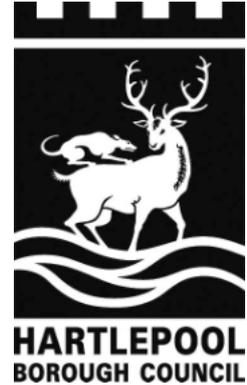


# CABINET AGENDA



**Monday, 24 May 2010**

**at 9.00 am**

**in Committee Room B, Civic Centre, Hartlepool**

MEMBERS: CABINET:

The Mayor, Stuart Drummond  
Councillors Hill, Jackson and Payne

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**  
To receive the Record of Decision in respect of the meeting held on 10 May 2010  
(previously circulated)
4. **BUDGET AND POLICY FRAMEWORK**
  - 4.1 Final 2009/2010 Outturn Strategy – *Chief Finance Officer*
5. **KEY DECISIONS**
  - 5.1 Empty Homes Strategy 2010 – 2015 – *Director Of Regeneration And Neighbourhoods*
  - 5.2 Tees Valley Climate Change Strategy & Implementation Plan – *Director of Regeneration and Neighbourhoods*
6. **OTHER ITEMS REQUIRING DECISION**
  - 6.1 New Flood Risk Management Legislation – *Director of Regeneration and Neighbourhoods*

**7. ITEMS FOR DISCUSSION/INFORMATION**

- 7.1 Business Transformation – Quarterly Programme Update – *Chief Executive*
- 7.2 Business Transformation – Service Delivery Options Review Programme Report – *Assistant Chief Executive*
- 7.3 National Support Team Recommendations Childhood Obesity – Presentation – *Director of Child and Adult Services*
- 7.4 Quarterly Review Of Strategic Risk Register – *Head of Performance and Partnerships*
- 7.5 Quarter 4 – Corporate Plan 2009/10 Monitoring Report – *Corporate Management Team*

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

- 8.1 Final Report Into The Possible Environmental Impacts Of Dust Deposits On The Headland And Surrounding Areas – *Neighbourhood Services Scrutiny Forum*
- 8.2 Action Plan – Possible Environmental Impacts Of Dust Deposits On The Headland And Surrounding Areas – *Director of Regeneration and Neighbourhoods*
- 8.3 Interim Report And Action Plan – Dust Deposits On The Headland – *Health Scrutiny Forum*

**EXEMPT ITEMS**

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

**9. KEY DECISIONS**

No items.

**10. OTHER ITEMS FOR DECISION**

- 10.1 Perth Street Area Housing Market Renewal Scheme (Para 3) – Update On Site Boundary – *Director Of Regeneration And Neighbourhoods*

# CABINET REPORT

24 May, 2010



**Report of:** Chief Finance Officer

**Subject:** FINAL 2009/2010 OUTTURN STRATEGY

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## SUMMARY

### 1. PURPOSE OF REPORT

1.1 To enable Members to finalise the 2009/2010 Outturn Strategy.

### 2. SUMMARY OF CONTENTS

2.1 The report provides a summary of the initial outturn strategy approved in February, 2010 and outlines details of the actual revenue outturns for 2009/2010.

2.2 The report informs Members that the overall outturn is better than previously reported. The main changes relate to the level of corporate and departmental underspends being higher than previously reported and additional one-off benefits.

### 3. RELEVANCE TO CABINET

3.1 The report enables Cabinet to finalise the 2009/2010 outturn strategy.

### 4. TYPE OF DECISION

4.1 Budget and Policy Framework.

### 5. DECISION MAKING ROUTE

5.1 Cabinet, 24<sup>th</sup> May, 2010.

### 6. DECISION(S) REQUIRED

6.1 Cabinet is required to approve the final outturn strategy.

**Report of:** Chief Finance Officer

**Subject:** FINAL 2009/2010 OUTTURN STRATEGY

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**1. PURPOSE OF REPORT**

1.1 To enable Members to finalise the 2009/2010 Outturn Strategy.

**2. BACKGROUND**

2.1 An initial outturn strategy for 2009/2010 was approved by Cabinet and Council in February, 2010 and covered the following key issues: -

- i) the establishment of a specific reserve ring fenced for Looked After Children of £0.25m funded from the underspend on the Children's Services 2009/2010 budget. This reserve will help the Council manage in-year financial risks of higher Looked After Children costs which is a volatile area;
- ii) the establishment of a Strategic Risk Reserve of £2.36m funded from net departmental underspends, the underspend on corporate budgets and the release of monies no longer needed for grant repayment within the Supporting People Reserve. The potential risks to be funded from this reserve are estimated at £4.8m+ and relate to equal pay/equal value claims, income shortfalls, the achievement of salary turnover targets and additional Building Schools for the Future one-off costs.

As reported in February, 2010, it will be necessary for the Council to consider topping up this reserve depending on changes in the underlying risk factors or in the availability of any further flexibility. Should the amounts payable in any year exceed the risk reserve then this will need to be met from the General Fund Balances as a last resort.

**3. FINAL OUTTURN STRATEGY 2009/2010**

3.1 At the time of preparing this report work to close the 2009/2010 Accounts was nearing completion and this confirms that the overall position is more favourable than previously reported. Accordingly, I can confirm that resources are available for items (i) and (ii) detailed in the previous sections. Detailed comments on the final outturn position are set out in the following paragraphs.

### 3.2 **One-off Issues**

- 3.3 Two additional one-off benefits have arisen since the Quarter 3 outturns were reported as follows: -

#### LPSA 2 (Local Public Service Agreement) Reward Grant

An initial assessment of the LPSA 2 Reward Grant was previously prepared and a strategy for using these monies was approved in February, 2009. This strategy earmarked these resources to support future years' budgets and to meet one-off Building Schools for the Future costs.

The final outturns against the agreed LPSA 2 performance measures are now available and are better than forecast. Therefore, the Council's share of the additional revenue reward grant is £0.214m and the additional capital reward grant is £0.776m.

In accounting terms the whole of the reward grant needs to be included in the 2009/2010 accounts. However, the reward grant is paid in two instalments, half in 2009/2010 and half in 2010/2011. Given the national financial position there is still a small risk that a new Government may withdraw the second payment, so it would not be prudent to commit these resources until they are received.

#### VAT Refund

Following a test case by another Authority the Council will receive a VAT refund plus statutory interest payment in respect of library charges, sports centre admissions and cultural event sales of £0.28m. There is no ongoing benefit as HMRC have changed the rules so VAT is now chargeable on these services.

- 3.4 A strategy for using the above resources will need to be developed as part of the 2011/2012 budget proposals. At this stage it is suggested that the revenue resources could be allocated to fund one-off Brierton Site costs and Dyke House Transport costs. This will then enable these commitments to be deleted from the 2011/2012 budget and thereby provide a saving of around £0.5m towards the forecast budget deficit of £4.3m.
- 3.5 In terms of the capital resources it would be prudent to earmark these towards funding the shortfall in BSF one-off costs. Assuming these costs do not increase this will reduce the shortfall to £1m
- 3.6 **Corporate and Departmental Outturns**
- 3.7 The net corporate outturn is £0.1m less than anticipated, which is mainly owing to investment income in the final quarter being lower

than anticipated owing to interest rates on investments continuing at extremely low levels.

3.8 The position for departmental outturns is more favourable and the overall underspend is higher than anticipated. This position reflects a number of factors including higher vacancies arising from the phased implementation of the new management structures changes, these savings are fully reflected in the 2010/2011 budget, lower expenditure across a range of budget areas and favourable outturns on trading accounts. Detailed reason for this improved position will be reported to a future Cabinet meeting.

3.9 The final outturn confirms that the resources are available to establish the Looked After Children and Strategic Risk reserves, detailed in paragraph 2.1. In addition, resources are also available to create reserves for the following risks/one-off commitments:

i) Adult Care Risk Reserve - £0.25m

The Adult Care budget for 2009/10 included a contingency to manage the financial risk of a complex legal review of a single care package. This provision was removed from the base budget for 2010/11 as it was anticipated this issue would have been resolved during 2009/10. The review has been delayed until October this year so it would be prudent to create a specific reserve to manage this risk to avoid an unbudgeted commitment in 2010/11, or pressure in 2011/12 if there is a further delay.

ii) Older People Risk Reserve - £0.2m

This is a complex budget as both expenditure and income vary depending on individuals financial circumstances. Whilst, there has been a favourable variance in the current year the risks to this area in 2010/11 have increased owing to proposals announced before the election to introduce free personal care. As reported recently to Cabinet these changes could reduce income and increase costs. There is no provision for this risk in the 2010/11 budget as these changes were not known when the budget was prepared. Final details of these changes have not yet been announced. It would therefore be prudent to use the 2009/10 underspend to create a reserve to manage these risks in the current year.

iii) Budget Consultation Reserve - £0.06m

The last comprehensive consultation exercise was undertaken about four years ago. Cabinet recently agreed to undertake detailed consultation on the 2011/12 budget proposals as the Council faces a significantly more challenging financial position over the next few years. As there is no budgetary provision for budget consultation it is suggested that £60,000 is set aside from the 2009/10 underspend. It is expected that the actual costs will be lower and any unused resources will be transferred to the Strategic Risk reserve.

iv) Core Strategy Inquiry - £0.055m

Initial work on the 2011/12 budget has identified a one-off commitment in relation to this issue. As there is no budgetary provision for the Core Strategy inquiry it is suggested that an amount is set aside from the 2009/10 underspend.

- 3.10 Assuming Cabinet approve the above proposals the final amount available to transfer to the Strategic Risk reserve is £2.540m, compared to a forecast contribution of £2.360m, as summarised below.

	<b><u>Adverse/(Favourable)</u></b>	
	<b><u>Variance</u></b>	
	<b><u>Forecast</u></b>	<b><u>Actual</u></b>
	<b><u>Quarter 3</u></b>	
	<b><u>£'000</u></b>	<b><u>£'000</u></b>
Transfer from Supporting People Grant Repayment Reserve	(500)	(500)
<b><u>2009/10 Outturns</u></b>		
Corporate Underspend	(1,500)	(1,557)
<b><u>Child &amp; Adult Services</u></b>		
Children's Services	(240)	(378)
Adult and Community Services	(200)	(662)
<b><u>Regeneration &amp; Neighbourhood Services</u></b>		
Regeneration and Planning	0	0
Neighbourhood Services	(120)	(228)
Chief Executives Department	(40)	(30)
<b><u>Specific Reserves Approved February 2010</u></b>		
• <u>Looked After Children Risk Reserve</u> Details paragraph 2.1 (i)	240	250
<b><u>Proposed Reserves to be funded from final outturn</u></b>		
• <u>Adult Care Risk Reserve</u> Details paragraph 3.10 (i)	0	250
• <u>Older People Risk Reserve</u> Details paragraph 3.10 (ii)	0	200
• <u>Budget Consultation Reserve</u> Details paragraph 3.10 (iii)	0	60
• <u>Core Strategy Inquiry Reserve</u> Details paragraph 3.1 (iv)	<u>0</u>	<u>55</u>
Transfer to Strategic Risk Reserve	<u>2,360</u>	<u>2,540</u>

- 3.11 The initial outturn strategy identified budget risks of £4.8m+ and in February Council approved the proposal to transfer any additional underspends to the new Strategic Risk reserve to manage these risks. Therefore, the additional net underspend identified above will be transferred to this reserve.
- 3.12 When account is taken of the additional resources identified for one off Building Schools for the Future costs (paragraph 3.5) the total resources available for the risks identified is £3.3m. Therefore, the funding shortfall for these risks has been reduced to £1.5m, based on current forecasts.
- 3.13 **Capital Outturn**
- 3.14 Capital closure is also progressing and there are not expected to be any issues arising.
- 3.15 Part of the strategy for funding the 2010/11 budget deficit relies on capitalising revenue expenditure to produce a gross revenue saving of £0.5m. This will be achieved by replacing revenue funding with Prudential Borrowing. The resulting repayment costs are a first call on the revenue headroom. It had been envisaged that revenue expenditure would be capitalised in 2010/11 to provide the required saving. When closing the 2009/10 accounts a number of opportunities have been identified to begin to capitalise expenditure earlier. This will reduce the risk that the full £0.5m cannot be capitalised during in a single year and is therefore a prudent strategy as it reduces the risk of achieving this revenue saving in 2010/11.

#### **4. CONCLUSION**

- 4.1 The outturn position is more favourable than anticipated owing to one-off factors and the overall 2009/10 outturn being more favourable.
- 4.2 It is therefore suggested that the one-off benefits are allocated to fund one-off costs. This will avoid these items having to be funded from the revenue budget in 2011/2012 and therefore help reduce the £4.3m budget deficit facing the Council next year. This proposal will need to be included in the 2011/2012 budget proposals Cabinet refers for consultation and ultimately to Council in February, 2012 for approval.
- 4.3 In accordance with the Outturn Strategy approved by Council in February the net unallocated underspends will be transferred to the new Strategic Risk Reserve. This will protect the future financial position of the Council and help avoid unbudgeted pressures at a time of increasing public expenditure constraint and reducing grant levels.

## 5. RECOMMENDATIONS

5.1 It is recommended that Members: -

- i) Note the report;
- ii) Approve the proposals to allocate the VAT refund and additional LPSA 2 Revenue Reward Grant, total value £0.494m, to fund one-off Brierton site costs and Dyke House Transport costs;
- iii) Approve the proposals to allocate the LPSA 2 Capital Reward Grant to fund one-off Building Schools for the Future costs;
- iv) Approve the proposal to create specific reserves as detailed in paragraph 3.9.
- v) Assuming (iv) is approved to note the transfer of the net underspend of £0.180m to the new Strategic Risk Reserve.

**CABINET REPORT**  
24<sup>th</sup> May 2010



**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** EMPTY HOMES STRATEGY 2010 - 2015

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## SUMMARY

### 1. PURPOSE OF REPORT

To advise Cabinet of the development of a strategy to bring long-term empty homes back into use, to seek approval of this draft strategy 2010-2015 (attached at **Appendix 1**) and action plan for 2010/11, (attached at **Appendix 2**) and determine the priority streets and individual properties for commencement of action.

### 2. SUMMARY OF CONTENTS

This report provides the context within which the Empty Homes Strategy has been developed. The report contains information relating to the local issues and the reasons for implementing a Strategy in Hartlepool. The report also considers the incentive and enforcement tools that are available to the Council. The report refers to a framework of measures for bringing long-term private sector empty homes back into use. The draft Strategy, Action Plan and Diversity Impact Assessment are attached to the report.

### 3. RELEVANCE TO CABINET

The Empty Homes Strategy has strategic relevance across a range of Portfolios, including Community Safety and Housing, neighbourhoods and regeneration.

### 4. TYPE OF DECISION

Key decision. Test (ii) applies.

### 5. DECISION MAKING ROUTE

Cabinet Meeting on 24 May 2010.

**6. DECISION(S) REQUIRED**

- 6.1 Cabinet is recommended to approve the adoption and publication of the draft Empty Homes Strategy 2010 – 2015 contained at **Appendix 1**.
- 6.2 Cabinet is recommended to endorse the use of incentive and enforcement measures for bringing homes back into use.
- 6.3 Cabinet is recommended to agree the adoption of the Empty Property Assessment Form to prioritise action for individual properties.
- 6.4 Cabinet is recommended to approve the supporting Action Plan for 2010/11 contained at **Appendix 2**.
- 6.5 Cabinet is recommended note the Diversity Impact Assessment contained at **Appendix 3**.
- 6.6 Cabinet is asked to determine which option outlined in paragraph 6.4 should be prioritised for commencement of street-based action.
- 6.7 Cabinet is recommended to support the principle of intervention in the single empty home scenario outlined in paragraph 6.2, if the street is considered to have a ‘high demand’ for accommodation.
- 6.8 Cabinet is recommended to support the consideration on a case by case basis, of homes which have been empty for more than 5 years, using a combination of enforcement and persuasion, as appropriate, to bring homes back into use, as outlined in paragraph 6.3.

**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** EMPTY HOMES STRATEGY 2010 - 2015

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## **1. PURPOSE OF REPORT**

- 1.1 To advise Cabinet of the development of a strategy to bring long-term empty homes back into use, to seek approval of this draft strategy 2010-2015 (attached at **Appendix 1**) and action plan for 2010/11, (attached at **Appendix 2**) and determine the priority streets and individual properties for commencement of action.

## **2. BACKGROUND**

- 2.1 The Government is committed to increasing the supply of new housing whilst at the same time recognising that the best possible use of existing housing needs to be made. Empty homes are a wasted asset if there is unmet need, and the Government continues to promote the use of the private rented sector for people in housing need.
- 2.2 The Government's 2007 Housing Green Paper (Homes for the future: more affordable, more sustainable) states that "there will be times when a property might be expected to be empty, for example when someone is moving and cannot sell their other house. This is part of the churn in the housing market and we respect this. However, when homes are left empty for years, they can undermine communities, be a magnet for crime and a waste of a valuable housing resources. When looking at the need to increase housing supply, local councils, as part of their strategic housing role, need to reduce the number of homes that are left empty for long periods of time".
- 2.3 The Strategy aims to contribute to the Council's compliance with its duties under Section 7 of the Local Government Act 2003, to maintain and enhance the health of the housing market across all tenures.

## **3. STRATEGY INFORMATION**

- 3.1 The Empty Homes Strategy for Hartlepool has been developed due to the excessive number of long-term (empty over 6 months) private sector empty homes in the town and the need to reduce this number significantly. The purpose of the Strategy is to set out the strategic direction for empty homes work and support the Local Area Agreement outcomes.

- 3.2 In Hartlepool increasing the supply of affordable housing is a key priority for the Council and bringing empty homes back into use will assist in achieving this.

The number of households on the Council's Housing Register at April 2009 was 3794. Council Tax records showed that there were 1728 properties empty in the private sector and that 631 of these had been empty for over 6 months.

It is, however, recognised that a percentage of homes need to be vacant in a normal functioning housing market. This is usually considered to be around 3%, equating to approximately 1200 in Hartlepool.

- 3.3 Bringing long-term empty homes back into use can contribute towards neighbourhood sustainability and community well being through:

- An increased stock of good quality housing meeting the Decent Homes Standard
- Promoting regeneration and investment in affected areas
- Discouraging local property price devaluation
- Reducing nuisance and negative environmental impact caused by empty homes i.e. crime, fly tipping, vandalism, vermin, arson
- Reducing damp and other problems for neighbouring properties
- Helping to meet local housing need, therefore reducing the need for new build homes and the potential reduction of greenfield land development
- Cutting carbon emissions by renovating and undertaking home improvements rather than building new homes
- Increasing health outcomes for people
- Encourage economic vitality through increased trade for local businesses and increasing employment opportunities
- Safeguarding and protecting new build redevelopments in regeneration areas

- 3.4 Homes become empty for different reasons. In Hartlepool there are a high number of small terraced homes in low demand locations. Other reasons include:

- Neglect by owners / abandonment due to lack of value
- Disputes over ownership
- Inability to sell
- Repossession / bankruptcy
- Deceased estate
- Ownership of the property unknown
- Speculative purchase (buy to keep empty)

- 3.5 The Strategy aims to ensure that owners are informed of all the options available to them. It is proposed that the Council will use a range of flexible solutions to ensure empty homes are brought back into use in

appropriate areas and that future homes are prevented from becoming long-term empty.

- 3.6 An Options Appraisal Flow Chart (Appendix 2 in the Strategy) has been developed to ensure a consistent and transparent approach for dealing with owners of empty homes. An Empty Property Assessment Form has been developed to prioritise areas for action. (Appendix 3 in the Strategy).
- 3.7 There are a number of existing initiatives in place to encourage and promote the return of empty homes into occupation and promote sustainability. This Strategy will complement and develop these initiatives.
- 3.8 The objectives of the Empty Homes Strategy are to:
1. Proactively bring long-term empty homes back into use using flexible solutions/appropriate enforcement action
  2. Prevent homes from becoming long-term empty
  3. Increase decent and affordable rented housing for those in housing need/maximise housing options in the town
  4. Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons
  5. Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes
- 3.9 In preparing and developing the Strategy extensive consultation has taken place with the Regeneration and Neighbourhoods Director and Assistant Directors, Housing Task Group, Housing Partnership, Members, Chairs of Residents Groups, Hartlepool Landlords Association, National Landlords Association, Teesside Landlords Association, Neighbourhood Consultative Forums (North, South, Central) and the General Public (via the website). The responses have been used to develop the final draft version of the Strategy.
- 3.10 A Diversity Impact Assessment has been carried out to identify any unmet needs/requirements for specific equality groups. This is attached at **Appendix 3**.

#### **4. FINANCIAL CONSIDERATIONS**

- 4.1 The financial considerations of approving the recommendations within the Strategy are detailed within the Action Plan and consist of the following:

Action	Cost	Funded from
Recruitment of a dedicated Empty Homes Officer	Approximately £45,000 (salary and on-costs)	Grant funding secured for 9 months to 'kick start' this work in 2010/11 only. A budget pressure has been identified for 2011/12.
Bring 10% of long-term empty properties back into use each year	Estimated to be up to £50k per property	Budget required – none identified
Pilot and evaluate the use of EDMO in line with policy and procedures	Estimated to be up to £25k per property	Budget required – none identified
Develop empty homes publicity material	£5k	This will be funded from existing budgets

4.2 A Business case will be developed for Actions 2 and 3 in the table above and a further report will be prepared for a future Cabinet meeting.

## 5. RISK IMPLICATIONS

5.1 If a dedicated Empty Homes Officer is not appointed, much of the work identified in the Action Plan will not be able to be carried out.

5.2 Negative impact on the environment could occur if further areas of the housing stock become undesirable and left empty.

5.3 Not fulfilling the duty as the Statutory Housing Authority, if long-term empty homes are not brought back into use in Hartlepool, to meet the housing needs of households and to ease the pressure on the waiting list for social housing.

5.4 Potential damage to the housing regeneration funding already expended in central Hartlepool, particularly adjacent to the major regeneration sites.

5.5 Funding has not yet been identified to implement the main interventions outlined in the strategy.

## 6. OPTIONS TO BRING LONG TERM EMPTY HOMES BACK INTO USE

6.1 Three different approaches can be considered; the first two being where there are single or a small proportion, of empty homes in streets of otherwise occupied homes; the second for streets where there are multiple empty homes in one street.

6.2 In the first scenario, if a street is considered to be a 'high demand' street for privately rented accommodation, it will be sensible to

intervene with an uncooperative landlord to bring a property back into use. However, if the street is considered to be a 'low demand' street, any intervention will potentially be less valuable.

- 6.3 In the second scenario, the single properties which are known to have been empty for longer than 5 years will be considered on a case by case basis, to determine whether action to bring these empty properties back into use, using a combination of enforcement and persuasion, is appropriate. An action plan will be prepared and monitored by the Derelict buildings group.
- 6.4 In the third scenario there are various methods which could be used to determine the focus of whole street – based activity.

Option 1

Target actions at those streets immediately adjacent to the 3 Housing Market Renewal (HMR) areas, to protect future investment.

Option 2

Target actions at the street with the highest percentage of long term empty homes (outside the HMR areas).

Option 3

Target actions at the street with the highest number of long term empty homes (outside the HMR areas).

Option 4

Target actions at streets where the visual impact is poor due to the number of long term empty homes, and highly visible to many residents (e.g. on bus route)

## 7. RECOMMENDATIONS

- 7.1 Cabinet is recommended to approve the adoption and publication of the draft Empty Homes Strategy 2010 – 2015 contained at **Appendix 1**.
- 7.2 Cabinet is recommended to endorse the use of incentive and enforcement measures for bringing homes back into use.
- 7.3 Cabinet is recommended to agree the adoption of the Empty Property Assessment Form to prioritise actions for individual properties.
- 7.4 Cabinet is recommended to approve the supporting Action Plan for 2010/11 contained at **Appendix 2**.
- 7.5 Cabinet is recommended note the Diversity Impact Assessment contained at **Appendix 3**.

- 7.6 Cabinet is asked to determine which option outlined in paragraph 6.4 should be prioritised for commencement of street-based action.
- 7.7 Cabinet is recommended to support the principle of intervention in the single empty home scenario outlined in paragraph 6.2, if the street is considered to have a 'high demand' for accommodation.
- 7.8 Cabinet is recommended to support the consideration on a case by case basis, of homes which have been empty for more than 5 years, using a combination of enforcement and persuasion, as appropriate, to bring homes back into use, as outlined in paragraph 6.3.

## **8. BACKGROUND PAPERS**

- 8.1 Housing Green Paper 2007: Homes for the future: more affordable, more sustainable

## **9. CONTACT OFFICER**

- 9.1 Alison Mawson, Assistant Director (Community Safety & Protection)  
Civic Centre, Level 3  
Victoria Road  
Hartlepool  
TS24 8AY.  
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# Hartlepool Borough Council Empty Homes Strategy 2010 – 2015





### Foreword by the Mayor

This Empty Homes Strategy 2010-2015 has been developed in partnership with a range of agencies and stakeholders and produced demonstrates Hartlepool Borough Council's commitment to the adoption of real measures to bring privately owned empty homes back into use. This Strategy will also prioritise key actions to prevent more homes becoming empty over the next 5 years.

The Government is committed to increasing the supply of housing whilst at the same time recognising that the best possible use of existing housing needs to be made. In Hartlepool the supply of affordable housing is a key priority for the Council. Bringing empty homes back into use will assist in the achievement of this priority.

Empty homes have a huge social impact – they can affect the appearance of a neighbourhood and people living nearby have to suffer the consequences if an empty home falls derelict or is vandalised. We must tackle this.

Returning long-term empty homes to use is a key concern for communities and Hartlepool Borough Council is committed to bringing these homes back into use.

My vision is to rid the town of long term empty homes, so that in 5 years time the current empty homes will all be occupied and we will have prevented more properties becoming empty.

Stuart Drummond  
Elected Mayor



### **Contents**

<b>Section 1</b>	<b>Why is it important to tackle empty homes?</b>
<b>Section 2</b>	<b>What can we do to tackle empty homes?</b>
<b>Section 3</b>	<b>What we will do to tackle empty homes</b>
<b>Section 4</b>	<b>Action Plan Framework</b>
<b>Section 5</b>	<b>Delivery of the Empty Homes Strategy</b>
<b>Appendix 1</b>	<b>Enforcement and Incentive Options</b>
<b>Appendix 2</b>	<b>Options Appraisal Flow Chart</b>
<b>Appendix 3</b>	<b>Empty Property Assessment Form</b>
<b>Appendix 4</b>	<b>Housing Sub-Group Findings</b>
<b>Appendix 5</b>	<b>EDMO Survey Findings</b>
<b>Appendix 6</b>	<b>Links to Wider Objectives</b>



### Section 1: Why is it important to tackle empty homes?

#### 1.1 Introduction

Hartlepool Borough Council has prioritised the adoption of real measures to bring privately owned empty properties back into use as part of its strategic housing approach.

This Strategy will therefore provide an effective framework for bringing long-term<sup>1</sup> private sector empty homes back into use in Hartlepool. These include failed private rented properties, abandoned properties and buy to leave empty properties.

Areas of low demand and abandonment are primarily being dealt with through Housing Market Renewal and regeneration activity.

The Strategy also acknowledges that there are currently a number of surplus new build houses and flats. Whilst it is not a key aim of this Strategy to tackle this, we will continue to monitor the situation and take appropriate action as necessary.

The key aim of this Strategy is to bring private sector empty homes back into use and to acknowledge the concerns of the community about empty homes and the associated issues that relate to the image of the town. The intention is to bring appropriate empty homes back into use, using a range of flexible solutions and to reduce the number of empty homes to an accepted level of 3% vacancy (it is accepted that 3% of properties need to be vacant to allow a housing market to function effectively).

#### 1.2 Why do we need this strategy?

Hartlepool has developed this Strategy due to the excessive number of private sector empty homes in the town and the need to reduce this number significantly.

This Strategy for Hartlepool sets out the strategic direction for empty homes work and supports Hartlepool's Local Area Agreement outcomes. Its objectives are to:

- Proactively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action
- Prevent homes from becoming long-term empty
- Increase decent and affordable rented housing for those in housing need / maximise housing options in the town

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<sup>1</sup> Empty for over 6 months

## 5.1 Appendix 1

- Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons
- Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes

### 1.2.1 Empty homes are a wasted asset if there is unmet demand.

This Strategy needs to be clear about demand for the type and location of empty homes to be targeted for action.

The Government continues to promote the use of private rented sector homes for people in housing need. The Rugg Review of the Private Rented Sector<sup>2</sup> considers how this sector can meet local demand.

### 1.2.2. To maximise the use of the existing housing stock

The Government has stated the importance of maximising the use of the existing housing stock in order to minimise the number of new homes that need to be built each year. Hartlepool has a significant level of outstanding planning permissions; of these 61% are flats. Given the current number of new build flat developments which are yet to be sold, at the time of writing this strategy, this could potentially result in a significant number of empty homes in the future.

This Strategy also needs to take into consideration the particular problem within Hartlepool of the mismatch between the existing stock and the increasingly diverse and sophisticated aspirations of the local population to own or rent properties.

This Strategy will also align with contribution towards the provision of affordable housing in Hartlepool. The affordable housing need in Hartlepool has been evidenced through the Hartlepool Strategic Housing Market Assessment (SHMA) and the Tees Valley SHMA and is supported by the large social housing waiting list. These assessments acknowledge the important role of the private rented sector in meeting this affordable housing need.

### 1.2.3 To contribute towards neighbourhood sustainability and community well being through:

- An increased stock of good quality housing meeting the Decent Homes Standard
- Promoting regeneration and investment in affected areas
- Discouraging local property price devaluation
- Reducing nuisance and negative environmental impact caused by empty homes i.e. crime, fly tipping, vandalism, vermin and arson
- Reducing damp and other problems for neighbouring properties
- Helping to meet local housing need, therefore reducing the need for new build homes and the potential reduction of greenfield land development
- Cutting carbon emissions by renovating and undertaking home improvements rather than building new homes

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<sup>2</sup> The Private Rented Sector: its contribution and potential. October 2008. Centre for Housing Policy, University of York.

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- Increasing health outcomes for people
- Encourage economic vitality through increased trade for local businesses and increasing employment opportunities
- Safeguarding and protecting new build redevelopments in regeneration areas

1.2.4 To reduce the direct and indirect financial costs borne by empty property owners, neighbours, and public services such as the local authority, police and fire service.

### 1.2.5 Current Position

As in all towns, there will always be a percentage of empty homes in Hartlepool to allow the housing system to function effectively and facilitate residential mobility and the improvement of the housing stock. This is normal and allows the market to operate effectively. 3% has been generally used as a guideline.

Homes are empty for different reasons and we need to understand the causes in order to provide effective solutions. The main reason identified for the high number of empty private sector homes is the high number of small terraced homes in low demand locations. Other reasons include:

- Neglect by owners / abandonment due to lack of value
- Disputes over ownership
- Inability to sell
- Repossession / bankruptcy
- Deceased estate
- Ownership of the property unknown
- Speculative purchase (buy to keep empty)

An effective strategy will ensure owners of these properties are informed of all the options available, the benefits of filling an empty home and the enforcement options available to the Council.

### 1.2.6 Identifying the scale of action needed – An analysis of the current situation

Research relevant to this Strategy includes:

- The **2007 Strategic Housing Market Assessment** which identified a shortfall of affordable housing (393 dwellings (244 net)) and a high number of empty homes at 4.7%.
- The **2008 Tees Valley Strategic Housing Market Assessment** which reported an overall vacancy rate of 5.7% for Hartlepool in 2007 (7.1% in the private sector and 1.3% in the social sector) – the highest rate in the Tees Valley. This assessment identified a revised shortfall figure for affordable housing at 291 dwellings (193 net).

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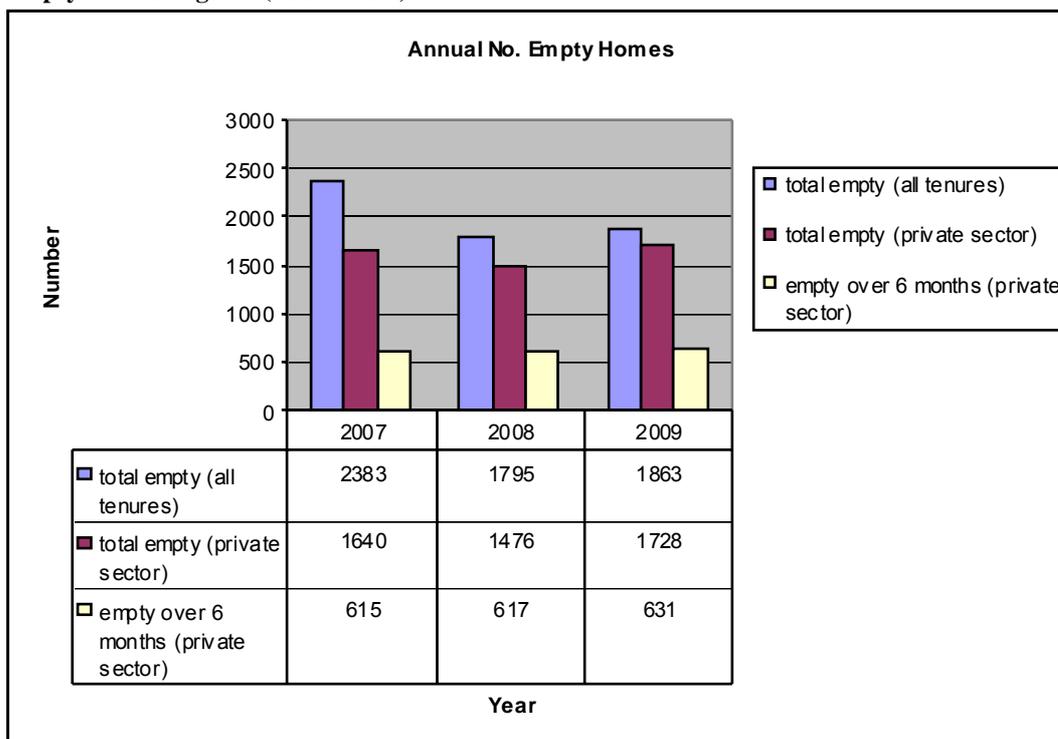
- The **2009 Private Sector House Condition Survey** which estimates there are 1,480 vacant dwellings, 4.6% of the private housing stock within Hartlepool. The national average is approximately 4.1%.

As at April 2009 the total numbers of properties in Hartlepool was 41,594 and of those 1728 were vacant in the private sector. 631 of these were private sector properties that had been empty for over 6 months and they account for 1.9% of the total number of private homes.

In addition, the number of households on the Council’s Housing Register at April 2009 was 3794. However, it needs to be made clear that the majority of applicants registered are waiting for social housing and are not statutorily homeless. All of these numbers are counted in accordance with the Government’s annual housing return<sup>3</sup>.

The following tables and graphs demonstrate the level of empty homes in Hartlepool and the demand for housing assistance and advice.

**Table 1: Empty Homes Figures (HSSA Data)**



The Council and Housing Hartlepool have a joint allocations policy and Housing Hartlepool manage the Housing Register (the waiting list) on behalf of the Council. As at April 2009 of the 3794 applicants on the Housing Register 3661 were ‘active’ (i.e. not suspended, waiting to move in or pending further information). The following chart provides analysis of the active 3661 applications and their choice of area and the type of housing being requested.

<sup>3</sup> Housing Strategy Statistical Appendix 2009

Figure 1: 1st Choice of Area for re-housing (April 09)

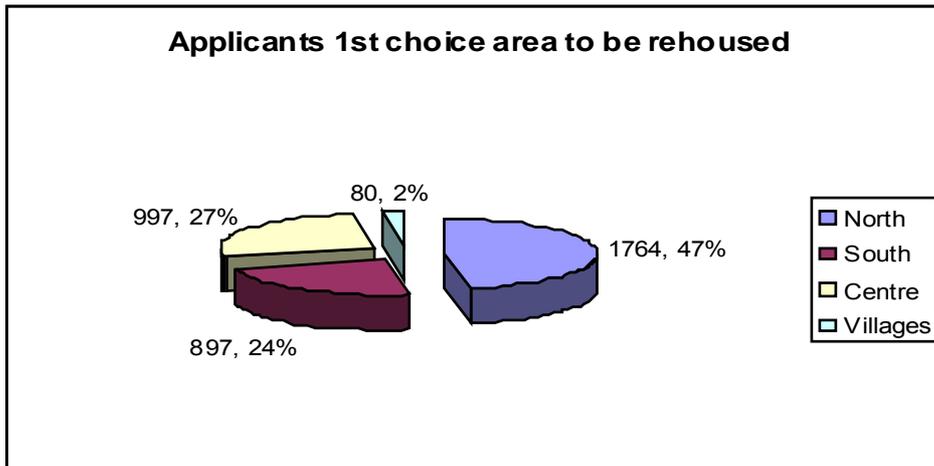
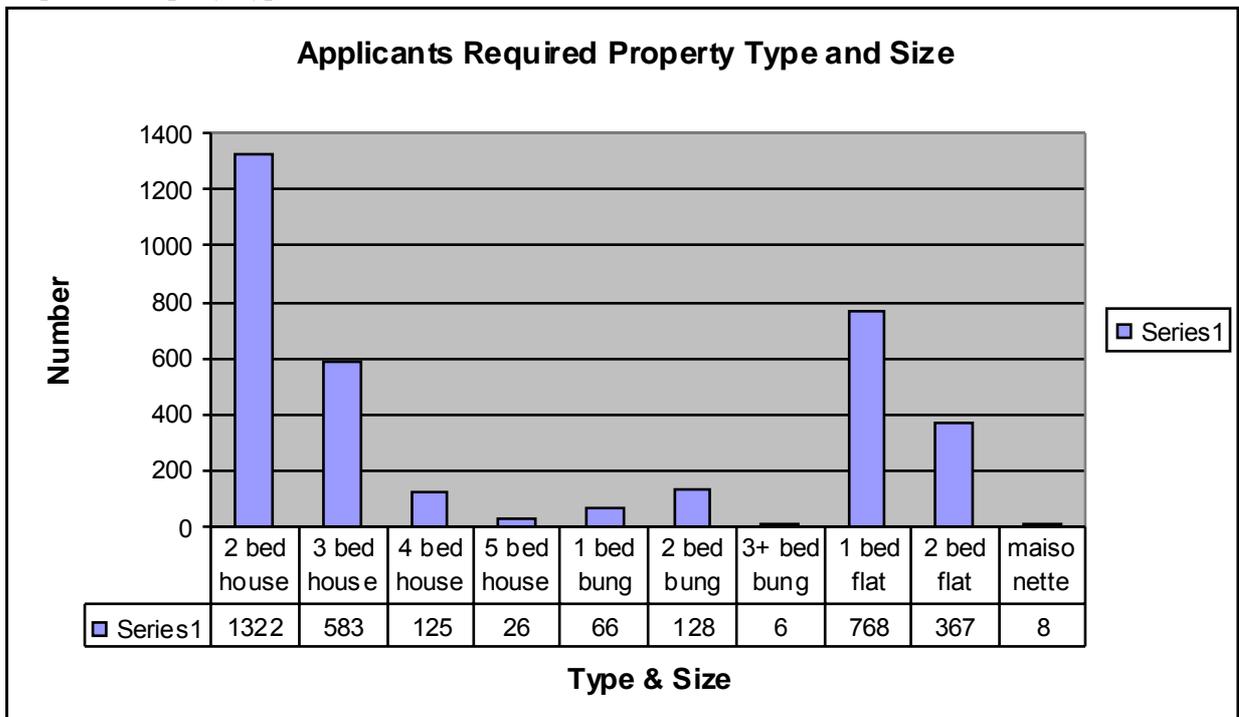


Table 2: Requested Property Type and Size (as at Jan 09)



During 2008/09 1276 households approached the Council for assistance to find accommodation. Up to the end of February 2010 this figure was 1186 for 2009/10.

Of the 1863 empty properties identified in April 2009 (see Table 1), this Strategy will focus on the calculated 631 that have been empty for over 6 months. This is because dwellings in the following categories are counted as being potentially available to the market:

- Empty between changing occupants
- Undergoing modernisation, repair or conversion
- Awaiting demolition
- Repossessions



### 1.3 Existing Initiatives and Joint Working

There are already a number of initiatives that currently encourage and promote the return of empty properties into occupation and promote sustainability, including:

#### 1.3.1 Landlord Accreditation scheme

The town-wide Landlord Accreditation scheme encourages landlords to become members and to adhere to a Code of Conduct setting out minimum standards of property condition and management. Landlords are offered support and guidance on all matters, including finding tenants, setting up and ending tenancies.

The scheme has two levels of membership depending on the property condition:

- Basic Standard – this requires landlords to ensure that homes are free from category 1 and high scoring category 2 hazards and;
- Accredited Standard – this requires landlords to meet the higher Decent Homes Standard.

Once landlords are accepted onto the scheme, they are encouraged to advertise property vacancies through the Choice Based Lettings (CBL) scheme. It is hoped that by using the CBL scheme that prospective tenants will view the private sector as a viable alternative to social housing and will assist in raising standards and long term sustainability.

#### 1.3.2 Selective Licensing

Selective Licensing of private landlords and their properties has already been introduced in six small areas of the town to work alongside other initiatives with the aim of improving demand and reducing anti-social behaviour. Landlords who have properties in these areas are required under the terms of their licences to ensure the proper management of tenancies in the areas. Conditions relate to both the management and condition of their properties, including the requirement to demand references from prospective tenants.

#### 1.3.3 Good Tenant Scheme

The Good Tenant Scheme was launched in May 2008 and seeks to reduce anti social behaviour in the private rented sector. The scheme is designed to run in parallel to, and complement other initiatives including the adoption of Selective Licensing of private landlords, and the provision of targeted support for disruptive families through the Families Intervention Project (FIP). The overall aim of the scheme is to reduce anti-social behaviour in the private rented sector by impressing upon anti social tenants that they can no longer expect to easily find re-housing if they lose their tenancy, and thus encourage them to behave in a more acceptable manner. A major tool to achieve this aim is the ability to refer applicants willing to engage to appropriate support.

### 1.3.4 Private Sector Housing Service

Problematical properties affected by vandalism or nuisance come to the attention of the council by complaints from residents, residents groups and elected members. A proactive approach has been taken to deal with the condition of these individual properties, securing works by agreement with owners or in default after the service of notice. The focus of this work has been on the physical condition of the property and its effect on neighbouring residents. Owners of empty houses which have been the subject of complaint are asked to provide details of their plans to bring dwellings back into occupation.

### 1.3.5 Emergency Property Securing

An emergency property securing service in partnership with the Fire Brigade has contributed successfully towards reducing the incidence of deliberate fire setting in targeted areas.

### 1.3.6 Compulsory Purchase Orders (CPO)

These have been used to bring two houses back into use and a further Order is pending using Housing CPO powers.

### 1.3.7 Housing Market Renewal (HMR) Funding for the period 2008/2012

Single Housing Investment Pot (SHIP), Housing Market Renewal Fund £11.5m and Homes and Communities Agency (English Partnerships legacy funding £4.85m) has been secured to fund the purchase of private sector properties in three key sites in central Hartlepool. The programme covers the following sites:

- Raby Road Corridor – This includes Hurworth, Perth, Gray, Grainger Streets and parts of Raby Road and Turnbull Street. All properties can be purchased by agreement using planning CPO powers.
- Belle Vue – This includes properties in parts of Borrowdale, Patterdale, Kathleen Streets together with parts of Windermere Road and Brenda Road. Only owner occupied properties can be purchased.
- The third area is Carr, Hopps, Jobson, Richardson, Rodney Streets and parts of Blake Street and Hart Lane. Only owner occupied properties can be purchased.

Other strategic purchases can be made on the three HMR sites.

In order to deliver the programme on the ground a frontline delivery Regeneration team is managed on a day to day basis in partnership with Housing Hartlepool. This Team effectively provide a 'mini' Neighbourhood Management Service in the three HMR areas. Each area has named Officers who deal with residents on a 'one to one' basis and hold

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street surgeries where needed. The Officers liaise with other bodies, sections of the Council and statutory agencies to improve the day to day living environment of residents. They hold and gather up to date evidence and information of how the areas are progressing, what issues/problems are occurring in any particular street.

### 1.3.8 Hartlepool Family Intervention Project (FIP)

The FIP provides an intensive support service for families with complex needs who have a history of tenancy failure and anti-social behaviour. The purpose of the Hartlepool FIP is to address the fact that in some communities there are a small number of highly problematic families that account for a disproportionate amount of anti-social behaviour. As a result the project also delivers on other objectives such as preventing homelessness and enabling families to sustain tenancies.



### Section 2: What can we do to tackle empty homes?

#### 2.1 Provide Advice

The Council will need to engage owners, and where possible, to work in partnership with them to find the right solutions through the provision of advice on:

- Redevelopment / planning consents
- Finding a contractor / managing repairs
- How to join the Council's Landlord Accreditation scheme
- How to improve property and management standards and promote decent and affordable housing through the Accreditation Scheme
- Finding a tenant through the Compass Choice Based Lettings scheme
- How to sell the property
- Renting/leasing the property or finding a letting agent
- How to join the Council's Good Tenant scheme
- How landlords can provide effective management of both occupied and vacant properties
- Compliance with the Selective Licensing scheme conditions
- Use of the Housing Options Centre as a place for owner-occupiers, landlords and tenants to seek advice about their properties
- Encouraging private landlords to engage with and promote education and tenancy sustainment programmes
- How to work with other organisations e.g. Community Campus and NDC Trust to refurbish empty properties and bring them back into use

#### 2.2 Provide Financial Assistance

The Council has the flexibility within its allocation of central government SHIP funding to provide financial assistance for owners to bring empty properties back into use. A repayable loan could be provided where the property is in need of works to make it habitable or lettable.

#### 2.3 Provide a Rent Guarantee Scheme

The Council could either link into an existing scheme or finance a new scheme to offer landlords a guarantee that any arrears left by a tenant would be paid for in lieu of a deposit in return for accepting applicants nominated by the Council.

## 2.4 Voluntary Acquisition

The Council could purchase by agreement for onward sale/lease to a partner Registered Provider (formerly Registered Social Landlord) or for owner-occupation. Alternatively the council could broker a purchase by a partner Registered Provider.

## 2.5 Direct owners towards voluntary Leasing Schemes

The Council could work in partnership with suitable Registered Providers or private managing agents to provide a leasing scheme to which owners can be directed. Through such a leasing scheme the owner would agree a lease for a period of years and be guaranteed a rental income. The Registered Provider could sub-lease to the council and take nominated tenants.

## 2.6 Enforcement Options

- **Tackling security / nuisance issues - Local Government (Miscellaneous Provisions) Act 1982**  
Used to prevent unauthorised entry or for the purpose of preventing the property from becoming a danger to public health, and to remove rubbish. Works are carried out in default where an owner does not give a verbal agreement to carry out the works and costs are recharged back to the owner.
- **Tackling nuisance issues - Environmental Protection Act 1990**  
Used to remove rubbish from empty properties and to carry out works to remedy the cause of the nuisance.
- **Tackling visual impact – Section 215, Town and Country Planning Act 1990**  
Poor visual impact is one of the most common complaints about an empty home. The council can serve notice on owners who fail to maintain their properties. It deals with the external appearance (the visual amenity) but does not deal with the internal aspects. It will not necessarily result in the property being returned to use.
- **Housing Health and Safety Rating System (HHSRS) – introduced by the Housing Act 2004** the HHSRS is a system which is used to assess residential properties based on the risks posed to health and safety and places a duty on Local Authorities to take action where Category 1 hazards exist.
- **Empty Dwelling Management Order (EDMO) – Section 132 Housing Act 2004**  
The Council can apply to a Residential Property Tribunal to take over a property and to repair, let and manage it on behalf of the landlord for up to 7 years. Costs can be recouped from the rental income. However, it does mean that only properties with relatively low repair costs will be financially viable. This tool is a solution to the empty home whilst balancing the rights of the owner. The Council would seek to work with a partner Registered Provider, and/or an accredited private landlord who have the resources to manage properties to pilot an EDMO.

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In addition there are 'last resort' tools which can provide ultimate sanctions for the Council to use:

- **Enforced Sale – Section 103, Law of Property Act 1925** which allows the Council to force the sale of a property subject to a local land charge following works in default Action by the Council. The sale allows the Council to recover debt owed by the owner and also costs incurred as a result of the enforced sale. This tool may indirectly prompt the new owner to return the property to use.
- **Compulsory Purchase Order (CPO) –Section 17, Housing Act 1985** which removes ownership from the current owner to the Council. It may only be used if the Council can demonstrate that it has taken other measures to bring the property back into use and has a robust plan for the re-occupation / use / management of the property. This option shifts responsibility from the owner to the Council for bringing the property back into use and requires public resources.

### 2.7 End Use of Properties

The location and type of property brought back into use will be important in deciding what residential use is appropriate.

Options for end use include:

- Leasing with Registered Providers through council nominations
- Properties advertised for rent on Compass Choice Based Lettings Scheme
- EDMO
- Disposal of CPO'd properties to Registered Providers

Empty homes brought back into use through this Strategy will be delivered and monitored according to demand for that property type and location.

Incentive and Enforcement Options are assessed in more detail in Appendix 1.



## Section 3: What we will do to tackle empty homes

### 3.1 Setting Aims and Objectives

The purpose of this Strategy has been outlined in Section 1 and is detailed in the strategic objectives, which form the basis for the Action Plan framework in Section 4.

Action on empty homes can also be linked to wider objectives such as:

- Increasing the supply of affordable housing and temporary accommodation
- Tackling anti-social behaviour and crime
- Neighbourhood regeneration
- Increasing revenue from Council Tax
- Reducing complaints and demands on environmental health, police and fire service
- Increasing local economic activity
- Delivering sustainable development which considers effective protection of the environment.

### 3.2 Prioritising Action

The aim of this Strategy is to reduce the overall number of empty homes. A targeted approach will be used to bring properties back into use in areas that have been identified for proactive action. Analysis has shown particularly high concentrations of empty homes in some defined areas (See Section 1.2). Empty homes will be brought back into use, using a range of flexible solutions appropriate to the property – Appendix 2 outlines the options available and the flowchart that will be followed to determine the course of action that will be taken.

Within these ‘priority areas’ empty properties will be assessed for future action using the revised Empty Property Assessment Form which is a point based system. The Form will be used to gauge the most appropriate enforcement action for a particular case. The intention will be to return properties to meaningful use based on consistent and transparent criteria and policy. This takes into account factors such as:

- Condition / environmental impact / no. complaints received
- Time empty
- Number of empty properties in the same street

Although most of the proactive work will be within the identified areas it must be recognised that on occasion there will be the need to deal with homes outside of these areas, and a reporting mechanism is being put in place to do this through the Derelict Buildings, Untidy Land, and Open Spaces Group.

### 3.3 Balancing enforcement and incentives

The appropriate course of action for any individual property will depend on whether the owner can be located and if they are willing to bring it back into use. In conjunction with this the financial vitality of the property should be considered balanced against the likely rental or sale price.

Action within this Strategy will be prioritised according to how long the property has been empty, the negative visual impact the property is having on the immediate neighbourhood, the level of complaints and the area it is situated in.

A range of solutions will be employed to ensure empty homes are brought back into use in appropriate areas. The Strategy will ensure a consistent and transparent approach to bringing empty homes back into use through the implementation of the revised Empty Property Assessment Form (Appendix 3).

### 3.4 Impact of the recession and other risks

The current recession and failing housing market offers threats and opportunities for tackling empty homes.

Mortgage repossessions are increasing across the country and there are concerns about the potential impact on buy-to-let tenants. This will be closely monitored within Hartlepool.

The market downturn of 2008/09 may result in an increase in empty homes as owners choose not to sell or can not find a buyer or tenant. The limited access to credit may also make it more difficult for owners and developers to raise finance for renovations and may result in churn of the private rented market. This will also be closely monitored and its impact assessed.

However, the market downturn may also bring opportunities for owners with an empty home falling in value to enter into long-term agreements with Registered Providers while they wait for the market to recover.

The Housing Sub-Group of the Hartlepool Partnership has recently examined the effect of the recession on a range of housing issues, including Private Sector Empty Homes, and identified some immediate actions<sup>4</sup>. (Appendix 4)

Changes in buy to let lending and less availability of owner occupier mortgages will impact on the number of homes left empty for over 6 months.

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<sup>4</sup> A Review of the impact of the recession on the implementation of Hartlepool's Housing Strategy. Housing Sub-Group, September 2009.

## 5.1 Appendix 1

In addition there are a significant number of new build apartments currently empty in Hartlepool (mainly on the Marina). In the longer-term there will be a need to work more closely with planning colleagues to better align future housing demand with planning approvals.

Potentially any of the voluntary and enforcement options detailed in Section 2 could involve the council in having to find funding to instigate action.

### 3.5 Resources Needed

Most proactive authorities have at least one officer dedicated to carrying out the actions required to be carried out by an Empty Homes Strategy. The scale of action desired by the Council will require consideration of ways to provide this essential staffing resource

Financial aid towards the cost of empty homes work will be significant in assisting their return into use. Funding sources are restricted, and the Council will have to investigate the possibility of using SHIP capital, Section 106 agreement funding and prudential borrowing to pump-prime the enforcement actions proposed.

The recent Government policy shift targeted towards supporting new build affordable homes means that the scope to introduce financial assistance for bringing empty homes back into use has been severely restricted, particularly in the short term.

A business case will need to be developed to ensure the financial implications of using EDMO and CPO are understood.

### 3.6 How we will deal with empty homes / priority areas

In order to address the challenges to delivering this Strategy the following strategic objectives have been identified:



**Objective One: Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action**



**Objective Two: Prevent homes from becoming long-term empty**



**Objective Three: Increase decent and affordable rented housing for those in housing need / maximise housing options in the town**



**Objective Four: Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons**



**Objective Five: Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes**



### Section 4: Action Plan Framework

An action plan framework for delivery of this Strategy up to 2015 has been developed using the 5 strategic objectives identified in section 3. Each year an annual action plan will be developed based on this framework, commencing in 2010/11. The action plan will comprise SMART actions (i.e. they will be specific, measurable, achievable, realistic, and timely). Monitoring arrangements are outlined in Section 5.

 <b>Objective One: Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action</b>	
<b>Desired Outcome: To improve neighbourhoods and the environment by targeting and helping to bring long-term empty homes back into use.</b>	
<b>Key Action</b>	<b>Tasks / Actions Involved</b>
Recruit a dedicated Empty Homes Officer	
Develop an Empty Homes Toolkit	Develop an Empty Homes Management Protocol for private owners and registered providers to use when they own empty properties
	Develop EDMO policy and procedures
	Develop CPO policy and procedures
	Develop Enforced Sale policy and procedures
Using enforcement proactively tackle long-term empty properties in areas of housing need.	Bring 10% of long-term empty properties back into use each year
	Identify empty properties suitable for enforcement action
	Pilot and evaluate the use of EDMO in line with policy and procedures
Explore opportunities for financial assistance to private owners	Evaluate the costs of bringing homes back into use
	Investigate sources of funding

 <b>Objective Two: Prevent homes from becoming long-term empty</b>	
<b>Desired Outcome: Minimise the number of properties becoming empty for longer than 6 months</b>	
<b>Key Action</b>	<b>Tasks / Actions Involved</b>
Develop a marketing and publicity approach to promote the Empty Homes Strategy	Develop empty homes publicity material
	Improve empty homes information on the internet
Provide a contact point within the Council for empty homes work	Develop and provide a range of methods of communication to enable people to make contact easily
Enhance liaison with private landlords	Offer advice to owners on becoming a landlord and assist in letting empty homes
	Continue to promote and reward good landlords through the Landlords Accreditation Scheme by developing and promoting incentive schemes, such as discounts for municipal waste disposal
Enhance partnership working across services	Co-ordination of all relevant agencies and services involved in empty homes work Work with colleagues in Council Tax to

	ensure that the options available to bring empty homes back into use are made available to owners
Establish procedures for working with mortgage companies with clients at threat of repossession	Make links and set up early interventions with mortgage companies

 <b>Objective Three: Increase decent and affordable rented housing for those in housing need / maximise housing options in the town</b>	
<b>Desired Outcome: Improved access to decent and affordable housing for people in housing need</b>	
<b>Key Action</b>	<b>Tasks / Actions Involved</b>
Investigate and develop a range of re-use options for owners	Investigate and evaluate the feasibility of developing a leasing scheme with providers through council nominations
Increase the use of affordable empty homes in meeting housing need	Use the marketing strategy to encourage landlords to let properties at an affordable rent
Work with registered providers to maximise housing options in the town	Monitor and evaluate the outcome from the pilot HH Managing Agent scheme

 <b>Objective Four: Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons</b>	
<b>Desired Outcome: To have accurate information and mapped trends in order to effectively progress strategy development and enable informed decision making</b>	
<b>Key Action</b>	<b>Tasks / Actions Involved</b>
Develop an Empty Homes Database	Work with colleagues in Council Tax section to identify the data held on all empty properties
Establish an accurate baseline of empty homes information	Undertake a survey of empty home owners and establish why they are leaving their properties empty
	Consult owners on their views as to what the Council should be doing to help them return their property to use
	Consult local residents and other groups for their views on empty homes in Hartlepool
Map areas of housing need	Use the information from the Compass CBL scheme to identify areas of housing need
Review and monitor empty homes performance	Join National Association of Empty Property Practitioners

 <b>Objective Five: Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes</b>	
<b>Desired Outcome: Achieve long-term sustainability of these areas</b>	
<b>Key Action</b>	<b>Tasks / Actions Involved</b>
Ensure empty homes work complements the regeneration activity for the town	Use the Strategy in adjacent HMR areas



### **Section 5: Delivery of the Empty Homes Strategy**

An Empty Homes Strategy Steering Group was established at the start of the Strategy development process. The aim of this was to engage internal and external partners, raise awareness and seek the views of relevant departments and organisations for the issues and priorities that the Strategy should address.

The Steering Group is made up of:

- Strategic Housing Officers
- Private Sector Housing Officers
- Housing Advice Team Manager
- Neighbourhood Managers
- Regeneration Officers
- Planning Officers
- Anti Social Behaviour Team Manager
- Local Taxation Assistant
- Housing Hartlepool
- NDC Trust

The Empty Homes Strategy Steering Group is attended by officers who have a corporate interest to ensure the success of the Strategy. The group reports to the Derelict Buildings Group, chaired by the Mayor.

Monitoring of the Empty Homes Strategy will take place through regular reporting to Hartlepool's Housing Partnership, the Council's Housing Task Group and the Derelict Buildings Group.

The Council is currently monitored against its Local Priority Target LAA H P001 – number of homes brought back into use.

In addition an action plan has been developed and targets will be set to ensure empty homes are brought back into use and utilised to meet housing need and increase housing options.



## Appendix 1 Enforcement and Incentive Options

Non-enforcement incentives	Risks / Disadvantages	Advantages
<p><b>Advice on:</b></p> <ul style="list-style-type: none"> <li>*redevelopment / planning consents</li> <li>*finding a contractor / managing repairs</li> <li>*how to join the Landlord Accreditation Scheme</li> <li>*finding a tenant through the CompassCBL Scheme</li> <li>*how to sell the property</li> <li>*the leasing scheme</li> <li>*tax issues</li> </ul>		
<p><b>Financial Assistance</b></p> <p>The Council could provide a loan to the owner to make the property lettable or suitable for owner-occupation, to be repaid monthly at an agreed rate, in a lump sum, or for a share of the value of the property on future sale</p>	<p>1. Reduced central government funding for private sector housing improvement due to the policy shift targeted towards new build affordable homes means that financial assistance for bringing empty homes back into use is restricted</p>	<p>1. Only relevant for regeneration of targeted areas</p> <p>2. Council can apply conditions</p> <p>3. Funding can be recycled</p> <p>4. Placing a financial charge on a property for repayment on future sale could assist an owner of a single empty with very limited access to finance, to bring the property back into use</p>
<p><b>Rent Guarantee Scheme</b></p> <p>Providing a link to existing schemes or financing a new scheme to offer landlords a guarantee that arrears will be paid for in lieu of a deposit for accepting applicants nominated by the Council</p>		
<p><b>Voluntary Leasing</b></p> <p>Directing the owner to a Registered Provider management / leasing scheme for a period of years. The Registered Provider could sub-lease to the Council and take nominated tenants</p>		<p>1. The owner will sign a long-term lease and be guaranteed a rental income for the length of the lease.</p>
<p><b>Voluntary Acquisition</b></p> <p>The Council can purchase by agreement for onward sale</p>	<p>1. Restrictions on the Council purchasing and retaining houses for rent.</p>	<p>1. Gains control of the property</p>

<p>/lease to a Registered Provider for owner-occupation. Alternatively to broker a purchase between the owner and a Registered Provider</p>	<p>2. Transfers financial risk to the Council / Registered Provider</p>	<p>2. Useful as a pre-CPO procedure to show that the Council has tried to deal with the owner by discussion rather than enforcement</p>
<p><b>Good Tenant Scheme</b></p> <p>This aims to reduce ASB in the private rented sector by providing landlords with information to enable them to make informed choices about the history of potential tenants</p>		<p>1. Landlord provided with detailed history of potential tenants</p>

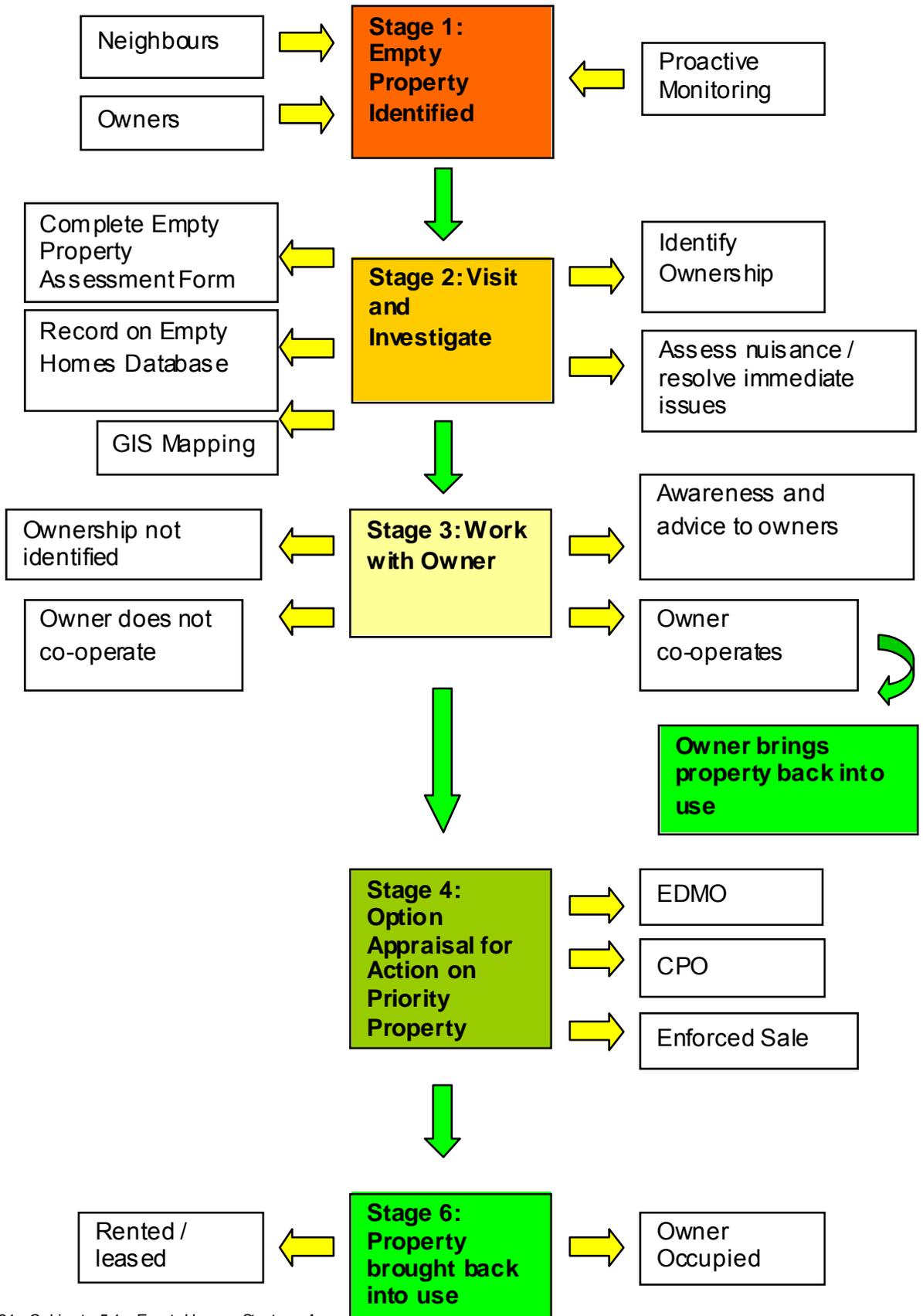
Enforcement Tools to deal with property condition	Risks / Disadvantages	Advantages
<p><b>Preventing Unauthorised Access</b> <b>Local Government (Miscellaneous Provisions) Act 1982 – Section 29</b></p> <p>Service of notice on properties open to unauthorised access or likely to become a danger to public health. Requires the owner to take steps to secure the property. The Council can secure the property if the work is not carried out, and has powers to secure without notice in emergency</p>		
<p><b>Removing rubbish</b> <b>Environmental Protection Act 1990 – Section 79/80</b></p> <p>Service of notice on the owner to remove rubbish from empty houses</p>		<p>1. Can be used to target premises and to proceed with Works in Default, EDMO, CPO</p> <p>2. Works lead to a registered charge and is fully recoverable with costs.</p>
<p><b>Tackling Visual Impact</b> <b>Town and Country Planning Act 1990 - Section 215</b></p> <p>Service of notice to improve the external appearance of unsightly property or land considered detrimental to the amenity of the neighbourhood</p>	<p>1. Does not directly bring property back into use</p> <p>2. Does not deal with the internal parts of the property</p>	<p>1. Non payment of any debt can be used as the basis for Enforced Sale action</p>
<p><b>Housing Act 2004 – Part 1 Housing Conditions (HHSRS)</b></p>	<p>1. Enforcement action taken on the basis of the impact on the most vulnerable</p>	<p>1. Some forms of action may result in improvements to the property</p>

## 5.1 Appendix 1

<p>Sets out a system for assessing housing conditions and provides a range of enforcement options to deal with hazards found in residential properties.</p>	<p>potential occupant. Action must be appropriate. May be difficult to justify some forms of action without an occupier. 2. Does not directly bring the property back into use</p>	<p>2. Some forms of action may result in works being carried out by the Authority and non-payment of debt can be used as the basis for Enforced Sale action.</p>
<p><b>Work in Default</b></p> <p>The Council can proceed to carry out any of the above works when an owner defaults on any of the above notices by not carrying out the works</p>	<p>1. Involves an initial outlay of capital.</p>	<p>1. Accumulation of specific outstanding debts can instigate Enforced Sale</p>

<p><b>Enforcement tools to bring properties back into use</b></p>	<p><b>Risks / Disadvantages</b></p>	<p><b>Advantages</b></p>
<p><b>Empty Dwelling Management Orders</b> <b>Housing Act 2004</b> – <b>Section 132</b></p> <p>Council can make an application for an Interim Management Order to a Residential Property Tribunal to take overmanagement for up to a year. If the owner has not reached an agreement with the Council for the owner to resume management during the year, the Council can make a Final Management Order to retain management for up to a further 7 years</p>	<p>1. Open to appeal, particularly in hard to let areas</p> <p>2. Procurement process needed to secure managing agent, e.g. RSL</p> <p>3. Owner entitled to receive rent less acceptable costs of management</p> <p>4. The Council may not recoup the total cost of repair/refurbishment necessary to make the property lettable</p> <p>5. May need to identify funding for costs of appearing at Residential Property Tribunal</p>	<p>1. Brings property back into use.</p> <p>2. Powerful persuasive tool.</p> <p>3. Costs can be recouped from rental income</p> <p>4. Funding for acquisition is not required, though some initial expenditure may be needed to bring the property up to a reasonable standard</p> <p>5. May take as little as 6 months to obtain</p>
<p><b>Enforced Sale</b> <b>Law of Property Act 1925</b></p> <p>A debt recovery power which allows the Council to force the sale of a property when charges are registered as a result of works carried out in default and the debt isn't paid.</p> <p>Suggested level of accumulated debt to trigger action is £300.</p> <p>Transfer of ownership is monitored by the Council to ensure that the property is</p>	<p>1. Can't enforce a sale if the debt is paid – but is a catalyst for dialogue.</p> <p>2. Doesn't apply to all debts, e.g. Local Government (Miscellaneous Provisions) Act notices are not registerable</p> <p>3. May not be appropriate for heavily blighted areas.</p>	<p>1. Can't enforce a sale if the debt is paid – but may result in the owner reconsidering the options. 1. Brings property back into use.</p> <p>2. Recovers debts.</p> <p>3. Has been successful in larger authorities with dedicated teams</p> <p>4. Council is never liable for the property</p>

<p>brought back into use</p>		<p>5. Costs incurred in taking action can be taken out of proceeds of onward sale</p> <p>6. Relatively short time period of 6-9 months to force the sale</p> <p>7. Owner is required to identify future use and not just pay the debt.</p>
<p><b>Compulsory Purchase Order Housing Act 1985 – Sec.17</b></p> <p>The Council can acquire an empty house where it can be demonstrated that there is housing need. Used when an owner has no realistic plans to bring property back into use or won't agree a voluntary solution. The owner is entitled to the market value of the property. The property would be sold, either on the open market or by inviting offers from interested parties.</p>	<ol style="list-style-type: none"> <li>1. Council financial resources needed up front</li> <li>2. Council must have proposals for subsequent occupation and management</li> <li>3. Open to public enquiry</li> <li>4. Have to hold the purchase funds indefinitely in cases where the owner is not known</li> <li>5. May not recoup the total cost of purchase</li> <li>6. Maybe difficulties in selling on</li> <li>7. Process can be lengthy</li> </ol>	<ol style="list-style-type: none"> <li>1. Threat of CPO can persuade owner to take action without the need to enforce the CPO.</li> <li>2. Can apply conditions to the sale , e.g. buy back if the property is not renovated within a specified timescale, e.g. restricting the sale for owner-occupation</li> </ol>





### Appendix 3 Empty Property Assessment Form

<b>Address</b>	_____
<b>Date of Inspection</b>	_____
<b>Number homes in street</b>	_____
<b>Number empty in street</b>	_____

<b>TIME VACANT</b>	
Less than 6 months	5
6 months – 1 year	10
1 year – 5 years	15
Over 5 years	25
<b>VISUAL IMPACT</b>	
<b>Visible neglect</b>	
Broken window (s)	5
Damaged door	5
Partial boarding / shuttering	10
Full boarding / shuttering	20
Poor paintwork (fascias / windows)	5
Overgrown garden	5
History of fly-tipping	10
Insecure / attracting vandalism	10
<b>Location</b>	
Thoroughfare	10
<b>CRIME / COMMUNITY SAFETY</b>	
Risk of Arson	15
ASB Complaints	5 (per complaint)
Repeat Calls to Police / community tension	10
<b>AREA</b>	
Zone A (areas identified for possible HMR work but not yet confirmed – info on streets involved from AW/NJ)	10
Zone B (Regeneration Area)	5
Zone C (list from AW on neighbouring streets to Regen areas + all Selective Licensing streets)	15
<b>COMPLAINTS / STATUTORY ACTION</b>	

Justified Complaints about property condition	5 (per complaint)
Notices Served	5 (per notice)
Works in Default	5 (per order raised)
<b>DEMAND</b>	
Interest from purchasers	10
Interest from renters	10
<b>SCORE</b>	
<b>A. SUB TOTAL</b>	
<b>B. MULTIPLIED BY % EMPTY IN STREET</b>	
<b>C. TOTAL (A+B)</b>	

**Works in Default debts – details (notice served and amount of debt:**

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**Other debt (e.g. Council Tax) – details:**

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**Comments**

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#### **Appendix 4 Housing Sub-Group Findings**

The Housing Sub-Group of the Hartlepool Partnership has identified a small number of issues worthy of more detailed investigation through the process of the updating of the Housing Strategy. For Private Sector Empty Homes these are:

- Through selective licensing, there is the opportunity to engage with landlords earlier, and more proactively when homes are known to be empty
- To date, the Council has not used Empty Dwelling Management Orders. This should be piloted and the approach evaluated
- There is an opportunity to explore more innovative ownership deals for homes which are vacant. This could include a partnership approach between HBC and a Registered Provider in an owner and manager role
- The emerging Empty Homes Strategy and associated Action Plan should be completed. This should clearly identify geographic areas for priority intervention and present a review of resources available for this activity
- There is an opportunity to explore the availability of funding to support loans to fund repairs or rent guarantee / bond payments to make properties available for Council nominated applicants
- The Community Campus activity has been well received. Is there an opportunity to secure additional funding to support this activity?



## **Appendix 5 EDMO Survey Findings**

In July 2009 a survey was sent out to all Local Authorities (LAs) who currently use or propose to use the EDMO tool.

From the responses received from 9 LAs using or threatening to use EDMO it was seen that the time taken to serve an EDMO ranged from 3 months to 18 months. The authorities that take the quickest time have employed dedicated empty homes officers. Where it is taking 18 months can be said to be due to staff undertaking this task as part of their overall duties. The costs of serving an EDMO also range considerably, from £1.5k to £25k. Looking at the funding sources it could be concluded that the authorities with larger budgets are spending more.

EDMOs have been served on a range of property types that have been empty for a range of reasons including mental health issues, debt, owner moved out. The time left empty before the EDMO was served also ranges widely from 12 months to 17 years. Most properties are now being let through private letting agents, the owner, partner ALMO and RSLs. Some have also been sold and a couple are still empty.

All LAs that responded to the survey believe that the EDMO proves value for money and would serve another.



## Appendix 6 Links to Wider Objectives

- **National Policy**

Empty homes have become an important issue nationally over the last few years and the Government, working with the Empty Homes Agency, is encouraging local authorities to adopt measures to bring privately owned empty properties back into use as part of their strategic housing approach.

The government estimates that empty homes account for 3% of the housing stock. Of the 697,055 vacant properties in 2008, 293,728 were identified as private sector vacancies of over 6 months.

The government has produced a range of guidance and legislation designed to help Councils set and achieve challenging targets on this issue.

- All local authorities have been encouraged to publish an empty homes strategy
  - VAT has been reduced to 5% on properties empty for 2 years and 0% on properties empty over 10 years.
  - Full council tax charging has been introduced on empty homes and access to the name and address details of owners
  - CPO streamlining procedures have been introduced
- **Communities Plan – Sustainable Communities: Building for the Future (2003).** This sets a long-term programme of action for delivering sustainable communities in both urban and rural areas. The Plan includes housing and planning reforms and offers a new approach to how we build and what we build. It specifically refers to bringing empty homes back into use.
  - **Housing Act 2004.** This introduced Empty Dwelling Management Orders, the first power specifically targeting privately owned empty homes. This involves local authorities taking over most of the rights and responsibilities of the owner of an empty dwelling, to refurbish and rent out the property, without becoming the legal owner.
  - **Barker Review of Housing Supply 2006.** One of the key themes within the report and recommendations was to ensure more efficient use of urban land – this included more efficient use of existing housing stock and returning empty homes back into use.

- **Housing and Regeneration Act 2008.** The Act established the Homes and Communities Agency, which focuses on delivering more new and affordable homes across all tenures and will drive and invest in regeneration. It will help to deliver the commitments set out in the Housing Green Paper 2007, which make specific reference to the need to tackle long term empty properties.

- **Regional Policy**

Government Office for the North East contributes to the implementation and promotion of the Government's Housing Policy to ensure people have a good quality of life in sustainable communities. They work with local delivery partners and stakeholders around the key policy themes of affordable homes; tackling low demand and market restructuring; the provision of decent homes and addressing the housing needs of vulnerable groups. The North East Housing Strategy 2007 sets the strategic housing priorities for the region with two of the four strategic objectives relating to existing housing stock, therefore impacting on returning empty homes back into use.

- **Sub Regional Policy**

Across the Tees Valley there are 3918 private sector homes that have been empty for over 6 months<sup>5</sup>. Hartlepool works closely with its Tees Valley partners to develop specific initiatives to address the problem of empty homes and the Tees Valley has a good track record of sub-regional working.

- **Tees Valley Empty Homes Scheme.** Between 2007 and March 2009 the Tees Valley Local Authorities were involved in this initiative to target long term empty homes through purchase and renovation. 7 properties were purchased within Hartlepool.

- **Sub Regional Empty Homes Strategy.** At the time of writing this Strategy work has commenced on the development of a Sub Regional Empty Homes Strategy to introduce wider ranging and varied enforcement approaches, and where possible, to follow a common approach.

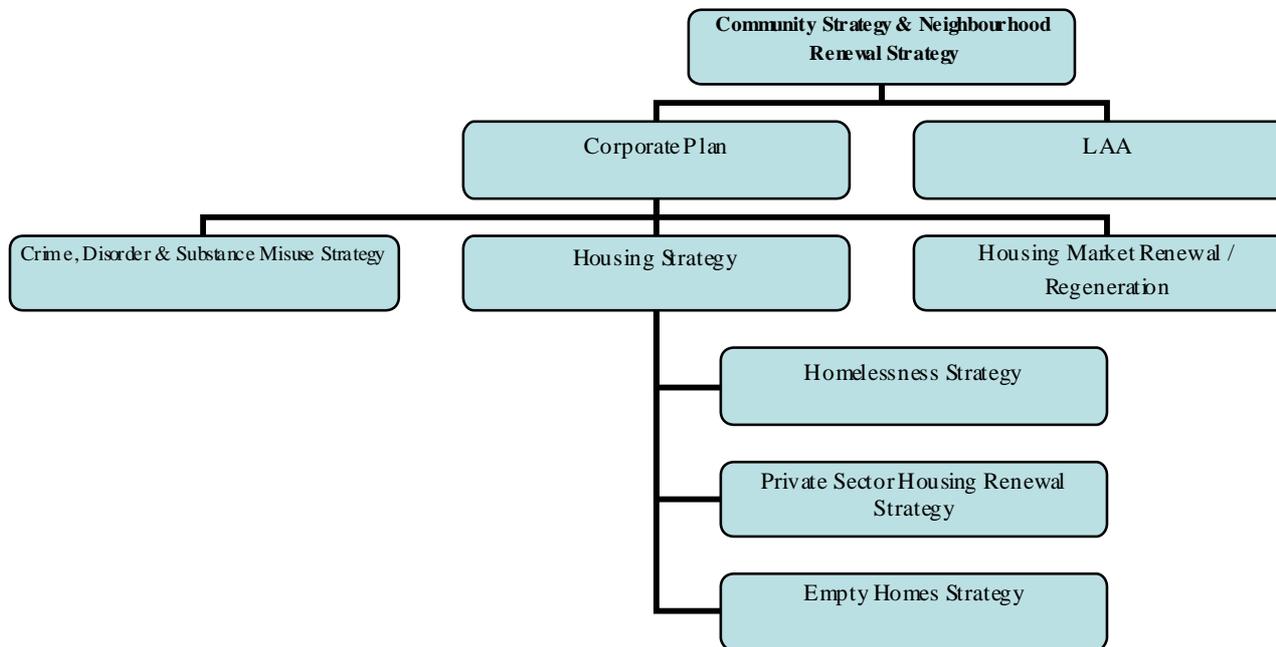
- **Local Strategies**

Empty homes impact upon and have links with many local strategies, as detailed in figure 3.

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<sup>5</sup> Empty Homes Agency 2008

Figure 3: Local Strategies



➤ **Community Strategy & Neighbourhood Renewal Strategy 2008-2020.**

The Community Strategy, called Hartlepool's Ambition, looks ahead to 2020 and sets out the long-term vision and aspirations for the future:

***"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".***

The Vision is described in more detail in eight themes:

1. Jobs and the Economy
2. Lifelong Learning & Skills
3. Health & Wellbeing
4. Community Safety
5. Environment
6. Housing
7. Culture & Leisure
8. Strengthening Communities

The Neighbourhood Renewal Strategy provides the context for neighbourhood level regeneration within Hartlepool. It forms part of the Community Strategy and its aim is to reduce inequalities in the most disadvantaged communities and to help tackle social and economic exclusion by lowering worklessness and crime and improving health, skills, housing and the physical environment.

- **Housing Strategy 2006-2011.** The current Strategy was developed by the Hartlepool Partnership through the Housing Partnership. It details our housing objectives, priorities and the actions that will be undertaken to meet local housing need and aspiration. The aim of the housing partnership is to:

***“Ensure that there is access to good quality and affordable housing in sustainable neighbourhoods and communities where people want to live.”***

In 2008 a supplement was produced to be read alongside the Housing Strategy 2006-11. It acknowledges that there is a need to be more proactive in bringing empty homes back into use and to consider the use of all of the options open to the council.

- **Private Sector Housing Renewal Strategy.** This Strategy identifies the following priorities:
  - Achieving Decent Homes targets for private housing occupied by vulnerable groups
  - Delivering empty homes initiatives
  - Providing targeted support to renovate and repair housing in areas adjacent to redevelopment areas
- **Homelessness Strategy.** At the time of writing this Strategy work has commenced on the development of an updated Homelessness Strategy for Hartlepool. The Strategy will set out the strategic framework for the continued improvement to the housing and support services delivered by the Council and its partners in the prevention of homelessness.
- **Housing Market Renewal / Regeneration.** HMR is a key priority for the Council. It is the leading thrust of the Council’s Housing and Regeneration Strategies and a major element of the Local Strategic Partnership’s Community Plan. Access to funding since 2006 has been through the Council’s participation in the Tees Valley Living Partnership, where the Council is a major local authority partner in the ‘Pathfinder’. Sub regional co-ordination is undertaken by Tees Valley Living with implementation and delivery by the individual local authority.

The Council’s Housing Regeneration Team prepare neighbourhood, area based and town-wide regeneration strategies, co-ordinate the development of bids and submissions for regeneration resources and manage/support a range of regeneration programmes and projects.

The programme has been driven by community input and involvement which has been heavily influenced and guided by residents. Two key documents are the New Deal for Communities Community Housing Plan

and the North Central Hartlepool Master Plan. All current and passed HMR sites have been the key priorities in these documents.

- **Crime, Disorder and Substance Misuse Strategy 2008.** The Crime and Disorder Act 1998 placed a statutory duty on local authorities to form a Crime and Disorder Reduction Partnership (CDRP) and to work with partners to promote community safety. In Hartlepool this is the Safer Hartlepool Partnership and its Strategy 2008 – 2011 has the reduction of criminal damage and anti social behaviour among its priorities.

### 3.6.5 Links to training / employment

Within the Councils HMR and new build programme links have been made to employment and training. At the initial developer selection stage a development brief is produced which details the employment and training requirements of the scheme. The preferred developer is then appointed and the employment and training requirements secured within a development brief. On commencement of the development the employment and training requirements are monitored by the Council's Working Solutions Team to ensure that all requirements in the development brief are fulfilled. This approach is used for all Council HMR schemes and new build affordable housing schemes.

# Hartlepool Borough Council Empty Homes Strategy Action Plan 2010 – 2015



## Section 1 – Action Plan 2010 – 2015

## Section 2 – Priority Areas for Action

## Section 1 – Action Plan 2010 – 2015

 <b>Objective One: Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action</b>				
<b>Desired Outcome: To improve neighbourhoods and the environment by targeting and helping to bring long-term empty homes back into use.</b>				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Recruit a dedicated Empty Homes Officer		Assistant Director (Community Safety)	9 months funding secured	April 10
Develop an Empty Homes Toolkit	Develop an Empty Homes Management Protocol for private owners and registered providers to use when they own empty properties	Empty Homes Officer	Officer Time	July 10
	Develop EDMO policy and procedures	Empty Homes Officer	Officer Time	July 10
	Develop CPO policy and procedures	Empty Homes Officer	Officer Time	July 10
	Develop Enforced Sale policy and procedures	Empty Homes Officer	Officer Time	July 10
Using enforcement proactively tackle long-term empty properties in areas of housing need.	Bring 10% of long-term empty properties back into use each year	Principal Environmental Health Officer	Est. average up to £50k per property	Ongoing
	Identify empty properties suitable for enforcement action	Empty Homes Officer	Officer Time	July 10
	Pilot and evaluate the use of EDMO in line with policy and procedures	Empty Homes Officer	Up to £25k (including refurbishment costs)	April 11
Explore opportunities for financial assistance to private owners	Evaluate the costs of bringing homes back into use	Empty Homes Officer	Officer Time	Oct 10
	Investigate sources of funding	Empty Homes Officer	Officer Time	Oct 10

 <b>Objective Two: Prevent homes from becoming long-term empty</b>				
<b>Desired Outcome: Minimise the number of properties becoming empty for longer than 6 months</b>				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Develop a marketing and publicity approach to promote the Empty Homes Strategy	Develop empty homes publicity material	Empty Homes Officer	£5k	July 10
	Improve empty homes	Empty Homes	Officer Time	July 10

## 5.1 Appendix 2

	information on the internet	Officer		
Provide a contact point within the Council for empty homes work	Develop and provide a range of methods of communication to enable people to make contact easily	Empty Homes Officer	Officer Time	July 10
Enhance liaison with private landlords	Offer advice to owners on becoming a landlord and assist in letting empty homes	Line Manager of Empty Homes Officer	Officer Time	Ongoing
	Continue to promote and reward good landlords through the Landlords Accreditation Scheme by developing and promoting incentive schemes, such as discounts for municipal waste disposal	Landlord Registration Officer	Costs involved for rewards and incentives	Ongoing
Enhance partnership working across services	Co-ordination of all relevant agencies and services involved in empty homes work	Line Manager of Empty Homes Officer	Officer Time	Ongoing
	Work with colleagues in Council Tax to ensure that the options available to bring empty homes back into use are made available to owners	Empty Homes Officer	Officer Time	July 10
Establish procedures for working with mortgage companies with clients at threat of repossession	Make links and set up early interventions with mortgage companies	Empty Homes Officer	Officer Time	April 11


**Objective Three: Increase decent and affordable rented housing for those in housing need / maximise housing options in the town**
**Desired Outcome: Improved access to decent and affordable housing for people in housing need**

Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Investigate and develop a range of re-use options for owners	Investigate and evaluate the feasibility of developing a leasing scheme with providers through council nominations	Line Manager of Empty Homes Officer	Officer Time	April 12
Increase the use of affordable empty homes in meeting housing need	Use the marketing strategy to encourage landlords to let properties at an affordable rent	Line Manager of Empty Homes Officer	Officer Time	April 11
Work with registered providers to maximise housing options in the town	Monitor and evaluate the outcome from the pilot HH Managing	Housing Advice Manager	Officer Time	April 11

	Agent scheme			
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**Objective Four: Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons**

**Desired Outcome: To have accurate information and mapped trends in order to effectively progress strategy development and enable informed decision making**

Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Develop an Empty Homes Database	Work with colleagues in Council Tax section to identify the data held on all empty properties	Empty Homes Officer	Within existing IT	July 10
Establish an accurate baseline of empty homes information	Undertake a survey of empty home owners and establish why they are leaving their properties empty	Empty Homes Officer	Officer Time / postage costs	April 11
	Consult owners on their views as to what the Council should be doing to help them return their property to use	Empty Homes Officer	Officer Time / postage costs	April 11
	Consult local residents and other groups for their views on empty homes in Hartlepool	Empty Homes Officer	Officer Time / postage costs	April 11
Map areas of housing need	Use the information from the Compass CBL scheme to identify areas of housing need	Housing Advice Manager	Officer Time	Oct 10
Review and monitor empty homes performance	Join National Association of Empty Property Practitioners	Principal Environmental Health Officer	£75 per year	July 10



**Objective Five: Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes**

**Desired Outcome: Achieve long-term sustainability of these areas**

Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Ensure empty homes work complements the regeneration activity for the town	Use the Strategy in adjacent HMR areas	Principal Housing Regeneration Officer	Officer Time	Ongoing

### Section 2 – Priority Areas for Action

In producing this Strategy for 2010 – 2015 the Empty Homes Strategy Steering Group identified the following areas as having particularly high concentration of empty homes:

- 6 Selective Licensing Areas
  - Hurworth Street Area
  - Dent / Derwent Street Area
  - Belk / Cameron / Furness Area
  - Cornwall Street Area
  - Rodney Street Area
  - Patterdale / Borrowdale Street Area
- Belle Vue
- Oxford Road Area
- Stephen Street / Suggitt Street Area
- West View Road
- Individual Streets i.e.
  - Helmsley Street
  - Baden Street
  - Sheriff Street
  - Mapleton Road / St Oswalds Street
  - Parton Street<sup>1</sup>

In addition the Strategy will also prioritise individual properties in streets that do not have high numbers of empties i.e.

- Tankerville Street
- St Pauls Road

These priority areas were identified in December 2009 and it is expected that during the lifetime of this Strategy that this list may change and it will therefore be monitored and analysed on a regular basis. Strict criteria will be introduced to remove any streets from the priority list and replace them.

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<sup>1</sup> Please note that this list is not exhaustive



## Diversity Impact Assessment (Predicted Assessments)

Lead Officer: John Smalley	Published Date:
Who has undertaken the assessment: Karen Kelly	
Date forwarded to Departmental Diversity Rep:	

<b>Is the subject to be assessed a: (Please tick)</b>  <div style="display: flex; justify-content: space-around;"> <span>Strategy <input checked="" type="checkbox"/></span> <span>Policy <input type="checkbox"/></span> <span>Service <input type="checkbox"/></span> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <span>System <input type="checkbox"/></span> <span>Project <input type="checkbox"/></span> <span>Other _____</span> </div>
<b>Name of the assessed and brief description:</b> Hartlepool Borough Council's Empty Homes Strategy 2010 – 2015 has been developed to provide a framework for bringing long-term private sector homes back into use

<b>What is being assessed is (please tick)</b>  <div style="display: flex; justify-content: space-around;"> <span>Existing <input type="checkbox"/></span> <span>New <input checked="" type="checkbox"/></span> </div>
--

<b>Is a copy of the new policy/strategy attached (please tick)</b>  <div style="display: flex; justify-content: space-around;"> <span>Yes <input type="checkbox"/></span> <span>No <input checked="" type="checkbox"/></span> </div>
<b>If No, where can it be viewed?</b>  The Strategy will be published on the Empty Homes page of the Council's website: <a href="http://www.hartlepool.gov.uk/info/100007/housing/409/empty_properties">http://www.hartlepool.gov.uk/info/100007/housing/409/empty_properties</a>

<b>Links into Community Strategy and Council Themes (please tick box(es))</b>	
Jobs and the Economy <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>
Lifelong Learning and Skills <input type="checkbox"/>	Housing <input checked="" type="checkbox"/>
Health and Care <input type="checkbox"/>	Culture and Leisure <input type="checkbox"/>
Community Safety <input checked="" type="checkbox"/>	Strengthening Communities <input checked="" type="checkbox"/>
Organisational Development <input type="checkbox"/>	

## Stage 1 - Overview

<b>1. Please give a brief description of the aims, objectives or purpose.</b> <i>(Note: Wherever possible please quote from the document)</i>	
<p>The Strategy has 5 strategic objectives:</p> <ol style="list-style-type: none"> <li>1. Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action</li> <li>2. Prevent homes from becoming long-term empty</li> <li>3. Increase decent and affordable rented housing for those in housing need / maximise housing options in the town</li> <li>4. Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons</li> <li>5. Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes</li> </ol>	
<b>2. Who is responsible for implementation?</b>	
<p>The Principal Environmental Health Officer (Private Sector Housing Team) and the Empty Homes Officer (post creation still to be confirmed)</p>	
<b>3. Who are the main stakeholders? (please tick)</b>	
<p><b>The General Public</b> <input checked="" type="checkbox"/></p> <p><b>Employees</b> <input checked="" type="checkbox"/></p> <p><b>Elected Members</b> <input checked="" type="checkbox"/></p>	<p><b>Public Sector Service Providers</b> <input checked="" type="checkbox"/></p> <p><b>The Community &amp; Voluntary Sector</b> <input checked="" type="checkbox"/></p>

## Stage 2 – Research and Findings

<b>4. What evidence do we presently have and what does it tell us?</b> <i>(Include any numerical data, public consultation or involvement, anecdotal evidence and other organisations' experiences, outcome of any previous service related INRA, entry into the Risk register)</i>
<p>Data is collected for the annual Housing Strategy Statistical Appendix return to government about the number of empty properties across all tenures and how many of these have been empty for over 6 months in the private sector.</p> <p>Performance Indicator data is collected for the LAA on the number of empty homes brought back into use.</p> <p>Data is collected on applications to the Council's Housing Register relating to age, disability, gender, race, religion and sexual orientation of applicants.</p>

**5. Identify the gaps in the evidence that we presently have?**

Insufficient data is collected on age, disability, gender, race, religion and sexual orientation relating to owners of empty homes.

**6. Record what needs to be done to gather further evidence to undertake the impact assessment?**

A proactive marketing approach needs to be adopted to ensure that everyone is aware of the options open to them and the consequences of leaving homes empty for long periods of time. An empty homes officer needs to be employed to take the lead on empty homes work.

**Please note:** You will need to have viewed your data or insufficient data before answering the following questions. If no data is available, you will need to make a record of this within your answers below and indicate how this data will be gathered in the future. *(Please refer to glossary for the terms- unmet needs, differential impact, positive impact, negative impact and adverse impact provided in the guidance)*

**7. Are there any unmet needs/requirements that can be identified from your research that impact specific equality groups? Which equality groups does it impact?**

No – options need to be accessible to all

**8. Are there any concerns that there could be a differential/positive/negative/adverse impact on the grounds of gender? Gender refers to male, female and transgender. Please explain your answer.**

No – options need to be accessible to all

**9. Are there any concerns that there could be a differential/positive/negative/adverse impact on the grounds of racial or ethnic origin? Please explain your answer.**

<p>No – options need to be accessible to all. However, empty homes material promoting the options available to owners needs to be made available in different formats if requested to make sure that everyone is suitably informed (i.e. offer documents via interpreter / translation services)</p>	
<p><b>10. Are there any concerns that there could be a differential/positive/negative/ adverse impact on the grounds of religion or belief? Please explain your answer.</b></p>	
<p>No – options need to be accessible to all. However, loans ‘with interest’ may not be suitable for some cultures. Loans with an ‘administration fee’ may need to be offered to people with certain religions / cultural beliefs.</p>	
<p><b>11. Are there any concerns that there could be a differential/positive/negative/ adverse impact on the grounds of disability? Please explain your answer.</b></p>	
<p>No – options need to be accessible to all. However, all material relating to empty homes should be made suitably available to those with a sensory disability.</p>	
<p><b>12. Are there any concerns that there could be a differential/positive/negative/ adverse impact on the grounds of age? Please explain your answer.</b></p>	
<p>No – options need to be accessible to all</p>	
<p><b>13. Are there any concerns that there could be a differential/positive/negative/ adverse impact on the grounds of sexual orientation? Please explain your answer.</b></p>	
<p>No – options need to be accessible to all</p>	
<p><b>14. Summary of adverse impacts (please tick)</b></p>	
<p>Gender <input type="checkbox"/></p>	<p>Disability <input type="checkbox"/></p>
<p>Race/Ethnic Origin <input checked="" type="checkbox"/></p>	<p>Age <input type="checkbox"/></p>
<p>Religion/Belief <input type="checkbox"/></p>	<p>Sexual Orientation <input type="checkbox"/></p>

### Stage 3 – Consultation

#### 15. Who have you consulted with?

Consultation regarding the Strategy has taken place with:

- Empty Homes Strategy Steering Group
- The Director and Assistant Directors within Regeneration and Neighbourhoods
- Housing Task Group
- Housing Partnership (includes a BME rep, young persons rep and rep with a physical disability)
- Members
- Chairs of the main residents groups
- Hartlepool / Teesside and National Landlords Association
- North, South and Central Neighbourhood Consultative Forums
- General Public via the Council's website

#### 16. Summary of findings/recommendations from the consultation

As a result of consultation the main changes proposed to the Strategy include:

- Identifying an aspirational vision “In 5 years time the properties that are currently empty will no longer be empty and in an ideal world we would like to see every house in Hartlepool occupied”
- Expansion of the aim of the Strategy to include a reduction in the number of empty homes to an acceptable level of 3% (it is accepted that 3% of properties need to be vacant for a housing market to function)
- Rename and reword section 1.4 from “Current available resources” to “Existing Initiatives” and include more detail on Landlord Accreditation, Selective Licensing, Good Tenants Scheme and other initiatives.
- Expand the list of Enforcement Options in Section 2 to include other powers under the 2004 Housing Act i.e. Housing Health and Safety Rating System
- Remove the detailed Action Plan from the main document and produce an Annual Action Plan in a separate document to monitor delivery
- Remove Appendix 4 – Priority Areas for 2010 -2015 and include this within the Annual Action Plan

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**Stage 4 – Adverse Impacts**

<b>17. Please give details of what the predicted adverse impact is expected and which groups or individuals it affects.</b>
<p>A risk of lack of understanding why empty property owners (BME, certain religion or beliefs) may want to leave a property empty.</p> <p>A risk of inequitable treatment or powers used</p> <p>Certain communities may not be able to access loans ‘with interest’</p> <p>Older people may not want to sell or lease empty properties</p>
<b>18. Record what immediate actions are taken prior to implementation to address the adverse impact?</b>
<p>Research if there are cultural issues why properties may need to be left empty or loans accessed. Ethnicity needs to be monitored about those in receipt of empty property services, grants etc.</p>
<b>19. Can the adverse impact be justified for any reason? Please explain. (Legislation, promoting equality of opportunity for one group (positive action) etc.)</b>
<p>n/a</p>

**Stage 5 – Action Planning and Publishing**

<b>20. What actions are needed to be taken after the implementation</b>		
<b>Action</b>	<b>Responsible officer</b>	<b>Completion Date</b>

Annual review of the Action Plan	Principal Environmental Health Officer	Annually
<b>21. What are the main conclusions from the assessment?</b>		
All groups are aware of the Strategy		
<b>22. How is the impact assessment published/publicised?</b>		
The Strategy will be published on the Council's website and will be available in other formats upon request		
<b>23. How is the impact further assessed after its implementation?</b>		
INRA reviews		
<b>Signed:</b>  <hr/> <b>Director/Head of the Service</b>	<b>Date:</b>  <hr/>	

## CABINET REPORT

24<sup>th</sup> May 2010



**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** TEES VALLEY CLIMATE CHANGE STRATEGY & IMPLEMENTATION PLAN

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### SUMMARY

#### 1. PURPOSE OF REPORT

To present and seek approval for the Tees Valley Climate Change Strategy and Implementation Plan, in order that Cabinet adopts the Strategy and local implementation plan for Hartlepool.

#### 2. SUMMARY OF CONTENTS

This report introduces the Tees Valley Climate Change Strategy and implementation plan, explains the challenges and benefits that they will bring about, and outlines the main elements within the documents.

#### 3. RELEVANCE TO CABINET

There are three National Performance Indicators for local authorities which directly relate to action on climate change; NI185 (emissions from the local authority's operations), NI186 (emissions from the whole borough) and NI188 (the extent to which the local authority is prepared for the effects of climate change).

An initial impact assessment of the effects of climate change on HBC's services revealed that work must be undertaken to ensure that disruption to services is minimised. The cost of action now will be considerably less than the cost of dealing with the effects of climate change once they worsen.

#### 4. TYPE OF DECISION

Key. (test ii applies)

**5. DECISION MAKING ROUTE**

Cabinet on 24<sup>th</sup> May 2010.

**6. DECISION(S) REQUIRED**

That Cabinet agrees that HBC adopt the Tees Valley Climate Change Strategy and draft Implementation Plan, and supports the delivery of actions within these documents.

**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** TEES VALLEY CLIMATE CHANGE STRATEGY & IMPLEMENTATION PLAN

---

## 1. PURPOSE OF REPORT

To seek approval of the Tees Valley Climate Change Strategy and the Hartlepool Implementation Plan, in order that they be adopted by Hartlepool Borough Council (HBC) and the Hartlepool Partnership.

## 2. BACKGROUND

- 2.1 The UK is legally obliged to reduce emissions by 80% by 2050, and the first three UK Carbon Budgets have committed the UK to reduce emissions by 34% by 2022. The recent consultation on “Strengthening Local Democracy”<sup>1</sup> raised the possibility of assigning carbon budgets to local authorities in the future and pilot authorities were announced in January 2010.
- 2.2 The Tees Valley Climate Change Partnership (TVCCP) was formally established in 2005 and includes the five Tees Valley local authorities, the Environment Agency, RENEW, Tees and Durham Energy Advice Centre (TADEA), the Energy Savings Trust, Teesside University and the Primary Care Trusts.
- 2.3 The first Tees Valley Climate Change Strategy was produced in 2007, and The Hartlepool Partnership produced its own strategy to drive action within Hartlepool.
- 2.4 TVCCP has revised the Tees Valley Climate Change strategy to reflect substantial changes in national legislation and to align the strategy with the economic development priorities of the City Region.
- 2.5 It is proposed that the revised strategy should supersede the Hartlepool Climate Change Strategy, and that Hartlepool will produce an implementation plan to outline local actions that will be undertaken in response to the Tees Valley Climate Change Strategy.
- 2.6 The Tees Valley emissions baseline has been aligned with NI 186 (Per capita CO<sub>2</sub> emissions in the local area) reporting to prevent duplication

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<sup>1</sup> <http://www.communities.gov.uk/publications/localgovernment/localdemocracyconsultation>

- 2.7 in monitoring targets. The target in the strategy is a 21% emissions reduction by 2020, based on a 2005 baseline. This equates to a 34% reduction from 1990 levels, and is therefore in line with the UK Carbon Budgets. Major industrial emissions will be monitored through the M7 indicator under the Multi Area Agreement and Tees Valley Unlimited TVU (formerly the Tees Valley Joint Strategy Unit) is currently developing a 'Low Carbon Transition Plan' which will provide a framework to achieve reductions in emissions associated with industry and transport that are beyond the scope of NI 186.
- 2.8 Hartlepool Borough Council, along with every Local Authority in the North East committed to participate in the Covenant of Mayors initiative by reducing emissions in their local territory by at least 20% by 2020. An Emissions Baseline and a Sustainable Energy Action Plan (detailing how local authorities will meet this target) must be submitted by all the North East Local Authorities by October 2010.

### 3. The Tees Valley Climate Change Strategy & Implementation Plan

- 3.1 The new strategy will, if accepted, be launched during the Summer of 2010. The strategy is attached as **Appendix 1**.
- 3.2 The strategy has six broad themes where action will be taken:
- i) Business;
  - ii) Housing;
  - iii) Travel;
  - iv) Local Environment;
  - v) Communications and awareness raising; and
  - vi) Implementation
- 3.3 The medium term implementation of the strategy will be achieved by integrating the Climate Change Strategy into existing delivery and monitoring mechanisms of the TVU Business Plan. This will provide effective and efficient medium to long term coordination of climate change objectives for the Tees Valley, support the Covenant of Mayors commitments, and will continue to be delivered through Local Area Agreements. These include, but are not limited to:
- Developing a communication strategy (Carbon Achievement Zone) for the Tees Valley in order to coordinate and target communication and action on climate change.
  - Adopting planning policies that go beyond minimum legislative requirements for energy efficiency and renewable energy on new and existing developments, and transport modal shifts through Local Development Frameworks.

- Making a joint commitment to lead by example in improving the energy efficiency of public sector buildings, and integrate low or zero carbon technologies in public sector buildings, including schools.
- Maximising opportunities to retrofit insulation measures, low carbon heating and cooling systems for vulnerable residents, and adaptation measures.
- Supporting the Green Business Award Scheme developed by the Tees Valley Green Business Network.

3.4 A comprehensive consultation process has been undertaken to ensure that the strategy is accurate and reflects the needs of all stakeholders.

3.5 Hartlepool has produced a local Implementation Plan that includes actions to address Themes i to v from the list above. The plan is attached as **Appendix 2**, and will be developed over the coming year, as new partners are engaged.

#### **4. FINANCIAL CONSIDERATIONS**

4.1 Financing for Hartlepool Borough Council's actions within the plan will be met by internal budgets, which have already been identified. As further actions are developed, additional funding may be sought.

#### **5. RISK**

5.1 It will be difficult to assess the effectiveness of individual actions within the Implementation Plan. To reduce this risk, an emissions inventory baseline will be produced, and progress against the baseline tracked to monitor performance.

#### **6. RECOMMENDATIONS**

6.1 That Cabinet agrees the attached Carbon Reduction Strategy & Implementation Plan, and supports the delivery of the actions involved.

#### **7. CONTACT OFFICER**

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# Tees Valley Climate Change Strategy

## Executive Summary

# Contents

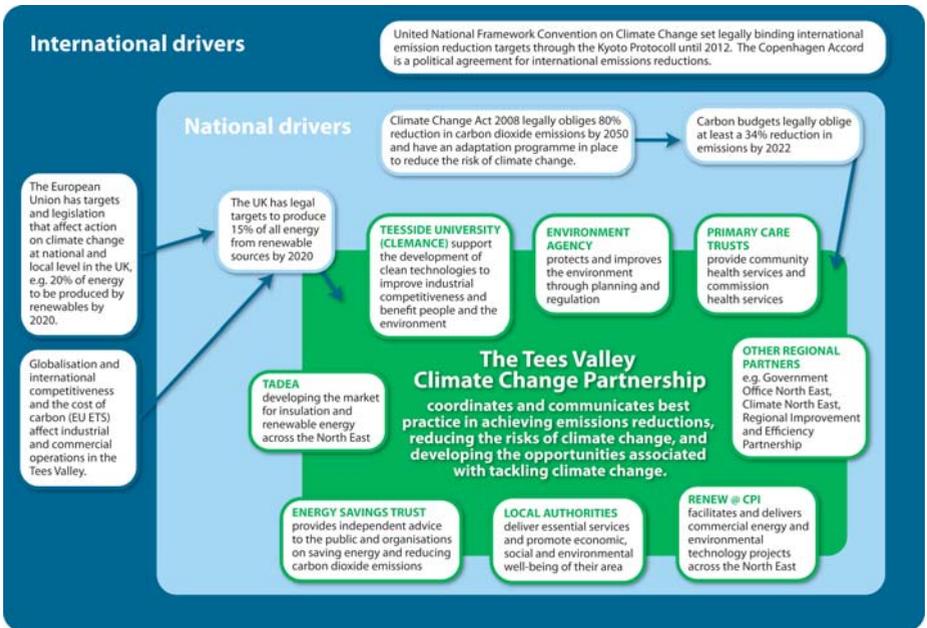
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# Climate Change

Climate Change will increasingly affect everyone in the Tees Valley. We need to take action to reduce our emissions (**mitigation**) and to adapt our lifestyles, properties and environment (**adaptation**).

The Tees Valley Climate Change Partnership was established in 2005 and includes the five Tees Valley local authorities, the Environment Agency, RENEW, Tees and Durham Energy Advice Centre (TADEA), the Energy Savings Trust, Teesside University (CLEMANCE), and the Primary Care Trusts. The first Tees Valley Climate Change Strategy was adopted in 2007. We have revised the strategy to reflect major changes in the national policy context and the desire to engage other sectors.



## The Challenge of Climate Change

In 2006 the Stern Review concluded that we need to reduce our annual emissions by at least 80% to prevent dangerous climate change, and that the costs of action now is far less than the costs of dealing with climate change in the future. The UK Climate Change Act 2008 commits the UK to reduce carbon emissions by 80% by 2050.



## Tees Valley Emissions Baseline

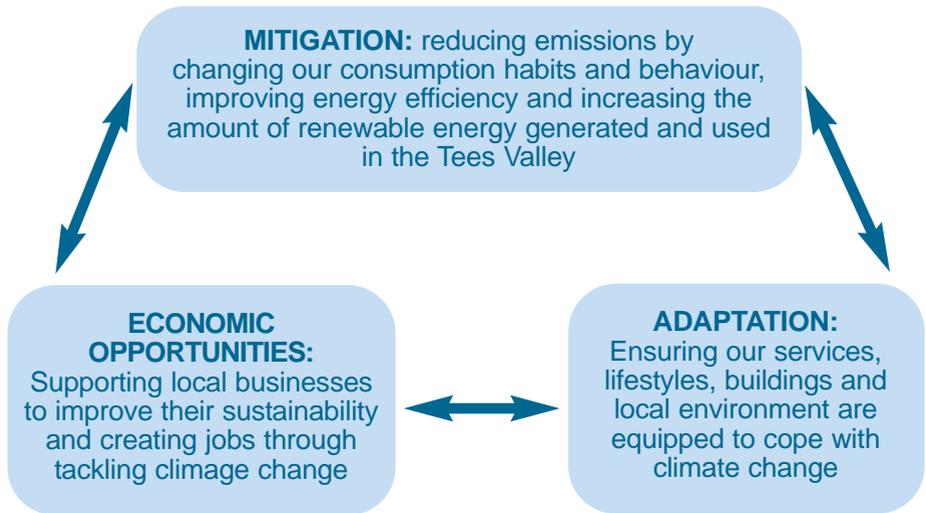


The Tees Valley NI 186 emissions baseline in 2005 was 7,125,000 tonnes of CO<sub>2</sub> - we will reduce this by 21% by 2020 - almost 1,500,000 tonnes of CO<sub>2</sub>.

Tackling climate change creates significant new opportunities. In 2008, every Local Authority in the North East signed up to the Covenant of Mayors initiative, a commitment to reducing CO<sub>2</sub> emissions in local areas by at least 20%. In 2009, the North East was designated by the government as a Low Carbon Economic Area to develop ultra low carbon vehicles. A Low Carbon Transition Plan has been developed for the Tees Valley to exploit the key infrastructure, technologies and sectors that will benefit the sub region based on our unique assets and skills.

## Where do we want to be and how are we going to get there?

The vision of the Tees Valley Climate Change Partnership is "creating prosperous and resilient communities in a low carbon economy." Alongside the Low Carbon Transition Plan for the Tees Valley, and the Covenant of Mayors, the Tees Valley Climate Change Strategy prioritises substantial and measurable emissions reductions, adaptation to the impacts of climate change, and developing the economic opportunities associated with climate change.



# Business

## Where we need to be

All organisations in the Tees Valley have access to low carbon energy, operate with improved resource efficiency, are resilient to, or protected from, climate change impacts, and have taken full advantage of the economic opportunities associated with climate change.

The energy, resources, chemicals and process industries are vital to the Tees Valley economy. The Low Carbon Transition Plan for the Tees Valley demonstrates how the low carbon economy can build on the unique infrastructure, skills and partnerships in the sub-region to develop in a way that supports existing industry, as well as attracting new technologies and sectors to the sub region. The principal sectors and technologies targeted in the plan include:

- Carbon Capture and Storage
- Low carbon energy using biomass, waste and industrial by-products
- Resource recovery that recovers optimal value from 'waste'
- Biofuels and biotechnology to produce renewable fuels and feedstock for the chemicals sector
- Advanced engineering and manufacturing

### *The Tees Valley Climate Change Partnership will:*

- Lead by example in improving the energy efficiency and resilience of the buildings we are responsible for, and install low carbon technologies in our own buildings wherever we can. Good practice will be shared and promoted across the Tees Valley.
- Drive energy efficiency and the use of renewable energy through the planning system. This will help to create local jobs in insulation, energy efficiency, renewable energy, and adapting buildings.
- Help businesses to adapt to climate change.
- Promote sustainability through public sector procurement processes.
- Encourage and support businesses in the Tees Valley to improve their resource efficiency, adapt to climate change and reduce their emissions through free advice and the Green Business Network Environmental Award Scheme.

# Housing

## Where we need to be

All homes in the Tees Valley are insulated to the best possible standards, and are resilient to impacts such as flooding and heat waves. New homes are designed to maximum possible sustainability standards. Communities and new developments have taken advantage of opportunities for power micro generation and/or district heating.

National Energy Action calculated that almost 30 per cent of people in the North East region are living in fuel poverty and there are approximately 91,000 unfilled cavity walls and 145,000 lofts with inadequate levels of loft insulation. There are major programmes to improve home insulation and boiler upgrade programmes in the Tees Valley. However, approximately 80% of homes in the Tees Valley are owner occupied or privately rented which creates particular challenges in improving their energy efficiency and resilience to climate change. This is because privately owned or rented houses are usually treated on a case by case basis, whereas programmes to improve social housing are more straightforward to implement.

Regardless of tenure, it is important to ensure that future rising costs of energy do not result in vulnerable households being unable to sufficiently heat or cool their homes in the future.

Service provision will be increasingly affected by climate change and major weather events such as flooding can increase levels of social deprivation. Poorer households often suffer disproportionately and may not be insured. After a flood, it is vital that affected structures are made more resilient, for example, by raising ground level electrical sockets and improving surface drainage, to reduce the impacts and costs of future events. The most vulnerable people such as the elderly are most affected during heat waves.

### *The Tees Valley Climate Change Partnership will:*

- Improve home insulation and install energy efficient boilers as a priority because it reduces fuel poverty as well as reducing emissions.

- Ensure all social housing stock achieves maximum practicable energy efficiency by 2020. However, this accounts for less than 10% of all homes in the Tees Valley, so we will also target private landlords and owner occupiers to promote home energy efficiency.
- Develop a communication campaign for the Tees Valley sub region that will specifically target households according to tenure.
- Maximise opportunities for retrofitting during refurbishments of housing stock, such as Decent Homes improvements.
- Encourage and support the retrofit of homes that have been affected by flooding for example by raising ground level electrical sockets and improving surface drainage, to reduce the impacts and costs of future events.
- Through Tees Valley Unlimited, investigate options for introducing district heating (and cooling) in the Tees Valley. We will investigate how best to promote low carbon cooling technology to vulnerable residents.



# Travel

## Where we need to be

The Tees Valley has excellent public transport and electric vehicle infrastructure and is easily accessible by active and sustainable travel options such as walking and cycling.

Tees Valley consists of five urban population centres with no single dominant centre of commercial activity, so despite the fact that car ownership levels in Tees Valley are well below the national average, private vehicle use accounted for over 60% of transport emissions in 2005.

In the Tees Valley, there are significant pockets of deprivation, including several communities geographically isolated from towns and services where many households do not have access to a car. Access to jobs and services by public transport is necessary to improve social inclusion and improve the vitality of low-income neighbourhoods.

Obesity and corresponding health problems are a growing problem in the Tees Valley. The National Institute of Clinical Excellence recommend that planning applications for new developments should prioritise the need for people to be physically active as a routine part of their daily life, (including those whose mobility is impaired).

Local facilities and services must be easily accessible on foot, by bicycle and by other modes of transport involving physical activity.

### *The Tees Valley Climate Change Partnership will:*

- Prioritise improving public and sustainable transport in Local Transport Planning, and increase the provision of facilities for cyclists throughout the Tees Valley.
- Develop travel plans to influence people's travel behaviour towards more active and sustainable options such as walking, cycling and the use of public transport
- Prioritise active and sustainable travel. Public sector organisations will improve the environmental impact of their fleet vehicles.
- Include climate change impacts in Transport Asset Management Plans and ensure that footpaths and cycle routes are maintained in good condition so that people are encouraged to use them.

# Our Local Environment

## Where we need to be

We fully value and benefit from the ecosystem services provided by our natural environment, and everyone has access to high quality green spaces.

The natural environment plays a crucial role in enhancing community health, and wellbeing, and supporting economic development, as well as providing ecosystem services that absorb carbon emissions, support biodiversity, and minimise the impacts of flooding and heat waves. The way in which the built environment is planned and designed also influences climate change and biodiversity. An attractive urban environment raises the value of commercial facilities such as offices, and better building design can greatly reduce the energy consumption of buildings, as well as increase their resilience to flooding and heat waves.

### *The Tees Valley Climate Change Partnership will:*

- Go beyond minimum requirements to integrate renewables in new developments where feasible, and will consider how building design can be optimised to reduce emissions as well as adapt to climate change.
- Promote the implementation of the Tees Valley Green Infrastructure Strategy to help us deal with the impacts of climate change, for example by increasing trees in urban areas, to provide shade and absorb carbon emissions.
- Consider future climate change when deciding the most appropriate species to plant now, taking into account the biodiversity impact of the species chosen.
- Optimise areas to increase flood attenuation, and create opportunities for biodiversity to adapt to climate change by improving wildlife corridors and habitats.
- Ensure there are adequate maintenance plans for debris clearance from streams, rivers, becks, and surface water drainage to prevent localised back-up flooding.
- Use public sector procurement processes to increase the demand for locally produced, organic and fair-trade products.
- Investigate the feasibility of promoting local food production at a sub regional level, for example through organic box schemes and farmers markets.

# Communication and Awareness Raising

## Where we need to be

All sections of our communities are increasingly aware of the need for sustainable development and able to play a role in tackling climate change. We value quality of life and sustainable consumption.

Technological solutions can help us reduce our carbon emissions, but changes in lifestyles and daily behaviour are just as important. In the UK, despite a high level of knowledge about climate change, most people are not taking action to reduce their personal carbon emissions.

### *The Tees Valley Climate Change Partnership will:*

- Conduct periodical surveys to determine the extent of knowledge and action on climate change in the Tees Valley and use this to assess progress on communication and awareness raising.
- Ensure that householders and businesses living in flood warning areas are aware of potential disruption caused by flooding, and will improve community preparedness for severe weather events.
- Increase the number of schools participating in Eco-Schools and the Climate Change Lead Schools project
- Build on existing networks of professionals and volunteers to engage with local communities on climate change, especially hard-to-reach and vulnerable groups.
- Ensure local events and attractions are low-carbon and sustainable as far as possible. For example the Tall Ships event in 2010 will be a Sustainable Event.

It is important to remember that most of our personal carbon emissions are a 'hidden' consequence of modern day living and that the vast majority of actions we need to take to tackle climate change will improve our quality of life as well as our local environment.



# Implementation

The Tees Valley Climate Change Strategy [\[insert link to Main Document\]](#) is based on the short term actions included in the Tees Valley Local Authority Climate Change Action Plans. These are all actions that are either already being implemented by Local Authorities and other members of the Tees Valley Climate Change Partnership, or are planned for 2010. Tees Valley Unlimited will publish annual progress reports to monitor progress on implementing the strategy.

## Further Information

Links to:

- [Tees Valley Climate Change Strategy](#)
- [Green Business Network](#)
- [Green Infrastructure](#)





*Tees Valley*  
unlimited



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### **Hartlepool Action on Climate Change: Implementation Plan**

The Tees Valley Climate Change Strategy is a sub-regional document that outlines priority actions that must be put in place in order to ensure that the impacts of climate change are minimised within the Tees Valley. The strategy was produced by Tees Valley Unlimited (formerly the Tees Valley Joint Strategy Unit) along with partners from the sub-region, and has six broad themes, which are:

- a. Business;
- b. Housing;
- c. Travel;
- d. Local Environment;
- e. Communication & Awareness Raising; and
- f. Implementation.

Themes 'a' to 'e', above, represent the work that must be undertaken across the Tees Valley to reduce carbon dioxide (CO<sub>2</sub>) emissions and maximise resilience to a changing climate. Theme 'f' outlines the requirement that partners are required to produce local action plans to ensure that the entire community is onboard and working towards the Tees Valley Climate Change Partnership's ultimate goal of "creating prosperous and resilient communities in a low carbon economy". Themes 'a' to 'e' form the basis of Hartlepool's local action plan.

This Implementation Plan is Hartlepool's own local response to the challenges set out in the Tees Valley Climate Change Strategy. The document is not a blueprint view of how, when and/or by whom action will be taken, but will instead remain flexible and adaptable as new challenges arise. Specific actions will be developed and assigned to individuals and groups throughout the lifetime of the strategy. Performance against actions within this document will be regularly reviewed and will be presented annually.

The following pages outline high-level actions that will be undertaken during 2010-11.

## APPENDIX 2

### Theme 1: Business

Hartlepool's industry and commerce sector (including public services) is responsible for approximately half of all carbon emissions originating from within the local authority boundary. It is, therefore, vital that organisations within this sector are fully aware of the issues surrounding climate change, understand the potential implications of climate change on their operations and are aware of how they can take action to reduce their carbon footprint and climate proof their organisations.

Action Ref.	Title	Description	Owner	Due Date
1.1	Deliver actions within Hartlepool Borough Council's Carbon Reduction Strategy	Hartlepool Borough Council has produced a carbon reduction strategy, which outlines work that will be required to achieve an aspirational 35% carbon reduction target for the authority. The emissions scope includes energy and fuel use from buildings (including schools), public lighting and transport.	Paul Hurwood (Hartlepool Borough Council (HBC))	31/03/2014
1.2	HBC to produce a climate change adaptation strategy for its own operations, and disseminate to members of the Hartlepool Partnership.	HBC provides numerous essential services to the community that it serves. It is vital that these services are able to cope with the pressures of a changing climate. By producing a climate change adaptation strategy, along with associated actions, HBC will minimise the effects of climate change on service provision.	Paul Hurwood (HBC)	31/03/2011

## APPENDIX 2

1.3	Produce a climate change adaptation leaflet for business and distribute to all businesses within the borough	Businesses must be prepared for the effects of climate change, and a pamphlet outlining risks and the need for action will be an important first step in increasing the resilience of business in a changing climate.	Paul Hurwood (HBC)	31/03/2011
1.4	Promote the Tees Valley Green Business Network and Award Scheme	The Tees Valley Green Business Network and Award Scheme offer support and recognition to those businesses with a proactive response to action on climate change. Businesses will benefit from participation in the network and award scheme regardless of the level of environmental work that they have been involved in previously: those businesses wishing to make the first steps will be supported in doing so, and those already working on reducing their environmental impact will be rewarded with high profile recognition.	Paul Hurwood (HBC)	31/03/2011
1.5	Gain Cabinet approval for Hartlepool Borough Council's Sustainable Procurement Policy, and produce a Sustainable Procurement Strategy	Hartlepool Borough Council has recently appointed a Procurement Manager to oversee procurement issues across the authority. In order to maximise the efficiency of HBC's procurement of goods and services, and to maximise the procurement of services locally, HBC's sustainable procurement policy will be reviewed, and a sustainable procurement strategy produced.	David Hart (HBC)	31/03/2011

## APPENDIX 2

1.6	Provide supplementary training and information to planners to ensure that renewable energy technology opportunities are maximised	The planning system offers a unique opportunity to drive energy efficiency and the installation of renewable energy technology within the local area. It will be vital that regional training and information events are held to ensure that planners are kept up to date with advancements that will come about as a result of the Government's Low Carbon Transition Plan and the Tees Valley Economic Rescue Package.	Bill Kirkup (North East Improvement & Efficiency Partnership (NEIEP))	31/03/2011
1.7	HBC to register for participation in the Government's Carbon Reduction Commitment Energy Efficiency Scheme (CRCEES).	The CRCEES is a national scheme that will place all organisations using over 6,000MWh energy into a league table to show carbon reduction performance. HBC is included in the CRC and must register and submit a baseline carbon emission inventory.	Paul Hurwood (HBC)	30/09/2010

## APPENDIX 2

### Theme 2: Housing

High quality, energy efficient homes will be essential in order that the Hartlepool community can reduce its carbon footprint. Work to improve the efficiency of homes must be wide reaching, and support residents with varying needs. It is important that support and guidance on improving energy efficiency within the home is given to those residing in social, privately rented and owner occupied housing. Existing buildings may be retrofitted with available technology, including insulation, renewable energy installations and new builds must be of a high quality to ensure that they are not prone to the effects of a changing climate. Adaptation of housing to minimise the effects of climate change will be a key to ensuring sustainable communities.

Action Ref.	Title	Description	Owner	Due Date
2.1	Appointment of an officer with responsibility for sustainability issues for Housing Hartlepool	Housing Hartlepool is Hartlepool's major social housing provider, and has a great deal of influence over a large section of the borough's housing stock. An officer with direct responsibility for sustainability issues will allow Housing Hartlepool to ensure that the carbon footprint of the housing stock is minimised.	Philip Cowan (Housing Hartlepool)	31/05/2010
2.2	Work with Registered Social Landlords to improve the energy efficiency of buildings and give energy saving advice to tenants	All areas of the community must be targetted to ensure that a consistent message is sent out to the entire community. RSL's properties make up a significant proportion of the borough's housing stock and work will be undertaken to engage RSL's.	Paul Hurwood (HBC)	31/03/2011

**APPENDIX 2**

<b>2.3</b>	Identify grants for home owners and promote to ensure take-up	Grants are widely available for home insulation. Proposed Feed in Tariffs will make the installation of renewable energy technologies more desirable. Opportunities for the above will be widely promoted to ensure that residents are aware of such schemes and are in a position to choose suitable installations.	Paul Hurwood (HBC)	31/03/2011
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## APPENDIX 2

Theme 3: Travel				
<p>Travel makes up approximately one quarter of all carbon emissions originating from within Hartlepool. The majority of residents travel regularly by either car, taxi, bus or train. Hartlepool has a comprehensive public transport network, but more work must be done to ensure that it is used to its full potential. Furthermore, walking and cycling must be promoted to the wider community, and footpaths and cyclepaths must be developed and maintained to ensure that people are encouraged to use them.</p>				
Action Ref.	Title	Description	Owner	Due Date
3.1	Appoint a Sustainable Travel Officer for Hartlepool Borough Council	HBC must ensure that its own employees are travelling in the most appropriate manner. By appointing a sustainable travel officer, HBC will be facilitating the move to a more sustainable transport network.	Paul Robson (HBC)	30/06/2010
3.2	Ensure that the effects of climate change are taken into account in the revised Local Travel Plan (LTP3)	The Local Travel Plan (LTP2) for Hartlepool is currently being re-written. In order for LTP2 to deliver actions over the coming years, it is vital that climate change projections are considered throughout the document. LTP2 will also detail actions that will be taken to improve public transport provision and improve walking and cycling routes.	Mike Blair (HBC)	31/03/2011

Action Ref.	Title	Description	Owner	Due Date
3.1	Appoint a Sustainable Travel Officer for Hartlepool Borough Council	HBC must ensure that its own employees are travelling in the most appropriate manner. By appointing a sustainable travel officer, HBC will be facilitating the move to a more sustainable transport network.	Paul Robson (HBC)	30/06/2010
3.2	Ensure that the effects of climate change are taken into account in the revised Local Travel Plan (LTP3)	The Local Travel Plan (LTP2) for Hartlepool is currently being re-written. In order for LTP2 to deliver actions over the coming years, it is vital that climate change projections are considered throughout the document. LTP2 will also detail actions that will be taken to improve public transport provision and improve walking and cycling routes.	Mike Blair (HBC)	31/03/2011

**APPENDIX 2**

<b>3.3</b>	Develop the membership of the Environment Transport Working Group	The Environment Transport Working Group is a sub-group of Hartlepool's Environment Partnership. The group meets quarterly to discuss ways in which carbon emissions from transport provision within Hartlepool can be minimised. Work will be undertaken to widen membership of the group to include all relevant stakeholders.	Paul Robson (HBC)	31/03/2011
<b>3.4</b>	HBC to trial new low carbon vehicles	The car and commercial vehicle market is in a rapidly advancing process of transition regarding vehicle carbon emissions. HBC will trial new models to ensure carbon emissions from its vehicle fleet are maximised.	Dave Morton (HBC)	31/03/2011
<b>3.5</b>	HBC to roll launch the Hartlepool Eco-Driving Scheme and Back to Cycling training courses	HBC to offer driver training to employees to improve fuel efficiency, reduce carbon emissions and reduce the incidence of road traffic accidents.	Paul Watson (HBC)	31/03/2011

## APPENDIX 2

### Theme 4: Local Environment

The natural and built environment play crucial roles in enhancing community health and wellbeing, supporting economic development and minimising the effects of climate change. Trees provide shade, absorb atmospheric CO<sub>2</sub> and reduce the risk of surface water flooding, whilst sustainable urban drainage systems alleviate the risk of flooding. Furthermore, many species are at risk due to the effects of climate change, and work will be required to ensure that wildlife corridors exist for the northerly migration of species into and out of Hartlepool.

Action Ref.	Title	Description	Owner	Due Date
4.1	Investigate the provision of wildlife corridors for migrations of species into and out of Hartlepool	As temperatures increase, species will migrate northwards. In order for species to survive, suitable habitats must be available to the north. A coordinated approach must be taken to ensure that local authority boundaries do not dictate the movement of species.	Paul Hurwood (HBC)	31/03/2011
4.2	Produce a new Tree Strategy for Hartlepool	Trees play an important role in mitigating against climate change and adapting to the effects of climate change, as they reduce the urban heat island effect, provide shade during heatwaves, intercept surface water and absorb atmospheric carbon dioxide. A new tree strategy will replace Hartlepool's 2005 strategy.	Tony Dixon (HBC)	31/03/2011
4.3	Continue to seek opportunities to engage the public in tree planting events	The Pride in Hartlepool Initiative has provided the opportunity for widespread community tree planting activities within Hartlepool. Work will continue to engage the community in such work.	Kate Ainger (HBC)	31/03/2011

**APPENDIX 2**

<p style="text-align: center;"><b>4.4</b></p>	<p>Work to increase requirement for integration of renewable energy installations at new developments.</p>	<p>New developments present an ideal opportunity for the installation of renewable energy technology, but without a coordinated Tees Valley approach, developers may be put off by demands of planning authorities. Tees Valley authorities must work together to ensure that requirements across the sub-region are consistent.</p>	<p style="text-align: center;">Tees Valley Unlimited</p>	<p style="text-align: center;">31/03/2012</p>
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## APPENDIX 2

### Theme 5: Communication & Awareness Raising

High-level strategic actions alone will not be sufficient to reduce the effects of climate change. It is equally important that each person and organisation within Hartlepool is aware of the issues, understands the challenge, and is taking action to reduce the effects of climate change.

Action Ref.	Title	Description	Owner	Due Date
5.1	Deliver Smarter Living Roadshow at various locations around Hartlepool	The Smarter Living Roadshow was launched in 2009 by various partners, and travelled the borough educating the community of the need for action and how each of us can make small changes to our lifestyles to reduce carbon emissions, and at the same time improve health and wellbeing and save money. Work will continue to develop the roadshow, with a flagship stall at the Tall Ships event.	Kate Ainger (HBC)	31/03/2011
5.2	Promote the Mayor's Buy Local Campaign	Locally produced goods and services have a lower carbon footprint, and improve the economic wellbeing of the local area. Work will be undertaken to promote the benefits of locally produced goods and services at various events, including the Smarter Living Roadshow.	Paul Hurwood (HBC)	31/03/2011
5.3	Contribute to a Tees Valley climate change communication campaign, and deliver the campaign locally	A coordinated approach to communicate with all Tees Valley residents will be a highly effective way to raise awareness of the issues surrounding climate change and to give advice on how to take action. The campaign will complement ongoing local activity, such as the Smarter Living Roadshow.	Paul Hurwood (HBC)	31/03/2011

**APPENDIX 2**

<p><b>5.4</b></p>	<p>Work with the local media to ensure that climate change messages are presented to the community in a clear way.</p>	<p>Hartlepool Borough Council's Press Office has produced a large volume of environmental press releases over recent years, attracting positive publicity from the local media. The Press Office has a major role to play in ensuring momentum is maintained, and that climate change messages reach all areas of the community.</p>	<p>Alastair Rae (HBC)</p>	<p>31/03/2011</p>
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# CABINET REPORT

24 May 2010



**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** NEW FLOOD RISK MANAGEMENT LEGISLATION

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## SUMMARY

### 1. PURPOSE OF REPORT

- To update Cabinet regarding implementation of the Flood Risk Regulations (2009) and Floods and Water Management Act (2010) following a previous report dated 19<sup>th</sup> October 2009 and to discuss the key recommendations specifying increased roles and responsibilities to Local Authorities in future flood risk management;
- To inform Cabinet of a successful bid for grant of £65k made to the Environment Agency / Defra and the intended benefits to be drawn from this.

### 2. SUMMARY OF CONTENTS

The report provides an update on both the Flood Risk Regulations (2009) and Floods and Water Management Act (2010) and describes key features and implications on the Council. This report further discusses the requirement for a Surface Water Management Plan (SWMP), funding and financial considerations and the next steps towards delivering challenging objectives for 2010/11.

### 3. RELEVANCE TO CABINET

The new legislation relates to strategic management of surface water and flooding and imposes new statutory duties on the Council.

### 4. TYPE OF DECISION

This is a non key decision.

### 5. DECISION MAKING ROUTE

Cabinet on 24<sup>th</sup> May 2010

**6. DECISION(S) REQUIRED**

To note the content of the report and authorise officers to award a contract for specialist consultancy support using the Environment Agency's Strategic Flood Risk Management Framework 2 (SFRMF2).

**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** NEW FLOOD RISK MANAGEMENT LEGISLATION

---

## **1. PURPOSE OF REPORT**

- 1.1 To update Cabinet regarding implementation of the Flood Risk Regulations (2009) and Floods and Water Management Act (2010) following a previous report dated 19<sup>th</sup> October 2009 and to discuss the key recommendations specifying increased roles and responsibilities to Local Authorities in future flood risk management.
- 1.2 To inform Cabinet of a successful bid for grant of £65k made to the Environment Agency/ Defra and the intended benefits to be drawn from this.

## **2. BACKGROUND TO THE LEGISLATION**

- 2.1 The Floods and Water Management draft Bill was consulted upon during the summer of 2009. Initially it was thought that implementation of the final Act could be delayed due to the uncertainty regarding the implications arising from a general election. As a consequence, a condensed version of the Act entitled "The Flood Risk Regulations (2009)" was introduced in late 2009 in order to continue the momentum from the consultation process.
- 2.2 The Floods and Water Management Act 2010 itself received its Royal Assent in April 2010 and is now statute.

### **FLOODS AND WATER MANAGEMENT ACT 2010**

- 2.3 The Act takes forward some of the proposals in three previous strategy documents published by the DEFRA; these include:
- Making Space for Water (March 2005)
  - Future Water (the Government's water strategy for England, February 2008);
  - The UK Government's response to the Sir Michael Pitt's Review of the summer 2007 floods.
- 2.4 One core outcome of the Act is the requirement for local authorities to investigate the suitability and potential implementation of new Sustainable Urban Drainage Systems (SUDS) as a solution to surface water management. Full proposals on sustainable drainage systems including local authorities increasing the use of SUDS through Development and Building

Control and ultimately adopting and maintaining the SUDS solutions, whether or not situated on Council owned land.

- 2.5 The use of SUDS in Hartlepool was briefly touched upon within the Hartlepool Integrated Urban Drainage (IUD) Pilot Study (2007) which was undertaken by Northumbrian Water in partnership with the Council and the Environment Agency. The use of SUDS techniques for future sustainable surface water management can only be reasonably considered through the development (and subsequent implementation) of a Surface Water Management Plan (SWMP).
- 2.6 The development of a SWMP, building on the output from the IUD pilot study, would be extremely beneficial for Hartlepool as it would identify areas within the Borough which are considered more suitable for the use of SUDS. The use of SUDS solutions would generate increased responsibilities for the Council's technical staff given the technical design and maintenance inputs.

In addition to the use of SUDS, other key features of the Act propose to:

- Give the Environment Agency an overview of all flood and coastal erosion risk management and Unitary and County Councils the lead in managing the risk of all local floods;
  - Widen the list of uses of water that water companies can control during periods of water shortage, and enable Government to add to and remove uses from the list.
  - Enable water and sewerage companies to operate concessionary schemes for community groups on surface water drainage charges.
  - Reduce 'bad debt' in the water industry by amending the Water Industry Act 1991 to provide a named customer and clarify who is responsible for paying the water bill.
  - Make it easier for water and sewerage companies to develop and implement social tariffs where companies consider there is a good cause to do so, and in light of guidance that will be issued by the Secretary of State following a full public consultation.
- 2.7 A further requirement of the Act is for lead flood authorities (the Council) to investigate area wide flooding incidents which it becomes aware of, to the extent that it considers necessary or appropriate. This is in order to:-
- (a) identify which risk management Authority has flood risk management functions in respect of the flooding; and
- (b) establish whether that Authority has responded or is proposing to respond to the flood.
- 2.8 The lead flood Authority must publish the results of any investigation and notify any relevant risk management Authority of those results. Whilst the management responsibility for a flood may be clear in many cases, there may be occasions where this is not the case. The purpose of this provision is to require the Council to investigate where appropriate, in order to ascertain

where responsibility for managing the flood risk lies and what should be done to remedy the problem.

### **FLOOD RISK REGULATIONS (2009)**

2.9 The Flood Risk Regulations require the Council to:

- Carry out an assessment of “local flood risk” considering all sources of flooding except that from main rivers, the sea and reservoirs (other than if they affect local flood risk) by June 2011;
- On the basis of this assessment, identify Flood Risk Areas, which are areas of significant risk taking into account local sources of flood risk and having regard to national thresholds and EA Guidance by June 2011;
- Prepare maps showing the level of hazard and risk in Flood Risk Areas by June 2013, and;
- Prepare management plans for these Flood Risk Areas by June 2015.

2.10 The development of a SWMP will also bring together these different elements, as well as set objectives and measures that relate to the prevention of flooding, protection of individuals, communities and the environment against the consequences of flooding.

2.11 A Surface Water Management plan for Hartlepool will provide an understanding of the mechanisms of surface water flooding and propose mitigation measures, which can provide the evidence base to fulfil the requirement for Flood Risk Management Plans under the Flood Risk Regulations (2009).

## **3. SURFACE WATER MANAGEMENT PLAN**

3.1 In March 2010, DEFRA published the ‘Surface Water Management Plan Technical Guidance’. This publication takes into account the findings from the six DEFRA funded first generation SWMP’s and is aimed at steering local authorities towards meeting the requirements of both the Floods and Water Management Act and the Flood Risk Regulations based on the recommendations presented within the Pitt Review. The technical guidance document sets out the following framework for Local Authorities to follow:

#### Phase One: Preparation

- Identify the need for a SWMP study
- Establish Partnership
- Scope the SWMP study

#### Phase Two: Risk Assessment

- Undertake a strategic assessment
- Undertake intermediate assessment
- Undertake detailed assessment
- Map and communicate risk

Phase Three: Options

- Identify measures
- Assess options

Phase Four: Implementation and Review

- Prepare action plan
- Implement and review action plan

3.2 From the IUD Pilot and Level One Strategic Flood Risk Assessment studies already carried out for Hartlepool, most of the necessary information covering phase one of the framework is available; therefore the SWMP would update this and cover phases two and three.

#### **4. GOVERNMENT FUNDING AND FINANCIAL CONSIDERATIONS**

4.1 Staff from the Engineering Consultancy have successfully gained grant funding from the Environment Agency after developing and submitting a detailed business case supporting key objectives for Hartlepool. The grant funding awarded to the Council is £65,000 designed to produce the following outcomes:-

- To develop a full SWMP for Hartlepool;
- Linked to the SWMP, undertake a targeted study to expand previous Environment Agency studies which provisionally assessed options to reduce flooding in Valley Drive;
- To produce a register of flood assets.

4.2 Under the above grant regime, 282 bids from 117 local authorities were submitted with 49 local authorities successful. Only 17 of the successful bids were to develop a SWMP, the rest related to physical works to solve known flooding problems. It is anticipated that having a fully developed SWMP will be a fundamental requirement in order to secure further Government grant aid to carry out physical improvement works.

4.3 Recent guidance issued by the Government details that from 1<sup>st</sup> April 2010, an additional £36m per year will be awarded to Local Authorities to carry out their obligations as a lead flood authority. This will be awarded as an area based grant direct to each flood authority. This grant needs to be identified and added into the Council's Engineering Consultancy Management budget as staff carrying out the lead flood authority duties will be drawn away from other fee earning activities.

4.4 As a result of concerns raised by local authorities, Ministers have committed to publish a clear way forward on long term funding for SUDS maintenance. It is envisaged by Government that local authorities will be able to promote SUDS in full certainty that there will be no shortfall in funding.

## 5. NEXT STEPS

- 5.1 In the main, the objectives described in paragraph 4.1 can be delivered by the Council's Engineering Consultancy staff, however it will be necessary to undertake specialist modelling and assessment as part of the process. It is therefore proposed that an external consultant is procured to work alongside the Council's Engineering Consultancy technical staff to deliver specialist technical aspects.
- 5.2 The Environment Agency currently operate an approved list of consultants under their Strategic Flood Risk Management Framework (SFRMF2) for delivery of their Surface Water Management Plans. The facility exists for Local Authorities to use this list in line with current procurement rules and it is considered that this would save both time and money in advertising, evaluation and selection of specialist consultants. It is proposed that this list is used for this task.
- 5.3 As described in paragraph 4.1 above, a targeted study is proposed for the Valley Drive area to determine the most cost effective measures to combat flooding in the catchment. Discussions have been ongoing with the Environment Agency for a number of years and for 2010/11 the EA have confirmed that some funding is available under the Local Levy Fund to carry out site based works at Valley Drive. Detailed discussions with the EA will continue in order to develop measures which can be carried out for the budget available and these will be delivered after consultation with residents.
- 5.4 In summary, the acquisition of grant funding against strong competition is a positive achievement for Hartlepool, will allow key objectives to be achieved and ensure that the Council is proactive in implementing the responsibilities from the new legislation.

## 6. RECOMMENDATIONS

- 6.1 It is recommended that Cabinet note the content of the report and authorise officers to award a contract for specialist consultancy support using the Environment Agency's Strategic Flood Risk Management Framework 2 (SFRMF2).

## 7. REASONS FOR RECOMMENDATIONS

- 7.1 To ensure that key objectives relating to flood risk management for the Borough of Hartlepool are delivered.

## 10. 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
5. Flood Risk Regulations – November 2009
6. Flood and Water Management Act – April 2010

**11. CONTACT OFFICER**

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# CABINET REPORT

24 May 2010



**Report of:** Chief Executive

**Subject:** BUSINESS TRANSFORMATION – QUARTERLY PROGRAMME UPDATE

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## SUMMARY

### 1. PURPOSE OF REPORT

To provide a recap on the programme, to update on progress on the Programme since January 2010 and to provide an outline of forthcoming activity.

### 2. SUMMARY OF CONTENTS

The report provides an overview of the current status of the programme and forthcoming reports which will be considered by Cabinet. In providing this review and forward plan it is the intention of the report to provide sufficient information for the overall monitoring of progress of the Programme, against the originally established timescales.

In addition the report includes an update in respect of both financial and risk related issues. Although the financial information is, at this stage, limited due to the previously discussed intended savings profiles it is the intention that these monitoring reports provide up to date information in relation to both savings achieved and the costs incurred for future meetings.

### 3. RELEVANCE TO CABINET

The Business Transformation Programme is a cross cutting council wide programme and is therefore of relevance to Cabinet.

### 4. TYPE OF DECISION

Non Key.

### 5. DECISION MAKING ROUTE

Cabinet 24 May 2010.

**6. DECISION(S) REQUIRED**

6.1 Cabinet are recommended to;

6.1.1 Note the progress made to date on the implementation of the programme and forthcoming reports to Cabinet included in this report.

6.1.2 Identify any issues they wish the Business Transformation Team to take into account in the implementation of the programme.

**Report of:** Chief Executive

**Subject:** BUSINESS TRANSFORMATION – QUARTERLY PROGRAMME UPDATE

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## 1. PURPOSE OF REPORT

1.1 To provide a recap on the programme, to update on progress on the Programme since the last update report in March 2010 and to provide an outline of forthcoming activity.

## 2. BACKGROUND

2.1 At meetings between January and March 2010 Cabinet made decisions in respect of the implementation, and further development of the Business Transformation programme. For information these are shown in detail in **Appendix 1** but some of the key elements are shown below;

- Service Delivery Options Review Programme Report (Year 2 Reviews)  
Cabinet noted the scope, inclusions and timescales for the reviews.

2.2 Whilst progress has been made on the programme it is important to note that there are further factors, outside the control of the authority which continue to impact upon the Council (and this programme) in the short and medium terms. From 2010/11 the efficiency target which Central Government expects the authority to deliver each year has been increased from 3% to 4% (in broad terms this equates to additional efficiency savings of approximately £800K over and above those already required).

2.3 In addition, and whilst this is currently not precisely quantifiable, there is an increasing expectation that following the general election that there will be a significant reduction in grant settlements to local authorities. The Business Transformation Programme, when it was established, was based on a number of assumptions, and at that point, such a reduction was not envisaged. The BT programme contributes significant savings to support the Medium Term Financial Strategy but is unlikely, in its current form, to meet all of these requirements.

2.4 The Business Transformation Programme has been established to contribute a minimum of £6m towards the Medium Term Financial Strategy (MTFS) of Council and the budgetary issues which have been reported to Cabinet for the short and medium terms

## 3. Current Programme status and progress on actions

3.1 Overall the status of the programme is classed as on target, although there are elements of the programme where there has been some slippage. There has been some slippage in individual workstreams against original targets (except

for Corporate Restructures/Management Structures) which has been incorporated into the workstream plans. The impact of the slippage across the related workstreams will continue to be managed.

- 3.2 The programme overall is on target to deliver the efficiencies required at this stage. The financial monitoring arrangements continue to be refined, and target savings continue to be reviewed in line with progress. The funding proposal for one-off costs was referred from Council to Scrutiny and approved on September 21 2009.
- 3.3 Brief summaries of progress and plans for each workstream are attached in **Appendix 2** to this report.
- 3.4 Specific points to note during the fourth quarter of 2009/10 include:
- Consultation and implementation of the revised management structures at tiers four and five to deliver the management structure savings target
  - Early Retirement/Voluntary Redundancy requests confirmed in both management and administrative areas
  - Further progress on the HR/Payroll system. The HBC monthly payroll went live in January 2010 and the implementation of the payroll aspects of the ResourceLink system (phase 1a) is now complete
  - All employees are now paid monthly, with the final weekly payment arrangements ceasing in March.
  - Relocation of payroll teams completed and the team is now based in the Civic Centre.
  - The accommodation pilot area has been expanded to all of Level 3 in the Civic Centre
  - Implementation (following formal consultation) of the new centralised ICT, Procurement and Asset Management functions (to tie in with Corporate Restructure)
  - Progress on the Service Delivery Options Year 1 Programme. Delivery plans have been reported through Programme Board and Cabinet and Options Reports (the next stage for the SDO Programme) have started to be reported through.
  - The Year 2 SDO programme has commenced and summaries of the delivery plans for the majority of the reviews are planned to be reported to Programme Board and Cabinet during April and May
  - Further project proposals in respect of the Channel Shifting project are being progressed. The new e-booking system has been approved by the Hartlepool Borough Council/Northgate Information Systems Partnership Board.
  - The new Website went live in January 2010
  - The upgrade to the Customer Relationship Management System (CRM) has been successfully completed which will enable deeper service integration.
- 3.5 A key early deliverable, and one which impacts on many other actions and outcomes, continues to be the corporate restructure.

Detailed plans and preparations remain in place to ensure that we meet the key milestones for the programme. It is important that the following are met:

### 3.5.1 Corporate Restructures / Management Structures

- Fourth tier officers now appointed, and the fifth tier (and any other subsequent management tiers) exercise has commenced. The design of the new structures has been completed and it is planned to complete any outstanding appointments by May.
- Further progress is being made on the People Framework/Management Development Programme with proposals for a targeted programme being drawn up. The draft Management Development Programme will be considered by Cabinet later in the year.

### 3.5.2 Transactional Support Services

- Implementation of phase 1a of HR Payroll system is now complete. Work has commenced on the next phase of the project which is the introduction of the HR modules and employee self-service arrangements. A project plan has been drafted which spans the next 12 – 18 months.
- Implementation of the system upgrade (AIM) and web enablement (Paye.net), regarding the new Income Receipting System is now complete and was introduced in November 2009. Work has now begun rolling out the system corporately and to identify integration options with other systems.
- Work is ongoing regarding the standardisation of processes and the creation of service delivery arrangements, these will be reviewed in conjunction with the Service Delivery Option Review Programme. The phased introduction of updated budgetary control reports and the roll out of web access to the Integra financial management are both complete, these will provide the foundations to support a number of the proposed changes for transactional and support services.
- The review of administrative staffing structures has commenced.

### 3.5.3 Customer Services

- The Roll in programme is to be reviewed and services extended. It has been agreed that the timetables for SDOs and the consideration of the roll in of services to Hartlepool Connect are aligned and this is now being progressed.
- Further project proposals in respect of the Channel Shifting project are being progressed. The new e-booking system has been approved by the Hartlepool Borough Council/Northgate Information Systems Partnership Board. The new Website went live in January 2010. The Payments System is now implemented within Hartlepool Connect. The results of the View Point questionnaire on customers, preferred channel usage and access routes are being used to influence the future strategy.
- Development of the new Customer Service and Channel Strategy with a draft strategy now under consideration.

### 3.5.4 Service Delivery Options

- Programme of reviews has commenced and summaries of the delivery plans for the Year 1 SDOs have been reported to the Programme Board and Cabinet in December
- Options Reports (the next stage for the SDO programme) have started to be reported through to Programme Board and Cabinet.
- The Year 2 SDO programme has commenced and summaries of the delivery plans for the majority of the reviews are planned to be reported to Programme Board and Cabinet during April and May.
- Additional reviews included as part of the programme are ongoing, some of which have been considered as part of centralisation proposals.

### 3.5.5 Asset Management

- The review of non-administrative operational buildings and land is now to be aligned with the SDO review programme.
- Civic Centre plan to have all internal moves completed by the end of May.
- Leadbitter Building to be vacated by the end of April (all staff relocating to Bryan Hanson House)
- Archive Store plan to be vacated by 31 May. The Youth Offending Team to relocate to the Municipal Buildings.
- The programme of non operational land and property to reduce surplus is being implemented
- Energy “invest to save” programme is being compiled and to be implemented in the current and next financial year.

### 3.5.6 Non Transactional Services

- Investigating opportunities to benefit from modernisation of our ICT infrastructure, including server hardware, network, and common software tools. This work is progressing, and expected to generate small scale savings from the financial year 2010/11.
- A report has been presented to Members regarding an opportunity to increase income as part of the budget agreed by Council in February 2010. Further work is being undertaken to improve the consistency of charging policies and potentially recommend changes as part of the 2010/11 budget plans.
- A model is being devised for an internal Service Delivery Agreements which will clarify the arrangements governing relations between services.

3.6 The programme is, as has been stated on an ongoing basis, complex and with a series of significant and related actions. The management of the programme is appropriate to the needs at this stage.

## 4. Financial Update

4.1 The programme budget to support the delivery of the programme is in line with expectations, with commitments made to fund further backfilling and support through the rest of 2010/11 and into 2011/12 and is shown in **Appendix 3**.

#### 4.2 The main points to note are:

- The Management structure savings are, based upon current proposals has delivered savings of £2.518M for the 2010 /11 budget
- The expected costs for delivering the recurring saving for the management structures business case are £3.4M. This is slightly lower than the estimated cost with a payback of 1.27 years.
- The potential contribution from Income Maximisation is estimated at £220K but this was been incorporated into the main budget proposals for Cabinet for 2010/11 and agreed by Council as part of the determination of the budget for 2010/11.
- In terms of Asset Management, Rent and other associated reviews have started to identify additional income but these are yet to be captured as part of the Business Transformation Programme, this is being progressed.
- Income generated from sale/disposal of assets will be used partly to fund accommodation moves and alterations of buildings required for Business Transformation.

4.3 At a consolidated BT programme level, adjustments continue to be made for the potential overlap of savings across workstreams in determining the forecast savings that the programme will ultimately deliver for the Council. In terms of programme implementation, departments appreciate the cumulative impact of savings required by different workstreams (e.g. savings will be required from management structures, from SDO reviews, from transactional and non transactional workstreams) and the overall scale of savings required.

4.4 The BT team has continued to refine the cash envelopes and more detailed targets for the various elements of the programme in conjunction with the departments.

4.5 The identified savings required as part of the Business Transformation Programme at this stage, for the 2010 /11 budget (as per the Medium Term Financial Strategy) have been identified and are being implemented / realised.

## 5. Key risks

5.1 The risks identified which may impact on the programme have previously been reported to Cabinet and are monitored as part of the overall management and control of the programme and its component parts.

5.2 It is appropriate to reiterate a number of those that have already been identified and to provide further information on others as the nature, or potential impact, of the risk become clearer. These are identified below.

5.2.1 The programme comprises a number of interrelated elements. The nature of the change required only provides for very limited opportunity for realising efficiencies from discrete, stand alone projects. This therefore increases both the complexity of the change required and the cumulative effect of developments on capacity to achieve successful change.

Whilst this is a known feature of the programme, it reinforces the need to ensure that potential efficiencies are not double counted, that capacity remains in the system to ensure that the programme outcomes can be achieved and to programme realistically.

5.2.2 The Service Delivery Options (SDO) element of the programme has been set an ambitious target as part of the overall programme. The original target of £4.6M was over half of the overall projected programme savings and requires significant innovation and change to deliver this. The programme of reviews that has been developed provides a framework within which to progress this element of the programme. The aspirational targets total up to £6.5M, though these include some very sensitive areas. It is likely that there will be a significant number of potentially complex and challenging decisions to be made in respect of current and future service provision if these scales of efficiencies are to be delivered. This may include decisions in relation to the continuation of services, current standards and levels of provision, eligibility thresholds to services, the delivery of the service among a range of others.

5.2.3 There are unlikely to be any easily identifiable and deliverable efficiencies within the programme which has been outlined. The Authority has worked to deliver those efficiencies which are easier to realise over the last 4 to 5 years and it is likely that these have been exhausted. The authority is at the point of needing to make difficult decisions in respect of key service areas and this will need continued commitment and support from Cabinet in conjunction with engagement with both those delivering and receiving the services. Each decision to not agree to changes required as part of the SDO programme as they come forward to Cabinet, essentially requires a return to the default of salami slicing budgets within the authority which is the position Cabinet wished to see avoided.

5.3 The following paragraphs summarise a brief critique of practical risk in the programme:

#### 5.3.1 Overall programme

- There is a risk of conflicting pressure being placed on resources from within a workstream and across workstreams. E.g. a key resource allocated to several areas within a workstream may have to prioritise; carrying out a service review at the same time as a restructure and re-locating buildings.
- Care needs to be taken to identify and account for savings achieved for, or by other workstreams so that benefits can be allocated appropriately.
- The financial management, including linkages between overall and workstream figures, is critical. Work will continue to ensure the figures are up-to-date and consistent.
- Within the SDO review programme, some reviews may fail to deliver their target savings. In such a scenario, the respective Director will be responsible for identifying compensatory savings to ensure the initial savings' target is satisfied.

#### 5.3.2 HR/Payroll – Transactional

- This is a complex project with a number of interdependencies on other areas which could impact on the actual deliverables.
- Managing the change process is challenging not only due to the potential resistance to change but the complexity of change required to deliver the savings.
- The realisation of efficiency and cost savings is challenging and will need to be reviewed as part of the HR/Payroll phases 1b and 2.
- Maintaining on going service provision throughout the project has been difficult as resources are stretched.
- Prioritisation of the deliverables is now in progress to mitigate against further delays.

#### 5.3.3 Restructures/Management Structures

- Loss of key staff through the change process culminating in loss of professional and specialisms.
- Opposition from Trade Unions and staff groups, however there is a communication strategy in place with regular meetings with the unions to mitigate this risk.
- Failure to deliver the full savings through management structures.

#### 5.3.4 Service Delivery Options

- The realisation and tracking of the Implementation Efficiency Plan may not be straightforward (especially where there is overlap with other workstreams).
- There is a lot going on – it is not simply a question of doing the service reviews but getting the outcomes implemented at the same time as other change (especially year 1).
- Leadership of the workstream needs to be reviewed.
- Identifying and accounting for savings achieved for / by other workstreams is particularly important.

#### 5.3.5. Asset Management

- It is noted that disposal of buildings would have to be done against the current economic climate but that capital receipt has not been included in the efficiency figures. Nevertheless, a method for extracting savings achieved from termination of buildings' upkeep will need to be confirmed.
- Due to the volatile market and introduction of carbon reduction commitments the reduction in energy consumption and consequent savings may not be realised.

#### 5.3.6. Non-Transactional

- It is noted that a number of items have slipped but that no wider impact is currently reported.

### 5.3.7. Customer Services

- Customer Service Business Case challenging due to the size, scope and limited resources, however, with detailed planning for each element this should assist in delivering this project.
- An important element of the workstream is concerned with getting the IT improvements in place followed by proper and effective use within the organisation. There may also be scope to explore elements of the workstream that are not reliant on new IT, as indicated in the Cabinet report on 13<sup>th</sup> July, e.g. more efficient methods of working designed to reduce avoidable contact.

## 6. Communications

6.1 Communication continues as an important and constantly evolving part of the Business Transformation programme and the communication arrangements will be reviewed in the next quarter. A variety of communication mediums have been used during the last year and will continue to be monitored and reviewed to measure effectiveness. Further Members' seminars were undertaken during April. Trade Union representatives continue to be briefed on a monthly basis.

## 7. Future Plans

7.1 The report identifies the key activities and actions over the last quarter building upon the decisions made by Cabinet in previous meetings. In addition there are a range of reports planned over the next 6 months as follows :

- There are a number of planned reports to Cabinet in respect of Stage 2 (Options Appraisal) of the Year 1 SDO programme. It is envisaged that these will be coming to Cabinet between May and June. The final stage of the review process is the implementation plans (which will also agree the identified savings and changes) which are anticipated to follow a couple of months after each Options report.
- In respect of the Year 2 SDO programme the Delivery Plans are planned to start to be reported through to Cabinet in April and May.
- The draft Management Development Programme will be considered by Cabinet later in the year
- Quarterly updates on the overall Programme.

## 8. Conclusion

8.1 The overall Transformation Programme continues to proceed broadly in line with the originally agreed scope and timescale. There has been some slippage in individual workstreams against original targets (except for Corporate Restructures/Management Structures) which has been incorporated into the workstream plans.

8.2 At this stage these slippages are not significantly affecting the programme. The opportunity is currently being taken to revisit the delivery plans and the planned savings profile (in line with the expectations of the Medium Term

Financial Strategy). It is an opportune time to do this as the main element of the year one Plan, Management Structures, is coming to a conclusion to ensure that the plans to take the programme are robust and manageable.

8.3 The Programme of Service Delivery Options has the single largest contribution to the overall financial savings of the programme. Any decision to not implement available options in respect of these reviews will leave a subsequent financial deficit in the Medium Term Financial Strategy which will require addressing. It is part of the overall ethos of the programme that we will take a managed, though often difficult, approach to the change required to avoid the need to resort to wholesale salami slicing of services and budgets.

8.4 The programme at this stage is deemed to be on track.

## 9. Recommendations

Cabinet is recommended to:

- Note the progress made to date on the implementation of the programme and forthcoming reports to Cabinet included in this report
- Identify any issues they wish the Business Transformation Team to take into account in the implementation of the programme

## Background Papers

Cabinet reports of:

6 April 2010 – Business Transformation – SDO Review Programme  
10 March 2010 – Business Transformation - Quarterly Programme Update  
22 December 2009 – Business Transformation – SDO Review Programme  
16 November 2009 – Business Transformation – Departmental Structure  
2 November 2009 – Business Transformation – Corporate Restructure  
21 September 2009 – Business Transformation – Corporate Restructure Tier 3  
7 September 2009 – Call-In of Cabinet Decision – Business Transformation (Programme Board and Asset management Arrangements)  
17 August 2009 – Energy Management – Invest to Save Programme  
13 July 2009 – Business Transformation – Quarterly Programme Update  
6 April 2009 – Business Transformation Programme (Corporate Restructure)  
26 January 2009 – Business Transformation Programme  
15 September 2008 – Business Transformation Programme  
11 February 2008 – Business Transformation Programme

## Contact Officer

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## Previous decisions of Cabinet

### Cabinet 26 January 2009

At the meeting of Cabinet on the 26 January 2009 the following was agreed in respect of the restructure:

- i. The restructure of the authority from 5 departments to 3 in line with the principles in section 4 of this report (of 26 January 2009), with the detailed departmental structures to be developed.
- ii. The review of the remuneration of the Directors of People and Place in line with the agreed Council Remuneration strategy to be agreed by Cabinet.
- iii. The recruitment of Directors of Place and People in line with the Council's procedures.
- iv. Development outline departmental structures by the appointed Directors, delivering the efficiencies required, to be agreed by Cabinet.
- v. The review of the current structure of the Chief Executive's department, with the development of new structures, if appropriate, to be agreed by Cabinet.

In addition to the decisions detailed above Cabinet also agreed

- i. To the continuation of the Business Transformation Team to support Directors and manage and deliver elements of the programme.
- ii. To the implementation of the Business Case proposals identified in section 5 of the report
  - a. Restructure and Management Structures:
  - b. Transactional Services
  - c. Non-Transactional Services
  - d. Asset Management
  - e. Service Delivery Options
- iii. To receive a further report on the implementation of the business case for Customer Services
- iv. To receive a report on the Service Delivery Options incorporating a programme for future years, comprising at least 4 reviews per year and service delivery principles and evaluation criteria.
- v. That the authority implement;
  - a. Restrictions on filling vacancies across the Council, with limited exemptions.
  - b. A managed process to receive expressions of interest in voluntary redundancy in line with programme timescales.
- vi. The principle of funding one-off severance costs of £3.1m on a loan basis repayable over a 5 year period from the gross savings achieved from implementing the Business Transformation programme, and to refer this proposal to Council for approval as part of the 2009/10 budget proposals on 12<sup>th</sup> February 2009.
- vii. The principle of funding other one-off programme costs of £0.64m on a loan basis repayable over a 5 year period from the gross savings achieved from implementing the Business Transformation programme, and to refer this proposal to Council for approval as part of the 2009/10 budget proposals on 12<sup>th</sup> February 2009.

- viii. That proposals for a Workforce Development Programme be developed for consideration by either Cabinet or the Performance Portfolio holder to underpin the requirements of the programme
- ix. That proposals for an invest to save programme for energy efficiency be developed and submitted for consideration and approval
- x. The Communications Plan.

### **Cabinet 6 April 2009**

1. That the overall structure of the Council as set out in sections 7.2, 7.8 and the phased approach to the implementation of the People Department as shown in section 7.4 and 7.6 of the report be approved.
2. That Cabinet determines that the structural location of the services / sections considered within the report are as follows
  - (a) That Procurement, Property and Assets is located in the Place Department as set out in section 8.2 of the report.
  - (b) That Community Strategy (Sustainable Communities) is located in the Chief Executives Department (Corporate Strategy Division) and Place Department (Planning and Economic Development Division and Regeneration and Housing Division) as set out in section 8.3 of the report.
  - (c) That the Drugs Action Team (DAT) is located in the Place Department (Community Safety and Prevention Division) as set out in section 8.4 of the report.
  - (d) That the Youth Offending Service (YOS) is located in the Place Department (Community Safety and Prevention Division) as set out in section 8.5 of the report.
3. That the programme updates set out in Appendices 1 to 4 of the report be noted.
4. That the recruitment process and timescales for the Directors of People and Place be noted and that Council be informed that Cabinet members wish to be involved in the appointment process.
5. That further reports be brought to Cabinet after the appointment of Directors in respect of the functional structures and the proposed slotting in of Chief Officers.
6. That staff consultation on the proposed structures be in line with the protocols already agreed with the Trade Unions.

### **Cabinet 13 July 2009**

1. That the progress made to date on the implementation of the programme and forthcoming reports to Cabinet included in this report were noted.
2. (ii) That the Programme Board be amended in light of recent portfolio changes to delete the Performance Portfolio and to include an additional Cabinet Member to be determined at a later date.
  - (iii) That consideration be given to changing the times of the Business Transformation Board meetings to maximise Member attendance.
  - (iv) That the names of the two new departments be agreed as:
    - Child and Adult Services
    - Regeneration and Neighbourhoods
3. The SDO prioritisation programme attached as Appendix 1 was approved
4. (i) That the asset disposal schedule attached at Appendix 1 be approved as the basis for taking the programme forward at this time.

- (ii) That the Portfolio Holder for Finance and Performance continue with delegated authority for decisions in relation to the disposal of land and buildings
- 5. That subject to further discussions in relation to the Benefits Service transferring to the Contact Centre, the following was approved:
  - (i) A prioritised plan to deliver the improvements required to meet the targets to reduce avoidable contact over the next 3 years be developed.
  - (ii) A targeted service based programme to move contact more towards self service through the website, payments system, booking system and e-forms projects be developed.
  - (iii) A prioritised Roll in Programme to migrate services in Hartlepool Connect be developed.
  - (iv) That both Contact Centre team leader posts continue on a temporary basis, funded from efficiency savings, subject to review in 12 months time.
- 6. The following strategy, in priority order, for funding the one-off BTP implementation costs and the Departmental Restructure and Management Structures and Service Delivery work-streams up front costs was approved:
  - (i) Use available departmental underspends and reserves (where these exist) to maximise ongoing savings;
  - (ii) Use £2.5m of the resources identified in paragraph 2.2 of the report to fund these costs.
  - (iii) Use loan funding repayable from the gross BTP efficiencies for any residual costs, including service delivery costs not funded from (i) and (ii) up to a maximum of £3.7m.

### **Cabinet 17 August 2009**

With respect to the Energy Management – Invest to Save Programme, Cabinet agreed:

- 1. That the current position on energy performance and cost be noted.
- 2. That an ‘Invest-To-Save’ programme for energy efficiency projects funded by an initial contribution of £40,000 for 2009/10 be approved.
- 3. That paragraph 5.4 of the report and that the need for flexibility within the programme be noted, and that a six monthly review of projects in line with the BT benefits realisation model be agreed.

### **Cabinet 7 September 2009**

With respect to Call-in of Cabinet Decision: Business Transformation (Programme Board and Asset Management Arrangements), Cabinet agreed:

- That all group leaders be invited to join the Business Transformation Programme Board.

### **Cabinet 17 September 2009**

With respect to Business Transformation – Corporate Restructure – Tier 3, Cabinet agreed:

- (i) That the amendments to the functional structures of the three departments as stated in Paragraph 3 of the report and the amendments proposed to the Chief Executive Department's structure as set out in paragraph 3.8 of the report, be agreed.
- (ii) That the 3 or 4 Chief Officer posts, referred to in paragraph 7.2 of the report, be confirmed on the Chief Executive's structure at this stage subject to an evaluation by the LGE, the outcome of which would be reported to Cabinet .
- (iii) That the recommendations of the LGE regarding the grading of third tier posts be implemented.
- (iv) That the proposals regarding slotting in or ring-fencing of employees into third tier posts, be agreed.
- (v) That the proposals regarding the designated deputy roles, be agreed.
- (vi) To receive further reports, if necessary, regarding the overall functional structures as part of the Business Transformation Programme.

### **Cabinet 2 November 2009**

With respect to Business Transformation – Corporate restructure – Tier 4 Chief Officer Pay and Grading and Slotting In and Outstanding Tier 3 Slotting In, Cabinet agreed:

- a. That the implementation of the recommendations of the LGE regarding the grading of the fourth tier Chief Officer posts be approved.
- b. That the proposals regarding the slotting-in of fourth tier Chief Officer posts be agreed
- c. That the proposals regarding the outstanding slotting in of employees into third tier posts be agreed
- d. That any further reports regarding the overall functional structures should it be required as part of the Business Transformation Programme be submitted to future Cabinet meetings.

### **Cabinet 16 November 2009**

With respect to Business Transformation – Departmental Structure, Cabinet agreed that further consideration of the report be undertaken following an appropriate exclusion of the press and public.

### **Cabinet 22 December 2009**

With respect to Business Transformation – Service Delivery Options Review Programme Report , Cabinet noted the scope, inclusions and timescales for the reviews.

### **Cabinet 10 March 2010**

With respect to Business Transformation - 3<sup>rd</sup> Quarterly Report. Cabinet noted the progress made to date on the implementation of the programme and forthcoming reports to Cabinet.

### **Cabinet 6 April 2010**

With respect to Business Transformation – Service Delivery Options Review Programme Report (Year 2 Reviews) Cabinet noted the scope, inclusions and timescales for the reviews

## Appendix 2

**CORPORATE RESTRUCTURE/MANAGEMENT STRUCTURES  
WORKSTREAM UPDATE MARCH 2010**

The vision for this work stream is for the Council to have management structures which are sustainable in terms of capability and capacity to deliver a high performing council, whilst freeing up resources for service delivery and front line services.

**New Functional Structures**

The functional structures of the three departments were agreed by Cabinet on 6 April 2009.

**Review of HR Policies and Procedures**

An external adviser has undertaken a review of HR Policy and Procedures to ensure that they are appropriate for the implementation of this workstream and the Business Transformation Programme as a whole.

**Recruitment of the new Directors and Assistant Directors**

The recruitment exercise for the new Directors and Assistant Directors has been completed.

**Recruitment of the Management Structures (Fourth tier and below)**

This workstream is being phased on a tier by tier basis. Fourth tier structures (those posts which report to an Assistant Director) were agreed in December and employees have been either slotted-in or ring-fenced to posts. The fifth tier (including any other subsequent management tiers) exercise has commenced, the design of the new structures was completed during March and it is planned to be completed any outstanding recruitment by May 2010.

**Management Development Programme**

Research is currently being undertaken regarding devising a new Management Development Programme. Such a programme will be considered by Cabinet later in the year.

**Costs & Savings**

There has been some minimum expenditure in line with the budget. The workstream savings are still to be finalised however it is expected that the savings will meet the target saving of £2.55m (which includes the administration savings from the Transactional workstream too). Budgets will be adjusted accordingly once the workstream savings are finalised.

**Overall Progress - Amber**

The delivery plan for this workstream remains on schedule.

## **ASSET MANAGEMENT WORKSTREAM UPDATE MARCH 2010**

### **Centralisation of Asset Management function**

Progressing to conclusion and will be operational from April 2010 with property budgets being refined and staffing transfers issues completed. Service Delivery Agreement drafted, repairs procedures being distributed prior to 1 April 2010.

Discussions across Departments will continue and the next few months will see it all come together.

### **Rationalisation of Administration Buildings and Introduction of Accommodation Strategy**

Civic Centre – Internal moves to be completed during May relating to

- Regeneration & Neighbourhoods Department Consumer Services and Service Development teams to relocate to Bryan Hanson House
- Centralisation of Finance
- Centralisation of ICT Support Team
- Chief Executives Department, Scanning and Admin
- Print Room relocation from Municipal Buildings

Leadbitter Building - Being vacated by 30 April 2010. – All staff relocating to Bryan Hanson House

Archive Store - Being vacated by 31 May 2010. – Youth Offending team relocating to Municipal Buildings.

Refurbishment of Church Street offices in progress and completion is critical to programme - relocation taking place between and within Bryan Hanson House/ Municipal Buildings/Church Street offices/ Archive Building/ Transport offices/Edgar Phillips Building. Completion April/May 2010.

The application of the principles of a max 8sq m per person, including storage, 4 staff to 3 workstations, reduction of storage being promoted.

The identified over provision of accommodation across the main administration buildings will in the main be eliminated by the end of May 2010.

At that time the changes made to date need to be reviewed, revisited and monitored to identify any further opportunities to increase occupancy levels but also to ensure that standards are maintained and to remove items and habits which 'creep' back into the buildings.

### **Non Administration Operational Building and Land Rationalisation**

The identification of operational buildings for disposal is partially dependent upon the implementation of the restructure and service delivery option reviews.

Year 2 SDO Reviews are underway and a proactive approach is to be taken in challenging the current service property use and occupation.

Need to assess not only current requirements but must also predict future needs

The undertaking of Service Asset Management Plans is a core component of this activity and will be lead by the Estates and Asset Manager.

### **Non Operational Property and Land Management**

Outstanding rent and lease renewals have been identified and allocated for action and are being brought to a conclusion.

Disposals schedule has been agreed and marketing strategy being developed for implementation taking into account prevailing market conditions.

### **Energy Invest to Save**

A number of projects have been established to commence the programme. Timing is such that in the current year only partial full year savings will be made.

A fuller programme is being developed for implementation next financial year.

### **Overall Progress - Amber**

The delivery plan for this workstream remains on schedule.

## **CUSTOMER SERVICES WORKSTREAM UPDATE MARCH 2010**

The Customer Service Business Case aims to transform customer services through the delivery of four key elements.

Activities within the Customer Services Business Case will be further developed and monitored as part of the Corporate Strategic Customer Group and reported to CMT Support Group.

### **Progress**

#### **Reduce Avoidable Contact**

A data capture exercise was carried out across the authority in November 2008 to provide a baseline of the authority's customer contact, further to this a validation exercise was carried out in February 2009 which resulted in improvements being identified and implemented across the authority. A further data collection was completed in November 2009 this data is currently being analysed; improvements identified will be incorporated into Service Planning for 10/11.

#### **Migrate Services to Hartlepool Connect**

Phase one of the Rollin Programme has commenced and includes enhancing and extending the end to end processes of existing services i.e.:

- Parking Services – Blue Badges, Business and Concessionary Permits have been identified for integration and analysis of the BPR exercise carried out in January 2010 is currently underway to identify efficiencies to current processes and ways of working; also to quantify budget/staff transfer, taking account of the impact of the reviews in centralised admin and the ITU.
- Benefits and Free School Meals – Potential for integration of these services will be identified via the Service Delivery Options Review which commenced in January.

The second phase of Hartlepool Connects Rollin Programme will be determined by the Service Delivery Options Reviews. SDO Lead Officers will be responsible for identifying the services/processes suitable for integration and for quantifying efficiencies that result from integration. This approach will encourage buy in and ownership from departments and potentially avoid some of the barriers and reluctance.

#### **Channel Shifting to more efficient channels**

Channel shifting includes reviewing how customer's access services now and how they want to access services in the future and providing a choice of access methods that improve services delivered to customers. This is dependant on a number of projects that are currently underway including; e-forms, payment, booking and GIS systems, and the new look Council website. The channel shifting programme will link in with the migration of services into the Hartlepool Connect and will assist in the reduction of avoidable contact.

## **Develop a new Customer Service and Channel Strategy**

A Customer Service and Channel Strategy will support the delivery of all of elements of the customer service business case. This will be developed and monitored by the newly formed Strategic Customer Group and actions will be built into Service Planning for 2010/11.

### **Costs and Savings**

Indicative costs and savings have been identified as part of the Customer Service Business Case to date no savings have been made.

### **Overall Progress - Amber**

The delivery plan for this workstream remains on schedule.

## **SERVICE DELIVERY OPTIONS WORKSTREAM UPDATE MARCH 2010**

### **Year 1 SDO Programme**

The Delivery Plans for the year one SDO reviews have been reported to Programme Board and Cabinet before Christmas.

For the medium term financial strategy the savings from all these reviews are not required until the 2011/12 budget round and progress on these, given this timescale is satisfactory.

The next stage in the process is the Options Reports, Programme Board started to consider the Options Reports in March and the Connexions & Youth Service; Facilities Management; Waste Management and Reprographics Options Reports are planned to be reported to Cabinet in May.

The final stage of the review is the Implementation Plans (which will also agree the identified savings and changes) which it is anticipated will follow a couple of months after each Options Report

At this stage, and with many issues still being considered the proposals likely to come forward look to deliver the savings targets agreed for each of the reviews although this will need confirming at the later reporting stages.

### **Year 2 SDO Programme**

The year two reviews have been commenced in early January 2010 with an initiation meeting with the lead officers for each of the reviews in the agreed programme. The first stage of this process, as with year one reviews is the Delivery Plans which have started to be reported to Programme Board in February and are planned to start to be reported to Cabinet in April. The financial savings for year two reviews are factored into the Medium Term Financial Strategy for 2011/12 and are working to an outline timescale which aims for completion by November 2010 (although this allows for some slippage).

### **General note**

As has been previously noted the Service Delivery Options reviews, a major component of the Business Transformation programme, are more than just the management and restructuring of services, they are about imaging and delivering new solutions, and being prepared for challenges yet to emerge. SDO reviews are about realising cashable savings whilst ensuring better use of public sector resources. They are not necessarily about outsourcing, or providing poor quality services. In order to realise the efficiencies required there must be openness to alternative delivery models which will involve making difficult decisions.

### **Overall Progress - Amber**

## **NON-TRANSACTIONAL SUPPORT SERVICES WORKSTREAM UPDATE MARCH 2010**

### **ICT Restructure**

Departments have been working together to assess how to improve the planning and delivery of development projects, and how to streamline ICT support. Consultation on the new ICT structure has been undertaken and the new corporate ICT unit was in place at the end of March 2010.

### **ICT Infrastructure**

The Council is investigating opportunities to benefit from modernisation of the ICT infrastructure, including server hardware, network, and common software tools. This work is progressing, and expected to generate small scale savings from 2010/11. The establishment of the new corporate ICT unit will provide the opportunity for this work to be accelerated.

### **Corporate Procurement**

Departments are working together to assess how to establish a centre of procurement excellence within existing budgets. This is considered and agreed by Programme Board and Cabinet. The new centralised Procurement function was in place for 1<sup>st</sup> April 2010. Work is being undertaken to identify priorities for the realisation of the savings required through procurement.

There are expected to be significant potential benefits through obtaining better value from spending budgets.

### **Other Projects**

An opportunity has been identified to increase income and improve the consistency of charging policies. A report has been presented to Members which will recommend changes as part of the 2010/11 budget plans.

Work is well advanced on devising models for internal Service Delivery Agreements, which will clarify the arrangements governing relations between services.

### **Overall Progress - Amber**

## **TRANSACTIONAL SUPPORT SERVICES WORKSTREAM UPDATE - MARCH 2010**

### **HR / Payroll Project**

The implementation of the payroll aspects of the Resourcelink system is now complete. In addition all employees are now paid monthly with the final weekly payment arrangements ceasing in March. The payroll system for Cleveland Fire Brigade also transferred to live in April.

Work has commenced on the next phase of the project which is the introduction of the HR modules and employee self-service arrangements. A project plan has been drafted with North Yorkshire CC which spans the next 12 – 18 months. A detailed plan covering timescales, efficiencies and allocating lead officers is in progress. The first elements to be covered within these areas are Training, CRB, Discipline & Grievance and the School Workforce Census scheduled for introduction over the summer.

### **Income Receipting Project**

The new Income Receipting system was successfully introduced in November. This is now fully operational for central processes. Work has now commenced on rolling out the system corporately and to identify integration options with other systems.

### **Re-engineer & Standardise Support Services**

The phased introduction of upgraded budgetary control reports and the roll-out of web access to the Integra financial management are both complete. These provide the foundations to support a number of the proposed changes for transactional and support services. To date limited progress has been made on the standardisation of processes and the creation of service delivery arrangements. These will now be reviewed in conjunction with the service delivery option (SDO) reviews, in particular the Finance and HR reviews, and the restructure proposals.

### **Administrative Staff**

The administrative staff review has begun and is scheduled to be completed in September. Meetings have been held with department representatives to quantify the nature of all existing administration roles and also with those employees affected by the change to notify them of the span of the review.

### **Overall Progress - Amber**

The delivery plan for this work-stream remains on target.

## Appendix 3

**BUSINESS TRANSFORMATION OVERALL FINANCE PROGRAMME – March 2010**

WORKSTREAM	Savings Target £'000	2009/10 Target	2010/11 Target	2011/12 Target	2012/13 Target	2009/10 Actual Savings part year £'000	Full Year effect of 2009/10 savings £'000	Actual Savings				
		for 10/11 budget £'000	for 11/12 budget £'000	for 12/13 budget £'000	for 13/14 budget £'000			2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000
<b>ORGANISATION and MGT STRUCTURES (incl Admin /PA)</b>	2555	2335	2555	2555	2555	126	2555	126	2518	2555	2555	0
<b>SDO</b> yr 1 child social care to be added to profile (1.7m)	7849	0	2608	4064	4398			0	0	0	0	0
<b>TRANSACTIONAL</b>	465	30	355	465	465			0	0	0	0	0
<b>NON TRANSACTIONAL</b>	195	35	195	195	195			0	0	0	0	0
<b>ASSET MANAGEMENT</b> Energy savings to be profiled (£89K)	599	50	230	440	510			24	78	73	60	0
<b>CUSTOMER SERVICES</b>	0	0	0	0	0			0	0	0	0	0
<b>TOTAL</b>	11663	2450	5943	7719	8123			150	2596	2628	2615	

<p style="text-align: center;"><b>CABINET REPORT</b></p> <p style="text-align: center;"><b>24 May 2010</b></p>
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**Report of:** Assistant Chief Executive

**Subject:** BUSINESS TRANSFORMATION – SERVICE  
DELIVERY OPTIONS REVIEW PROGRAMME  
REPORT

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**SUMMARY**

**1. PURPOSE OF REPORT**

To provide to Cabinet the delivery plans for a number of the year two reviews which form part of the Service Delivery Options (SDO) review programme.

**2. SUMMARY OF CONTENTS**

The report contains the delivery plans a number of the Year Two Service Delivery Options (SDO) reviews previously agreed as being part of year two of the programme for this element of the Business Transformation programme and outline timescales for these first reviews.

**3. RELEVANCE TO CABINET**

The report concerns one of the workstreams of the Business Transformation Programme, Service Delivery Options Review.

**4. TYPE OF DECISION**

Non Key.

**5. DECISION MAKING ROUTE**

Cabinet, 24 May 2010.

**6. DECISION(S) REQUIRED**

Cabinet are recommended to note the scope, inclusions and timescales for the reviews.

**Report of:** Assistant Chief Executive

**Subject:** BUSINESS TRANSFORMATION – SERVICE  
DELIVERY OPTIONS REVIEW PROGRAMME  
REPORT

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## **1. PURPOSE OF REPORT**

1.1 To provide Cabinet with delivery plans in respect of a number of the year two reviews included in the Service Delivery Options (SDO) review programme.

## **2. BACKGROUND**

2.1 The programme of SDOs has been broken down into a three year schedule of reviews which encompass the operations of the authority. In addition, and as has been considered by Programme Board previously, a “How to Guide” has been developed for those officers leading each of these reviews.

2.2 The “How to Guide” identifies that there are number of stages in undertaking each of the SDO’s.

- Delivery Plans – essentially the scope, inclusions and exclusions and timetable for the review
- Options Report – based on the investigations undertaken what are the options available for the delivery of the service
- Report and implementation plan – recommendations on the options available to deliver the efficiency savings and an implementation plan

## **3. SERVICE DELIVERY OPTIONS PROGRAMME**

3.1 The programme has commenced and attached to this report (as **Appendix 1**) are the summaries of the delivery plans for the following year two SDOs:

- Adult Social Care Provider Services
- Tees Archaeology
- Libraries and Community Resources
- Revenues and Benefits
- Regeneration and Neighbourhood Management
- Sport & Recreation Service
- Environment
- Housing

- 3.2 For information the Year Two programme, for which delivery plans will be reported to Cabinet (likely to be through June), also includes:

Still to be reported to Cabinet:-

- Public Protection
- Grants to community and voluntary organisations

The following reviews were reported to Cabinet at the meeting on the 6<sup>th</sup> April:-

- Social inclusion, vulnerable pupils, special educational Needs
- Children's Centre's and early years
- Legal, Elections and Land Charges

#### **4.0 FINANCIAL SUMMARY**

- 4.1 The year two reviews have an overall target of within the Business Transformation Programme of £1.2M.

#### **5.0 RISK**

- 5.1 As has been stated previously the SDO programme carries with it a degree of risk in respect of the overall Business Transformation Programme. The determination of the phased programme for delivery and the supporting management arrangements are designed to mitigate the risks associated with overall slippage in the programme in respect of how this may detrimentally affect the established financial strategy.

- 5.2 The three stage approach to the reviews, delivery plans, options and final report with implementation plan have been determined to provide for both the consideration of options and the determination of clear options and the ability to implement these but this will require decisions to be taken in a timely manner.

#### **6.0 OPTION REPORTS**

- 6.1 Separate to this report, options reports (the second stage of the review process) in respect of the following year one reviews are to be considered by Cabinet today:-

- Connexions/Youth Service
- Facilities Management
- Waste Management
- Reprographics

## **7.0 CONCLUSIONS**

- 7.1 The challenging programme has been established to form part of the Business Transformation Programme and the Medium Term Financial Strategy. As has been stated previously, there are unlikely to be any easily identifiable solutions or those which are simple to implement. It is important however to ensure that progress on the programme is maintained and that difficult decisions which are required are considered and ultimately implemented in a timely manner if the contribution to the budget strategy is to be maximised.

## **8.0 DECISIONS REQUIRED**

- 8.1 Cabinet are recommended to note the scope, inclusions and timescales for the reviews.

APPENDIX 1

**Subject: Adult Social Care Provider Services – Service Delivery Option Review Delivery Plan Report**

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**1.0 Purpose of Report**

1.1 There is an efficiency target of £168,800 for this review.

**2.0 Review Objectives & Scope**

2.1 The aim of this review is to ensure that Adult Social Care Provider Services are delivered efficiently and effectively within the new Child & Adult Services Department.

2.2 The scope of services to be covered in the review include:

- Day Opportunities - Disability Services
- Day Opportunities - Mental Health Services
- Domiciliary Care Services
- Housing Related (Floating) Support Services
- Employment Services

**3.0 Exclusions from the Scope**

3.1 There are no identified exclusions from the scope of the review.

**4.0 Constraints on the Review**

4.1 There are no specific constraints identified at this stage although the following should be noted.

- Domiciliary Care Services must be registered with the Care Quality Commission and these are subject to nationally regulated standards for delivery.
- Day Opportunities – Mental Health Services are a part of Hartlepool Integrated Mental Health Services in partnership with Tees, Esk and Wear Valleys NHS Foundation Trust
- Supporting People grants for the provision of housing related support contribute to the funding of some of the service areas, and Supporting People is an SDO in Year 3.

**5.0 Interfaces with other Projects**

5.1 Owing to the pace of transformational change across the authority, there are a number of plans which have either just been completed or are already underway which may interface with this review, including:-

- Revised management structures have been introduced to de-layer spans of control but the impact on service delivery is as yet uncertain.
- Asset management and the rationalisation of buildings and the associated accommodation strategy will be considered within this service delivery option.

## 6.0 Resource Requirements/Costs

6.1 No additional resources/costs have been identified at this stage as being required for the review. It is however difficult to predict at this stage what, if any, resource requirements will be needed depending on whether alternative service delivery models are adopted for specific services.

## 7.0 Reporting Schedule

7.1 In order to ensure the review remains on schedule the delivery plan identified within the SDO review guide has been completed and is shown below;

Reporting Schedule	April '10	May '10	June '10	July '10	Aug '10	Sept '10	Oct '10	Nov '10
Delivery Plan to Programme Board & Cabinet								
Options report to Programme Board & Cabinet								
Implementation Plan to Programme Board & Cabinet								

## **Subject: Tees Archaeology – Service Delivery Option Review Delivery Plan**

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### **1.0 Purpose of Paper**

1.1 There is an efficiency target of 7.5% for this review.

### **2.0 Review Objectives and Scope**

2.1 To provide an archaeological service to the four partner authorities of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees.

2.2 To ensure that the service complies with existing and developing national legislation, policy and standards.

2.3 The review needs to take account of the views of the partner authorities as to the nature and level of services provided.

2.4 This review covers all of the activities of Tees Archaeology, namely:

- The relationship with the partner authorities
- The provision of planning advice
- The provision of the Historic Environment Record (HER)
- The provision of commercial fieldwork
- The care of collections and archives
- The promotion of public participation
- The dissemination of information

### **3.0 Exclusions from the scope**

3.1 The review will not examine the use or accommodation at Sir William Gray House, which lies within the remit of the Cultural Service Section of Hartlepool Borough Council.

### **4.0 Constraints on the review**

4.1 There is a policy requirement for local planning authorities to have access to archaeological advice (Planning Policy Statement 5).

4.2 The draft Heritage Protection Bill also details this and proposes a statutory requirement for each authority to have access to a Historic Environment Record.

4.3 There is agreement between the four partner authorities that archaeological services should be provided as a shared service, with Hartlepool as the lead authority.

### **5.0 Interface with other Projects**

- 5.1 Changes to the structure of Community Services within the Child and Adult Services Dept means that from April 1<sup>st</sup> 2010 Tees Archaeology will report direct to the Assistant Director, Child and Adult Services rather than through the Cultural Services Manager.
- 5.2 A review of the provision of museum, archives and archaeological services across the Tees Valley is to be commissioned from a consultant by Tees Valley Cultural Officers Sub Group on behalf of the Tees Valley Chief Executives. This is expected to run from May to November 2010.

## 6.0 Resource Requirement / Costs

- 6.1 No additional resources will be required for the review. Costs of implementation of the recommendations are not yet known.

## 7.0 Reporting Schedule

- 7.1 In order to ensure the review remains on schedule the delivery plan identified within the SDO review guide has been completed and is shown below;

Reporting Schedule	April '10	May '10	June '10	July '10	Aug '10	Sept '10	Oct '10	Nov '10
Delivery Plan to Programme Board and Cabinet								
Options report to Programme Board and Cabinet								
Implementation Plan to Programme Board and Cabinet								

**Subject: Hartlepool Libraries and Community Resources – Service Delivery Option Review Delivery Plan**

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**1. Purpose of Paper**

1.1 There is an efficiency target of £156,750K for this review.

**2. Review Objectives and Scope**

2.1 To provide a high quality public library service in Hartlepool.

2.2 To provide community facilities and resources to meet the local needs and requirements in Hartlepool.

2.3 To ensure that services comply with national legislation, policy and standards.

2.4 This review covers all of the activities of the Public Library service and Community Resources, namely:-

- Book and Library materials loan services
- Provision of Information, Advice and Guidance
- Promotion of reading, literature and writing as cultural and leisure activities.
- Provision of public buildings, meeting rooms and community based resources for public use
- Services for children and young people.
- Vehicle delivered library services and services to people with special needs.
- Procurement and administration.

**3. Exclusions from the scope**

3.1 The review will not examine Community Pool Grants as there are compelling reasons to review this service separately.

**4. Constraints on the review**

4.1 Provision of a comprehensive and efficient Library Service is a statutory requirement placed on local authorities by the 1964 Libraries Act. The 2010 Department for Culture, Media and Sport (DCMS) policy statement upholds this requirement. DCMS is empowered to, and recently has intervened, when it considers an authority to be in breach of its statutory duty.

4.2 Provision of accessible and affordable community facilities and venues for lifelong learning, especially in disadvantaged areas, are key building blocks to Local Area Agreement (LAA) outcomes.

**5. Interface with other Projects**

- 5.1 The review will explore the potential for library and community services to develop closer partnership working with Hartlepool Connect.
- 5.2 The review will work with the Early Years Partnership (EYP) review as joint working and service delivery is already established.
- 5.3 The review will explore potential for partnership and shared service delivery with Adult Services (Universal Services), particularly in relation to services to older people and people with special needs.
- 5.4 The review will take account of the Council’s Community Asset Management Transfer Policy in considering service delivery options.

**6.0 Resource Requirement / Costs**

- 6.1 No additional resources will be required to undertake the review.

**7 Reporting Schedule**

- 7.1 In order to ensure the review remains on schedule the delivery plan identified within the SDO review guide has been completed and is shown below.

Reporting Schedule	April '10	May '10	June '10	July '10	Aug '10	Sept '10	Oct '10	Nov '10
Delivery Plan to Programme Board and Cabinet								
Options report to Programme Board and Cabinet								
Implementation Plan to Programme Board and Cabinet								

## **Subject: Revenues and Benefits Service Delivery Option Review Delivery Plan**

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### **1. Purpose of Report**

1.1 There is an efficiency target of £101K for this review.

### **2. Review Objectives and Scope**

2.1 The objectives of the review include:

- Identifying the services the Council needs to provide and how these are currently delivered.
- Considering levels of service, their effectiveness, cost competitiveness.
- Evaluating alternative arrangements / frameworks for the delivery of services in the future.
- Considering any operational impacts from implementing revised arrangements to deliver the target savings.

2.2 The review will also need to consider the scope for closer integration with the contact centre and the arrangements for interfacing the public and the council for the services covered by this review. In recognition a representative of the Contact Centre will form part of the review team.

### **3 Exclusions from the scope**

3.1 There are no exclusions from the scope of the review.

### **4 Constraints on the review**

4.1 The Revenues and Benefits services currently utilise robust, mature and effective software systems principally I-World and Iclipse, that underpin the delivery of the services and significant local expertise in operating and supporting these systems has developed. In terms of considering alternative service delivery models any partnership arrangements should focus on the operation of services utilising the I-World product set given the significant costs of retraining and re skilling associated with any change of IT solution for delivery of the services.

4.2 The review encompasses a number of front line services and will impact on a range of stakeholders. In particular, through the ongoing delivery of an effective benefits service, the review will need to reflect the economic value and financial well being of significant sections of the community including those that may be vulnerable. A further consideration will also be the Audit Commission good practice key lines of enquiry (KLOE's) that have been defined for the Benefits Service and the extent to which any proposed changes to arrangements would compromise the delivery of those standards.

## 5 Interfaces with other projects

5.1 Within the Business Transformation Programme a number of different workstreams are being multi tracked, some of which will interface with this review principally.

- The Management Structures workstream covering the Tier 5 level and other operational arrangements will be implemented whilst this SDO is progressing.
- The Chief Executive's Departmental Support Services Review is being implemented in 2010 which will impact with this review.
- The Transactional Services workstream which includes the development of a Shared Services Team will need to integrate with this review.

## 6 Resource Requirements / Costs

6.1 No additional funding will be required for the review, as this will be undertaken in-house. Management capacity will be impacted especially given the effects of management structure changes that have taken place. It is difficult to predict at this stage what, if any resource requirements will be required depending upon whether an alternative service delivery model is adopted.

## 7 Reporting schedule

7.1 In order to ensure the review remains on schedule the delivery plan identified within the SDO review guide has been completed and is shown below

Reporting Schedule	April '10	May '10	June '10	July '10	Aug '10	Sept '10	Oct '10	Nov '10
Delivery Plan to Programme Board and Cabinet								
Options report to Programme Board and Cabinet								
Implementation Plan to Programme Board and Cabinet								

**Subject: Regeneration & Neighbourhood Management  
Service Delivery Option - Delivery Plan**

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**1. Purpose of Report**

1.1 There is an efficiency target of £60K for this review.

**2. Review Objectives and Scope**

2.1 The aim of this review is to:

*To provide clarity on who we are and what we do, the purpose and value of the services we provide and how those services are and could be provided in the future.*

2.2 Services covered in the review run across the Community Regeneration Team, the Major Projects and regional/sub-regional engagement sections of the Urban and Planning Policy Team and the three Neighbourhood Management Teams (North, Central and South), reflecting strong joint working arrangements required to deliver Regeneration in the town

- Major regeneration programmes and projects
- Regional and sub-regional engagement
- Tees Valley Unlimited (TVU)
- Coastal Arc programme and projects
- Community regeneration programmes and projects
- Compact/Voluntary Sector Strategy (VSS)
- Neighbourhood Renewal Strategy (NRS)
- Neighbourhood Action Plan (NAP) preparation, delivery/implementation and review
- Community capacity building/community engagement/empowerment in the NRS area.

**3. Exclusions from the Scope**

3.1 Job Evaluation – any additional costs due to Job Evaluation will be considered outside of the review.

3.2 Development Scheme Progressions – any Development Scheme Progressions associated with the Job Evaluation process will be considered on their own merits, and will not be constrained by the review.

3.3 Temporary staff involved in regeneration service delivery funded through non-mainstream money.

- 3.4 Community Strategy links – whilst the main Neighbourhood Renewal Strategy functions transferred from Community Strategy to Community Regeneration (in October 2009, some cross-cutting issues such as diversity and equality remain with the Community Strategy ‘Hartlepool’s Ambition’, which is now within the Policy & Performance Division within Chief Executives Department. Close working links have continued, particularly in relation to the MORI studies, links with the work of the Theme Partnerships, Total Place study etc.
- 3.5 The Council’s Neighbourhood Consultative Forums (NCF) services provided by the Neighbourhood Managers and Neighbourhood Development Officers are excluded from this review for a number of reasons.

#### 4. Constraints on the Review

- 4.1 Working Neighbourhoods Fund is a four year grant programme, allocated to all Local Authorities that fall within the 10% most deprived areas, for which there is no Central Government commitment to this beyond 2010/11. A small proportion of the grant (around 5% at £221,098) is used to fund Residents’ Priority Budgets (RPBs) and is allocated by 10 Neighbourhood Action Plan Forums. At this stage the Government has yet to confirm whether this grant will continue post 2010/11, which places additional pressures on the Council which may have to decide in the future whether to support the provision of RPBs and/or seek to encourage partners to participate in this significant Participatory Budgeting (PB) process. Work around this is currently being taken forward by the Neighbourhood Action Plan Officers Group, made up of representatives from Neighbourhood Management, Community Regeneration, Policy & Performance, Housing Hartlepool and the Community Network.
- 4.2 National pressures to deliver on National Indicator 4 (% of adults who feel they can influence decisions that affect their area) and National Indicator 5 (Proportion of people satisfied with their own area as a place to live), Participatory Budgeting, local Compact, Place-shaping.
- 4.3 Commitment to deliver Tees Valley Business Case funding, as any service changes that conflict with this would need to be considered. In addition sub-regional partnership arrangements agreed through Tees Valley Unlimited will affect engagement and delivery methods.
- 4.4 Policy and associated funding criteria constraints determined by Government Office for the North East (GONE), One North East and Single Programme.
- 4.5 HBC is required to deliver Central Area Investment Framework, Neighbourhood Renewal Strategy (NRS), Voluntary Sector Strategy (VSS), Neighbourhood Management (NM) and Empowerment Strategy.
- 4.6 New Deal for Communities (NDC) Exit Strategy – The Borough Council as both a partner and the Accountable Body is committed to assisting with the Succession Strategy of NDC (Cabinet -05/10/09), including the implementation of the Neighbourhood Management and Community

Empowerment strand and building capacity of the community/voluntary sector.

## 5. Interfaces with other projects

5.1 Owing to the pace of transformational change across the Authority, there are a number of plans already underway which interface with this review.

5.2 Over the past two years, the following service area identified in this SDO has taken on a number of additional new areas of work, these are as follows:

Compact, Voluntary Sector Strategy, Connecting Communities, Throston Neighbourhood Action Plan (NAP), Neighbourhood Renewal Strategy, Town Centre Communities NAP, the co-ordination of the NAP Officers Group meetings and Growth Point.

5.3 At the same time, management structure changes have had a fundamental impact on the work of this service area with the amalgamation of 2 Assistant Directors, the loss of the Coastal Arc Co-ordinator's post and the previously seconded Principal Regeneration Officer to New Deal for Communities (NDC).

5.4 The ongoing Tees Valley Unlimited review may affect the way we engage with partners at the Tees Valley and regional level, and may affect the level of support provided to Local Authorities. The disbandment of Tees Valley Regeneration (TVR) will have implications around the delivery of major regeneration projects.

5.5 Asset Management: Neighbourhood Managers and Neighbourhood Development Officers in the Central and South areas of Hartlepool work in co-located buildings. There is a commitment from partners i.e. Cleveland Police, Fire Brigade, Housing Hartlepool and ourselves to explore all opportunities to replicate this in the North as a suitable venue becomes available. In addition, as part of the physical re-organisation of staff as part of the amalgamation of Departments, the Council's accommodation policy i.e. 4 employees to 3 work stations, homeworking etc can be considered when planning for accommodating remaining staff.

5.6 Related SDOs for example

- i) Development and Building Control, Spatial Planning (Local Development Framework), Landscape and Conservation, Strategic Transport, Policy.
- ii) Housing Strategy, Housing Options (Advice and Support), Affordable Housing, Special Needs, Private Housing (Grants/Loans and Enforcement) and Housing Market Renewal (HMR).
- iii) Economic Development. Cross working occurs between the SDO area and these service areas for example; staff have assisted in the delivery of the HMR agenda, Planning Policy work, and have provided support to the business community and in employment related programmes.

5.7 The service area also integrates with non HBC resources used in Neighbourhood Action Plan (NAP) delivery, for example the Community Network and Housing Hartlepool, who assist the authority with delivering capacity building and community empowerment within NAP Forums areas.

## 6. Resource Requirements / Costs

6.1 No additional resources/costs will be required for the review, however it is difficult to predict at this stage what, if any resource requirements will be required, depending upon whether an alternative service delivery model is adopted for the service as a whole or services within the scope of this review.

## 7. Reporting Schedule

7.1 In order to ensure the review remains on schedule the reporting schedule identified within the SDO review guide has been completed and is shown below:-

Reporting Schedule	April '10	May '10	June '10	July '10	Aug '10	Sept '10	Oct '10	Nov '10
Delivery Plan to Programme Board and Cabinet								
Options report to Programme Board and Cabinet								
Implementation Plan to Programme Board and Cabinet								

## **Sport & Recreation Service - Service Delivery Option Review Delivery Plan**

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### **1. Purpose of Report**

1.1 There is an efficiency target of £113,251 for this review.

### **2. Review Objectives and Scope**

2.1 The aims of this review are to:-

- Provide a co-ordinated Sport & Recreation service across Hartlepool in line with government expectations for Sport and Physical Activity participation as well as meeting the needs and expectations of local people.
- Ensure that the service complies with existing and developing national legislation, policy and standards.
- Identify the options for the preferred procurement and management of our main Council leisure facilities in the future.
- Provide an Outdoor Education service for Primary Schools for both Hartlepool and our partner Authority Middlesbrough, to meet curricular requirements.
- Provide a Swimming Lesson Programme for all Primary Schools in Hartlepool to meet curricular requirements, ensuring that all pupils at Key Stage 2 can swim unaided for at least 25 metres.

2.2 The scope of this review has been set to include all the activities of the Sport & Recreation service and will include:-

- Mill House Leisure Centre
- Headland Sports Hall & Borough Buildings
- Brinkburn Swimming Pool
- Grayfields Recreation Ground
- Sports Pitch Bookings
- Sports Development – Core activities
- Sports Development – Outdoor Activities
- Summerhill
- Carlton Outdoor Centre
- Primary Swimming Lesson Programme
- Recreation Development

### **3. Exclusions from the Scope**

3.1 Sport and recreation generally is such a wide-ranging and diverse subject area that it is important to clarify that there are a range of services not included in this review, but which are encompassed elsewhere. These are as follows:-

- Hartlepool Indoor Bowls Centre – managed privately by the Bowls Club

- Lanehead Outdoor Centre – managed by Middlesbrough Borough Council
- Brierton Community Sports Centre – managed by Dyke House School
- Community Centres and Youth Centres – subject to an SDO but managed by another service area within the Department
- All partnership funded programmes, activities and initiatives including Hartlepool Community Activities Network (CAN), GP Referral Programme, Cardiac Rehabilitation Programme, Adults into Sport, Primary Care Trust Local Delivery Plan funded provision, Community Sports Coach programme etc. – all subject to external partnerships and/or external funding arrangements
- Hartlepool School Sports Partnership – managed by the specialist sports college (Dyke House) and funded by the Youth Sports Trust
- Beach Life-Guarding service, Paddling Pool provision, Play Areas and Play facilities and 5 other Local Nature Reserves – encompassed in another review

3.2 It is important to note that whilst Carlton Outdoor Centre and the Primary Swimming Programme have been included within the scope of this review, any efficiencies identified as part of the SDO will have to be put back into these particular services owing to the nature of their funding. Any efficiencies cannot be centralised.

#### 4. Constraints on the Review

- The agreement with the Carlton Trustees and Middlesbrough Borough Council for the provision of curricular outdoor and adventurous activity for Primary School pupils at Carlton Outdoor Centre.
- Ofsted requirements and inspection standards.
- The provision of outdoor adventurous activity is licensable and as such is subject to the requirements of AALA and regular inspection.
- Acts and legislation regulations and standards, predominantly around Health and Safety and Corporate Manslaughter and liability issues such as Life-Guarding, teaching and supervision, participant ratios, safeguarding etc.
- National Governing Body (of sport) standards

#### 5. Interfaces with Other Projects

5.1 Owing to the pace of transformational change across the authority, there are a number of reviews already underway which interface directly with this review.

- Management structures and the introduction of specific principles on the layering and spans of control may further impact on staffing with consequent impact on service delivery. Management structure savings

targets have been set in addition to the service delivery option target which has been set.

- The ongoing work of the Commercial Agents, DTZ, who are examining the procurement and management issues of a wholesale redevelopment of the entire Mill House site, amongst which is to include the provision of a new wet/dry leisure centre facility.
- Asset Management and the rationalisation of buildings and associated accommodation strategy need to be considered in the location of office based staff.
- The review of Youth Services provision, specifically where Duke of Edinburgh outdoor activities and the Educational Visits Panel are concerned.
- The review of building maintenance and cleaning by Neighbourhood and Regeneration Department.
- The review of the Parks & Countryside service, Tees Archaeology Service and Cultural Services (predominantly Events and Tourism).
- Any review of general schools programmes.

## 6. Resource Requirements / Costs

- 6.1 No additional resources/costs will be required for the review, however it is difficult to predict at this stage what, if any resource requirements will be required depending upon whether alternative service delivery models are adopted.

## 7. Reporting Schedule

In order to ensure the review remains on schedule the delivery plan identified within the SDO review guide has been completed and is shown overleaf:-

Reporting Schedule	April '10	May '10	June '10	July '10	Aug '10	Sept '10	Oct '10	Nov '10
Delivery Plan to Programme Board and Cabinet								
Options report to Programme Board and Cabinet								
Implementation Plan to Programme Board and Cabinet								

## Environment Service Delivery Option Review Delivery Plan

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### 1.0 Purpose of Report

1.1 There is an efficiency target of £185,340 for this review.

### 2.0 Review Objectives & scope

2.1 The aims of the review are to:-

2.2 **Objective 1:** The review team is to use the SDO review to reshape services that have come together following the restructure and - Create and maintain high quality, well-managed neighbourhoods that are clean, green, and attractive and respected and enjoyed by all.

2.3 **Objective 2 :-** Using the SDO review - Achieve a coordinated and flexible approach to the care, development and promotion of green space in Hartlepool. In doing so work in partnership to secure well maintained dynamic and responsive community green spaces, parks, play and recreational game space resources; and a healthy and robust countryside and coastal resource that protects, conserves and enhances precious areas for nature and wildlife whilst promoting suitable opportunities for recreation. Through these actions contribute to a greener, healthier, happier and more satisfying place to live for the people of Hartlepool.

2.4 The scope of this review has been set as wide as possible to yield maximum benefits and efficiencies. As the review proceeds the range of services considered for alternative service delivery may change but will be excluded in an objective manner to ensure transparency in decision making.

2.5 This review focus is on a broad spectrum of services delivered by the Neighbourhood Services Division, some of which are provided in the Forum areas, North, Centre and South and others are provided centrally.

- Parks & Countryside,
- Play Spaces, Recreational grounds, Bowling greens
- Allotments
- Horticultural services
- Grounds maintenance of open spaces
- Cemeteries & Crematoria,
- Street cleansing,
- Foreshore & Beach safety
- Environmental education & enforcement
- Climate Change &
- Pride in Hartlepool

### 3.0 Exclusions from the scope

- 3.1 Where posts are funded from external partners or Working Neighbourhoods Fund (WNF), these posts and relevant duties will be covered within the SDO review with a view to look at how the roles and responsibilities can continue to be carried out within the appropriate service area.
- 3.2 Neighbourhood Managers and Development Officers are being reviewed in the Regeneration & Neighbourhood Management SDO review which is running parallel to this review.
- 3.3 Waste and Facilities Management services were reviewed in year one.

#### **4.0 Constraints on the review**

- 4.1 Working Neighbourhoods Fund is a four year grant programme, allocated to Local Authorities that fall within the 10% most deprived areas. There is no Central Government commitment to this funding beyond 2010/11. A small proportion of the grant currently funds five Environmental Enforcement officers and one Education officer.
- 4.2 Housing Hartlepool have funded the employment of three Environmental Enforcement Officers for 3 years, however there is no commitment for this beyond 2010/11.
- 4.3 The cremators at Stranton Grange Crematorium are due to be replaced by 31<sup>st</sup> December 2012 to meet Department for Environment Food & Rural Affairs (DEFRA) guidance with respect to reducing mercury emissions. Replacement capital costs for the new cremators are in the region of £1million, with an operational life of approximately 15 years and current interest rates, the annual repayment costs on Prudential Borrowing would be approximately £90,000. This will be funded through the introduction of an environmental surcharge equivalent to a 10% increase in cremation fees (in addition to the annual increase) to be levied on adult cremations.
- 4.4 Statutory legislation regarding street cleansing under the Environmental Protection Act 1990 and the Clean Neighbourhoods Act 2005.
- 4.5 Statutory requirements and legislation relating to the Local Authority's provision of Allotments.
- 4.6 Recommendations from the Planning Policy Guidance 17 review of Green Space resources in Hartlepool.
- 4.7 Statutory requirements and regulations relating to the Local Authority's responsibilities for Public Rights of Way.
- 4.8 Statutory requirements and regulations relating to the Local Authority's responsibility for maintenance and protection of Sites of Special Scientific Interest (SSSI's), Local Nature Reserves and Trees in Conservation Areas which are part of HBC Green Space asset portfolio.

## 5.0 Interfaces with other projects

5.1 Owing to the pace of transformational change across the authority, there are a number of plans already underway which interface with this review.

- Hartlepool is one of 12 local authorities nationally that is participating in the Keep Britain Tidy Deprived Area Perceptions Project. This is a significant piece of work that aims to enhance our understanding of the factors that affect environmental quality, how perceptions relate to standards, why gaps exist between reality and perception, and how perception data can be used alongside actual standards to make improvements to local areas more effective. The findings of this study will be published in May.
- The safer, cleaner, greener initiative which has proved successful in the NDC area has been extended to other areas over the last year. An evaluation of the initiative has been undertaken and is due to report within the forthcoming weeks.
- The above two evaluations will be fed directly into the review with a view to look at how we can continue to improve mainstream environmental service provision that takes account of the good practise evidenced through such initiatives.
- In January 2010 the Council entered into a formal partnership agreement with Groundwork that will add value to existing services. Over the next year further work will be undertaken with the Probation Service to further integrate Community Payback Teams on cleansing and environmental programmes linked to community priorities.
- The majority of Customer service enquiries are dealt with by Hartlepool connect, who are currently reviewing customer transaction processes to facilitate, where possible more effective and efficient response mechanisms and procedures. It is hoped the development of the booking system will enable additional service enquiries to be dealt with in due course.

## 6.0 Requirements / Costs

6.1 No additional resources/costs will be required for the review, however it is difficult to predict at this stage what, if any resource requirements will be required depending upon whether an alternative service delivery model is adopted.

## 7.0 Reporting schedule

7.1 In order to ensure the review remains on schedule the reporting schedule identified within the SDO review guide has been completed and is shown overleaf:-

<b>Reporting Schedule</b>	<b>April '10</b>	<b>May '10</b>	<b>June '10</b>	<b>July '10</b>	<b>Aug '10</b>	<b>Sept '10</b>	<b>Oct '10</b>	<b>Nov '10</b>
Delivery Plan to Programme Board and Cabinet								
Options report to Programme Board and Cabinet								
Implementation Plan to Programme Board and Cabinet								

## Housing Service Delivery Option Review Delivery Plan

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**1. PURPOSE OF REPORT**

1.1 There is an efficiency target of £43,800 for this review.

**2. REVIEW OBJECTIVES AND SCOPE**

2.1 The review team has developed the following objectives:

2.1.1 Respond to service requests in accordance with agreed service standards, ensuring compliance with legislation and government policy.

2.1.2 Provide pro-active services, aiming to prevent the need for enforcement or other future intervention, which leads to improved quality of life for residents.

2.1.3 Develop the Housing Option Centre to provide a one-stop shop for housing services in Hartlepool.

2.1.4 Provide value for money in all services and achieve the efficiencies required as part of the Council's business transformation programme.

2.2 The scope of the services to be covered in the review are:

2.2.1 Private sector housing

- enforcement of environmental health and housing legislation (including empty properties)
- grants and loans, including disabled facilities grants, minor adaptations (handy person scheme) and special needs rehousing.
- housing stock condition
- energy efficiency
- landlord accreditation
- selective licensing of landlords

2.2.2 Housing Services based in Housing Options Centre

- statutory housing advice and homelessness, including prevention
- tenancy relations and enforcement of illegal eviction
- housing related support and tenancy sustainability, including co-ordination of supported housing panel.
- housing register and choice based letting
- Registered Social Landlords – monitoring and nomination rights

2.2.3 Housing Regeneration and Policy

- Strategic Housing Function - production of Hartlepool's Housing Strategy and involvement in sub-regional housing strategy.
- Housing Market Renewal (HMR) activity.
- Affordable Housing – policy, provision and dialogue with Homes & Communities Agency.
- Registered Providers
- Key lines of enquiry, and link to Local Area Agreement, for housing.

#### 2.2.4 Anti-social Behaviour Unit

- Tenant referencing/good tenant scheme

2.3 The scope of this review has been set as wide as possible, to yield maximum benefits and efficiencies. As the review progresses, the range of services included may change, but if there are exclusions, this will be carried out in an objective manner to ensure transparency in decision making. The main aspect of the services is staffing costs.

### 3. EXCLUSIONS FROM THE SCOPE

3.1 The Empty Homes Strategy has yet to be approved by Cabinet (anticipated timescale is late May or early June). No budget provision has been identified for delivery of the action plan associated with this strategy and therefore no savings can be made.

### 4. CONSTRAINTS ON THE REVIEW

4.1 Rental associated with Housing Option Centre Lease (£32,000 pa) – 10 years with 5 years break clause.

### 5. INTERFACES WITH OTHER PROJECTS

5.1 It is possible that the centralisation of finance and admin/support services into a departmental team will have an impact on the service delivery of elements of the Housing SDO review and vice-versa.

5.2 The SDO review for Commissioned Services in Child & Adult Services Department includes Supporting People Services. There are elements of service provision in both the Private Sector Housing team (handy person service, minor adaptations, special needs rehousing, which is statutory responsibility) and services based in the Housing Options Centre (floating support services), which will have potentially been double counted in savings required by each SDO. This will be investigated and highlighted on future reports.

5.3 The Regeneration SDO is likely to cover services which are jointly provided in Housing Market Renewal areas by both Housing Regeneration and Policy and the Community Regeneration teams

**6. RESOURCE REQUIREMENTS/COSTS**

6.1 No additional resources/costs will be required for the review.

**7. REPORTING SCHEDULE**

7.1 In order to ensure the review remains on schedule the delivery plan identified within the SDO review guide has been completed and is shown below;-

<b>Reporting Schedule</b>	<b>April '10</b>	<b>May '10</b>	<b>June '10</b>	<b>July '10</b>	<b>Aug '10</b>	<b>Sept '10</b>	<b>Oct '10</b>	<b>Nov '10</b>
Delivery Plan to Programme Board and Cabinet								
Options report to Programme Board and Cabinet								
Implementation Plan to Programme Board and Cabinet								

<p style="text-align: center;"><b>CABINET REPORT</b></p> <p style="text-align: center;"><b>24 May 2010</b></p>
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**Report of:** Director of Child and Adult Services

**Subject:** National Support Team Recommendations Childhood Obesity – Presentation

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**SUMMARY**

**1. PURPOSE OF REPORT**

1.1 To introduce to the Cabinet a presentation on the National Support Team (NST) recommendations regarding childhood obesity in Hartlepool.

**2. SUMMARY OF CONTENTS**

2.1 The power point presentation but will cover the following areas:

- Local Strengths
- Potential Good and Innovative Practice
- 11 Themes with Recommendations
- Next Steps

**3. RELEVANCE TO CABINET**

3.1 The relevance to the Cabinet is that this is a key cross authority issue that has a significant impact on the health and well being of children and young people.

**4. TYPE OF DECISION**

4.1 Note for information.

**5. DECISION MAKING ROUTE**

Cabinet 24 May 2010.

**6. DECISION(S) REQUIRED**

- 6.1 Cabinet is required to note the content of the presentation and support the proposed next steps.



**Report of:** Head of Performance and Partnerships

**Subject:** QUARTERLY REVIEW OF STRATEGIC RISK REGISTER

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## **SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1. To inform the Cabinet of the current position with regard to the Council's Strategic Risk Register.

### **2.0 SUMMARY OF CONTENTS**

- 2.1 The report describes the current position with regard to the Council's Strategic Risk Register following a review by all departments and Corporate Management Team Support Group (CMTSG). The review involves examining risk ratings of existing risks in terms of impact and likelihood and effectiveness of control measures in place to mitigate the risk in conjunction and the identification of any new risks.

### **3.0 RELEVANCE TO CABINET**

- 3.1 The Executive has responsibility for risk management issues relating to their functions. In addition the Finance and Performance Portfolio Holder has responsibility for the Council overall approach to risk management.

### **4.0 TYPE OF DECISION**

- 4.1 Non- key.

### **5.0 DECISION MAKING ROUTE**

- 5.1 Cabinet meeting 24 May 2010

### **6.0 DECISION (S) REQUIRED**

- 6.1 To note the review and amendments to the Council's strategic risk register and actions being taken.

**Report of:** Head of Performance and Partnerships

**Subject:** QUARTERLY REVIEW OF STRATEGIC RISK REGISTER

---

## 1. PURPOSE OF REPORT

- 1.1. To inform the Cabinet of the current position with regard to the Council's Strategic Risk Register.

## 2. BACKGROUND

- 2.1 In accordance with the Council's Risk Management Strategy the Performance and Risk Management Group has reviewed and updated the Strategic Risk Register. The review has been considered by the Corporate Management Team Support Group and is now reported to Cabinet for consideration. The Risk Management Strategy has recently been reviewed in light of the departmental restructure and the review of the corporate officer groups. The review of the Strategic Risk Register will continue to be presented to Cabinet after consideration by the Corporate Management Team Support Group and Corporate Management Team if appropriate.

## 3. REVIEW OF STRATEGIC RISK REGISTER

- 3.1 A comprehensive review of the Strategic Risk Register is currently underway in the light of the recent restructure. So far during the review there has been a reduction of risks within the Strategic Risk Register due to risk being deleted or moved onto operational risk registers. This review is continuing into 2010/11 and will be concluded by the end of June 2010. The current strategic risk register is attached as **Appendix 1**.
- 3.2 The table below summarises the current rating of strategic risks. A description of the risk ratings is provided at **Appendix 2**.

Strategic Risk Ratings	Mar 2009 (Q4)	Sept 2009 (Q2)	Dec 2009 (Q3)	March 2010 (Q4)
Red	6	6	7	6
Amber	23	22	20	16
Green	6	6	7	5
<b>Total</b>	<b>35</b>	<b>34</b>	<b>34</b>	<b>27</b>

### Red risks

- 3.3 The following 6 risks (see table below) are identified as being category red. These are of particular importance for the Council given their combination of impact and likelihood. The Council is constantly striving to seek improvements in the control measures of these risks.

## 3.4 The six Red risks are:

<b>Resp. Officer</b>	<b>Risk Ref/Risk Description</b>	<b>Action(s)/Planned action(s) to reduce impact and likelihood of risk</b>
Joanne Machers	STR R021 -Future equal Pay Claims	Report to Cabinet in January 2010 to review and inform Cabinet members of on-going risks.
Joanne Machers	STR R022 - Current Equal Pay Claims including settlement of, or adverse findings of ET of existing equal pay claims	Legal Services continue to present arguments to remedies proposals and vigorously defend outstanding claims including the 223 recent claims presented by the trade unions on behalf of their members
Sylvia Pinkney	STR R010 – Flu Pandemic	The National Risk Register for 2010 issued on 7th April 2010 shows the risk of human pandemic diseases (influenza) as the highest risk on the 2010 matrix. The severity of a pandemic flu event should not be compared to the mild swine flu (H1N1 virus) that occurred in 2009.
Jeff Mason	STR R041 – Failure to realise plans for Victoria Harbour regeneration scheme	R&N DMT has decided that this risk should now sit within the departments operational risk register due to the changes for the plans of Victoria Harbour
Nicola Bailey	STR R045 - Demographic changes to population causing increased demand for adult care services	Continued monitoring of budgets and activity levels underway to ensure issues are flagged up in line with the budget pressures process via cabinet, Reports on activity continue to be presented to portfolio holder as required. Service Delivery Options in Year 3 for adult social care are being planned and aim for increased efficiency in how we deliver and commission services in the future.
Chris Little	STR R046 - The effects and unpredictability of the current economic downturn and global recession on the	Risk reflects as potential commitment against new strategic risk reserve. Additional contributions made to this year as part 2009/10 final outturn and this reduces potential funding shortfall

<b>Resp. Officer</b>	<b>Risk Ref/Risk Description</b>	<b>Action(s)/Planned action(s) to reduce impact and likelihood of risk</b>
	local economy jobs and residents and on the ability of HBC to deliver the Council Plan and Strategy	
Chris Little	STR R026 - Sustainability of grant funded services/projects	Budget strategy reflects 5% potential reduction in formula grant for 3 years. Cabinet and CMT have begun to address resulting shortfall. Position on other grants to be reviewed after election

### Deleted Risks

- 3.5 A total of five risks have been deleted from the Strategic Risk Register during the current review by the Regeneration and Neighbourhoods Departmental Management Team. Details of these risk and reasons as to why they are no longer necessary on the Strategic Risk Register can be found in the table below.

<b>Risk Ref/Risk Description</b>	<b>Reason for deletion</b>
STR R024 – Failure to maintain trading activity	This is a 'green' risk with effective controls in place. Trading activity is being maintained. It is felt that any future risk is better managed by combining it with more general departmental risks in relation to budgets and funding
STR R016 – Failure to deliver efficiency savings through procurement	Corporate Procurement Function has been strengthened; savings target established and results beginning to come through as part of Business Transformation Programme. There fore is no long a need for this Strategic Risk.
STR R017 – Financial viability and capacity of building consultancy services	SDO has showed rates are competitive but further efficiencies will be required. Extra work through BSF/PCP "positive". Also external work being won so no longer considered a strategic risk.
STR R014 – Loss of Civic Centre as key building	Recent investment and regular inspection programmes mean that the original risk is controlled. Whilst the impact of a loss from a catastrophic event still requires

Risk Ref/Risk Description	Reason for deletion
	consideration, this should be picked up as part of the Business Continuity planning process.
STR R040 – Failure to facilitate the redevelopment of HCFE	There is no longer a risk as the development is under way and so in the hands of HCFE
STR R018 – Failure to operate vehicles safely	This is a 'green' health and safety risk related to the Council fleet. The management of a number of safety risks such as this is in the process of being brought together under the operational risk section of Covalent.

- 3.6 Two risks have been moved from the Strategic Risk register on to the departmental risk registers for future monitoring as it was felt that this was more appropriate at this time.

Risk Ref/Risk Description
STR R041 – Failure to realise plans for Victoria Harbour regeneration scheme.
STR R039 – Effective delivery of housing market renewal affected by external decisions and funding

### Other Significant Risk Issues

- 3.5 At the last quarter update members asked for a summary of amber risks within the risk register. Amber risk can score between 4 and 6 points on the matrix and at 31<sup>st</sup> March 2010 a total of 16 risks that were amber.
- 3.6 Investigation has shown that all amber risks have remained static over the last 12 months with 11 risks continually scoring 6 within with risk matrix and the remaining 5 risks scoring a 4. Full details can be found **Appendix 1**.
- 3.7 Although it is too early to analyse the impact the new government's programme on funding for local government, early information suggests that there will be a "significant acceleration" of efforts to reduce the budget deficit - including £6bn of spending reductions this year. It is also expected that an emergency Budget will take place within 50 days. The current risk register sets out risks relating to the effects and unpredictability of the current economic downturn and global recession (STR R046) and the sustainability of grant funded services / projects (STR R026). For the next report (April – June 2010) these risks will be reviewed in light of emerging new government policy

**Next Review**

- 3.8 The Strategic Risk Register is reviewed quarterly and the next review will be for the first quarter of 2010/11.

**4. RECOMMENDATION**

- 4.1 To note the review and amendments to the Council's strategic risk register and actions being taken to manage risks.

# Status Report for SRR

# APPENDIX 1

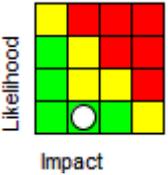
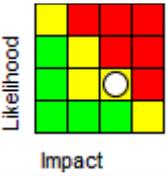
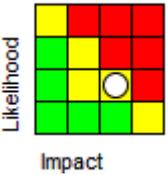
This report shows the status of all risk in all departmental registers and risks within the strategic risk register

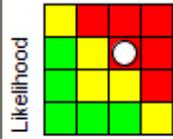
**Report Author:** Kerry Trenchard\_admin

**Generated on:** 04 May 2010

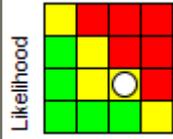
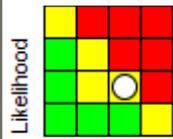
*Rows are sorted by Risk Score*

Code & Title **STR Strategic Risk Register**  
 Administered By **Adult and Community Services Super User; Dobby, Alan**

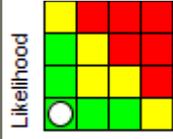
Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R042	Tall Ships races - Hartlepool 2010 (ACS R016)		John Mennear	John Mennear	01 Mar 2010
STR R030	Failure to work in effective partnerships with Health Services		Nicola Bailey	Nicola Bailey	01 Jul 2010
STR R031	Potential for cost shunting between NHS and HBC re CHC		Nicola Bailey	Nicola Bailey	01 Jul 2010

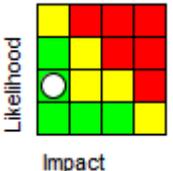
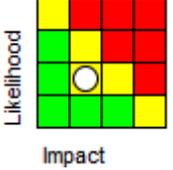
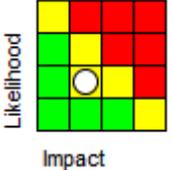
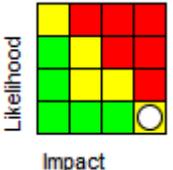
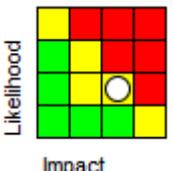
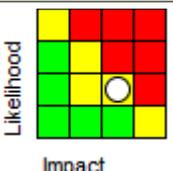
Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R045	Demographic changes to population causing increased demand		Nicola Bailey	Nicola Bailey	01 Jul 2010

**Code & Title STR Strategic Risk Register**  
**Administered By Childrens Services Super User; Smith, Anne**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R001	Failure to plan school provision appropriately		Nicola Bailey;	Nicola Bailey;	01 Jul 2010
STR R002	Failure to appropriately safeguard children		Nicola Bailey;	Nicola Bailey;	01 Jul 2010

**Code & Title STR Strategic Risk Register**  
**Administered By Corporate Strategy Super User**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R020	Fail to make progress on review of ICT contract in a timely fashion reducing the Council's ability to achieve service improvement through use of ICT and/or service disruption		Joan Chapman		20 Jul 2009

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R043	Fail to maximise benefits of implementing the Business Transformation Programme		Andrew Atkin		30 Mar 2010
STR R008	Loss of Council reputation due to both internal and external factors		Andrew Atkin		18 Dec 2009
STR R033	National & regional needs imposed which may not reflect Hartlepool needs		Andrew Atkin	Paul Walker	30 Mar 2010
STR R044	Failure to mitigate the effects of a malicious attack		Andrew Atkin	Paul Walker	30 Mar 2010
STR R007	Experiencing failure or lack of access to Critical ICT systems		Andrew Atkin		30 Mar 2010
STR R034	Maintaining the CAA and Organisational Assessment rating of the Council will provide opportunities to influence and positively reflect the achievements of the council		Andrew Atkin	Paul Walker	30 Mar 2010

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R035	Change programme / Restructuring of the Authority		Andrew Atkin	Paul Walker	30 Mar 2010
STR R036	Loss of focus on strategic direction and key priorities (political direction)		Andrew Atkin	Paul Walker	30 Mar 2010

**Code & Title STR Strategic Risk Register**  
 Administered By **Corporate Strategy Super User; Finance Division (CED) Super User; Human Resources Super User; Legal Services Super User**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R046	The effects and unpredictability of the current economic downturn and global recession on the local economy jobs and residents and on the ability of HBC to deliver the Council Plan and Strategy		Finance Division (CED) Super User; Mike Ward	Mike Ward	01 Jul 2010

**Code & Title STR Strategic Risk Register**  
**Administered By Finance Division (CED) Super User**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R025	Absence of robust documentation that sets out the roles and responsibilities of each partner could lead to HBC baring unnecessary responsibility should the partnership fail to deliver		Mike Ward	Mike Ward	23 Nov 2009
STR R026	Sustainability of grant funded services / projects		Mike Ward		23 Nov 2009

**Code & Title STR Strategic Risk Register**  
**Administered By Human Resources Super User**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R021	Future Equal pay claims		Joanne Machers	Joanne Machers	30 Sep 2009
STR R022	Current Equal Pay Claims including settlement of, or adverse findings in ET of existing equal pay claims		Joanne Machers	Joanne Machers	01 Apr 2010

Code & Title **STR Strategic Risk Register**  
 Administered By **Neighbourhood Services Departmental Super User**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R012	Lack of resources to maintain building stock		Albert Williams	Graham Frankland	08 Apr 2010
STR R013	Failure in asset management planning to make best use of assets in terms of acquisition, disposal and occupation		Dale Clarke	Graham Frankland	08 Apr 2010
STR R015	Environmental and financial consequences of climate change		Paul Hurwood	Craig Thelwell	08 Apr 2010
STR R010	Flu pandemic		Sylvia Pinkney	Denis Hampson	08 Apr 2010

**Code & Title STR Strategic Risk Register**  
**Administered By Neighbourhood Services Departmental Super User; Smith, Alastair**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R009	PROPOSE TRANSFER TO BC CHAMPION Failure to provide council services during emergency conditions		Denis Hampson	Denis Hampson	08 Apr 2010

**Code & Title STR Strategic Risk Register**  
**Administered By Neighbourhood Services Departmental Super User; Smith, Alastair; Young\_admin, Ralph**

Risk Code	Risk Title	Current Risk Matrix	Assigned To	Managed By	Last Review Date
STR R006	Contaminated Land		David Wilson	Alastair Smith	03 Mar 2010
STR R019	Loss of Operators License		Paul Robson	Alastair Smith	20 Apr 2010

## Appendix 2 – Risk Register Ratings

In line with the risk management strategy, each risk is categorised to help ensure a systematic and comprehensive approach to risk management, the categories being:

- Political
- Financial
- Social
- Environmental
- Personnel
- Physical assets
- Information and technology
- Contractors/partners/suppliers
- Reputation

The risk rating is calculated on the basis of impact and likelihood – and the greater the degree of severity and probability, the higher the risk rating, in line with the following matrix:

		IMPACT			
		1 Low	2 Medium	3 High	4 Extreme
LIKELIHOOD	4	AMBER 4	RED 8	RED 12	RED 16
	3	GREEN 3	AMBER 6	RED 9	RED 12
	2	GREEN 2	AMBER 4	AMBER 6	RED 8
	1	GREEN 1	GREEN 2	GREEN 3	AMBER 4

### IMPACT

- Extreme** Total service disruption / very significant financial impact / Government intervention / sustained adverse national media coverage / multiple fatalities.
- High** Significant service disruption/ significant financial impact / significant adverse Government, Audit Commission etc report / adverse national media coverage / fatalities or serious disabling injuries.
- Medium** Service disruption / noticeable financial impact / service user complaints or adverse local media coverage / major injuries
- Low** Minor service disruption / low level financial loss / isolated complaints / minor injuries

### LIKELIHOOD

Expectation of occurrence *within the next 12 months* -

- Almost certain
- Likely
- Possible
- Unlikely

# CABINET REPORT

24 May 2010



**Report of:** Corporate Management Team

**Subject:** QUARTER 4 – CORPORATE PLAN 2009/10  
MONITORING REPORT

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## SUMMARY

### 1. PURPOSE OF REPORT

1.1 To inform Cabinet of: -

- The progress made towards achieving the Corporate Plan Actions

### 2. SUMMARY OF CONTENTS

2.1 The report describes progress towards achieving the actions within the Corporate Plan using the traffic light system of Green, Amber and Red. The report provides an overview of Council performance, with separate sections providing more detailed information for each Portfolio Holder to consider.

### 3. RELEVANCE TO CABINET

Cabinet has overall responsibility for the monitoring of the Council's Corporate Plan.

### 4. TYPE OF DECISION

None.

### 5. DECISION MAKING ROUTE

Cabinet 24 May 2010.

### 6. DECISION(S) REQUIRED

Cabinet is asked to note the report:

**Report of:** Corporate Management Team

**Subject:** QUARTER 4 – CORPORATE PLAN 2009/10  
MONITORING REPORT

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## 1. PURPOSE OF REPORT

- 1.1 To inform members of the progress made towards achieving the Corporate Plan outcomes through planned actions for the period to 31<sup>st</sup> March 2010.

## 2. BACKGROUND

- 2.1 Quarter 1 to quarter 3 monitoring reports previously submitted to Cabinet included a summary report providing an overall picture of performance against the Corporate Plan actions and performance indicators and progress against the 2009/10 budget. This report only contains progress on the actions within the Corporate Plan 2009/10. The Budget Monitoring report and detailed analysis of the Performance Indicators will be reported at a later date when final accounts and PI outturns have been completed. This follows the practice followed in previous years.

## 3. OVERALL PERFORMANCE AND PROGRESS ON ACTIONS AND KEY PERFORMANCE INDICATORS

- 3.1 The Council identified 127 actions with specific completion dates in the 2009/2010 Corporate Plan. Overall performance is good, and in line with expectations as the start of the municipal year. During 2009 the traffic light with Covalent were reviewed and a new set were developed to help departments manage their performance better through Covalent. An explanation of the new traffic lights can be found below. Table 1 below summarise officers' views on progress as at 31<sup>st</sup> March 2010, for each Portfolio Holder's responsibilities: -



Action has not been completed or PI target not achieved



Action/KPI where intervention is required as not progressing well



Action/KPI progress is acceptable



Action/KPI on track to achieve



Action/KPI completed or target achieved

### 3.3 Table 1 – Progress on Actions within the Corporate Plan

Portfolio	Actions by Traffic Light					
	Green (on track or achieved)		Amber (progress acceptable)		Red (not achieved or intervention required)	
	No.	%	No.	%	No.	%
Adult Services and Public Health	24	100	0	0	0	0
Children's Services	26	87	3	10	1	3
Culture, Leisure and Tourism	4	100	0	0	0	0
Finance and Performance	14	61	7	30	2	9
Transport and Neighbourhoods	11	76	3	14	0	0
Regeneration and Economic Development	15	95	0	0	1	6
Community Safety and Housing	14	88	2	12	0	0
<b>Total</b>	<b>107</b>	<b>84</b>	<b>15</b>	<b>12</b>	<b>4</b>	<b>3</b>

\*figure may not always add to 100% due to rounding

## 4. REGENERATION AND ECONOMIC DEVELOPMENT PORTFOLIO

### 4.1 Performance Update for the Period Ending 31<sup>st</sup> March 2010

4.1.1 Within the Regeneration and Economic Development Portfolio there are a total of 16 actions that were identified in the 2009/10 Corporate Plan. Within this Portfolio 15 of the actions (95%) have achieved their target with only one single action not being completed within the planned time scale. Details of this action is included in table RED1, below.

Table RED 1 – Actions that have not being completed

<b>Outcome:</b> Deliver sustainable communities through high quality planning, new build and sensitive conservation and protect and enhance the local environment			
Code	Action	Due Date	Note
CORP EN01	Coordinate the preparation of the Local Development Framework embodying the core principle of sustainable development and climate change	31 Mar 2010	The Preferred Options Report of the Core Strategy in the LDF was published for consultation between 30 January and 26 March 2010. This included a Sustainability Appraisal and a specific draft policy CS2 on Climate Change

4.1.2 Key areas of progress made in 2009/10, in the Regeneration and Economic Development Portfolio includes: -

- The UKSE proposed extension at Queens Meadow is due to be considered by Planning Committee on 28<sup>th</sup> April 2010. The proposed start on site is June 2010 and the investment is very welcome in the current economic climate and will add

significant value to the small business infrastructure of the town.

- Key regeneration projects across the Borough include the acquisition of Crown House with demolition planned for 2010/11. Development of Innovation and Skills Quarter Gateway and development work on Creative Industries Incubation Scheme included as reserve projects in 2010/11 with design work for the former scheme being carried by HBC. Local Authority Social Housing Grant schemes commenced on Surtees Street and Seaton Lane and funding has been secured from Seaside Towns Grant Fund.
- Quarter 3 performance of the Local Area Agreement was reviewed by the Hartlepool Partnership's Performance Management Group on 5th March. The format for the meetings has been revised, and as a result improved discussion on key areas of performance took place.
- The Action Plan for Neighbourhood Renewal was considered and agreed at the February NAP Officers Group meeting along with initial consideration of a paper outlining options for future NAP delivery. The Town Centre Communities NAP is in the final stages of consultation in line with the timetable agreed with NDC. Work is ongoing to prepare the draft Plan for the Dyke House, Stranton and Grange area following a range of consultations that have been undertaken. This has successfully linked to the work being undertaken through the Connecting Communities Programme, including free access to training delivered by external consultants for residents, frontline staff, key stakeholders and Councillors to improve Community Champion, Communications and Local Civic Leadership skills. Funding has also been secured from the Borough Council's SCRAPT budget to continue the Voluntary Sector Premises Pool (VSPP) Grant Fund. This has previously been supported by New Deal for Communities (NDC) and targeted at the NDC area. The funding from SCRAPT is being used to support the community/voluntary sector in the Neighbourhood Renewal area with capital works to their premises. Work to ensure the delivery of Neighbourhood Renewal will continue into 2010/11.

## **5. CULTURE, LEISURE AND TOURISM PORTFOLIO**

### **5.1 Performance Update for the Period Ending 31<sup>st</sup> March 2010**

- 5.1.1 Within the Culture, Leisure and Tourism Portfolio there are a total of 4 actions that were identified in the 2009/10 Corporate Plan. All have been completed.
- 5.1.2 Key areas of progress made to date in the Culture, Leisure and Tourism: -

- Cultural Strategy has now been updated and will be presented for sign off at the Culture Portfolio on 4th May and the LSP in May prior to being printed and distributed to all who seek copies. The Allotment strategy is now complete and being submitted to portfolio on the 4th May for sign off. The new strategy has been well received by allotment associations.

## 6. CHILDREN'S SERVICES PORTFOLIO

### 6.1 Performance Update for the Period Ending 31<sup>st</sup> March 2010

- 6.1.1 Within the Children's Services Portfolio there are a total of 30 actions that were identified in the 2009/10 Corporate Plan. It should be noted that a number of actions have longer term targets and so are still on going with due dates that are beyond 31<sup>st</sup> March 2010. A total of 26 actions (87%) have been completed or on track to be completed within the specified timescales and where progress is acceptable. There is one action (3%) that requires intervention and is included in table CS1 below.

*Table CS1 – Actions assessed as requiring intervention*

Outcome: Be Healthy			
Code	Action	Due Date	Note
CORP HW04	Work with partner agencies, young people, schools and families to reduce under 18 conception rate by 55% from 1998 baseline and improve sexual health	31 Mar 2011	Recently published under 18 conception rates show a slight reduction in the under 18 conception rate for Hartlepool 65.9% per 1000 females aged 15 - 17 years. This demonstrates a 12.9% change in the rate from the baseline in 1998 which was 75.6%.

### 6.1.2 Key areas of progress made to date in the Children's Services Portfolio include: -

- In order to provide enrichment opportunities through the curriculum for all pupils including educational and residential visits, music, sport, creative and performing arts a number of programmes have been developed to support schools by the following services: Tees Valley Music Service, Dyke House Sports College and GAT programmes.
- Selected bidder has been appointed for construction work at Dyke House School. The Construction Plan indicates and confirms a September 2010 start on site.
- Work with partner agencies, young people, schools and families to tackle substance misuse (including alcohol)

have been tackled through actions in the Hidden Harm Action plan. Progress will be enhanced via Think Family project in respect of developing services for parents with a parental substance misuse and as well as for their children.

- Work is ongoing with the Local Safeguarding Children Board to strengthen links with the Children's Trust to promote the wider safeguarding agenda. Key priority areas identified from the development day being used to formulate new workplan for the LSCB. Joint session between the LSCB and the Children's Trust planned for June 2010.
- A total of 120 Parents have attended structured and accredited parenting courses between January and March 2010 and a similar number have been booked for April to June 2010. Our delivery Partners Barnardos have increased their staffing using the parenting grant funding to ensure that we can continue to meet the demand. All schools now have a parent support action plan and the majority are now sending staff to train as providers of parenting programmes. The Parenting Strategy group continues to develop actions to support the development of the strategy that will be updated in 2010/11.

## **7. ADULT AND PUBLIC HEALTH SERVICE PORTFOLIO**

### **7.1 Performance Update for the Period Ending 31<sup>st</sup> March 2010**

7.1.1 Within the Adult and Public Health Service Portfolio there are a total of 24 actions identified in the 2009/10 Corporate Plan with 23 of the actions being completed and 1 on track to be completed by the target due date.

7.1.2 Key areas of progress made to date in the Adult and Public Health Portfolios include: -

- To increase participations in Physical Activity within Hartlepool a lot of work is still ongoing with the Marina 5 mile road race proving much more popular this year. It saw 420 entries and 377 finishers, approx 100 more than last year. We believe this is linked to the use of publicising the event not only on the Burn Road Harriers Website but all other running club sites in the north east
- The Council continues to invest in initiatives that promote healthy eating such as the work done through the Healthy Schools Standard and the work planned as part of the Tall Ships coming to Hartlepool in August.
- There have been a number of positive developments throughout the year which have ensured that people who use services and their carers are able to have an active role in

planning, commissioning and service development. Planning Groups and Local Implementation Teams continue to play a key role in bringing people together to influence local decisions and the involvement of people using services and carers in commissioning of new services (such as respite services for people with learning disabilities) has been very valuable.

- Excellent progress has been made in relation to increased number of personal budgets, people managing their own budgets and the maintenance of brokerage services. The Personal Health Budget pilot project is also making excellent progress and the first personal health budgets will be available from April 2010.
- The range of services for assisting people with mental health problems to access paid or voluntary employment opportunities continues. The Employment link service remains embedded into the integrated teams, this is currently under review. Mental Health Matters also continue to work effectively with this client group. The new Moving Forward day service will also assist towards supporting people with mental health issues into paid employment through the coming year.
- Significant progress has been made in a number of areas to improve access to universal and targeted services. This includes increased use of assistive technologies (telecare and telehealth), securing funding to develop a Centre for Independent Living and the implementation of Valuing People Now which has improved access to healthcare for people with learning disabilities as well as increasing the range of accommodation options available. The further development of Hartlepool Now has also improved access to information and advice, which is a key issue for people in relation to being able to access services easily.

## **8. TRANSPORT AND NEIGHBOURHOODS PORTFOLIO**

### **8.1 Performance Update for the Period Ending 31<sup>st</sup> March 2010**

8.1.1 Within the Neighbourhood and Communities Portfolio there are a total of 14 actions that were identified in the 2009/10 Corporate Plan, with 9 (64%) achieving their target by the due date and on track for completion. The remaining 3 actions were not completed by the due date however progress is acceptable on all three actions and they will be completed shortly. These three actions are highlighted in Table TN1 below.

Table TN1 – Actions assessed as progress acceptable

<b>Outcome:</b> Improve the quality of the local environment by having cleaner, greener and safer public, private and community spaces			
Code	Action	Due Date	Note
CORP EN04	Improve and maintain the natural and built environment	31 Oct 2009	Actions still continue to be taken throughout the department to ensure delivery of this action. There are no areas of concern to report.
<b>Outcome:</b> Make better use of natural resources and reduce the generation of waste and maximise recycling			
CORP EN08	Implement the Joint Tees Valley Waste Management Strategy	31 Mar 2010	The Joint Tees Valley Waste Management Strategy continues to be implemented in all areas of waste, with minimisation, reuse and recycling taken into account in all areas of council strategy. HBC implementation plan action reviewed on an ongoing basis
<b>Outcome:</b> Prepare for the impacts of and secure local and global action to tackle climate change			
CORP EN09	Develop and deliver corporate environmental strategies	31 Mar 2010	Following the production of an initial draft, further work has been required, which has resulted in delays to the 'Sustainable Construction Strategy'; however, an officer has been assigned this task and a programme to develop and deliver this strategy in the coming year 2010/11 has now been agreed.

### 8.1.2 Key areas of progress made to date in the Neighbourhood and Communities Portfolio include: -

- CJC site planning application approved by Secretary of State. Crown House purchased for demolition as part of central regeneration.
- In order to develop an Energy Management "invest to save" programme for Council buildings a strategy has been produced and approved by Cabinet. Funding is now in place and so implementation has commenced.
- NCF Renewal Action Plan approved by Cabinet which will help ensure that sound mechanisms are in place which engenders a culture that provides the opportunities for meaningful public participation in Service Delivery
- Neighbourhood Managers have appropriate support for the implementation of Neighbourhood Action Plans through the strategy which will be going to Cabinet in May 2010. An action plan to take forward strategy will be developed in 2010/11.

## 9. FINANCE AND PERFORMANCE PORTFOLIO

### 9.1 Performance Update for the Period Ending 31<sup>st</sup> March 2010

9.1.1 Within the Finance and Efficiency Portfolios there are a total of 23 actions identified in the 2009/10 Corporate Plan, and 14 actions have been completed and 6 have a longer term target date but are on target to be achieved. Within the Corporate Plan 2 actions (9%) have not been completed and can be seen in Table FP1 below. Two further actions have not been completed by the due date but progress is deemed acceptable at this point with the details in table FP2

*Table FP 1 – Actions not completed*

<b>Outcome:</b> Improve financial management and reporting			
CORP OD07	Formalising the budgetary roles and responsibilities of the departmental and central finance teams	31 Mar 2010	Review continuing, report to be submitted to CMT providing Service Agreement between Finance and Departments
<b>Outcome:</b> Improve efficiency and effectiveness of the organisation			
CORP OD20	Delivery of the ICT Strategy to support corporate objectives	31 Mar 2010	The online booking system the main action that is preventing overall action being completed. This system has now been approved by partnership board with a proposed implementation timescale of 4 months from purchase. The current SLA with Northgate is being reviewed with the review expected.

*TableFP2 – Actions assessed as progress acceptable*

<b>Outcome:</b> Improve governance arrangements			
Code	Action	Due Date	Note
CORP OD05	Development of Governance Arrangements	31 Mar 2010	Officer Code of Conduct in abeyance awaiting results of national consultations / guidance. Therefore action has been completed as far as possible by HBC
<b>Outcome:</b> Improving Financial Inclusion			
Code	Action	Due Date	Note
CORP SC14	Developing money management training/awareness in partnership with the education and community and voluntary sectors	31 Mar 2010	Pilot events completed in Primary sector and inaugural event at college agreed with Hartlepool College of FE on Money Mgt and Financial Awareness. Further events scheduled for 2010/11.

9.1.2 Key areas of progress made to date in the Finance and Efficiency Portfolio include:-

- To help enhance Equality and Diversity arrangements the Diversity role has been transferred to mainstream Customer Services team from HR Services
- Good progress made on actions that continue to develop service planning and performance management arrangements. The service planning process has been revised, relaunched within the new departments and now largely completed with reports to Scrutiny Coordinating Committee, Cabinet and Council all in hand. Initial informal feedback has been positive but a formal review will be completed by the Performance and Risk Management group later in the year.
- The Audit Commission assessment of risk management arrangements for 2009/10 has commenced and to date no significant issues have been identified
- Scrutiny have produced their Annual report which was approved at SCC meeting on the 23 April 2010. There has also been the development of CCfA framework and Guide and the O&S 2009/10 work programmes have been completed with the last round of Final Reports going to SCC on the 23 April 2010.
- A CRM upgrade has been completed on 1<sup>st</sup> April 2010 to help develop and improve Customer Service provision

**10. COMMUNITY SAFETY AND HOUSING PORTFOLIO**

**10.1 Performance Update for the Period Ending 31<sup>st</sup> March 2010**

10.1.1 Within the Performance Portfolio there are a total of 16 actions that were identified in the 2009/10 Corporate Plan. Overall performance is good, with 81% (13) of the actions having been assessed as completed and one further action being on target with a longer term completion date. A total of 2 actions (13%) have not been fully completed by the target date but have been assessed as progress acceptable with the details in Table CSH1, below

*TableCSH1 – Actions assessed as progress acceptable*

<b>Outcome:</b> Changing housing needs and meeting the housing needs of vulnerable people			
Code	Action	Due Date	Note

CORP HO05	Provide support services to increase the opportunity for residents to live independently in the community	31 Mar 2010	Choice based lettings has proved to be more positive as it requires applicants to provide more detailed information, this empowers residents and gives providers the opportunity tailor housing options to specific needs. Therefore clients are reporting high satisfaction levels
<b>Outcome:</b> Access to housing			
Code	Action	Due Date	Note
CORP HO07	Ensure there is access to a choice of good quality housing to buy or rent, to meet the aspirations of residents and encourage investment	31 Mar 2010	Due to the outstanding overdue sub action involving completion of the SLA with Housing Hartlepool this overall action is unable to be completed within the original target

#### 10.1.2 Key areas of progress made to date in the Community Safety and Housing Portfolio include: -

- The Reducing Violence Strategic Group, supported by the Night Time Economy Group and Domestic Forum are working effectively and in collaboration to addressing town wide related violence.
- Intergenerational projects such as master chef have engaged young people directly in order to help promote community cohesion and engagement within communities. Funding from home office has been utilised to undertake participatory budgeting with young people, where they developed ideas, selected priority projects and were integral to delivery of the projects in all 3 neighbourhood areas.
- Integrated treatment model will be introduced from April 1st 2010 and will be evaluated after a sustained 12 month period. This will help improve the effectiveness of criminal justice interventions for adult offenders who are supervised by the Reduction of Re-offending team. Provisional funding levels have been received and Budgets set for the next financial year. Reduction of Reoffending remains a partnership priority and interventions will continue to be explored and improved in the coming financial year.
- Housing Market Renewal Programme is on track and has met the fourth quarter targets (2009/10) for grant expenditure and have exceeded acquisition targets, working in partnership with Tees Valley Living and other Tees Valley Authority partners. This is the second year within a three year programme and the Council will continue to pursue a strategic Housing Market Renewal programme in 2010/11.
- The Council are pursuing all opportunities for the delivery of affordable housing in Hartlepool working with Registered

Providers and The Homes and Communities Agency. The Council have secured funding to deliver 82 new social rented units and a successful Kick Start scheme has been secured.

**11 RECOMMENDATIONS**

- 11.1 It is recommended that Members note the current position with regard to performance.

# CABINET REPORT

24 May 2010



**Report of: Neighbourhood Services Scrutiny Forum**

**Subject: FINAL REPORT INTO THE POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS**

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## SUMMARY

### 1. PURPOSE OF REPORT

1.1 The purpose of this report is to outline the findings and conclusions of the Neighbourhood Services Scrutiny Forum's investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'.

### 2. SUMMARY OF CONTENTS

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

### 3. RELEVANCE TO CABINET

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

### 4. TYPE OF DECISION

4.1 This is a Non-Key decision.

### 5. DECISION MAKING ROUTE

5.1 The Final Report was approved by Scrutiny Co-ordinating Committee on 23 April 2010. Cabinet is requested to consider, and approve, the report at today's meeting.

**6. DECISION REQUIRED**

- 6.1 Cabinet is requested to approve the recommendations outlined in section 12.1 of the bound report, which is attached to the back of the papers for this meeting.



## **NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

### **FINAL REPORT**

#### **POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS**

May 2010



**Report of:** Neighbourhood Services Scrutiny Forum

**Subject:** FINAL REPORT INTO THE POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS

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**1. PURPOSE OF REPORT**

1.1 To present the findings of the Neighbourhood Services Scrutiny Forum following its investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'.

**2. BACKGROUND INFORMATION**

2.1 The Health Scrutiny Forum, in October 2009, carried out an investigation into the potential health implications of dust deposits on the Headland and surrounding areas in response to serious concerns from residents. Members of the Health Scrutiny Forum met formally on 27 October 2009 to receive evidence relating to the potential health implications of dust deposits on the Headland and surrounding areas.

2.2 Following its investigation the Health Scrutiny Forum presented its Final Report to the Scrutiny Co-ordinating Committee on 11 December 2009. The recommendations in the Final Report were accepted by the Scrutiny Co-ordinating Committee.

2.3 At this meeting of 11 December 2009, it was recommended that:-

(a) the Neighbourhood Services Scrutiny Forum:-

- (i) undertake a site visit to the Port area to observe the loading of scrap metal onto a ship; and
- (ii) examine the potential damage to properties, the environment, noise and any possible statutory nuisance of Port activities.

- (b) the Regeneration and Neighbourhoods Department in consultation with the relevant Portfolio Holder(s):-
  - (i) consult with the Port workforce and explore the possible options in terms of enforcement, ensuring that any operational deficiencies on the Port site are not repeated; and
  - (ii) explore the role of the Environment Agency as the legally responsible body for the regulation of the operating permit of activities in the Port.

### **3. OVERALL AIM OF THE SCRUTINY INVESTIGATION**

- 3.1 To examine the potential damage to properties, the environment, noise and any possible statutory nuisance of Port activities.

### **4. TERMS OF REFERENCE FOR THE SCRUTINY INVESTIGATION**

- 4.1 The following Terms of Reference for the investigation were agreed by the Neighbourhood Services Scrutiny Forum on 16 February 2010:-
  - (a) To gain an understanding of the activity roles and professional responsibilities of the Council and Environment Agency in relation to the licensing and enforcement of Port activities;
  - (b) To explore the roles and responsibilities of PD Ports, Van Dalen Metals Recycling and Trading and Heerema Fabrication in relation to how they operate to ensure that their activities have minimal environmental impact;
  - (c) To examine the potential damage that port activities may have on:-
    - (i) properties on the Headland and surrounding areas; and
    - (ii) the environment
  - (d) To explore the concerns of residents in relation to the potential damage that port activities may have on properties on the Headland and surrounding areas and the potential damage to the environment and people's quality of life;
  - (e) To assess the impact of the potential noise pollution from Port activities to establish whether it contributes to a statutory nuisance; and
  - (f) To undertake site visits to the Port area and Town Wall to observe the loading / unloading of ships.

**5. MEMBERSHIP OF THE NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

5.1 Membership of the Neighbourhood Services Scrutiny Forum for the 2009 / 10 Municipal Year was as outlined below:-

Councillors: S Akers-Belcher (Chair), C Barker (Vice-Chair), R Cook, J Coward, T Fleming, J Marshall, T Rogan, G Worthy, E Wright

Resident Representatives: J Cambridge and B Loynes

**6. METHODS OF INVESTIGATION**

6.1 The Members of the Neighbourhood Services Scrutiny Forum met formally from the 16 February 2010 to 24 March 2010 to discuss and receive evidence directly relating to their investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'. A detailed record of these meetings is available from the Council's Democratic Services or via the Hartlepool Borough Council website.

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

- (a) Written evidence from the Council's Regeneration and Neighbourhoods Department enhanced with verbal evidence;
- (b) Verbal evidence from the Portfolio Holder for Transport and Neighbourhoods;
- (c) Written evidence from the Environment Agency enhanced with verbal evidence;
- (d) Written evidence from Van Dalen enhanced with verbal evidence;
- (e) Presentation from PD Ports enhanced with verbal evidence;
- (f) Presentation from Heerema enhanced with verbal evidence; and
- (g) Written evidence from Headland residents enhanced with verbal evidence
- (h) Evidence from the Focus Group held on 23 February 2010
- (i) Evidence from visits to view Headland properties;
- (j) Evidence from site visit to PD Ports; and
- (k) Evidence from viewing the loading / unloading of ships from the Headland Town Wall

## FINDINGS

### 7. THE ACTIVITY ROLES AND PROFESSIONAL RESPONSIBILITIES OF THE COUNCIL AND ENVIRONMENT AGENCY

7.1 Members of the Forum were keen to explore the activity roles and professional responsibilities of the Council and the Environment Agency in relation to the licensing and enforcement of port activities and therefore invited evidence from the Council's Regeneration and Neighbourhoods Department, the Portfolio Holder for Transport and Neighbourhoods and the Environment Agency.

#### **Evidence from the Regeneration and Neighbourhoods Department**

7.2 The Forum welcomed evidence from the Director of Regeneration and Neighbourhoods outlining the Council's roles, responsibilities, and regulatory powers; what constitutes a statutory nuisance; the monitoring and sampling undertaken; complaints received; and the economic background and planning permissions of the Port and its occupiers.

#### *Roles and responsibilities, regulatory powers and statutory nuisance*

7.3 The Director of Regeneration and Neighbourhoods highlighted to the Forum that there are two sets of regulatory powers covering pollution issues in and around the port; these are the Environmental Protection Act 1990 and the Environmental Permitting Regulations 2007.

7.4 Under the Environmental Protection Act 1990 any nuisance from general port activities including the majority of the loading and unloading of cargoes is regulated by the Local Authority under the provisions of the Environmental Protection Act 1990. In order to action a claim for statutory nuisance, an activity needs to be, or is likely to be a nuisance, or is prejudicial to health.

7.5 Members requested a legal definition on what constitutes a statutory nuisance. The Director of Regeneration and Neighbourhoods sought a legal opinion and clarified that the test for statutory nuisance is generally accepted to be the 'private nuisance common-law test' that is, judged by the standard of the reasonable man, and whether the activity amounts to an unreasonable interference with the use and enjoyment by the claimant of his/her land, taking into account the nature of the area, has the activity materially and unreasonably detracted from his/her enjoyment of their own property?

7.6 Section 79 of the Environmental Protection Act defines the following matters as constituting a statutory nuisance:-

- (d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance and

- (g) noise emitted from premises so as to be prejudicial to health or a nuisance

7.7 Section 80 of the Act states;

- (1) where a Local Authority is satisfied that a statutory nuisance exists, or is likely to occur or recur, in the area of the authority, the Local Authority shall serve a notice ( 'an abatement notice') imposing all or any of the following requirements:-

- (a) requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence

- (b) requiring the execution of such works, and the taking of such steps as may be necessary for any of those purposes

7.8 In the case where a nuisance arises on an industrial, trade or business premises it is a defence to prove that the best practicable means were used to prevent, or to counteract the effects of, the nuisance. Section 79 (9) defines 'practicable' as reasonably practicable having regard among other things to local conditions and circumstances, to the current state of technical knowledge and to financial implications.

7.9 Case law was also provided to the Forum to help clarify the situation regarding damage to property from dust arising from port activity. The case referred to was *Wivenhoe Port -v- Colchester BC* [1985] J.P.L. 175. Members were informed that this was a case in relation to statutory nuisance caused by dust from the handling of soya meal. It was held in the Crown Court that a nuisance within the definition of statutory nuisance must interfere materially with the personal comfort of residents in the sense that it materially affects their well being although it might not be prejudicial to their health. Dust falling on vehicles might be an inconvenience to their owners and might even diminish the value of the car but this would not be a statutory nuisance. In the same way dust falling on a garden or inside a shop would not be a statutory nuisance but dust in the eyes or hair even if not shown to be prejudicial to health would be an interference with personal comfort.

7.10 Members of the Forum were surprised to hear that there is no clear objective definition as to what constitutes a nuisance. It has been said that there is a scale between mildly irritating and intolerable and in each case the determination of whether a nuisance exists is a matter of judgement (*Budd v Colchester BC* 1997). In addition, the determination is based upon an objective test of reasonableness. In cases that have been considered, courts have not taken regard of the particular sensitivities of an individual (*Heath v Brighton Corporation* 1908). Indeed the concept was clearly stated in 1872 in respect of noise:-

'...a nervous, or anxious, or prepossessed listener hears sounds which would otherwise have passed unnoticed, and magnifies and exaggerates into some new significance, originating within himself,

sounds which at other times would have been passively heard and not regarded' (*Gaunt v Fynney 1872*).

- 7.11 Therefore, Members were informed that a person with a particularly sensitive olfactory or auditory response is not given any higher standard of protection than a person with 'normal' response. However, although there are powers under section 82 of the 1990 Act for an individual to take action, the primary enforcement method relies on the local authority taking action. The local authority must be of the opinion that either substantial personal discomfort or a health effect must exist. There are eight key issues to consider when evaluating whether a nuisance exists, these are impact, locality, time, frequency, duration, convention, importance and avoidability.
- 7.12 The standard cannot be defined precisely and much will depend on the view taken by the court of the seriousness of the harm, the health impact and a balance of the key issues. However, it is the opinion of the Council's professional officers that there is not sufficient evidence to pursue an action for a statutory nuisance.
- 7.13 In relation to the Environmental Permitting Regulations 2007, Members were informed that there are processes on the docks that are regulated under the provisions of the Environmental Permitting Regulations 2007. Section 79(10) of the Environmental Protection Act 1990 prevents the use of the nuisance provisions where an environmental permit is in place. In these cases the regulation has to be undertaken through the conditions on the permit and the nuisance provisions can only be used with a derogation from the Secretary of State.
- 7.14 There are 2 permitted operations on the Port:-
- (i) Van Dalen's - which is a permitted waste operation and therefore now regulated by the Environment Agency (EA); and
  - (ii) The coal and coke deliveries handled by PD Ports which Hartlepool Borough Council (HBC) as a Local Authority regulate. The description of the permitted operation is 'The discharging of coal of various sizes and petroleum coke by ship's cranes and/or quayside cranes from ship's hold to quay and/or direct to road transport at Victoria Harbour.' There are various conditions attached to this permit, which were circulated to the Forum.
- 7.15 A Member brought to the Forum's attention the fact that new European legislation has been agreed recently which may change the way environmental issues are assessed and inspected. Council Officers informed the Forum that they are aware of this legislation and will ensure compliance once it is implemented.
- 7.16 Members were informed that under the provisions of the Environment Act 1985 and The Air Quality Regulations, the Council has to continually review and assess the air quality in the Borough. There is a requirement to assess a

number of specified pollutants which have set objectives which must be met. A full review and assessment was initially undertaken in 2000. A progress report has to be prepared annually and every 3 years the Council has to undertake an updating and screening assessment. As part of this process one of the pollutants the Council has to assess are PM10 particulates. These are the particulates that are less than 10 microns in diameter which can enter the lungs. The objective that has to be met is an annual mean of  $40\mu\text{g}/\text{m}^3$  and a 24 hr mean of  $50\mu\text{g}/\text{m}^3$ . These are the levels at which there is a potential risk to health. The Council undertook ambient monitoring on the Headland at a site in Union Street in 2001 and the verified results which were accepted by the Department for Environment, Food and Rural Affairs were an annual mean of  $24\mu\text{g}/\text{m}^3$ . This is comfortably within the target objective.

#### *Complaints received*

- 7.17 Members requested information on how complaints are handled when they are received from residents. The Director of Regeneration and Neighbourhoods highlighted to the Forum that there were problems in the 1990's concerning noise and dust from the Port and in particular around activities on Irvine's Quay. This resulted in a liaison group being set up with representatives from the Port Authority, the Council and residents from the Headland and Town Wall. These original liaison meetings have now been disbanded.
- 7.18 At the end of February and beginning of March 2008 a number of complaints were received from residents of the Town Wall concerning alleged dust nuisance from the scrap operation on the Port. The complaints indicated that windows were covered in a fine layer of black dust with some of this dust being magnetic indicating that it contained metals. Council Officers spoke to Van Dalen, the operator on the port in order to resolve these problems. As it was recognised that there was a problem with dust from Van Dalen's operations and from the Port it was decided that the best way to pursue this was to set up another liaison group with all interested parties.
- 7.19 The first meeting of the liaison group was held on 6 March 2008 and was attended by the local Ward Councillors, residents from the Town Wall and representatives from Van Dalen, the Council, the Health and Safety Executive and the Environment Agency. It was decided at this meeting that the main aim was to resolve the dust problems without causing any further environmental complications. Members were informed that further liaison meetings were held up until 8<sup>th</sup> September 2008. The minutes of these meetings were circulated to Members of the Forum.
- 7.20 One Member highlighted that in the minutes of one of these liaison group meetings reference was made to a Dust Management Plan and that it was agreed that a Dust Management Plan was needed. The Director of Regeneration and Neighbourhoods clarified that it is the responsibility of Van Dalen to produce this Dust Management Plan in accordance with their

licence and for the Environment Agency to monitor it and enforce if necessary. Van Dalen's Dust Management procedures were circulated to the Forum, although the Forum felt that they were not robust and effective.

- 7.21 Resulting from these liaison meetings major improvements at the dock side including improvements to dock side hoppers have been carried out.
- 7.22 It was highlighted to the Forum that no complaints were received to the Council between September 2008 and January 2009. In January and February 2009 complaints were received about brown spots on windows and limestone dust on cars and property. The Director of Regeneration and Neighbourhoods confirmed to Members that when a complaint is received about the operations within the Port area, an inspection is undertaken wherever practical.
- 7.23 Therefore, in April 2009 the decision was made to undertake a monitoring exercise around the Headland, Marina and Central Estate. The monitoring started in June 2009 and involved samples of UPVC and two sets of Petri dishes (daily and weekly samples) coated in a fine layer of petroleum jelly located at sites all around the Headland, Central Estate and the Marina. The following locations were used for the samples: Telford Close; Commercial Street (Small Crafts Pub); 18 Thorpe Street; 9 Seaview Terrace; 8 Town Wall; and 127 Northgate. Included in this monitoring daily weather reports were logged, including wind speed and direction and daily records were collected of all shipping and cargoes loaded and unloaded in the Port. The results of the samples, which were circulated to the Forum, showed no heavy metals to be present and only trace levels of iron oxide and titanium dioxide. The analyst's opinion is that these levels are consistent with the levels found in general dust and dirt.
- 7.24 Members were also informed that visual monitoring of Port activities has been undertaken by Council Officers, along with photographic evidence.

*Economic background and planning permissions*

- 7.25 Members received a report from the Director of Regeneration and Neighbourhoods outlining the key economic benefits of the Port and its occupiers, this included the companies PD Ports, Heerema, JDR Cables, Huntsman Tioxide, Van Dalen and OMYA. Key information included that Tees and Hartlepool is the third largest Port in the UK. That 20 per cent of Heerema's turnover last year was offshore wind markets and that OMYA's supplier chain is almost exclusively to businesses in Hartlepool. Residents did express concerns that this report did not take into account the cost of damage to their property.
- 7.26 As additional information, in support of the investigation, Members requested information on the planning controls in relation to PD Ports, Van Dalen, Heerema, JDR Cables, OMYA and Hoggs Fuels.

- 7.27 Residents raised concerns about the operations carried out on the OMYA site (Middleton Road) relating to the dust that is created when unloading hoppers. The OMYA site is controlled through planning and the Director of Regeneration and Neighbourhoods indicated to the Forum that he would investigate this issue further.

#### **Evidence from the Portfolio Holder for Transport and Neighbourhoods**

- 7.28 The Portfolio Holder for Transport and Neighbourhoods highlighted to the Forum that £30,000 has recently been allocated from the SCRAPT budget to provide equipment to monitor and gather evidence of any particulates. This station will be located permanently on the Headland. The Forum and residents welcomed this, as residents felt that the Petri dishes were not suitable for gathering certain types of particulates. The Portfolio Holder suggested that the location of the new monitoring station be discussed with residents before it is sited.

#### **Evidence from the Environment Agency**

- 7.30 The representative from the Environment Agency outlined to the Forum the regulatory roles of the Environment Agency in relation to operations at Hartlepool Docks. The Environment Agency is the statutory authority for applying and enforcing waste management and water pollution control in England and Wales.
- 7.31 The Waste Management Licensing Regulations and more recently the Environmental Permitting Regulations require that waste management operations involving the storage, treatment or disposal of waste usually requires an environmental permit, issued by the Environment Agency. Certain low risk activities involving the beneficial use of waste are exempt from the need for a permit.
- 7.32 The Forum was informed that Van Dalen is the only premises within Hartlepool Docks which operate a waste management operation under an environmental permit issued by the Environment Agency. Van Dalen has operated from a site within Hartlepool Docks since 2001, stockpiling waste metals for export by ship under the furnace-ready scrap position. Members questioned why Van Dalen was operating without a permit prior to 2008. The representative from the Environment Agency clarified that prior to 2008 there were a number of sites operating nationally with materials that were not classed as waste at the time. In January 2009, the site was issued with a permit but this does not allow for any treatment of waste on site. It is also not practical or possible to prevent all emissions from a site and conditions within the permit reflect this.
- 7.33 The representative from the Environment Agency confirmed that the Environment Agency were involved in the Liaison Group meetings and as a result of these meetings, Van Dalen agreed to commission work to investigate dust arising from their site, and the potential effects any such emissions may be having.

- 7.34 Van Dalen commissioned Envoy Environmental, a consultancy firm to undertake outline monitoring and a study on emissions from loading activities. They also agreed to take dust samples from the residents and analyse them. The Environment Agency highlighted that within the Envoy report it was found that personnel exposure to dusts on the Van Dalen site was generally within acceptable limits, although specific personnel in close contact with the ship loading should be advised to wear simple particulate face masks as and when necessary. This would support the view that it is highly improbable that there would be exposure above acceptable limits beyond the site boundary.
- 7.35 The Environment Agency informed Members that inspections have been carried out, including during ship loading operations. Although it was evident that waste movement operations produced a dust plume above the storage area and ship, the Environment Agency has so far not identified a visible plume of dust stretching from the Van Dalen operations to the Headland. The Environment Agency was provided with video footage from residents confirming that a dust plume is produced above the waste movement activities but the Agency are unable to conclude from this footage the distribution and impact that this may be having off site. The representative from the Environment Agency did conclude that dust particles are capable of travelling hundreds of metres, as highlighted in the Environment Agency's M17 Technical Guidance Document on the Monitoring of Particulate Matter in Ambient Air around Waste Facilities.
- 7.36 Members were informed that in 2009, the Environment Agency and Van Dalen, regardless of the presence or absence of evidence of pollution have discussed what reasonably practicable measures are being, or could be, taken to manage the site to minimise emissions. Since then Van Dalen has updated their management system to more clearly specify roles and responsibilities for measures to prevent pollution, including minimising dust emissions. Van Dalen has dust suppression arrangements in place on their site and these currently appear adequate to protect the environment. However, Van Dalen has agreed to install an impermeable kerb around the base of the scrap storage area which will minimise direct run-off from the storage heap. This work is expected to be completed in April 2010.
- 7.37 The Environment Agency has also confirmed to Van Dalen that they can benefit from an exemption to abstract water from Hartlepool Dock for use on their site. The Environment Agency will keep working with Van Dalen to identify practicable measures to further minimise emissions but do not consider that it is reasonably practicable to prevent all dust emissions from ship loading operations on the site.
- 7.38 One suggestion was to conduct a monitoring activity after a professional clean up to enable fresh dust samples to be taken. Although, there are many types of monitoring that can be undertaken there is still the issue of background dust. Therefore, it was suggested by the Environment Agency that the best way forward is to minimise emissions from the site as opposed to elaborate monitoring programmes.

- 7.39 Members and residents were concerned about the dust and materials from wider port activities entering and polluting the waters of Hartlepool Dock. The Environment Agency, at this time, does not believe that the site operations are having any significant impact on the water environment. Visual inspections of the dock have been made with a view to collecting samples if contamination was visible or discharge was identified. A surface and sub surface sample has been collected adjacent to Van Dalen's site which identified levels of metals that would typically be identified in seawaters in this area, none of which were of concern. The Environment Agency informed members that they will continue to inspect the dock and investigate any unusual accumulations. It was confirmed that the dock floor is dredged regularly with all dock based habitat completely removed. Residents disagreed with this statement and were of the opinion that the dock floor is not fully dredged on a regular basis.
- 7.40 Residents highlighted their concerns about the contamination of the marine environment as lobsters taken from the area surrounding the dock appeared ginger in colour as a result of the scrap deposits. The Environment Agency did request to see evidence of this. The Forum did also invite comment from the Hartlepool Boatsman Association asking for their views on the marine environment, however, to date, a response has not been received.
- 7.41 Members questioned whether removing contaminated water by tankers may be better than using the current method of the foul sewage system. It was confirmed by the Environment Agency that discharge to a foul sewer was the preferable method of discharge and this presented no conceivable risk.
- 7.42 The Environment Agency, since the start of 2008 has recorded 8 reports of environmental concerns. Members and residents were encouraged to report concerns of environmental harm at any time by contacting the Environment Agency on their incident hotline.

## **8. THE ROLES AND RESPONSIBILITIES OF PD PORTS, VAN DALEN AND HEEREMA IN RELATION TO HOW THEY OPERATE TO ENSURE THAT THEIR ACTIVITIES HAVE MINIMAL ENVIRONMENTAL IMPACT**

- 8.1 Members of the Forum invited the key companies, (PD Ports, Van Dalen and Heerema) to outline to the Forum the ways that they operate to ensure that their activities have minimal environmental impact.

### **Evidence from Van Dalen**

- 8.2 Members received a written report from Van Dalen which outlined that they operate to the waste management licence and site plan as issued and agreed with the Environment Agency. In addition to the controls and methods described within these legal documents Van Dalen have also gone further and arranged improved working practices with PD Ports and voluntarily placed restrictions onto their working hours.

- 8.3 Members were informed that in order to minimise any potential effect that operations may have on their neighbours on the Headland, Van Dalen do not work 24 hours, although they could on shredded materials. Regarding the material, Plat and Girder, Van Dalen have cut back their hours as it is a noisier material to load. Clarification was sought from Members on the operational hours of the loading of ships. It was confirmed that Van Dalen's usual operations commenced at 7am although on occasions when a ship was in dock, operations commenced at 6am. In all cases Van Dalen do not operate any heavy plant machinery before 8.00pm, and no longer work on Saturdays and weekends except for essential maintenance or possible delays with ship loading.
- 8.4 It was highlighted to Members that as a further precaution, working in conjunction with the Environment Agency, Van Dalen has removed all the sleepers from the bund wall and replaced the bottom sleepers with a sealed concrete base, which has been protected, on Van Dalen's side, with steel plates to prevent any damage. This will ensure that there is no possibility of any water entering the dock during heavy rainfall. Members queried whether Van Dalen was able to establish if any run-off water is contaminated. However, Members were informed that the vast majority of water used within Van Dalen's operations evaporated with any excess water being discharged straight into the foul sewer.
- 8.5 In terms of loading of ships the dock crane operatives are under strict instruction to lower their grabs as far down into the hold as possible and not drop the material from a great height onto the stowed cargo. If there is a possibility of any prevailing winds or any risk of dust becoming airborne in the surrounding area Van Dalen has an operator spraying water intermittently onto the stockpile. It is not doused so that the cargo does not become flooded in order to prevent any run-off into the dock.
- 8.6 Members questioned whether there was a limit / tonnage on the height of the scrap. It was confirmed by both Van Dalen and the Environment Agency that there is no limit / tonnage on the amount of scrap that can be stored. Reference was made to the height of the scrap in a meeting that was held back in 1994 between the Council, residents and the Port Authority and in this meeting it was agreed that the height of the scrap would be kept to a minimum wherever possible. Members suggested that this could be a possible agreement that could be re-instated.

### **Evidence from PD Ports**

- 8.7 PD Ports highlighted to the Forum the types of cargoes they handle, which are rutile sand; scrap; talc; coke; steel pipes and plate; timber; and offshore projects. In order to consider their neighbours on the Headland PD Ports only carry out stockyard work on weekdays and in relation to minimising

dust from cargoes, PD Ports highlighted to the Forum that they use the best available techniques including investing in new cranes, hoppers and grabs. In relation to coke, PD Ports comply with the licensing conditions by using a selected berth and have minimal stockpiles on the quay.

- 8.8 PD Ports informed Members that they have implemented a change in operating hours and will continue to invest in the training of employees.
- 8.9 It was confirmed by PD Ports that all residents in the area are stakeholders of the Port and that PD Ports have a duty of care to all its stakeholders. Reference was made to a recent complaint during which dust was spilling out of one of the hoppers. PD Ports were aware of this complaint which was investigated immediately. The result of the investigation highlighted that it was an operator error in overfilling the grab and that particular operator had been appropriately reprimanded. Members queried whether other equipment had been considered for the loading / unloading of ships, for example, a suction method as opposed to a grab. Members were informed that there is suction equipment available but it was highlighted to the Forum that it was not suitable for rutile sand or talc. Following on from this, Members questioned whether using containers or sacks had been considered as an option for transferring the products. PD ports confirmed that the companies purchasing / transporting the product would be keen to see no dust escaping during transition and was sure that alternatives will have been examined. However, quarterly liaison meetings are held with the companies involved and PD Ports gave a reassurance that they would raise this issue at the next scheduled meeting.
- 8.10 Members questioned whether operations could be transferred to a different location, as it was noted by the Forum that the Managing Director of PD Ports in 1994 had said in a letter to a resident that it may be possible to transfer the scrap metal trade to Tees Port so long as this can be done with the consent of the customer. PD Ports confirmed that the vast majority of products handled within the Port served local industry and if operations were to be transferred to an alternative site elsewhere, the additional cost in terms of transport and relocation may be cost prohibitive to the companies gaining new contracts. Although, in terms of moving the scrap metal, further examination of the possibility of moving the scrap metal may be considered.
- 8.11 Residents did understand why rutile sand was imported to Hartlepool but questioned why scrap metal was stored on the site as it was only stored for export and reference was again made to the possible relocation of the scrap metal operations to Tees Dock area as there appeared to be a lot of available land in that area. PD Ports indicated that there was not a vast amount of land available in the Tees Dock area and there had recently been a huge increase in the number of container and ferry terminals needed. Discussions were already ongoing to expand the operations within the Tees Dock area to

include the import of materials for the operations of power stations as well as for the construction of wind turbine machinery.

### **Evidence from Heerema**

- 8.12 Heerema provided an outline to the Forum of the Heerema Group of companies including the locations of their sites. A number of current and previous projects were highlighted including a breakdown of employment levels on the Hartlepool site.
- 8.13 Members of the Forum referred to the recent compensation paid out to residents on the Headland by Heerema's insurance company to replace residents' windows and noted that there is a test window within the Heerema site. Members asked to view the photographs of this test window. However, Heerema confirmed that a presentation was given to a Member of the Forum in October 2009 prior to the Health Scrutiny Forum meeting held in the Borough Hall on the Headland on the 27 October 2009, which included photographs of the test window. Members were informed that the test window and subsequent photographs were taken for internal monitoring purposes due to the extent of claims incorrectly paid out on Heerema's behalf. Heerema feel that any information provided may be used in the wrong context resulting in Heerema Hartlepool being compromised by providing the information and in view of the above unfortunately, Heerema are reluctant to provide the information that was requested.
- 8.14 Members asked Heerema whether any damage had been caused to vehicles in and around the Heerema site due to dust emissions and Heerema clarified that no-one had raised any problems.

## **9. SITE VISITS TO THE PORT AREA AND TOWN WALL TO OBSERVE THE LOADING / UNLOADING OF SHIPS TO EXAMINE THE POTENTIAL DAMAGE THAT PORT ACTIVITIES MAY HAVE ON PROPERTIES AND THE ENVIRONMENT**

- 9.1 As part of the investigation, Members of the Forum visited PD Ports; observed ships loading and unloading from the Town Wall; and also residents very kindly offered to show Members around their homes to view the damage and to speak to them directly about their concerns. The Forum thanked all residents for inviting Members of the Forum into their homes.
- 9.2 Members visited PD Ports on 19<sup>th</sup> February 2010 to observe a ship unloading. However, the ship had finished unloading before members arrived. Although, Members did find the visit very useful in terms of gaining an understanding of

the layout of the Port but were disappointed as they would have liked to have seen activity on the Port.

- 9.3 Throughout the investigation Members were encouraged to view the loading / unloading of ships from the Town Wall. Members were kept informed of the ships that were due into the Port on a regular basis.
- 9.4 When Members visited residents on the Headland, a short questionnaire was distributed to Members in order to collate comments and views. The following questions were asked with the answers and comments listed below:-

**1) Was there any dust deposits inside or outside of the property?**

- (a) Only slight
- (b) Yes
- (c) dust around and sharp particles

**2) If yes, had these dust deposits caused damage to the property?**

- (a) Yes
- (b) Not sure
- (c) difficult to say as do not have expert knowledge in this area

**3) If yes, can you give a brief description of the damage?**

- (a) There was dust around but do not have expert knowledge to conclude that the dust was causing the damage.
- (b) One resident highlighted that a service road at the back of his house used by Heerema was not tarmaced and this caused a lot of dust on his property.
- (c) There was not very much dust around, a ship came into dock while I was visiting one property on the Town Wall. I am not sure dust causes as much damage as resident's state. There was certainly no dust on cars in fact they were really clean. However, there was a small amount of metal type dust in window frames. I was shown rusty window hinges but I felt it could have been caused by the salty sea air. I visited the Headland at approx 9.30am 1/3/10 and again approx 3pm it was a lovely day no dust anywhere. Again visited Tues 2/2/10 the ship was being unloaded of its cargo which I believe could have been white powder, the crane lowered the cargo

into the hopper, it was not dropped from a height, the lorries were filled then drove off. My husband and I watched this process for quite a while, no evidence of dust anywhere. Brown spots on own windows.

- (d) Rusted hinges on windows. Interior damaged P.V.C window sills and door frames. Garages filled with brown / grey abrasive dust. Black mould marks on furnishings and laundry. Rutilite sand creates black pitted markings and grime on plaster work and paintwork.

## **10. CONCERNS OF RESIDENTS IN RELATION TO THE POTENTIAL DAMAGE THAT PORT ACTIVITIES MAY HAVE ON PROPERTIES, THE ENVIRONMENT AND PEOPLE'S QUALITY OF LIFE**

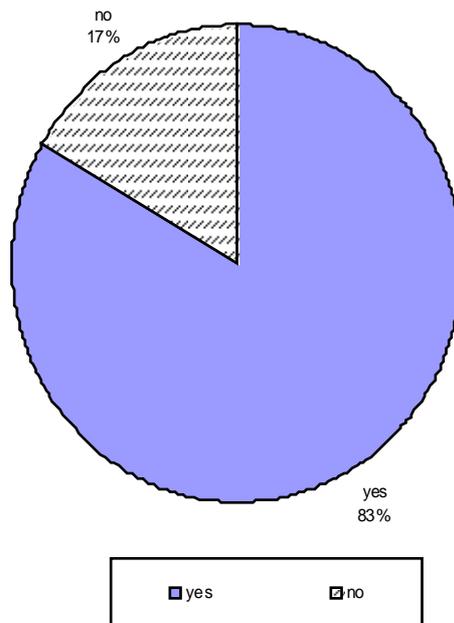
- 10.1 The Forum was very keen to engage with members of the public to hear their views and concerns in relation to the possible environmental impacts of dust deposits on the Headland and Surrounding Areas.

### **Feedback from Leaflets / Focus Group**

- 10.2 In order to gather views from members of the public, the Forum agreed to hold a Focus Group on 23 February 2010. The event was well publicised in the local press together with the distribution of 3600 leaflets to all households on the Headland, Marina and Central Estate inviting people to attend the focus group and the formal meeting of the Neighbourhood Services Scrutiny Forum on 1<sup>st</sup> March 2010.
- 10.3 A short questionnaire was printed on the back of the leaflet and people were asked to complete the questionnaire and submit their written views / comments / questions if they were unable to attend the focus group or the 1<sup>st</sup> March meeting. 18 questionnaires were completed and returned. The graphs below show the responses to each question.

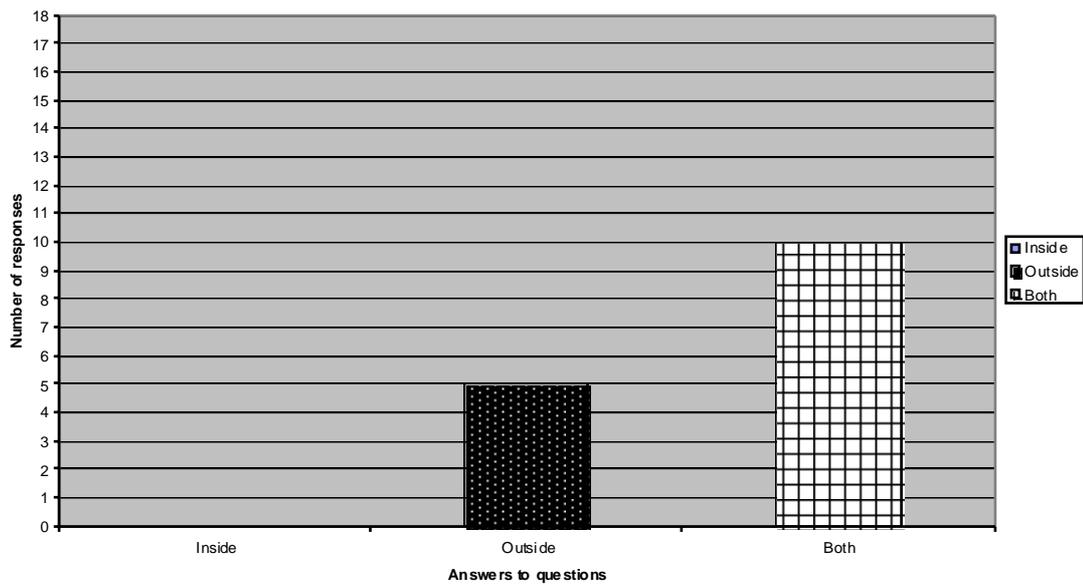
10.4 Question 1

Do you think that your property has been damaged by dust from the port area?

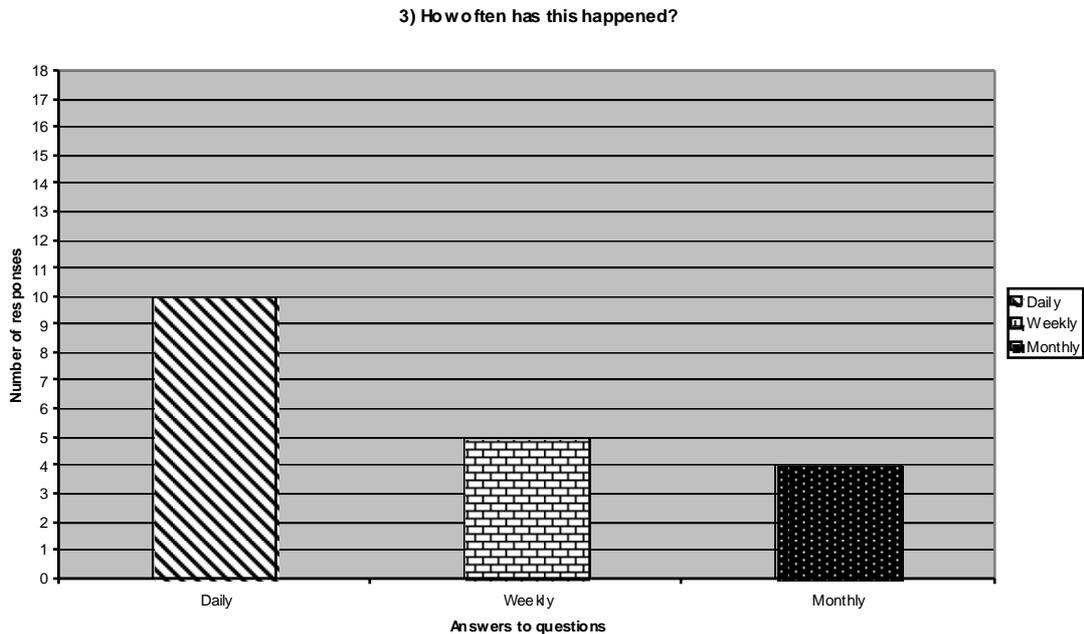


10.5 Question 2

2) If yes, was the damage inside, outside or both?



## 10.6 Question 3



(Please note that 3 people gave more than one answer to the above question – for example it happens daily and weekly)

10.7 The following views / comments were received from residents and have been written how they were received (minus the health aspects):-

- (a) **Prissick Street** – no issues.
- (b) **Slake Terrace** – In my opinion the dust does not cause damage to buildings.
- (c) **Throston Street** – My property is a newly built house and have noticed rust around window ledges, fragments are spread across the whole of the window ledge and cannot be removed when cleaning. Also our windows are cleaned on a regular basis but always seem to have a thin layer of dust over them. Never really thought anything about it until this letter arrived through my letterbox. Do you think there is a possible connection?
- (d) **Town Wall** – Have had to paint rendering and woodwork more frequently to front of house. Don't keep windows open. Door step often covered in dust. Have to wash more often. Also noise has started again but keeps well within time limits
- (e) **Town Wall** – I've had double glazing installed for less than a year and specs of rust already appearing on the paintwork. The dust from the scrap heap on the docks is constantly settling on the windows and doors. No attempt is made to lessen this and noise from loading is bad.

- (f) **Town Wall** – How much longer do we have to put up with this filth, it is damaging our properties, would any of the Council Members like to live among this filth, we have to do something and get it moved now.
- (g) **Town Wall** – This is now getting beyond a joke. Constant black / red dust in house and outside. Worse when ships loading up or unloading. Please give me a clean street to live.
- (h) **Town Wall** – This dust settles on everything inside and out even in the summer you can't open your windows as they thick with dust and black spots.
- (i) **Darlington Street** – I would appreciate an honest inquiry into the problem and for it not to be covered up and any truths buried.
- (j) **Northgate** – A number of years ago houses on the Headland used to have a reduction in rates etc. Noise when Heerema was starting building rigs outside and piling for docks.
- (k) **Northgate** – we need to know why our properties are at risk for the sake of profits of PD Ports
- (l) **Northgate** – we should not have to live in the atmosphere from the dust it affects our lives and property
- (m) **Cliff Terrace** – My view is that it is another way for residents of that particular part of the Headland to try and con the Council out of more cash. I think it's disgusting. I don't know how many more times this has to be addressed. A complete waste of money.
- (n) **Cobb Walk** – Within a few months of having new windows and doors installed they were (and still are) covered in brown coloured specks. Who (if anybody) will re-imburse me with the cost of my windows and doors.
- (o) **Heronspool Close** – Very bad stench from T.M.D on a daily basis, ongoing since 2001. Houses, cars contaminated . Other contamination – TMD Friction, Oakway Ind. Estate, Hartlepool.
- (p) **Telford Close** – We have been resident in Telford Close TS24 0UE for 10 years and are not aware of any problems relating to environmental dust. One of our sills being used for monitoring purposes. The council staff who discussed the matter with me before installation referred to 'red spots' on UPVC. A friend who lives well to the west of the railway says that he frequently cleans off such marks. Major movement of stored pipes south of Cleveland road have caused short term visible dust clouds and noise. Observations of shipping at Hartlepool suggests that nearby residents may well be occasional subject to levels of contamination that are unacceptable in the 21<sup>st</sup> century.

- (q) **Somersby Close** – Regarding the issue's of dust myself and my family have lived in this property since 1984 when it was first built. Myself and neighbours past and present have remarked how dusty the houses are. You can dust and by the end of the day it looks as if it's never been touched. When we open a window grime gets on our blinds and the window sills are covered in grime too. I can wash my car and the following day it's covered in a film of dirt without it moving. We always blamed the Steetly Plant but it can't be because since its closure it's remained the same, it can be a nuisance but over the years we have had to live with it. Also, in the last year or so I have noticed a very low pitched rumble noise, its more noticeable at night time even with the windows closed you can hear it. It does sound a lot like a diesel car outside with the engine ticking over but if you look outside there is nothing there. It doesn't keep you awake but if you wake up during the night it's annoying enough to make it hard for you to drop back off to sleep. Does anyone know the causes for the dust and the low rumble noise? Its not the police helicopter because that noisy, this noise is the very low end of the noise range hertz not kilohertz. Its not tinnitus because my wife hears it too.

10.8 The focus group which was held on 23<sup>rd</sup> February 2010 at the Headland Borough Hall gathered views / comments / questions from residents in relation to the possible environmental impacts of dust deposits on the Headland and surrounding areas.

10.9 Four questions were asked at the focus group. The questions are detailed below along with the responses:-

- (1) Do you think that you have suffered environmental damage to your property as a result of port activities?**

Yes

- (2) If yes, what was the damage and how often does it happen?**

Damage to:-

- (i) cars / gardens / clothing (washing cannot be dried outside) / curtains / carpets / furniture / heating / gas fires / windowsills / interior walls / wallpaper / exterior walls / frames of doors and windowsills / gardens / plants / lawns / paving / plant pots / garden furniture / outside fences / walls / blinds / damage to caravettes and caravans / boats in dock / paintwork / door furniture / motorbikes / windscreens / wiper blades / contamination to home grown vegetables / hinges rust / fibre glass pitted / stainless steel rust coated / discolouration of UPVC and aluminium windows i.e rust marks / marine life (ginger lobsters living in scrap)

- (ii) Cleaning the house and contents require more power use i.e carbon footprint and extra money from residents to pay for.
- (iii) Depending on the direction of wind / actual activity on dock – If wind direction is on Headland then we get covered with dust on homes / cars etc and this can be up to a few centimetres thick. If wind direction is away from Headland we can still get a slight covering. Either way we have to continuously clean this dust away resulting in scratches on windows and what you don't get off gets into window frames etc and leaves brown / red marks
- (iv) Continuously decorating, waste of time as we know it will be dirty again soon. Move scrap to Teesport where there is no housing because all scrap is brought in by road
- (v) Rust dust scours materials / rust scum floats on water, sinks.
- (vi) Quay washed down into dock.
- (vii) Loss of value to property
- (viii) From heavy metal exposure / black dust

Frequency:-

24 hours 7 days a week for ever, daily occurrence whether there is activity going on at the Port or not, due to the stock piles of scrap on Irvines Quay, on going

**(3) Do you think that port activities affect the quality of your life? If yes, can you explain how? (answer to be non – health related – i.e not stress, anxiety, depression etc)**

- (i) Can't open windows / can't sit in gardens / walk the streets when we are being bombarded with dust
- (ii) Lack of sleep due to noise causes tiredness to people on shifts etc
- (iii) Feeling of worthlessness
- (iv) Children playing in a dirt environment
- (v) Volume of traffic when Heerema is in operation – change of shift has cars going in both directions creating noise and danger to the public.
- (vi) No where else in Hartlepool is close to industry – makes you feel like a second class citizen.

- (vii) Living in a deprived area (a council made slum / ghetto like)
- (viii) The noise is intolerable some days it means that we can't have our windows open

**(4) If you have any specific questions relating to the possible environmental impacts of port activities please detail below.**

During the Focus Group residents submitted a range of questions and answers to these questions were provided at the Forum's meeting on 16<sup>th</sup> March 2010.

**Written evidence from Headland residents**

- 10.11 Residents of the Headland submitted written evidence to the Forum which was circulated and highlighted their concerns regarding the dust that comes from the docks area which lands on properties, cars and leaves everywhere covered in a reddish/brown dust. Residents highlighted that when it is windy it is really thick and it marks property if it is not removed straight away and when it is removed it scratches the paint work of the car and the UPVC windows.

**11. CONCLUSIONS**

11.1 The Neighbourhood Services Scrutiny Forum concluded:-

- (a) That the information received from residents on the Headland has been invaluable throughout this scrutiny investigation and the Forum would encourage residents to continue to carry out their own monitoring and report their findings to the Council and Environment Agency;
- (b) That Petri dishes are not the most effective way to collect evidence of dust particulates and that the Forum welcome the installation of a new monitoring station in consultation with residents over the location of the station;
- (c) That the roles, remits and contact details for all relevant organisations needs to be clearly publicised;
- (d) That there is an acceptance of why rutile sand is imported into Hartlepool but not the scrap metal;
- (e) That there should be a height limit on the amount of scrap metal that can be stored at the Van Dalen site;
- (f) That the unloading of talc at the OMYA site on Middleton Road needs further exploration by the Regeneration and Neighbourhoods

Department as concern was raised about the amount of dust that is created when unloading hoppers;

- (g) That the statutory nuisance law should be reviewed and changes be made to better reflect residents problems, as for example those being experienced by the residents of the Headland;
- (h) That a Dust Management Plan is a requirement of Van Dalen's operating permit but this plan needs to be as effective and robust as possible; adhered to; and if not adhered to then enforced by the Environment Agency;
- (i) That throughout the investigation noise of port activities has not been raised as an area of great concern to members of the public and where individual cases did arise these have been investigated separately by the Regeneration and Neighbourhoods Department;
- (j) That, at this time, the Environment Agency do not believe that the site operations are having any significant impact on the water environment; and
- (k) That the Environment Agency has, to date, not identified any unacceptable emissions or impacts on the environment after responding to reports and carrying out their own inspections

## 12. RECOMMENDATIONS

12.1 The Neighbourhood Services Scrutiny Forum has taken evidence from a wide variety of sources to assist in the formulation of a balanced range of recommendations. The Forum's key recommendations to the Cabinet are as outlined below:

- (a) That the Council write to the Environment Agency outlining the residents concerns highlighted throughout this investigation;
- (b) That the Council lobby the Member of Parliament for Hartlepool and the Secretary of State for the Environment for changes to the statutory nuisance law to better reflect residents problems, as for example those being experienced by the residents of the Headland;
- (c) That the Council work with the:-
  - (i) the Environment Agency and Van Dalen to review and improve Van Dalen's Dust Management Procedures to minimise emissions from the site; and
  - (ii) the Environment Agency and PD Ports to enhance their dust suppression arrangements

- (d) That Council Officers be instructed to pursue action for a statutory nuisance claim whilst recognising that this goes against professional advice;
- (e) That the Council facilitate discussions with Van Dalen to reinstate the informal agreement made between Van Dalen and residents on a maximum height for the scrap metal;
- (f) That the Council explores with the relevant companies the option of moving the scrap metal and all the cargoes; and provides an update to Cabinet on the discussions which have been undertaken within three months;
- (g) That the Council carries out intense investigation and monitoring to collect evidence of dust deposits;
- (h) That the Council, in relation to monitoring:-
  - (i) consult with residents to identify a suitable location for the new monitoring station;
  - (ii) that given residents concerns regarding the effectiveness of the evidence received from Petri dishes they ceased to be used and alternative methods of collecting samples be explored;
  - (iii) that residents be encouraged to carry out their own monitoring and continue to report their findings back to the Council and Environment Agency; and
  - (iv) produce a guide for residents on sampling including the most effective ways to collect samples
- (i) That the Council produce a document in consultation with residents that clarifies the remit and contact details for all the relevant organisations;
- (j) That residents of the Headland and surrounding areas be kept up to date on the progress of all recommendations; and
- (k) That Members of the Neighbourhood Services Scrutiny Forum and residents be invited to attend the meeting of the Health Scrutiny Forum when it considers the additional information which has been requested from Professor Kelly.

**15. ACKNOWLEDGEMENTS**

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

Hartlepool Borough Council:

Councillor Peter Jackson – Portfolio Holder for Transport and Neighbourhoods

Dave Stubbs – Director of Regeneration and Neighbourhoods

Sylvia Tempest – Environmental Standards Manager

Adrian Hurst – Principal Environmental Standards Officer

Resident Representatives

External Representatives

Ken Smith – PD Ports

Sean Beach – PD Ports

Ian Baxter – Van Dalen

Paul Quayle – Heerema

Graeme Hull – Environment Agency

Members of the public

**COUNCILLOR STEPHEN AKERS-BELCHER  
CHAIR OF THE NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

**Contact Officer:-** Laura Starrs – Scrutiny Support Officer  
Chief Executive’s Department - Corporate Strategy  
Hartlepool Borough Council  
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Email: [laura.starrs@hartlepool.gov.uk](mailto:laura.starrs@hartlepool.gov.uk)

**BACKGROUND PAPERS**

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

- (i) Report of the Health Scrutiny Forum entitled 'Interim Report – Dust Deposits on the Headland' presented to the Scrutiny Co-ordinating Committee of 11 December 2009.
- (ii) Report of the Scrutiny Support Officer entitled 'Suggested Proposals to amend the Neighbourhood Services Scrutiny Forum's Work Programme for the 2009 / 10 Municipal Year presented to the Neighbourhood Services Scrutiny Forum of 26 January 2010.
- (iii) Report of the Scrutiny Support Officer entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Scoping Report' presented to the Neighbourhood Services Scrutiny Forum of 16 February 2010.
- (iv) Report of the Scrutiny Support Officer entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Verbal Evidence – Covering Report' presented to the Neighbourhood Services Scrutiny Forum of 1 March 2010.
- (v) Report of the Director of Regeneration and Neighbourhoods entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' presented to the Neighbourhood Services Scrutiny Forum on 1 March 2010.
- (vi) Report of the Environment Agency entitled 'Report on Environment Agency Regulation of Operations within Hartlepool Docks' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 1 March 2010.
- (vii) Report of the Scrutiny Support Officer entitled 'Evidence from the Portfolio Holders – Covering Report' presented to the Neighbourhood Services Scrutiny Forum of 1 March 2010.
- (viii) Report of the Scrutiny Support Officer entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Evidence from Key Groups – Covering Report'– presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.
- (ix) Report of Van Dalen entitled 'Neighbourhood Services Scrutiny Forum – 16<sup>th</sup> March 2010 – Written Evidence from Van Dalen' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.

- (x) Presentation from PD Ports entitled 'PD Ports Hartlepool – Minimising Environmental Impact' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.
- (xi) Presentation from Heerema presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 16 March 2010.
- (xii) Report of the Director of Regeneration and Neighbourhoods entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Evidence from the Regeneration and Neighbourhoods Department' presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xiii) Report of the Scrutiny Support Officer entitled 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Feedback from the Site Visit held on 19<sup>th</sup> February 2010, the Observations of Ships from the Town Wall, the Visits to properties on the Headland and the Focus Group held on 23<sup>rd</sup> February 2010 – Covering Report'– presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xiv) Feedback from Focus Group held on 23 February 2010 presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xv) Feedback from visits to properties on the Headland presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xvi) Feedback from Focus Group leaflets / questionnaire presented to the Neighbourhood Services Scrutiny Forum Services Scrutiny Forum of 24 March 2010.
- (xvii) Minutes of the Scrutiny Co-ordinating Committee of 11 December 2009.
- (xviii) Minutes of the Neighbourhood Services Scrutiny Forum held on 16 February 2010, 1 March 2010, 16 March 2010 and 24 March 2010.
- (xix) Envoy Report – Dust and Particulate Monitoring – 2 May 2008.
- (xx) Monitoring of Particulate Matter in Ambient Air around Waste Facilities – March 2004.
- (xxi) Review and Assessment of Air Quality 2003 – Update and Screening Report.
- (xxii) Copies of Environmental Permits.
- (xxiii) Minutes of Liaison and officer meetings and contact list.

- (xxiv) Chronological list of events.
- (xxv) Background information – pre 1996.
- (xxvi) Questions received from focus group and answers.
- (xxvii) Port operations planning history.
- (xxviii) Memo's from PD Ports.
- (xxix) Written statement from Headland residents.
- (xxx) Safety Data Sheets.
- (xxxi) Van Dalen Dust Management Procedures.

# CABINET REPORT

24 May 2010



**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** ACTION PLAN – POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS

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## SUMMARY

### 1. PURPOSE OF REPORT

- 1.1 To agree an Action Plan in response to the findings and subsequent recommendations of the Neighbourhood Services Scrutiny Forum's investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'.

### 2. SUMMARY OF CONTENTS

- 2.1 The report provides brief background information into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' Scrutiny Investigation and provides a proposed Action Plan (**Appendix A**) in response to the Scrutiny Forum's recommendations
- 2.2 The report includes the results of the samples taken by the Environment Agency that were requested through the Scrutiny Coordinating Committee (**Appendix B**).

### 3. RELEVANCE TO CABINET

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

### 4. TYPE OF DECISION

- 4.1 Non-Key.

**5. DECISION MAKING ROUTE**

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

**6. DECISION REQUIRED**

- 6.1 That Members of the Cabinet approve the Action Plan (**Appendix A refers**) in response to the recommendations of the Neighbourhood Services Scrutiny Forum's investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'.

**Report of: Director of Regeneration and Neighbourhoods**

**Subject: ACTION PLAN – POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS**

---

## **1. PURPOSE OF REPORT**

- 1.1 To agree an Action Plan in response to the findings and subsequent recommendations of the Neighbourhood Services Scrutiny Forum's investigation into 'the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'.

## **2. BACKGROUND INFORMATION**

- 2.1 To assist the Cabinet in its determination of either approving or rejecting the proposed recommendations of the Neighbourhood Services Scrutiny Forum's investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas', attached as **Appendix A** is the proposed Action Plan for the implementation of these recommendations which has been prepared in consultation with the appropriate Portfolio Holder(s).
- 2.2 The aim of the investigation was to examine the potential damage to properties, the environment, noise and any possible statutory nuisance of Port activities.
- 2.3 The Scrutiny Coordinating Committee requested that the results of the samples taken by the Environment Agency along with an interpretation be presented to Cabinet. The results to date are attached (**Appendix B**). Information on the interpretation is still awaited and this information will be reported verbally and circulated at the meeting.

## **3. ACTION PLAN**

- 3.1 As a result of the Neighbourhood Services Scrutiny Forum's investigation into 'the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas', the following recommendations have been made:-
- (a) That the Council write to the Environment Agency outlining the residents concerns highlighted throughout this investigation;

- (b) That the Council lobby the Member of Parliament for Hartlepool and the Secretary of State for the Environment for changes to the statutory nuisance law to better reflect residents problems, as for example those being experienced by the residents of the Headland;
- (c) That the Council work with the:-
  - (i) the Environment Agency and Van Dalen to review and improve Van Dalen's Dust Management Procedures to minimise emissions from the site; and
  - (ii) the Environment Agency and PD Ports to enhance their dust suppression arrangements
- (d) That Council Officers be instructed to pursue action for a statutory nuisance claim whilst recognising that this goes against professional advice;
- (e) That the Council facilitate discussions with Van Dalen to reinstate the informal agreement made between Van Dalen and residents on a maximum height for the scrap metal;
- (f) That the Council explores with the relevant companies the option of moving the scrap metal and all the cargoes; and provides an update to Cabinet on the discussions which have been undertaken within three months;
- (g) That the Council carries out intense investigation and monitoring to collect evidence of dust deposits;
- (h) That the Council, in relation to monitoring:-
  - (i) consult with residents to identify a suitable location for the new monitoring station;
  - (ii) that given residents concerns regarding the effectiveness of the evidence received from Petri dishes they ceased to be used and alternative methods of collecting samples be explored;
  - (iii) that residents be encouraged to carry out their own monitoring and continue to report their findings back to the Council and Environment Agency; and
  - (iv) produce a guide for residents on sampling including the most effective ways to collect samples
- (i) That the Council produce a document in consultation with residents that clarifies the remit and contact details for all the relevant organisations;

- (j) That residents of the Headland and surrounding areas be kept up to date on the progress of all recommendations; and
- (k) That Members of the Neighbourhood Services Scrutiny Forum and residents be invited to attend the meeting of the Health Scrutiny Forum when it considers the additional information which has been requested from Professor Kelly.

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

#### 4. RECOMMENDATION

4.1 Cabinet is requested to approve the Action Plan attached as **Appendix A** in response to the recommendations of the Neighbourhood Services Scrutiny Forum's investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas'.

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas

DECISIONMAKING DATE OF FINAL REPORT: May 2010

	RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
(a)	That the Council write to the Environment Agency outlining the residents concerns highlighted throughout this investigation;	Letter to be sent from Portfolio Holder to Environment Agency	None	Adrian Hurst	June 2010
(b)	That the Council lobby the Member of Parliament for Hartlepool and the Secretary of State for the Environment for changes to the statutory nuisance law to better reflect residents problems, as for example those being experienced by the residents of the Headland;	Detailed letter with background information to be sent from Portfolio Holder to MP and Secretary of state for Environment	None	Adrian Hurst	June 2010

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas

DECISIONMAKING DATE OF FINAL REPORT: May 2010

	RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
(c)	<p>That the Council work with the:-</p> <p>(i) the Environment Agency and Van Dalen to review and improve Van Dalen’s Dust Management Procedures to minimise emissions from the site; and</p> <p>(ii) the Environment Agency and PD Ports to enhance their dust suppression arrangements</p>	<p>Series of meetings to be set up with relevant parties in order to agree a course of action.</p> <p>Series of meetings to be set up with relevant parties in order to agree a course of action.</p>	<p>Officer time</p> <p>Officer time</p>	<p>Adrian Hurst</p> <p>Adrian Hurst</p>	<p>July 2010</p> <p>July 2010</p>

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas

DECISIONMAKING DATE OF FINAL REPORT: May 2010

	RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
(d)	<b>That Council Officers be instructed to pursue action for a statutory nuisance claim whilst recognising that this goes against professional advice;</b>	<p>Officers opinion at this time is that there is no evidence of a statutory nuisance. To take any action the collection of new evidence would be required</p> <p>Service of Statutory Nuisance Notice dependant on evidence.</p> <p>Preparation of case file for any appeal</p>	<p>Sampling cost Additional officer As detailed in (g)</p> <p>Officer time</p> <p>Officer time Court Costs Legal Advice</p>	Sylvia Pinkney	<p>Unable to quantify Review in September 2010 after 3 months of sampling</p> <p>October 2010</p> <p>December 2010</p>
(e)	<b>That the Council facilitate discussions with Van Dalen to reinstate the informal agreement made between Van Dalen and residents on a maximum height for the scrap metal;</b>	Set up meeting with relevant parties to reach an agreement on the maximum height for the storage of scrap metal.	Officer time	Adrian Hurst	July 2010

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas

DECISIONMAKING DATE OF FINAL REPORT: May 2010

	RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
(f)	That the Council explores with the relevant companies the option of moving the scrap metal and all the cargoes; and provides an update to Cabinet on the discussions which have been undertaken within three months;	Series of meetings to be set up with relevant parties in order to conclude or reach an agreement on any options for moving the scrap metal and other problematic cargos from the Port.	Officer Time	Dave Stubbs	August 2010
(g)	That the Council carries out intense investigation and monitoring to collect evidence of dust deposits;	Hire / purchase of temporary monitoring equipment.  Purchase of permanent monitoring equipment  Explore use of CCTV for monitoring activities on the Port  Employment of additional staff for 3 months to assist in investigation and collection of evidence.	Up to £25,000  Already funded  Unknown  Estimate £20,000	Adrian Hurst  Adrian Hurst  Adrian Hurst  Sylvia Pinkney	July 2010  Anticipated installation August 2010 July 2010  June 2010

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas

DECISIONMAKING DATE OF FINAL REPORT: May 2010

	RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
(h)	<p><b>That the Council, in relation to monitoring:-</b></p> <p><b>(i) consult with residents to identify a suitable location for the new monitoring station;</b></p> <p><b>(ii) that given residents concerns regarding the effectiveness of the evidence received from Petri dishes they ceased to be used and alternative methods of collecting samples be explored;</b></p>	<p>Site visit with residents to identify possible locations</p> <p>Report back to residents on final location.</p> <p>Process started to identify alternative temporary monitoring equipment</p>	<p>Officer time</p> <p>See (g)</p>	<p>Adrian Hurst</p> <p>Adrian Hurst</p>	<p>June 2010</p> <p>August 2010</p> <p>July 2010</p>

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas

DECISIONMAKING DATE OF FINAL REPORT: May 2010

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
	<p>(iii) that residents be encouraged to carry out their own monitoring and continue to report their findings back to the Council and Environment Agency; and</p> <p>(iv) produce a guide for residents on sampling including the most effective ways to collect samples</p>	<p>Letter to residents from Portfolio Holder encouraging them to continue to report incidents. Set up dedicated mail box</p> <p>Advice leaflet to be produced</p>	<p>Officer time</p> <p>Adrian Hurst</p> <p>Officer time</p> <p>Adrian Hurst</p>	<p>June 2010</p> <p>June 2010</p>
(i)	<p>That the Council produce a document in consultation with residents that clarifies the remit and contact details for all the relevant</p>	<p>Advice leaflet to be produced</p>	<p>Officer time</p> <p>Adrian Hurst</p>	<p>June 2010</p>

OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN

NAME OF FORUM: Neighbourhood Services Scrutiny Forum

NAME OF SCRUTINY ENQUIRY: Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas

DECISIONMAKING DATE OF FINAL REPORT: May 2010

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	FINANCIAL IMPLICATIONS	LEAD OFFICER	DELIVERY TIMESCALE
	organisations ;			
(j)	That residents of the Headland and surrounding areas be kept up to date on the progress of all recommendations; and	Quarterly update to be provided to residents	Officer time	Adrian Hurst June 2010
(k)	That Members of the Neighbourhood Services Scrutiny Forum and residents be invited to attend the meeting of the Health Scrutiny Forum when it considers the additional information which has been requested from Professor Kelly.	The Health Scrutiny Forum is awaiting response from Executive Director of Public Health for NHS Tees. When the Health Scrutiny Forum considers the additional information the Neighbourhood Services Scrutiny Forum and residents will be invited to attend that meeting.	No financial implications	Laura Starrs Awaiting confirmation of timescales from Executive Director of Public Health for NHS Tees.

# MIDAS: Sample Details Report

## Sampling Point Details

Point Code:	45500133	AD HOC SAMPLES IN AREA 255
Type:	FZ	FRESHWATER - UNSPECIFIED
Area:	X	NORTH EAST - NORTH EAST AREA
Sub Area:	C	COUNTY DURHAM
Country:	England	
Political Codes:		

## Sample Details

Status:	Archived	
Source:	5	LEEDS LABORATORY (NLS)
Reference:	237614	
Taken:	26-Jan-2010 11:30	
Material:	2IZZ	SEA WATER
Purpose:	UI	UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)
Mechanism:	S	SPOT
Sampler:	2199	LEE WALKER
Received at Lab:	27-Jan-2010 07:04	Last Updated: 04-Feb-2010 08:25:45
Analysis Complete:	03-Feb-2010 09:27	Transfer to Archive: 16-Feb-2010 07:00:49
Sample Held?	No	
Reason For Change:		

## Pre-Sampling Details

System Id:	04	Run Id:	Project Code:
Officer:		Run Date:	Run No:
Sample Id:	90061150		
ARG Codes:			

## Comments

**Sampler's Comments:**  
SURFACE SAMPLE HARTLEPPOL DOCK

**Analyst's Comments:**

**Confirmation Comments:**  
PRN - 90061150

**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 237614

Smpt Code: 45500133

Taken: 26-Jan-2010 11:30

Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	6051	Iron	21	318	ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	21	<30	ug/l	U	U	U	U	N	N
E	7434	National Grid Reference : Whole : Field report NZ5218333724	26	1	UNITLESS	U	U	U	U	U	N

# MIDAS: Sample Details Report

## Sampling Point Details

**Point Code:** 45500133 AD HOC SAMPLES IN AREA 255  
**Type:** FZ FRESHWATER - UNSPECIFIED  
**Area:** X NORTH EAST - NORTH EAST AREA  
**Sub Area:** C COUNTY DURHAM  
**Country:** England  
**Political Codes:**

## Sample Details

**Status:** Archived  
**Source:** 5 LEEDS LABORATORY (NLS)  
**Reference:** 237613  
**Taken:** 26-Jan-2010 11:31  
**Material:** 2IZZ SEA WATER  
**Purpose:** UI UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)  
**Mechanism:** S SPOT  
**Sampler:** 2199 LEE WALKER  
**Received at Lab:** 27-Jan-2010 07:04 **Last Updated:** 04-Feb-2010 08:23:12  
**Analysis Complete:** 03-Feb-2010 09:27 **Transfer to Archive:** 16-Feb-2010 07:00:49  
**Sample Held?** No  
**Reason For Change:** sdup

## Pre-Sampling Details

**System Id:** 04 **Run Id:** **Project Code:**  
**Officer:** **Run Date:** **Run No:**  
**Sample Id:** 90061149  
**ARG Codes:**

## Comments

**Sampler's Comments:**  
 SAMPLE TAKEN FROM BELOW THE SURFACE OF HARTLEPOOL DOCK  
**Analyst's Comments:**  
**Confirmation Comments:**  
 PRN - 90061149  
**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 237613      Smp Code: 45500133      Taken: 26-Jan-2010 11:31      Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	6051	Iron	21	260	ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	21	<30	ug/l	U	U	U	U	N	N
E	7434	National Grid Reference : Whole : Field report NZ5218333724	26	1	UNITLESS	U	U	U	U	U	N

# MIDAS: Sample Details Report

## Sampling Point Details

**Point Code:** 45500133 AD HOC SAMPLES IN AREA 255  
**Type:** FZ FRESHWATER - UNSPECIFIED  
**Area:** X NORTH EAST - NORTH EAST AREA  
**Sub Area:** C COUNTY DURHAM  
**Country:** England  
**Political Codes:**

## Sample Details

**Status:** Archived  
**Source:** 5 LEEDS LABORATORY (NLS)  
**Reference:** 270028  
**Taken:** 08-Mar-2010 11:25  
**Material:** 2IZZ SEA WATER  
**Purpose:** UI UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)  
**Mechanism:** S SPOT  
**Sampler:** 2171 CLAIRE HIMSWORTH  
**Received at Lab:** 09-Mar-2010 07:28  
**Last Updated:** 30-Mar-2010 06:00:11  
**Analysis Complete:** 29-Mar-2010 09:32  
**Transfer to Archive:** 04-Apr-2010 07:00:52  
**Sample Held?** No  
**Reason For Change:**

## Pre-Sampling Details

**System Id:** 04  
**Run Id:**  
**Project Code:**  
**Officer:**  
**Run Date:**  
**Run No:**  
**Sample Id:** 90061230  
**ARG Codes:**

## Comments

**Sampler's Comments:**  
SURFACE SAMPLE HBA MOORINGS

**Analyst's Comments:**

**Confirmation Comments:**

PRN - 90061230

**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 270028

Smpt Code: 45500133

Taken: 08-Mar-2010 11:25

Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	0050	Lead	21	669	ug/l	U	U	U	U	U	N
E	0052	Lead, Dissolved	21	<4	ug/l	U	U	U	U	N	N
E	0085	BOD : 5 Day ATU	21	9.6	mg/l	U	U	N	U	U	N
E	0106	Cadmium, Dissolved	21	<0.2	ug/l	U	U	U	U	N	N
E	0108	Cadmium	21	1.26	ug/l	U	U	U	U	U	N
E	0111	Ammoniacal Nitrogen as N	22	<0.5	mg/l	U	U	N	U	U	N
E	0116	Nitrogen, Total Oxidised as N	22	<1	mg/l	U	U	N	U	U	N
E	0135	Solids, Suspended at 105 C	21	436	mg/l	U	U	N	U	U	N
E	0172	Chloride	22	17500	mg/l	U	U	Y	U	U	Y
E	0180	Orthophosphate, reactive as P	22	<0.5	mg/l	U	U	N	U	U	N
E	0664	Oil and Grease, Visible : Present/Absent (1/0)	26	Present		U	U	U	U	U	N
E	3164	Chromium	21	61.5	ug/l	U	U	U	U	U	N
E	3408	Zinc, Dissolved	21	63.6	ug/l	U	U	U	U	N	N
E	3409	Chromium, Dissolved	21	2.89	ug/l	U	U	U	U	N	N
E	3410	Nickel, Dissolved	21	<2	ug/l	U	U	U	U	N	N
E	6037	Aluminium, Dissolved	21	<20	ug/l	U	U	U	U	N	N
E	6051	Iron	21	43900	ug/l	U	U	U	U	U	N
E	6057	Aluminium	21	1860	ug/l	U	U	U	U	U	N
E	6450	Copper, Dissolved	21	7.67	ug/l	U	U	U	U	N	N
E	6452	Copper	21	191	ug/l	U	U	U	U	U	N
E	6455	Zinc	21	1590	ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	21	32	ug/l	U	U	U	U	N	N
E	6462	Nickel	21	44	ug/l	U	U	U	U	U	N
E	7434	National Grid Reference : Whole : Field report NZ5256133890	26	1	UNITLESS	U	U	U	U	U	N

# MIDAS: Sample Details Report

## Sampling Point Details

Point Code:	45500133	AD HOC SAMPLES IN AREA 255
Type:	FZ	FRESHWATER - UNSPECIFIED
Area:	X	NORTH EAST - NORTH EAST AREA
Sub Area:	C	COUNTY DURHAM
Country:	England	
Political Codes:		

## Sample Details

Status:	Archived	
Source:	5	LEEDS LABORATORY (NLS)
Reference:	270026	
Taken:	08-Mar-2010 12:30	
Material:	2IZZ	SEA WATER
Purpose:	UI	UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)
Mechanism:	S	SPOT
Sampler:	2171	CLAIRE HIMSWORTH
Received at Lab:	09-Mar-2010 07:28	Last Updated: 25-Mar-2010 06:00:10
Analysis Complete:	24-Mar-2010 14:38	Transfer to Archive: 30-Mar-2010 08:01:12
Sample Held?	No	
Reason For Change:		

## Pre-Sampling Details

System Id:	04	Run Id:	Project Code:
Officer:		Run Date:	Run No:
Sample Id:	90061156		
ARG Codes:			

## Comments

**Sampler's Comments:**  
SURFACE SAMPLE HARTLEPOOL DOCK

**Analyst's Comments:**

**Confirmation Comments:**  
PRN - 90061156

**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 270026

Smpt Code: 45500133

Taken: 08-Mar-2010 12:30

Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	0050	Lead	21		2.6 ug/l	U	U	U	U	U	N
E	0052	Lead, Dissolved	21		<4 ug/l	U	U	U	U	Y	N
E	0085	BOD : 5 Day ATU	21		<1 mg/l	U	U	N	U	U	N
E	0106	Cadmium, Dissolved	21		<0.2 ug/l	U	U	U	U	Y	N
E	0108	Cadmium	21		<0.1 ug/l	U	U	U	U	U	N
E	0111	Ammoniacal Nitrogen as N	22		<0.5 mg/l	U	U	N	U	U	N
E	0116	Nitrogen, Total Oxidised as N	22		<1 mg/l	U	U	N	U	U	N
E	0135	Solids, Suspended at 105 C	21		15.8 mg/l	U	U	N	U	U	N
E	0172	Chloride	22		17800 mg/l	U	U	Y	U	U	Y
E	0180	Orthophosphate, reactive as P	22		<0.5 mg/l	U	U	N	U	U	N
E	0664	Oil and Grease, Visible : Present/Absent (1/0)	26	Not found		U	U	U	U	U	N
E	3164	Chromium	21		6 ug/l	U	U	U	U	U	N
E	3408	Zinc, Dissolved	21		<10 ug/l	U	U	U	U	N	N
E	3409	Chromium, Dissolved	21		2.8 ug/l	U	U	U	U	N	N
E	3410	Nickel, Dissolved	21		<2 ug/l	U	U	U	U	N	N
E	6037	Aluminium, Dissolved	21		<20 ug/l	U	U	U	U	N	N
E	6051	Iron	21		693 ug/l	U	U	U	U	U	N
E	6057	Aluminium	21		200 ug/l	U	U	U	U	U	N
E	6450	Copper, Dissolved	21		5 ug/l	U	U	U	U	N	N
E	6452	Copper	21		10.3 ug/l	U	U	U	U	U	N
E	6455	Zinc	21		23.3 ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	21		<30 ug/l	U	U	U	U	N	N
E	6462	Nickel	21		8.8 ug/l	U	U	U	U	U	N
E	7434	National Grid Reference : Whole : Field report NZ5218333724	26		1 UNITLESS	U	U	U	U	U	N

# MIDAS: Sample Details Report

## Sampling Point Details

**Point Code:** 45500133 AD HOC SAMPLES IN AREA 255  
**Type:** FZ FRESHWATER - UNSPECIFIED  
**Area:** X NORTH EAST - NORTH EAST AREA  
**Sub Area:** C COUNTY DURHAM  
**Country:** England  
**Political Codes:**

## Sample Details

**Status:** Archived  
**Source:** 5 LEEDS LABORATORY (NLS)  
**Reference:** 270029  
**Taken:** 08-Mar-2010 11:35  
**Material:** 2IZZ SEA WATER  
**Purpose:** UI UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)  
**Mechanism:** S SPOT  
**Sampler:** 2171 CLAIRE HIMSWORTH  
**Received at Lab:** 09-Mar-2010 07:28 **Last Updated:** 25-Mar-2010 06:00:11  
**Analysis Complete:** 24-Mar-2010 14:38 **Transfer to Archive:** 30-Mar-2010 08:01:12  
**Sample Held?** No  
**Reason For Change:**

## Pre-Sampling Details

**System Id:** 04 **Run Id:** **Project Code:**  
**Officer:** **Run Date:** **Run No:**  
**Sample Id:** 90061232  
**ARG Codes:**

## Comments

**Sampler's Comments:**  
 SUB SURFACE SAMPLE HBA MOORINGS  
**Analyst's Comments:**  
**Confirmation Comments:**  
 PRN - 90061232  
**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 270029

Smpt Code: 45500133

Taken: 08-Mar-2010 11:35

Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	0050	Lead	21		5.1 ug/l	U	U	U	U	U	N
E	0052	Lead, Dissolved	21		<4 ug/l	U	U	U	U	N	N
E	0085	BOD : 5 Day ATU	21		<1 mg/l	U	U	N	U	U	N
E	0106	Cadmium, Dissolved	21		<0.2 ug/l	U	U	U	U	Y	N
E	0108	Cadmium	21		<0.1 ug/l	U	U	U	U	U	N
E	0111	Ammoniacal Nitrogen as N	22		<0.5 mg/l	U	U	N	U	U	N
E	0116	Nitrogen, Total Oxidised as N	22		<1 mg/l	U	U	N	U	U	N
E	0135	Solids, Suspended at 105 C	21		6.9 mg/l	U	U	N	U	U	N
E	0172	Chloride	22		18600 mg/l	U	U	Y	U	U	Y
E	0180	Orthophosphate, reactive as P	22		<0.5 mg/l	U	U	N	U	U	N
E	0664	Oil and Grease, Visible : Present/Absent (1/0)	26	Not found		U	U	U	U	U	N
E	3164	Chromium	21		3.6 ug/l	U	U	U	U	U	N
E	3408	Zinc, Dissolved	21		20.2 ug/l	U	U	U	U	N	N
E	3409	Chromium, Dissolved	21		2.7 ug/l	U	U	U	U	N	N
E	3410	Nickel, Dissolved	21		<2 ug/l	U	U	U	U	N	N
E	6037	Aluminium, Dissolved	21		<20 ug/l	U	U	U	U	N	N
E	6051	Iron	21		360 ug/l	U	U	U	U	U	N
E	6057	Aluminium	21		74 ug/l	U	U	U	U	U	N
E	6450	Copper, Dissolved	21		5.98 ug/l	U	U	U	U	U	N
E	6452	Copper	21		16.5 ug/l	U	U	U	U	U	N
E	6455	Zinc	21		40.2 ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	21		<30 ug/l	U	U	U	U	N	N
E	6462	Nickel	21		4.6 ug/l	U	U	U	U	U	N
E	7434	National Grid Reference : Whole : Field report NZ5256133890	26		1 UNITLESS	U	U	U	U	U	N

# MIDAS: Sample Details Report

## Sampling Point Details

**Point Code:** 45500133 AD HOC SAMPLES IN AREA 255  
**Type:** FZ FRESHWATER - UNSPECIFIED  
**Area:** X NORTH EAST - NORTH EAST AREA  
**Sub Area:** C COUNTY DURHAM  
**Country:** England  
**Political Codes:**

## Sample Details

**Status:** Archived  
**Source:** 5 LEEDS LABORATORY (NLS)  
**Reference:** 270027  
**Taken:** 08-Mar-2010 12:40  
**Material:** 2IZZ SEA WATER  
**Purpose:** UI UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)  
**Mechanism:** S SPOT  
**Sampler:** 2171 CLAIRE HIMSWORTH  
**Received at Lab:** 09-Mar-2010 07:28 **Last Updated:** 25-Mar-2010 06:00:11  
**Analysis Complete:** 24-Mar-2010 14:38 **Transfer to Archive:** 30-Mar-2010 08:01:12  
**Sample Held?** No  
**Reason For Change:**

## Pre-Sampling Details

**System Id:** 04 **Run Id:** **Project Code:**  
**Officer:** **Run Date:** **Run No:**  
**Sample Id:** 90061157  
**ARG Codes:**

## Comments

**Sampler's Comments:**  
SAMPLE TAKEN FROM BELOW THE SURFACE OF HARTLEPOOL DOCK.  
**Analyst's Comments:**  
**Confirmation Comments:**  
PRN - 90061157  
**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 270027

Smpt Code: 45500133

Taken: 08-Mar-2010 12:40

Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	0050	Lead	21	2.1	ug/l	U	U	U	U	U	N
E	0052	Lead, Dissolved	21	<4	ug/l	U	U	U	U	Y	N
E	0085	BOD : 5 Day ATU	21	<1	mg/l	U	U	N	U	U	N
E	0106	Cadmium, Dissolved	21	<0.2	ug/l	U	U	U	U	Y	N
E	0108	Cadmium	21	0.12	ug/l	U	U	U	U	U	N
E	0111	Ammoniacal Nitrogen as N	22	<0.5	mg/l	U	U	N	U	U	N
E	0116	Nitrogen, Total Oxidised as N	22	<1	mg/l	U	U	N	U	U	N
E	0135	Solids, Suspended at 105 C	21	17.2	mg/l	U	U	N	U	U	N
E	0172	Chloride	22	18200	mg/l	U	U	Y	U	U	Y
E	0180	Orthophosphate, reactive as P	22	<0.5	mg/l	U	U	N	U	U	N
E	0664	Oil and Grease, Visible : Present/Absent (1/0)	26	Not found		U	U	U	U	U	N
E	3164	Chromium	21	5	ug/l	U	U	U	U	U	N
E	3408	Zinc, Dissolved	21	<10	ug/l	U	U	U	U	N	N
E	3409	Chromium, Dissolved	21	2.69	ug/l	U	U	U	U	N	N
E	3410	Nickel, Dissolved	21	<2	ug/l	U	U	U	U	N	N
E	6037	Aluminium, Dissolved	21	<20	ug/l	U	U	U	U	N	N
E	6051	Iron	21	600	ug/l	U	U	U	U	U	N
E	6057	Aluminium	21	176	ug/l	U	U	U	U	U	N
E	6450	Copper, Dissolved	21	3.66	ug/l	U	U	U	U	N	N
E	6452	Copper	21	11.5	ug/l	U	U	U	U	U	N
E	6455	Zinc	21	21.6	ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	21	<30	ug/l	U	U	U	U	N	N
E	6462	Nickel	21	7.4	ug/l	U	U	U	U	U	N
E	7434	National Grid Reference : Whole : Field report NZ5218333724	26	1	UNITLESS	U	U	U	U	U	N

# MIDAS: Sample Details Report

## Sampling Point Details

**Point Code:** 45500133 AD HOC SAMPLES IN AREA 255  
**Type:** FZ FRESHWATER - UNSPECIFIED  
**Area:** X NORTH EAST - NORTH EAST AREA  
**Sub Area:** C COUNTY DURHAM  
**Country:** England  
**Political Codes:**

## Sample Details

**Status:** Complete  
**Source:** 5 LEEDS LABORATORY (NLS)  
**Reference:** 289638  
**Taken:** 09-Apr-2010 12:20  
**Material:** 2IZZ SEA WATER  
**Purpose:** UI UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)  
**Mechanism:** S SPOT  
**Sampler:** 2171 CLAIRE HIMSWORTH  
**Received at Lab:** 10-Apr-2010 08:01 **Last Updated:** 07-May-2010 14:05:04  
**Analysis Complete:** 05-May-2010 16:15 **Transfer to Archive:**  
**Sample Held?** No  
**Reason For Change:**

## Pre-Sampling Details

**System Id:** 04 **Run Id:** **Project Code:**  
**Officer:** **Run Date:** **Run No:**  
**Sample Id:** 90061235  
**ARG Codes:**

## Comments

**Sampler's Comments:**  
 SURFACE SAMPLE HBA MOORINGS  
**Analyst's Comments:**  
**Confirmation Comments:**  
 PRN - 90061235  
**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 289638

Smpst Code: 45500133

Taken: 09-Apr-2010 12:20

Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	0050	Lead	23	11.6	ug/l	U	U	U	U	U	N
E	0052	Lead, Dissolved	23	0.905	ug/l	U	U	U	U	N	N
E	0085	BOD : 5 Day ATU	21	9.7	mg/l	U	U	N	U	U	N
E	0106	Cadmium, Dissolved	23	0.043	ug/l	U	U	U	U	N	N
E	0108	Cadmium	23	0.07	ug/l	U	U	U	U	U	N
E	0111	Ammoniacal Nitrogen as N	22	<0.5	mg/l	U	U	N	U	U	N
E	0116	Nitrogen, Total Oxidised as N	22	<1	mg/l	U	U	N	U	U	N
E	0135	Solids, Suspended at 105 C	21	942	mg/l	U	U	N	U	U	N
E	0172	Chloride	22	18700	mg/l	U	U	Y	U	U	Y
E	0180	Orthophosphate, reactive as P	22	<0.5	mg/l	U	U	N	U	U	N
E	3164	Chromium	23	3.74	ug/l	U	U	U	U	U	N
E	3408	Zinc, Dissolved	23	41.3	ug/l	U	U	U	U	N	N
E	3409	Chromium, Dissolved	23	<0.5	ug/l	U	U	U	U	N	N
E	3410	Nickel, Dissolved	23	1.09	ug/l	U	U	U	U	N	N
E	6051	Iron	23	3480	ug/l	U	U	U	U	U	N
E	6060	Titanium	23	168	ug/l	U	U	U	U	U	N
E	6450	Copper, Dissolved	23	9.76	ug/l	U	U	U	U	N	N
E	6452	Copper	23	29.5	ug/l	U	U	U	U	U	N
E	6455	Zinc	23	88.5	ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	23	<100	ug/l	U	U	U	U	N	N
E	6462	Nickel	23	38.2	ug/l	U	U	U	U	U	N
E	6699	Titanium, Filtered	23	128	ug/l	U	U	U	U	U	N
E	7434	National Grid Reference : Whole : Field report NZ5256133890	26	1	UNITLESS	U	U	U	U	U	N

# MIDAS: Sample Details Report

## Sampling Point Details

**Point Code:** 45500133 AD HOC SAMPLES IN AREA 255  
**Type:** FZ FRESHWATER - UNSPECIFIED  
**Area:** X NORTH EAST - NORTH EAST AREA  
**Sub Area:** C COUNTY DURHAM  
**Country:** England  
**Political Codes:**

## Sample Details

**Status:** Complete  
**Source:** 5 LEEDS LABORATORY (NLS)  
**Reference:** 289637  
**Taken:** 09-Apr-2010 12:05  
**Material:** 2IZZ SEA WATER  
**Purpose:** UI UNPLANNED REACTIVE MONITORING (POLLUTION INCIDENTS)  
**Mechanism:** S SPOT  
**Sampler:** 2171 CLAIRE HIMSWORTH  
**Received at Lab:** 10-Apr-2010 08:01 **Last Updated:** 07-May-2010 14:05:04  
**Analysis Complete:** 05-May-2010 16:15 **Transfer to Archive:**  
**Sample Held?** No  
**Reason For Change:**

## Pre-Sampling Details

**System Id:** 04 **Run Id:** **Project Code:**  
**Officer:** **Run Date:** **Run No:**  
**Sample Id:** 90061234  
**ARG Codes:**

## Comments

**Sampler's Comments:**  
 SUB SURFACE SAMPLE HBA MOORINGS  
**Analyst's Comments:**  
**Confirmation Comments:**  
 PRN - 90061234  
**Sample Address:**

AD HOC SAMPLES IN AREA 255

Ref: 289637

Smpst Code: 45500133

Taken: 09-Apr-2010 12:05

Material: 2IZZ

**Measurements**

Status	Det. Code	Det. Name	Meth. Code	---Result---	Unit	Perm	Pol	Stats	Usr	IDV	Excl stats
E	0050	Lead	23	2.62	ug/l	U	U	U	U	U	N
E	0052	Lead, Dissolved	23	0.829	ug/l	U	U	U	U	N	N
E	0085	BOD : 5 Day ATU	21	1.3	mg/l	U	U	N	U	U	N
E	0106	Cadmium, Dissolved	23	<0.04	ug/l	U	U	U	U	N	N
E	0108	Cadmium	23	<0.04	ug/l	U	U	U	U	U	N
E	0111	Ammoniacal Nitrogen as N	22	<0.5	mg/l	U	U	N	U	U	N
E	0116	Nitrogen, Total Oxidised as N	22	<1	mg/l	U	U	N	U	U	N
E	0135	Solids, Suspended at 105 C	21	7.1	mg/l	U	U	N	U	U	N
E	0172	Chloride	22	18700	mg/l	U	U	Y	U	U	Y
E	0180	Orthophosphate, reactive as P	22	<0.5	mg/l	U	U	N	U	U	N
E	3164	Chromium	23	<0.5	ug/l	U	U	U	U	U	N
E	3408	Zinc, Dissolved	23	41.2	ug/l	U	U	U	U	N	N
E	3409	Chromium, Dissolved	23	<0.5	ug/l	U	U	U	U	N	N
E	3410	Nickel, Dissolved	23	0.63	ug/l	U	U	U	U	N	N
E	6051	Iron	23	165	ug/l	U	U	U	U	U	N
E	6060	Titanium	23	130	ug/l	U	U	U	U	U	N
E	6450	Copper, Dissolved	23	8.39	ug/l	U	U	U	U	N	N
E	6452	Copper	23	17.2	ug/l	U	U	U	U	U	N
E	6455	Zinc	23	41.4	ug/l	U	U	U	U	U	N
E	6460	Iron, Dissolved	23	<100	ug/l	U	U	U	U	N	N
E	6462	Nickel	23	0.89	ug/l	U	U	U	U	U	N
E	6699	Titanium, Filtered	23	129	ug/l	U	U	U	U	U	N
E	7434	National Grid Reference : Whole : Field report NZ5256133890	26	1	UNITLESS	U	U	U	U	U	N

**Subject:** HEADLAND DUST MONITORING RESULTS – Additional information in support of Action Plan Item 8.2

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## BACKGROUND

The results of water samples taken from the dock by the Environment Agency in March 2010 were submitted to the Scrutiny Coordinating Committee at their meeting on 23<sup>rd</sup> April 2010. At the time of the meeting there was no information available as to the interpretation of these results. The committee therefore requested that officers obtained an interpretation of the results from the Environment Agency to be submitted to Cabinet.

The SCC minuted that when we received any further sampling results that the information would be provided to residents, members and reported through Cabinet. At the time of the SCC we had three petri dish samples awaiting analysis and three pads with dust samples on them which had been submitted to Scrutiny by a resident from Seaton Carew. We are now in receipt of the results.

## RESULTS

At the time of writing this report the interpretation of the water sampling results from the EA were still awaited.

Petri dish samples taken from 3 Town Wall on 12<sup>th</sup> April 2010, 82 Northgate on 15<sup>th</sup> April 2010 and 8 Town Wall on 20<sup>th</sup> April 2010 along with the three samples on the glass pads received by the resident from Seaton Carew were submitted to the County Analyst at Durham. The results of this analysis are attached (Appendix1). The samples were taken over a period when the Port were unloading petro coke and rutile sand.

The samples from the Headland show the presence of sand, siliceous material, natural organic material and some wood dust possibly sawdust. They also show the presence of low levels of Iron, Titanium, zinc and Lead but at such low levels that they are not quantifiable. This material would be consistent with any dust that would be found in a coastal location.

The samples from Seaton Carew show the presence of sand, siliceous material, natural organic detritus and various coloured synthetic fibres. They also show the presence of low levels of Iron, Titanium, Copper and Lead but again at such low levels that they are not quantifiable. Again this material is consistent with any dust that would be found in a coastal location.

The analyst has informed us that it is not possible to differentiate between the source on the pads from Seaton Carew and the source on the Petri Dishes at the Headland. He advises that there were no readily distinguishable features microscopically that would point to a particular origin or differences of origin.

# Certificate of Analysis

Alan Richards M.Chem.A., C.Chem., F.R.S.C.  
Scientific Services Manager, Public Analyst, Official Agricultural Analyst



13 May 2010

Your Ref

Our Ref 20110121

Contact Nigel Payne

e-mail nigel.payne@durham.gov.uk

To: HEATHER DEANE  
Neighbourhood Services  
Public Protection Division  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

Sample: **1: DUST FROM GLASS (PAD)**

Submitted by HEATHER DEANE

Date of receipt: 29 April 2010

Further details: None

## DESCRIPTION

Cotton wool pad with swiped dust

## LABELLING

### Determination

Identification

### Result

X-ray fluorescence analysis of the dust showed the presence of Iron, Titanium, Copper and Lead

## EXAMINATION and COMMENTS

Microscopical examination of the debris on the pad showed the presence of numerous and variously coloured synthetic fibres, sand and siliceous material and natural organic detritus.

There was no specific indication of the presence petroleum coke. The presence of dolomite could neither be excluded or confirmed.

Signed:

Public Analyst  
Nigel Payne

# Certificate of Analysis

Alan Richards M.Chem.A., C.Chem., F.R.S.C.  
Scientific Services Manager, Public Analyst, Official Agricultural Analyst



13 May 2010

Your Ref  
Our Ref 20110122  
Contact Nigel Payne  
e-mail nigel.payne@durham.gov.uk

To: HEATHER DEANE  
Neighbourhood Services  
Public Protection Division  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

Sample: **2: DUST OFF PAINTWORK (PAD)**

Submitted by HEATHER DEANE per ADRIAN HIRST/STEVE WILLIAMS  
Date of receipt: 29 April 2010  
Further details: None

## DESCRIPTION

Cotton wool pad with swiped dust

## LABELLING

### Determination

Identification

### Result

X-ray fluorescence analysis of the dust showed the presence of Iron and Copper

## EXAMINATION and COMMENTS

Microscopical examination of the debris on the pad showed the sand and siliceous material and natural organic detritus. The pad was not heavily loaded with material.

There was no specific indication of the presence petroleum coke. The presence of dolomite could neither be excluded or confirmed.

Signed:

Public Analyst  
Nigel Payne

# Certificate of Analysis

Alan Richards M.Chem.A., C.Chem., F.R.S.C.  
Scientific Services Manager, Public Analyst, Official Agricultural Analyst



13 May 2010

Your Ref

Our Ref 20110123

Contact Nigel Payne

e-mail nigel.payne@durham.gov.uk

To: HEATHER DEANE  
Neighbourhood Services  
Public Protection Division  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

Sample: **3: DUST FROM SEATON CAREW WINDOW (PAD)**

Submitted by HEATHER DEANE per ADRIAN HIRST/STEVE WILLIAMS

Date of receipt: 29 April 2010

Further details: None

## DESCRIPTION

Cotton wool pad with swiped dust

## LABELLING

### Determination

Identification

### Result

X-ray fluorescence analysis of the dust showed the presence of Iron, Titanium, Copper and Lead

## EXAMINATION and COMMENTS

Microscopical examination of the debris on the pad showed the presence of a few synthetic fibres, sand and siliceous material and large amounts of natural organic detritus.

There was no specific indication of the presence petroleum coke. The presence of dolomite could neither be excluded or confirmed.

Signed:

Public Analyst  
Nigel Payne

# Certificate of Analysis

Alan Richards M.Chem.A., C.Chem., F.R.S.C.  
Scientific Services Manager, Public Analyst, Official Agricultural Analyst



13 May 2010

Your Ref

Our Ref 20110124

Contact Nigel Payne

e-mail nigel.payne@durham.gov.uk

To: HEATHER DEANE  
Neighbourhood Services  
Public Protection Division  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

Sample: **4: 3 TOWN WALL - 12/4/10 (PETRI DISH)**

Submitted by HEATHER DEANE per ADRIAN HIRST/STEVE WILLIAMS

Date of receipt: 29 April 2010

Further details: None

## DESCRIPTION

Petri dish with petroleum jelly to which dust debris was adhering

## LABELLING

### Determination

Identification

### Result

X-ray fluorescence analysis of the dust showed the presence of Iron, Titanium, Zinc and Lead

## EXAMINATION and COMMENTS

Microscopical examination of the debris on the petri dish showed the presence of synthetic fibres, sand and siliceous material and a large amount of natural organic detritus.

There was no specific indication of the presence of petroleum coke. The presence of dolomite could neither be excluded or confirmed.

Signed:

Public Analyst  
Nigel Payne

# Certificate of Analysis

Alan Richards M.Chem.A., C.Chem., F.R.S.C.  
Scientific Services Manager, Public Analyst, Official Agricultural Analyst



13 May 2010

Your Ref

Our Ref 20110125

Contact Nigel Payne

e-mail nigel.payne@durham.gov.uk

To: HEATHER DEANE  
Neighbourhood Services  
Public Protection Division  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

Sample: **5: 82 NORTHGATE - 15/4/10 (PETRI DISH)**

Submitted by HEATHER DEANE per ADRIAN HIRST/STEVE WILLIAMS

Date of receipt: 29 April 2010

Further details: None

## DESCRIPTION

Petri dish with petroleum jelly to which dust debris was adhering

## LABELLING

### Determination

Identification

### Result

X-ray fluorescence analysis of the dust showed the presence of Iron, Titanium and Zinc

## EXAMINATION and COMMENTS

Microscopical examination of the debris on the petri dish showed the presence of large amounts of sand and siliceous material and some natural organic detritus.

There was no specific indication of the presence of petroleum coke. The presence of dolomite could neither be excluded or confirmed.

Signed:

Public Analyst  
Nigel Payne

# Certificate of Analysis

Alan Richards M.Chem.A., C.Chem., F.R.S.C.  
Scientific Services Manager, Public Analyst, Official Agricultural Analyst



13 May 2010

Your Ref

Our Ref 20110126

Contact Nigel Payne

e-mail nigel.payne@durham.gov.uk

To: HEATHER DEANE  
Neighbourhood Services  
Public Protection Division  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

Sample: **6: TOWN WALL - 20/4/10 (PETRI DISH)**

Submitted by HEATHER DEANE per ADRIAN HIRST/STEVE WILLIAMS

Date of receipt: 29 April 2010

Further details: None

## DESCRIPTION

Petri dish with petroleum jelly to which dust debris was adhering

## LABELLING

### Determination

Identification

### Result

X-ray fluorescence analysis of the dust showed the presence of Iron, Titanium and Zinc

## EXAMINATION and COMMENTS

Microscopical examination of the debris on the petri dish showed the presence of sand and siliceous material and a large amount of natural organic detritus, with some pieces of wood dust, possibly sawdust, visible.

There was no specific indication of the presence of petroleum coke. The presence of dolomite could neither be excluded or confirmed.

Signed:

Public Analyst  
Nigel Payne

# CABINET REPORT

24 May 2010



**Report of:** Health Scrutiny Forum

**Subject:** INTERIM REPORT AND ACTION PLAN – DUST DEPOSITS ON THE HEADLAND

---

## SUMMARY

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to outline the findings, conclusions and action plan of the Health Scrutiny Forum's investigation into 'Dust Deposits on the Headland'.

### 2. SUMMARY OF CONTENTS

- 2.1 The Interim Report outlines the overall aim of the scrutiny investigation, terms of reference, methods of investigation, findings, conclusions, and subsequent recommendations.
- 2.2 The Action Plan (**Appendix A**), outlines the agreed recommendations in response to the Scrutiny Forum's investigation.

### 3. RELEVANCE TO CABINET

- 3.1 Cabinet are requested to consider the Interim Report (which is attached to the back of the papers for this meeting) and note the Action Plan (**Appendix A**)

### 4. TYPE OF DECISION

- 4.1 Non-Key.

### 5. DECISION MAKING ROUTE

- 5.1 The Action Plan and the progress of its implementation will be reported to a future meeting of the Health Scrutiny Forum.

**6. DECISION REQUIRED**

- 6.1 That Members of the Cabinet note the Interim Report (which is attached to the back of the papers for this meeting) and Action Plan (**Appendix A refers**) in response to the recommendations of the Health Scrutiny Forum's investigation into 'Dust Deposits on the Headland'.



## HEALTH SCRUTINY FORUM

### INTERIM REPORT DUST DEPOSITS ON THE HEADLAND

May 2010

<p><b>CABINET</b> <b>24 May 2010</b></p>
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**Report of:** HEALTH SCRUTINY FORUM

**Subject:** INTERIM REPORT – DUST DEPOSITS ON THE HEADLAND

---

**1. PURPOSE OF THE REPORT**

1.1 The purpose of this report is to outline the findings and recommendations of the Health Scrutiny Forum following its investigation into 'Dust Deposits on the Headland'.

**2. BACKGROUND INFORMATION**

2.1 In response to serious concerns from residents on the Headland and surrounding areas to the health implications of dust deposits in these areas, the Chair of the Health Scrutiny Forum agreed that this issue should be investigated by the Health Scrutiny Forum.

2.2 The Scrutiny Co-ordinating Committee on 9 October 2009 was advised of the Health Scrutiny Forum's intention to investigate the potential health implications of dust deposits on the Headland. In accordance with agreed practice the outcome of the Health Scrutiny Forum's investigation would be presented to the Scrutiny Co-ordinating Committee. Once the report had been received by Members of the Scrutiny Co-ordinating Committee a decision would be made about if and how any further investigation be undertaken into issues relating to the dust deposits on the Headland that were not covered by the Constitutional function of the Health Scrutiny Forum.

**3. METHODS OF INVESTIGATION**

3.1 Members of the Health Scrutiny Forum met formally on 27 October 2009 at the Borough Hall to receive evidence relating the health implications of dust deposits on the Headland and surrounding areas. A detailed report of the issues raised during this meeting is available from the Council's Democratic Services.

#### **4. MEMBERS IN ATTENDANCE AT THE HEALTH SERVICES SCRUTINY FORUM**

- 4.1 With the health implications of dust deposits on the Headland and surrounding areas being of such great concern to residents, the Chair of the Health Scrutiny Forum invited all Elected Members and Resident Representatives to the meeting of the Health Scrutiny Forum held on 27 October 2009. Detailed below is the attendance list for the meeting held on 27 October 2009:-

Members of the Health Scrutiny Forum:-

Councillors: S Akers-Belcher (substituting for Councillor Worthy), Brash, Barker, A Lilley, G Lilley, Young

Resident Representatives: Jean Kennedy

Other Councillors in attendance: Allison, Atkinson, Fleming, Griffin, Hall, Jackson, J Marshall, McKenna and Preece.

Other Resident Representatives in attendance: John Cambridge, Bob Farrow, Ted Jackson, Evelyn Leck, John Lynch, Iris Ryder, Bob Steel and Joan Steel

#### **FINDINGS**

#### **5. EVIDENCE GATHERED BY MEMBERS OF THE HEALTH SCRUTINY FORUM**

- 5.1 In order to formulate conclusions and recommendations the Health Scrutiny Forum met on 27 October 2009. Evidence gathered by Members during the meeting is detailed below:-

##### **Evidence from Department for Regeneration and Neighbourhoods**

- 5.2 The Health Scrutiny Forum met on 27 October and Members received a detailed report by the Director of Regeneration and Neighbourhoods covering the history behind the problems of dust deposits on the Headland, the activities carried out by the Environmental Health Team and the various inter-agency liaison meetings that had taken place between Hartlepool Borough Council, residents, representatives from the Port Authority and other statutory government bodies.
- 5.3 Members were interested to learn that over the years there have been a number of reported problems with noise and dust emanating from the Port and when problems have arisen and complaints received by Hartlepool Borough Council, investigations have been carried out and measures put in place to alleviate the noise and dust problems.

- 5.4 The Principal Environmental Health Officer informed the Forum that between September 2008 and January 2009 there had been no complaints received by the Department relating to dust and noise complaints in connections with activities on the Port. However, since 20 January 2009 there have been a number of complaints concerning 'brown spots on windows' and accumulations of dust.
- 5.5 In order to determine the health risks of the accumulations of dust the Principal Environmental Health Officer presented the Forum with **Table 1** (below) which demonstrated that a number of dust samples had been gathered throughout July and September 2009, taking in a number of different locations and weather conditions. These samples were sent away for independent testing and the results showed levels of iron and titanium that were akin to levels of iron and titanium found in dust deposits elsewhere in the Town.

**Table1: Results of Dust Samples**

<b>Weekly Samples</b>
<b>Daily Samples</b>

		<b>Iron</b>	<b>Titanium</b>	<b>Cadmium</b>	<b>Lead</b>	<b>Chromium</b>	<b>Arsenic</b>	<b>Mercury</b>
27/07/2009	9 Seaview Terrace	100-200mg/kg	100-200mg/kg	None	None	None	None	None
28/07/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
17/08/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
17/08/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
17/08/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
17/08/2009	127 Northgate	Trace	Trace	None	None	None	None	None
20/08/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
20/08/2009	8 Town Wall	Trace	Trace	None	None	None	None	None
20/08/2009	127 Northgate	Trace	Trace	None	None	None	None	None
20/08/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
09/09/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
09/09/2009	8 Town Wall	Trace	Trace	None	None	None	None	None
09/09/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
09/09/2009	127 Northgate	Trace	Trace	None	None	None	None	None

- 5.6 Forum Members were informed that further sampling had been carried out in other locations on the Headland and that these results were due at the end of October 2009. When Members met on 1 December the results of this further sampling were presented, as detailed in **Table2** overleaf:-

Table2: Results of Further Dust Samples

Weekly Samples
Daily Samples

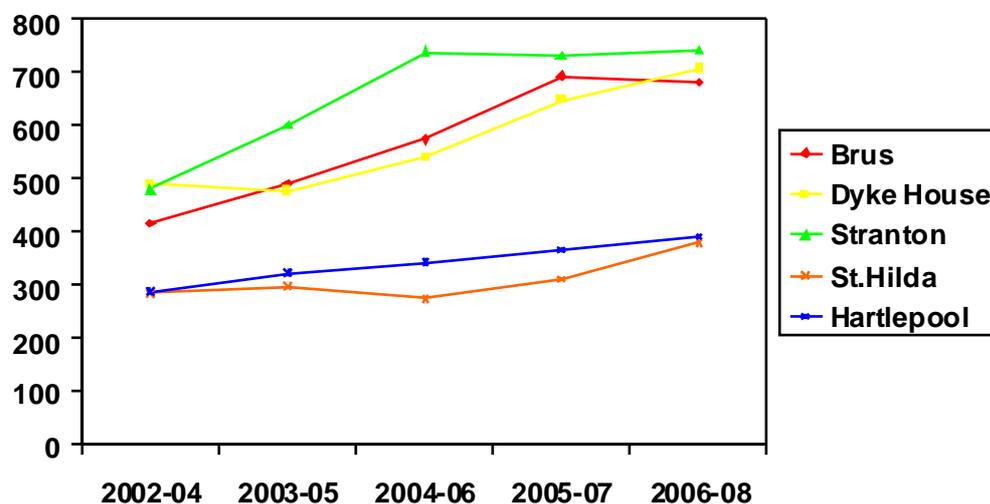
		Iron	Titanium	Cadmium	Lead	Chromium	Arsenic	Mercury
30/06/2009	127 Northgate	Trace	Trace	None	None	None	None	None
06/07/2009	3 telford Close	Trace	Trace	None	None	None	None	None
13/07/2009	Small Crafts	Trace	Trace	None	None	None	None	None
20/07/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
27/07/2009	3 telford Close	Trace	Trace	None	None	None	None	None
04/08/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
10/08/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
17/08/2009	8 Town Wall	Trace	Trace	None	None	None	None	None
24/08/2009	127 Northgate	Trace	Trace	None	None	None	None	None
01/09/2009	Small Crafts	Trace	Trace	None	None	None	None	None
07/09/2009	3 telford Close	Trace	Trace	None	None	None	None	None
14/09/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
21/09/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
24/09/2009	3 telford Close	Trace	Trace	None	None	None	None	None
24/09/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
24/09/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
24/09/2009	8 Town Wall	Trace	Trace	None	None	None	None	None
24/09/2009	127 Northgate	Trace	Trace	None	None	None	None	None
24/09/2009	Small Crafts	Trace	Trace	None	None	None	None	None
09/09/2009	3 telford Close	Trace	Trace	None	None	None	None	None
09/09/2009	Small Crafts	Trace	Trace	None	None	None	None	None
20/08/2009	3 telford Close	Trace	Trace	None	None	None	None	None
20/08/2009	Small Crafts	Trace	Trace	None	None	None	None	None
28/09/2009	3 telford Close	Trace	Trace	None	None	None	None	None
28/09/2009	18 Thorpe Street	Trace	Trace	None	None	None	None	None
28/09/2009	9 Seaview Terrace	Trace	Trace	None	None	None	None	None
28/09/2009	8 Town Wall	Trace	Trace	None	None	None	None	None
28/09/2009	127 Northgate	Trace	Trace	None	None	None	None	None
28/09/2009	Small Crafts	Trace	Trace	None	None	None	None	None

- 5.7 The Health Scrutiny Forum Members, at their meeting of 27 October 2009, were interested to learn that along with the sampling of dust deposits, the Council also assess the level of PM10 (Particulate Matter, 10 microns in diameter) which are those particulates that can enter the lungs. The Department for Environment, Food and Rural Affairs (DEFRA) sets an annual acceptable mean level of PM10s as 40  $\mu\text{g m}^{-3}$  (microgrammes per cubic metre), monitoring on the Headland in 2001 had returned an annual mean of 24  $\mu\text{g m}^{-3}$ , which Members recognised as being well within the acceptable level dictated by DEFRA.

**Evidence from Executive Director of Public Health**

- 5.8 Members of the Health Scrutiny Forum were delighted to receive a presentation at their meeting on 27 October 2009, from the Executive Director of Public Health, NHS Tees in relation to a recent investigation he had undertaken into the health of residents on the Headland in Hartlepool. After being contacted by a St Hilda Ward Councillor and hearing concerns from local residents, the Executive Director of Public Health had agreed to look into health issues on the Headland and to ascertain if there was a trend that could be linked to the dust deposits.
- 5.9 The Executive Director of Public Health explained to Members that the methodology behind researching the health of the residents of the Headland was to examine data relating to respiratory, skin and liver disease as the most likely health complications to arise from contact with dust deposits.
- 5.10 The Forum was particularly interested in data gathered relating to hospital admission for respiratory illness, as detailed in **Graph1** below. This evidence indicated very clearly that in comparison to neighbouring wards and the whole of Hartlepool, residents of the Headland were less likely to be admitted to hospital with lower respiratory disease.

Graph1: Directly age-standardised hospital admission rate per 100,000 for lower respiratory disease (J40-J45) in Hartlepool 2002-2008



- 5.11 In relation to **Graph1** (above) a question was raised about the location of the scrap metal pile 20 years ago, as being on the site of the Marina. With the site of the Marina falling into the Stranton Ward, it was queried if such high figures for hospital admission for lower respiratory disease could be caused by a delay in action of the dust, similar to the length of time for cases of asbestosis. The Executive Director of Public Health stated that scientifically it was not

possible to determine if the previous location of the scrap pile had a health effect on residents in that area, with other factors such as smoking being more likely for the high numbers of respiratory disease in that ward. In addition it was scientifically unsound to speculate on the scrap metal pile causing respiratory disease, when current figures for the Headland did not prove a current link between the location of the scrap pile and respiratory disease.

- 5.12 The evidence gathered from the Headland Medical Practice also equally demonstrated to Members that there was not enough statistical difference of excessive health problems in relation to dermatitis, eczema, respiratory disease, liver, skin and respiratory diagnoses to conclude that the dust deposits were causing health problems for the residents of the Headland. However, the Executive Director for Public Health had agreed to look into cancer data, although it was noted by the Forum that it would be usual to find a correlation between respiratory or skin diseases and cases of cancer when the contaminate was airborne.

#### **Evidence from Health Protection Agency**

- 5.13 The Consultant in Health Protection from the Health Protection Agency had provided written evidence to the Health Scrutiny Forum at their meeting of 27 October 2009. The Consultant in Health Protection highlighted to Members the role of the Health Protection Agency and that they supported the evidence provided by the Executive Director of Public Health. However, in background papers received by the Forum, Members noted that in inter-agency meeting on 8 September 2008 the Health Protection Agency had stated that with the Headland being a deprived ward, that there were links between the health of the people and the deprivation of the area.

#### **Evidence from Residents of the Headland**

- 5.14 When the Health Scrutiny Forum met on 27 October 2009, the residents of the Headland and surrounding areas provided the Members of the Forum with detailed evidence both verbal, in photographic form and reiterated their concern of the problems of dust deposits by presenting the Chair of the Health Scrutiny Forum with a signed petition.
- 5.15 The verbal evidence presented by residents stated a belief that the dust deposits were causing lung and skin problems, as well as an associated rise in stress caused by noise from the port area and damage to windows, cars and other property from the dust deposits. There was also concern raised by residents about the damping operations that were designed to spray water over the scrap metal to reduce dust emissions, but that the run off was potentially causing environmental damage to marine life that had yet to be investigated. It was clear to Members of the Forum that levels of frustration from residents of the Headland and surrounding area was high and that trust was at an all time low.

- 5.16 Members of the Health Scrutiny Forum were shown a video which demonstrated the loading of scrap metal onto a ship in the port and dust emissions from activity, which was described as not meeting the procedures outlined when loading scrap metal onto boats. During the video it was reiterated to Member of the Forum that residents were suffering from the anxiety and stress due to the constant need to clean windows, carpets, curtains and other areas where the dust was accumulating.

## **6. CONCLUSIONS**

- 6.1 The Health Scrutiny Forum concluded:-
- 6.2 That it is recognised that there is a problem with dust deposits from the Port area, that not only has it been a historical problem, but after a hiatus of complaints to the Council, there was currently a reoccurrence of dust problems affecting residents of the Headland;
- 6.3 That evidence gathered by the Executive Director of Public Health concluded that there was no evidence to suggest the dust deposits were causing respiratory, liver or skin diseases in residents of the Headland;
- 6.4 That issues around levels of cancer need further analysis before a view could be reached in relation to any possible links to dust deposits;
- 6.5 That it was scientifically impossible and unsound to conclude that the previous location for the scrap metal pile was the cause behind levels of respiratory disease in the Stranton area of Hartlepool;
- 6.6 That so far sampling of dust deposits on the Headland were consistent with the content of general dust; and
- 6.7 That concerns in relation to the potential damage to property, the environment, the possible statutory nuisance and any operational deficiencies arising from Port operations were noted, but it was recognised that these went beyond the limitations of the function of the Health Scrutiny Forum.

## **7. RECOMMENDATIONS**

- 7.1 The Health Scrutiny Forum has taken evidence from a wide range of sources to assist in the formulation of a balanced range of recommendations. The Committee's key recommendations to the Scrutiny Co-ordinating Committee are as outlined below:-

- (a) That the Health Scrutiny Forum receives results of further investigations into dust deposits on the Headland by the Executive Director of Public Health into cancer rates;

- (b) That the Chair of the Health Scrutiny Forum contacts the Executive Director of Public Health to request that in conjunction to the investigation outlined in recommendation (a), further exploration be undertaken to ascertain any potential link between dust deposits on the Headland and surrounding area and the occurrence of stress related illness;
- (c) That a further scrutiny investigation be carried out into the dust deposits on the Headland and surrounding areas by an appropriate committee / forum with reference to the following areas:-
  - (i) A site visit to the Port area to observe the loading of scrap metal onto a ship and examination into the potential damage to properties, the environment, noise and any possible statutory nuisance of Port activities;
  - (ii) Consultation with the Port workforce and exploration of possible options in terms of enforcement, ensuring that any operational deficiencies on the Port site are not repeated; and
  - (iii) Exploration into the role of the Environment Agency as the legally responsible body for the regulation of the operating permit of activities in the Port.

## 8. ACKNOWLEDGEMENTS

8.1 The Committee is grateful to all those who have presented evidence during the course of our investigation. We would like to place on record our appreciation, in particular of the willingness and co-operation we have received from the below named:-

### Hartlepool Borough Council

Councillor Peter Jackson, Portfolio Holder for Neighbourhoods and Communities;

Councillor Ged Hall, Portfolio Holder for Adult and Public Health Services;

Dave Stubbs, Director of Regeneration and Neighbourhoods;

Adrian Hurst, Principal Environmental Health Officer;

Sylvia Tempest, Environmental Standards Manager.

### External Representatives

Members of the public who participated and contributed throughout the investigation and at the meeting of the Health Scrutiny Forum held in the Borough Hall on 27 October 2009;

Professor Peter Kelly, Executive Director of Public Health, NHS Tees;

Paul Quayle, QA/SHE Manager, Heerema Hartlepool Ltd;

Mr Alan Lloyd, Construction Manager, Heerema Hartlepool Ltd;

Ken Smith, Operations Director, PD Ports;

Ian Baxter, Regional Manager, Van Dalen Hartlepool Ltd;

Mr Ashby, Van Dalen Hartlepool Ltd; and

Mr M Bardon, Van Dalen Hartlepool Ltd.

**COUNCILLOR JONATHAN BRASH  
CHAIR OF THE HEALTH SCRUTINY FORUM**

**May 2010**

**Contact Officer:-** James Walsh – Scrutiny Support Officer  
Chief Executive’s Department – Corporate Strategy  
Hartlepool Borough Council  
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Email: james.walsh@hartlepool.gov.uk

**BACKGROUND PAPERS**

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

- (i) Report of the Scrutiny Manager entitled ‘Dust on the Headland – Request for Scrutiny Investigation’ presented to the Scrutiny Co-ordinating Committee on 9 October 2009.
- (ii) Report of the Scrutiny Manager entitled ‘Dust Deposits on the Headland – Covering Report’ presented to the Health Scrutiny Forum of 27 October 2009.
- (iii) Report of the Director of Regeneration and Neighbourhoods entitled ‘Dust Deposits on the Headland’ presented to the Health Scrutiny Forum of 27 October 2009.
- (iv) Presentation by the Executive Director of Public Health entitled ‘An Overview of Health on the Headland in Hartlepool’ received by the Health Scrutiny Forum of 27 October 2009.
- (v) Minutes of the Scrutiny Co-ordinating Committee of 9 October 2009.
- (vi) Minutes of the Health Scrutiny Forum of 27 October 2009.

**OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN**

**NAME OF FORUM:** Health Scrutiny Forum

**NAME OF SCRUTINY ENQUIRY:** Dust Deposits on the Headland

**DECISIONMAKING DATE OF FINAL REPORT:** May 2010

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE	
(a)	That the Health Scrutiny Forum receives results of further investigations into dust deposits on the Headland by the Executive Director of Public Health into cancer rates;	Awaiting response from Executive Director of Public Health for NHS Tees, about timescales for further investigation into cancer rates and the potential link to dust deposits.	Prof. Peter Kelly	Awaiting confirmation of timescales from Executive Director of Public Health for NHS Tees.
(b)	That the Chair of the Health Scrutiny Forum contacts the Executive Director of Public Health to request that in conjunction to the investigation outlined in recommendation (a), further exploration be undertaken to ascertain any potential link between dust deposits on the Headland and surrounding area and the occurrence of stress related illness; and	Letter sent to Executive Director of Public Health for NHS Tees from Chair of Health Scrutiny Forum on 18 January 2010, requesting that in addition to recommendation (a), that evidence into a link between stress related illness and dust deposits be explored.	Prof. Peter Kelly	Awaiting confirmation of timescales from Executive Director of Public Health for NHS Tees.
(c)	That a further scrutiny investigation be carried out into the dust deposits on the Headland and surrounding areas	Scrutiny Co-ordinating Committee decided on further scrutiny investigation into the environmental impact of dust deposits, by	James Walsh	December 2009

**OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN**

**NAME OF FORUM:** Health Scrutiny Forum

**NAME OF SCRUTINY ENQUIRY:** Dust Deposits on the Headland

**DECISIONMAKING DATE OF FINAL REPORT:** May 2010

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE
<p>by an appropriate committee / forum with reference to the following areas:-</p> <ul style="list-style-type: none"> <li>(i) A site visit to the Port area to observe the loading of scrap metal onto a ship and examination into the potential damage to properties, the environment, noise and any possible statutory nuisance of Port activities;</li> <li>(ii) Consultation with the Port workforce and exploration of possible options in terms of enforcement, ensuring that any</li> </ul>	<p>the Neighbourhood Services Scrutiny Forum.</p> <p>Neighbourhood Services Scrutiny Forum undertook an investigation into the environmental impact of dust deposits from 16 February 2010 – 12 April 2010, with their findings presented to the Scrutiny Co-ordinating Committee of 23 April 2010.</p>		

**OVERVIEW AND SCRUTINY ENQUIRY ACTION PLAN**

**NAME OF FORUM:** Health Scrutiny Forum

**NAME OF SCRUTINY ENQUIRY:** Dust Deposits on the Headland

**DECISIONMAKING DATE OF FINAL REPORT:** May 2010

RECOMMENDATION	EXECUTIVE RESPONSE / PROPOSED ACTION	LEAD OFFICER	DELIVERY TIMESCALE
operational deficiencies on the Port site are not repeated; and  (iii) Exploration into the role of the Environment Agency as the legally responsible body for the regulation of the operating permit of activities in the Port			