receiving funding from the Homes and Communities Agency (HCA), these properties would be expected to meet the design standards set out within the HCA Design and Quality Standards in April 2007 or any subsequent standards that amend or replace those standards.
- 21.38 The Council will expect applicants to ensure that the affordable properties are integrated into the overall development, in terms of their built form and external appearance, so that they are indistinguishable from the other properties on the site. Affordable properties should not be marked out by being of poorer design, specification and quality of finish than neighbouring properties. It is recommended that the skills and experience of Registered Social Landlords (RSLs) be employed at an early stage in the design process to ensure that the future management of the affordable housing units is fully considered.

Pepper Potting of Affordable Housing

- 21.39 The Council supports the development of sustainable mixed and balanced communities. In order to avoid the negative implications of social exclusion and isolation, affordable homes within housing schemes should be evenly distributed across the site (which is known as pepper potting) and not disproportionately allocated to the periphery or in one particular area. The Council will normally require affordable homes to be grouped together in clusters of no more than 5 properties.
- 21.40 In apartment and flat developments the Council requires pepper potting to be maintained. However it is recognised that other issues may impact upon the distribution of affordable units in apartment blocks, including difficulties in their management and financial concerns regarding levels of service charges. The benefits of this will be weighed against the scope to achieve a better degree of pepper potting. The level of pepperpotting on apartment schemes will be negotiated on a site-by-site basis.
- 21.41 The Council expects the location of the affordable housing will be discussed and agreed at an early stage in conjunction with the appointed RSL. The final location must be agreed before development starts.

Accessibility

- 21.42 There is a need within the Lifetime Homes standards for properties that are either accessible for wheelchair users now or can be easily adapted to meet the changing mobility needs of the occupants over time. The Council therefore will be seeking a proportion of affordable units to be built to Lifetime Homes standards.

Affordability and Service Charges

- 21.43 Although the emphasis in determining affordability is primarily focussed on rent or purchase price, it is the total cost of occupation that ultimately determines affordability. Some residential developments have high levels of service charges, and this has an impact upon the relative affordability of the accommodation. Such potentially significant additional costs may result in affordable housing extending beyond the financial reach of those in housing need. It is therefore anticipated that the cost of service charges will be minimised. The proposed level of service charges will form part of pre-application discussions.

Funding for Affordable Housing

- 21.44 The Homes and Communities Agency (HCA) is the main provider of public funding for affordable housing. Their approach is that affordable housing on Planning Obligation sites should be delivered without the input of grant. If grant were to be considered on a site, their objective would be to ensure that the site delivers more affordable housing or a different mix or higher standards, than would have been possible without grant. The HCA will assess the 'additionality' offered by a scheme in making a decision regarding potential funding. Developers

should therefore assume that no grant will be available to fund the affordable housing, unless an agreement has been made with the HCA. Before the HCA is approached developers must ensure that the Local Authority will support a bid to the HCA for grant funding.

Transfer Prices

21.45 The Council will seek to negotiate, on a site-by-site basis, transfer prices as these are likely to fluctuate depending on housing market and site conditions.

Future Policy Changes

21.46 Following the findings of the Hartlepool SHMA it was considered that a Development Plan Document (DPD) was needed to guide the development of Affordable Housing in the town; the document is currently in preparation.

21.47 Once the Affordable Housing DPD has been prepared and adopted by the Council it will supersede guidance established in this SPD.

22.0 Open Space, Outdoor Sport/Recreation & Play facilities

22.1 The Government's commitment to Parks and Open Spaces has evolved significantly in recent years. They are among the community's most valued features. Well managed open spaces not only make an area more attractive but they also contribute towards sustainable development through the promotion of healthier lifestyles, urban renaissance, social inclusion and community cohesion.

National Policy Background

Planning Policy Guidance Note 17, Planning for Open Space Sport and Recreation (July 2002)

22.2 Sets out the ways in which open spaces, sport and recreation contribute to broader Government objectives, including:

- supporting an urban renaissance
- promotion of social inclusion and community cohesion
- health and well-being
- promoting more sustainable development.

22.3 It states that "Local authorities should also undertake audits of existing open space, sports and recreational facilities, the use made of existing facilities, access in terms of location and costs (such as charges) and opportunities for new open space and facilities. Audits should consider both the quantitative and the qualitative elements of open space, sports and recreational facilities. Audits of quality will be particularly important as they will allow local authorities to identify potential for increased use through better design, management and maintenance."

22.4 It goes on to state that "Assessments and audits will allow local authorities to identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in their areas. They form the starting point for establishing an effective strategy for open space, sport and recreation at the local level."

22.5 It is also noted within PPG17 that "Development of open space, sports or recreational facilities may provide an opportunity for local authorities to remedy deficiencies in provision. For example, where a local authority has identified a surplus in one type of open space or sports and recreational facility but a deficit in another type, planning conditions or obligations may be used to secure part of the development site for the type of open space or sports and recreational facility" and "that the new facilities are capable of being maintained adequately through management and maintenance agreements."

The Urban White Paper – Our Town and Cities: The Future – delivering an Urban Renaissance (2000)

22.6 The main thrust of the Urban White Paper is the need for an approach to design and development which encourages well laid out urban areas

with good quality buildings, well designed streets, and good quality public open spaces. Well-managed public open spaces such as greens, squares, parks and children's play areas improve the attractiveness of urban areas and help promote a healthier lifestyle through positive influence on people's physical and mental health and wellbeing. They are therefore vital to enhancing the quality of urban environments and the quality of life of those who live in them.

Living Places – Cleaner, Safer, Greener (2003)

- 22.7 This Government document recognises that good parks and green spaces bring many benefits that make places more liveable and sustainable and enrich the quality of peoples' lives and communities. The overall objectives are:
- to provide good parks and green spaces close to people's home or place of work
 - to meet the needs of all people, especially children and young people, older people, those with disabilities, minorities and people in disadvantaged areas
 - to provide a more diverse range of green spaces that cater for people's social, educational and physical needs and changing lifestyles. This includes city farms and community gardens, wildlife areas and woodlands, allotments and tree-lined streets, as well as parks, sports grounds and play areas
 - to create networks of accessible, high quality parks and diverse green spaces in all our towns and cities.

Local Policy Background

Hartlepool Local Plan (Adopted 2006)

- 22.8 There are a number of policies within the Local Plan that support the delivery of open space, leisure and play facilities as part of new developments in the town. Policy GEP9 (Developer Contributions) highlights that the local authority will seek contributions from developers for the provision of additional works deemed to be required as a result of the development towards "the layout and maintenance of open space and play facilities" and also for "the provision of neighbourhood parks."
- 22.9 Policy Rec2 (Provision for play in new housing areas), Policy Rec3 (Neighbourhood Parks), Policy Rec4 (Protection of Outdoor Playing Space) and Hsg9 (New Residential Layout – Design and other Requirements) all indicate that developer contributions may be needed towards the provision of play and leisure space in the town.
- 22.10 Policy GN2 is also especially critical in protecting against the loss of open space as a result of developments in the town. The policy sets circumstances where the loss of open space to facilitate a development may be permitted but goes on to stipulate that an adjacent site should be enhanced or compensatory open space must be provided on an alternative site.

PPG17 Open Space, Sport and Recreation Assessment (2008)

- 22.11 As part of the evidence base for the development of the Local Development Framework Hartlepool Borough Council undertook a PPG17 Assessment which was concluded in April 2008. The specific objectives of the PPG17 Open Space Assessment are to:
- provide information about existing community needs and aspirations;
 - analyse how these results vary according to the different demographic characteristics of different groups and communities within Hartlepool;
 - research standards of provision; and
 - develop a set of appropriate standards for Hartlepool.
- 22.12 The types of Open Space that were assessed as part of the PPG17 study include:
- Urban parks and gardens
 - Amenity greenspace
 - Play areas
 - Outdoor sport facilities (including schools where there is public access either formally or informally)
 - Green corridors
 - Natural and semi natural greenspaces
 - Allotments
 - Churchyards and cemeteries
 - Common land
 - Civic spaces
- 22.13 Hartlepool Borough Council's Cabinet noted the findings of the PPG17 Report and endorsed the proposed standards at a meeting on the 23rd June 2008.
- 22.14 Based on the findings of the assessment and feedback from the consultations the study seeks to identify where there are shortfalls in provision compared to identified standards. The standards for the quantity of provision of appropriate elements within each typology of open space take into account the location of existing provision, community views and levels of use. The study determines quality standards for provision based on community expectations as expressed in the research and establishes appropriate quality benchmarks for different forms of provision, where appropriate reflecting quality standards set nationally or by comparable authorities. The findings of this study will be used to identify where contributions for open space (including amenity greenspace, new modern allotment provision, green corridors, natural and semi-natural greenspace, parks and civic spaces) play and leisure facilities will be invested.

Thresholds

- 22.15 Given the importance of open space, sport and recreation in creating a town in which people are healthy and active and have a range and

choice of high quality activities in which they can partake, the threshold for contributions towards this for residential developments is 5 dwellings.

- 22.16 This threshold has been reached following an assessment of potential housing sites which may come forward in the future in the Borough and taking into account the yields which would be expected from each site. Given that all housing will have an impact on the need for play space within the town, and taking into account the cumulative impact of the developments which are likely to be delivered in the coming years it is necessary to set the threshold at this level so that play facilities within the Borough provide high quality play space which adequately meets the needs of the current and expected future population.

Amount and Location of Provision

- 22.17 The amount and location of the provision of open space, outdoor sport and children's play will vary from site to site. The Local Authority will always require a contribution towards play provision on all residential developments of 5 houses or more. This contribution will be towards off site facilities in the vicinity of the development.
- 22.18 Large developments (as identified in the table 3 below) which bring together large numbers of people will be required to make a contribution towards open space and/or outdoor sports facilities in the vicinity of the development. The PPG17 Open Space Assessment will be used to identify where the financial contribution should be spent.
- 22.19 In terms of open space on site, the developer will need to liaise with the Local Authority to ensure that the quality and layout of the open space meets the requirements of the local authority.

Table 3 – level of Contribution for Open Space, Outdoor Sport and Children's Play

Type	Level of Contribution
Residential	£250 per unit

Maintenance of facilities

- 22.20 Where the developer makes a payment for off-site play, open space or outdoor sports facilities, they will also be expected to pay a commuted sum for the maintenance of the facility for a 10 year period from the point at which the facility is completed. Where the developer is not the sole contributor towards the overall cost of a facility, there will be an apportionment of the maintenance cost based on the percentage of its contribution towards the overall cost of the facility.
- 22.21 Discussions with the appropriate department within the Local Authority will be necessary at the application stage to determine the level of maintenance contribution that is necessary towards the upkeep of the facility.

Timescale for contributions to be paid to and held by Local Authority

22.22 All developer contributions will be paid to the Local Authority on commencement of the development. The contributions will be paid into an account by the Local Authority. The developer will be informed where their contribution has been invested and if the contribution is not spent within five years of payment of the contribution the developer will be refunded the full amount.

23.0 Built Sports Facilities

- 23.1 The provision of local sports facilities is essential to the health and well being of the population. Where new development occurs it is vital that sufficient sports provision is made to encourage residents to lead active lifestyles.
- 23.2 Hartlepool has a lack of sports facilities suitable for the higher levels of performance sport so talented athletes invariably need to travel to other towns where facilities meet their needs. Current facilities are not capable of staging or supporting major sporting events. Many of the local sports facilities are low quality and there is an urgent need for investment to modernise, improve and expand facilities.

National Policy Background

- 23.3 There are numerous national policies aimed at improving the quality and provision of sporting facilities across the country. One of Sport England's priorities is to use the 2012 London Olympics and people's passions for sport to encourage a more active and sporting nation.
- 23.4 Almost all of the national policies recognise the importance and significance of sport and education in meeting a number of different agenda, including:
- Increasing participation in physical activity
 - Reducing obesity, particularly amongst children and young people
 - Economic regeneration
 - Increasing access and targeting under-represented groups.

The Framework for Sport (Sport England) (2004)

- 23.5 The Framework for Sport sets out the commitment to create specialist sports colleges (such as the one that was created at Brierton) and a network of School Sports Partnerships, together with the drive to ensure that 75% of pupils aged 5-15 years have access to two hours school sport a week. The Framework also sets out the challenge to ensure that the community capacity and infrastructure is put in place to provide opportunities post-school, and that school facilities and clubs work closely with the community.

Local Policy Background

Hartlepool Local Plan (Adopted 2006)

- 23.6 The Hartlepool Local Plan recognises the need for sports and leisure facilities which will attract large numbers of visitors to locate in sustainable locations in line with national guidance. As such policy Rec14 (Major Leisure Developments) sets out a sequential approach that should be followed in locating major new sports and leisure facilities within the town.

Hartlepool Local Area Agreement (LAA) 2008-11

- 23.7 Within the Hartlepool Local Area Agreement (LAA) there are 35 improvement targets for the town. NI8 monitors “Adult participation in sport and active recreation” and in order to ensure that this indicator improves over time it is critical that the Local Authority and private sporting organisations provide good quality facilities which are easily accessible to all. There are also a number of Local Priority Targets within the LAA which link into sport and recreation and one of particular interest is an indicator which seeks to “Increase annual Leisure Centre attendances”. Obviously in order for this indicator to see improvement it is vital that the leisure centres and sports facilities around the town are modern and provide the quality of facility that will encourage people to use the facility on a regular basis.

Indoor Leisure Facility Strategy (2007)

- 23.8 In 2007 the Local Authority appointed consultants to undertake an Indoor Leisure Facility Strategy which looked at the provision of sports halls, swimming pools, bowls facilities and other indoor leisure activities within the town. It recognises that the development and/or refurbishment of sporting and other cultural facilities in Hartlepool could contribute significantly to the achievement of the longer term regional and sub-regional priorities in terms of addressing Government aims to achieve higher levels of activity in the population.
- 23.9 The study also highlights the need to increase the levels of those people taking part in 30minutes of exercise at least 3 times a week. When the study was undertaken Hartlepool was well below the national average and was also in the bottom 25% of north east local authorities with only 18.8% of the population regularly exercising. Again this points to the need to improve modernise facilities providing high quality sports facilities which cater for modern day requirements to try and encourage more people to partake in sport.
- 23.10 The study highlights an over provision of poor quality pool facilities in the Borough and concludes that, rather than expensive refurbishment of these facilities, the provision of new better quality and more flexible water space would significantly benefit the community.
- 23.11 The problems with Mill House Leisure Centre are identified. It notes that the fabric of the building and the mechanical and electrical services are now coming to the end of their life. Another major problem is the shape of the pool which is not capable of hosting galas resulting in the local swimming club having to use facilities outside of the Borough. The study highlighted the ever increasing repair and maintenance costs of the outdated school pools and states that there will come a point where it will not be cost effective to repair the facilities and they will need to be taken out of use.
- 23.12 In terms of sports halls the study highlights there are a large number of halls but only a small number that are accessible to the community at

all times. Of the larger sports halls only those at Mill House, the Headland and Belle Vue are available for community use during the school day. Many of the school sites will hopefully benefit from the Building Schools for the Future Programme and it may be possible to encourage dual use of facilities during the redevelopment of these facilities. It also highlights that there are modern facilities at Brierton School, St Hild's School and at the Headland.

Replacement of Mill House Leisure Centre and Pool

- 23.13 The pool, part of the Mill House Leisure Centre Complex, located adjacent to Hartlepool United Football Club, is rapidly approaching the end of its economic life. The Mill House site and facilities are important to the Central Area – they provide town centre recreation/leisure facilities which encourage vitality and usage and, together with the adjacent football club, provide a hub of centrally located sporting activity.
- 23.14 A water-based visitor attraction (H2O) for Victoria Harbour was originally proposed as a possible replacement for the Mill House municipal swimming pool. It has not however been possible to progress the development of the H2O Centre proposals as quickly as was originally planned, due to the need for extensive consideration of the funding and delivery options for the overall Victoria Harbour Project.
- 23.15 In light of this uncertainty and the deterioration of the Mill House pool, the Council's Cabinet has instigated investigation of the feasibility of replacing the Mill House Pool within the remodelling of the Mill House area as a whole, rather than as part of the H2O Centre concept. Such remodelling will also seek to integrate the needs and aspirations of Hartlepool United Football Club and Hartlepool Indoor Bowls Club for enhanced facilities and explore the scope for other related private sector investment, within a leisure themed mixed use masterplan.

Thresholds

- 23.16 Given the importance of indoor sports facilities (both wet and dry) in creating a town in which people are healthy and active and have a range and choice of high quality activities in which they can partake, it is considered that all new developments with over 5 dwellings should contribute towards built sports facilities within the town.

Levels and Location of Provision

- 23.17 The renewal of the Mill House Leisure Centre (as part of the Mill House Leisure Hub) has been illustrated to be a priority, given its current physical state and financial problems surrounding the ongoing maintenance of the current facility. The fact that Mill House is a facility that serves the whole of the population, contributions towards built sports facilities will normally be directed towards the new or rejuvenated Mill House Leisure Centre facility.

Table 4 – Level of Contribution for Built Sports Facilities

Type	Level of Contribution
Residential	£250 per unit towards new or improved built sports facilities with the priority being the renewal of Mill House

Maintenance of facilities

23.18 Given the scale of the Mill House facility and that it is likely to be run by the Local Authority in this instance no maintenance costs will be required from developers towards the upkeep of the facility.

Timescale for contributions to be held by Local Authority

23.19 All developer contributions will be paid to the Council on commencement of the development. The contributions will be paid into an account by the Local Authority. This pot of money will be used towards the delivery of built sports facilities in the town. If the contribution is not spent within five years of payment of the contribution, the developer will be refunded the full amount.

24.0 Green Infrastructure

24.1 Green infrastructure is defined as:

"The physical environment within and between our cities, towns and villages. It is a network of multi-functional open spaces, including formal parks, gardens, woodlands, green corridors, waterways, street trees and open countryside. It comprises all environmental resources, and thus a green infrastructure approach also contributes towards sustainable resource management"¹.

24.2 Green infrastructure planning involves the provision of strategically planned networks that link existing (and proposed) green spaces with green corridors running through urban, suburban, urban fringe, and rural areas. Through the maintenance, enhancement and extension of these networks multi-functional benefits can be realised for local communities, businesses, visitors and the environment.

National Policy Background

Planning and Compulsory Purchase Act (2004)

24.3 The requirement for a 'Design and Access Statement' introduced in August 2006 as part of the Planning and Compulsory Purchase Act will provide an opportunity for the principles of green infrastructure to be incorporated right at the start of the planning process for new developments and major projects.

Planning Policy Statement(PPS)1 Delivering Sustainable Development (2005)

24.4 Recognises that the condition of our surroundings has a direct impact on the quality of life, and that the improvement of the natural and built environment brings social and economic benefit for local communities. Complementing PPS1 and other PPS/PPG's 'By Design - Urban design in the planning system'² sets out ways in which better design should be encouraged if better places are to be created.

Planning White Paper: Planning for a Sustainable Future (2007)

24.5 This stresses the importance of protecting parks and urban green spaces. It goes on to state:

"These places make a huge contribution to the quality of life, as well as, through encouraging activity and sport, providing potential health benefits. That is why we want to see new development which positively shapes our open spaces, public parks, and sports or other recreation facilities... Development which has the potential to enhance the surrounding area through good design, as well as improving community access to open green space or to providing additional recreational facilities is to be welcomed."

¹ Green Infrastructure Planning Guide; Northumbria University, North East Community Forests, University of Newcastle upon Tyne, Countryside Agency, English Nature, Forestry Commission, Groundwork, 2005

² By Design - Urban design in the planning system: towards better practice; Department for Environment, Transport and the Regions/Commission for Architecture and the Built Environment, March 2000

Housing Green Paper (2007)

- 24.6 The Paper emphasises the important role of green spaces within the context of providing more homes and states "A core element of creating sustainable communities is the provision of good quality parks and open spaces which provide environmental functions such as water management and biodiversity, as well as access to the benefits of the natural environment."

Regional Policy Background

Regional Economic Strategy (2006)

- 24.7 The Regional Economic Strategy recognises the priority that must be given to providing high quality natural, heritage and cultural environments that will help to retain, attract and develop skilled workers, entrepreneurs, graduates and visitors. The Strategy notes the role of green infrastructure as a key component of sustainable communities, and the need to maximise the benefits of green infrastructure through sound planning and management.

Regional Spatial Strategy (RSS) 2008

- 24.8 The RSS for the North East sets out the spatial strategy and priorities for growth in the Tees Valley City Region, including a high priority to improving the environment. Policy 2 on sustainable development states:

"Planning proposals and Local Development Frameworks should support sustainable construction and sustainable development through the delivery of the following environmental, social and economic objectives [including]:

.....

- To promote the concept of green infrastructure, a network of linked, multifunctional green space in and around the Region's towns and cities."

Sub Regional Policy Background

Tees Valley Green Infrastructure Strategy (2008)

- 24.9 One of the greatest challenges facing the Tees Valley is to create attractive places and an environment that offers a quality of life that will encourage people to stay and will attract new investment and entrepreneurs.
- 24.10 Green infrastructure can play a key role in helping to achieve the economic and sustainable vision for the Tees Valley. The scale of development and regeneration envisaged requires a new way of looking at the environment, and in particular how new development and redevelopment can contribute to environmental quality.
- 24.11 The green infrastructure concept offers a way of viewing open space provision as a resource that should be planned strategically and delivered in an integrated way across regions and sub-regions.

- 24.12 The **vision** for green infrastructure in the Tees Valley is:
“To develop by 2021 a network of green corridors and green spaces in the Tees Valley that:
- Enhances the quality of place and environment for existing and future communities and potential investors;
 - Provides an enhanced environmental setting and context for new development, regeneration projects, and housing market renewal initiatives and produces schemes of high quality design;
 - Creates and extends opportunities for access, recreation and enhancement of biodiversity, and
 - Provides a buffer against the effects of climate change.”

Hartlepool Local Plan (2006)

- 24.13 Although there are no specific references to the term “green infrastructure” within the Local Plan, many of the policies within the plan are aimed at ensuring that the environmental assets of the Borough are all safeguarded and enhanced where possible. These include the coastline and its environs (WL1 and WL3), the Green Network (Policies GN1 and GN3), open spaces (Policy GN6), natural environments (Policy Rec8, Rec10, WL2, WL5), green wedges (Policy GN2), parks (Policy Rec3), recreational routes (Policy Rec9) and the rural hinterland (Policies Rur1 and Rur7). Policy GEP 9 (Developer Contributions) also highlights those contributions that the Local Authority may seek where deemed to be necessary as a result of the development. Contributions towards landscaping and woodland planting, open space, neighbourhood parks and nature conservation features are all included in this policy and are seen as important elements of green infrastructure.

Thresholds

- 24.14 Given the importance of green infrastructure in creating a town and region in which people want to live and work and businesses want to invest in, the threshold for contributions towards green infrastructure for residential developments is 5 dwellings. Other types of developments may be expected to contribute towards this initiative as it is seen as critical in ensuring the town develops in a sustainable way in the future.

Level of Contribution

- 24.15 Given that the region is at the forefront of the delivery of a Green Infrastructure Strategy there are very few examples of other places where a developer contribution has been required from developers. However, given the importance that is placed on green infrastructure both at a national and regional level, the Local Authority will require all types of developments indicated in Table 5 below to contribute.

Table 5 – Level of Contribution for Green Infrastructure

Type	Level of Contribution
Residential	£250 per dwelling
Commercial:	
A1 Food Retail/Non Food Retail	£20,000 Threshold of 500sq m (gross). Contribution increases by £1,000 per additional 100sq m (gross) of floorspace
B1 Including Offices	£5,000 Threshold of 1000sq m (gross). Contribution increases by £1,000 per additional 100sq m (gross) of floorspace

24.16 All developer contributions will be paid to the Local Authority on commencement of the development. The contributions will be paid into an account by the Local Authority. This pot of money will be used to deliver and maintain green infrastructure schemes within the town as identified within the Tees Valley Green Infrastructure Strategy and Implementation Plan. A Green Infrastructure SPD for Hartlepool will be also be produced which will help to identify and prioritise schemes within Hartlepool. Developers will be informed when and where their contribution has been invested. If the contribution is not spent within five years of payment of the contribution the developer will be refunded the full amount.

25.0 Highway Infrastructure

National Policy Background

- 25.1 Circular 05/2005, (Para. B10 and B15) provides justification for seeking planning obligations related to highways and transport matters, for example improving or providing new access roads, or improving public transport links.

Planning Policy Guidance Note 13 - Transport

- 25.2 PPG 13 states that obligations “may be used to achieve improvements to public transport, walking and cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures”, and that they should be “based around securing improved accessibility to sites by all modes, with the emphasis on achieving the greatest degree of access by public transport, walking and cycling”. The guidance also states “the Government considers that travel plans should be submitted alongside planning applications which are likely to have significant transport implications”.

Local Policy Background

Hartlepool Local Transport Plan (2007-11)

- 25.3 Hartlepool Borough Council has taken the principles of the Government’s Transport White Paper “A New Deal for Transport: Better for Everyone” as the central theme of its Local Transport Plan (LTP). The LTP, in tandem with the Hartlepool Local Plan, will help shape transport policy in the Borough. The LTP should be used alongside the local plan in reference to transport strategy and policies. The local plan will, through its written statement and policies, seek to reflect the strategies set out in the LTP.

Hartlepool Local Plan (2006)

- 25.4 National, regional and local transport policy recognises the need for sustainable transport solutions (such as the promotion of public transport, cycling, walking etc), and that current trends in increased car ownership and usage cannot be supported in the longer term. As such, future transport investment needs to focus on measures that encourage modal shift away from the car and increase travel choice by improving conditions for pedestrians, cyclists and public transport users. This is in line with policies Tra5 (Cycleways Network), Tra6 (Cycle Facilities), Tra8 (Pedestrian Routes – Residential Areas), Tra16 (Car Parking Standards), Tra19 (Provision of Alternative Transport), Tra20 (Travel Plans).
- 25.5 The Local Plan highlights a number of policies where improvements to the road infrastructure in town will be necessary. Developments in the vicinity of these improvements will be expected to contribute toward the cost of implementing these schemes where it is shown that the development will have an impact on the road network.

Off-site Provision

- 25.6 Assuming that car ownership and use patterns remain or increase it can be expected that new developments will increase the number of vehicular trips on the surrounding road network. This could cause problems for the safe and free flow of traffic. In these circumstances, works or contributions will be required to mitigate the negative impacts of the development.
- 25.7 Developers have a responsibility to provide facilities within the vicinity of their site to cater for increased vehicular movement, or increased size of vehicles needing to use nearby junctions. The extent of any facilities required to ensure the safe and efficient operation of the development and the local highway network will be determined in the light of the Transport Assessment Statement submitted with the planning application. Highway access improvements will normally be secured through a Section 278 Agreement. Highway mitigation measures on the wider network will normally be secured through a Planning Obligations Agreement. Highway improvements will only be required where they are essential for the operation of the development and the adjacent highway network.
- 25.8 Therefore, all works required under the Transport Assessment (TA) or Transport Statement (TS) will need to be secured under the Planning Obligations Agreement.
- 25.9 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. Development proposals for all major developments within the boundaries of Hartlepool will require a travel plan when the following thresholds are exceeded:

Table 6 – Development Thresholds requiring a Travel Plan

LAND USE CLASS	THRESHOLD
A1 - Food Retail and Non Food Retail	500sq m (gross)
B1 - Business	1000sq m
B2 General Industry B8 Storage or Distribution	2500sq m
Residential – Dwelling Houses	50 units
Other	Case-by-Case

- 25.10 Travel plans can be secured through conditions on the planning permission, rather than through the Planning Obligations Agreement. However, there will be circumstances where the Travel Plan will be required through the Agreement. This will be on sites where there are particular concerns that the targets within the Travel Plan will not be

met or where they are so important to the decision to grant planning permission that they must be adhered to. In these cases the Agreement will secure the submission of the Travel Plan and will also put in place measures to pursue targets and address any failure to meet targets.

- 25.11 There will be a requirement placed on the developer to submit annual reports on whether, or to what extent, the Travel Plan targets have been met for that year. Government guidance (DfT, 2002) suggests that agreement should be made for the applicant or developer to provide funding for a term of 5 years to enable either the Local Authority or an independent third party to monitor the travel plan, or for the developer or applicant to provide funding for an independent validation of the data using an agreed third party. If the targets have not been met then the developer will be required to pay a financial contribution to the Local Authority to cover measures to implement the Travel Plan to hit the targets or for other measures to mitigate the impact of missing the targets.

Level of Contribution

- 25.12 The type and level of contribution required for off-site highways works can only be determined on a site by site basis through that developments TA. If there is an existing use on the development site, the traffic generation from that use will be taken into account when determining the impact of the new proposal. The developer will only be expected to mitigate the impact of the additional traffic caused by their new use.
- 25.13 The full cost of the mitigation measures will need to be met by the developer. The presumption will be that the works will be either carried out by the Local Highway Authority, under a section 278 Agreement, or by the developer to a specification and timetable agreed with the Local Authority. In the vast majority of cases the works will need to be carried out before the legal completion of the first unit within the development.
- 25.14 Where a number of different developments will give rise to a need for off-site highways improvements, contributions will be required from each development towards those works. The level of contribution for each development will be determined by applying a pro-rata contribution based on the trip generation of each development.

26.0 Community Facilities

26.1 Community facilities including schools, community centres, libraries and health care facilities are vital to ensure communities are prosperous, sustainable, healthy, vibrant and safe. The provision of a range of community facilities is particularly important on large sites where whole new communities are being created. It is also important however, to ensure that the scale of existing facilities keep up with expanding populations through smaller incremental developments.

26.2 Community facilities will be dealt with on a site-by-site basis to allow the impact of the development to be assessed against the need for particular facilities which such a development would create. The following paragraphs set out some general principles and highlight the types of community facilities which may be required. In some instances contributions may be required not only towards the development of new facilities but also towards the sustainable refurbishment of existing facilities.

Education Facilities

26.3 Education infrastructure is an integral part of new residential development and is essential in order to achieve sustainable communities. Developments that are likely to generate an increased demand for school places will need to contribute towards expanding existing education facilities where the development is not of a sufficient size to require a new school. This will include contributions and/or the allocation of land to enable schools to be built or extended. Circular 05/2005 (paragraph B15) provides justification for seeking contributions concerning education facilities.

26.4 Contributions will only be sought for these developments where there is no spare capacity in existing local schools. When looking at spare capacity the Local Authority will also take into account other developments in the vicinity, and information on projected future pupil numbers.

26.5 The following types of residential development will be exempt from education obligations: sheltered housing, student accommodation, care homes and residential homes for the elderly.

Primary Schools

26.6 For developments of 750 dwellings or more a primary school will normally be required on-site, subject to spare capacity in local schools. In cases where a school is to be provided on site, the developer will normally be expected to set aside sufficient land and to construct educational facilities to the Local Authority's design and specification at the developers' own costs. In certain circumstances, if the developer can illustrate that the construction of the school cannot be justified in viability terms, the Local Authority may be willing to accept a parcel of

land on site which would be used to construct new education facilities with a financial contribution to assist with construction costs.

Off-site Provision

- 26.7 In cases where a school is to be provided off site, the developer will normally be expected to construct educational facilities to the Local Authority's design and specification and at their own cost. If the land is not in either parties ownership, the developer will be expected to acquire the site.

Financial contributions

- 26.8 The Local Authority will apply the following assumptions for primary pupil numbers generated by development:
- 28 children per 100 houses
 - 7 children per 100 flats
- 26.9 The Department for Education and Skills (DfES) publishes localised costs for the provision of school places. The figure is updated by the DfES annually in October, therefore the relevant annual figure will be applied.

Secondary schools - On-site or Off-Site provision

- 26.10 The need for an additional secondary school is not considered likely in Hartlepool, given the planned rebuilding and remodelling of the town's existing schools via the Building Schools for the Future Programme. In the future should the town expand significantly, and, as a result, there is an identified need for a new secondary school, this will be considered at that time.

Community Centres

- 26.11 Community centres provide an important focus for local people and contribute to the economic, social and cultural life of neighbourhoods by providing leisure, recreation, education and job training opportunities for a range of groups. Community centres can help to create sustainable neighbourhood centres that contribute to the local economy through provision of affordable space for meetings, training and functions together with workspace for local businesses, organisations and community enterprises. They provide a vital resource for building a cohesive community and as such are important in residential developments.

Local Policy Background

Hartlepool Local Plan (2006)

- 26.12 Policy PU9 of the Hartlepool Local Plan 2006 supports the development of local facilities, such as community centres, which provide for residential areas provided that there is no significant detrimental effect on the occupiers of adjoining and nearby properties, that they are accessible by all modes of transport and that sufficient car parking and servicing can be provided.

On-site Provision

- 26.13 On large residential sites (over 1000 dwellings), where a new community centre is required on-site the Local Authority would require the developer to build the facilities themselves, to a design agreed by the Local Authority.

Maintenance

- 26.14 In situations where the developer has provided a new community centre facility, the Local Authority will seek a commuted sum to provide for the maintenance of the facility for an agreed period which is usually 30 years.

Public Libraries

- 26.15 Libraries play an important role in local communities, they act as resource points to back up education provision for school children, students and lifelong learners. In addition they help to promote social inclusion by providing access to information to all sections of the community.

Local Policy Background

Hartlepool Local Plan (2006)

- 26.16 Policy PU9 of the Hartlepool Local Plan 2006 supports the development of local facilities, such as libraries, which provide for residential areas provided that there is no significant detrimental effect on the occupiers of adjoining and nearby properties, is accessible by all modes of transport and that sufficient car parking and servicing can be provided.

On-site Provision

- 26.17 On very large residential sites (over 2000 dwellings), where a new library is required on-site, the Local Authority would require the developer to build the facilities themselves, to a design agreed by the Local Authority.

Maintenance

- 26.18 In situations where the developer has provided a new library facility, the Local Authority will seek a commuted sum to provide for the maintenance of the facility for a period of 30 years.

27.0 Community Safety

National Policy Background

“Safer Places – The Planning System and Crime Prevention” (2004) – Companion Guide to 1st edition of PPS1.

- 27.1 In 2004 the Office of the Deputy Prime Minister (ODPM) published “Safer Places – The Planning System and Crime Prevention” (This document is also referred to in the updated PPS1 published in 2005 as a good practice document). The document recognised the vital role that the planning system plays in helping to prevent crime. It noted that sustainable communities are communities which succeed now, economically, socially and environmentally, and respect the needs of future generations. They are well-designed places where people feel safe and secure; where crime and disorder, or the fear of crime, doesn't undermine quality of life or community cohesion.
- 27.2 This document highlighted that there are seven attributes of sustainable communities that are particularly relevant to crime prevention:
- **Access and movement:** places with well defined routes, spaces and entrances that provide for convenient movement without compromising security.
 - **Structure:** places that are structured so that different uses do not cause conflict.
 - **Surveillance:** places where all publicly accessible spaces are overlooked.
 - **Ownership:** places that promote a sense of ownership, respect, territorial responsibility and community.
 - **Physical protection:** places that include necessary, well-designed security features.
 - **Activity:** places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times.
 - **Management and maintenance:** places that are designed with management and maintenance in mind, to discourage crime in the present and the future.

Local Policy Background

Hartlepool Local Plan (2006)

- 27.3 Crime prevention is highlighted as a vital part of the planning process by policy GEP3 (Crime Prevention by Planning and Design) and Supplementary Note 7 of the Hartlepool Local Plan 2006, both of which highlight the need for the design and layout of new developments to incorporate features and/or measures to reduce crime and the fear of crime. In order to help ensure that future developments help to reduce crime and the fear of crime, developers will be required to liaise with the crime prevention officer within the council at an early stage.

Thresholds

- 27.4 The Local Authority will require all commercial, retail and industrial developments (above the threshold within table 1) to ensure that a network of ducting is laid suitable to carry fibre optic cables to enable CCTV to be used in the area, where this is considered appropriate. If it is needed the developer will be expected to install it following liaison with the police and Community Safety team within the Local Authority.

Maintenance

- 27.5 In instances where a developer is required to provide CCTV there will also be a requirement for a commuted sum to be paid to the Local Authority to ensure the upkeep and monitoring of the CCTV system over an agreed period.

28.0 Training and Employment

28.1 Within all new developments it is becoming important to ensure that Local Labour Agreements and Training initiatives help to provide local people with an opportunity to gain employment or training as part of the development. Within the town a number of agreements have been put in place over the past few years, all of which have contributed significantly towards ensuring good quality jobs and opportunities for the residents of Hartlepool.

28.2 These agreements can help to ensure that new developments employ a certain percentage of unemployed people, local residents and people with disabilities and also help to maintain these positions and levels in the future.

Policy Background

28.3 The Hartlepool Borough Council Targeted Training Recruitment and Training Strategy commits the Council to “achieving the economic, social and environmental objectives set out in the Hartlepool Partnership’s Community Strategy so as to ensure a better quality of life for everyone, now and for generations to come. To achieve this the Council commits to the following actions to the fullest extent possible within the relevant legal and policy frameworks and the available funding:

- To include training, equal opportunities and employment requirements, and opportunities for small and medium sized enterprises, in its service requirements, where it considered appropriate.
- To include other social and environmental matters in its service requirements, where it considers appropriate.
- To use these requirements in all stages of the selection and appointment process, and as contract conditions.”

28.4 On the 19th January 2007 the Council’s Cabinet approved the adoption of a Targeted Training and Employment Charter. This Charter allows the Local Authority to incorporate targeted training and employment matters in planning and development proposals/briefs where it is appropriate and affordable.

28.5 The National Employment Panel (NEP) recently identified the construction industry as offering significant potential for moving people from benefits into work by achieving sustainable employment in local construction programmes. As a result of this the two North East city regions (Tees Valley & Tyne and Wear) were selected to establish a combined regional pilot called the Construction Employer Integrator (CEI). The aim of the integrator is to link with clients and contractors to maximise the engagement and recruitment of local people in major construction related projects with a particular emphasis on the training and recruitment of long term jobseekers. All of the Tees Valley Local Authorities are signed up to the CEI in principle.

Thresholds

28.6 All new developments over the thresholds in Table 7 below will be required to put into place a training and employment plan.

Table 7 – Development Thresholds requiring a Training and Employment Plan

Type	Threshold
Residential	Over 20 units
Commercial:	
A1 Food Retail/Non Food Retail	500sq m floorspace
B1 Including Offices	1000sq m floorspace
C1 Hotels	Over 10 bedspace
D2 Including leisure	1000sq m floorspace
Other	Case-by-Case basis

Delivery Requirements

28.7 Where a development is required to include training and employment as part of a planning obligation the local authority may ask for targeted recruitment and training requirements relating to both the construction of developments and the long term recruitment policy of the company who would operate the building or development.

28.8 Early discussions with the developer will help to ensure that there is a clear understanding of the specific targeted recruitment and training requirements that would be appropriate for the development and also to help set out the likely mechanisms that will ensure that these requirements can survive delays, changes in developer or other changes in circumstances that may influence the requirements of the development.

29.0 Public Art

Introduction

- 29.1 Public art is an important cultural asset that can enhance and enliven the local environment whilst providing opportunities for social interaction. It includes any art, temporary or permanent, located in or visible from a publicly accessible space, which has been created to promote and enhance a sense of identity and reference. It can take a range of forms in public locations such as murals, memorials, sculptures, street furniture and paintings. It can be a stand alone feature on or off site or be an integral part of the fabric of the buildings within the development. It has many uses and is not only to compliment new developments but can also be used to screen a development site during construction – this may include using artwork or imagery on the site boundary fencing to make the area more attractive until the development is completed.

National Policy Background

Planning Policy Statement 3: Housing (2006)

- 29.2 At a national level Planning Policy Statement 3: Housing (PPS3) states that "...Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities." (paragraph 12) PPS3 also proposes that Local Planning Authorities should aim at "...Creating places, streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character." (paragraph 14)

Local Policy Background

Hartlepool Local Plan 2006 – Policy GEP10

- 29.3 This policy states that the Borough Council will encourage the provision of public art and craftwork as an integral feature of new development.

Thresholds

- 29.4 The threshold for provision of a scheme of public art for residential development is 50 units. For other development the threshold is as specified within table 1.

Financial Contributions and Delivery Requirements

- 29.5 For development that meets or exceeds the threshold for public art, the developer will be required to implement a Scheme of Public Art to the value of 1% of the development cost. The Local Authority supports the early consideration of how public art will be included in the development in the design process as it is likely to result in a more successful outcome. Therefore the Scheme for Public Art should ideally be integrated into the overall design of the proposed development. The presumption is that the public art will be provided by the developer on-site. In certain circumstances however it may be acceptable to locate the artwork close to the development site or to make a contribution into a funding pot towards the implementation of a

larger artwork which may receive contributions from a number of developments.

Maintenance

- 29.6 Where the public art within a development forms part of the open space to be adopted by the Local Authority, an additional commuted sum for its maintenance will be required. This commuted sum will need to cover maintenance of the artwork for the lifetime of the piece.

Timescale for contributions to be held by Local Authority

- 29.7 Developer contributions are to be paid to the Local Authority on commencement of the development. The contributions will be paid into an account by the Local Authority. This pot of money will be used towards the delivery of public art in the locality of the development. If the contribution is not spent within five years of payment of the contribution the developer will be refunded the full amount.

Appendix One – Summary of Pre-Consultation Exercise

A Pre-Consultation exercise on Planning Obligations was undertaken between September and October 2007. The document set out the different approaches that could be taken and highlighted some of the planning obligations that the local authority may seek through Section 106 Agreements.

The pre-consultation document also set out 6 questions to seek views on planning obligations:

1. Is the policy of publicising the types of contributions that will be sought and quantifying them as far as possible the right approach?
2. In the past the Authority has sought contributions on housing developments of 10 units or more. What are your thoughts on levels of certain types of developments (housing, commercial, leisure etc) which should require contributions?
3. Should there be different levels if a development is regenerating a problem site?
4. Are all the areas for which we are seeking developer contributions appropriate?
5. Are there other areas for which we should seek contributions?
6. What areas do you feel should be prioritised for contributions?

During this pre-consultation period a total of five responses were received from Sport England, Natural England, the HBF, English Heritage and the Environment Agency.

The main issues raised in these responses were:

- support of the approach for seeking contributions towards safeguarding/enhancing the Natural Environment,
- support for obligations that safeguard and create environment, covering usages such as open space, recreation, green infrastructure, landscape character, biodiversity, walking and cycling.
- It was also highlighted that obligations could be used to seek improved access to, and interpretation of, landscape/biodiversity and geodiversity features.
- Natural England noted that it would be necessary to undertake an initial HRA screening process to enable the authority to ascertain whether it (the document) will adversely affect the integrity of a European Site (Special Protection Area).
- English Heritage had concerns that whilst the principle of safeguarding and enhancing the built environment is identified that this does not overtly make reference to the historic environment, especially as it is not listed within Policy GEP9 of the Hartlepool Local Plan.

- The Home Builders Federation (HBF) noted that they felt that would be more appropriate to develop the SPD following adoption of a Core Strategy for the town. They also considered that Planning Obligations would be more suitably dealt with through a DPD which could be independently examined.
- The HBF suggests that contributions should not be too prescriptive and the exact levels of contributions should be determined on a site-by-site basis.
- In terms of Affordable Housing the HBF suggest that any quantifiable targets should be developed out of a Strategic Housing Market Assessment which has been undertaken with full involvement of the property industry.
- The HBF suggests that thresholds on development sites, especially for housing, should not be set too low. Setting thresholds too low could impact on the deliver of sites and mean that the Borough does not meet its housing requirements.
- It is suggested by the HBF that obligations should be kept to a minimum so as to not stop the much needed provision of housing. It was also noted that contributions must directly relate to the new development.
- Sport England is in agreement that publishing and quantifying types of contributions is the correct approach.
- A council with a detailed policy on planning obligations receive few benefits than other councils. This can be avoided by adopting a clear, detailed policy on required infrastructure, to leave little discretion at the development control stage and negotiations at a later stage.
- Benefits to follow a detailed policy: quick and consistent S106 process, early confirmation of allowed contributions and cost of development.
- Generally, planning obligations for sports/recreational facilities are sought from residential developments. It is recommended by Sport England for Hartlepool to follow this process.
- There is no development size noted, below which, planning obligations for sport and recreation facilities are not needed. It has been the understanding that developments down to the level of single dwellings require planning obligations.
- Planning obligations should be waived if the benefits of regenerating a site outweigh the need for the development to meet its infrastructure requirements. However, is it important for the developer to be able to emphasise the possible threats to the potential of the scheme through an “open book” arrangement.
- The term “leisure” needs to be clarified. If ‘leisure’ refers to using planning contributions to improve Hartlepool’s indoor and outdoor facilities, then Sport England is supportive of this.
- It is noticed that Hartlepool falls within the lower quartile for the region, with respect to participation of moderate exercise (3x30mintues per week.)
- Possibilities for the focus of indoor/outdoor activities could be: providing athletics facilities, indoor tennis facilities, improving playing pitches and provisions for the use of plentiful old pool space.

app

Appendix Two – Standardised Section 106 Agreement Template

TO BE INSERTED PRIOR TO PUBLIC CONSULTATION EVENT ONCE
TEMPLATE IS COMPLETED.

Appendix Three – Glossary of Terms

Affordability		A measure of what housing is affordable to certain groups of households.
Affordable Housing		Affordable housing is housing designed for those whose income generally deny them opportunity to purchase houses on the open market as a result of the difference between income and the market cost of housing.
Circular		Central Government guidance
Code for Sustainable Home		A national standard for sustainable design and construction of new homes.
Commencement of development		The date at which work begins on site.
Community Facilities		A facility hat can be used by all members of the community i.e. community centre, phone box etc.
Community Strategy		Provides the planning framework for all services in Hartlepool, including the regeneration and neighbourhood renewal activity. Sets out a long term vision and details the principles and 7 priority aims necessary to achieve the vision and improve services.
Committed Sum		A sum of money paid by a developer to the local authority to provide a service or a facility, rather than the developer providing it direct.
Design and Specification		provides precise and explicit information about the requirements for a development design.
Developer Contributions		Relate to the provision of those items outlined within the Section 106 Legal Agreement ie those things that the developer is required to provide.
Development Plan Document	DPD	A local development document in the local development framework which forms part of the statutory development plan. The core strategy, documents dealing with the allocation of land, action area plans and the proposals map are all development plan documents.
Economic Viability		A means by which to assess the

Assessment		profitability of a scheme.
Financial contribution		A cash specific amount of money paid to the local authority.
Green Infrastructure		Green infrastructure involves natural and managed green areas in both urban and rural settings. It involves the strategic connection of open green areas and provides multiple benefits for people.
Hartlepool Local Plan		A Local Plan is a statutory document containing all the planning policies and standards that will be used to determine planning applications received by the Development Control Section. The plan is also intended to highlight areas where the council is seeking to encourage new development within the borough.
Homes and Communities Agency	HCA	The Homes and Communities Agency is the national housing and regeneration delivery agency for England. Our role is to create thriving communities and affordable homes.
Housing Market Renewal	HMR	An area allocated for improvements to the housing stock either by demolition and rebuild or by refurbishment.
Infrastructure		Can be many things and includes roads, rail, pipelines etc or social provision such as schools.
Intermediate Tenure		This type of housing, also known as Shared Ownership or Shared Equity, enables people to privately buy a share of a property being sold and pay a subsidised rent on the remainder.
Landuse		The use that exists on a certain area of land, various land uses could be residential, agricultural, open space etc
Level of Contribution		The value of money or in kind contribution that a developer is required to pay as a result of the development.
Local Area Agreement	LAA	LAA's are a three year agreement, based on local Sustainable Community Strategies, that sets the priorities for a local area

		between the Council and other key partnerships.
Local Development Framework	LDF	The overarching term given to the collection of Local Development Documents which collectively will provide the local planning authority's policies for meeting the community's economic, environmental and social aims for the future of the area where this affects the development and use of land and buildings. The LDF also includes the Local Development Scheme, the statement of community involvement and the Annual Monitoring Report.
Local Highway Network		All the roads within the Borough, ranging from the A19 down to local roads within housing estates.
Local Transport Plan	LTP	Describes the long-term transport strategy for the borough and sets out a programme of improvements to address the identified local transport problems.
Maintenance		The repair and upkeep of a product.
Market Conditions		The prevailing performance of the economy across all sectors.
Masterplan		A detailed plan of the site and the type of development that would seek to be achieved for the whole site.
Off-site		An area not within the planning application boundary.
On-site		An area within the planning application boundary.
Open Market Value		The value of a product if advertised on the open market.
Open Space Assessment	OMV	An assessment of the quality and availability of open space within Hartlepool.
Pepper Potting		The principle of ensuring there is a spread of affordable housing throughout and overall development rather than all being provided in one specific area.
Piecemeal		Development that is carried out bit by bit.
Planning Condition		A requirement attached to a planning application to ensure that

		the development is of a high standard and to help mitigate against any implications an application may have. Conditions can relate to types of materials or assessments that may have to be carried out.
Planning Policy Guidance		Government documents providing policy and guidance on a range of planning issues such as housing, transport, conservation etc. PPGs are currently being replaced by Planning Policy Statements.
Planning Policy Statement		Planning Policy Statements Government documents replacing PPGs and designed to separate policy from wider guidance issues.
Planning Obligation		A legally binding agreement between the local planning authority and persons with an interest in a piece of land. Planning obligations are used to secure funds or works for significant and essential elements of a scheme to make it acceptable in planning terms. Planning obligations will have been set out in an agreement often known as a 'Section 106 Agreement' and may be used to prescribe the nature of development, to compensate for loss or damaged created by development or to mitigate a development's impact on surrounding built and natural environment. Circular 5/2005 sets out the national policy that regulates these agreements.
Pre-application		The stage referred to prior to submission of an application.
Regional Economic Strategy	RES	The Regional Economic Strategy (RES) sets out how we are going to deliver greater and sustainable prosperity to all of the people of the North East over the period to 2016. It seeks to provide the underpinning economic conditions necessary to achieve the region's vision.
Regional Spatial Strategy	RSS	Statutory regional planning policy

		forming part of the Development Plan and prepared by the regional planning body. The Local Development Framework must be in conformity with the RSS.
Registered Social Landlord's	RSL	Registered Social Landlords are government-funded not-for-profit organisations that provide affordable housing. They include housing associations, trusts and cooperatives. They work with local authorities to provide homes for people meeting the affordable homes criteria. As well as developing land and building homes, RSLs undertake a landlord function by maintaining properties and collecting rent.
Section 106 Legal Agreement		Legally binding agreement entered into between a developer and the Council.
Section 278 Agreement		Where a development requires works to be carried out on the existing adopted highway, an Agreement will need to be completed between the developer and the Council under Section 278 of the Highways Act 1980.
Social Rented		Housing that is rented to a tenant by a Registered Social Landlord.
Standardised Template		A standard template that can be used for a number of agreements.
Strategic Housing Market Assessment	SHMA	Identifies land for housing and assess the deliverability and developability of sites. Provides the evidence base to support the delivery of sufficient land for housing to meet the community's need for more homes.
Subsidy		A form of financial assistance paid to a business or economic sector.
Supplementary Note		Information which supports the development plan.
Supplementary Planning Document	SPD	A local development document providing further detail of policies in development plan documents or of saved local plan policies. They do not have development status.
Sustainability Appraisal	SA	Identifies and evaluates social, environmental and economic

		effects of strategies and policies in a local development document from the outset of the preparation process. It incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive.
Sustainable		To maintain the vitality and strength of something over a period of time without harming the strength and vitality of anything else.
Sustainable Locations		A location that helps maintain the vitality and strength of something over a period of time without harming the strength and vitality of anything else.
Tees Valley		Stockton, Hartlepool, Middlebrough, Redcar and Cleveland and Darlington collectively known as the Tees valley
Tenure		Tenure refers to the arrangements under which the household occupies all or part of a housing unit.
Threshold		A value at which a contribution would be sought. For example if the threshold is 15 and a developer has a scheme for 15 houses they would be required to contribute.
Transfer Price		The discounted price at which a developer would transfer a property to a Registered Social Landlord.
Transport Assessment	TA	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 the anticipated transport impacts of the scheme.
Transport Statement	TS	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.
Travel Plans		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.

CABINET REPORT

19 October 2009



Report of: Director of Child and Adult Services and Director of Regeneration and Neighbourhoods

Subject: OLDER PEOPLE'S HOUSING, CARE AND SUPPORT STRATEGY

SUMMARY

1. PURPOSE OF REPORT

To seek Cabinet's approval of the Older People's Housing Care and Support Strategy and agreement to implement the recommendations of the Strategy.

2. SUMMARY OF CONTENTS

The Council's former Adult and Community Services and Regeneration and Planning departments commissioned Peter Fletcher Associates (PFA) to produce a report that addressed:

- ***An older people's housing strategy***, based on a strong older people centred vision, in line with the Government strategic guidance which reflects the situation of the wider older population as well as the housing, care and support needs of more vulnerable older people
- ***A commissioning strategy or plan*** which builds on the housing strategy, and links across housing, social care and health, as well as the wider agenda for older people identified in the Borough's overall Older People's Strategy

3. RELEVANCE TO CABINET

Recommendations will affect the whole of Hartlepool

4. TYPE OF DECISION

Key – test ii

5. DECISION MAKING ROUTE

Cabinet – 19 October 2009

6. DECISION(S) REQUIRED

Approval of the Older Peoples Housing, Care and Support Strategy and agreement to implement the recommendations of the Strategy

Report of: Director of Child and Adult Services and Director of Regeneration and Neighbourhoods

Subject: OLDER PEOPLE'S HOUSING, CARE AND SUPPORT STRATEGY

1. PURPOSE OF REPORT

- 1.1 To seek Cabinet's approval of the Older People's Housing Care and Support Strategy and agreement to implement the recommendations of the Strategy.

2 BACKGROUND

- 2.1 It is predicted that the number of older people in Hartlepool will rise from 15,100 in 2010 to 20,100 in 2025. The sharpest rise proportionally will be in those older people aged 85 and over where the numbers will increase by 75%, from 1600 in 2010 to 2,900 in 2025. This group has traditionally been the heaviest users of care and support. It is therefore vital that an integrated plan was developed to address the pressures that this demographic shift in the population will cause.
- 2.2 The Council has already identified older people as a key strategic priority for Hartlepool through its overall Older People's Strategy, which is based around a citizenship approach towards planning for the social inclusion and well-being of the older population as a whole.
- 2.3 The Older People's Housing Care and Support Strategy contributes to this wider vision and to delivery of healthy communities and older people theme of the LAA. It also addresses central government requirements around older people, engaging them as partners and developing a broad based strategy and a broad range of services.

3 DEVELOPING THE STRATEGY

- 3.1 Peter Fletcher Associates (PFA) used a combination of research, analysis and surveys to understand the current supply and likely demand for accommodation and services for older people in Hartlepool. They also ran focus groups with older people and ran three development workshops with representatives from agencies, local communities and older people.
- 3.2 A Steering Group was also established that included representatives from the Council, Hartlepool Primary Care Trust, Housing Hartlepool and the 50+ Forum.

- 3.3 In addition to local intelligence, PFA also considered the national context which increasingly is focussing on promoting the independence and well-being of older people, joining up housing, health and social care services and widening service choice and flexibility.

4 KEY ELEMENTS AND RECOMMENDATIONS OF THE OLDER PEOPLE'S HOUSING CARE AND SUPPORT STRATEGY

- 4.1 Four key priorities for the Older People's Housing, Care and Support Strategy have been identified:

- Developing an overall Whole Systems Approach linking with the wider Older People's Strategy; moving away from a welfare approach to an empowering approach for all older people towards universal rights and citizenship, based on choice, responsibility and control over their lives in older age
- Using the planning system to drive changes in the housing market
- Rebalancing the specialist Accommodation System
- Supporting older people at home

- 4.2 The report has 21 recommendations in total (see **Appendix 1**) covering issues in nine major areas:

- commissioning and planning processes,
- information and advice,
- building planning and development,
- specialist accommodation system,
- integrated teams,
- specific user groups,
- floating support and other services,
- funding
- preventative and low level support.

- 4.3 This latter area brings into the larger strategy the work initially done separately on low level support strategy

5 PROGRESS TO DATE

- 5.1 Significant progress has been made against a number of the recommendations set out in the Strategy and a brief summary is set out below:

- The "Hartlepool Now" information service is operational and is being developed to enable people in Hartlepool to access appropriate information maintain their independence and will actively support the Putting People First Agenda.

- Hartfields Retirement Village, an extra care housing scheme, is now complete offering 242 supported accommodation units together with a range of facilities (e.g. restaurant, gym, spa pool, shop, day centre and GP surgery). These facilities are not restricted to the residents of Hartfields and are accessible to the wider community.
- A further joint bid to the Dept of Health was successful and a new extra care scheme involving Housing Hartlepool, Hartlepool Borough Council and Hartlepool PCT is being built at Orwell walk in Rift House ward. This development will provide another 60 units of purpose built accommodation for those over 55 years old.
- In addition to the new build developments, the Council and Housing Hartlepool are developing extra care within existing older people's sheltered care housing schemes at Bamburgh, Albany and Richard Courts.
- An assistive technology Telecare system is well established, offering remote alarmed support to individuals, assisting them to maintain independence in their own homes when they would otherwise be more vulnerable living in the community. The Telecare system includes a personal response by trained staff 24/7, 365 days a year, should the need arise.
- A 2 year 'Telehealth' pilot scheme is also being developed in conjunction with the PCT, funded through practice based commissioning, initially focusing on Chronic Obstructive Pulmonary Disease.
- Supporting People funding is being focussed more on 'floating support' to maintain peoples' tenancies and the development of joint contacts with adult social care to provide a continuum of support from low level to higher personal care needs.
- Joint commissioning arrangements for all adult user groups have been established between the Council and NHS Hartlepool (Hartlepool PCT).
- Integrated teams of social workers, occupational therapists and community nursing staff from the provider NHS foundation trusts [previously PCT staff] are also now in place across the Borough.
- Intermediate Care support has also been adjusted, including a contract for rehabilitation beds in a residential care home, to maximise impact and ensure as many people as possible receive 'reablement' and are able to return to independence following illness.

6 NEXT STEPS

- 6.1 While several of the recommendations listed in the Strategy have been actioned, further progress has been constrained by structural changes in stakeholder organisations and uncertainty over future public sector funding.
- 6.2 The recent reorganisation of the Council's departmental structure provides an opportunity to review the recommendations of the Older Peoples Housing, Care and Support Strategy and to consider whether the priorities within the action plan can be achieved and are affordable.

- 6.3 If the recommendations of the Strategy are to be realised it will be essential that a corporate approach is taken, together with support from other stakeholders.

7 RECOMMENDATION

- 7.1 Members are asked to approve the Older People's Housing Care and Support Strategy and agree to implement the recommendations of the Strategy.

Housing, Care & Support Strategy Recommendations

<p>1.1 Whole system planning</p> <p>Hartlepool should adopt the whole system planning framework as an active tool for strategic and service planning in Hartlepool. Specifically the following should take place</p> <ul style="list-style-type: none"> • map services on a borough wide and local basis to see what the whole system can offer for older people • This should include low-level support services • the strategy should be explicitly linked to the overall Older People's Strategy for Hartlepool
<p>1.2 Joint Commissioning</p> <p>Develop further a joint commissioning approach and the structures and funding to match</p>
<p>2.1 Establish an information and advice service</p> <p>Set up an information, advice and advocacy service that will provide comprehensive information about the range of services available and assist people to access those services. The service should:</p> <ul style="list-style-type: none"> • incorporate a website based information system that can act as a resource for both older people and staff. • be complemented by a programme to improve the provision of information through existing services by linking these services more effectively and ensuring that staff are properly trained in information giving.
<p>2.2 Link access and assessment</p> <p>Agree a process for linking up access and assessment routes, and in particular FACS and Supporting People. To have better systems in place to define need and match this to provision across health, Adult Care Services and housing and signpost older people to the appropriate service</p>
<p>3.1 Extra Care</p> <p>Develop up to 150 places of extra care housing. Stimulate the private market to develop assisted living and extra care housing schemes for outright sale and shared ownership. Develop a flexible 'virtual' extra care approach for older people living in ordinary housing</p>
<p>3.2 Sheltered Housing</p> <p>Develop an initial 5 year plan to improve the sheltered housing stock by reducing the number of bedsits by up to 100 units Rebalance the sheltered stock and housing and housing support service, through:</p> <ul style="list-style-type: none"> • Changing the service model in selected existing: schemes which show high dependency levels and service use to deliver an extra care type service • A growth in the level of sheltered housing for sale and shared ownership

<ul style="list-style-type: none"> • A growth in the provision of floating support for older people who want to stay in general needs housing by around 200 initially • Setting up a cross provider group to develop a common and consistent approach and a clear vision and role for sheltered housing
<p>3.3 Floating support Develop models of floating support, particularly for home owners, older people with dementia, carers and people with short term needs for support by developing locality team approaches which draw in both sheltered and mobile warden services</p>
<p>3.4 Out-of-hours services Take further steps to create a comprehensive and integrated out of hours service covering health, social care and housing</p>
<p>3.5 Community alarm service Set up a task group to review the future commissioning requirements for community alarm services in Hartlepool alongside other out of hours services and the development of assistive technology</p>
<p>3.6 Disabled Facilities Grant</p> <ol style="list-style-type: none"> 1. Provide more clear and simple information in as many locations and formats as possible 2. Allocate an OT to Housing Hartlepool 3. Look at transfer of information and at how this can affect the timescales for adaptations 4. Introduce self assessment and improve opportunities and support for people to fund their own adaptations and/or equipment 5. Introduce 'off the shelf' quotes for common adaptations such as level access shower 6. Agree SLAs between services/ agencies and also between agencies and contractors 7. Develop a local Disability Living Centre as a point where people can try and buy equipment, obtain advice on solutions and funding and can access services. 8. Examine the potential for development of Home Improvement Agency services to play a wider service role examine the potential of a pan Teesside service to create further development capacity
<p>3.7 Integrated teams Ensure housing input into the older people's integrated teams. This should include not just allocations but also the role of housing support services alongside home care and community health services to build the virtual team approach proposed in the 'virtual extra care model</p>
<p>3.8 Intermediate care Consider moving to commissioning from a smaller number of establishments – perhaps on a locality basis and more closely integrated with locality teams . Plan to commission non bed based services. Look at the potential of extra care housing based beds for intermediate care. Review model of intermediate care once extra care developments are on-line and their impact can be assessed</p>

4.1 Dementia

Develop a broader approach to housing and service options for people with dementia, including:

- use of extra care housing;
- a better balance between residential and nursing home care; support into sheltered housing and warden training
- piloting small group living models;
- developing community support and specialist home care
- develop broader training programme across providers in a range of settings

4.2 Learning Disability

Plan for the growing number of older people with a learning disability through the use of extra care and sheltered housing, and considering other small group living models in the future

4.3 BME Communities

Consider developing initiatives on a Tees Valley wide basis to improve access and lettings to sheltered housing for black and minority ethnic elders' in the Borough

4.4 Long Term Conditions

Include housing and support services in the planning and delivery of support for people with chronic, long-term conditions in the community.

5. Funding

Reinvest funding from re-configuring the sheltered housing service and reducing residential care home placements into Extra Care provision
Capital funding through the Housing Corporation, the Council's own capital receipts, Department of Health or Regeneration funding could be identified to fund the capital costs, in addition to stimulating the private market

6.1 Preventative Support

Build stronger systems for the effective delivery of preventative services which would include:

- Mapping the full range of preventative services
- Identifying the barriers to expanding preventative services and finding solutions to overcome these barriers building on initiatives such as Connected Care and the development of integrated services across the 3 service areas
- Secure long-term funding for preventative services

6.2 Commission a targeted support service for older people who are unable to carry out the majority of household tasks and are assessed as being at risk of losing their independence

6.3 Encourage current and potential providers to work together to improve efficiency and services.

CABINET REPORT

19th October 2009



Report of: Director of Regeneration and Neighbourhoods

Subject: THIRD LOCAL TRANSPORT PLAN (LTP3)

SUMMARY

1. PURPOSE OF REPORT

To seek approval for the project plan for the development of the Third Local Transport Plan (LTP3)

2. SUMMARY OF CONTENTS

This report explains the Department for Transport's new approach to Local Transport Plans - as detailed in the latest guidance – and informs of the proposed plan to develop LTP3. The report also informs of the consultation strategy proposed for the document.

3. RELEVANCE TO CABINET

This is a Cabinet decision.

4. TYPE OF DECISION

This is a key decision (tests i & ii).

5. DECISION MAKING ROUTE

Cabinet will make the decision.

6. DECISION(S) REQUIRED

- (a) Members approve the methodology for the development of LTP3 as detailed in this report.
- (b) Members approve methods of consultation detailed in this report.

- (c) Members note the intention to carry out a Strategic Environmental Assessment and Diversity Impact Assessment (DIA) as part of the development of LTP3
- (d) A Draft LTP3 be brought to Cabinet in October 2010 for comment and the final document be brought in March 2011.

Report of: Director of Neighbourhoods and Regeneration

Subject: THIRD LOCAL TRANSPORT PLAN (LTP3)

1. PURPOSE OF REPORT

- 1.1 To seek approval for the project plan for the development of the Third Local Transport Plan (LTP3)

2. BACKGROUND

- 2.1 The Council's Second Local Transport Plan (LTP2) covers the period to 31st March 2011, after this date the Council's Third Local Transport Plan (LTP3) will come in to effect.
- 2.2 Draft Guidance on the development of LTP3's was published by the Department for Transport (DfT) in December 2008 and consultation on this closed in April 2009. The final guidance was published in July 2009. The guidance made it clear that LTP3 will be different from previous LTP's as the DfT has taken a fresh approach to this round, allowing Local Authorities a greater degree of flexibility to prepare a plan which best meets its own individual needs.
- 2.3 The Local Transport Act 2008 requires that all LTP3 documents contain policies (the strategy element) accompanied by an "Implementation Plan" and that Authorities renew their plans as they see fit. The guidance suggests that joint working between neighbouring Authorities should be considered where cross-boundary travel is of particular importance.
- 2.4 With this in mind the Tees Valley Local Authorities have been considering the scope, content and format of LTP3 whilst also considering that the DfT is not intending to issue prescriptive guidance as it did previously. LTP3 will no longer be a 'bidding' document – indicative block allocations up to 2019 have already been provided – and there will no longer be any formal monitoring of LTPs.
- 2.5 A key theme within the development of LTP3 in the Tees Valley will be joint working between the five Local Authorities wherever possible. Whilst this worked well for LTP2, certain lessons have been learnt and through joint priorities, methodologies and combined use of funding it is hoped that closer joint working can be achieved developing LTP3. This will help to deliver efficiencies and provide a stronger co-ordinated voice for the City Region. To facilitate this, a LTP3 Joint Working Group has been established with representation from the Authorities and the Tees Valley Joint Strategy Unit (JSU).
- 2.6 Based on the work done to date at City Region and local level a preferred option of a joint City Region Strategy, which is aligned to the RFA process and the Multi

Agency Agreement (MAA), underpinned by five individual Implementation Plans has been agreed.

- 2.7 The framework diagram below shows the agreed split of responsibilities with the JSU leading on the development of the City Region Transport Strategy and the five Authorities leading on the development of their individual LTP3s.

Tees Valley LTP3 Framework

<p>City Region Transport Strategy 2011-2021</p> <p>Context City Region Business Case, Tees Valley Climate Change Strategy, Regional Spatial Strategy, etc. Updated sub-regional demographics</p> <p>Delivering a Sustainable Transport System Table of challenges - summarising their sub-regional priority</p> <p>Implementation Plan Sub-regional schemes – Regional Funding Allocation (RFA) table / Area Action Plan</p>
<p>Local Transport Plan 2011-2016 (x5)</p> <p>Strategic Introduction Summary of City Region Transport Strategy</p> <p>Context Community Strategies, Local Development Frameworks, etc.</p> <p>Delivering a Sustainable Transport System Table of challenges - summarising their local priority</p> <p>Implementation Plan Summary of sub-regional schemes Local Schemes</p>

- 2.8 The new LTP3 guidance will allow the time horizon of LTP3 to be at the discretion of the Local Authorities producing them. It has been proposed that the longer term strategy should be in line with the City Region Business Case and current Regional Spatial Strategy, as well as Local Development Frameworks. Therefore the new City Region Transport Strategy will cover the period from 2011-2021. The five LTPs will cover a shorter period from 2011-16 to reflect the funding commitments from the Government, the links to Community Strategies, and the shorter timescales associated with planning local improvement measures.
- 2.9 It has been proposed that the City Region Business Case, due to be updated by the end of 2009, will set the context for the new City Region Transport Strategy. The context for the individual LTPs will be set by the City Region Transport Strategy and the Authorities’ individual Sustainable Community Strategies and Local Area Agreements.
- 2.10 The Government’s long-term Transport Strategy, Delivering a Sustainable Transport System (DaSTS), will be integral to the development of the LTPs

within the City Region. They replace the Shared Priorities of LTP2 (Delivering Accessibility, Tackling Congestion, Safer Roads, Better Air Quality and Quality of Life Issues) and will form part of a 'golden thread' from the City Region Transport Strategy down through the five LTPs and five Local Implementation Plans.

2.11 DaSTS sets out five goals for transport to:

- Reduce transport's emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change;
- Support national economic competitiveness and growth, by delivering reliable and efficient transport networks;
- Promote greater equality of opportunity for all citizens, with the desired outcome of achieving a fairer society;
- Contribute to better safety, security and health and longer life expectancy by reducing the risk of death, injury or illness arising from transport and by promoting travel modes that are beneficial to health; and
- Improve quality of life for transport users and non-transport users, and to promote a healthy natural environment.

2.12 Undemeath these five goals there are sixteen city and regional network challenges, which cover transport objectives at both the City Region and local transport level. Over the coming weeks one of the first tasks for developing LTP3 within the Tees Valley will be to establish whether each of the sixteen challenges are a City Regional priority, a local priority or both.

2.13 The implementation plan within the City Region Transport Strategy will be based upon the Regional Funding Allocation (RFA) investment programme, the Tees Valley Area Action Plan and any emerging local schemes that can be delivered at a sub-regional level (eg Urban Traffic Management Control). The implementation plans within the five LTPs will be based around the priorities for investment identified through the Authorities' Strategic Community Strategies and consultation processes.

2.14 During the development of their LTP2s, the Tees Valley Local Authorities consulted upon their strategies independently. In order to undertake this process more efficiently and produce results that are comparable and can be combined across the City Region, the LTP3 Working Group will attempt to produce a standard consultation format. It would be designed so that it could be used independently by each of the Local Authorities through their normal consultation channels.

2.15 It would also allow joint consultation with consultees such as the Environment Agency, the Highways Agency, bus operators, rail operators, North Yorkshire County Council, Durham County Council, etc. The Authorities will still undertake initial consultation on local priorities independently.

2.16 In Hartlepool there is already a significant amount of consultation information available from recently undertaken exercises, including consultations for the Local Development Framework (LDF), the Neighbourhood Action Plans (NAPS) and a MORI Transport survey. Rather than undertake further consultation at this time it is intended to utilise the available information to inform the first draft of the

third LTP and the subsequent implementation plan. This will then be further consulted upon to determine whether the issues identified are still relevant or whether other issues have arisen in the more recent past.

- 2.17 Once the priorities and implementation plans have been finalised at both a strategic and local level, delivery mechanisms will be developed. Agreement of the governance will be based upon what can be delivered at a City Region level, by more than one LA in partnership, by a lead authority on behalf of other Authorities, or individually.
- 2.18 Also at this stage, the Working Group will determine what can be monitored at a City Regional level or in partnership. There will be no LTP specific reporting of progress as in previous years; however progress towards transport outcomes will be recorded through the Comprehensive Area Assessment (CAA) Indicators and the Local Authorities will continue to monitor outcomes other than these indicators to ensure effective delivery.
- 2.19 The JSU in conjunction with the five Local Authorities will aim to complete the first draft of the City Region Strategy by the beginning of 2010. The Authorities will aim to produce an early draft of the front sections of their LTP3s (as shown in the table above) shortly after, subject to their initial consultation requirements. These initial drafts will then inform the development of governance, monitoring and consultation arrangements, which will in turn inform the final draft LTP3s by the beginning of 2011.
- 2.20 In terms of Hartlepool Borough Council, a draft document will be taken to Cabinet in October 2010 to allow consultation to take place with a view to taking the final report to Cabinet in March 2011.
- 2.21 As part of the process a Strategic Environmental Assessment (SEA) will be undertaken. This will be commissioned by the Local Authorities and completed by an independent organisation. The outcomes of this Assessment will inform the production of the final document.

3. CONSULTATION

- 3.1 The consultation for LTP3 will happen in stages. The initial draft document and implementation plan will be developed from currently available information from recently undertaken consultation exercises through the Local Development Framework, Neighbourhood Action Plans, Mori Transport Survey and Viewpoint 1000 surveys.
- 3.2 Once the draft document has been developed, further consultation will be undertaken with key stakeholders to ascertain as to whether all of the points contained therein are still relevant
- 3.3 A joint Tees Valley consultation with consultees such as the Environment Agency, the Highways Agency, bus operators, rail operators, North Yorkshire County Council, Durham County Council, etc will also be undertaken.

4. FINANCIAL IMPLICATIONS

- 4.1 Any costs associated with the development of the Plan will be met from existing Local Transport Plan Budgets.

5. PROJECT RISKS

- 5.1 A Risk Assessment will be undertaken as part of the development of LTP3.

6 RECOMMENDATIONS

- (a) Members approve the methodology for the development of LTP3 as detailed in this report.
- (b) Members approve methods of consultation detailed in this report.
- (c) Members note the intention to carry out a Strategic Environmental Assessment and Diversity Impact Assessment (DIA) as part of the development of LTP3
- (d) A Draft LTP3 be brought to Cabinet in October 2010 for comment and the final document be brought in March 2011.

7 REASONS FOR THE RECOMMENDATIONS

- 7.1 The reasons for these recommendations are:
- (a) to enable the third Local Transport Plan to be developed, in accordance with the guidance published by the Department for Transport, for it to come into effect on 1st April 2011.
 - (b) to ensure that the plan addresses the needs of the community and stakeholders of the town
 - (c) to ensure the plan conforms with environmental and diversity legislation



Report of: Director of Child and Adult Services

Subject: BUILDING SCHOOLS FOR THE FUTURE –
TRANSPORT OF STUDENTS FROM DYKE HOUSE
SPORTS AND TECHNOLOGY COLLEGE TO THE
FORMER BRIERTON SCHOOL SITE – 2010-2012

SUMMARY

1. PURPOSE OF REPORT

To seek approval for a temporary and exceptional amendment to the Council's Home to School Transport Policy. This is in order:

- a) that the majority of students attending Dyke House Sports and Technology College between autumn 2010 and summer 2012 can be transported to the former Brierton School site without unreasonable financial burden on their families;
- b) that standards can be made throughout this period, for example by ensuring that attendance rates remain high.

2. SUMMARY OF CONTENTS

This report provides background as to why it is necessary to base Dyke House Sports and Technology College students and staff at the former Brierton School site in order to facilitate the transformation of the current Dyke House buildings.

The report addresses issues around the transportation of Dyke House Sports and Technology College pupils to the former Brierton School site to enable building work to take place on the Dyke House site between autumn 2010 and summer 2012 under Hartlepool's Building Schools for the Future (BSF) programme.

It provides information relating to the Council's statutory duty to provide free home to school transport for all families living more than three miles from school and for families living between two and three miles from school if they are on low incomes.

The report also details the rationale behind making a temporary and exceptional extension of entitlement to free transport for a limited group of pupils.

3. RELEVANCE TO CABINET

The Schools Transformation Programme will have a significant impact on the future provision of education in Hartlepool and ultimately the standards attained by the pupils in Hartlepool's schools.

4. TYPE OF DECISION

Key Decision. Tests 1 & 2 apply

5. DECISION(S) REQUIRED

Cabinet is recommended to authorise a temporary and exceptional amendment to the Council's Home to School Transport Policy. This amendment will enable transport to be provided free of charge to Dyke House Sports and Technology College pupils whose home address is more than two miles from the Brierton School site when measured by safe walking route. This amendment will be temporary and will relate only to those Dyke House pupils attending the former Brierton School site between autumn 2010 and summer 2012.

Report of: Director of Child and Adult Services

Subject: BUILDING SCHOOLS FOR THE FUTURE –
TRANSPORT OF STUDENTS FROM DYKE HOUSE
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- b) that standards can be made throughout this period, for example by ensuring that attendance rates remain high.

2. BACKGROUND

In line with the approved Outline Business case for the Council's Building Schools for the Future (BSF) programme, the Dyke House scheme is being designed on the basis of a retained main school building which is to undergo a significant transformation by means of a major remodel and also an element of new build. Project specific details will be known by March 2010 at which time Cabinet is to appoint the selected design and build contractor. Virtually all parts of the school building will be subject to redevelopment. The need to decant the existing school in its entirety has arisen as a result of a number of key factors:

- The need to continue offering pupils, staff and visitors the guarantee that a good quality and suitable learning environment is available at all times during the length of the project; given that all parts of the existing school will be subject to significant disruption, the option to remain on the Dyke House site is not viable.
- Accommodating in the region of 1,200 pupils and staff in temporary units is not a practical solution. This is due to the excessive costs involved and due to the nature of the restricted site. There is a risk on this particular site that a number of serious site safety and security issues will arise. The whole site will be subject to building operations and landscaping works which would result in most or all of the existing sports facilities being inaccessible. This would not be a viable option as Dyke House is the town's designated College for Sports Specialism.
- Retaining pupils and staff on site will add significantly to the project length and costs which could jeopardise the entire Building Schools

for the Future (BSF) programme in Hartlepool. At the same time staff and pupils would be subjected to an unsuitable and unsafe learning environment which would clearly have an impact on maintaining the high educational standards of the College.

Dyke House College's senior management team and governing body agree with and support the requirement to decant as the appropriate solution in the circumstances, acknowledging that this will allow their Building Schools for the Future (BSF) project to proceed in the most effective way. Council officials and college managers have worked closely together on the development of a building solution to improve the former Brierton School site in readiness for their transfer during the academic years 2010/11 and 2011/12.

3. PUPILS CURRENTLY REGISTERED AT DYKE HOUSE SPORTS AND TECHNOLOGY COLLEGE

At a recent headcount, 1,093 pupils were registered at Dyke House Sports and Technology College. Using the information available in relation to current pupils on roll at the college, distances were measured between pupils' homes and school to calculate their current journey to school in miles. The results are outlined below:

Table A

Mileage	No. of Pupils	No. of Pupils with free Transport	Transport Cost per annum
Less than 1 mile	602	0	0
1.0 to 1.5 miles	130	0	0
1.5 to 2.0 miles	89	0	0
2.0 to 3.0 miles	43	28	£7,448
Greater than 3 miles	229	196	£57,443
TOTAL	1,093	224	£64,891

This table shows that 821 out of 1,093 of the current Dyke House Sports and Technology College pupils (over 75%) find their own way to school.

Pupils living less than two miles from the school do not receive free transport.

Approximately 66% of those living between two and three miles from school receive free transport; these are families with low incomes.

4. THE LAW ON HOME TO SCHOOL TRANSPORT

The current legal requirements in relation to Home to School Transport can be found in the Education Act 1996, as amended by the Education and Inspections Act 2006.

In 1996 the Education Act imposed the overall duty on local authorities to provide free transport, taking into account statutory walking distances and the suitability of walking routes.

The Education and Inspection Act 2006 introduced new provisions in relation to free transport for pupils from low income families. It placed a requirement on local authorities to provide free transport for families living between two and three miles from school who were entitled to working tax credit at the higher rate.

5. HARTLEPOOL BOROUGH COUNCIL'S HOME TO SCHOOL TRANSPORT POLICY

The Council's Home to School Transport Policy and Sustainable Travel Strategy 2008/09 is attached as **Appendix A** to this report. Section 1 of the document is entitled "Mainstream and Low Income Transport Policy". Four of the sub-sections of Section 1 have particular relevance to this report to Cabinet:

- 1.1 Primary and secondary aged pupil's entitlement
- 1.2 Children entitled to free school meals, or whose parents are in receipt of their maximum level of working tax credit
- 1.3 Distance measuring for free transport for low income families
- 1.4 Home address

These sub-sections clarify the circumstances under which free transport must be provided to pupils attending Hartlepool schools, taking into account relevant legislation and policy decisions of the Council.

In essence, under current legislation, the Council is committed to providing free transport for two groups of secondary age pupils:

- i. Those whose home address is more than three miles from school when measured by a safe walking route;
- ii. Those whose home address is between two and three miles from school when measured by a safe walking route and who are from low income families, as evidenced by entitlement to the maximum level of Working Tax Credit.

In addition the Council's Home to School Transport Policy makes potential provision for free transport for families who live within the prescribed walking distance between home and school, but where there is no safe walking route, or in the case of individuals with additional needs.

6. KEY ISSUES

An exercise was undertaken to examine the potential impact of moving pupils from Dyke House Sports and Technology College to the former Brierton School site. The current pupils on roll at Dyke House Sports and Technology

College were used to calculate the home to school distances as measured this time to the Brierton site. The results are shown in Table B overleaf.

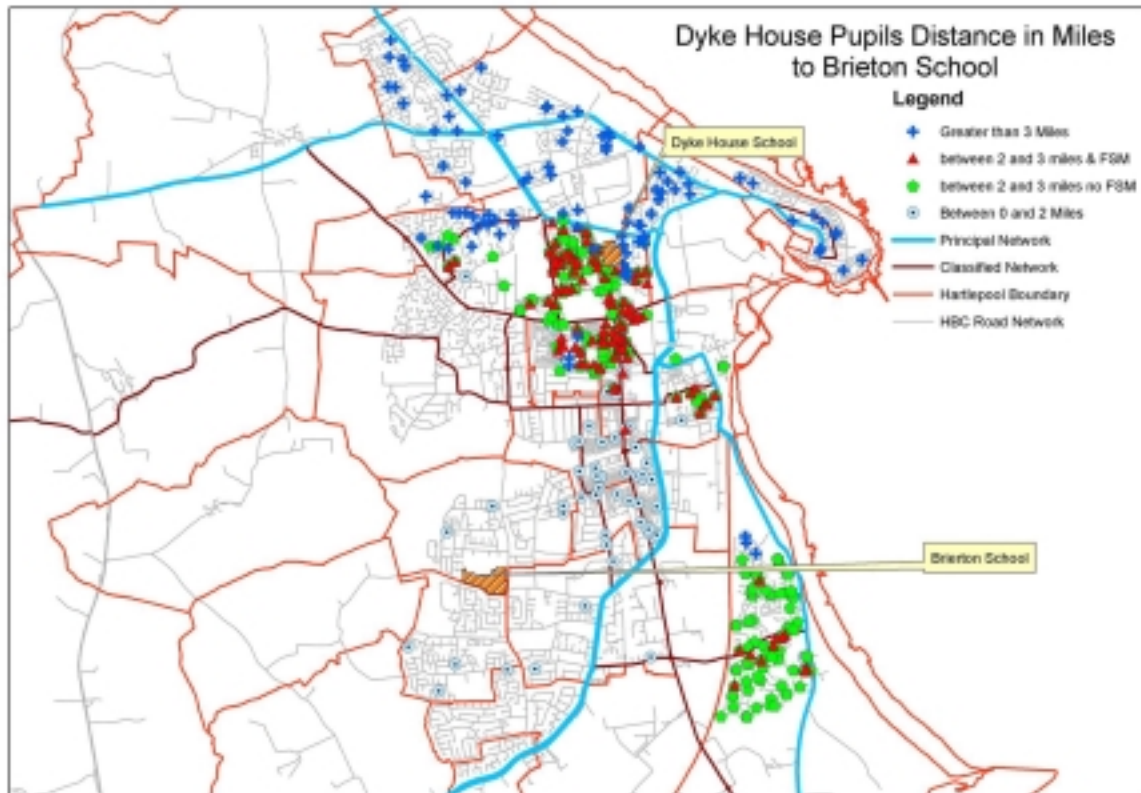
Table B

Mileage	No. of Pupils
Less than 1 mile	41
1.0 to 1.5 miles	109
1.5 to 2.0 miles	131
2.0 to 3.0 miles	639
Greater than 3 miles	173
TOTAL	1,093

This table shows that 812 out of 1,093 pupils currently on roll at Dyke House Sports and Technology College (just less than 75%) live more than two miles away from the former Brierton School site, when measured by safe walking distance.

Of these pupils, 173 living more than 3 miles from the Brierton site would be entitled to free transport. Those pupils living between two and three miles from the Brierton site who are from low income families (204 out of 639) would also be entitled to free transport.

The picture (Picture C) shows the exact home location of all current Dyke House Sports and Technology College pupils as coded by the distance, in miles, from the Brierton School site.

Picture C

- Those pupils living more than three miles from the Brierton School site are indicated by the dark blue symbols and are entitled to free home to school transport;
- Those pupils living between two and three miles from the Brierton School site are indicated by the red and green symbols, the red symbols indicating those from low income families.
- Those pupils living less than two miles from the Brierton School site are indicated by the pale blue circle symbols.

7. RATIONALE FOR RECOMMENDATIONS

The Council currently provides free transport to the Dyke House site for 272 pupils. As a result of legislation and the Council's own policy this will rise to at least 377, based upon current pupil numbers, when Dyke House pupils and staff decant to the Brierton site for two years from autumn 2010.

Unless a temporary and exceptional amendment to the Council's Home to School Transport Policy is made, 435 Dyke House pupils living between two and three miles from the Brierton site, will have to make their own way to school during the decant period. Many of these pupils will be Year 7 pupils, some of whom will only recently have turned 11.

A significant proportion of the 435 pupils identified in the previous paragraph live in the Seaton Carew area and are currently entitled to free transport to the Dyke House site. It is felt that the Council has a moral duty to make

arrangements for these pupils to get to the decant site, when the decant arrangements are being imposed upon these families. This moral duty is based upon concerns for the safety of significant numbers of pupils who would have to walk along a route requiring them to cross the A689, a major route out of the town.

In order to assist Dyke House Sports and Technology College to maintain high attendance and to support all families to get their children to school punctually if they live between two and three miles from the Brierton site, the Council could provide free transport for these pupils to get to the decant site. This would appear to be an acceptable compromise since the decant arrangements are being imposed on these families in order for the Council to progress its Building Schools for the Future (BSF) programme.

8. RECOMMENDATIONS FOR CONSULTATION

It is proposed that a temporary and exceptional amendment is made to the Council's Home to School Transport Policy that will have the effect of providing transport free of charge to all Dyke House Sports and Technology College pupil attending the former Brierton School site between autumn 2010 and summer 2012 and whose home address is more than two miles from the Brierton School site when measured by safe walking route.

It is proposed that home to school transport should not be provided for pupils living less than two miles from the Brierton School site unless special circumstances apply, such as lack of safe walking route or pupils identified with significant medical conditions or other significant additional needs.

9. OUTCOMES OF CONSULTATION

Public Consultation

A public consultation meeting was held at Dyke House School on 5th October 2009. Invitations were sent out to the families of all current pupils at Dyke House School, to prospective parents through primary schools and to other interested parties through press releases and media coverage. Over 100 people attended the event and received presentations from school leadership and Authority representatives. Questions were raised and answered and a number of views were expressed.

The meeting was conducted in a calm and orderly manner and most parents appeared to be content with the arrangements that were being made for the decant to the former Brierton School site. The meeting was informed that the Director of Child and Adult Services was considering making a recommendation to Cabinet that an exceptional temporary modification be made to the Home to School Transport Policy, in order to provide free transport for all pupils whose home address is more than two miles from the Brierton School site when measured by an appropriate safe walking route. Any modifications to the policy, if approved, would remain in place for the duration of the decant period, expected to be two years.

Most of those present appeared to be satisfied that free transport for those living more than two miles from the Brierton site was a reasonable option, although a very small number of parents expressed a view that free transport should be provided for pupils living less than two miles from the school. The meeting was informed that any exceptional circumstances of individual families would be considered, particularly in the context of the availability of a safe walking route, in line with the existing Home to School Transport Policy.

Issues discussed during the meeting included:

- The mode of transport to be used (public service, yellow buses, private hire)
- Pick up points
- Supervision of pupils while travelling to school
- Arrangements for parking at the Brierton site
- Transport for pupils attending out of school activities
- Arrangements when pupils miss the bus
- Arrangements when pupils are participating in after school activities or are given detention as a sanction
- How the Council measures the distance between home and school

Those present at the meeting were given the opportunity to respond after the meeting in a variety of formats. Any further key issues that emerge will be reported to Cabinet at the meeting.

Consultation with Elected Members

Consultation with elected members of the Council took place on 6th October 2009. A total of 15 members attended one of two sessions. At the first session, members recognised that offering free transport to some and not others was contentious but felt a reasonable approach was to offer free transport to all of those who live more than two miles from the Brierton site. However, other issues raised by members included:

- The arrangements that would be made to enable pupils to attend breakfast and after school clubs
- A concern that all pupils over a certain distance should be provided with transport free of charge, irrespective of family income
- A concern that two miles is a significant walking distance in the modern day context for some fairly young children
- Arrangements for lunchtime that would have minimal impact on the neighbourhood
- The need to prepare pupils well for the change

At the second meeting with elected members views were expressed as follows:

- It was questioned why Dyke House Sports and Technology College pupils living between two and three miles from the former Brierton School site and who are not from low income families should have free transport provided

- Pupils should be encouraged to walk or cycle to school
- Cost to the Council of providing free transport to all living more than two miles from the Brierton site could not be justified in current financial climate
- It was felt that there are a number of safe pedestrian crossing points along the A689; if necessary additional crossing patrols could be provided as a cheaper option than providing free transport.
- A number of pupils already walk across busy roads including the A689 to get to school.
- Possibility of subsidising transport to school for those not legally entitled to free transport, including possibility of flat rate charge
- Questions were raised around provision and use of yellow buses
- There was a view that many parents would want to transport their children to school themselves; the possibility of poll of Seaton Carew parents was mooted
- The possibility of the school itself being responsible for the cost of transport was suggested

10. FINANCIAL CONSIDERATIONS

The precise financial impact will not be known until the distance between home and school is calculated for each individual pupil who will be registered at Dyke House School for the school years 2010/11 and 2011/12. Approximate costs have been calculated based on the current school population and the likely balance of use of different forms of transport (public service buses, yellow buses, private hire coaches).

A number of options have been modelled, suggesting full school year costs of between £300,000 and £400,000 per annum for the two school years 2010/11 and 2011/12. Costs would be spread over three financial years, as the financial year cycle does not match the school year cycle:

Financial Year	Proportion of school year costs
2010/11	September to March (7/12)
2011/12	April to March (12/12)
2012/13	April to July (4/12)

In the Medium Term Financial Strategy agreed by Cabinet for consultation, £220,000 has been identified for the potential 7/12 costs in 2010/11. This equates to approximately £377,000 in a full year, consistent with the modelled cost estimates stated above.

At its meeting on 29th September, the Schools Transformation Project Board requested that an enquiry should be sent to Partnerships for Schools, the body established by government to oversee the Building Schools for the Future (BSF) programme, to ascertain the possibility of BSF funding being used to meet transport costs in the Dyke House Sports and Technology College context. The response from Partnerships for Schools, as outlined below, indicated that use of BSF funding for this purpose was not possible:

“I regret to say that it will not be possible for PfS to support the transport costs from Dyke House to Brierton. This is for two reasons. First, these are revenue costs and as such do not fall within the scope of PfS’ remit which covers only the capital costs of design and build and ICT provision. Secondly, the approved OBC agreed the level of financial support from DCSF/PfS to Dyke House as the sample school project, including the abnormalities allocation.”

The use of Building Schools for the Future (BSF) income to support the transport of Dyke House Sports and Technology College pupils to the former Brierton School site, as suggested by the Project Board, is clearly not possible.

11. DECISIONS REQUIRED

Cabinet is recommended to authorise a temporary and exceptional amendment to the Council’s Home to School Transport Policy. This amendment will enable transport to be provided free of charge to Dyke House Sports and Technology College pupils whose home address is more than two miles from the Brierton School site when measured by safe walking route. This amendment will be temporary and will relate only to those Dyke House pupils attending the former Brierton School site between autumn 2010 and summer 2012.

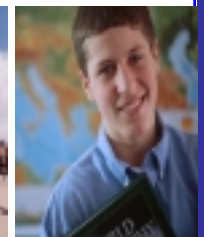
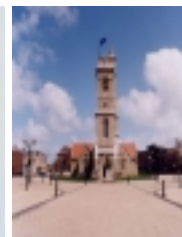
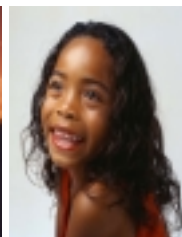
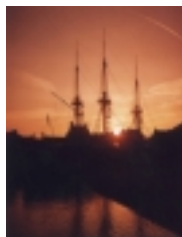
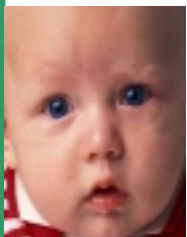
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Hartlepool Borough Council Children's Services

Home to School Transport Policy and Sustainable Travel Strategy 2008/09



CONTENTS

Introduction

Legislative Framework

Section 1 – Mainstream and Low Income Transport Policy

- 1.1 Primary and secondary aged pupil's entitlement
- 1.2 Children entitled to free school meals, or whose parents are in receipt of their maximum level of working tax credit.
- 1.3 Distance measuring for free transport for children of low income families
- 1.4 Transport on grounds of religion and belief
- 1.5 Home address
- 1.6 Change of address
- 1.7 Parental preference
- 1.8 Medical cases
- 1.9 Transport provision for special circumstances (discretionary assistance)
- 1.10 Expected level of behaviour for all pupils
- 1.11 Inaccurate applications
- 1.12 Application process

Section 2 –SEN Transport Policy

- 2.1 General
- 2.2 Criteria for SEN Home to school transport
- 2.3 Passenger Assistants
- 2.4 Post 16 students
- 2.5 Review process
- 2.6 Special educational needs transport panel
- 2.7 Confidential Information
- 2.8 Residential schools
- 2.9 Wheelchair provision
- 2.10 Parental responsibility
- 2.11 Application process
- 2.12 Pupils from other education authorities
- 2.13 Dual Placements / Integration
- 2.14 Parental visits to school
- 2.15 Post 16 and further education
- 2.16 Pre-school provision for SEN pupils

Section 3 – Post 16 Transport Policy

- 3.1 General
- 3.2 Sixth form and further education pupils
- 3.3 Transport arrangement for pupils with special educational needs

Section 4 - Sustainable Modes of Travel Strategy (NEW)

To be included December 07

Section 5 Looked after pupils

Section 6 – General Information

- 6.1 Pre-school provision
- 6.2 Behaviour
- 6.3 Complaints
- 6.4 Appeals process
- 6.5 Criminal background checks and identity badges
- 6.6 Safety of routes
- 6.7 Fare paying seats / Concessionary travel permits
- 6.8 Identification of new routes
- 6.9 Journey times
- 6.10 Transport following the closure of a school
- 6.11 Parents/carers not at home
- 6.12 Extended Services

Introduction

Hartlepool Borough Council recognises that it is the responsibility of the parent / carer to ensure that the child attends school and make any necessary transport arrangements. However, in certain circumstances, Hartlepool Borough Council will provide home to school transport, and in some cases free bus passes, if the criteria is met.

This document describes the policy and criteria applied in distance between home and school. It will provide a starting point for parents and carers in order for them to be able to establish if they are entitled to the provision and how to access the support available.

This policy has been developed in line with current Government legislation and is in accordance with the Education Act, 1996 particularly relating to sections 444 and 509 and the Education and Inspection Act 2006. This policy will be reviewed and updated periodically to ensure that arrangements adopted within Hartlepool reflect any new legislation and guidance.

Hartlepool's children's services will continue to offer school places to children that are within a reasonable distance of their place of residence. In some cases this is not always practical, and therefore the Authority will aim to:

- Promote walking to and from school in order to reduce the number of car journeys as part of the Authority's commitment to protecting the environment in which we live and work
- Strive to ensure that journey times to and from school for pupils are reasonable so no pupil is disadvantaged by the routes in use,
- Provide transport, where necessary, which is safe and meets the requirements of all parties whilst remaining cost effective.

Hartlepool Borough Council expects the service delivered to be of a high standard. Those pupils who qualify under this policy can expect that those standards will be monitored and maintained.

Legislative Framework

The Education Act 1944 as amended by the Education Acts 1986 and 1996 and the Education Reform Act 1988 sets out the minimum provision for home to school transport which local authorities must provide.

The provision of home to school transport is covered in law by section 509 (1-6) of the 1996 Education Act 2006.

The basic provisions are:

- The Local Authority have a duty to provide free transport if they consider it necessary in order for a pupil to attend school
- The Local Authority may assist other pupils with their fares either wholly or in part

- Free transport is always necessary for a pupil aged between 5 and 16 who attends the nearest suitable school which is further from home than the statutory walking distance

The Education and Inspections Act 2006 extends Local Authority duties and powers relating to home to school transport:

- By extending entitlement to free home to school transport for low income families

The Statutory walking distances are:

- 2 miles for a child up to the age of 8 years
- 3 miles for a child over the age of 8 years

In Hartlepool the statutory walking distance is modified by discretionary power to achieve consistency between sectors:

- 2 miles up to the age of 11 years (primary pupils)
- 3 mile from the age of 11 – 16 years (secondary pupils)

The Courts have defined an available route as one “along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as “available” because of dangers which would arise if the child was unaccompanied.”

The Transport provided would be for the full distance between home and school/unit unless individual assessment allows that pupils may appropriately be expected to walk a short distance to/from the school/unit picking up/setting down point.

The Authority is bound to provide transport only in the case of pupils of school age (5-16) attending the nearest suitable school. The Authority is not required to provide transport where a child attends, at the parent's wishes, a school, which is not the nearest to the home. However this situation will be reviewed on a case-by-case basis if the reason for the pupil attending a parental preference school is because of religious belief.

Hartlepool Borough Council, Children's Service Department Mainstream and Low Income Transport Policy (Section 1)

1.1 Primary and secondary aged pupil entitlement

Transport will be provided free of charge for those pupils of primary and secondary age who are travelling over the statutory walking distance to/from the main entrance of their nearest suitable school.

Pupils may be required to use public transport and in these cases they will be provided with a free bus pass in order for them to use the service. The bus pass is the responsibility of the child and if lost, replacements will be provided but this will carry an administration charge of £5.50.

Any pupil who applies for home to school transport assistance must be resident within Hartlepool and attend a Hartlepool school.

1.2 Children entitled to free school meals, or whose parents are in receipt of their maximum level of Working Tax Credit.

Primary School Extended Rights to Free Travel (low income families)

Regardless of the level of family income, children of compulsory school age, but under the age of eleven are entitled to free travel arrangements to their nearest qualifying school more than two miles from their home. In addition, from September 2007, children aged eight, but under age 11 from low income families must have travel arrangements made where they live more than two miles from their nearest qualifying school. This two mile limit should be measured in the same way as the "statutory walking distance", i.e. along the "nearest available route". This might include footpaths, bridleways and other tracks which are not passable by motorised transport.

Secondary School Extended Rights to Free Travel (low income families)

Extended rights for children of compulsory school age will commence September 2008. These rights extend a right to free transport to the most disadvantaged pupils of secondary school age (those entitled to free school meals and those whose parents are in receipt of their maximum level of Working Tax Credit) to include transport to any one of their:

- Three nearest schools between 2 and 6 miles from their home
- To the nearest suitable school preferred on grounds of Religion or Belief up to a distance of 15 miles from their home

1.3 Distance Measuring for Free Transport for Children of Low Income Families

The 2 mile limit is measured in the same way as the "statutory walking distance". However, the 6 mile and 15 mile upper limits are not walking routes. These routes are those which are passable using a suitable motorised vehicle. In short, the two upper limits will be measured along road routes.

1.4 Grounds of Religion or Belief

Pupils will be provided with home to school transport if they attend the nearest approved school of their parents' practising faith. The eligibility for school transport again relates to the statutory walking distances.

The following is an extract from the DCSF document: Home to School Travel and Transport Guidance; issued to local authorities in May 2007.

The definition of 'religion' includes those religions widely recognised in this country such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha'is, Zoroastrians and Jams. Equally, denominations or sects within a religion can be considered as a religion or religious belief, such as Catholicism or Protestantism within Christianity. The Department believes that the main limitation on what constitutes a "religion" is that it must have a Local Authority structure and belief system,

For a "belief" to be worthy of protection, it must attain a certain level of clarity,

seriousness, cohesion and importance; be worthy of respect in a democratic society; and not be incompatible with human dignity or the fundamental rights of the child. Examples of beliefs are Humanism and Atheism.

Case law suggests that “belief” equates to “conviction”, and based on European case law, it has to be more than an opinion or idea. A belief must be genuinely held and the parent bears a heavy burden of showing that it is the real reason for whatever it is they are doing.

Based on case law, the Department considers that the following example can be considered as philosophical belief in the educational context:

- belief in single sex education, where that belief is based on the parent’s religious views.

“Beliefs” which have been considered as not meeting the requirements of cogency, seriousness, coherence, and so on - and are not therefore included in this duty include:

- A wish for a child to attend a particular category of school. The case law concerned a grant maintained school, but the Department would consider a specific wish to attend, for example, a grammar school as fitting this category. In the view of the Department, a Local Authority would not need to have regard to such a wish when determining whether or not to make transport arrangements for a particular child;
- Preference for a particular type of management or governance which does not affect the curricula or teaching at the school;
- A belief that a child should be educated privately;
- A wish for a child to attend school where they will be taught in a particular language;
- objection to rules requiring that a school uniform be worn;
- Content of school curriculum (sex education) provided that the curriculum did not amount to indoctrination incompatible with a parent’s religious or philosophical convictions;
- Objections to the curriculum, where special arrangements made by the school or authorities (such as allowing children to be withdrawn from class) ensure the curriculum is not forced on them contrary to their convictions; and
- Belief that a child should receive a particular type of educational provision.

1.5 Home Address

Transport assistance is based upon the distance from the home address to school and will be verified using the information supplied by the parent / carer to the Admissions Team within the Children Service Department. The Admission policy defines a home address as being the address at which the parent / guardian ordinarily reside and with whom the child normally lives.

In situations of joint parental custody, the home address would be at which the parent / guardian, in receipt of the child benefit for that pupil, resides.

1.6 Change of address

If during their school life, a pupil changes address and intends to continue at the same school, it is the responsibility of the parent to ensure that the child attends school. The terms of section 444(4 & 5) and section 509 (1 & 2) of the Education Act 1996 places no responsibility on the Local Authority to provide home to school transport.

1.7 Parental preference

If a child is attending a school of parental preference i.e. not the school that the Authority considers being the nearest suitable, within the terms of sections 444 (4) and 509 (1 & 2) of the Education Act 1996, there is no duty to provide free transport.

1.8 Medical cases

In circumstances where a pupil lives within the statutory walking distance but is unable to make their way to school due to a short-term medical condition (e.g. broken leg), transport may be considered .

Parents are required to make an application in writing to the home to school transport service, and each case will be reviewed on an individual basis and will be granted at the discretion of the Integrated Transport Unit.

If a pupil is attending a non-designated school, parents may be required to pay their usual daily cost as a contribution towards the cost attributed to the Authority.

1.9 Transport provision for special circumstances (discretionary assistance)

Each application for discretionary assistance will be dealt with on a case-by-case basis and discretionary assistance may be granted for a set period of time. Discretionary award of home to school transport is subject to review more frequently than other circumstances.

1.10 Expected level of behaviour for all Pupils

The consequences of poor behaviour on school buses can be wide ranging. Other passengers may be deterred from using public transport shared with poorly behaved school pupils; in extreme cases, serious injury and even death may result from an accident caused by such behaviour.

The Local Authority will work in partnership with schools to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The Education and Inspection Act 2006 requires head teachers to determine what measures should be taken to promote self-discipline among pupils; and encourage positive behaviour and respect for others, including the prevention of bullying. The Education and Inspection Act also suggests that head teachers must make and publish rules, and decide on penalties for unacceptable behaviour and empowers head teachers to take action to address unacceptable behaviour even when this takes

place outside the school premises and when pupils are not under the legal control of the school.

Guidance for schools on behaviour on school transport is contained within Key Stage 3 Behaviour and Attendance materials. Schools recognise that positive behaviour on the journey can help enhance the school's reputation, and that it also supports good behaviour within the school. The Integrated Transport Unit will work with the police, bus operators the local community and schools to promote positive behaviour, and publish guidance to parents on related matters. It is the Local Authority's view that persistent poor behaviour on the journey to and from school can be grounds for exclusion from transport.

It is the policy of the Integrated Transport Unit to withdraw transport, either for a fixed period, or permanently for more serious or persistent cases of misbehaviour in order to signal to pupils and parents that behaviour which endangers other pupils – or indeed the driver and other passengers – will not be tolerated.

Pupils being transported will be expected to follow the same behaviour codes as they do when in school. Unacceptable behaviour will be monitored and appropriate action taken. Parents will be responsible for transporting their own children during any period of exclusion from transport.

When considering whether to exclude a pupil from transport, the Integrated Transport Unit will require written statements from the driver and the Passenger Assistant in support of alleged unacceptable behaviour. Consultation will involve the Head Teacher before any exclusion is implemented.

Pilot schemes will be considered such as driver training, Behaviour Liaison Officers and the installation of CCTV in an attempt to improve behaviour on school buses. In certain cases the Local Authority will consider the use of Passenger Assistants to ensure safety of pupils on buses.

No eating, drinking or smoking will be allowed on any vehicle at any time.

1.11 Inaccurate Applications

The Local Authority reserve the right to reclaim the cost of any transport provided, if it is found that any incorrect information has been provided to the Local Authority in order to gain admission to a school that would otherwise be outside of the admission zone.

1.12 Application process

Application forms for Home to School Transport are available from Integrated Transport Unit and parents will be notified within 5 working days of receipt of the application form, if their application has been successful. Unsuccessful applicants have the right of appeal

Hartlepool Borough Council, Children's Service Department **Special Educational Needs Transport Policy (Section 2)**

2.1 General

All pupils, including those with Special Educational Needs (SEN), are subject to general Local Authority Transport criteria as described in section 1 for primary and secondary mainstream pupils.

The majority of pupils with Special Educational Needs will not require assistance with home to school transport because they will be attending local mainstream schools. In normal circumstances only those pupils have been assessed or are undergoing assessment and meet the criteria set out in 2.2 will receive assistance.

As the Local Authority within Hartlepool continues to reduce the number of pupils with statements of special educational needs, it is important that those pupils who would previously have had statements are treated no differently regarding their transport needs.

Each case will be assessed individually in relation to the pupil's school placement. The SEN Manager will bring cases to the attention of the SEN Transport Panel for consideration for special transport needs. The starting point for consideration is that SEN pupils have the same entitlement to transport as any other pupil.

For children with statements of special educational needs, the SEN Manager will, in consultation with parents/carers, recommend an appropriate educational establishment. This may be at a special school, a mainstream school, an additionally resourced mainstream school or a residential school outside the Borough. The mode of travel and the need for a Passenger Assistant will be at the discretion of the SEN Transport Panel. The majority of special needs transport will be provided by specialised mini-buses and taxis. This provision is through private vehicle hire and internal fleet and contracts are awarded through the Council's tendering process. Therefore parents and schools must accept that the transport provider may be changed at the discretion of the Local Authority as it sees fit.

Parents are advised that where home to school transport is agreed by the Local Authority, their child will be expected to join an existing transport route and share the vehicle with other pupils unless otherwise specified through the statement process authorised by the Local Authority. Where a pupil is educated outside Hartlepool, the Local Authority will explore all cost effective means of transportation before reaching a decision on the type of transport. In some cases where it is felt more appropriate, a bus pass may be provided instead of a taxi or mini-bus provision.

The provision of home to school transport is subject to annual review and can therefore be withdrawn if it is no longer deemed appropriate or necessary. This action, however, would not normally come into effect until the term following the decision.

2.2 Criteria for SEN Home to School Transport

The Policy seeks to develop both inclusion and independence in pupils. It is therefore in the best interests of the all pupils that they are encouraged to develop both educationally and socially. This includes working towards independent travel and increasing mobility.

Whether or not pupils need assistance with travelling to and from school will be considered at the time of the initial assessment by the SEN Manager and presented to the SEN Transport Panel for further consideration.

The Local Authority considers individual needs of children, involving professional advice, and will consult with parents and teachers in arriving at a final decision. Assessment may also include face-to-face contact with the pupil in assessing eligibility and the results will be recorded on the transport assessment proforma.

When deciding if a pupil is to be allocated free home to school transport or a bus pass, the SEN Transport Panel will take the following into account:

- the age of the pupil
- whether the walking route is appropriate for the child
- the nature and severity of the pupil's special need
- whether suitable public transport is available e.g. wheelchair provision
- the distance to the school placement in relation to the criteria set out in page 4 Legislative Framework.
- whether the pupil would be a danger to drivers and other passengers if public transport were used
- whether the pupil has serious medical problems, short or long term
- whether the pupil has serious difficulty with walking or general mobility
- whether there are any severe family/personal circumstances which impact on the pupil's ability to attend school that should be taken into account
- the most cost effective mode of transport for journeys to placements outside Hartlepool e.g. train instead of taxi.
- any other individual circumstance

The list is for guidance only, and satisfaction of one or more of the criteria does not automatically allow entitlement to transport assistance.

Where a pupil moves from home to school transport to independent travel, an assessment will be made as to whether it is appropriate for the pupil to receive a bus pass.

2.3 Passenger Assistants

Passenger Assistants will be provided where specified on the SEN transport request form and considered by the SEN Transport Panel. There is no minimum and maximum age that determines whether an escort is required.

The needs of each individual child will be assessed to determine whether they will require supervision by a Passenger Assistant. Hartlepool Integrated Transport Unit employs Passenger Assistants who will have had specialist training in order to understand the needs of pupils within their care. All Local

Authority Passenger Assistants will be subject to an enhanced check by the Criminal Records Bureau.

Passenger Assistants will be responsible for the care and supervision of pupils to and from school. They will oversee the pupil's conduct and safety in such a way that the driver is unhindered in his/her duties.

Provision of a Passenger Assistant at any one time does not guarantee that this will be an ongoing arrangement and the requirement will be reviewed by the SEN Transport Panel on a regular basis and will not be written into the statement of special education needs.

The Integrated Transport Unit will provide Passenger Assistants to accompany young people taking account of:

- risk assessment of the child
- specific needs as determined in the criteria for transport
- length of journey.

The aim of the home to school transport service is to ensure that young people reach their school or alternative placement in a physical and mental state in which they are able to draw sound benefit from the education provided. To this end, a Passenger Assistant will accompany some vulnerable groups of young people who require additional assistance. The role of the Passenger Assistant includes prevention of self-harm, prevention of harm to / by others, assisting the driver in the loading of passengers ensuring transportation in a safe and appropriate manner.

Most pupils will share vehicles with several other pupils attending the same school or one nearby. In some instances it will be appropriate to consider additional support which will be specified on the application for transport, or having given further consideration to the geographical / economic features of the journey.

Pre-school, Primary and Secondary Pupils

Pupils in the following categories who are eligible for free home to school transport under the Council's policies will be provided with Passenger Assisted transport:

- a) young people attending schools for pupils with severe learning difficulties
- b) young people with dual sensory impairments
- c) young people with severe emotional behavioural and social difficulties who, in the judgement of the SEN Team and Transport Officer require a Passenger Assistant for their own safety and welfare and that of others
- d) young people of primary school age attending SSU and assessment centres
- e) young people of pre-school age
- f) young people requiring constant medical oversight
- g) where more than two wheelchair users are conveyed in a vehicle
- h) in exceptional circumstances, following further Risk Assessment in response to a request from a parent, or other professionals.

Where more than 2 pupils are to be conveyed at any one time, a Passenger Assistant will be considered. Where more than 20 pupils with specific needs are to be conveyed at any one time the SEN Transport Panel will consider the need for there to be more than one Passenger Assistant.

2.4 Post 16 students

Students of this age group are more mature and should be able to be relied upon to exert personal discipline on their way to non-compulsory education and training. Independent travel training will be provided and further consideration will be given to the interim support of a Passenger Assistant if students have additional needs confirmed by the SEN team. These may include but not be limited to the following:

- a) Students with autistic spectrum disorders
- b) Where three or more wheelchair users are conveyed at one time
- c) The medical needs of a student require constant attendance

2.5 Review Process

The requirements of pupils with Special Educational Needs will be reviewed annually as part of the annual review process and transport arrangement will be considered by the Special Educational Needs Transport Panel.

2.6 Special Educational Needs Transport Panel

The SEN transport panel will have representatives from all of the following:

- Special Educational Needs Assessment and Review Team
- Home to School Transport Team
- Children's Services Health and Safety Section.
- Integrated Transport Unit Manager (Chair)

The transport panel will review individual circumstances and make a determination as to whether or not the child receives free home to school transport and what type of transport is the most appropriate.

Where during the course of any school year the SEN Transport Panel determines that the provision of free home to school transport need no longer be provided it will cease at the end of the term in which the Panel's decision was made.

All young people who receive free home to school transport will be subject to review:

- At the end of Year 3 in which the pupil attains the age of 8 years
- At the end of Year 6
- Y9 review for possible requirements for extended curriculum studies
- During Year 11 for those children transferring to Post 16 in a maintained school
- Following the successful completion of Independent Travel Training

2.7 Confidential Information

Every effort will be made to ensure that the same Passenger Assistant and driver continue to transport a child. However this may not always be possible and changes will often need to be made, for example as a result of staff unavailability / staff turnover / contract renewals. The Local Authority reserves the right to make changes to routes and modes of travel as necessary.

The private hire vehicle operator awarded the contract and the Passenger Assistant provided (if appropriate), will be given information on a confidential

basis outlining any particular difficulties or circumstances which they need to be made aware of.

Information will also be made available to key staff involved in transportation as to whether the child being transported is prone to fits or other symptoms, which may affect the journey to and from school.

The Local Authority will ensure that this information is provided to key staff in consultation with parents / carers and the school.

2.8 Residential Schools

Pupils in residential schools for the standard 40 weeks academic year (and who are eligible for transport assistance) will be provided with transport assistance between home and school for the start and end of term period (generally half-terms). This totals 12 single journeys, 4 per term. Transport for pupils in 52-week schools will be determined individually.

Transport assistance for any pupils attending residential schools will not exceed the 12 single journeys. However, if the school is closed on a weekly or fortnightly basis this will be reflected in the fees being paid by the Local Authority for the placement and accordingly, transport will be provided to coincide with school closures.

Transport assistance may be in the form of regional pick-up points for bus services.

2.9 Wheelchair Provision

Any pupil who uses a wheelchair and requires home to school transport, will be transported in accordance with the Passenger Safety Wheelchair Guide from Unwin Safety Systems.

2.10 Parental Responsibility

Parents and carers are required to ensure that pupils are ready for collection at the designated times for transport to and from school.

Parents and carers are responsible for escorting their child to and from the vehicle.

Persistent failure to be ready for delivery /collection will result in either temporary or permanent withdrawal of transport. Parents will then be responsible for the pupil's attendance at school.

Parents / carers must provide the Local Authority with emergency contact numbers which must be amended and updated as necessary.

2.11 Application Process

Staff within the SEN team will be responsible for applying for transport on behalf of the pupil. Due to some of the special needs that pupils may have, transport can take up to 5 working days to be arranged. Transport will not be provided if the appropriate application has not been completed.

2.12 Pupils from other Education Authorities

Pupils who live outside the borough are not the responsibility of the Local Authority and will not therefore be provided with transport assistance. However, some pupils resident in other Local Authorities may be allowed to travel on Hartlepool transport if it is cost effective and agreed by the home authority. This will be subject to transport capacity. Hartlepool Council will then make a charge to the appropriate Local Authority responsible for that pupil. Hartlepool Council may need to withdraw such places in the event of an in-borough pupil requiring transport assistance.

2.13 Dual Placements / Inclusion / Guest Pupils

The Local Authority has a duty to provide home to school transport for those pupils who meet the essential criteria. Home to school transport will consist of 2 journeys per day, to and from home and school. Any other travel throughout the school day is additional to the Local Authority statutory duty to provide transport for pupils.

Dual placement (where a pupil attends more than one school) may require additional transport, such as transport at lunchtimes etc. The Integrated Transport Unit will be responsible for arranging transport however the school will be responsible for the cost of transport.

Where a pupil is based full-time in a school but visits another for inclusion or as a guest, the school where the pupil is usually based, as they are receiving full funding for this pupil but the pupil is not attending fulltime, will be responsible for the cost of transport again the Integrated Transport Unit will arrange transport during the school day.

Where a pupil is dually registered, it is for the two schools to determine who will bear the costs of particular journeys during the school day.

If the Local Authority Transport Provider is used, the transport provider will invoice the school direct for any such charges.

2.14 Parental visits to schools

Transport assistance will not be provided to parents or family who wish to visit the school for any reason. Any arrangements of this nature will need to be agreed directly with the school. However, a maximum of one parent / carer may be provided with transport assistance to school to attend an annual review.

Parents who wish to accompany their child to school on the first day of school will be expected to make their own arrangements. Where a school stipulates that a parent should attend on the first day, transport must be arranged with the school.

2.15 Post 16 and Further Education

Pupils aged 16-19 may be eligible for transport assistance under the Local Authority 16-19 Transport Policy. Pupils aged 16+ with statements of special educational needs may be eligible for additional support where the assessment of the needs of the pupil indicates that such assistance is necessary.

It will remain the responsibility of the SEN Manager to determine if transport assistance is required.

2.16 Pre-school Provision for SEN Pupils

Pre-school pupils with a statement or who are undergoing statutory assessment are considered for discretionary free transport in the context of advice from medical, psychological and education professionals involved. Transport would only normally be considered to the pupil's nearest school/nursery setting or to the school/nursery setting considered appropriate by the Local Authority.

Hartlepool Borough Council, Children's Service Department Post-16 Transport Policy (Section 3)

3.1 General

This policy provides for students who are over compulsory school age but under the age of 19. Students must be aged 16-19 on the 1st September at the beginning of the academic year in which they will commence their study. Eligibility is based on distance.

All Hartlepool students aged 16-19 years old are entitled to apply to Hartlepool Borough Council for assistance with travel costs. The scheme is open to Students resident within Hartlepool aged 16 to 19 who continue to attend full-time courses at a Sixth Form College, Further Education College or alternative education setting more than 3 miles from home, as measured by the shortest safe walking route, are entitled to a permit allowing them to make their journey to college each day between home and College at a reduced rate.

The permit is issued by the Local Authority and operators are reimbursed the above amount Students are normally expected to travel on College transport or public transport.

3.2 Sixth Form / Further Education Pupils

Free transport provided by the council is limited to statutory school age pupils; therefore no assistance is given for pupils attending school sixth forms (years 12 & 13) and Colleges of Further Education. However, financial concessions or other support may be available.

3.3 Transport arrangement for pupils with Special Educational needs

The Local Authority will provide transport assistance for students from 16-19 years old that have a statement of special educational needs if a college course has been identified in order for them to progress their development.

Where a student has special educational needs, the Local Authority will provide transport until the end of the academic year when the student becomes 19 years of age. The transport provision allocated will be determined by nature of the pupil's requirements.

More detailed information can be found in Section 2 of the policy

The Council operates a programme which provides support to post 16 special educational needs students. The outline of the programme is to support the development of skills and confidence to help overcome travel difficulties and maximise their ability to travel to and from college/school independently and safely, and assist college across the Borough in developing an Inclusive approach to independent travel training and personal safety on college/school journeys

Hartlepool Borough Council. Children's Services Department
Sustainable Modes of Travel Strategy (Section 4)

To be included December 07

5 Looked After Pupils (Section 5)

The Children Act 1989 refers to looked after children. This means children who are in the care of the Local Authority, or are provided with accommodation, (defined as accommodation for a continuous period of more than 24 hours). Children can be placed in the care of a Local Authority due to a court order or accommodated under section 21 of the 1989 Act, this is where an agreement is reached with the family as to the best arrangement for the child.

In some cases certain pupils will be allocated a period of placement at an appropriate establishment to allow for their parents or carers to have a period of respite. For this group of pupils, transport will be provided as follows.

As a general rule, if a child is accommodated outside the catchment area of his/her present school for what is likely to be a period of time in excess of one term, transport will be organised by the Home to School Transport Service for the settling in period only.

Following the placement, at the first planning meeting convened by Social Services, consideration will then be given to the transfer of the child to the appropriate school for the current location and in most cases it is hoped that this will be achieved.

When a period of time is likely to be short-term (less than one term), transport will be organised by the Home to School Transport Service for a maximum period of one term if, in the view of the Social Services department, it is in the best interest of the child to remain at the present school.

General Information (Section 6)

6.1 Pre-school provision

Transport assistance for 3 and 4-year-old nursery age children attending nursery education provided by the Authority will only be granted in exceptional circumstances, as this is non-statutory provision.

Any assistance granted would relate to the circumstances of the child, not the parent or carer.

Children receive free bus travel on public services up to the age of 5 years old. Parents / carers are expected to accompany the child to nursery. Assistance with travel costs for the parents / carers is not provided.

6.2 Behaviour

The Authority reserves the right to withdraw free transport permanently or for a fixed period in the event of misuse or wilful damage of any vehicle or equipment. Hartlepool Council, along with the transport providers may also refer matters to the Police for prosecution.

Anyone caught trying to defraud the Bus Company or the Local Authority will also be subject to similar penalties.

Parents / carers will be informed of any such incidents in writing and an outline of the action to be taken will be included. In cases of wilful damage, parents / carers will be required to pay for any damage caused by their child.

Parents / carers will be offered the opportunity to appeal against any decision.

6.3 Complaints

Any pupil, parent or carer wishing to make a formal complaint relating to Home to School Transport should contact the Integrated Transport unit Manager in the first instance.

6.4 Appeals process

If an Officer within the Home to School Transport Service decides that a particular request for free home to school transport, or for subsidised travel arrangements, cannot be provided, the applicant may ask for his or her case to be reviewed by the Integrated Transport Unit Manager. If the case is refused at review, the applicant may appeal to the appeals and complaints committee. This is a group of councillors who meet to consider such appeals; the appellants can present their case in person.

Appeals should be made in writing to the Integrated Transport Unit Manager, Civic Centre, and Hartlepool, TS24 8AY.

6.5 Criminal background checks (CRB) and identity badges

Criminal background checks on all drivers and Passenger Assistant are undertaken prior to them being employed on home to school transport.

Following a satisfactory check, an identity badge will be issued to escorts by the Local Authority which will be worn at all times as proof of approval to undertake the work.

Any concerns regarding the behaviour of drivers or Passenger Assistants must be reported to the Integrated Transport Unit Manager.

6.6 Safety of routes

The Local Authority will monitor the routes and vehicles used on the routes to ensure that they are fit for purpose and do not pose a risk to anyone travelling on the vehicle or using the route to travel to school.

Any vehicle or route found to be unsafe will be withdrawn and alternative arrangements made until normal service can be resumed.

Anyone with a concern over the safety of a route should report his or her concerns in writing to the Integrated Transport Unit Manager.

6.7 Fare paying seats / Concessionary travel permits

In some cases, spare places may be available on coaches, buses or taxis contracted to convey pupils to school. These places may be made available to pupils who do not qualify for free travel following the purchase of a concessionary fare permit.

Where spare capacity exists on current vehicles that have been contracted to provide home to school transport for entitled pupils, the Integrated Transport Unit will make these seats available for non-entitled pupils, subject to the seat being withdrawn with **FIVE** working days notice should the seat be required for an entitled pupil.

Local Authorities note that fare-paying seats are not available on transport arranged for pupils with special educational needs.

Further details can be obtained from the Home to School Transport Service.

6.8 Identification of new routes

The Local Authority reserves the right to review all routes in light of any changes to the admission zones or areas of new housing. If such changes mean that a pupil will no longer be entitled to free transport then the notice of withdrawal will be two months from the date of notification to the parent / carer.

Examples of change could include building of new roads, opening of new footpaths, or changes to the safety of a route as determined by the Road Safety Officer.

6.9 Journey times

In absence of any legal definition of journey time, the Local Authority will make every effort to ensure that in borough travelling times to and from school do not exceed 1 hour for each journey.

Every effort is made to ensure that the waiting time on school premises, before and after school, and at pick up and set down points, does not exceed 20 minutes.

6.10 Transport following the closure of a school

If a school decides it is prudent to close early or not open because of severe weather, every attempt will be made to inform the parents. However, this may not always be possible especially in the case of larger schools. The school will advise parents of their procedures in the event of an emergency closure.

In bad weather conditions, the transport operator is the sole judge of whether to commence or complete a bus journey, giving priority to the safety of the pupils on the vehicle.

Parents must ensure that the pupil is warmly dressed in case the journey to or from school is very slow or even halted in bad weather.

Should the school transport on any route not operate in the morning because of adverse weather conditions, but a parent nevertheless decides to take their child to school, then they will be expected to make their own arrangements to collect the child either at the end of the day or at the time of early closure.

Drivers are required to seek the safest route and may therefore avoid normal routes in order to stay on major roads or to avoid specific hazards. They are instructed that they must only set-down pupils at specific set-down points.

Where a road is too hazardous for school transport in the morning, the transport operator is under no obligation to attempt the afternoon run.

6.11 Parents/ Carers Not at Home

There are occasions when it would not be possible to return a child home having been transported from school. The following guidance is intended for Drivers and Passenger Assistants in order to manage such situations.

- If the Parent or Guardian is not at home you must notify the Children's Service Transport Team (Tel No: 523769 or 284382), then they can start to seek advice.
- Where possible, at the end of your run, make a return visit to the family home to check if the Parent or Guardian has returned.
- If the Parent has not returned by the end of the run, you should contact the Children's Services Transport Team and inform them of the situation.
- The Authority will then inform the Head Teacher and / or the Children's Services Social Worker (CSSW), as well as the School Attendance Team.
- You will receive further instructions following the advice given by the Head Teacher and the School Attendance Team. You may be required to travel back to school to hand over the child to staff at the school or a School Attendance Officer.

- If a child attends a school outside of Hartlepool, you may be required to take the child to the Education Development Centre and hand the child over to a School Attendance Officer.
- In all cases, a note must be left for the parent containing details of who they should contact and the whereabouts of the child. (You should use the message pad issued to you by the Authority)
- If an incident happens after 5pm Monday – Thursday and after 4.30pm Friday, contact should be made with the Emergency Duty Team (Tel No: 0870 2402994)

All incidents will be recorded and considered by the Transport Panel

6.12 Extended Services

The Government's stated aim of the extended school agenda is to provide opportunities and services for all. It is clear, therefore, that the needs of pupils entitled to home-school transport should be considered.

This policy confirms that bus passes for use on public transport will be the preferred option for pupils entitled to transport assistance, where this is practicable, to allow flexibility.



Report of: Director of Child and Adult Services

Subject: PRIMARY CAPITAL PROGRAMME – THE FUTURE ORGANISATION OF PRIMARY EDUCATION IN SEATON CAREW

SUMMARY

1. PURPOSE OF REPORT

To inform members of the outcomes of consultation on the future organisation of primary education in Seaton Carew.

To request members to decide in principle whether Holy Trinity Church of England Primary School:

- a) should have its own maintained nursery unit
- b) should increase in size from 210 places to 315 places*

(This would mean an increase from 30 pupils in each year group to 45 pupils in each year group; or from 1 form entry to 1.5 form entry)*

2. SUMMARY OF CONTENTS

This report provides details of the outcomes from consultation on the future organisation of primary education in Seaton Carew, views from the Schools Transformation Stakeholder Board and recommendations from the Schools Transformation Project Board.

3. RELEVANCE TO CABINET

The Primary Capital Programme will have a significant impact on the future provision of education in Hartlepool.

4. TYPE OF DECISION

Key Decision, both test 1 and test 2 apply.

5. DECISION(S) REQUIRED

Cabinet is requested to:

- a) Decide in principle whether or not a maintained nursery unit should be established at Holy Trinity Church of England primary School, subject to the outcomes of statutory proposals and the availability of capital resources.
- b) Decide in principle whether or not the primary school places maintained at Holy Trinity Church of England Primary School should be increased from 210 to 315, subject to the outcomes of statutory proposals and the availability of capital resources.

Report of: Director of Child and Adult Services

Subject: PRIMARY CAPITAL PROGRAMME – THE FUTURE ORGANISATION OF PRIMARY EDUCATION IN SEATON CAREW

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(This would mean an increase from 30 pupils in each year group to 45 pupils in each year group; or from 1 form entry to 1.5 form entry)*

2. BACKGROUND

Government has introduced its Primary Capital Programme with the intention that all authorities will receive an annual capital allocation beginning in 2009/10.

The key purpose of the Primary Capital Programme is to provide an opportunity, through significant capital investment, to transform teaching and learning opportunities for all of Hartlepool's current and future primary school age population. The Primary Capital Programme is intended to fund the transformation of approximately 50% of primary school buildings; the transformation of all primary schools will rely on the joining together of all available capital streams, requiring significant collaboration between the Authority, schools and the dioceses.

3. STAGES ONE AND TWO OF CONSULTATION

Stage One consultation took place in February and March 2008 and focused on key strategic issues.

Stage Two consultation took place in June and July 2008. Stage Two focused on ensuring that primary education in Hartlepool is transformed through Primary Capital Programme investment while meeting key government challenges in relation to transforming teaching and learning, removing excess surplus places and addressing significant issues in relation to the condition and suitability of school buildings.

Following on from Stage Two, Cabinet decided that the first scheme to be funded from the Primary Capital Programme should be the replacement of the Jesmond Road Primary School on a new site. Cabinet identified a shortlist of five additional schools for early investment:

- Barnard Grove Primary School
- Rossmere Primary School
- St Aidan's Church of England Primary School
- St Cuthbert's Roman Catholic Primary School
- West View Primary School

Cabinet authorised further work on developing potential schemes for these schools and identified a further four schools where significant issues were identified, but where there was no clear way forward at that time:

- Holy Trinity Church of England Primary School
- Seaton Carew Nursery School
- Owton Manor Primary School
- Sacred Heart Roman Catholic Primary School

4. STAGE THREE CONSULTATION (a)

Stage Three Consultation took place between November 2008 and February 2009. On February 23rd 2009 Cabinet decided that:

- The capacity of certain schools should be reduced
- Rossmere Primary School should be remodelled
- Seaton Carew Nursery School should continue to be maintained

In coming to its decision on Seaton Carew Nursery School members took into consideration the request from the governing body of Holy Trinity Church of England Primary School to have its own thirteen place nursery unit, to have an increase of primary places from 210 to 315 and to have their school re-built. Members decided to confirm the continuation of Seaton Carew Nursery School to remove the uncertainty that existed within the Seaton Carew community. Cabinet requested further exploration of the issues in relation to the future organisation of primary education in Seaton Carew, specifically in relation to two questions:

- Should Holy Trinity Church of England Primary School have its own maintained nursery unit?
- Should Holy Trinity Church of England Primary School increase in size from 210 to 315 places?

Cabinet authorised further public consultation on these questions.

5. STAGE THREE CONSULTATION (b)

Stage 3 (b) consultation took place in June and July 2009. Consultation documents were distributed widely in the South of the town and made available throughout the remainder of Hartlepool. Two public meetings were organised, one at the Staincliffe Hotel in Seaton Carew, the other at the Education Development Centre in Seaton Lane. A meeting was arranged to which all primary and secondary headteachers and chairs of governing bodies were invited. Meetings were arranged for ward councillors. All schools were offered the opportunity of having their own school based meetings; Golden Flatts Primary School was the only school that requested such meetings. A total of 185 people attended the formally arranged meetings. Notes taken at these meetings are reproduced as **Appendix A**.

Those with an interest in the issues under consideration were encouraged to respond in a variety of formats, including completion of response sheets, letters, emails and SMS text messages. A total of 354 individual responses was received, apparently from adults. An analysis of the individual responses is reproduced as **Appendix B**.

56 letters were received from pupils attending Holy Trinity Church of England Primary School; the pupils also prepared and submitted a video which was shown to both Stakeholder Board and Project Board members. Pupil responses focused to a very large extent on the need to address the suitability and condition issues at the school, the majority suggesting the building of a new school. An analysis of the pupil responses is reproduced as **Appendix C**.

10 written responses were received from recognised groups or individual persons in a particular and relevant positions of office:

- i. Joint response from governors and staff at Golden Flatts Primary School
- ii. Response from Scallywags Private Day-Care Nursery
- iii. Response from Durham Church of England Diocese Board of Education
- iv. Response from headteacher of Seaton Carew Nursery School
- v. Response from Parents and Friends of Seaton Carew Nursery School
- vi. Response from staff at Seaton Carew Nursery School
- vii. Response from governing body of Seaton Carew Nursery School
- viii. Response from headteacher of Holy Trinity Church of England Primary School
- ix. Response from parishes associated with Holy Trinity Church of England Primary School
- x. Response from staff and governing body of Holy Trinity Church of England Primary School

The text of all responses listed above has been reproduced in full in **Appendix D**.

6. STAKEHOLDER BOARD MEETING 16th SEPTEMBER 2009

Introduction

The Schools Transformation Stakeholder Board met on 16th September 2009 to consider the outcomes of Stage 3 (b) consultation. The Stakeholder Board recognised that it was not a decision making body, but welcomed the opportunity to discuss issues and pass comments for consideration to the Schools Transformation Project Board, which is able to decide to make recommendations to Cabinet.

Evidence Examined

Stakeholder Board members examined all responses to the Stage 3 (b) consultation that had taken place in June and July 2009, including:

- Written responses (adult);
- Pupil responses
- Pupil video
- Collective responses
- Notes of meetings

The Board recognised that opinion on these questions was significantly and reasonably evenly divided in the responses received. Board members discussed in detail the two key questions in relation to the future organisation of primary education in Seaton Carew:

- Should Holy Trinity Church of England Primary School have its own maintained nursery unit?
- Should Holy Trinity Church of England Primary School increase in size from 210 to 315 places?

Issues Raised By Board Members

Some of the key points raised by Board members during discussion included:

- An opinion that many other primary schools in the town share the same problems as Holy Trinity Church of England Primary School in terms of condition and suitability of buildings;
- It appeared that most respondents' contributions were influenced largely by their allegiances to one of three schools:
 - Golden Flatts Primary School
 - Holy Trinity Church of England Primary School
 - Seaton Carew Nursery School
- The need to retain a key focus on transformation of teaching and learning
- The fact that Holy Trinity Church of England Primary School is the only mainstream primary school in Hartlepool without its own maintained nursery unit
- The lack of concrete evidence that having an attached nursery unit impacts on a school's standards
- The link between admissions to nursery and admissions to Reception year group

- Difficulties caused to families when young children from the same family attend different schools
- The non-denominational nature of a nursery unit attached to a church school
- Issues in relation to the current national financial position
- The potential impact on Golden Flatts Primary School and Scallywags Private Daycare Nursery of significant changes to Holy Trinity Church of England Primary School
- The relationship of primary schools to their partner secondary schools
- Surplus school places

Conclusion

The Stakeholder Board agreed that there was a significant divergence of opinion among Board members present at the meeting and that the Board was not able to offer a consensus opinion on either of the key questions for consideration by the Project Board.

7. PROJECT BOARD MEETING 29th SEPTEMBER 2009

Introduction

The Schools Transformation Project Board met on 29th September 2009 to consider the outcomes of Stage 3 (b) consultation. The Board recognised its power to make recommendations to Cabinet provided that consensus was achieved among the groups represented on the Board. The Board was reminded of its rules on consensus by reference to its Terms of Reference approved by Cabinet.

Evidence Examined

Project Board members examined all responses to the Stage 3 (b) consultation that had taken place in June and July 2009, including:

- Written responses (adult)
- Pupil responses
- Pupil video
- Collective responses
- Notes of meetings

The Board recognised that opinion on these questions was significantly and reasonably evenly divided in the responses received. Board members discussed in detail the two key questions in relation to the future organisation of primary education in Seaton Carew:

- Should Holy Trinity Church of England Primary School have its own maintained nursery unit?
- Should Holy Trinity Church of England Primary School increase in size from 210 to 315 places?

Issues Raised by Board Members

Some of the key points raised by Board members during discussion included:

- That whatever was recommended by the Board and decided by Cabinet, there was no guarantee of capital funding in the near future. Any decisions could only therefore be taken in principle
- That any recommendations should be on education transformation grounds and not in relation to the condition and suitability of buildings
- That there are surplus places in Scallywags Private Daycare Nursery, in Seaton Carew Nursery School and in other schools in the South of the town, both in the early years and throughout the primary age range
- That significant changes to Holy Trinity Church of England Primary School would have a detrimental impact on Golden Flatts Primary School
- That a possible way forward might be a formal federation between Holy Trinity Church of England Primary School and Seaton Carew Nursery School
- Issues around community cohesion and concerns that this was currently being strained in the Seaton Carew area
- High standards of achievement, attainment and OFSTED outcomes at Holy Trinity Church of England Primary School and Seaton Carew Nursery School with current nursery organisation
- That the principle that every primary school should have its own nursery unit should be endorsed
- That the impact of increasing the size of Holy Trinity Church of England Primary School would be minimal
- That increasing the size of Holy Trinity Church of England Primary School would have positive impacts on parental choice and community cohesion
- That the entitlement for primary age children to be educated near their home should be taken into account

Conclusion

After considerable discussion and deliberation it was decided and agreed that two recommendations should be made to Cabinet:

- That a nursery unit should not be established at Holy Trinity Church of England Primary School, but that Holy Trinity Church of England Primary School and Seaton Carew Nursery School be strongly recommended to work closely together in a collaboration or federation
- That primary school places maintained at Holy Trinity Church of England Primary School should be increased from 210 to 315, subject to the outcomes of statutory proposals and the availability of capital resources.

Project Board asked that Cabinet be informed that consensus on both recommendations was achieved by the Board within its Terms of Reference, but that, in each case, the recommendation was not unanimous.

8. FINANCIAL CONSIDERATIONS

Government has stated that the Primary Capital Programme will last for fourteen years and that local authorities will be given annual allocations. Funding is formally allocated through the Comprehensive Spending Review process whereby three years of funding allocations are announced at any one time. The current Comprehensive Spending Review period runs until March 2011 and Hartlepool's total Primary Capital Programme allocation for this period is £8.4 million, all of which will be required for the replacement of Jesmond Road Primary School and a first phase of remodelling of Rossmere Primary School. No funding beyond March 2011 can be guaranteed.

Should Cabinet wish to establish a nursery unit at Holy Trinity Church of England Primary School or expand the school or both, significant capital resources would be required. If such changes were to involve the replacement of the existing school buildings, between £5 million and £7 million would be required, based on current prices.

Any formal commitment to a capital scheme at Holy Trinity Church of England Primary School would require an agreement between the Council and the Durham Church of England Diocese Board of Education, the trustees of this voluntary aided school.

Unless capital funding from some source other than the Primary Capital Programme could be identified and guaranteed, any decision made by Cabinet to make significant changes to Holy Trinity Church of England Primary School could only be made, at this time, in principle and subject to availability of resources.

9. LEGAL CONSIDERATIONS

Should Cabinet wish to establish a nursery unit at Holy Trinity Church of England Primary School or increase the size of the school or both, a statutory proposal would be required. A public notice would be published, allowing a period of time for any person to submit comments or formal objections. Any decision to implement the proposal can only be taken if there is adequate resource in place, as outlined in Section 8 above.

10. DECISIONS REQUIRED

Cabinet is requested to:

- a) Decide in principle whether or not a maintained nursery unit should be established at Holy Trinity Church of England primary School, subject to the outcomes of statutory proposals and the availability of capital resources.

- b) Decide in principle whether or not the primary school places maintained at Holy Trinity Church of England Primary School should be increased from 210 to 315, subject to the outcomes of statutory proposals and the availability of capital resources.

Contact Officer

Paul Briggs, Assistant Director of Child and Adult Services (01429) 284192.

PRIMARY CAPITAL PROGRAMME STAGE 3b - CONSULTATION MEETINGS

Notes of meeting held on 15 June 2009 at The Staincliffe Hotel

Following a presentation by Paul Briggs and Danielle Swainston, the following issues were raised, followed by responses where appropriate.

<p>Parents & Public</p> <p>Part One</p> <p>Should Holy Trinity School have its own nursery?</p> <ul style="list-style-type: none"> • How many free entitlement places are there at Scallywags? • Is it means tested? • Would a nursery unit at Holy Trinity have a detrimental impact on Seaton Carew Nursery? • If Holy Trinity got its own nursery class then people who have relatives living in Seaton Carew that assist in childcare would be able to get their children into Seaton Carew Nursery School. • Bringing Scallywags Nursery into this consultation is a red herring as it has no impact • Holy Trinity is the only mainstream school within the area that does not have its own nursery class; this in itself is a good reason to add one. Seaton parents are not able to have the preference for a 3-11 seamless transition within Seaton Carew. Both the Government and the LA are pushing for foundation stages in schools and it is not possible in Seaton Carew. There may not be any evidence for foundation units but experience shows that it is a value that is denied in Seaton Carew. 	<p>Number of attendees: 80</p> <p>If there are vacancies within the specific age group, parents can claim for free nursery entitlement but places can also be paid for.</p> <p>No every three year old is entitled to 12.5 free nursery hours per week in either a private or council run nursery. Hours in excess of 12.5 will have to be paid for.</p> <p>That is why we are here, to seek the views of the people of Seaton Carew and to find out what they want and what they think about the possible options.</p>
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<ul style="list-style-type: none"> • (Comment from Headteacher of Seaton Carew Nursery) – Some figures that you may find helpful when making your decision. <ul style="list-style-type: none"> - Seaton Carew Nursery has a capacity of 39 F/T places - In academic year 07/08 we had 29 F/T places taken up - In academic year 08/09 we had 32.5 F/T places taken up - In academic year 09/10 we have 25 F/T places taken up - The school is filled up with children who are just three years old who are not included in the figures but who save the nursery from being empty. - If Holy Trinity had a 12 F/T place nursery this would be 12 more empty places at Seaton Carew Nursery • Can you clarify the reasons for keeping Seaton Carew Nursery open? • The LA supports a nursery that is not attached to a primary school but Holy Trinity has the right to have its own nursery. Seaton Carew Nursery is an outstanding nursery that could take children from across the town. • Neutrality is very important and it appears that you are saying that we can have one nursery but not the other. • The decision in February appears to have pre-empted this consultation. • Where is the Mayor and why is he not here? • In that case there is no point in consulting the decision has already been made. • The main point here should be what is best for the children and that is seamless transition. • It is much easier getting children to school if the nursery is with the school, the children get used to the other children and the staff. If Holy Trinity got its own nursery what hours would be available? 	<p>Cabinet made this decision in February 2009. The notes of the meeting show they agree in principle with all schools having their own nursery class but that they wanted Seaton Carew Nursery School to stay open and wanted to explore the possible impact on other schools of Holy Trinity Primary School also having a nursery</p> <p>Parental preference always applies and parents can apply for any nursery they want.</p> <p>The Mayor and his Cabinet are entitled to make any legal decision that they wish and they chose to remove the threat of closure from Seaton Carew Nursery whilst instructing us to do further consultations around Holy Trinity School.</p> <p>Cabinet made this decision and it was not called in within the scrutiny period.</p> <p>The hours and the type of provision would be entirely up to the school.</p>
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<ul style="list-style-type: none"> • For any child, starting primary school is a major milestone. Currently children from Seaton Carew Nursery only get one visit and a lunch at Holy Trinity School, if the school had its own nursery the children would be more used to the environment. • The school and the nursery often have events that clash on the same date and often their PD days are on different dates which makes it difficult for parents. There is also the implication of having two separate Headteachers and paying two salaries. • Seaton Carew has grown so much over the last ten years that this consultation is too late; a whole generation of children have missed out. • Behaviour Management Strategies work better in foundation units. • It feels like we are paying lip service at this consultation and the decision has already been made. Seaton Carew has a very good school and a very good nursery school but there is room for another nursery. • If Holy Trinity was larger and had its own nursery, children that have to go to other schools would be able to go to Holy Trinity. • For all there is no proof that foundation units' work 99% of schools have their own nursery and therefore it works. • My children went to a school with its own nursery and the seamless transition that people imagine happens really does not. Seaton Carew Nursery is an exceptional nursery school but there is room for Holy Trinity to have its own nursery. • Cabinet made the decision to keep Seaton Carew Nursery open. Cllr Cath Hill is on Cabinet and is also Chair of Governors at Golden Flatts School and therefore she is not impartial and should not have been involved in the decision. • But if Golden Flatts is affected by that decision then Cllr Hill is not doing her job as a governor. • All we want is a nursery for Holy Trinity. We do not want Seaton Nursery to close. Two nurseries can exist. 	<p>Primary schools in the former Cleveland authorities have their own nursery classes but schools in other parts of the country do not.</p> <p>Within Cabinet it is normal that members will withdraw from any decision that they have a prejudicial interest in. Cabinet meetings are monitored to ensure that this happens.</p> <p>This is not something to be pursued at this meeting.</p>
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<ul style="list-style-type: none"> • It would be a good idea to have the opinions of both the schools before coming to a meeting like this. We need to bare in mind the welfare of the children and staff. • Seaton Carew Nursery does magnificent work but Holy Trinity should have its own nursery. They could exist side by side. <p>Part Two Should Holy Trinity School be increased in size?</p> <ul style="list-style-type: none"> • Yes • 41 years ago the school was not big enough to accommodate all the children from Seaton Carew that wanted to go there and that was before all the new estates were built. The school needs to be much bigger. • You will find parents in tears because they cannot get their children into Holy Trinity. Children should be able to go to the same school as their friends that live in the same road. There is definitely a demand for a larger school. • Holy Trinity is falling apart and needs renovating/rebuilding. Whilst doing this it could be made bigger. • The children who cannot get into Holy Trinity end up spread across the town. Not every one has the means to get their children to these schools. Holy Trinity has always been too small and it needs to be bigger. • The council does know that there is a need for a larger school as the plans for Warrior Park had plans for a new school. • I have one child in the school and worry about getting a place for my younger child. Children go out of Seaton Carew to be educated as they have no choice. Parents in Seaton Carew want their children educated in Seaton Carew. The school is the hub of the community and this issue is currently dividing the community. • How can the Council not know that Seaton Carew parents want to send their children to Holy Trinity; they all fill in a form stating this. • Holy Trinity have had three outstanding Ofsted reports but parents are not getting their preference of Holy Trinity. 	<p>We need to make a decision on what is happening at the school before we make any decision on the building.</p> <p>Parents have a choice of either Holy Trinity or Golden Flatts within the same admission zone.</p>
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<ul style="list-style-type: none"> • The JSU state numbers are falling but the birth rate is climbing. The map sums it up; Seaton Carew is a community and as such wants a school at the heart of the community. • 21 children could not have a place at Holy Trinity this year, even if you add another 15 places there is still six who can't have a place. • Holy Trinity catchment area includes the Golden Flatts area have you surveyed the people from there to determine if some of them would prefer to send their children to Holy Trinity? • A lot of residents in Seaton Carew have not received a flyer. • Is it part of the criteria that people from outside of Seaton Carew can have their children in Holy Trinity School? • In September Golden Flatts is fully subscribed and Holy Trinity is over subscribed so where to the children go after that. • That is a very long way to travel. • The Council's own figures on your presentation support the fact that parents want a larger school. Some parents with children at another school went there because they want the same nursery and primary school and this is not an option at Holy Trinity. PCP is to provide excellent facilities for the community so if you are rebuilding make the school larger so that parents can have the preference of a local school. • (Comment from Headteacher of Holy Trinity) For the last seven years the worst part of my job is to have to turn parents away who only live across the road from the school because we have no space. Now is the time to build a larger school so that children can go to school with their friends and neighbours. • Speaking as a parent a foundation unit has made transition much easier for my son. Holy Trinity would like to offer parents the choice of a foundation unit. Seaton Carew would like to matter to the Council the same as the rest of the town. 	<p>That is this academic year.</p> <p>The flyer went to both communities and the public consultation meeting tomorrow is at the EDC.</p> <p>We will look into this.</p> <p>The governing body of the school sets out the over subscription criteria and must apply it rigidly. If there are spaces and the criteria has been followed children from outside of Seaton Carew can be admitted. Once a child is admitted if the family moves out of Seaton Carew the child does not have to move school.</p> <p>(Response from Headteacher of Holy Trinity) Rossmere and Ward Jackson</p>
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<ul style="list-style-type: none"> • When we put our son's name on the waiting list when he was only one month old he was already eleventh on the list for that year. Everything we request in Seaton Carew the Council turns down and we are fed up of this situation. • (Comment from Headteacher of Golden Flatts) The admissions for 2009 show that we are full for September but this is not normal. Changes in Holy Trinity School will impact on Golden Flatts School and its community. • If Holy Trinity is made bigger it could provide more facilities for the community. • Taking geography into account not every one has a car, children should be able to walk to school and then fewer cars would be leaving Seaton Carew every morning. • 203 children are educated outside of Seaton Carew you need to enquire as to whether or not the 203 wanted to go outside or wanted to go to Holy Trinity but couldn't. We cannot assume all the pupils going to RC schools are Catholic. • 36 years ago I was aged six and turned down for a place at Holy Trinity as there was no room. It is time to build a larger school. • Secondary school education also plays a part in parental preference. • (Comment from Councillor Cath Hill) I am Portfolio Holder for Children's Services and Chair of Project Board and have already declared an interest in this issue. I will therefore leave the room when this issue is under discussion. • What happens to the responses that are sent in do we get to see them? • It would be appropriate to have show of hands to give a sense of feeling in this meeting. • The majority of the audience but not all indicated they were in favour of Holy Trinity school being increased in size and having its own nursery unit. 	<p>The Schools Transformation Team will analyse and summarise the responses. A report will be written around the summary of responses and put on the web site seven days before the Cabinet meeting.</p> <p>We can do this but this is a consultation and not a referendum therefore a show of hands will not be a vote nor will it have any status whatsoever.</p>
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PRIMARY CAPITAL PROGRAMME STAGE 3b - CONSULTATION MEETINGS

Notes of meeting held on 15 June 2009 at Council Chamber (Members)

Following a presentation by Paul Briggs and Danielle Swainston, the following issues were raised, followed by responses where appropriate.

Members	Number of attendees: 1
Query regarding private nursery in Seaton Carew, what are the capacity issues? Can increasing nursery capacity in Seaton Carew be justified?	Scallywags is the private nursery provider and does have some spare places. Holy Trinity School believe that it would benefit children to continue from nursery into primary as some children find this transition difficult
What would staffing implications be of adding a nursery to Holy Trinity?	Staff and training and budget implications would need to be addressed.
What are concerns of Golden Flatts School?	Future viability of Golden Flatts School could be compromised if Holy Trinity School has a nursery added or if its capacity increased.
Has there been any change in funding – how much has been spent already?	Funding has not changed and is guaranteed until 2011. Few thousand spent on designers. Noted that BSF funding is separate.
Concern expressed that many existing schools are often located very close to busy roads.	Opportunity to address these issues during planning and design of new/refurbished schools.

PRIMARY CAPITAL PROGRAMME STAGE 3b - CONSULTATION MEETINGS

Notes of meeting held on 8 June 2009 at Education Development Centre (Headteacher/Chair of Governors)

Following a presentation by Paul Briggs and Danielle Swainston, the following issues were raised, followed by responses where appropriate.

Headteachers/Chairs of Governors	Number of attendees: 13
<ul style="list-style-type: none"> The demarcation point for Golden Flatts is Elizabeth Way. There are a number of dots outside this area. 	
<ul style="list-style-type: none"> At no point during the presentation has Golden Flatts been mentioned as a nursery provider for Seaton Carew. 	We are making a distinction between statutory age education and non statutory for nursery. In terms of nursery provision there are no zones for nursery provision. It is distinct from reception.
<ul style="list-style-type: none"> Golden Flatts serves Seaton Carew. Parents in Seaton choose to take their children to Golden Flatts. There are 3 nursery providers for Seaton Carew. 	Demand for nursery provision is difficult to quantify. Parents will be able to take up provision for various times of the day.
<ul style="list-style-type: none"> Is that what the debate is about, because if isn't we haven't got the data therefore how can we debate? 	It's about demand and the impact. We were asked to ask these questions and to seek responses.
<ul style="list-style-type: none"> If we are talking about demand – you have missed out one of the providers for Seaton Carew. One of these 3 providers is private. Private providers come and go. If nursery provision is attached to a school it is more sustainable. 	Nursery provision is going to be a lot more fluid. It is correct that private providers can be very unsustainable.
<ul style="list-style-type: none"> The position at the last phase of consultation was that Seaton Carew nursery school would be most affected if the status quo should change. Of course Holy Trinity should have its own nursery. We have to look forward to the future. There are a number of families who choose not to come to Seaton Carew nursery because they want to go to a school with a nursery attached, in the hope that they will go to that school. 	

<ul style="list-style-type: none"> We have to look at the future of the community. The school is over 160 yrs old. It is the only school in Cleveland without a nursery unit. The condition and suitability of Holy Trinity has not been mentioned. It will probably fall down within 5 years. What will happen, if it's decided Holy Trinity will be a new build? 	<p>We need to have further discussions with the Diocese. We would urge you to send in a response.</p>
<ul style="list-style-type: none"> The maps and figures are already out of date. Why haven't we looked at projected figures? 	<p>We have used baseline data from a fixed point in time throughout the entire consultation period. Projections can be a volatile area. There may be changes in the future; we don't know the effect of the credit crunch on child bearing. However, we have factored in data obtained from the Joint Strategy Unit (JSU).</p>
<ul style="list-style-type: none"> Given that Golden Flatts is a nursery provider in Seaton Carew, will the slides be amended? I feel Golden Flatts needs to be included. In fairness to Golden Flatts it needs to be said at every meeting? 	<p>We will mention it at every consultation meeting.</p>
<ul style="list-style-type: none"> What are the figures shown? 	<p>They are the January 2009 Plasc figures.</p>
<ul style="list-style-type: none"> We need to consider the surplus places at Golden Flatts. The pupils should stay within the catchment area. 	
<ul style="list-style-type: none"> Assuming the dots on the maps are nursery age children (3 & 4 yr olds). If in the future we are looking at taking nursery children at the age of 2 yrs, this will have an impact. 	<p>The issue of 2 yr olds being factored in is a very small amount (50 places). DCSF funding will be for the most vulnerable 2 yr olds and will not be in a school setting. It will be incredibly unlikely that this funding will make a difference to school nursery places. We will mainly be looking at ChildMinder places.</p>
<ul style="list-style-type: none"> The majority of parents have more than one child and they can't be in 2 places at once. Both Seaton Carew nursery and Holy Trinity miss out, both schools are disadvantaged by this. 	
<ul style="list-style-type: none"> Fens is the most oversubscribed school. Fens school is a parents' first choice and is a feeder school for Manor, parents are also making a decision about the next stage of their child's education. Fens school is often a parents' 2nd or 3rd choice. 	
<ul style="list-style-type: none"> For the first time in a number of years Golden Flatts is oversubscribed for this years' intake. However we don't want to give the impression that we are full because we do have surplus places throughout school. 	

<ul style="list-style-type: none"> • Are there any developments in the pipeline? Would this have a bearing on future projections? 	<p>The council has been working with developers on a range of issues. However, a high volume of housing development is required to make a significant difference to pupil numbers.</p>
<ul style="list-style-type: none"> • If Holy Trinity get a new nursery, would that determine whether they get a new building? • There isn't any room to add a building onto Holy Trinity. 	<p>The size of Holy Trinity is a 1 form entry as a minimum. The decision on the building can't be made by Cabinet until the scope of the school is determined. The consultation is about, should it be 1½ form entry and should it have a nursery?</p>
<ul style="list-style-type: none"> • Has the size of the nursery been determined? • The aspirations for Holy Trinity would be a 13 place nursery unit and a 1½ form entry. 	<p>A decision was made to go and consult and seek views on the impact of these issues.</p>
<ul style="list-style-type: none"> • If it is decided that the school should have a 13 place nursery, can you make it happen? 	<p>Yes, we can make it happen. To provide a nursery unit we don't have to wait for a new build, it could possibly be a demountable.</p>
<ul style="list-style-type: none"> • If that is the case, we could possibly be wasting our time? 	<p>In this round of the competitive spending review we have agreed to replace Jesmond Road and redevelop Rossmere.</p> <p>We just don't know if we will get more funding. The government has stated that Primary Capital will be a 14 year programme, however we don't know what will happen to the economy in the future.</p>
<ul style="list-style-type: none"> • So basically we're in a chicken and egg situation. • Most people would agree that the school requires a comprehensive rebuild. Can't we get on and scheme something? 	<p>There is no money other than the £8.4 million, which is committed.</p>
<ul style="list-style-type: none"> • It's scary that the decision has already been made to spend the £8.4 million when this consultation is not finished. 	<p>When we were asked to produce a Primary Strategy for Change document in May 2008, the Government demanded that we name our first projects. The money is there and if the Council doesn't spend it the Government will claw it back. The £8.4 million is spoken for. The two projects I've mentioned will take the full amount. There is no funding either for Barnard Grove and other schools on the short list.</p>
<ul style="list-style-type: none"> • I support the headteacher and her need for a new school. What we are consulting about is nursery provision and future intake. • If Holy Trinity increases to 45 it will have an impact on Golden Flatts. If there is an increase, Golden Flatts would draw very few pupils from the Seaton area. An increase for Holy Trinity will dramatically affect the function of Golden Flatts. A further issue to add is, why are pupils going outside Holy Trinity and also Golden Flatts? 	

<ul style="list-style-type: none"> We need to re-brand Golden Flatts. 	
<ul style="list-style-type: none"> Lots of people choose Fens because of the feeder school aspect. I wholeheartedly agree that there is a need to look at why people choose where they want to go. Parents should be able to walk their children to school. There are enough children in Seaton Carew for Holy Trinity to have an intake of 45 and for Golden Flatts to have a full school. 	We are still analyzing the impact of the first and second preference system
<ul style="list-style-type: none"> Some parents don't want their children to attend a church school. 	
<ul style="list-style-type: none"> Families need to attend church to be able to go to Holy Trinity. We have been working to make changes to the admission criteria in the future. There will be a limited number of places available for non church pupils. 	This is a school issue and the governing body needs to be consulted on any changes to the admission policy.
<ul style="list-style-type: none"> The impact of village schools has been looked at and the admission to a village school is viewed as a very successful one, but the majority of pupils cannot get in there. You have to look at Seaton Carew as a village and people have to take their children outside. 	
<ul style="list-style-type: none"> May I point out that Golden Flatts school catchment area takes in Seaton Carew. Parents will not be taking their children out of the area if they come to Golden Flatts. 	

<ul style="list-style-type: none"> • When nursery schools were set up there was some thought that with having an independent Nursery would give parents more choice and there would be a benefit – it isn't choice if it is the only one, we seem to be getting hung up on impact - • If there is a Holy Trinity nursery will these children be given priority over Seaton Carew Nursery School? • Question with regards to Ofsted inspections – are private nurseries the same? • Why is Scallywags part of the equation when there are no qualified teachers? How will pupils have the same quality with regards to the Early Years profession rather than a teaching qualification? • As Scallywags is a private nursery and they have gone out of business once who is to say that they don't go out of business again in the recent economic climate? • Holy Trinity deserves a new model building for smooth transition and needs to be bigger to enable parent choice. • Holy Trinity deserves a new modern building to deliver 21st century education, a nursery to ensure young children have smooth transition to foundation and key stage one and an intake number to ensure all Seaton Carew children are accommodated within their own community. An outstanding school which should not be penalized and held back because of how it might affect other establishments. This is after all what the authority seems to be about. • Can we remember the child in discussions about the Nursery? It can be emotionally difficult to have to readjust to a new setting at school age, maybe not with already established friendships. A parent knowing their child should be able to make a choice to suit personal needs. Less transition, less stress at an early age. • Should Holy Trinity Primary School increase in size? 	<p>The admission policy would remain the same.</p> <p>Yes they are treated the same as School Nursery.</p> <p>They are now working towards an Early Years qualification. There are counter arguments.</p> <p>DS doesn't disagree with the issues with regards to the economic climate but did confirm that the government is pushing money into private environments. The government is also saying that parents do have choice and can access their free entitlement any time they want. As a LA we are being told that we should full support the private settings and there are different agendas going on.</p> <p>As it is now the school is large enough for 30 in each yr group – which is a one form primary school. In January 2009 472 primary age children living in Seaton Carew. 42 of 153 attend Golden Flatts</p>
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<ul style="list-style-type: none"> • A comment was made in respect of the size of Holy Trinity in that there is no break out spaces to enable pupils to have 1:1 assessments with external agencies such as Speech Therapy, Occupational Therapists. • Why weren't Holy Trinity and Seaton Carew Nursery School included in the meetings before October? • Amanda Baines raised concerns with regards to Owton Manor and Rossmere and other areas being discussed. Seaton Carew was left out and we seem to be going round in circles. • In terms of Seaton Carew Nursery School, the decision had already been made as to the Nursery staying open so why is Holy Trinity going last with regards to the decision of having a nursery. • Why did we go town wide on this consultation? • I think provision at Seaton Carew Nursery is excellent and don't think a new one would have an impact. If a Nursery wasn't built can the money be used to develop facilities further within the school? • How does the provision of nursery and choice compare to that offered elsewhere please? Is there a similar level of choice? If there is a Holy Trinity Nursery will these children be considered first over Seaton Carew Nursery for admission to the school? • What is the catchment area for Seaton Carew – is it a big catchment area? • Concerns were raised in connection with Rossmere Primary being reduced in size and the question was asked as to whether their numbers would be reduced? • Headteacher (SS) from Golden Flatts raised a point with regards to surplus places at Golden Flatts for September 09 and how places have been refused due to being full. SS confirmed that Golden Flatts do have places at the moment and there is a choice with regards to Golden Flatts and the catchment zone is identical to Holy Trinity. • Holy Trinity is the only school that does not have surplus place, what does this tell you? 	<p>It was confirmed that the school is the correct size as set by the government.</p> <p>Decisions have not been made for all of the schools, there was a decision made in respect of Seaton Carew Nursery School would remain open.</p> <p>The mayor leads the Cabinet and this decision was made in February and no other decisions were made. After further consultation other decisions were made, Schools transformation was discussed but issues can be discussed without being on the agenda. No other Councilors' challenged this decision.</p> <p>We don't know that if we make Holy Trinity bigger whether people would take their pupils elsewhere.</p> <p>This would be something that would be looked into.</p> <p>PB explained about the volume and the zoned areas.</p> <p>Just because the school will reduce in size doesn't mean that the intake of pupils will reduce.</p>
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<ul style="list-style-type: none"> • An ex pupil of both Seaton Carew Nursery School and Holy Trinity Primary commented that she has since returned to the town as she wants her children to attend both establishments to have that community closeness. Both Seaton Carew Nursery School and Holy Trinity are excellent. If the school is to be rebuilt then why not make it bigger and add a nursery and there is no reason why the community couldn't have two Nurseries. Seaton Carew Nursery would have to be managed properly to ensure it would never be closed due to lack of numbers. • It does not appear democratic to have decided the future of Seaton Nursery ahead of Holy Trinity. If project board were paid to gather information from all parties what details did Cabinet use? Were they aware that the decision would skewer future decisions for Holy Trinity? Democratic, fair? Why are we meeting and going round in circles? • Did anyone think of the impact on Holy Trinity or Seaton Community when Seaton Nursery decision was made? Holy Trinity seems to have been at the bottom of the queue when other discussions regarding other establishments have taken place. • With a government focus on every child matters children have the right for a seamless education in their community. • Clarify the misconceptions about partner primary admission to secondary i.e. not enough just to go to a school. Need to live in the catchment to be guaranteed a place. • Stop discussing if the nursery will close. • Does the span of choice of initial place show that parents are concerned about the secondary school that they hope their children will go to? People who live in the Golden Flatts area also need the right to have a choice of school also! • Secondary provision – a comment was made in respect of siblings attending the same school. • SS made a comment in respect of conversations that take place with parents in connection with pupils attending partner primary schools from Golden Flatts and they all tend to be regarding pupils from Seaton Carew attending Dyke House rather than Manor College. 	<p>Holy Trinity's partner is Dyke House and Golden Flatts' partner is Manor College. Secondary schools have their own admission policy and they set their own criteria as to whether they are Foundation stage or Voluntary schools.</p> <p>Cabinet have made the decision to keep Seaton Carew Nursery open.</p>
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<ul style="list-style-type: none"> • Headteacher of Holy Trinity School (AB) says that partner primary schools do not work and pupils have had to go appeal which ends up with them being disappointed – if you live in the catchment there doesn't seem to be a priority. • There are issues because of where some people live within Seaton Carew not being placed. • There isn't a school, community, parents who haven't had to fight, it shouldn't have to be the parents it should be the board. Seaton Carew is the most lacking area and should get money spent • PB confirmed that Consultation closes 17th July and it will want to get through to Project Board before the end of the year. Project Board will be reporting in September and views of the Director will also be taken into consideration. Cabinet meetings will take place and can be attend by school reps. PB will make sure the meetings are made known. It would not be an immediate implementation from the decision being made. • The issue was raised over schools closing and how discussions are taking place which seem to be considering everyone, you can't leave a school in turmoil not knowing whether it is going to be open or not. • A question was asked around how money would have been raised if a school had been built in Bishop Cuthbert at the cost of 7million – where would the money come from? • I have not been able to attend the PCP meetings due to my personal education commitments but looking at other schools seamless education from foundation to y6 it seems very unfair that Seaton's residents and children are not given this basic provision. Now would be a time that would be logical to make the change. Holy Trinity's building is shortly not going to be fit for purpose surely having the opportunity to build a new school and at the same time prevent further future problems with space for intake is the only option to avoid having to spend more money extending the school in future or patching up the same problems time and time again. It is time for Holy Trinity to be given the same priority as other schools and let the staff continue their excellent provision of education in a government initiative friendly building with more space for Seaton resident children. 	<p>It was confirmed that the authority and the schools do review their process.</p> <p>The decision makers asked for comments – we know what HT wants and we need to know what everybody's thoughts are.</p> <p>There has never been a question over Holy Trinity closing but Seaton Carew Nursery School was considered to close.</p> <p>There could be sufficient funding over the 14 years of the programme to allow up to 6 schools in the town to be rebuilt and remodeled and there are issues over funding</p>
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PRIMARY CAPITAL PROGRAMME STAGE 3b - CONSULTATION MEETINGS

Notes of meeting held on 8 July 2009 at Golden Flatts Primary School (Parents)

Following a presentation by Paul Briggs and Danielle Swainston, the following issues were raised, followed by responses where appropriate.

Parents	Number of attendees: 32
<ul style="list-style-type: none"> We don't want other schools to grow at Golden Flatts expense. 	
<ul style="list-style-type: none"> Is this the document that has been given at other consultation meetings? It's not a level playing field. I think it's disgusting. Golden Flatts also provide excellent foundation provision. 	<p>Yes</p> <p>That has been said at other meetings.</p>
<ul style="list-style-type: none"> Holy Trinity want a new nurse. Do we know how many 2 and 3 years olds are at church on a Sunday morning? Because that's the criteria for entry into the school, attendance at church. If the church people aren't there then the school doesn't need to be increased. Are there extra children? 	<p>There are no extra children in the system. There will be no increase in demand.</p> <p>People need to think what a church school is for and the needs of that school.</p>
<ul style="list-style-type: none"> My daughter came to this school because she was refused entry to Holy Trinity. Holy Trinity now want to move the goalpost because there's money involved. 	<p>For statutory school age children Holy Trinity have their own admissions policy. If they are full they can determine their own admissions.</p>
<ul style="list-style-type: none"> The point is there is no additional children in the system, however there are a lot of surplus places. Golden Flatts are part of the Seaton Carew admission zone. The bid is about 13 full time equivalent (fte) places, that's 26 children. The impact on Golden Flatts will be huge. This would have a knock on effect throughout the school. 	
<ul style="list-style-type: none"> There is spare capacity, why fund more places? 	<p>We will have a different system for nursery provision funding next year.</p>

<ul style="list-style-type: none"> • We have spoken a lot about Holy Trinity school. I went to Holy Trinity and wanted my children to go there. I live 200 yards away from the school and was knocked back. • When I visited Golden Flatts, they had facilities that Holy Trinity haven't. Why can't the government put the money into Golden Flatts to improve their facilities. • We already have the facilities at Golden Flatts 	<p>The government don't make the decisions about how an individual Local Authority spends its money. The Local Authority has to decide. The government don't give enough money to do everything and it's a tough decision.</p> <p>Cabinet wants to listen to peoples' views and representations.</p> <p>The Schools Transformation Project Board will inform Cabinet who needs the money most in Hartlepool.</p> <p>Thank you for your view.</p>
<ul style="list-style-type: none"> • Why put a new nursery at Holy Trinity when they can pick and choose their admissions. It's causing upset • There are too many nursery places for the children in the area. It will be a complete waste of money. 	
<ul style="list-style-type: none"> • It's very worrying because we don't know the effect it will have on Golden Flatts. • If we loose our wrap around care I don't know what I'll do. I'm very concerned. • There is no need for another school expansion. There is no need for another nursery. The money should be poured into Golden Flatts. There is no call for it. There is no increase in pupils. • I live 100 yds away from Holy Trinity. The traffic around the school is horrendous. If there's an increase in pupils, it will be even worse. 	
<ul style="list-style-type: none"> • How has it come about Holy Trinity wanting their own nursery? Is it the headteacher? 	<p>The request came from the Governing Body.</p> <p>During recent public consultation, parents of Holy Trinity were adamant that Holy Trinity should have their own nursery. It's the only school without a nursery.</p>
<ul style="list-style-type: none"> • Where do they think the children will come from? • If Holy Trinity did have their own nursery, it would be a complete waste of public money. 	
<ul style="list-style-type: none"> • How many people who live in Seaton Carew drive past Golden Flatts to go to another school with a flash postal address. 	

<ul style="list-style-type: none"> Golden Flatts has a full intake this year. This is the first time in a very long time that this has happened. It gives the impression we are full but we have surplus places throughout school. It could be to do with a large birthrate that year. It gives the impression to parents that they need to go outside, but this is not the case. 	
<ul style="list-style-type: none"> Is Holy Trinity full in all year groups now? 	Yes
<ul style="list-style-type: none"> The worrying thing is, that there is more school age children driving past Golden Flatts to go to Fens. There's not enough investment to inform parents that Golden Flatts is a good school. We need more investment in equipment. Give us some money to do a good PR job. It's a very good school. The money that's spent on consultation could be spent promoting the school and get rid of the pre-conceived ideas. We could produce an advert. The reputation of the school isn't very good. You refer to 'community' – we are that community. You should invest in one school community. Don't throw money away. There is a stigma attached to Seaton Lane. There is no question about it, Golden Flatts is a good school. Does Golden Flatts need money to do what we want to do? We should go out there and tell people how good the school is. There is a lot of snobbery. 	What sort of investment do you think is needed to entice parents here? What would make a difference? You don't need more space.
<ul style="list-style-type: none"> I went to 'Seaton School'. I can't understand how they give everything a child needs given the space they have. It's crowded. 	They would like a new building.
<ul style="list-style-type: none"> My daughter was turned away from Holy Trinity because she didn't attend church. She has done really well at Golden Flatts. It speaks for itself. A lot of parents have attended this consultation and there are lots of parents who wouldn't choose Golden Flatts if you make Holy Trinity bigger. 	We take notice of that.
<ul style="list-style-type: none"> You have to look at the bigger picture. If you look at the number of children who live in Seaton but go to another community school (53). If Golden Flatts shrunk by 42, that's one third of our pupils. There is a stigma attached to Golden Flatts. 	

<ul style="list-style-type: none"> • Has anyone questioned whether the additional pupils Holy Trinity will accommodate will be church people? • All Holy Trinity want to do is create a posh school for posh children. There are lot of people that have moved to Seaton Carew but who don't go to church. • If Holy Trinity do get the money, it will affect Golden Flatts. • There has been a stigma attached to Golden Flatts for more than 40 years. Golden Flatts need something else to attract the pupils. There is snobbery in Seaton Carew. 	You can write, email or text us your views.
<ul style="list-style-type: none"> • There are two schools in the community, if Holy Trinity is given the money, it will broaden the gap. 	
<ul style="list-style-type: none"> • A nursery provides good practice for Foundation Stage. All schools go through the Foundation Stage. Are all Seaton Carew children going to be allowed into Holy Trinity? If not the children are not going to get that Foundation Stage. 	
<ul style="list-style-type: none"> • If Holy Trinity expands and Golden Flatts lose one third of their pupils, how long will it be before Adult Education take over our building? 	Adult Education is moving already. There is room for a professional debate about when does a school become too small to function properly.
<ul style="list-style-type: none"> • We don't want the school to close. We want it to stay open. 	
<ul style="list-style-type: none"> • My daughter has had a brilliant education at Golden Flatts. • If the school isn't protected, the position, very soon will be a church education or we will have to have a car to go to school. 	
<ul style="list-style-type: none"> • Last year you were looking to close 2 schools. A lot of schools are vulnerable 	We were seeking views on options to close 6 schools last year. We invite you to put your views in writing.
<ul style="list-style-type: none"> • As Chair of the Schools Transformation Project Board, I have to declare my interest in this issue. I cannot be involved in the discussion or be involved in the decision when this issue goes to Cabinet in October. 	
<ul style="list-style-type: none"> • Where is the meeting held? 	It will almost certainly be in the one of the Committee Rooms within the Civic Centre. Usually at 9.00am on a Monday morning.
<ul style="list-style-type: none"> • That time is no good if we have to take children to school. 	You are entitled to write to Stuart Drummond, the Mayor and ask for the Primary Capital Programme item to be placed way down on the agenda, or ask to start the meeting later in the day.

PRIMARY CAPITAL PROGRAMME STAGE 3b - CONSULTATION MEETINGS

Notes of meeting held on 8 July 2009 at Golden Flatts Primary School (School Staff & Governors)

Following a presentation by Paul Briggs and Danielle Swainston, the following issues were raised, followed by responses where appropriate.

Staff & Governors	Number of attendees: 29 (Including Head Teacher)
<p>Part One</p> <p>Comments & Questions</p> <ul style="list-style-type: none"> • If the government is pushing for total integration Golden Flatts should have been included in the information. • A school should define its community and Golden Flatts does this. • Any changes in early years provision would have a detrimental knock on effect on this school and its ability to offer a full service. • Any reduction in numbers attending Golden Flatts would have a negative effect on this school, which would reduce parental choice. • The services currently on offer at Golden Flatts such as wrap-around care and full early years provision would be seriously undermined and the impact should be recognised. • This issue is far wider than just Seaton Holy Trinity and Golden Flatts should have been included from the start. • Golden Flatts does try to overcome the stigma people attach to the school. The parents of children attending this school including those from Seaton have reacted positively toward the school. • • You say that this is about early years provision at Seaton why then were the leaflets delivered in other parts of the town? 	<p>It was not a case of who comes from where. It was felt that the south end of the town, which has the potential to be most affected by any potential changes, should be targeted.</p>

<ul style="list-style-type: none"> • Not including Golden Flatts does give the wrong impression and implies we do not offer early years provision, which is not the case. • You have excluded Golden Flatts from the leaflet which has had a negative effect, how can this be? • This whole consultation is a farce and favours Seaton. There has been no publicity for Golden Flatts. Where is the evidence to support the need for additional early years places? • If this is all about best value why, considering how close Seaton Nursery and Holy Trinity are, isn't the council combining the two together? • There will be a response to this consultation process from staff and Governors. We are concerned that there is an assumption that Golden Flatts would not respond which is not the case. • At one of the other meetings it was suggested that in the short term the only way Holy Trinity could increase numbers is by using demountables. Early years provision is not just about buildings. • Why did this issue come to light in 2007 <p>Do You Think Holy Trinity School should increase in Size?</p> <ul style="list-style-type: none"> • Golden Flatts operates an open door policy and losing children would have an obvious impact on the quality of the provision we would be able to offer to the remaining pupils. 	<p>It must be noted that we have received a large amount of responses from Holy Trinity and to date nothing from Golden Flatts. The challenge for Golden Flatts is to take this opportunity to respond.</p> <p>Many other schools could say the same.</p> <p>It has to be recognised that the government sees nursery education as a flexible facility and parents could if they so choose take up places at any of the providers including private providers such as Scallywags.</p> <p>The driver is not the Council; it is coming from Holy Trinity. They are asking for the opportunity to offer the same facility as every other primary school in the town, which is early years provision.</p> <p>The more input we have into the debate the more valued a decision can be made. Other interested parties have responded and the expectation is that Golden Flatts would do so.</p> <p>Considering it could well be into the middle of the next decade before any consideration could be given to have a new build at Holy Trinity, the only way to accommodate additional pupils would be to use demountables.</p> <p>As a direct result of the first round of consultations Holy Trinity took up the opportunity to raise the issue. As part of that consultation two of the criteria identified were the condition and suitability of school buildings. This information showed that Holy Trinity should receive some investment from PCP. To what level and what form that investment could be would largely depend on future government invest in the PCP programme.</p>
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<ul style="list-style-type: none"> • Other schools may well be affected and lose more children than Golden Flatts to an expanded Holy Trinity. It must be noted that even losing a smaller number of pupils would have a far larger impact on us. A higher percentage of our pupils come from Seaton. • There is an historic stigma attached to Golden Flatts. To a large number of our pupils we are their second and even third choice of school. • By increasing the positive publicity. It would be fair to say that positive articles about Golden Flatts feature quite regularly in the local press. Develop our community links further to include Seaton. • We are fighting a losing battle. • This consultation has not helped Golden Flatts with the wrong message being sent out. The school is not full and apart from those children who live close by we are mainly the second and third preference for other pupils. • Managing a school with an imbalance of pupils and class sizes would prove to be a problem. It is a matter of simple economics having one year of 30 pupils and one of say 10 would be difficult. • It would not help Holy Trinity if we became a more deprived school due to loss of numbers. There would be an impact on Seaton and us. Any changes have the potential to place this school in an unviable position than it would have been. This would be due to factors beyond the control of this school. • Do you look at both Key Stage 1 & 2 • Our results are improving year on year shows that the school is moving forwards and lot of this is attributed to the quality of the support base. • As Golden Flatts sits between a remodelled school at Rossmere and a potential new build at Holy Trinity makes us very vulnerable. • Projects have been identified to continue improving the school. 	<p>As a school what are you doing to address that attitude?</p> <p>Yes</p> <p>There is a need to work strategically and with more imagination when using the schools devolved capital entitlement to continually improve the school. The Primary Capital Programme is only aimed at improving 50% of primary schools.</p>
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<ul style="list-style-type: none">• As a parent of a current pupil and one who attended this school 17 years ago I can honestly say the changes in that time have been truly transformational.• We need to tackle the negative view held within the wider community. It has to be recognised that this school feels in very vulnerable position.• Can we have copies of the notes of this meeting?	<p>No. They are primarily a private record of the meeting. We have listened and recorded your comments however I would urge you to reinforce the views aired today by ensuring you put them down in written form.</p>
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Primary Capital Programme – Stage 3b – Holy Trinity

Response Analysis

Option	No
Option 1 – leave things as they are	141
Option 2 – Add nursery only	2
Option 3 – Increase size only	50
Option 4 – Add nursery and increase size	150

Response	No
E-mail	41
Text	31
Written/Mail	282
Total	354

Comment	No
School needs to increase in size in line with the increase in housing/demand in Seaton Carew	61
Do not need any more school places in the Seaton Carew area there are enough spaces between Golden Flatts and Holy Trinity	53
Holy Trinity needs a new building/major refurbishment	48
A nursery at Holy Trinity is not required – already have enough nursery places in the Seaton Carew area	43
Golden Flatts is an excellent school and a valuable resource the community	36
Expansion of Holy Trinity will be detrimental to Golden Flatts, St Teresa's and St Aidan's and the children's education	34
Children should be able to go to a school in their own community/with their friends/siblings	32
Building a new nursery/expansion of Holy Trinity would be a total waste of money that could be better used elsewhere	29
A nursery attached to Holy Trinity will provide seamless transition from nursery to KS1	26
Seaton Carew Nursery is an outstanding and independent nursery that already provides for the whole of Seaton community	19
Greener/healthier option to provide a school within walking distance/transport would be difficult for some parents	12
Only school in Hartlepool/Cleveland not to have a nursery – should be brought in line with other schools	12

5.4 Appendix B

Comment	No
Too many children living in Seaton Carew have to be educated outside of Seaton Carew	10
Easier for parents with more than one child if the nursery is within the school/same PD days etc	9
Golden Flatts should have been included as an education provider for the Seaton Carew area	9
If more spaces are required expand Golden Flatts as they already have the space/buildings	8
People have misled into thinking that the decision to keep Seaton Nursery open is permanent – a nursery at Holy Trinity would mean Seaton Nursery would not be viable.	9
A larger Holy Trinity would allow for more community use	6
Same choice for Seaton Carew parents as for the rest of the town	6
There would be jobs lost at Golden Flatts if Holy Trinity was expanded	6
Concerns about admissions policy if Holy Trinity has its own nursery – will it be open door? – Should be an independent nursery only	5
Golden Flatts has more space and better resources	5
No space to increase the size of Holy Trinity	5
Every one is welcome at Golden Flatts not just church goers	4
Government moving towards foundation units	4
Holy Trinity should not be penalised because of what might happen at other schools	4
If Golden Flatts became non-viable this would limit parental choice	4
If Golden Flatts was to close other schools would require far too much travelling to	4
If Holy Trinity was extended parking would be even more of an issue/danger to children	4
Move the teacher training facility to Holy Trinity and use the whole of Golden Flatts for all nursery, infant and junior children from the Seaton Carew area/due to Holy Trinity being in a bad state of repair	4
Over subscription has been a problem for many years and needs to be addressed	4
Disappointed that Holy Trinity is getting special consideration	3

5.4 Appendix B

Comment	No
Golden Flatts School is not part of the community of Seaton Carew	3
Scallywags being taken into account is a nonsense	3
Consultations have been a disgrace – incorrect information given	2
Golden Flatts is not good enough to be considered as a second or third choice of school/opposite a council estate would be wary of children from Seaton picking up bad habits	2
Lack of places causes a split/bad feeling within the community	2
No transition problems from Seaton Nursery to Holy Trinity	2
Parents who live in the Golden Flatts area do not apply to Holy Trinity as they know they cannot get a place – they should have this option	2
A nursery class will not solve the problem of not enough places for reception year	1
Any investment should be spent on Seaton Nursery	1
As there are no schools closing children from Seaton Carew can access surplus places at other schools	1
Children going to Holy Trinity who would not go to their nursery would be ‘second class’	1
Closure of HEDC – hidden agenda as derelict buildings are detrimental to the area and the land would be valuable for the Council to sell	1
Concerns that there may be one class of 45 if the school expands	1
Current nursery land could be sold	1
Feel that this is a way for the Council to move children out of Golden Flatts to eventually close it down.	1
Holy Trinity limits choice for those who do not want a faith school	1
Holy Trinity staff are being far too forceful in the way they are wanting to fill in forms for other people	1
If Holy Trinity has a nursery strongly recommend the staff from Seaton Carew Nursery work there.	1
Increase the size of Holy Trinity and reduce the size of other schools to reduce surplus capacity across the town.	1
Parents choose to send their children to Golden Flatts as it is a very good school not because they have to	1

5.4 Appendix B

Comment	No
Seaton Nursery and Holy Trinity have a good relationship and this works well	1
Some of the park land could be added to Holy Trinity site to make it bigger	1
Suggested nursery size would not be enough for the amount of children wishing to go to the school	1
Two nursery schools mean two lots of tax payers money being sent	1
When the EDC is moved to Brierton Holy Trinity can move into the EDC building. The Holy Trinity land is prime building land and can then be sold.	1
Would have a major affect on St Aidan's who have already suffered through partner primary	1

5.4 Appendix B

Against Increasing the Size of Holy Trinity and/or Adding a Nursery Class

Do not need any more school places in the Seaton Carew area there are enough spaces between Golden Flatts and Holy Trinity	53
A nursery at Holy Trinity is not required – already have enough nursery places in the Seaton Carew area	43
Golden Flatts is an excellent school and a valuable resource the community	36
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There would be jobs lost at Golden Flatts if Holy Trinity was expanded	6
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Golden Flatts has more space and better resources	5
No space to increase the size of Holy Trinity	5
Every one is welcome at Golden Flatts not just church goers	4
If Golden Flatts became non-viable this would limit parental choice	4
If Golden Flatts was to close other schools would require far too much travelling to	4
If Holy Trinity was extended parking would be even more of an issue/danger to children	4
Move the teacher training facility to Holy Trinity and use the whole of Golden Flatts for all nursery, infant and junior children from the Seaton Carew area/due to Holy Trinity being in a bad state of repair	4
Disappointed that Holy Trinity is getting special consideration	3

5.4 Appendix B

No transition problems from Seaton Nursery to Holy Trinity	2
A nursery class will not solve the problem of not enough places for reception year	1
Any investment should be spent on Seaton Nursery	1
As there are no schools closing children from Seaton Carew can access surplus places at other schools	1
Children going to Holy Trinity who would not go to their nursery would be 'second class'	1
Concerns that there may be one class of 45 if the school expands	1
Feel that this is a way for the Council to move children out of Golden Flatts to eventually close it down.	1
Holy Trinity limits choice for those who do not want a faith school	1
Holy Trinity staff are being far too forceful in the way they are wanting to fill in forms for other people	1
Parents choose to send their children to Golden Flatts as it is a very good school not because they have to	1
Seaton Nursery and Holy Trinity have a good relationship and this works well	1
Two nursery schools mean two lots of tax payers money being sent	1
When the EDC is moved to Brierton Holy Trinity can move into the EDC building. The Holy Trinity land is prime building land and can then be sold.	1
Would have a major affect on St Aidan's who have already suffered through partner primary	1

5.4 Appendix B

For Increasing the Size of Holy Trinity and/or Adding a Nursery Class

School needs to increase in size in line with the increase in housing/demand in Seaton Carew	61
Holy Trinity needs a new building/major refurbishment	48
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Golden Flatts School is not part of the community of Seaton Carew	3
Golden Flatts is not good enough to be considered as a second or third choice of school/opposite a council estate would be wary of children from Seaton picking up bad habits	2
Lack of places causes a split/bad feeling within the community	2
Parents who live in the Golden Flatts area do not apply to Holy Trinity as they know they cannot get a place – they should have this option	2
Current nursery land could be sold	1
Increase the size of Holy Trinity and reduce the size of other schools to reduce surplus capacity across the town.	1
Some of the park land could be added to Holy Trinity site to make it bigger	1

Primary Capital Programme – Stage 3b – Holy Trinity

Pupil Response Analysis

56 Pupil Responses from Holy Trinity School

Comment	No
The building is in a poor state of repair and a new bigger school is required	33
Have to continue lessons in leaking/flooded classrooms as there are no spare places to move to	22
Only have the one hall for all activities lunch/ PE/assembly	22
Need bigger/more specific rooms for ICT/Art etc	14
Easier for parents to drop children off at the same place	11
Timetables frequently changed due to lack/unavailability of space PE cancelled in wet weather	11
If a nursery was added children would not have to settle into a new building when starting school	8
Brothers and sisters/friends cannot go to the same school due to lack of places	7
Only school in Hartlepool without a nursery	7
Children should have the choice of which school they want to go to	6
Need a sound proof music room so children do not have to play in corridors and disrupt other lessons	6
Having to work in corridors is very disruptive	3
No where for parents and teachers to meet/private conversations	3
Children shouldn't have to travel too far to get to school	2
Lesson time is wasted tidying up due to lack of space	2
There are no changing rooms	2
Most schools have two classes per year Holy Trinity only has one	1
Results would increase if we had bigger and better facilities	1
The library is in a corridor	1



Golden Flatts Primary School

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Headteacher: Mrs. J. Sharpe

Golden Flatts Primary School Governor and Staff Response to the Primary Capital Consultation on Transforming Primary Education in Seaton Carew

Golden Flatts Primary School feels that the consultation on transforming primary education in Seaton Carew poses many complex, difficult and emotive questions. The School is concerned that the effect of making changes to the nursery and school provision in Seaton Carew by creating 26 (13FTE) nursery places and ultimately 105 extra school places at Holy Trinity Church of England Primary School, within an admission zone where there is already a number of surplus nursery and school places, will have a far reaching and damaging effect on other schools. Furthermore, the School strongly believes that for many families it would not give them the educational choice that they seek nor would it address the fundamental reasons that they choose to educate their children outside of the admission zone for both Golden Flatts Primary School and Holy Trinity Church of England Primary School.

We have divided our response to these proposals into the following sub headings:

- Golden Flatts Primary School's role in the community and its admission zone
- Golden Flatts Primary School and its role as a provider of nursery provision in Seaton Carew
- The impact that increasing Holy Trinity Church of England Primary School's capacity from 30 to 45 would have on Golden Flatts Primary School
- Golden Flatts Primary School's vision for transforming primary education in Seaton Carew and the admission zone that both Golden Flatts Primary School and Holy Trinity Church of England Primary School serves.

Golden Flatts Primary School's role in the community and its admission zone

As stakeholders of Golden Flatts Primary School our community lies at the heart of our vision. We are dedicated to working in partnership with the school community and the wider community which it sits within. We are deeply committed to improving the educational achievement and life chances of all children and families within our community and strive to do so as part of our daily work. We have a full understanding of the many and complex issues facing all sectors of our community and endeavour to provide a service that is tailored to meet their specific needs. Golden Flatts Primary School feels that it plays a real and valuable role within the community it serves.

Golden Flatts Primary School feels that in this consultation the definition of what constitutes the School's community is of pivotal importance and can not be overlooked. The School identifies its **primary community** as being those families who live within its admission zone and the School draws children from across the admission zone. The School believes that recognising a school's **primary community** as being those families that live within its admission zone and meet its admission criteria is vital. It puts upon schools the duty to engage with all sectors of its admission zone and ensures that families are not left in a position where they feel isolated and cut off from their community. The School also recognises that it draws children from outside of its admission zone and is therefore acutely aware of its responsibilities in fostering and

establishing links with families and promoting community cohesion between neighbouring communities from both inside and outside of its admission zone.

It is our firm belief that the changes outlined in the consultation document would have a devastating impact on Golden Flatts Primary School and the community that it serves. It is of concern to our School community that the consultation focuses on one area of the admission zone rather than the whole admission zone. The admission zone for Golden Flatts Primary School and Holy Trinity Church of England Primary School is identical and therefore we feel that this consultation should look in detail at the admission zone as a whole rather than having a much narrower focus, because the impact of any changes will be felt across the admission zone as a whole. The School feels very strongly that just because it is not located within the Ward of Seaton Carew it is still the designated community school for Seaton Carew; just as Holy Trinity Church of England Primary School is the designated church school that serves the areas of the Rossmere Ward which is located within the admission zone. We feel that the omission of Golden Flatts Primary School as a provider of nursery provision for Seaton Carew during the consultation process has given a false picture with regards to surplus nursery places within the admission zone and divides the School from the Seaton Carew community which it serves. The division of Golden Flatts Primary School from an area of its admission zone is something that the School and its community are strongly opposed to.

As a School community we are deeply troubled by the way in which the delivery of these proposals would effectively cut Golden Flatts Primary School admission zone in half and segregate the School from the Seaton Carew community. The admission zone for Golden Flatts Primary School clearly includes Seaton Carew. Those children who attend Golden Flatts Primary School from Seaton Carew are attending their local community primary school; they are not attending a school that is out of their locality but a school that is very much at the heart of its community. The School fully supports the Council's Community Strategy and is committed to strengthening and developing the community that it works within. As a School community we feel that we have a key duty to develop understanding and support collaboration between all sectors of our community in order to strengthen our community as a whole, promote community cohesion and enable our young people to realise their full potential. We believe that in order to transform primary education within Seaton Carew the Council needs to broaden its focus and look at transforming primary education within the admission zone that both schools share.

Golden Flatts Primary School and its role as a provider of nursery provision in Seaton Carew

Golden Flatts Primary School is a provider of nursery education for the Seaton Carew community and has a valuable role to play in the network of early years provision available to families within the admission zone. While Golden Flatts Primary School accepts the principle that Holy Trinity Church of England Primary School would benefit from having nursery provision the School feels that the creation of 26 additional places (13 FTE) would have a detrimental impact upon the range of provision offered to families within the locality. This would ultimately lead to the narrowing of choice and a reduction in the variety of provision available to meet the needs of the community.

Golden Flatts Primary School currently has a 52 place nursery (26FTE). In September 2009 there will be 35 surplus places nursery places which will reduce to 25 by December following the autumn term admissions to nursery. The addition of a further 26 places (13 FTE) within the admission zone would adversely effect Golden Flatts Primary School and mean an increase in the number of surplus places within its nursery provision. The reasons why parents access Golden Flatts Primary School Foundation Stage provision and the points within their children's educational journey that this happens are many and complex. Children in the School's Foundation Stage that come from the Rossmere Ward generally enter the Foundation Stage at Nursery. Within the nursery provision we also admit a small number of children from the Seaton Carew Ward whose families have made the choice to send their children to Golden Flatts

Primary School for the whole of their primary education and Golden Flatts Primary School is their preferred option for admission into Reception. For many of these families one or both of the parents attended Golden Flatts Primary School as a child, see the School as the community provider within the Seaton Carew locality and wish their children to benefit from the provision the School is able to offer. In addition to this we also admit a number of children from the Seaton Carew Ward into the nursery provision whose older siblings did not attend Golden Flatts Primary School nursery provision but who transferred to the School at the start of their Reception Year from Seaton Nursery. The School fully understands that for the majority of these families it was not their first choice for their older child. However, in our experience we have found that they are happy with the education the School provides and subsequent siblings enter the School in Nursery and remain at Golden Flatts Primary School throughout their primary education. The School believes an increase in nursery places across the admission zone would ultimately mean that Golden Flatts Primary School would lose children from its nursery provision. Any detrimental fluctuation in the number of children accessing Golden Flatts Primary School nursery provision would lead to very real questions about the viability of the afternoon nursery session currently being offered.

The loss of the afternoon nursery session would have two major impacts on the School. Initially it would mean that the School would have to reduce the choice that it is able to offer to nursery parents in terms of the kind of provision they would like to access. Currently families are able to access either morning or afternoon provision; in addition to this they are able to extend the morning provision to include lunch and an afternoon session by accessing the School's Wrap Around Care. Enabling parents to mix and match high quality affordable provision has been a vital support for a significant number of families and has enabled some parents to enter work and training. With the increase in the nursery entitlement from 12.5 hours to 15 hours in 2010, the School is committed to becoming fully flexible in the provision it offers to parents. The School feels that this would give working parents and parents who are looking to enter employment or training even more adaptable provision that would not only be able to meet their employment needs, but dovetail into the education provision that their children are accessing. In the current economic climate we can not underestimate the importance to families of flexible nursery provision. However, the loss of the afternoon nursery session would undoubtedly reduce the flexibility the School could offer which would ultimately impact on children and their parents.

Secondly, the loss of the afternoon nursery session would be felt across the School. In the School's recent history the afternoon nursery session was closed for a period of approximately 2 years. The 2 cohorts that went through nursery at this time are by far the smallest cohorts in the School. The School believes that the loss of the afternoon session had a detrimental impact upon numbers because the School was unable to offer choice to parents, so parents simply elected to take their children to provision that was able to offer the choice they needed. In a small school the loss of any children has a huge impact. Those cohorts in School where only the choice of a morning nursery session was offered to parents are in some cases over 50% smaller than other cohorts where more choice was available. This creates a real financial pressure as these small cohorts of children move through the School. Furthermore, it has a huge impact on curriculum provision meaning that children are taught in mixed age classes rather than single year groups.

If the proposals were agreed the School would undoubtedly contract in numbers over a period of years. This would place a strain on the School as it tried to continue to ensure a high quality education with fluctuating numbers and a declining budget. The impact on curriculum provision and staffing would be inevitable. The School recognises that children and families are rightly at the heart of this decision making process. However, it feels that a declining budget share would inevitably lead to the loss of key staff which would impact on the educational provision that the School was able to offer.

Consequently, while the School supports the principle that Holy Trinity Church of England Primary School would benefit from some form of nursery provision, we feel that an increase in the number of nursery places within the admission zone is not the way to achieve this aspiration. An increase in nursery places, in an admission zone that already has surplus places, would put untenable pressure upon other providers and have a major impact on the service they currently offer. The outcome of this in the long term would be the restriction of choice for families rather than an increase in choice. Therefore, Golden Flatts Primary School would strongly urge the Council to consider other options.

The impact that increasing Holy Trinity Church of England Primary School's capacity from 30 to 45 would have on Golden Flatts Primary School.

The addition of 105 school places into an admission zone that already has surplus places would undoubtedly impact on Golden Flatts Primary School. Like Holy Trinity Church of England Primary School Golden Flatts Primary School has an admission number of 30 but unlike Holy Trinity Church of England Primary School it is not full and has a significant number of surplus places. As was identified earlier in this document there are a number of Seaton Carew families that access Golden Flatts Primary School for whom the School was not their first choice. Consequently, an increase in the admission number at Holy Trinity Church of England Primary School would mean that these children and their siblings would never be admitted to Golden Flatts Primary School and the School would significantly reduce in size and the level of disadvantage would significantly increase. During this consultation process we have listened very carefully to the views of this sector of our School community, through both Golden Flatts Primary Schools PCP consultation meeting and the written responses we have received. The view that has been expressed overwhelmingly is that this group of parents are very supportive of Golden Flatts Primary School and they are adamantly opposed to the expansion of Holy Trinity Church of England Primary School either in terms of the nursery provision or the school places.

If these proposals were carried forward Golden Flatts Primary School would be facing the loss of up to 1/3 of its School population. This would result in a significant reduction in size, isolation from a sector of the School's community within its shared admission zone and a significantly increased deprivation factor. The School is deeply concerned that this would ultimately lead to questions about its long term viability. The School is alarmed by the prospect that while it was not identified as a School facing possible closure in the last round of PCP consultation, decisions made during this round could realistically result in its closure. It is our belief that the full force of these proposals would not impact until some point in the future, but the School is clear that the result would be a decline in numbers which would ultimately lead to discussions about viability. This would have a devastating impact on the School community, drastically narrow the choice of educational provision within the community and go against the principles laid out in the Council's Community Strategy with regard to strengthening communities.

However, this consultation should have at the heart of it the needs of children and their families and ensuring that a choice of provision to meet the needs of the community is available. In order to address this there is one real and fundamental question that needs to be asked:

Why do a large proportion of families living in the Seaton Carew Ward choose to educate their children outside of the admission zone and put neither Golden Flatts Primary School nor Holy Trinity Church of England Primary School as a first preference for their child's education?

It is the belief of this School that these families wish their children to be educated in a community school but do not wish to access the provision at Golden Flatts Primary School because of an historic reputation the School has. The perception these families have of the community school provision within the admission zone is crucial to the consultation. It is our belief that a substantial proportion of these families would continue to educate their children outside of the admission zone, even if Holy Trinity Church of England Primary School increased

in size because their choice for their family is to access a community school. Unfortunately their perception of Golden Flatts Primary School prevents them considering the community school within their locality. Therefore, as a School we feel that not only would we lose those families who come to us as on a 2nd or 3rd preference but a significant number of children living within the admission zone would continue to be educated outside of the admission zone.

Consequently, we believe that what is needed is the regeneration of Golden Flatts Primary School in order to help it address the historical stigma which hampers it. This is a critical factor that needs to be addressed when considering the transformation of primary education in Seaton Carew. The School community feels that Golden Flatts Primary School has enormous untapped potential. With the right investment and support it would be able to strengthen its position in the local community and address the stigma which helps to create misconceptions about the School. This would be of great benefit to all families within the School community and would help prevent the isolation and marginalisation of some families across the admission zone. Furthermore, the School is concerned about its own marginalisation if the proposals were carried forward and is worried about the long term impact this would have on its community.

As a School that puts a high priority on partnership working Golden Flatts Primary School would welcome the opportunity to develop its community facilities. We believe that this would develop and strengthen the School as a provider within the admission zone. The School is currently part of the Rossmere Children's Centre but families within the School's admission zone make very little use of the excellent facilities there because they see them as being outside of their community and therefore do not consider using them. The development of community services on the Golden Flatts Primary School site would be of enormous benefit to the School community. The School aspires to provide support, services and provision for families with children from 0 to 11 and beyond. We feel that the relationship we have with our community is such that given the facilities they would willingly access provision on the Golden Flatts Primary School site that they would be reluctant to access elsewhere.

Therefore, Golden Flatts Primary School would urge the Council to make no increases in the admission number of Holy Trinity Church of England Primary School because it would have a long term damaging impact on Golden Flatts Primary School and the community that it serves. This action would ultimately marginalise both the School and its community within the admission zone and would be counter to the Council's Community Strategy and the Government's guidance on Community Cohesion. If these proposals were carried forward the end result would eventually be a narrowing of educational choice for families within the admission zone not an increase, as adoption of the proposals could eventually result in the closure of Golden Flatts Primary School. Furthermore, these proposals do not address the question of why a significant number of families choose to educate their children outside of the admission zone for both Schools. While Golden Flatts Primary School is forward thinking in developing its buildings and proactive in promoting its achievements, we feel that the historical stigma that we are attempting to address is significant and requires further intervention at a community-wide level. We would request that Golden Flatts Primary School and its community are given support in order to address the stigma that it is hampered by and is supported in developing and extending its community services. This would enable the School to realise the untapped potential for community support it undoubtedly has. The development of Golden Flatts Primary School as a centre for both high quality educational provision and community services would promote community cohesion. The strengthening of Golden Flatts School community would ensure that a diverse and viable range of educational provision was available to the families across the admission zone.

Golden Flatts Primary School's vision for transforming primary education in Seaton Carew and the admission zone that both Golden Flatts Primary School and Holy Trinity Church of England Primary School serve:

- Regeneration of Golden Flatts Primary School and support for the community to help it overcome the historical stigma that hampers it. This is of crucial importance if we are to address the issues of marginalisation identified by the School and its community and truly transform primary education in Seaton Carew. Without this work being undertaken a significant number of families will continue to choose neither Golden Flatts Primary School nor Holy Trinity Church of England Primary School and elect for a community school education outside of the admission zone for both Schools.
- The development of community provision at Golden Flatts Primary School which would provide specifically tailored provision based on the needs of the community as a whole and could be accessed by families across the admission zone. This would provide an accessible and comprehensive range of extended services for the whole community. Golden Flatts Primary School would be the ideal site for this due to the space available for development and the School's very good reputation for establishing and promoting partnership working.
- Schools and providers across the admission zone working closely together to address the needs of the community as a whole and promoting community cohesion, consequently strengthening the communities living within the admission zone.
- When funding is available the rebuilding of Holy Trinity Church of England Primary School at the same size and with the same age range that exists at present.

In conclusion, Golden Flatts Primary School would strongly urge the Council to look closely at the negative impact any enlargement of Holy Trinity Church of England Primary School would have on Golden Flatts Primary School and its community. In order to transform primary education in Seaton Carew we would hope that the Council would look in detail at community development and strengthening the Schools and facilities that are already in place. We feel that if these proposals were carried forward there would be a real danger that in the near future the community would lose existing schools and nursery providers and this can not be in the best interests of the families across the admission zone.

Governors and Staff of Golden Flatts Primary School

Scallywags Child's Play Ltd
Warrior Drive
Seaton Carew
Hartlepool
TS25 1EZ

To Whom It May Concern:

Response from Scallywags Childsplay Ltd regarding the creation of a nursery unit at Holy Trinity Primary School

Scallywags Childsplay Ltd is a small, privately owned business that has operated in the town for more than 10 years. The business started with playgroups and crèche work and has since developed into full daycare with the acquisition of our current day nursery unit at Warrior Drive, Seaton Carew in MARCH 2006. The nursery is registered for 82 children. In September 2008 we were added to the Local Authority's 'Register of Nursery Education Providers' and at maximum capacity are able to deliver 32 3 and 4 year free nursery entitlement places. Currently our occupancy is 20% (thus indicating we have significant spare capacity) and on the latest headcount (May 2009) we will be offering 7 free nursery entitlement places next term. We have 25 spare free nursery entitlement places.

Whilst we understand the desire of Holy Trinity Primary School to create a nursery unit to enable transition of children to their school we would like to make the following comments:

We have 25 spare nursery places. The Local Authority's Childcare Sufficiency Assessment for both 2007-08 and 2008-09 clearly indicated that there are sufficient free nursery entitlement places across the town for the number of 3 and 4 year old children that require access. The creation of additional places not only places a further pressure on our nursery but adds to the surplus of nursery places across the town.

We employ 32 staff on both a full time and part time basis. We are working hard to ensure the sustainability of our setting. The childcare business has always been demanding however in the current economic climate this is even more so. A fundamental part of this ongoing sustainability is the need to secure children into our funded free nursery entitlement places. We do not want to see the potential downfall of our business alongside those that have already happened over the past 2 years - namely First Steps Nursery, NDNA

Masefield Road Nursery, Little People Neighbourhood Nursery, Tunstall Avenue Playgroup and Scallywags Playgroup in St. Patrick's Church Hall.

We are currently in discussion with the Local Authority and hope to join their '2 year old early education pilot' which will mean that we are able to receive funded 2 year old children from September 2009. An important part of this pilot is the transition of these 2 year old children to their 3 and 4 year old free nursery entitlement place - DCSF expects this transition to be in the same setting and we fear that parents will be divided on choosing our setting or going to the school nursery unit instead in order to secure a school place.

Whilst we acknowledge that a child attending a school nursery is not guaranteed a school place it is often clear that parents firmly believe this to be the case and would therefore be inclined to choose the school above any other nursery entitlement available in the area.

There is already a nursery school in the locality and as I understand it the school has vacant nursery places. Historically the children from the nursery school go to Holy Trinity School and this does not appear to have been a problem to date. Indeed if there is a problem then closer working relationships to ensure more effective transition of the children from nursery to school should be established.

I hope this goes some way to explaining our thoughts on the matter.

Yours sincerely,

Karen Frankland
Owner/ Manager Scallywags Childsplay Ltd



The Schools Transformation Team
The Borough Hall
Middlegate
Hartlepool
TS24 0JD

Re: Holy Trinity Church of England Primary School, Seaton Carew

Thank you for the opportunity to respond to the consultation on future arrangements for Primary Education in Seaton Carew.

Holy Trinity CE School is a distinctive and inclusive provider of outstanding education at the heart of the local community. In response to the issues raised by the consultation, we wish to make three brief observations:

1. **Nursery:** extending Holy Trinity to provide some nursery provision will allow the school to consolidate provision for the early years of education and further develop already excellent practice. A nursery will also provide some children with the benefits of a continuous experience at the foundation stage.
2. **Increase in size:** local schools such as Holy Trinity play an important part in building communities. They also encourage healthy lifestyles for young people and their families, and actively promote responsible attitudes to environmental issues. These factors argue strongly for primary schools which have the capacity to provide educational and other facilities for all those who live within walking distance. Such provision is clearly the intention of central policies on both education and the environment. Seaton Carew is a lively and distinct community on the outskirts of Hartlepool, and a healthy primary school able to meet the needs of present and future residents is, and will continue to be, a significant factor in sustaining and developing the local community and economy.
3. **New building:** although this is not formally part of the consultation, clear evidence of the poor condition and unsuitability of the present Holy Trinity building is available. This school is not being considered for investment through the Primary Capital programme until the issues raised by the consultation are resolved. The urgent need for significant capital investment, and the vision for transforming primary education in Seaton Carew by consolidating the educational provision, and creating a school that will meet the needs of the local community for years to come, are rightly being considered together, and we hope that the opportunity to achieve real transformation will not be lost.

Please do not hesitate to contact me if I can provide any further information to assist the consultation process.

Yours sincerely

Sheila Bamber
Director of Education

cc: Mrs A. Rowe - Holy Trinity Primary School
Director of Education: Rev'd Sheila Bamber

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Headteacher Tricia Penfold
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03.07.09

For The Attention of the Primary Capital School Transformation Team

It is difficult for me to imagine that I am having to write to you again with my concerns and thoughts about the long term future of Seaton Carew Nursery School. As the Head teacher it is exhausting to constantly feel that I have to quantify and justify this schools very existence with the Local Authority and your good selves. This school's future is not secure, and the processes of consultation brought about by the Primary Capital Programme, which has now taken two years, has been very unsettling for all of the school communities in Seaton Carew including Golden Flatts.

The decision that this school should remain open was only made at the beginning of this year and here we are at the beginning of July once again having to justify this school's very existence.

We have been asked to provide comments about what impact we feel the proposals put forward as part of phase 3 of the Primary Capital Programme would have on current provision.

I believe that if Holy Trinity Church of England Primary school are granted a 13 full time equivalent (fte) Nursery class Seaton Carew Nursery School by default will close. There are not enough children to go round. Although phase 3 of the Primary Capital Programme consultation is about Holy Trinity the section relating to Early Years is inextricably linked to this school.

The community are now of the belief that this school will be kept open come what may, this is a misconception, unfortunately brought about by Cabinets' bold decision to keep the Nursery school open. The community of this school now feel that they have no need to campaign.

As you are aware Seaton Carew already has fabulous Nursery provision in a most amazing space. A nursery that for the year 2009/ 2010 has 14 spare places, with a projected drop in the birth rate the future needs to be carefully managed.

The Governors and I have already made a forward plan that will see a reduction in staffing levels for the forthcoming academic year 2009/2010.

We have listened now for two years to the arguments about why transition is a problem, that the schools have separate P.D. days, that the distance people have to walk between the two schools is a problem. For a few families I do believe that some of these issues have posed a problem in the past.

Seaton Carew Nursery School and Holy Trinity C of E Primary School DO work together to support a smooth transition for our children and families.

Seaton Carew Nursery School and Holy Trinity C of E Primary School DO work together to whenever possible have the same P.D. days

Seaton Carew Nursery School and Holy Trinity C of E Primary School DO have a working partnership.

Both schools have a willingness to work together to serve the families of Seaton Carew. I think that the provision of Early Years education and care in Seaton Carew is not about any of these issues - it is about Community Cohesion.

We have heard much about the Government drive to establish seamless twenty first century world class education. There is no research to support the notion that our youngest learners do better in Nursery Classes attached to Primary schools, on the contrary the evidence from the EPPE research published in 2004 states that children's attainment and developmental needs are served best in stand alone Nursery Schools.

To grant a small Nursery provision (Options 2,4)as part of Holy Trinity I believe would be divisive and against community cohesion. If the standard admission

increases to 45 as well you will need to ask yourself what of the 19 families who did not join the Primary school during the Nursery year? 19 families would not be enough to keep this school a viable option. Would they be the odd ones out? The community would lose on all fronts-they lose their stand alone Nursery school, they lose peace of mind and they stand to change the character of Golden Flatts Primary school. The scramble to secure a place at Holy Trinity C of E Primary school would precede any thoughts at how good Seaton Carew Nursery School is - all that would happen is that families would face uncertainty and anxiety a year earlier.

The solution to this problem is not an easy one but once made will impact on future generations for many years to come. For the sake of our children and young families we all need to get it right, I do believe that a possible way forward would be to do one of two things:

To either:

- Grant Holy Trinity C of E Primary the new build it so desperately needs without Nursery Provision, leaving Seaton Carew Nursery School open as a stand alone Nursery school. This would be done with a view to forming a Federation between the two schools

or

- Grant a 22.5 fte nursery provision at Holy Trinity C of E Primary school as part of a rebuild and formerly plan and manage the closure of Seaton Carew Nursery School.

I wish you well with your deliberations and urge you to make the right decision on behalf of this wonderful small sea side community, for the right reasons in support of Community Cohesion.

Regards,

Tricia Penfold
Headteacher

Seaton Carew Nursery School has an open door policy and we are happy to talk to you and welcome you into the nursery whenever you wish.





The Collective Staff Team response

Early Years Provision in Seaton Carew

June 2009

The staff team at Seaton Carew Nursery School believe that this school should be kept as a 39 FTE stand alone provision, fulfilling the needs of all the children in Seaton Carew. With a longer term vision that would increase numbers to include places for 2 year olds. We would want to continue to be responsive to the needs of the young working families in Seaton Carew and the wider community and to be developed as a resource for the children and young families of Seaton Carew and for the Early Years Educators and carers across Hartlepool.

Seaton Carew Nursery School is an independent Nursery School which is meeting the needs of the growing multi ethnic 21st Century community in Seaton Carew and Hartlepool. We welcome working in partnership with all the local feeder Schools and in particular Holy Trinity C of E Primary school.

We feel that it is important that the school remains independent and is non-denominational, and continues to accommodate the changing diverse needs of the community by developing all year round fully flexible Nursery Education and care. Any thing less than this, we feel would be divisive to the community as a whole. In considering the impact of the options as set out in stage 3 of the PCP consultation process we feel that:

Option 1 (Holy Trinity C of E Primary School will not have a nursery unit and will not increase in size)

This is not our preferred option

We feel that this would have the impact of keeping this school open and viable, sustaining a long term future, and give Holy Trinity C of E Primary School the new build it needs.

Option 2(13FTE nursery, will be established but the school will not admit more than 30 pupils to the intake each year.)

We feel that the proposal to have a 13FTE nursery class at Holy Trinity C of E Primary School would not only be detrimental to the community as a whole but also to Seaton Carew Nursery School in particular. This proposal would have the impact of closing down Nursery Provision at Seaton Carew Nursery School, there are not enough children to go round- there are 14 spare places in 09/10.

We also believe that this proposal will have a detrimental impact upon the community dividing it further because some children will gain a place whilst others are turned away.

Seaton Carew already has adequate Nursery Provision, additional Nursery Provision will be detrimental to Seaton Carew Nursery School, Golden Flatts and Scallywags.

Option 3(The school would expand to admit 45 pupils to the reception intake each year, but the Nursery Unit will not be established), We feel that this is our preferred option it would afford Seaton Carew Nursery School the opportunity to continue to develop and expand its Early Years Provision for the families of Seaton Carew and Hartlepool, by providing care and education delivered by staff who are totally committed and trained to the needs of young children, staff who are specialists in early years who know how young children learn.

Holy Trinity C of E Primary School should be expanded to accommodate the children in Seaton Carew whose families express a preference.

Seaton Carew Nursery School is completely flexible about the transitional needs and requirements of all its feeder Primary schools.

Professional Development dates are in line with Holy Trinity C of E Primary School

Option 4 (A new nursery unit will be established and the school will expand to admit 45 pupils to the Reception intake each year) This is our least preferred option and would ultimately lead to the closure of Seaton Carew Nursery School, and would also be detrimental to the other providers in the catchment area. (Golden Flatts Primary School and Scallywags). Seaton Carew Nursery School by default would be the least sort after provider of early years education and care, as the community would be led to believe that a place in the nursery would ultimately lead to a place in the school.

To re-cap the staff team at Seaton Carew Nursery School would prefer option 3, we have concerns that the other options would apart from closing this school be divisive to the community.

We hope that you will take seriously the sentiments expressed in this letter when you make your decision about Early Years provision in Seaton Carew and Hartlepool.

Seaton Carew Nursery School Staff Team



A Collective Response from the parents and friends of Seaton Carew Nursery School to the Stage 3 Consultation July 2009
The Friends of Seaton Carew Nursery School DO want Seaton Carew Nursery school to remain open forever!

Option 1 (Holy Trinity C of E Primary School will not have a nursery unit and will not increase in size)

This is not our preferred option. However, we feel that if things were to stay as they are it would mean that Seaton Carew Nursery School would stay open and continue to serve the wider community. If money has already been allocated/identified for Options 2 and 4 we feel this could be spent on improving the existing facilities for Holy Trinity School and maintain the current high standards of education within Seaton Carew.

Option 2(13FTE nursery, will be established but the school will not admit more than 30 pupils to the intake each year.)

This is our least preferred option. We feel that this option will be detrimental to Seaton Carew Nursery School and force the closure of this Nursery School. The reason for this is there are not enough children now or in the foreseeable future to maintain three nurseries in Seaton Carew.

Seaton Carew already has enough nursery provision. Families already have the facilities that they need to make sure that their young children receive excellent Early Years Education and Care. We believe that if a nursery school became part of the church site then permission would always need to be sought from the church which would inhibit the majority of the parents in the community in their choice for Early Years Education.

Option 3 (The school would expand to admit 45 pupils to the reception intake each year, but the Nursery Unit will not be established),

This is our **preferred** option because it would ensure that the already well established Seaton Carew nursery school would continue to thrive and at the same time allow the development of a new build for Holy Trinity.

At the moment there are many families who are very unhappy with the school that they are allocated. By expanding the numbers at Holy Trinity to 45 this would alleviate this problem.

Option 4 (A new nursery unit will be established and the school will expand to admit 45 pupils to the Reception intake each year)

This is also our least preferred option. For the reasons identified for Option 2 we believe that Seaton Carew Nursery School would definitely close. We also feel that the school would close by the

backdoor. We have been misled. This should not even be an option because Cabinet have already made the decision to keep Seaton Carew Nursery School open. As we have already stated, there are not enough children to maintain three nurseries within Seaton Carew.

There are no current issues with allocation of nursery places within Seaton Carew. The standard of Early Years Education at Seaton Carew Nursery School is exceptional, this is the view of parents past and present. Please make the right decision – which is that the decision that you made on 23rd February will stand and Seaton Carew Nursery School will remain open forever.

A collective response from The Governing body of Seaton Carew Nursery School to the stage 3 consultation.

The governing body of Seaton Carew Nursery School believe that there is MORE THAN adequate nursery provision already in Seaton Carew which includes the area of Golden Flatts Primary School, and the only area in the Hartlepool without a childrens centre.

The community of Seaton Carew already have an outstanding, Specialist, Early Years facility in Seaton Carew Nursery School and we believe that it would be of detrement to the community if the P.C.P. were to have a negative impact on this school.

The Governments' own major research "The Effective Provision of Pre-school Education, Institute of Education" (2003) found that maintained nursery schools have *"the greatest impact on young children's intellectual and social development, and their subsequent progress in school, and provide the highest quality and most effective early years settings"*.

Although a decision was made by full cabinet, in February 2009 to keep Seaton Carew Nursery School open, the options detailed in this stage 3 consultation documents refer to Seaton Carew Nursery School on several counts.

A hastily made, incorrect decision made at this stage will undoubtedly have a long term effect on the development and possible future closure of Seaton Carew Nursery School.

At this point we would like to express our concerns regarding the four options in the stage 3 documents.

Options 2 and 4 as detailed, we believe will cause significant detrement to Seaton Carew Nursery School and also have a wide ranging impact on Golden Flatts Primary School, one of our partner primary schools.

Option 3 would have been our preferred option had the implied increased number for reception been slightly less, however, the potential knock on effect that this would have to Golden Flatts School and the resultant inefficient use of financial resources at this establishment may have significant future consequences for their long term stability. In effect *'robbing Peter to pay Paul'*.

In summary:

We believe that Seaton Carew already has an exceptional specialist nursery provision with the flagship Seaton Carew Nursery School. The cabinet agreed that this was an exceptional facility allowing many more young people the opportunity of starting their education experience like no – other child can in Hartlepool. Seaton Carew residents already in addition to Seaton Carew

Nursery School, have private nursery provision - "Sallywags" and Golden Flatts Primary School with its attached nursery. We believe that scope for new housing development is limited in Seaton Carew and therefore an increase in children significant enough to warrant additional nursery provision over and above existing provision is negligible. Adding a nursery to Holy Trinity School would in our opinion put three other well used, respected establishments at risk, with the added potential of two closing. This would not benefit the residents of Seaton Carew, the people of Hartlepool but more importantly those who may need the facilities in the future - our children.

on behalf of the full governing body.

 chair of Governors 15-7-09.

Theresa Reynolds. Headteacher 15.07.09.

59 The Stables
Wynyard Village
TS22 5SG
7.7.09

For the attention of the Schools Transformation Team, July 2009.

I have been a member of staff at Holy Trinity C of E Primary School since 2002.

Option 4 should be the only consideration for Holy Trinity based on all the data and factual evidence presented to the Board and Cabinet since the PCP consultation began and also the overwhelming voice of community support which has been expressed at a number of public meetings and via response forms.

As a headteacher, but more importantly as a parent of two pre school age children, I firmly believe that every parent should have the choice to send their child to their local school nursery and then onto their local school. Every year our Governing body has to inform local parents that their child cannot have a place at the school of their choice, Holy Trinity. This becomes an emotional and stressful situation which could be avoided if the school were the correct size to meet the demand of the population in 2009 and not 150 years ago.

In an age where government is continually launching initiatives promoting parental choice, healthy life styles, walking to school, reducing carbon emissions, EYFS as a seamless process and every child matters, it is inconceivable that the opportunity to truly transform school provision for the community of Seaton Carew may be missed.

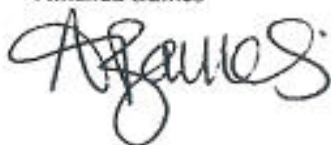
Being Headteacher and a member of Holy Church for the last seven years has given me a real insight into the sense of community and belonging that the people of Seaton Carew have. Many families have seen numerous generations attend Holy Trinity School. The community value our school and the way in which we enable their children to leave here with not only academic ability, but also important life skills such as being responsible members of a community. It is unjust that due to our pupil admission numbers we can not extend this lifetime opportunity to even more families living within Seaton Carew.

The support from the community for expansion and nursery provision was evident at the meetings held recently and also at the Cricket Club many months ago. I would implore the transformation team not to miss the opportunity to extend the educational opportunities in Seaton Carew for the future generations of this community.

Thank you for taking the time to read this submission.

Yours sincerely

Amanda Baines



***The Parishes of Saint John the Baptist Greatham and
Holy Trinity Seaton Carew***

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The Schools Transformation Team
The Borough Hall
Middlegate
Hartlepool
TS24 0JD

11th July 2009

With reference to the consultation regarding Holy Trinity School, Seaton Carew.

The government have ambitious targets, to set in place, the schools and services to ensure every child is equipped with the education and life skills they need to succeed in the 21st century. In order to do this, there must be schools which are equipped with all the facilities to provide this education for the 21st century.

The vision of fair access to 21st century schools can only be realised if the needs of the parents, families and their communities are recognised, including the size of a school, in relation to the population which it serves. It is all well and good having fair access policies, but in reality, in Seaton Carew, this does not exist, as there are not enough places available at Holy Trinity School for primary school children living in Seaton Carew. The school is 150 years old and was built when most of the housing estates were fields and the population then, was far, far less in numbers than it is today.

The government's School Admissions Code, "ensures parents are listened to", so Hartlepool Borough Council should follow their government's code and listen to the parents in Seaton Carew. These parents want to send their children to a local school, which can be reached by healthy means and in the heart of the community, but 50% of all applications for entry in September 2009 were refused because of lack of places, which is an unsatisfactory situation by government standards. Therefore, the Parochial Church Council of Holy Trinity Church, Seaton Carew, unanimously supports the option to rebuild Holy Trinity School with the addition of a nursery unit and also enable the intake of each primary school year to increase to 45 pupils.

With regards



On behalf of Holy Trinity Church, Seaton Carew P.C.C.
Revd Capt Paul Allinson C.A. (Priest in Charge)



Holy Trinity C of E (Aided) Primary Seaton Carew

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Headteacher: Mrs A E Baines B.Ed(hons) NPQH

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Holy Trinity C of E Primary School staff and Governor, Group response to PCP Consultation 3.

Our group response is to request that **OPTION 4** to become **firm proposals** for the future of Transforming Learning within Seaton Carew.

OPTION 4 - NURSERY AND INCREASE SIZE - A new nursery unit will be established and the school will expand to admit 45 pupils to the Reception intake each year.

1. An intake / admission number of 315.

- Seaton Carew is a large village with its own community needs.
- Since our school was built Seaton Carew has seen extensive building programmes around Elizabeth Way, Warrior Park, South Beach and Crawford Street. Building still continues and Seaton Carew is currently undergoing a regeneration project.
- All children within Seaton Carew should be able to access their local school it is not equitable that some have to travel to other schools such as Golden Flatts, Fens or St. Aidan's, Kingsley.
- It is true that we have asked to reduce our admission number from 32 to 30 for intake 2009. This is not because of capacity to fill spaces but the constraints and incapacity of the existing building to cope with the physical needs of the pupils, staff and curriculum demands.
- A new purpose built school, including a purpose built Foundation Stage Unit would be at the heart of the community. It would be a one stop shop for wrap around childcare - breakfast clubs, extended childcare, pre- school facilities, after school and holiday clubs, sports facilities, adult learning and community function facilities. Access to ICT for all community members, health services, police, family learning and support, further and higher education. Space for

child / adult health and fitness, community venue space. Space for older children to go, youth club etc.

- It is important that our Church school should remain close to the church to enable to continue and build upon strong established links. The purpose of C of E aided schools is to provide education for those of all faiths and non within the heart of the community.
- In the admission round for 2008/9 we had 54 applicants for 32 places. Only 5 pupils were admitted in proximity to the school. The school has attended 4 appeal panels for pupils wanting places within our school community. In the admission round 2009/10 we had 61 equal preference applications. We admitted 16 under criteria 2 - sibling link, 13 under criteria 3, families at the heart of the church and only 1 under criteria 5 proximity to school. These figures clearly show that demand exceeds the capacity to provide places.
- In admission round 2009 some families did not receive admission to any of their equal preference choice of school and were allocated the nearest school to their address. Once again demand exceeds capacity to provide places at Holy Trinity and also the nearest schools geographically to Holy Trinity.
- Many non-church families who live in Seaton Carew do not even express a preference for our school in the application process. They choose to apply for other schools out of catchment such as Fens as their children can attend an 'Outstanding' provision from Nursery through to Y6.
- We recognise that the 45 admission number would lead to mixed age teaching. We have always worked in this way in Holy Trinity and have been recognised as: 'Excellent' Ofsted 2001 and 'Outstanding' Ofsted 2007. As a school we provide personalised learning opportunities for all our pupils and mixed age group teaching or single age group teaching has the exact, same demands in this respect. Pupils in a single age class cover as many varieties of needs and abilities as a mix aged range class.
- The Government white paper set out the ambition for 21st century schools to be hubs for communities. Schools should be at the heart of communities and underlines their importance to the development of future generations. The Seaton community and generations of children continue to be disadvantaged by not being given the choice to attend their local school.
- Data clearly shows that 265 primary age children living in Seaton Carew are educated outside of the community. This clearly shows that there are enough children living within the community to justify a larger school.
-

- Government is trying to reduce carbon emissions whilst also fighting an ever increasing obesity problem within our society. Seaton Carew are negatively contributing to both of these issues through the very fact that parents are forced to drive their children to school elsewhere in the town. Primary age pupils should be able to walk to their local school thus keeping healthy and reducing their carbon footprint.
- If Seaton Carew were a lower socio economic area and residents did not have easy access to personal transport then the issue of a larger school would have been more urgent a long time ago. Public transport links to some other areas of the town are available but costly and not appropriate for a primary age child or parent on a daily basis. This year the ability to satisfy admission requests has highlighted that the only other school within walking distance of Seaton Carew was also full and therefore parents are forced to drive or pay for public transport to take their children to school.

2. A Foundation Stage Unit (Nursery and Reception) which is on site and an integral part of Holy Trinity School.

- Holy Trinity is the only school in Hartlepool and we believe Cleveland without a nursery.
- It is not justifiable that pupils attending Holy Trinity Primary School are not offered the same seamless Foundation Stage provision, accepted as best practice, as all other pupils in Hartlepool and the wider local region.
- The Government expects Foundation Stage to be one seamless stage in a child's education. Current provision at Holy Trinity can only influence the final year of the Foundation Stage (Reception). It is best practice for children emotionally, socially and academically to have a continuous Foundation Stage with the same provider and continue through into Key Stage One and Two on the same site. This enables the same standards in teaching, learning, assessment and a continued ethos. Children and parents should have access to a wider range of facilities and that the whole of Foundation Stage to be an integral part of the school community from Nursery onwards.
- It would enhance the work life balance for parents/carers if all children were catered for on one site by one school, with easy access to extended services such as childcare on the same site. No more travelling from Nursery at Elizabeth way to Crawford Street to drop off and pick up siblings. No more need to take 10 days leave from work to provide child care on Professional Development Days.
- This would also be more cost effective in terms of petrol bills and reduce carbon emissions / carbon footprints of parents who use cars for the school

run. Fewer parents would be under time constraints associated with drop offs and pick ups from two sites and would therefore not need to use a car. A better option not only for the environment, but for health and safety of pedestrians / residents around school site.

- Many families who live in Seaton do not use Seaton Nursery or apply for places at Holy Trinity. They use other schools out of catchment such as Fens as their children can join in Nursery and continue to Y6. This is to firstly secure a place at an 'Outstanding' provider for their children, but also to reduce disruption and emotional stress that can be caused when children are forced to leave a place of security and begin a new stage of their education on a completely different site, with different staff, ethos standards etc.

3. Rebuild not refurbish.

Once the final consultation closes on 17th July and final decisions have been made regarding nursery provision and the size of school required, Governors would request that Holy Trinity school is given high priority on 'the list' for rebuild, given the age, suitability and condition of the building.

- The LA suitability survey of our school shows that there are a number of suitability issues which cause barriers to learning for pupils within the school. 6 areas where 'Teaching methods are inhibited'. 8 areas where 'management and organisation of school affected adversely'. 2 areas where 'Pupil or staff morale or pupil behaviour affected adversely'.
- Net capacity shows that our number of pupils should be 210. We currently have 221 and are therefore over capacity.
- The building is not suitable for a 21st Century curriculum and inhibits the Foundation Stage curriculum immensely.
- LA Conditions survey shows that funding needed to bring the building to a minimum recommended standard would be £179,985 Essential works, £273,890 Necessary works £12,785 desirable.
- Our devolved formula capital money and LCVAP money has been used as a sticking plaster over the last 4 years to cover emergency or essential works.
- Our asset management plan has stood still for 4 years as our funding has gone to fund emergency works such as roof repairs.
- Issues such as the fact that the school stands in a least a foot of water which is in a cellar at all times have not been fully investigated or priced

in the conditions survey and could therefore lead the overall figure to be much higher.

- The LA have a number of independent surveys which the Governing Body and Diocese commissioned and have an accurate picture of areas for concern and costs for the projects. Refurbishment is not a cost effective option and would not address suitability issues adequately, rebuild is the only way forward and is needed desperately.

The level of public support at the public meetings held last year and more recently was overwhelming, as has been the level of consultation response forms that we have forwarded to team. The strength of support from the community of Seaton Carew for OPTION 4 should be seriously considered in this final round of consultation.

John Cole

On behalf of the Governing Body



Excellent Education in a Christian Environment

e-mail: admin.holytrinity@school.Hartlepool.gov.uk



committed to
inclusive staff
development



CABINET REPORT

19th October 2009



Report of: The Director of Regeneration and Neighbourhoods

Subject: LOCAL AUTHORITY BID FOR SOCIAL HOUSING GRANT FOR THE DEVELOPMENT OF AFFORDABLE HOUSING – ROUND 2

SUMMARY

1. PURPOSE OF REPORT

The purpose of the report is to set out proposals for a funding bid under the second round of Local Authority Social Housing Grant (LA-SHG) through the Homes and Communities Agency (HCA) to provide social rented housing on three schemes in Hartlepool.

2. SUMMARY OF CONTENTS

The report presents an overview of the Governments' scheme to allow Local Authorities to bid for Social Housing Grant (SHG) for new build affordable housing units. It provides details of the bid criteria and presents proposals for potential schemes under the second bidding round following Hartlepool's success in the first bidding round announced in September 2009. The details of this proposal are set out within the report and timescales associated with delivery are presented. Given the limited resources available from the HCA under the National Affordable Homes Programme over the next 21 months this scheme is considered to be an important opportunity to attract grant by an alternative route for affordable housing provision in Hartlepool.

3. RELEVANCE TO CABINET

This report has strategic relevance across a range of portfolios and is key to Community Safety and Housing, Finance and Performance and Regeneration and Economic Development.

4. TYPE OF DECISION

Key. Test (i) and (ii) apply.

5. DECISION MAKING ROUTE

Cabinet at its meeting on the 19th October 2009. Council on the 29th October 2009 to consider the prudential borrowing requirement.

6. DECISION(S) REQUIRED

That Cabinet is requested to:

- i) note the contents of the report;
- ii) approve the proposal to pursue an application for Local Authority Social Housing Grant on the three identified schemes by the 31st October 2009 deadline;
- iii) select a preferred option for the delivery of a scheme, subject to confirmation of viability;
- iv) agree the method of procurement including progression of discussions with Housing Hartlepool and Endeavour as the preferred developing agent;
- v) delegate authority to the Community Safety and Housing Portfolio holder to approve any changes that may occur before bid submission.
- vi) approve the proposal to fund 50% of the capital costs of this scheme between £400,000 and £2.9m from Prudential Borrowing (the amount is dependant on the outcome of the bid and the number of units successfully awarded LA-SHG and subject to further financial modelling work), subject to the resulting annual repayment costs being fully funded from rental income and to seek Council approval to amend the 2009/10 capital programme and Prudential Borrowing limits accordingly;
- vii) note that the Council will have to fund the short-term cash flow costs of this development until properties are let and approve the proposals that these costs are either funded from additional investment income if this exceeds the approved budget, or if this is not possible, rolled up within the schemes revenue costs to be met from future rent income.

Report of: The Director of Regeneration and Neighbourhoods

Subject: LOCAL AUTHORITY BID FOR SOCIAL HOUSING
GRANT FOR THE DEVELOPMENT OF
AFFORDABLE HOUSING

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to set out proposals for a funding bid under the second round of Local Authority Social Housing Grant (LA-SHG) through the Homes and Communities Agency (HCA) to provide social rented housing on three schemes in Hartlepool.

2. BACKGROUND

- 2.1 In May 2009 the Homes and Communities Agency (HCA) launched a £50 million scheme that allows Local Authorities to bid for Social Housing Grant (SHG) to develop affordable housing. The aim of the scheme is to help to meet local affordable need and encourage homes to be built which may not otherwise proceed, providing support to the house building industry during difficult economic times. The available funding is to provide SHG and allows for consequential prudential borrowing serviced by rental income from the properties. The regional split of this funding is yet to be decided and bids will be evaluated at a national level with input from HCA regional offices. The successful authorities would receive 50% of full scheme costs in SHG and the remaining 50% would be funded from the Council's own resources, such as capital receipts or prudential borrowing. Full scheme costs need to be tempered by the need for a competitive bid. Local Authorities have the opportunity to bid for SHG and bids will be assessed against a range of criteria detailed below. The funding is available over the next two years on the basis of two bidding opportunities the first of which took place on 31st July 2009 and the second, 30th October 2009.
- 2.2 In July 2009 the Cabinet and Council approved two schemes to be submitted during the first bidding round of SHG with the support of the Housing Task Group. Hartlepool Borough Council was successful on both schemes and secured £2.4 million of HCA funding which will be matched by the Council. The approved schemes were for 25 units at Seaton Lane/Golden Flatts and 20 units at Charles St/Surtees Street. The applications for planning permission for both schemes have been submitted and subject to planning approval it is anticipated that start on site will be December 2009, in line with the bid proposal.

The provision of social rented housing has been identified as a Council priority and the high level of affordable housing need within the town is evidenced by long housing waiting lists and a number of Hartlepool and Tees Valley housing studies including the most recent Tees Valley Strategic Housing Market Assessment. A Scrutiny investigation into the provision of social rented accommodation and the Labour Group report, followed by a special Council debate in January, have also highlighted the importance of the provision of social housing in Hartlepool. Taking this agenda forward a Cabinet report on the 9th March included as an action ‘putting the Council at the centre of new development, exploring new initiatives and maximising potential resources’ (paragraph 2:3). This scheme is a valuable opportunity to achieve such objectives and to potentially gain access to additional resources for affordable housing development.

- 2.3 Furthermore, significant work has recently progressed to provide affordable homes with 182 new-build affordable units completed in Hartlepool last year (08/09). This government scheme is an opportunity to attract additional funding into the town and provide new build social rented units which meet high environmental standards whilst meeting Council objectives in terms of increased provision of social rented accommodation. It is also an opportunity to provide additional job opportunities and training apprenticeships for Hartlepool as part of the construction process.

3. ELIGIBILITY AND ASSESSMENT CRITERIA

- 3.1 The aim of the SHG fund is to support additional social housing development and is available to Local Authorities for new schemes that have not already received funding and would not otherwise proceed. To demonstrate that a housing scheme is not already ‘committed’, planning consent should not already have been approved for development. It is expected that the proposals will be for development on local authority owned land and including but not exclusively infill sites that are proving difficult to secure developer interest in the current climate. To be eligible for grant, local authorities must offer secured tenancies for permanent rented properties with statutory right to buy to be eligible. The guidance establishes a range of criteria against which each local authority bid will be assessed. Four key criteria are stipulated within the document namely, value for money, deliverability, strategic fit and design and quality. Recent discussions with officers from the HCA suggest that all criteria must be met to achieve a successful bid.

3.2 *Value for Money*

The local authority bid will be assessed on the level of grant required per unit and will be compared to the grant required from local RSL’s for similar affordable housing developments, to help determine the schemes value for money. It is therefore important that the proposed build costs for these schemes are as cost efficient as possible. 50% of the total build costs will be covered by the available grant and 50% through the Councils ability to prudentially borrow raised against the net rental income. The rent levels will be based on day one of letting at a level reflecting the fact that tenants will

benefit from living in new build properties built to high standards. The HCA expects that the local authority land will be included in the scheme at nil cost although the land and new build properties will remain in Council ownership.

3.3 *Deliverability*

A successful bid would require an early start on site and preliminary discussions with the HCA indicate that schemes which can achieve a start date within the 2009/10 financial year will be favoured. All of the homes must be completed by March 2011. There is no maximum scheme size, however, the guidance indicates that smaller schemes are more likely to be deliverable in the timescale therefore are more likely to be successful. The advice given to Officers by the HCA locally is that schemes of between 20 and 45 units may be appropriate but smaller infill projects may also be considered.

3.4 *Strategic Fit*

The guidance confirms that all bids are required to meet local, regional and national strategic priorities. The bid will meet these priorities in terms of affordable housing provision and providing local job opportunities. The schemes are intended to create jobs in construction and associated trades and therefore bids must incorporate provision for local labour and apprenticeships.

3.5 *Design and Quality*

The new affordable homes must meet as a minimum Code for Sustainable Homes Level 3. Bids that can achieve a higher level will be advantaged as part of the bid assessment process. Local authority bids must follow the HCA new build design and quality standards and ensure that all of these standards are incorporated into the final development. 'Lifetime homes' status is also required on all new build within this scheme.

4. **SCHEME PROPOSAL**

- 4.1 Subsequent to the scheme launch and publication of guidance, discussions have taken place with a regional representative from the HCA. In order to achieve a successful bid it has been established that all of the above criteria must be met or exceeded. The approved schemes developed for the first bidding round were deemed worthy of support by the HCA because they achieved the criteria detailed above. The following scheme proposal and delivery options for the second bidding round similarly aim to achieve all the criteria above, although it may also need to be recognised that there may be greater competition from other Local Authority bids in this second bidding round and becomes more essential that grant levels are competitive and build standards are high.

4.2 *Site Options*

In order to meet bidding criteria the scheme must be delivered on land owned by Hartlepool Borough Council in order to avoid land costs associated with the development however, the Council will retain ownership of the completed units and of the site. The report seeks agreement from the Cabinet to put forward the chosen site or sites for the housing scheme at nil value for affordable housing development but with ownership of land and the new build properties retained by the Council.

4.3 In a recent review, as part of the scrutiny process, the availability of Council owned land was assessed. This concluded that only a limited number of sites across the town in Council ownership are suitable for affordable housing development. A further analysis of the type and size of remaining Council owned land was completed and considering the bid criteria three potential options have been identified, these are land at Kipling Road, remaining land at Charles Street/Surtees Street and land at St Marks Church Clavering. To meet HCA requirements it has been indicated by HCA officers that a scheme or schemes of similar size to the first round bid would be an appropriate level for Hartlepool. It is reasonable to assume that the development of this number of units could be completed by the deadline of March 2011.

4.4 Each of these sites has the potential to deliver the number of units required and are within locations suitable for housing development. Discussions regarding the provision of housing on these sites have taken place and in the case of Clavering and Charles Street a level of community consultation has already taken place. The three sites put forward in this report and detailed below; have been endorsed by the Housing Task Group.

4.5 *Remaining Land at Charles Street, Burbank (Potential 18 units)*

In October 2007 the Cabinet agreed that an affordable housing programme should be pursued in Hartlepool (min 101, Cabinet 1st October 2007 refers). Following this the land at Charles Street was identified as a potential site and at a subsequent Cabinet meeting it was agreed that a formal development brief should be produced and the site be subject to a formal tendering process. Tenders were opened on 26th May 2009 at Contract Scrutiny Panel and Housing Hartlepool and Yuill selected as preferred developer partnership, this site has since been successful in the first LA-SHG bid. This site has therefore already been subject to a procurement process and has been identified to the HCA as a Council priority. In the first round of LA-SHG the Council was successful in securing funding for the delivery of 20 units, which will be built in the southern area of the site. It is anticipated that start on site will be December 2009. The proposed site includes the vacant Market Hotel which occupies a prominent corner location, the continued existence of which could severely restrict the development of the remaining site. This property was successfully acquired by the Council on the 2nd October 2009 using Growth Point funding and listed building consent to demolish will shortly be submitted. This area of land can potentially accommodate 18 units and could be delivered alongside the first phase of the scheme, with start on site achieved by March 2009. It is unlikely that the

remainder of the Charles St site could be delivered through other funding pots, the next HCA Affordable Housing bidding round is expected to be oversubscribed and HBC has identified other regeneration schemes particularly in the housing market renewal sites as priority for that fund.

4.6 *Land at Kipling Road, Rift House (Potential 20 units)*

This land is in ownership of the Council and was identified on the Council's approved surplus property disposal list for 2009-11. This site is currently a back land vacant untidy site with limited access, its value as an open space is considered minimal given its condition and inaccessibility. Access to this scheme is limited and will require the demolition of two properties owned by Housing Hartlepool. Housing Hartlepool are minded to dispose of these properties and the cost of this has been incorporated into the financial modelling work completed for this scheme which has the potential to deliver 20 units.

4.7 *Land at St Marks Church, Clavering (Potential 5 units)*

The land behind St Marks Church in Clavering is also identified on the Council's surplus property disposal list for 2009/11 and has had interest from Endeavour Housing Association towards the delivery of affordable housing. Endeavour have previously sought funding from the National Affordable Housing Programme but their bid was unsuccessful. The site has been subject to a significant level of resident consultation and has also been through the Council's planning One Stop Shop for comments. Consequently the scheme has already been designed, the layout of which has incorporated residents' comments, although further financial appraisal against the LA-SHG criteria will be necessary. Given the small number of properties it is likely that the cost per unit will be higher than on the other schemes. A higher unit cost would require a higher grant level which could make this scheme less competitive than others but it could contribute to local need with the potential to deliver 5 units. The Cabinet are asked to progress this scheme subject to further discussions with Endeavour Housing Association in relation to viability.

4.8 *Development Options*

A number of scheme options have been identified above for consideration as the basis of a bid. The HCA has advised that schemes of between 20 and 45 units would be an appropriate scale and the Council would need to consider where within this range it would wish to pitch its bid, as the Council has already been successful in securing funding for 45 units within the first round of bidding. A successful bid at the higher end of the range would obviously deliver more affordable units and attract more HCA funding, but would involve a higher borrowing requirement for the Council. It is likely that each of the schemes could be delivered in the required timeframe and each of the schemes meets the necessary criteria (detailed above). The Cabinet are asked to consider which schemes should be part of the round two bid. There is potential for the Council to submit bids for all three schemes but this requires a proportionate level of prudential borrowing (see risk and financial implications). Based on the experience of the previous bidding round, each site will be individually assessed and it is not expected that failure of one site

to secure approval would impact on the chances of the others. The Cabinet are therefore requested to approve the submission of bids for all three schemes detailed above which will be for a total of 43 units of social rented housing.

- 4.9 These sites meet the majority of the criteria agreed by Cabinet for the disposal of land for affordable housing development (Cabinet report 07/07/08 paragraph 4:3). The ownership of the land would however, be retained by the Council, issues relating to how the management will be undertaken and reviewed will be covered by the service level agreement/memorandum of understanding with the relevant Housing Association.

4.10 *Housing Mix and Design and Build Standards*

The proposed housing mix seeks to strategically address the identified need within the town. All properties will be of social rented tenure, and a mix of house types including 2, 3 and 4 bed properties and some bungalows are proposed for inclusion within these schemes. The proposed mix is at this stage however remains indicative and is based on the findings of the Strategic Housing Market Assessment. Any proposal will need to be refined within the planning stage with a developer partner and close working with the Councils Housing Advice team to ensure the most appropriate range type of affordable accommodation is provided to meet the needs of local people. The houses developed as part of this scheme must meet very high environmental sustainability standards and therefore will be energy efficient with low running costs. The aspiration for this scheme is that all properties meet Code for Sustainable Homes (CSH) Level 4, as the guidance suggests that CSH Level 4 properties are highly favoured under the bid criteria. The financial modelling which has been developed so far in costing up the scheme has indicated that CSH level 4 will be viable, based on build costs from other similar developments in the town, and these assumptions will be tested further as the scheme details are developed, although CSH Level 3 will be achieved as a minimum on any potential development. These proposals will not only potentially provide Hartlepool with 43 new affordable homes to meet local need, but will set a benchmark for sustainable build standards and increase the chances of a successful bid. The proposed development must also meet the HCA design and quality standards and Lifetime Home Standards which stipulate unit size requirements, accessible internal layout and the ability to adapt for a range of needs. It is unlikely that a bid would be approved that did not meet these high quality build and environmental standards.

4.11 *Management and Procurement*

Whilst it is a requirement of the funding scheme that ownership of the properties is retained by the Local Authority the scheme guidance allows for Local Authorities to contract out the management of these units to an approved Registered Social Landlord (RSL), ALMO or LSVT. Given that the Council has already transferred its stock to Housing Hartlepool and also given the urgency, tight timescales and one-off nature of this scheme it would not be cost effective for the Council to develop an internal

management team and set up the ICT resources required to submit the bid. It is therefore proposed that Housing Hartlepool should be appointed as the Council's developing agent and managing agent for both the Charles Street and Kipling Road schemes, given their previous involvement in both of these sites. In terms of Charles Street, Housing Hartlepool were successful in the procurement process for the adjacent site. At the Kipling Road site Housing Hartlepool own a substantial number of properties in the immediate vicinity, including those which would require acquisition and demolition if the Council is to access the site i.e. their participation is key to the delivery of this scheme. Housing Hartlepool have a major presence in the town and are successfully managing properties close to both of the potential development sites and are prepared to manage on a 'open book' contractual arrangement. If Housing Hartlepool were selected as the Council's managing agent it would be possible to access their pre-procured Spirit framework which comprises experienced and approved developers to deliver the scheme within the tight timescales required to meet the HCA deadlines for scheme start on site and completion. In addition to this, Housing Hartlepool have previously shown interest in developing affordable housing on the Kipling Road and Charles Street sites and have indicated they would be interested in fulfilling the role as developing agent for this scheme. For the Land at St Marks Church it is proposed that Endeavour should manage this scheme, given their previous involvement and time and resources spent by them in scheme development. This would be managed by a memorandum of understanding and developer procurement will take place through Endeavour's procurement process. The progression of this scheme will be subject to further modelling and viability work.

- 4.12 Within this proposal the Council will retain ownership of the properties and pay a fee for management and maintenance costs. An agency agreement will be drawn up which would agree a long term management arrangement for the properties in question, the management costs of which have been incorporated into the financial modelling. As detailed above the importance of local labour and training must be evident within this scheme and forms a large part of the bid criteria. The use of a local building contractor may be more likely to meet these requirements, this however is subject to the developer meeting the appropriate build costs which would allow the scheme to be financially viable and meet the value for money bid assessment criteria. It is important that local labour and training clauses are built into any potential development agreement and that subsequent monitoring of the implementation of this takes place. This can be achieved through the Council's local labour coordinator. Procurement of a developer must therefore have an emphasis on local employment and training for the scheme proposal to be successful. This would be achieved by either commissioning a local developer/builder or putting together a developer agreement with local employment clauses with advice from Hartlepool Working Solutions. There are a number of local labour contractors on the Housing Hartlepool Spirit framework.

4.13 Tenants from these properties will all be allocated from the Council and Housing Hartlepool's joint waiting list through the new Choice Based Lettings system (CBL). Housing Hartlepool and Endeavour have the proven track record of property management and preliminary discussions indicate that they have the capacity to manage these additional units on the Council's behalf at comparable management costs to other RSL's. Assistance in development and submission of this bid has been offered by the Housing Hartlepool team and the Endeavour team.

4.14 *Deliverability*

The Cabinet is requested to approve a bid submission subject to there being no net cost or revenue consequences to the Council. Subject to Cabinet approval a report will be taken to full Council seeking approval for the prudential borrowing element of the scheme, the costs of which would be serviced by the rental income of the properties.

5. RISK AND FINANCIAL IMPLICATIONS

5.1 The proposals meet local, regional and national priorities in terms of the provision of affordable housing and also in terms of meeting the new build targets identified in the Regional Spatial Strategy. They would also respond to the Tees Valley Credit Crunch Working Group's proposals to kick-start sites ready for the economic upturn. The proposal also meets the Council's priorities towards affordable housing and taking a leading role in housing delivery.

5.2 As indicated earlier in the report the HCA grant will fund 50% of the construction costs and it is suggested that the remaining 50% is funded using the Council's Prudential Borrowing powers. The resulting annual repayment costs of using prudentially borrowing will need to be funded from the rental income of the property. The initial financial modelling indicates that the annual repayment costs of using prudential borrowing will be serviced by the rental income. The rental income will also cover ongoing management and maintenance costs of these new build properties.

5.3 To repay this loan and to cover management and maintenance costs the properties therefore have to be fully tenanted. The new build properties have the potential to be very desirable with residents given their low running costs, high space and design standards. It is therefore very likely that these new build properties will have high occupancy levels and low voids. The financial model discussed above demonstrates the significance of low build costs and the impact of increasing build costs on scheme viability. It is therefore extremely important that build costs are at an appropriate level.

5.4 On a practical level the Council will have to fund the cashflow costs of the housing development. This is because the HCA grant draw down procedures stipulates that 25% of the overall build costs will be drawn down at the point of start on site and a further 25% of full scheme costs would be drawn down on completion of the scheme. The Council will also need to fund the interest

element of the Prudential Borrowing costs until properties are completed and let. Further work is needed to determine these costs based on the length of the construction period. However, given the low level of short-term interest rates it is not envisaged that these costs will be significant. It is suggested that if investment income in the current year exceeds the budget level that these monies be set aside to offset the cash flow costs which will arise in 2010/11. If this is not possible the cashflow costs will need to be funded from the headroom included in the 2010/11 budget.

- 5.5 There is an element of risk also attached to site selection. For example the site at Charles Street is previously developed land and has the potential for unforeseen costs associated with contamination, soft ground or old cellars. There could also be time delays associated with Listed Building Consent for demolition. Further detailed ground condition surveys would be required to assess the potential for these abnormal costs and the impact on scheme viability. The financial model does however have an element of contingency to cover some abnormalities and this could mitigate the impact on the viability of the scheme. The Kipling Road site is greenfield and previously undeveloped therefore it is unlikely that there would be a high level of abnormal costs emerging, although again ground condition surveys would reveal any potential remediation costs and work is underway to progress these. The scheme at Kipling Road is also subject to successful negotiation with Housing Hartlepool on the cost of the two units required to provide the access. Contingency has been built into all elements of the financial modelling work conducted as part of this scheme and work is currently underway to develop a greater understanding of the ground conditions on both sites.
- 5.6 There is also risk attached to the development of CSH Level 4 properties as the long term maintenance cost implications are unknown and not tested. The potential of a larger maintenance sinking fund to cover any future unforeseen costs is currently being modelled for consideration as part of the scheme. The two initial schemes at Charles Street and Seaton Lane are progressing and are on track to achieve CSH Level 4 within budget, it is therefore likely that this can also be achieved for the second phase bid.
- 5.7 The Secure Tenancies that accompany the new build properties have some risk associated with them given that tenants will have the statutory Right to Buy. Under the Right to Buy scheme the tenant is entitled to a maximum discount of £22,000 in the North East. However, the overall cost of building, improving and maintaining the unit over the previous 10 years must be covered by any purchase price therefore it is unlikely that any discount granted would reach the level of £22,000. This is termed the Cost Floor calculation. This mitigates the risk to HBC as there will be sufficient funds from any potential purchase under RTB to clear the prudential borrowing HBC have been required to undertake to develop that unit. These assumptions are based on the current system which operates between the HCA and RSL's where RSL's are able to have first call on any Right to Buy income to clear any mortgage debt on that unit.

- 5.8 In terms of procurement, although the land and properties remain in Council ownership, the Council loses the ability to achieve a capital receipt as part of our Disposals Strategy agreed in the Business Transformation Programme. The required savings from the Business Transformation Programme do not include capital receipts from land sales, however, by reducing the Council's relatively small land assets without a receipt does restrict funding for future Capital Programmes to improve our own assets. It is expected that future capital investment for this purpose will be severely affected on the financial climate.

6. TIMETABLE FOR BIDDING AND SCHEME DEVELOPMENT

- 6.1 The proposed timetable aims to meet the second bidding round deadline of Friday 30th October 2009.

Stage	Details	Deadline
Achieve Pre- Qualification under the NAHP	The Council and potential developing agent is required to complete some financial pre- qualification questionnaires	Completed
Discussion with Housing Hartlepool and Endeavour	To discuss scheme management and viability	On-going
Housing Task Group	Report presented to this group outlining the proposed bid and associated risk.	12 th October 2009
Production of draft bid.	A draft bid is to be completed and then following a decision from Cabinet and circulated internally for comments.	23 rd October 2009
Further Discussions with Housing Hartlepool and Endeavour	Detailed costing and financial assessment work to be completed with Housing Hartlepool	On-going
Further discussions with the HCA	Meeting with HCA representative has been scheduled to discuss scheme proposals.	On-going
Cabinet Report	Cabinet report completed and decision made by Members.	19 th October 2009
Pre-planning work	An element of pre-planning work may be required to develop the scheme prior to bid confirmation	November 2009
Council Report	To approve prudential borrowing element of scheme.	??
Completed bid to be submitted to the HCA	Completed bid to be submitted to the HCA demonstrating how each of the bid criteria has been	30 th October 2009

	met.	
Statement Local Labour Statement	A statement must be produced to illustrate how the local labour, training and apprenticeships requirements will be achieved.	30 th October 2009
Bidding on the HCA's IMS system	A completed bid must be inputted into the HCA's Investment Management System. Training of officers to use this system could potentially be offered by Housing Hartlepool.	30 th October 2009
Developer Procurement Process	Initial discussions with potential developer partner and Housing Hartlepool in advance of HCA announcement and initial scheme development meeting all HCA requirements	January 2010
Successful Bids Announced	The HCA will announce the successful bids and if successful Hartlepool can proceed with proposed scheme.	December 2009
Planning Permission	Plans submitted for planning permission on announcement of a successful bid for a 6 week period.	March 2010
Start on Site	It has been suggested that a start on site by March 2010 will be favoured by the HCA.	March 2010
Build Completion	Completion of all full schemes if successful.	March 2011

7. RECOMMENDATIONS

7.1 That Cabinet is requested to:

- i) note the contents of the report;
- ii) approve the proposal to pursue an application for Local Authority Social Housing Grant on the three identified schemes by the 31st October 2009 deadline;
- iii) select a preferred option for the delivery of a scheme, subject to confirmation of viability;
- iv) agree the method of procurement including progression of discussions with Housing Hartlepool and Endeavour as the preferred developing agent;
- v) delegate authority to the Community Safety and Housing Portfolio holder to approve any changes that may occur before bid submission.
- vi) approve the proposal to fund 50% of the capital costs of this scheme between £400,000 and £2.9m from Prudential Borrowing (the amount is dependant on the outcome of the bid and the number of units successfully

awarded LA-SHG and subject to further financial modelling work), subject to the resulting annual repayment costs being fully funded from rental income and to seek Council approval to amend the 2009/10 capital programme and Prudential Borrowing limits accordingly;

vii) note that the Council will have to fund the short-term cash flow costs of this development until properties are let and approve the proposals that these costs are either funded from additional investment income if this exceeds the approved budget, or if this is not possible, rolled up within the schemes revenue costs to be met from future rent income.

Appendix 1

LA -Social Housing Grant – Risk Register

Ref	Risk	Level Risk R/AG	Mitigation/Controls HCA is asked for a higher grant level
1.	Unforeseen costs emerge on the chosen site.	A	There is a greater likelihood of unforeseen costs emerging on the Surtees Street site as it is previously developed land. Detailed site investigation work to be conducted prior to start on site.
2.	Build costs increase over and above those modelled	A	Procurement process will place significant emphasis on build costs. The financial model will produce a maximum build cost per unit to retain scheme viability and the scheme will progress if this can be achieved.
3.	Code level 4 cannot be achieved in viability terms	G	Code for Sustainable Homes Level 3 is accepted under this scheme and there is a greater certainty regarding CSH level 3 build costs.
4.	Contractor goes into liquidation	G	Detailed financial checks by our finance division to assess their financial standing and credit worthiness.
5.	Unable to let properties	G	The Hartlepool SHMA 2007, the Tees Valley SHMA both show high levels of affordable housing need in the town. There are significant numbers on the Council's / HH joint waiting list demonstrating need. Housing Hartlepool have also consulted their allocations section who have confirmed the desired mix required to meet need in the localities.
6.	A property is acquired through Right to buy	G	The amount repaid by the tenant will be sufficient to repay the borrowing needed to develop this unit and HBC will have first call on this before any grant is repaid.
7.	Management Costs increase	G	Long term management agreement to be set up and an 'open book' approach to management will be developed.
	Loss of capital receipt for land	A	Using land for this scheme meets the Councils aims of delivering affordable housing, this is a one off scheme from HCA and it is unlikely that further land would be put forward for such a scheme.

CABINET REPORT

19th October 2009



Report of: Director of Regeneration and Neighbourhoods

Subject: FLOODS AND WATERS BILL

SUMMARY

1. PURPOSE OF REPORT

To inform Cabinet of the background to the draft Floods and Waters Bill and discuss the key recommendations specifying increased roles and responsibilities of Local Authorities in flood risk management functions and how these may impact on service delivery.

2. SUMMARY OF CONTENTS

The report provides a background into the origin of the Floods and Waters Bill and discusses the key recommendations arising from the Bill. The report also discusses Government funding and the potential resource implications to Hartlepool Borough Council.

3. RELEVANCE TO CABINET

The Bill relates to strategic management of surface water and flooding and will impose statutory duties on the Council.

4. TYPE OF DECISION

Key – test i and ii.

5. DECISION MAKING ROUTE

Cabinet on 19th October 2009.

6. DECISION(S) REQUIRED

- To note this report, and that further update reports on this subject will be brought to Cabinet once the Bill becomes legislation.
- To authorise officers, via the Chief Executive, to respond to the Cabinet Office's letter including a specific request for additional funding to be made available for Local Authorities to carry out their increased roles and to involve the Member of Parliament in lobbying Central Government in this respect.

Report of: Director of Regeneration and Neighbourhoods

Subject: FLOODS AND WATERS BILL

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of the background to the draft Floods and Waters Bill and discuss the key recommendations specifying increased roles and responsibilities of Local Authorities in flood risk management functions and how these may impact on service delivery.

2. BACKGROUND - HISTORY

- 2.1 Following the summer floods of 2007 in which 55,000 properties were flooded, 7,000 people rescued and the insurance bill had topped £3.5bn, an independent review into the events was commissioned by the Government and carried out by Sir Michael Pitt.
- 2.2 The Pitt report was published in June 2008 some 10 months after the flooding took place. The Report detailed the lessons which could be learned from the floods and listed urgent and fundamental changes required to be carried out in order for the Country to adapt to the likelihood of more frequent and intense periods of heavy rainfall.
- 2.3 The report placed the needs of people at the heart of its review and identified 6 themes that people need:-
- knowing when and where it will flood;
 - improved planning and reducing the risk of flooding and its impact;
 - being rescued and cared for in an emergency;
 - maintaining power and water supplies and protecting essential services;
 - better advice and helping people to protect their families and homes; and
 - staying healthy and speeding up recovery

In order to deliver these needs the report contained 92 key recommendations addressed to the Government, Local Authorities, local resilience forums, providers of essential services, insurers and others, including the general public.

- 2.4 The key recommendations relating to the future enhanced roles of Local Authorities in flood risk management are as follows:-
- Local Authorities should lead on the management of local flood risk and work with the support of the relevant organisations. (Recommendation 14)

- Local Authorities should positively tackle local problems of flooding by working with all relevant parties, establishing ownership and legal responsibility (Recommendation 15)
- Local Authorities should collate and map the main flood risk management and drainage assets (over and underground), including a record of their ownership and condition (Recommendation 16)
- All relevant organisations should have a duty to share information and cooperate with local authorities and the Environment Agency to facilitate the management of flood risk (Recommendation 17)
- Local Surface Water Management Plans, as set out in Planning Policy Statement 25 and delivered by local authorities, should provide the basis for managing all local flood risk (Recommendation 18)
- Local Authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management (Recommendation 19)
- The Government should resolve the issue of which organisations should be responsible for the ownership and maintenance of sustainable drainage systems (Recommendation 20)

2.5 In December 2008, the Government's Department for Environment, Food and Rural Affairs (DEFRA) published "The Government's Response to Sir Michael Pitt's Review of the Summer 2007 Floods" in which they agreed with the assessment and supported the recommendation of radical change. In this response, DEFRA took each of the 92 key recommendations from Pitt and detailed an initial response to these changes covering 'implementation so far and the next steps', 'how will implementation of this recommendation be funded' and 'implementation date'. The Government supported all of the recommendations relating to Local Authorities as detailed in paragraph 2.4 above.

2.6 In June 2009, the Government produced a progress report following on from the December 2008 report.

- For recommendations 14 to 18 (see paragraph 2.4 above) the Government wrote to all Local Authority leaders and Chief Executives in December 2008 and again in April 2009 requesting that Local Authorities work in advance of the legislation and to commence building relationships and setting in place arrangements for understanding and managing local flood risk.
- For recommendation 19 (see paragraph 2.4 above), DEFRA have held workshops with Local Authorities to understand current capacity and technical capability and have announced funding for local authority participants on the existing Environment Agency Foundation Degree Programme
- For recommendation 20 (see paragraph 2.4 above), full proposals on Sustainable Drainage Systems including unitary authorities taking ownership and maintenance were contained in the draft Bill

3. BACKGROUND – FLOODS AND WATERS BILL AND THE TEES VALLEY RESPONSE

3.1 On the 21st April 2009, the Government (DEFRA) published its draft Flood and Water Management Bill for consultation. The consultation paper was split into 4 parts namely:

- Part 1: The Consultation Paper – setting out the policy background and rationale for the proposals, summarising the provisions in the draft bill and explaining how they will be implemented;
- Part 2: The Draft Bill – the proposed legislative provisions;
- Part 3: The Explanatory Notes – to help the reader understand what the draft Bill does and how;
- Part 4: The Summary Impact Assessment – a summary analysis of the costs and benefits of the proposals contained in the draft Bill and consultation paper.

The consultation document contained a list of 188 key questions upon which feedback was encouraged by the Government, the consultation window closed on the 24 July 2009.

3.2 In the Tees Valley a Flood Risk Management Group has been set up comprising representatives from each of the 5 Tees Valley Local Authorities, the Environment Agency and Northumbrian Water. The group has been established to address the relevant recommendations from the Pitt Review.

3.3 The Tees Valley Flood Risk Management Group submitted a response to the consultation paper and supported the position of a leadership role for Local Authorities in dealing with flood risk management. However the response expressed deep concern in respect of the additional technical resources required and a skills shortage generally within Local Authorities of staff with the technical capabilities to carry out the increased duties.

3.4 The skills needed to take on board the new responsibilities do exist in the Council, what does not exist is the capacity to actually undertake the tasks associated with the new legislation.

4. GOVERNMENT FUNDING

4.1 The Government responded to Pitt by announcing that a total of £60 million would be spent in taking forward the key recommendations over the period 2008/09 – 2010/11. Of this figure, £34.5 million will be allocated by DEFRA to delivery organisations to pay for the additional and unanticipated costs of taking forward the recommendations they are responsible for. £16 million has been allocated solely to Local Authorities.

4.2 In December 2008, the first allocation from this budget (in total £300,000) was allocated to 6 Local Authorities to produce the first edition Surface Water Management Plans.

- 4.3 In August 2009, £9.7 million was allocated to a further 77 Local Authorities to develop Surface Water Management Plans. This allocation was developed by the Environment Agency and targeted the top ranked authorities based on a combination of the cost for developing a Surface Water Management Plan and the level of risk in the settlement from surface water flooding. No opportunity was given to other Local Authorities to bid for a proportion of this money. Middlesbrough was the only Council in the North East to receive a grant allocation (£100,000).
- 4.4 In September 2009, DEFRA published details of exactly how the £9.7 million was allocated and also published the “National Rank Order of Settlements Susceptible to Surface Water Flooding”. Out of a total of 4215 settlements Hartlepool is ranked 167th.
- 4.5 A further £5 million allocation for ‘early actions to tackle flood risk’ is available. Bids will be open to Local Authorities for individual works or studies between £20k and £100k aiming to achieve quick wins in managing and alleviating flood risk. Detailed criteria on how to bid will be available by the end of October 2009, it is expected that allocations will be made in early 2010.
- 4.6 Prior to the requirement for Surface Water Management Plans, Hartlepool was a pilot study area for Integrated Urban Drainage (IUD). A multi-agency study was carried out by consultants Mott MacDonald with key partners comprising Hartlepool Borough Council, the Environment Agency and Northumbrian Water. This study developed an extensive database of information comprising HBC, EA and NWL assets and looked at common problem areas where flooding and system capacity were real issues. The study considered the current inspection and maintenance regime of headwalls, grilles, manholes and gullies carried out by Hartlepool Borough Council, NWL and the EA and touched on more detailed investigation into specific areas being required.
- 4.7 Staff from the Engineering Consultancy are currently working on developing a business case for an application to DEFRA (under the £5m discussed in paragraph 4.5 above) to develop the IUD study into a Surface Water Management Plan covering the Borough of Hartlepool. It is anticipated that this application will be for approximately £60,000.

5. POTENTIAL SHORT AND LONG TERM FUNDING IMPLICATIONS TO HARTLEPOOL BOROUGH COUNCIL

- 5.1 DEFRA published a series of Impact Assessment's alongside the draft Flood and Water Management Bill consultation. In the Impact Assessment of Local Flood Risk Management, the Government considers that for Local Authorities to tackle strategic surface water management:-
- Additional staff will be required to oversee the production of SWMPs, the project management of associated actions, and the mapping of

drainage assets etc. In the long term the Government costings assume £140,000 per County/Unitary Authority per year is borne in additional staff costs. For Hartlepool, this would perhaps equate to three additional members of staff being paid £33,380 (Band 10), £29,341 (Band 9) and £23,671 (Band 7) including NI and Superannuation respectively. As with all other costs, it would be for Local Authorities to determine the right number of staff to employ and the appropriate pay structures to fulfill their new responsibilities.

- Costs for oversight and maintenance of Sustainable Urban Drainage System (SUDS) are not included in the above. Current proposals are for Local Authorities to increase the use of SUDS through Development and Building Control and ultimately adopt and maintain the SUDS solutions for new developments. At this point in time it is estimated that this could also equate to 0.5 fte at £11,835 (Band 7) including NI and Superannuation.
- 5.2 As discussed in paragraph 3.4, the skills to carry out these functions do exist in the Council but an additional resource input will be required. The section dealing with the new responsibilities may also have an increased workload in coast protection schemes arising from the current Seaton Carew Coastal Strategy Study and the Town Wall Model Study. These schemes should be grant funded and it is possible that new resources could be combined to reduce costs to the Council. This will be reviewed once the legislation is enacted and future workload is known and any additional resources will be put forward for consideration in future budget proposals.
- 5.3 Notwithstanding paragraph 5.2 above, the introduction of the Floods and Waters Bill will increase Local Authorities' responsibilities and this will have potential financial implications. The Government has previously given a commitment that new responsibilities will not be imposed on Local Authorities without there being a corresponding increase in resources. In this case, details of ongoing funding for this additional responsibility have not yet been confirmed by the Government. It is therefore recommended that appropriate representation is made to the Government to fully fund this additional responsibility, which is particularly important in the current financial climate.
- 5.4 It is likely that the three main types of action arising from an SWMP will be:
- Local action in the form of changes to surface water drainage infrastructure or other infrastructure at risk to address specific problems identified by the plans;
 - Introduction of high quality SUDS to new developments;
 - Better planning decisions, directing new development away from areas at high risk of surface water flooding, and including flood routes within new design.
- 5.5 It is estimated that £100,000 per year is a sum that would enable each upper-tier authority to make a real difference to local flood risk by taking forward priority mitigation actions, with other actions within the SWMP taken forward by others such as the local water and sewerage companies and at

their own cost. Evidence from the IUD pilots indicated that plans are likely to identify some localised changes to road cambers, kerbs or small culverts at relatively low costs £5-20k that could significantly reduce local flooding risk.

- 5.6 To summarise, the potential predicted resource and cost implications to the Council once the legislation is implemented are:-
- An additional 3.5 fte's at £98,227 / year.
 - Mapping assets following the production of a SWMP - £80,000 (one off cost)
 - Maintaining an asset register - £20,000 / year
 - Taking forward mitigation actions to reduce flood risk - £100,000 / year
- 5.7 It may however be possible to mitigate these costs with potential additional funding coming into the consultancy from a number of sources and taking into account the imminent restructure of the department.

6. NEXT STEPS

- 6.1 The consultation period for the draft Bill has now closed and DEFRA will consider the responses and make any amendments necessary. The Bill will then be introduced to Parliament and possibly implemented before the next General Election.
- 6.2 The Cabinet Office via DEFRA have written to all Local Authority Chief Executives (21 September 2009) requesting an assessment of how the Council is progressing on the implementation of Pitt in order to understand what is being done at grass roots level across all of the recommendations. The response is due by 30th October 2009.

7. RECOMMENDATIONS

- 7.1 To note this report, and that further update reports on this subject will be brought to Cabinet once the Bill becomes legislation.
- 7.2 To authorise officers, via the Chief Executive, to respond to the Cabinet Office's letter including a specific request for additional funding to be made available for Local Authorities to carry out their increased roles and to involve the Member of Parliament in lobbying Central Government in this respect.

8. REASONS FOR RECOMMENDATIONS

- 8.1 To make Cabinet aware of the future increased roles and responsibilities of Local Authorities in flood risk management and the predicted impacts on resources and budgets.

9. BACKGROUND PAPERS

1. Lessons from the 2007 Floods – The Pitt Report June 2008
2. The Government's Response to Sir Michael Pitt's Review of the Summer 2007 Floods – December 2008
3. Draft Flood and Water Management Bill – April 2009
4. The Government's Response to Sir Michael Pitt's Review of the Summer 2007 Floods: Progress Report - June 2009

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CABINET REPORT

19th October 2009



Report of: Chief Executive

Subject: TEES VALLEY REGENERATION SUCCESSION ARRANGEMENTS

SUMMARY

1. PURPOSE OF REPORT

Tees Valley Regeneration (TVR) is to be wound up as a company by the end of March 2010. This report notes and seeks endorsement to new arrangements for taking forward the work on inward investment and regeneration currently undertaken by TVR post March 2010.

2. SUMMARY OF CONTENTS

TVR was set up to achieve certain regeneration and inward investment objectives. The TVR shareholders (One NorthEast, the Homes and Communities Agency and the five Tees Valley Boroughs) have indicated that TVR has been successful in working towards its objectives and that now is an appropriate time to integrate the work of TVR more closely with the wider work of Tees Valley Unlimited, which has evolved since TVR was formed. The objectives of this review are to improve both effectiveness and efficiency; to improve the delivery of regeneration in the Tees Valley, by better integration of all regeneration-related work through Tees Valley Unlimited; to accelerate and improve the quality of the delivery of physical regeneration schemes across Tees Valley; to save costs.

The TVR Business Investment and Marketing Team will be moved into the Tees Valley Unlimited arrangements, employed by Stockton-on-Tees Borough Council on behalf of the five Boroughs. Detailed arrangements for the integration of this team with other joint Tees Valley teams would be brought forward subsequently as part of a more general review of joint arrangements.

A new Tees Valley Unlimited Delivery Team will be formed to take forward not just the existing TVR regeneration projects but also to drive forward, and further raise the standard of, major complex physical regeneration projects more generally across the Tees Valley. The Delivery Team would be employed by Stockton-on-Tees Borough Council on behalf of the five Boroughs, One NorthEast and the Homes and Communities Agency.

The costs of winding up TVR and of the new arrangements can be met within the current funding envelope for TVR, with costs reduced from 2010/11 as a result of the efficiencies of integrating TVR work with other work and of efficiencies in costs currently incurred by TVR.

The proposed arrangements create more effective arrangements for driving forward the delivery of complex physical regeneration projects and business investment in the Tees Valley, to boost the sustainable development of the City Region in line with the Tees Valley Multi-Area Agreement and with the five Sustainable Community Strategies; reflect the new arrangements previously agreed for Tees Valley Unlimited and create efficiencies, greater clarity and improved accountability by bringing functions together under Tees Valley Unlimited.

3. RELEVANCE TO CABINET

Recommendations are of strategic interest.

4. TYPE OF DECISION

Non key decision

5. DECISION MAKING ROUTE

Hartlepool Council Cabinet 19th October 2009 and to the Cabinets of other local authorities in Tees Valley, and One North East and Homes and Communities Agency's Boards and Committees.

6. DECISION(S) REQUIRED

That the arrangements for winding up Tees Valley Regeneration and for successor arrangements for its functions as set out in this report be noted and endorsed.

:

Report of: The Chief Executive

Subject: TEES VALLEY REGENERATION SUCCESSION
ARRANGEMENTS

1. PURPOSE OF REPORT

- 1.1 Tees Valley Regeneration (TVR) is to be wound up as a company by the end of March 2010. This report notes and seeks endorsement to new arrangements for taking forward the work on inward investment and regeneration currently undertaken by TVR post March 2010.

2. BACKGROUND

- 2.1 TVR was set up as a limited-life company in 2002, to carry out specific tasks. Its main role initially was to progress major regeneration projects: Central Park, Darlington, North Shore, Stockton, Middlehaven, Middlesbrough, Victoria Harbour, Hartlepool, development around Durham Tees Valley Airport, and the Tees Valley Metro. After its establishment, the Tees Valley Inward Investment Team was transferred to be part of TVR.
- 2.2 The shareholders in TVR are the five Tees Valley Borough Councils, the Homes and Communities Agency (HCA) (formerly English Partnerships) and One NorthEast (ONE).
- 2.3 TVR has made good progress in teeing up the major regeneration projects for which it is responsible. The shareholders feel that now is therefore an appropriate time to look at future arrangement for handling major complex physical regeneration projects in the Tees Valley which can not only take forward the current TVR projects but also have a broader influence in driving forward and raising the standard of regeneration schemes throughout the Tees Valley.
- 2.4 Tees Valley joint arrangements have progressed substantially since TVR was set up. With the establishment of Tees Valley Unlimited (TVU) and the Multi Area Agreement, there are new arrangements for establishing future programmes of projects and funding. It will be more effective if all the Tees Valley joint arrangements can be brought together to work collaboratively on driving forward programmes agreed between the Borough Councils, ONE and HCA.

- 2.5 Officers from the Borough Councils, ONE, HCA, TVR and the Tees Valley Joint Strategy Unit have identified proposals for taking forward the activities for which TVR are currently responsible. These proposals integrate those activities more closely into other TVU work and aim to create more efficient and effective ways of working. The proposals were agreed by the Tees Valley Unlimited Leadership Board on 9 September, subject to funding.

3. OBJECTIVES

- 3.1 The objectives of succession arrangements are to improve both effectiveness and efficiency of regeneration and economic development in the Tees Valley:
- a) To build on the principles of the Tees Valley Multi-Area Agreement and the City Region Forerunner bid;
 - b) To integrate the work currently being carried out by TVR more closely into other regeneration and economic development work being carried out across Tees Valley Unlimited and through the borough councils, thereby to create greater added value from the arrangements;
 - c) To build on the successes of TVR, including retaining and building on the strong ethos of good relationships with and understanding of private sector companies and developers;
 - d) To create leading edge expertise on complex physical regeneration projects available to a wider range of projects across the Tees Valley, and to share expertise and experience across projects;
 - e) To accelerate the delivery, and enhance the quality, of physical regeneration schemes across the Tees Valley;
 - f) To improve clarity and accountability to the funders for the delivery of projects;
 - g) To save costs.

4. PROPOSED NEW ARRANGEMENTS

- 4.1 The arrangements through Tees Valley Unlimited for the future organisation and governance of regeneration funding and projects in the Tees Valley have previously been agreed by the Tees Valley Local Authorities, the Homes and Communities Agency and One North East. These involved:
- a) a joint board between the City Region, the Homes and Communities Agency and the Regional Development Agency (One North East) to

provide strategic direction of housing, economic development and regeneration spending; and

- b) joint investment planning with key partners, including greater flexibility over capital funding to support the more effective programme management of projects. TVU would initially wish to pursue a single capital programme (the Tees Valley Investment Plan) with a long term funding commitment (on the 3+2 years principle) and in the medium term real delegation of funding (i.e. local approval of projects within the investment plan, subject national government financial limits).
- 4.2 The proposal was based on the principle that it is to achieve the devolution of functions, powers and funding down from central government to the Tees Valley level and not the passing up of functions, powers and funding from the Borough Councils.
- 4.3 These arrangements stem from the Multi-Area Agreement between the five Tees Valley Local Authorities and Government, agreed by Cabinet (and by Government) in June 2008.
- 4.4 Following these agreements, the five Borough Councils, HCA and ONE have set up a **Tees Valley Unlimited Programme Group** to carry out the functions set out in paragraph 4(a) above. ONE has delegated certain regeneration funding decisions (within financial limits) to the Programme Group and HCA will align its funding decisions through its 'Single Conversation' and the establishment of a Local Investment Plan. Existing Tees Valley Joint Strategy Unit staff are responsible to the Group for the preparation and management of the Tees Valley Investment Plan.
- 4.5 TVR currently has two functions:
- a) A Regeneration Team responsible for progressing the limited number of major regeneration schemes set out in paragraph 7 above.
 - b) A Business Investment and Marketing Team responsible for handling inward investment enquiries to the Tees Valley, for liaising on behalf of partners with business at a City Region scale and for marketing the Tees Valley to business and investors.

The report now looks at proposals for each of these.

5. TEES VALLEY UNLIMITED DELIVERY TEAM

- 5.1 The proposal is to replace the existing TVR Regeneration function with a TVU Delivery Team which has broader responsibilities for Tees Valley complex physical regeneration projects in future: i.e. major complex physical regeneration projects funded by ONE, HCA, local authorities and DfT through the proposed integrated TVU Investment Plan. 'Complex regeneration projects' should be read as including physical regeneration projects, whether they are for economic, housing or transport objectives.

- 5.2 A **Director of Delivery** would manage a small specialist team providing high level skills necessary for complex physical regeneration projects which cannot be provided in individual local authorities, to drive forward the implementation of the projects within the Investment Plan. The Team would lead directly some projects and would provide specialist advice on others.
- 5.3 The Director of Delivery would act as Project Sponsor for major complex physical regeneration projects involving HCA or ONE (or local authority) funding and would have responsibility for ensuring that the quality and delivery of objectives expected in return for ONE/HCA funding are achieved.
- 5.4 The Director of Delivery would monitor progress of each project and provide project level performance information to the TVU Programme Team. The Delivery Team would also contribute to the development of project proposals to feed into the programme.
- 5.5 The Tees Valley Programme Group will agree the project management arrangements, staff time allocation and accountabilities, milestones, outputs and responsibilities for each project. Each project will continue to have its own **Project Board**, as at present, responsible for directing the project, involving the relevant local authority(ies) and the funding partner(s). Formal decisions which are the responsibility of local authorities will continue to be taken by local authorities through normal processes.
- 5.6 A **Project Executive** will manage each project, and will be accountable to the Project Sponsor (i.e. the Director of Delivery where the specialist team are involved). The project executive will be expected to work in accordance with arrangements and milestones agreed with the Director of Delivery and the TVU Programme Group (and with ONE, HCA or the local authorities where the work relates to their assets, funding or powers).
- 5.7 The TVU Delivery Team would be employed by Stockton Borough Council (as the accountable body) on behalf of the five Borough Councils, HCA and ONE.
- 5.8 The Delivery Team would be expected to comprise people with relevant specific skills. The skills required would be defined by the needs of the projects, but are likely to include:
- Strong understanding of private sector commercial development needs
 - Development appraisal expertise
 - Understanding of development funding and innovative funding approaches
 - Project management
 - Urban design and sustainability expertise
 - Compulsory purchase
 - Aim to reduce the need for use of consultants (and so save money); but the team needs to be able to act as an 'intelligent client' commissioning high quality advice where needed
 - Understanding of business case development for funding

5.9 The proposals have the following benefits:

- They give clearer accountability. The Director of Delivery will be directly accountable to the major funding partners in the TVU Programme Group. The project executive for each project is accountable to the Director of Delivery; in turn the project executive controls the whole of the wider team involved in the project.
- They retain the strengths of TVR, including the strong understanding of private sector needs and focus on delivery.
- They allow the employment within the central Delivery Team of people with specialist skills who can raise the game of regeneration within the Tees Valley (whereas at the moment TVR employs mainly generic project directors/managers).
- They enable these specialist skills to be available to advise a much wider range of projects, again raising the quality of regeneration across the Tees Valley.
- They recognise that the project teams working on complex regeneration projects are much broader than the central team: they give the Director of Delivery and project executives clearer and direct access to the wide range of LA and other staff involved. This cuts out duplication and creates efficiencies. It also improves the effectiveness by embedding the project executives more in the much broader range of related activity in LAs. This will avoid any isolation which could be the case for TVR.
- By bringing all Tees Valley staff under the umbrella of TVU, the proposals create efficiencies, for example by putting all programme control in one team.

5.10 Specific arrangements for existing TVR projects are set out in **Appendix 1**.

6. BUSINESS INVESTMENT TEAM

6.1 TVR's Business Investment and Marketing Team would transfer into TVU, and would be employed by Stockton Borough Council (as the accountable body) on behalf of the five Borough Councils.

6.2 A wider review of the Tees Valley joint arrangements will look at the synergies and efficiencies that can be obtained by integrating the work of the team more closely with other functions. By bringing all Tees Valley staff under the umbrella of TVU, the proposals improve effectiveness and create efficiencies, for example by sharing marketing skill/strategies or business/economic intelligence across TVU teams.

7. SOME COSTS OF TRANSFERRING TVR FUNCTIONS

- 7.1 There are some one-off and residual costs associated with transferring the functions to TVU, estimated as follows;

Estimated residual costs	£000
Staff redundancy/retention payments	51
Audit fees; company winding-up fees, staff costs to deal with year-end 2009-10	60
Staff performance bonus earned in 2009-10 and payable in 2010-11	59
Total	170

- 7.2 Provision for these estimated costs of £170,000 will be made in the final year accounts for TVR for 2009-10. Allowing for these costs and anticipated budget savings within TVR during 2009-10, the latest estimates of cash reserves remaining at 31st March 2010 are;

Estimated cash reserves at 31 March 2010	£000
Regeneration	114
Business Investment	4
Total	118

This provides an element of financial contingency for the revised arrangements.

- 7.3 One outstanding issue relates to the residual liability relating to TVR staff pensions. Although no new members of staff in TVR have been permitted to join the final salary Local Government Pension Scheme (LGPS) since October 2007, it is likely there will be a residual liability for deferred pensioners as at 31st March 2010. However, it is anticipated that within the next few months some of the staff who have recently left TVR will be seeking to transfer their LGPS service to the pension scheme of their new employer. This will significantly reduce the value of the residual liability.
- 7.4 As the employing authority Stockton will be responsible for the employers' pension contributions for employees transferred from TVR. To ensure that Stockton is not disadvantaged by the transfer it may be necessary to make a one-off contribution to the Teesside Pension Fund from the residual balances held by TVR at 31st March 2010. Advice is being taken from the administrators and actuaries of the Teesside Pension Fund on how to assess the pension liability that may remain with TVR at 31st March 2010.

8. ACCOMMODATION ISSUES

- 8.1 TVR staff are currently based in Cavendish House, Stockton and existing staff from TVU are based in Melrose House, Middlesbrough. A decision must be made on the future location for all TVU staff from 1st April 2010 and various options involving both sites and alternatives have been examined.
- 8.2 However, at this point in time, there are two significant factors that make it difficult to make an appropriate long term decision on accommodation;
- The lease for Cavendish House has no break clause until 31 August 2013. This means there is a liability to continue paying for the accommodation until that date.
 - Until a wider review of Tees Valley joint arrangements is completed, the total number of staff within TVU will not be known and therefore accommodation capacity requirements are unknown.
- 8.3 In these circumstances, it is considered appropriate to recommend that in the short term, staff transferring to TVU continue to be accommodated in their existing offices, with a view to undertaking a full accommodation options appraisal when information on TVU staffing levels are confirmed.

9. FUTURE ARRANGEMENTS FUNDING

- 9.1 It is proposed that the **TVU Delivery Team** will be funded with substantial cost savings within the existing budget envelope. The core costs relate to the Director of Delivery, specialist staff who are not project-specific and administrative support. It is proposed that the core revenue costs of the new Delivery Team be funded in a similar way as the existing TVR Regeneration Team, i.e. a third by ONE, a third by HCA and a third by the local authorities, with the local authorities' share split between them.
- 9.2 The aim is eventually to see project-specific staff (project executives) funded through the project's capital funding. Sufficient capital funding is not currently available, and the core costs therefore include for the full time equivalent of two project executives to be funded for two years through the joint revenue funding.

- 9.3 The estimated future revenue costs and funding for the new TVU Delivery Team are as shown in the following table;

Delivery Team – Estimated Expenditure

Expenditure	2010-11
	£000
Employees -	
- Pay	804
- Other	61
Premises	93
Supplies & Services	82
Total Expenditure	1,040

Delivery Team – Funding

Funding source	Proposed 2010-11	Current 2009-10	Difference
	£000	£000	£000
ONE	342	450	(108)
HCA	342	450	(108)
Local Authorities	342	400	(58)
HCA - Hot Desks in Cavendish House	15	15	0
Total Funding	1,041	1,315	(274)
Local authority funding shares:-			
5 authorities, equal shares			
Darlington	68.4	100	(31.6)
Hartlepool	68.4	100	(31.6)
Middlesbrough	68.4	100	(31.6)
Redcar & Cleveland	68.4	0	68.4
Stockton	68.4	100	(31.6)
	342	400	(58)

- 9.4 It is proposed that the **TVU Business Investment Team** is funded in the same way as the current TVR Business Investment and Marketing Team, i.e. by the five local authorities, with contributions in proportion to population (with ONE funding specific posts and marketing campaigns with the time-limited project funding already agreed). Efficiencies from integrating this team with other TVU functions are expected to be realised through the wider review of Tees Valley joint arrangements currently being carried out.
- 9.5 The proposed future revenue costs and funding for the new TVU Business Team are as shown in the following table;

Business Investment Team – Estimated Expenditure

Expenditure	Estimate 2010-11
	£000
Employees -	
- Pay	382
- Other	33
Premises/ Supplies	92
Marketing Campaigns	135
Bus. Plan Assistance/Operations	105
Total Expenditure	747

The estimated cost of the Business Investment Team is based on no change to the current structure. The £27,000 increase in estimated

Business Investment Team – Funding

Funding	Proposed 2010-11	Current 2009-10	Difference
Local Authorities	528	501	27
Single Programme	150	150	0
One North East (Strategic Acc. Man. posts)	69	69	0
Total Funding	747	720	27

funding required is due entirely to a revised apportionment of premises and supplies costs, which more accurately reflects the future staffing levels of the two teams for Delivery and Business Investment. An equivalent reduction in costs and funding is incorporated in the expenditure shown for the Delivery Team.

9.6 There are a number of factors to note in the preparation of these estimates of future costs;

- Staff costs are based on current best estimates of pay levels. Actual costs may be different following the outcome of the staff TUPE and job evaluation processes.
- Premises costs assume continued occupation of Cavendish House.
- Future opportunities to fund project-specific posts from capital may reduce future revenue costs and funding requirements.
- Not all posts in the new structure may be recruited immediately. The particular skills and capacity required in posts within the Team will be agreed once it has been determined which projects in the Investment Programme will be handled directly through, or with advice from, the Delivery Team.
- The Delivery Team costs exclude Project Support posts that would transfer from the JSU.
- Pay and prices are at 2009-10 levels.

9.7 In summary, the costs of winding up TVR and of the new arrangements can be met within the current funding envelope for TVR, with costs reduced in 2010-11 as a result of the efficiencies of integrating TVR work with other work and of efficiencies in costs currently incurred by TVR. It is expected that

further efficiencies can be achieved through a wider review of TVU functions to integrate work across TVU more closely.

- 9.8 This wider review will take into account risks of reduced funding for city region regeneration work in future Comprehensive Spending Reviews. However, these proposals contribute to mitigation of any such risks by replacing the TVR Development Team with a new TVU Delivery Team with a wider remit but with at least 21% less cost.
- 9.9 A three-year funding commitment, for the period 2010/11 to 2012/13, is being sought based on the figures in the above tables being a maximum requirement (subject to inflation) which it is hoped can be further reduced, for the reasons set out above. Hartlepool's total contribution to the above arrangements would be £141,000 per annum a reduction of £27,900 or 16.5% and further savings should follow the wider review of Tees Valley arrangements.

10. LEGAL IMPLICATIONS

- 10.1 The winding up of TVR, and the transition to the new arrangements being established for taking TVR's work forward, give rise to a range of potential legal, governance and information management implications for the successor organisations.
- 10.2 The winding up process itself is being managed by external lawyers (Dickinson Dees) instructed by TVR.
- 10.3 A legal sub-group has been established comprising officers from each of the Tees Valley Local Authorities. The sub-group is overseeing audits of TVR regarding information and records and legal issues, rights and liabilities. In addition assessments are being made of the legal documentation relating to the projects (other than Metro) specified at Appendix 1 to this report. To date no issues of concern have arisen. Any project management implications for existing TVR projects are being discussed with the relevant local authority Regeneration Teams and will draw to the attention of TVR and the appropriate Project Boards.
- 10.4 This work is ongoing and designed to highlight any potential responsibilities, liabilities or other implications for the relevant local authorities and for the projects themselves.
- 10.5 The legal sub-group is also working closely with the other sub-groups which have been established to consider employee matters and accommodation/property issues. As a result of legal advice received, it has been confirmed that TUPE will apply to the transfer and transition process.

11. RISKS

- 11.1 A risk register has been maintained throughout the review process and the proposals in the report seek to take this into account where practicable. For example risks associated with any TVR pension liabilities are covered in paragraph 7.3 of the report. The proposed accommodation strategy in paragraph 8.3 reflects the current property commitments and current understanding of accommodation capacity requirements. Overall the proposals produce increased efficiency and effectiveness and reduced costs to the partners as set out in paragraph 9.1-9.3. The efficiencies from the proposed delivery team arrangements help to mitigate the risk of potential national changes in funding priorities. In addition it is expected that further efficiencies can be achieved through a wider review of TVU functions to integrate work across TVU and these will take into account risks of reduced funding for city region regeneration work in future Comprehensive Spending Reviews (paragraph 9.8). The proposals seek commitments for a period of three years which reflects the periods of key property lease commitments and the horizons of the strategic budgeting processes of partners and provides reasonable working certainty (see paragraph 9.9).

12. DECISION REQUIRED

- 12.1 That the arrangements for winding up Tees Valley Regeneration and for successor arrangements for its functions as set out in this report be noted and endorsed.

APPENDIX 1: PROJECT MANAGEMENT ARRANGEMENTS PROPOSED FOR THE EXISTING TVR PROJECTS

Central Park:

- Further work is required for the next stage, to progress the new economic appraisal, oversee the applications for further funding, oversee any re-negotiation of the development content with the development consortium, oversee compulsory purchase work, project manage the spending of new public sector capital and continuing Central Park capital projects, to develop the implementation strategy and attract occupiers, and to deliver the scheme in line with the development agreement.
- A project executive would be employed by the central Delivery Team and accountable to the Director of Delivery, but sit for part of the time with Darlington Borough Council's offices and integrate with the Council's structures, as described in the paper.

North Shore:

- Further work is required to deliver the first phase of development, continue to examine funding streams available and the appraisal assessment, negotiate the planning through the first phase and deliver future phase strategies, in particular focusing on the delivery of the University development.
- A project executive would be employed by the central Delivery Team and accountable to the Director of Delivery, but sit for part of the time with Stockton Borough Council's offices and integrate with the Council's structures, as described in the paper.

Durham Tees Valley Airport:

- Further work on this is likely to be limited to capital works for the South-side Development, dependent on decisions by Peel.
- This work can be picked up by one of the other project executives (probably the North Shore project executive, since capital works would be in Stockton) under the guidance of the central team.

Middlehaven:

- Further work is required to focus on progressing the "greater Middlehaven" area as part of (or managing) a team of staff within Middlesbrough Borough Council working on this area. Implement the first phase with the development of the College, Terrace Hill and Bioregional Quintain, both design and approval process, select developers for the second phase and the Clock Tower reappraisal, the second phase in line with the integration of St. Hilda's and deliver a revised strategy. Liaise with the developers/occupiers revising the development agreement to implement development and oversee the CPO.
- A project executive would be employed by the central Delivery Team and accountable to the Director of Delivery, but sit for part of the time with Middleborough Borough Council's offices and integrate with the Council's structures, as described in the paper.

Victoria Harbour:

- Dependent on current discussions, this is likely to require further project management. A substantial amount of work is still necessary to bring forward the planning and first phase implementation and delivery of major regeneration in central Hartlepool building upon the extensive work already undertaken by TVR, HBC and partners
- The detailed arrangements for the location and employment of a project executive depend on the outcome of current discussions and would be determined by the Programme Group through a Project Initiation Document. A project executive would be employed by the central Delivery Team and accountable to the Director of Delivery, but sit for part of the time with Hartlepool Borough Council's officers and integrate with the Council's structures as described in the paper.

Metro:

- This project has already been taken on by the local authorities through the Joint Strategy Unit.



Report of: Director of Child and Adult Services

Subject: REVIEW OF SCHOOLS TRANSFORMATION
PROJECT BOARD

SUMMARY

1. PURPOSE OF REPORT

To invite members to review the membership of the Schools Transformation Project Board.

2. SUMMARY OF CONTENTS

This report briefly summarises the history of the Building Schools for the Future Project Board that was established in August 2006, became the Schools Transformation Project Board in November 2007 and was further reviewed in November 2008. It provides Cabinet with an opportunity to review the membership of the Board in response to a reallocation of Cabinet member responsibilities and the reduction of the Council's service departments from four to two.

3. RELEVANCE TO CABINET

The Schools Transformation Programme will have a significant impact on the future provision of education in Hartlepool.

4. TYPE OF DECISION

Non Key.

5. DECISION(S) REQUIRED

Cabinet is requested to review the current membership of the Schools Transformation Project Board as follows:

- a) Appoint a Cabinet member to the Project Board to replace the "Portfolio Holder for Finance and Efficiency"
- b) Note that the Director of Children's Services and Director of Neighbourhood Services are now recognised in the Board's Membership and Terms of Reference as Director of Child and Adult Services and Director of Regeneration and Neighbourhoods respectively

- c) Appoint the Assistant Director: Planning and Economic Development to the Board

Report of: Director of Child and Adult Services

Subject: REVIEW OF SCHOOLS TRANSFORMATION
PROJECT BOARD

1. PURPOSE OF REPORT

To invite members to review the membership of the Schools Transformation Project Board.

2. BACKGROUND

The original Building Schools for the Future Project Board was established by Cabinet in August 2006. The Remit and Terms of Reference of the Building Schools for the Future Project Board were reviewed in November 2007 when it became the Schools Transformation Project Board. The Board's membership and Terms of Reference were further reviewed in November 2008 as set out in **Appendix A**.

Hartlepool's elected Mayor has made some changes to Cabinet members' responsibilities in the current municipal year. This requires an adjustment to Group A – Elected Members.

One of the outcomes of the Council's Business Transformation Programme is a reduction of the Council's service departments from four to two: the Child and Adult Services Department and the Regeneration and Neighbourhoods Department. This requires an adjustment to Group B – Officers.

Change to Group C – Key Partners is not required

3. GROUP A – ELECTED MEMBERS

Group A was established by Cabinet on the basis that four members of the group should be Cabinet members and four should not. Current membership includes the Portfolio Holder for Finance and Efficiency. The Council's elected Mayor has reviewed Cabinet member responsibilities for the current municipal year and the Cabinet post of Portfolio Holder for Finance and Efficiency was renamed as Portfolio Holder for Finance and Performance. In addition the Portfolio Holder for Finance and Performance was identified as Deputy Mayor. One result of this is that two Project Board positions are held by the same Cabinet member.

Cabinet is recommended to appoint a Cabinet member to the Project Board

4. GROUP B - OFFICERS

Hartlepool Borough Council is currently engaged in a Business Transformation Programme. One of the first steps in this programme was to reduce the service departments from four to two. This requires changes to three of the five officer positions on the Project Board.

The Director of Children's Services position should be renamed as the Director of Child and Adult Services

The Director of Neighbourhood Services position should be renamed as the Director of Regeneration and Neighbourhoods

The post of Director of Regeneration and Planning has been deleted. As there is a very clear link between the Schools Transformation Programme and regeneration and planning issues, it is recommended that the Assistant Director: Planning and Economic Development be appointed to the Project Board.

5. DECISIONS REQUIRED

Cabinet is requested to review the current membership of the Schools Transformation Project Board as follows:

- a) Appoint a Cabinet member to the Project Board to replace the "Portfolio Holder for Finance and Efficiency"
- b) Note that the Director of Children's Services and Director of Neighbourhood Services are now recognised in the Board's Membership and Terms of Reference as Director of Child and Adult Services and Director of Regeneration and Neighbourhoods respectively
- c) Appoint the Assistant Director: Planning and Economic Development to the Board

Contact Officer

Paul Briggs, Assistant Director of Child and Adult Services (01429) 284192

6.2 Appendix A

Schools Transformation Project Board

Membership and Terms of Reference

Membership

Membership of the Project Board will be as follows:

Group A – Elected Members

The Mayor
The Deputy Mayor
Portfolio Holder for Children's Services
Portfolio Holder for Finance and Efficiency
Chair of Scrutiny Coordinating Committee
Chair of Children's Services Scrutiny Forum
Chair of Neighbourhood Services Scrutiny Forum
Elected Member Nominated by Council

Group B - Officers

Chief Executive
Director of Children's Services
Chief Finance Officer
Director of Neighbourhood Services
Director of Regeneration and Planning

Group C – Key Partners

Director of Education, Diocese of Durham
Director of Education Services, Diocese of Hexham and Newcastle
Chief Executive, Tees Valley Learning and Skills Council
Secondary Headteacher, nominee of all secondary headteachers
Primary Headteacher, nominee of all primary headteachers
College Principal, nominee of all college principals
Project Director, Partnerships for Schools

Terms of Reference

Membership

Membership of the Project Board will be determined by Cabinet, on the recommendation of the Portfolio Holder for Children's Services. Membership of the Board will be reviewed at least annually.

Alternates

Any member of the Project Board who is unable to attend a particular meeting may nominate an alternate for that meeting. An alternative must be nominated on the

basis that he/she fully represents the substantive member and can fully participate in the work of the Board.

Chair

The Chair of the Project Board shall be the Portfolio Holder for Children's Services.

Quorum

In order for a meeting of the Project Board to be quorate, at least two members (or their alternates) from each of groups A, B & C shall attend.

Frequency and conduct of meetings

The Project Board shall meet at least monthly. There shall be an agenda for each meeting and this will be circulated to members at least three working days before the meeting takes place. The Project Administrative Support Officer shall attend each meeting, to record decisions and produce draft Minutes. The Project Director and Project Manager shall attend each meeting in an advisory capacity.

Powers and responsibilities

The Project Board shall maintain a strategic overview of the Building Schools for the Future and Primary Capital Programme projects. The Board will receive monthly reports from the Project Team. The key business of Board meetings will be to:

- > Review progress against key milestones within the Project Plans
- > Review the key risks to the projects and action taken to mitigate such risks
- > Adjust the strategic approach to the projects, where appropriate, in light of changes to government guidance or changes to local circumstances
- > Recommend significant changes to Cabinet as appropriate

Subject to the overall strategy for Building Schools for the Future being determined by Cabinet, most decisions relating to BSF will be made at Project Board level. The Project Board will report all decisions to Cabinet on a monthly basis.

Decision Making Process

In order that decisions can be made at Project Board level, with delegated authority from Cabinet, it will be necessary for a consensus to be achieved. Consensus will be achieved if a majority of the members present from each of the groups A, B & C agree on the issue to be decided. Where no such consensus exists, the matter will be referred to Cabinet for further consideration. Where there is a consensus, the Chair of the Board will formally make the decision, in the capacity of Portfolio Holder, in accordance with the Council's constitution. In any situation where the Portfolio Holder for Children's Services is unable to make a particular decision, that decision can be made by the Mayor or the Deputy Mayor.