

CABINET AGENDA



Monday, 9 May 2011

at 9.15 am

in Committee Room B, Civic Centre, Hartlepool

MEMBERS: CABINET:

The Mayor, Stuart Drummond

Councillors Brash, Hall, Hargreaves, Hill, Jackson, Payne and H Thompson

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the Record of Decision in respect of the meeting held on 8 April 2011 (previously circulated)
- 3.2 To receive the Record of Decision in respect of the meeting held on 18 April 2011 (previously circulated)

4. BUDGET AND POLICY FRAMEWORK

- 4.1 Community Asset Transfer – Community Centres - *Director of Child & Adult Services & Director of Regeneration and Neighbourhoods*

5. KEY DECISIONS

- 5.1 Seaton Carew Coastal Strategy – Adoption and Implementation – *Director of Regeneration and Neighbourhoods*

6. OTHER ITEMS REQUIRING DECISION

6.1

7. ITEMS FOR DISCUSSION/INFORMATION

7.1 Update – Flood & Water Management Act 2010 And Flood Risk Regulations
2009 – *Director of Regeneration and Neighbourhoods*

8. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

8.1

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. EXEMPT KEY DECISIONS

CABINET REPORT

9 May 2011



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

Subject: COMMUNITY ASSET TRANSFER – COMMUNITY CENTRES

SUMMARY

1. PURPOSE OF REPORT

This report seeks to provide a clear outline of the current and potential premises that are available for transfer and the process to be followed for that transfer. The properties specifically under consideration are the town's community centres which have been, in part, affected by the Comprehensive Spending Review effect on the Authority's budget position and the impact it has had on service provision. Budget led proposals for closure of some, has led to a review of all, and seeks to minimise this threat by actively investigating a robust transfer of such community assets where viable and appropriate.

2. SUMMARY OF CONTENTS

The report outlines proposals to follow the Draft Community Asset Transfer Policy to deliver a transfer of service provision for community centres into the voluntary sector. The implications of transfer are outlined in the report and specific complications and clarifications are outlined with a decision required.

A detailed timetable is provided which will enable a transfer to be sought within the 9 month temporary funding period approved by Council as part of the 2011/12 budget setting process.

3. RELEVANCE TO CABINET

Budget & Policy Framework.

4. TYPE OF DECISION

Non – Key.

5. DECISION MAKING ROUTE

Cabinet on 9th May 2011 with subsequent decisions on the shortlisting of groups and the final selection of successful organisation(s) within the draft timetable identified.

6. DECISION(S) REQUIRED

- 6.1 Cabinet is requested to approve the Draft Community Asset transfer policy attached as **Appendix 1** which will be used for the process outlined in the report.
- 6.2 Cabinet confirm the shortlist of properties identified in **Appendix 2** for the purposes of the 'Community Centre' asset transfer proposals.
- 6.3 Cabinet consider and approve the identification of Throston Community Centre as the preferred property for the initial asset transfer process, thus leaving the Throston Library building as an operational service.
- 6.4 Cabinet's views are sought on the potential to include the Burbank Community Centre and the Owton Manor Community Centre & Library in the asset transfer process in full recognition that TUPE regulations will apply for bidding organisations as a continuing service with staff in post. The outcome may differ subject to staffing developments in the ensuing timeframe.
- 6.5 Cabinet approve the draft timetable for transfer.

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

Subject: COMMUNITY ASSET TRANSFER – COMMUNITY CENTRES

1. PURPOSE OF REPORT

- 1.1 This report seeks to provide a clear outline of the current premises that are available for transfer and the process to be followed for that transfer. The properties specifically under consideration are the town's community centres which have been, in part, affected by the Comprehensive Spending Review effect on the Authority's budget position and the impact it has had on service provision. Budget led proposals for closure of some, has led to a review of all, and seeks to minimise this threat by actively investigating a robust transfer of such community assets where viable and appropriate.

2. BACKGROUND

- 2.1 The Government has been promoting the concept of asset transfer to communities to further develop active communities and viable community based enterprises through a number of different reports since 2003. In 2006 a report from the ODPM recommended the need to promote more widely the benefits of and opportunities for community ownership and management of land and property assets. This was further emphasised in the Quirk Review – 'making assets work' – in May 2007.
- 2.2 The Council in conjunction with Hartlepool People were successful in attracting investment in the Hartlepool People Centre for the purposes of such a transfer.
- 2.3 Pressures on local authority finance have focused attention on the opportunity for the voluntary sector/community groups to deliver services in a more cost effective manner whilst at the same time developing active communities.
- 2.4 The principle of community asset transfer in these circumstances is aligned to the agenda within the Government's Localism Bill.

3. WHAT IS ASSET TRANSFER?

- 3.1 Asset Transfer refers to local communities' ability to acquire land and buildings from the local authority property portfolio, either at market value or

at a discount, in order to deliver local services that meet local needs. For the authority to choose to forgo the financial benefits of market disposal it is necessary for the community group to demonstrate added value and benefit by contributing to sustainable community objectives.

- 3.2 Community benefits include the ability to plan, create wealth, accumulate income and generate a surplus for the community as well as restore buildings and deliver social, economic and environmental benefits. Redevelopment or refurbishment of a building can attract other investments as well as provide local employment and purchasing opportunities.
- 3.3 Transfer of an asset can provide the opportunity to lever more resources into a community and provide a more accessible and responsive base from which to deliver local services. It should strengthen the local community and provide a channel for user and community communication and advanced neighbourhood regeneration plans.
- 3.4 The community association can benefit from greater financial stability and build confidence through having ownership (or long term security through a lease) of a physical asset. This financial sustainability can help the organisation become less dependent on grants, provide collateral for further borrowing and opportunities for further growth.
- 3.5 Typically organisations that would be considered appropriate are voluntary and community groups/associations, town or parish councils, trusts or charities, social enterprise or regeneration groups.

4. **DRAFT COMMUNITY ASSET TRANSFER POLICY**

- 4.1 Hartlepool Borough Council has a good track record in managing one off asset transfers and this has already been referred to in 2.2. The refinement of the Draft Community Asset Transfer Policy previously approved by the Portfolio Holder for Finance and Performance Management now referred helps to clarify the emerging potential for testing the appetite of the voluntary sector to undertake direct management of property and of course all that that implies in terms of responsibility. The draft policy is attached as **Appendix 1** and this seeks to clarify the background and the principles that the Authority will adhere to but also a detailed description of the process to be followed. This is enhanced to give clear guidance to prospective bidders in respect of the responsibilities and liabilities that they entering into. In the context of this report we are focusing on the community centre's themselves however the principles are then available to be expanded and utilised in all future negotiations which may emerge.
- 4.2 The policy provides guidance on which groups are eligible for consideration, this seeks to ensure that not only are groups appropriately constituted and are capable of property management but are also based in the community of Hartlepool. There follows guidance on the process to be followed by the Council in the evaluation and selection procedure and the need for due

diligence in this process. It is critical that successful organisations have the capacity and capability to give every confidence that a long term future can be expected. It is in no-one's interest that a transfer is completed which cannot be sustained it is appreciated that there are no guarantees and risks will need to be considered, however the policy seeks to minimize this by the recommended selection process.

- 4.3 The Council has worked closely with representatives from Community Matters who have been instrumental in developing and encouraging such asset transfers on a national and regional basis. They speak highly of the Hartlepool Borough Council procedures followed with Hartlepool People's Centre and are confident that we have the track record to make this transfer process happen. An essential element of the process is the evaluation and selection – this is critical to effectively sort credible partners. The identified community properties will be clearly identified and the timetable – referred to below – will allow for a minimum marketing period of 6 weeks to determine 'expressions of interest'. During this period interested groups will be required to complete the pre-VISIBLE quality standard online assessment developed by Community Matters and submit the outcome report as part of the expression of interest application. Full details of pre-VISIBLE can be downloaded from www.visiblecommunities.org.uk
- 4.4 During this period a named council officer will be available to provide advice and guidance on the process. In addition Community Matters will be available to support interested parties.
- 4.5 The use of the pre-VISIBLE standard online assessment will help local groups to determine if they have the organisational capacity and experience to follow through with a full proposal and business case. Perhaps it is important to clarify at this stage that only those well established groups with a track record of delivery will have the ability and confidence to achieve success. This is not a process or timetable to allow for new groups to emerge or develop and demonstrate their community capacity robustness. Although there is substantial time in the process for existing groups to prepare and indeed to explore any possibility of consortia arrangements. The standard 'Expression of Interest' form, 'Community Asset Transfer Evaluation' tool and a 'Specimen Service Level Agreement' are all attached for consideration as sub appendices to **Appendix 1**.

5. CURRENT POSITION

- 5.1 The Council has been active in working with Community organisations to make best use of property resources, indeed in some quarters Hartlepool Borough Council's approach has been commended. In liaison with Hartlepool People a successful bid was made to the Government's Community Asset Transfer Funding leading to the transfer of the Peoples Centre and £1m of refurbishment works.

- 5.2 In the recent past a transfer has been completed with Hartlepool Carers and offers remain outstanding with Manor Residents and Hartlepool Voluntary Development Agency (HVDA) for the transfer of the properties they occupy.
- 5.3 Whilst the transfers to date have followed a consistent and risk based approach a Community Asset Management Transfer Policy was adopted at the Finance & Performance Management Portfolio in March 2010 to cover all future transfers.
- 5.4 Since the budget setting process and the outcome regarding the opportunity to consider asset transfer it is encouraging to note that a small number of Hartlepool based voluntary sector provider organisations have made known their preliminary interest in being considered. This is encouraging as it helps to demonstrate, prior to an advertised opportunity to all local providers that interest exists in this proposal.
- 5.5 The identified properties in **Appendix 2** include those which were scheduled for closure as part of the 2011/12 budget setting process but were given an 'up to 9 month' reprieve to investigate a robust asset transfer process.

6. COMMUNITY FACILITIES ASSET TRANSFER IMPLICATIONS

- 6.1 Following considerable Member discussion as part of the budget setting process for 2011/12 Council confirmed that the existing planned closure of three community centres and an associated branch library be delayed for a period of up to 9 months and an asset transfer proposal be fully developed and implemented. The budget forecast for 2012/13 assume transfers will be completed within this period. If this is not achieved this will increase the 2012/13 budget deficit. Thus the Throston Branch Library and Throston Community Centre amalgamation was delayed, West View Library & Community Centre, Jutland Road Community Centre and Seaton Carew Community Centre and Sports Hall remain open pending developments. In discussions with Members the potential of the additional premises of Owton Manor Library & Community Centre and Burbank Community Centre were considered. These are, however, outside of the 11 / 12 budget process and Cabinet are asked to consider if they wish to include the properties at this stage. Further information on the properties is included later in the report. For clarity a full list of premises is provided at **Appendix 2**.
- 6.2 Any transfer requires the premises to be desirable as 'fit for purpose' and the strategic objective of the Authority should not be compromised as part of the asset transfer where this could significantly intrude upon wider strategic developments leading to a capital receipt. Hence in respect to two properties in particular – Foggy Furze Library and Seaton Carew Community Centre & Sports Hall, these have been assessed separately and are in poor physical condition requiring considerable planned maintenance investment and both sites have potential for sale. The Foggy Furze library closed on the 2nd April with options for disposal currently under consideration and the Seaton

Carew premises and land are included in the development proposals currently out for developer selection.

- 6.3 The conclusion to this Asset Transfer process is critical to achieve the identified budget savings held over from 2011/12 and to contribute to the additional efficiencies required for the 2012/13 budget. The express intent is to seek suitable established community organisations with experience and capacity for management and development of services from within transferred properties. To achieve this it is proposed that all the premises available are offered on a long term lease to enable successful organisations to use the benefit of lease as a loan facility should they seek to raise capital as part of their developmental work, however the freehold is recommended to remain with the Authority as part of its asset base.
- 6.4 It is anticipated that successful organisations will have charitable or similar status to ensure they can take advantage of rate relief etc and have the potential to relocate from rented property to deliver services on a new site within buildings of considerable quality – it is suggested that the premises are offered on long lease at a peppercorn value but with a full repairing obligation, thus enabling maximum opportunity for sustainability in the years ahead and the Council to make the required savings on running costs. It is not anticipated that the Authority provides any supplementary revenue funding to any successful leaseholder as a consequence of them gaining the property transfer.
- 6.5 With all developing initiatives there are many aspects to consider and seek clarity;-
- i) **Throston** - the original proposal was to amalgamate services into one building thus leaving one property surplus to requirements and if not required potentially one to demolish. The considered view by Officers was that the Community centre provided the most cost effective long term sustainable property, albeit with all Throston services downsized into one building. If we now seek asset transfer then we need to determine which building is effectively 'on offer'. If the most valued public service in the community at the moment is the Library service, then perhaps we should aim to retain and improve this property as a Library. However it needs to be capable of better servicing its current community activities – an accessible unisex toilet for instance should be seen as essential. This would leave a very good community centre building available for expressions of interest. If none were to be forthcoming then a decision on which building had a long term future could be revisited. Cabinet are requested to consider this as part of the decision to confirm the properties to be offered for transfer.
 - ii) **Transfer of Undertakings, Protection of Employees (TUPE)** – This is of major concern to many community groups, if TUPE regulations apply, which they may do in certain instances, then the ability of a community organisation to take transferred staff, their pay levels and more importantly protection of their terms and conditions of employment including earned pension entitlement where appropriate, is a major obstacle. It is your

Officers view that all but Burbank and Owton Manor Community centre, could be offered without staff – this reflects that fact that many have taken early retirement as part of the budget process. Those remaining we anticipate any transfer would need to be complete with TUPE provision.

Staff are temporarily working across all the retained premises however their core hours can be accommodated permanently by staff the very busy Owton Manor Community Centre, Burbank Community Centre and the remaining core hours in other non affected area e.g. Masfield Road centre, holiday cover. Library support and other services annualised hours cover if they were not included in the transfer.

This implies that we should either proceed to offer Owton Manor Community Centre (OMCC) and Burbank, complete with TUPE liability and test the market, or we withdraw both from inclusion at this early stage. Cabinet are requested to consider this as part of the decision to confirm the properties to be offered for transfer.

- iii) **Property ‘Packs’** – An essential part of the information process to potential bidders is the physical attributes of each property, the current user profile and the portable assets that are expected to be transferred as part of the asset transfer. The property packs will therefore include much that would be expected from an Estate Agent when considering a house or business purchase including;- floor plans, condition surveys, cyclical and planned maintenance schedules, utility costs, rates payable and any legal restrictions on use. The additional user information would include an inventory of site furniture and equipment, current user figures, regular hirers and any 3rd party property held on site.

7. PROPOSED CONSULTATION TIMETABLE

- 7.1 The proposed timetable for action is based on the principles of clear decision making, allowing appropriate time for interested parties to express their interest with supplementary information via *pre-visible* which will assist in the short listing of viable prospective groups. Shortlisted groups will then have a period to develop and conclude their full proposal and business case which leads to an evaluation which will be assisted by reference to any accreditation achieved e.g. Community matters ‘*visible*’ standards or Development Trust Association ‘health check’ following which a decision will be made by Portfolio and the process to Agreement will commence. The draft timetable is as follows;-

9th May 2011 Cabinet – to agree the Community Asset Transfer schedule and process.

18th May 2011 - Advertise for expressions of interest (including the requirement to complete ‘pre-visible’), *allowing 6 weeks*.

24th June 2011 - Return of all expressions of interest.

4th July 2011 - Cabinet / Portfolio (prov) Agree shortlist of successful expressions of interest.

11th July 2011 - Issue requests for submission of Full proposal & Business case, *allowing 6 weeks*.

22nd August 2011 – Return of all submissions, *allowing 3 weeks for evaluation*.

9th September 2011 – All parties advised of decision made and rationale behind the decision, *allowing 12 weeks for completion of transfer agreement*.

1st January 2012 – Target date to complete Asset transfer and handover to Community organisation.

8. RISK IMPLICATIONS

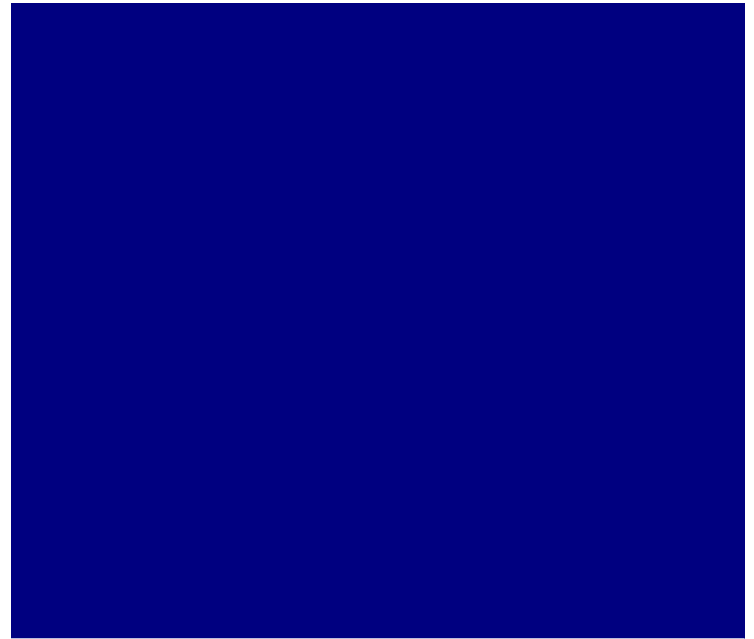
- 8.1 Not every building or piece of land will be an asset for the community, in fact some will represent liabilities (e.g. poor condition, wrong size, location/configuration are listed or expensive to maintain) creating a drain on resources, generate too little income and potentially set the group up for failure. To mitigate this risk, the community group will need to provide a robust business plan that is deemed to be achievable. Equally, the authority should be forthright in its assessment of the buildings condition and the future maintenance liabilities.
- 8.2 The property listed within this report for asset transfer and identified in **Appendix 2** reduces the risks on the transfer process by selecting property which is in good condition and has the ability to provide a base for service delivery and/or increased community usage on what is believed to be a sustainable basis by community based organisations.
- 8.3 The property is proposed to be leased on a long term basis to assist independence and sustainability. The process is designed to identify good strong experienced organisations to develop this prospect, should this process fail then the Local Authority will have the risk of taking the property back into its operational portfolio. Thereafter a decision would be made to either repeat the process or to consider an alternative future for the property involved.
- 8.4 Following a successful asset transfer process it is acknowledged that we cannot predict the future stability or longevity of any group. It is important to ensure that the appropriate legal mechanism will be put in place to protect the Council's financial position such as restitutions of use or reversion clauses in the lease to cover circumstances such as:
- i. in case of bankruptcy;
 - ii. in case of corruption;
 - iii. the benefits of transfer not being realised and if the organisation wishes to develop and expand into bigger premises.

The safeguards are outlined in section 4 of the Asset Transfer Agreement attached as **Appendix 1**.

- 8.5 There is a potential that no credible transfer opportunities emerge from the exercise and therefore the Council will need to consider how to deal with the buildings. This will mean a subsequent marketing exercise and/or demolition will need to take place. The risks will arise from vacant buildings being present in the community and costs of demolition. In some cases the latter may be covered by capital receipts but not necessarily all. A similar circumstance would arise if the buildings were transferred and the transferee fails in their operation and they are forced to close (The Council will have clawback arrangements in place).
- 8.6 As buildings transfer there are a variety of council direct services provided that may not be required in future depending on the organisation who take over each building. There may be opportunity to provide the services to the organisations but we will not be able to make this mandatory. Services may include property management functions, cleaning, grounds maintenance and building maintenance.

9. RECOMMENDATIONS

- 9.1 Cabinet is requested to approve the Draft Community Asset transfer policy attached as **Appendix 1** which will be used for the process outlined in the report.
- 9.2 Cabinet confirm the shortlist of properties identified in **Appendix 2** for the purposes of the 'Community Centres' asset transfer proposals.
- 9.3 Cabinet consider the identification of Throston Community Centre as the preferred property for the initial asset transfer process, thus leaving the Throston Library building as an operational service.
- 9.4 Cabinet's views are sought on the potential to include the Burbank Community Centre and the Owton Manor Community Centre & Library in the asset transfer process in full recognition that TUPE regulations will apply for bidding organisations in a continuing service with staff in post. The outcome may differ subject to staffing developments in the ensuing timeframe.
- 9.5 Cabinet approve the draft timetable for transfer.



Hartlepool Borough Council

Draft Community Asset
Transfer Policy



Community Asset Transfer Policy

Part 1 Background and General Principles

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Part 2 Community Asset Transfer Policy

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Part 3 Appendices

- Appendix 1 [Expression of Interest Form](#)
- Appendix 2 [Community Asset Transfer Evaluation Tool](#)
- Appendix 3 [Specimen Service Level Agreement](#)

Part 1

Background and General Principles

1. Background

The purpose of the policy is to set a transparent and positive framework to enable where appropriate, asset transfer from Hartlepool Borough Council to the Third Sector to happen.

A core purpose of the Council is to help people to help themselves. An effective way of achieving this is to empower community groups and enterprises to help them deliver their own solutions to local needs and demands for services. This will have both social and economic benefits. The transfer of buildings or land to well organised and supported community groups and enterprises will greatly assist in optimising community activity in local areas.

2. National Policy Context

- 2.1 The Local Government Act 2000 introduced the power for local authorities to promote economic, social and environmental well-being. Building strong relationships with community groups can help local authorities to fulfil this role. The Local Government White Paper “*Strong and Prosperous Communities*”, October 2006, signalled opportunities for communities to manage and own local public buildings. It highlighted the role asset management or ownership can play in empowering communities, as well as being a means of securing external investment.
- 2.2 Subsequently the Quirk review, “*Making Assets Work - Community Management and Ownership of Public Assets*”, May 2007, concluded that transferring public assets to communities leads to more responsive services that meet local people's priorities and creates more confident, empowered communities with greater civic spirit.
- 2.3 Other documents such as, “Together we can – the Community Development Challenge” and “Change Up”, the Government's strategy for voluntary and community sector infrastructure and capacity building, have all encouraged local authorities to create and support community partnerships.
- 2.4 There is now a high level of support and recognition from Government that asset transfer can create more confident and empowered communities and increase the number of sustainable community/voluntary sector groups. The Government want Local Authorities to help empower local people and organisations to transform land and buildings into vibrant community spaces and support the development of a thriving Third Sector.

3. Aims & Benefits of Community Asset Transfer

- 3.1 The aim of the Council's approach to Community Asset Transfer is to derive the widest public value that can be achieved in relation to delivering social outcomes.
- 3.2 Benefits associated with any application for asset transfer will be assessed in terms of the economic, social or environmental well being of the community. These may include some of the following examples of the type of benefits that can/could be associated with an asset transfer:

For the local community

- Improved community engagement
- Area-wide benefits
- Economic development and social enterprise
- Improvements to local services
- Value for money

For the Council

- Develop effective partnerships within communities to deliver services
- Provide a more accessible and responsive base from which the third sector can "reach" into the community and deliver services
- Leverage of external funding, that the public sector cannot apply for, to improve assets for the benefit of communities
- Facilitate restoration and restore historic buildings
- Help strengthen community anchors
- Provide a catalyst for regeneration of local areas
- Provide a potential source of rental income
- Result in lower ongoing costs
- Help to progress neighbourhood regeneration plans
- Provide appropriate, locality based building management solutions

For Third Sector Organisations (voluntary and community sector)

- Physical assets can contribute towards a sustainable future
- Strengthen organisation's confidence
- Strengthen the organisation's community ties
- Strengthen the organisation's ability to raise money. There may be access to funding to refurbish the building or to support staff training and development
- Support greater financial sustainability and help the organisation to escape short term grant-dependency
- Social economy organisations can alter or modify a building to better suit their needs to a greater extent than if they were merely tenants

4. What Is Asset Transfer?

4.1 Definition: The transfer of land or buildings from the council's freehold ownership into the stewardship and/ or ownership of third sector organisations.

4.2 Community Asset transfer can take place in different forms:

- Long Lease
- Short Lease
- Managements Agreement
- Licence to Occupy

4.3 Community Asset Transfer usually includes transfer at less than market value either at reduced cost or free of charge. The level of subsidy will be determined by the social, economic or environmental benefits generated by the transfer

5. For How Long Will Leases Be Granted?

5.1 We will carefully consider the specific needs of the third sector organisation, the condition of the asset and the requirements of potential funders or lenders. We will base the length of the lease term on the needs that are clearly supported by the third sector organisations business plan, and on the third sector organisations capacity to manage the asset. In certain cases, we may offer a phased transfer, depending on the third sector organisations resources.

5.2 Proposals from community anchor organisations ("independent, community-run and led organisations, rooted in a sense of place, and with a mission to improve things for the whole community") and those, which include the co-location of several services (a community hub), will be encouraged in this context.

5.3 The following is a guide to the length of term that may apply to new community asset transfers, based on the anticipated requirements of most charitable funders: a management agreement or licence will normally be granted for:

- up to 12 months
- a lease of up to 10 years
- a lease of up to 35 years
- In exceptional cases, a lease longer than 35 years may be appropriate if supported by a business case that demonstrates special circumstances or requirements from funders or lenders.

5.4 We will be as flexible as possible when designing lease clauses, so that maximum benefit is achieved for both the third sector organisation and the council. This will enable the asset to be used imaginatively, e.g. through the ability to sub-let and through flexible user clauses.

5.5 Once granted, leases can usually be extended or restructured at a future stage, to meet the third sector organisations changed activities or circumstances, or to meet the requirements of potential funders or lenders.

5.6 Leases will be accompanied by a service agreement that will secure the longer-term benefits of the community asset transfer. This will set out the agreed minimum standards, opening hours and activities, and how these will be measured and monitored. It will also ensure that the third sector organisation meets all necessary requirements to achieve

optimum community benefit and use of the asset. An example of such an agreement is attached at Appendix C

5.7 Leases longer than 7 years will normally only be granted to organisations that have an 'asset lock' and will contain clauses that prevent the asset being assigned or sold on for unintended financial gain and the loss of the agreed benefits.

5.8 Leases will contain suitable clauses to ensure the return of the asset to the council if the terms of the service agreement are not met, or in the case of dissolution, insolvency or corruption.

6. The Power to Transfer

6.1 The legal context for asset transfer is contained under Section 2 of the Local Government Act 2000, whereby every local authority has the power to undertake actions it considers are likely to achieve the economic, social or environmental well-being of the area. The specific provision for asset transfer is provided under the Local Government Act 1972, as amended by the General Disposal Consent (England) 2003.

7. What Are The Risks Of Asset Transfer To The Community?

7.1 Asset transfer can strengthen the organisations community ties and its ability to raise money. As the main focus is likely to be a community based initiative or sustaining economic regeneration, there may be access to funding to refurbish the building or to support staff training and development.

7.2 However, not all buildings or land are suitable for transfer, and some may be a drain on resources and generate too little income. Any one running a public building has to be confident that they can meet a raft of regulations covering public health and safety (such as Legionella and Asbestos) and disabled access requirements.

Part 2

Community Asset Transfer Policy

1 What Principles Will We Adhere To?

The aim of our approach to Community Asset Transfer is to derive the widest public value that can be achieved in relation to, for example:

- Community empowerment
- Area-wide benefits
- Building the capacity of the Third Sector and encouraging a sustainable Third-Sector
- Economic development and social enterprise
- Improvements to local services
- Value for money
- Benefits to the local community, Council and other public service providers and the Organisation taking ownership

This Policy is underpinned by the following principles:-

- The fundamental aspiration of the policy is community empowerment achieved through community led asset transfer
- We view our policy on community asset transfer as part of a long-term programme of support to, and partnership with, the Third Sector. We will consider Asset Transfer to organisations that can demonstrate good governance and sustainability and we require organisations to meet the industry standard set by Community Matters and incorporated in Pre Visible and Visible models of good practice
- We will take a strategic approach to asset transfer through regular reviews of the community transfer potential of its assets, and the establishment of priorities linked for example, to priority regeneration schemes, the exit-strategies from regeneration schemes, or the potential of particular high-profile cases etc
- We will seek to implement the policy proactively (through awareness raising, outreach and support etc) to encourage appropriate groups to take on an asset, linked to on-going programmes of support to the Third Sector
- Any proposed asset transfer must support the aims and priorities of the Council.
- We are committed to implementing a transparent corporate process for asset transfer including a clear point of first contact and clear stages and timescales for each party
- We will designate an Asset Transfer Officer, who will help to shape discussion and provide support for a project. This individual will be the first point of contact for asset transfer and may be appointed on a case by case basis according to the proposed transfer

- No guarantee of 'exclusivity' on a first come first served basis when considering asset transfer, inviting other expressions of interest, as appropriate, in relation to any proposed asset transfer
- We will adopt an agreed method of assessing the benefits of the transfer, (linked to corporate priorities) which allows a comparison with market disposal (Community Asset Transfer Evaluation Tool [Appendix 2])

2. What Assets Are Available For Transfer?

In the context of this policy an asset is land or buildings in the ownership of the Council and does not include infrastructure assets or plant and machinery

The Asset must be:

- In the freehold ownership of the Council
- Not currently needed or identified for future investment, or used for direct service delivery, which could best be provided directly by the authority rather than through the community
- Fit for purpose and would not impose an unreasonable liability to the Third Sector organisation or the Council
- Suitable for community transfer as the sole or one of the viable options following an options appraisal by the Council. This process will be adopted in response to requests or properties identified through internal reviews
- Available to deliver the strategic priorities of the Council
- Suitable for transfer or management and not be contrary to any obligation or restrictive covenant placed on the Council

Proposals for asset transfer can be split into three main categories

Surplus land and buildings

The asset has been declared surplus to operational requirements and has either been proactively marketed to the general public or specifically to the Community and Voluntary Sector, or a reactive response to the disused asset has been made by the Community group.

Non-surplus land and buildings

The asset has not been declared surplus and a speculative proposal has been put forward by a Community group to take on the asset. The policy does not explicitly exclude any asset from potential transfer to a community group and leaves this open for decision on a case by case basis. However, schools and related premises, operational assets, and office space wholly occupied by Council services are unlikely to be considered suitable for transfer.

Occupied land and buildings

Community groups occupying Council land and buildings may approach the Council to take on management or ownership of the building, usually at a less than best consideration.

3. What Assets Are Not Available For Transfer?

We will not:

- Transfer or let a building at a discount where taking part in religious activities is essential in order to participate in or benefit from the proposed services and activities.
- Consider an asset transfer of land or buildings that is required by the Council to deliver its objectives – such as schools.
- Consider an asset transfer or lease of a building that has a limited lifespan, unless the proposal includes a redevelopment scheme.

4. On What Basis Will We Transfer An Asset?

In view of the diverse nature of assets within our ownership, there is no one transfer methodology that suits all circumstances.

Nature of tenure offered will be determined on case by case basis having regard to the particular circumstances of the project, strength of the applicant and sustainability of the business case etc.

Asset transfers will generally be by means of leases or licences. Freehold transfer will only be considered in exceptional circumstances, and must be the subject of a specific report to Portfolio Holder to gain approval.

The decision whether to charge an open market consideration (i.e. market rent or market value for the sale) for the benefit of an interest in an asset will be determined on a case by case basis. Factors influencing such a decision will include proposed uses, extent of revenue producing opportunities, benefits to the community.

Any transfer at a discount will be accompanied by a Service Level Agreement (SLA) (Appendix 3) identifying the benefits and how these will be monitored and measured, together with the remedies available to both parties if the SLA is not met. The SLA would clearly set out the respective roles and responsibilities of each party together with appropriate milestones to address the risks identified above and outcomes to be delivered by the project. It is important an exit strategy should also form part of this document. The nature of tenure offered would be linked to milestone events.

In all cases involving transfer of ownership / occupation appropriate legal mechanism will be put in place to protect the Council's financial position such as restrictions on use, or reversion clauses. For example in the case of a long-term lease appropriate clauses (step-in rights) will be written in to the lease whereby the asset would revert to the Council in circumstances such as:-

- In the case of bankruptcy
- In the case of corruption
- If the anticipated benefits of transfer are not realised (i.e. the SLA is not achieved) or
- If the organisation wishes to develop and move into bigger premises.

5. Which Groups Are Eligible For Asset Transfer?

We will consider asset transfer to Community and Voluntary Sector groups. Appropriate groups may be area-based, based around particular social groups or have some other 'community of interest'. Groups must be able to demonstrate good governance and an appropriate legal structure.

The Applicant must:

- Be community-led, i.e. its governance arrangements must ensure that it has strong links with the local community and that members of the community are able to influence its operation and decision-making processes
- Be a Community and Voluntary Sector organisation - i.e. it must be a legal entity which is:- Non-governmental - not part of the statutory sector
- Exist for community / social / environmental / economic benefit
- Be non-profit distributing - it must reinvest any surpluses to further its social aims / community benefits
- Have community benefit objective
- Be appropriately constituted, for example, a registered charity, a community interest company or a charitable incorporated organisation, a not for profit company a co-operative. Such constitution allows the management / ownership of buildings and or provision of services
- Demonstrate good governance by operating through open and accountable co-operative processes, with adequate monitoring, evaluation and financial management systems
- Demonstrate it has the skills and capacity within or available to its managing body to effectively deliver services and manage the asset
- Embrace diversity and work to improve community cohesion and reduce inequalities
- Be engaged in economic, environmental or social regeneration in Hartlepool or is providing a service of community benefit in line with the Council's core priorities
- Demonstrate management experience and or expertise
- Have a management proposal which includes a specific plan on health and safety issues and compliance with legislation and any statutory requirements arising from ownership or management of the building and or running a service
- Demonstrate how they will address any capacity buildings requirements within their organisation
- Provide copies of the accounts of the organisation
- Have been established for a number of years and or have a track record of delivering services or property management
- Have a clear purpose and understanding of the activities it wishes to deliver
- Satisfactorily complete the Pre-Visible online assessment

6. What Proposed Uses Are Acceptable?

Each proposed use will be assessed on a case by case basis but must be in line with the following:-

- Demonstrably help in the delivery of our Corporate Plan, corporate needs and facilities for the use by the people of Hartlepool
- Ensure extensive and inclusive reach into the community and will be open to all
- Maximise opportunities for income generation to ensure sustainability, for example, through social enterprise and the hiring of space and facilities
- Must be a need and demand for the activities being proposed and consideration is given whether or not this is being satisfactorily addressed by another organisation

7. How will we assess an asset transfer proposal?

The asset transfer decision is essentially a choice between:-

- Retaining the status quo
- Expenditure on other services made possible as a result of a “commercial disposal”
- The benefits generated by transfer of the asset to one or other community group (if there are competing proposals)

In assessing proposals for asset transfer, we will attempt to measure the relative benefits and risks of these three options in order to justify its decision and the level of discount proposed. It will relate these benefits to our priorities such as the key objectives in our corporate plans.

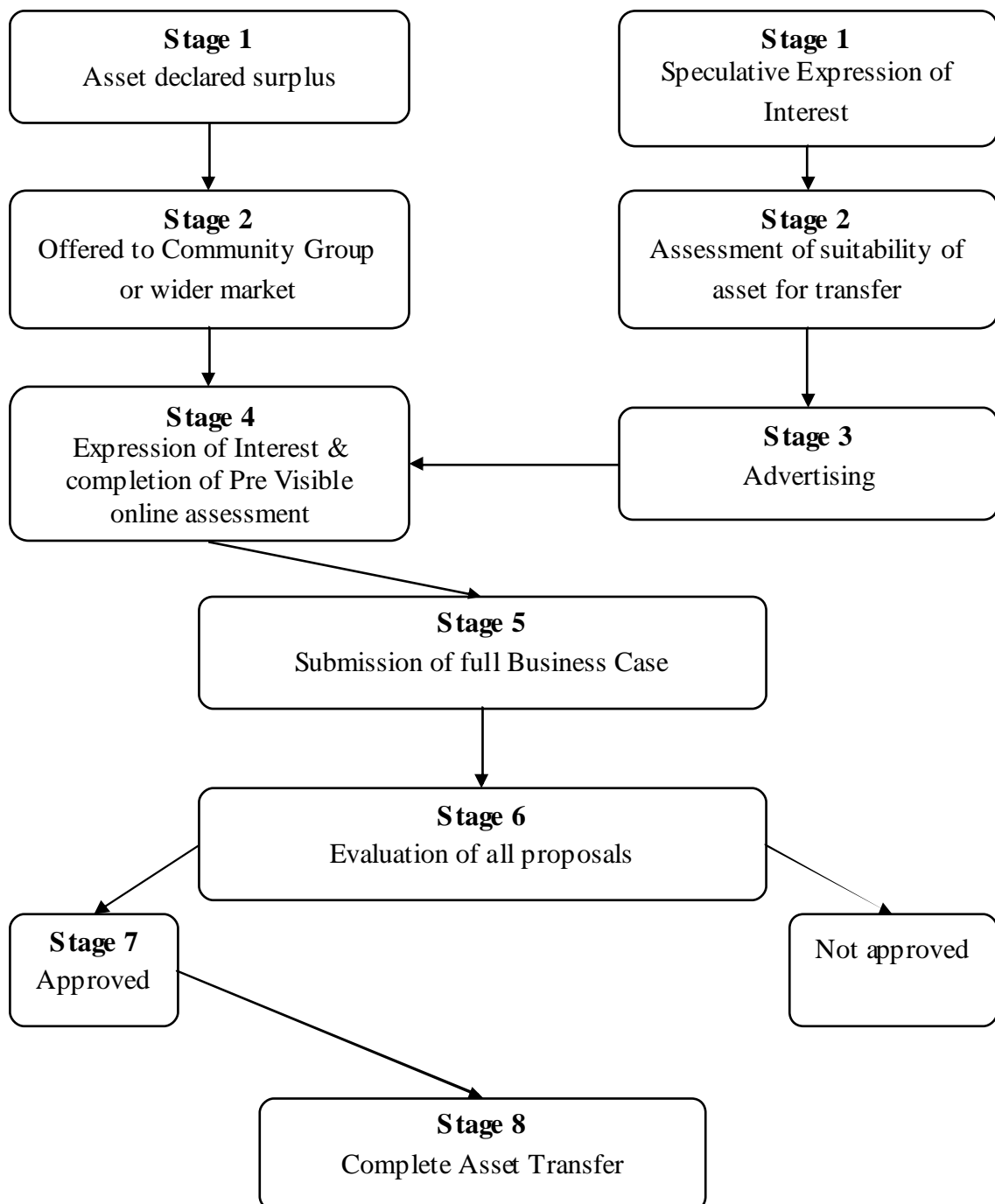
The asset transfer decision involves the assessment of a number of criteria including considering the options arising from:

- Raising of capital receipts for future investment in direct service provision
- Benefits to respective parties e.g. Council, Community, Third Sector generated by the transfer of the asset to the community
- Ability to demonstrate good governance by meeting the community matters standards set out in the Pre Visible models of good practice
- Loss of any existing income
- Potential loss of opportunity costs arising from transfer
- Retention of assets for direct service delivery

8. What is the Asset Transfer Process?

There are a number of stages involved in the Asset Transfer Process and these are shown as a flowchart on diagram 1 overleaf.

Diagram 1
Asset Transfer Process



Stage 1 Asset Transfer Request

This is the initial stage and flags a Community group's interest in a particular building or piece of land. The opportunity can arise either by the Council making available an asset or a specific request from a Community group.

The request should be submitted on the "Expression of Interest Form" (Appendix 1). Additional supporting information can be included if thought necessary. Guidance if available to community groups on the development trusts association website

Stage 2 Assessment of suitability of asset for transfer

In the event that the asset has not been previously declared surplus then an initial assessment will need to be undertaken to determine whether the asset is suitable for Community Asset Transfer.

This assessment will be undertaken by the Asset Transfer Officer in accordance with the general principles at sections 2 and 3 above and referred to SCRAP/ Portfolio Holder for consideration.

The applicant will be informed of the decision.

Stage 3 Advertising of opportunity

The policy states that we will not consider requests for transfer on a first-come, first-served basis. If a request for an asset is made and the asset has not been previously offered to either the wider market or Community groups, then following the decision that the asset is suitable for transfer the opportunity to acquire the asset will be marketed.

The marketing period will be appropriate to the asset and will be a minimum of 6 weeks. During the marketing period, expressions of interest should be submitted by other community groups and business cases will be invited from parties that meet the PRE-VISIBLE requirements

Stage 4 Expressions of Interest

Organisations are required to complete the Expressions of Interest Form in Appendix 1 setting out an overview of the organisation and its intentions for the use of the property.

Interested groups will also be required to complete the 'pre-VISIBLE' quality standard online assessment developed by Community Matters and submit the outcome report as part of the expression of interest application.

Full details of pre-VISIBLE can be downloaded from www.visiblecommunities.org.uk

Stage 5 Submission of Full Proposal & Business Case

Fundamental to the success of any transfer is the applicant(s) demonstrating to us that they have a clear rationale backed by a robust business-case of their ability to manage the asset

effectively. This needs to include an assessment of the financial and organisational capacity of the organisation.

Community groups applying for consideration to be given to asset transfer will be required to submit a formal Business Case, which, depending on the scope and scale of the asset concerned will include some or all of the following:

- Organisational Details - Capacity of the organisation to manage the asset
- Use Statement - Details of how proposed use will be monitored including any fall back arrangements
- Benefits Statement - Benefits to the Council, the organisation and the wider/community
- Business Case

As a minimum, the business case will need to clearly identify:-

- At least 3 years revenue or capital funding plans and projections of managing and operating the asset
- How it will invest in and maintain the asset including a specific plan as to how all health and safety responsibilities will be met
- The planned outcomes and benefits to result from the asset transfer
- Demonstrate a community governance structure with capability to sustain asset transfer and undertake capacity building requirements within their organisation
- Whether they would wish to start on the phased transfer of the asset and agreed milestones to justify progression to the next phase
- Where transfer is requested at less than market value either freehold or leasehold the applicant has justified and quantified the benefits to the community and Council to justify the subsidy. The Council will separately need to satisfy that any transfer is within its legal and financial powers
- Any sources of finance asset transfer will release or attract
- Track record of delivering services and or managing property
- Financial sustainability and forward planning
- Have established how much space is required and its potential usage
- Recommended format examples for the preparation of a business plans
- Good practice guidance & advice for the submission of business plans can be downloaded from <http://www.communitymatters.org.uk/>

Stage 6 Review of Proposal

Each proposal will be reviewed in line with the Community Asset Transfer Evaluation Tool (Appendix 3). This provides a clear mechanism for review and enables competing business cases to be assessed against each other.

The evaluation will consider areas such as:-

- How the need for proposed transfer and use of asset has been identified – what needs will the transfer meet?
- Assessing the benefits as a result of transfer – what will be different and how it will be measured

- Capacity of the Community Group to acquire and manage the asset – reference to any accreditation's achieved e.g. Community Matters 'visible' standards or Development Trust Association 'health check'
- Business case for future uses for the asset e.g. cash flow forecasts
- Type of transfer sought and why
- Statement from current vesting department supporting the proposal
- Terms of any legally binding Service Level Agreement or any other legal agreement
- Capacity building plan and how this will be delivered
- Details of how the proposed use of the asset will be monitored and details of 'fall back' arrangements should the transfer prove to be not sustainable

The assessment will also identify the potential risks of transfer. The Quirk report recognised that there was a clear consensus between the public sector and third sector that risks exist. It is therefore important that both the receiving organisation and ourselves are sufficiently equipped to understand, assess and manage the risks that are inherent in the process of asset transfer. Therefore this policy should be mindful of the work undertaken by the Quirk Review and DTA in addressing such issues. The risk will be assessed following our policy on managing risk.

Stage 7 Decision

Following evaluation the applicant(s) will be advised of the decision and the rationale behind the decision will be discussed. In some instances it may be that there is merit in the proposal but additional work is required to further develop the proposal and we will work with the applicant to develop this.

Decisions relating to either proposal to transfer at market value at less than best consideration (discount) will be required from the Portfolio Holder for Resources

Stage 8 Complete Asset Transfer

Following agreement to transfer the asset we will agree detailed terms with the community group. The process is likely to differ with each transfer so project management arrangements are put in place to ensure that the scheme is properly resourced and supported, and to ensure all the necessary documentation and arrangements such as planning consents and lease/freehold transfer arrangements are in place.

If a lease is proposed, this will set out conditions of use there are certain circumstances under which we would reserve the right to intervene, for instance when conditions of lease or Service Level Agreement / Partnership arrangement are at risk of not being met. Monitoring arrangements and a key contact/liaison officer in the Council will be established for all transfers. The key contact officer will usually be an officer from the service most relevant to the services/activities delivered by the community organisation.

It is important that at this stage the community group is appropriately and independently advised on the legal transfer and the implications thereof.

When all necessary documentation and arrangements are put in place the asset transfer is complete.

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Appendix 1

Hartlepool Borough Council

Expression of Interest Form



Expression of Interest Form

All information provided will be treated confidentially.

Name of Asset:

Your Details:

Name of Organisation / Group:

Contact Details:

Name of Contact:

Address:

Postcode:

E-mail address:

Telephone number: Mobile number:

1. WHAT TYPE OF ORGANISATION / GROUP ARE YOU? (Please tick all boxes that apply)

- | | |
|---|--|
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Constituted Group |
| <input type="checkbox"/> Company Limited by Guarantee | <input type="checkbox"/> Newly formed group for asset transfer |
| <input type="checkbox"/> Charity | <input type="checkbox"/> Voluntary Organisation |
| <input type="checkbox"/> Community Interest Company | <input type="checkbox"/> Consortia (If so, provide names of partner organisations) |
| <input type="checkbox"/> Public Sector | <input type="checkbox"/> Other [please state] |

2. WHAT YEAR WERE YOU FORMED?
(If you have a current business plan, please attach it to this expression of interest form.)

3. Please complete the online pre-VISIBLE qualifying standard online assessment developed by Community Matters & submit the outcome. Please attach a copy as part of this submission.

Full details can be downloaded from www.visiblecommunities.org.uk

4. WHAT SKILLS DOES YOUR GROUP/ ORGANISATION HAVE?

SKILLS	YES/ NO	IF 'YES' PLEASE GIVE FURTHER DETAILS
Management		
Financial Management		
Marketing		
Community Knowledge		
Partnership Working		
Managing assets		
Human Resources		
Business Planning		
Legal		
Fund Raising		

5. TO WHAT RESOURCES DOES YOUR GROUP / ORGANISATION HAVE ACCESS?

RESOURCES	YES/ NO	IF 'YES' PLEASE GIVE FURTHER DETAILS
Financial [own]		
Financial [Grant Sources]		
People		
Time		
Capital		
Revenue		

6. DESCRIBE IN NO MORE THAN 500 WORDS WHY YOU ARE INTERESTED IN THE ASSET AND WHAT YOUR PROPOSALS ARE FOR IT.

7. HOW WILL THE COMMUNITY BENEFIT FROM THE PROPOSAL?

COMMUNITY BENEFITS	YES/ NO	IF 'YES', PLEASE GIVE FURTHER DETAILS
Will your proposal enable access by all members of the community?		
Will your proposal maintain an existing service or activity in the local community?		
Will your proposal create a new service or activity in the local community?		
Will your proposal have wider community benefits?		
Will your proposal create opportunities for local organisations to work together?		
Will your proposal bring additional financial investment into the area (E.g. through grants unavailable to the Council)?		
Will your proposal create the opportunities for developing local enterprise?		

SIGNATURE:

Name: [Print] [Sign]

Position in organisation:

Date:

WHEN YOU HAVE COMPLETED AND SIGNED THIS FORM PLEASE RETURN TO:

Susan Rybak
Community and Youth Resource Manager
Level 4 Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Tel: 01429 523474

E-mail: susan.rybak@hartlepool.gov.uk

Appendix 2

Hartlepool Borough Council

Community Asset Transfer Evaluation Tool



Appendix 2**Community Asset Transfer Evaluation Tool**

Name and Address of Asset	
UPRN / UBRN	
Status of Asset (as Per Asset Register)	
Current Use	
Ward	
Asset Transfer Applicant	
Proposed Terms Of Transfer	Freehold / Leasehold Market Value / Discounted

Final Score And Recommendation	
Completed By	
Date Completed	
Date of Review By Asset Management Group	
Cabinet Date	
Decision	
Decision And Feedback Given To Applicant	

Evaluation Mechanism

The following evaluation tool is used to assess asset transfer proposals by community and voluntary sector (COMMUNITY) organisations. It may also be used to evaluate proposals for shorter term leases to COMMUNITY organisations. The tool may be adapted on a case by case basis as appropriate.

The tool is used at Stage 5 of the asset transfer process to broadly evaluate the suitability of the proposal.

Scoring

Each section is scored out of 25. Scores should be applied as follows.

0	Unacceptable to the Council
5	Requires significant improvement to be acceptable to the Council
10	Requires minor improvement to be acceptable to the Council
15	Acceptable to the Council for this stage of the process but with identifiable shortcomings which may be improved
20	Represents a very good response
25	Represents an excellent response

N.B. Scoring 0 or 5 for the sections indicated in the table overleaf will result in immediate failure of the application.

Overall Score

The scores are totalled. The maximum overall score is 250. The score determines the recommendation as follows:

Score	
0-50	Proposal is unacceptable
51-100	Proposal requires significant improvement to be acceptable to the Council
101-150	Proposal requires minor improvement to be acceptable to the Council
151-200	Proposal represents a very good use of the asset
201+	Proposal represents an excellent use of the asset

SUMMARY OF OVERALL PROPOSALS

Details of use and circumstances	Specify relevant details.
Is the asset currently occupied?	<i>Add details including: name and relevant information about occupant length of time of current occupancy any lease arrangements</i>
How is the asset currently used?	<i>Add details including Main and any subsidiary uses, any services offered level of use identity of user- groups and whether of local, borough-wide or wider significance.</i>
Is the condition of the asset known?	<i>Add details, with estimated costs of any repairs/maintenance. Identify how recent this information is.</i>
Is the asset suitable and/or sufficient for its current use?	<i>Add details, including whether the asset complies with the Disability Discrimination Act. What is the most suitable use for this asset?</i>
Is there any other organisation affected by the ownership of the asset?	<i>Add details including in relation to existing freehold/leasehold arrangements, other contractual arrangements or any funding associated with the asset where conditions on its use or ownership may apply.</i>
Does the Council have any plans for the asset?	<i>Add details.</i>
Are there any other circumstances directly relevant to potential transfer?	<i>Add details, for example housing stock transfer, existing contractual or financial obligations on the asset, covenants on the asset, etc.</i>

1. DELIVERABILITY

	Assessment Criteria	Score each section out of 25	Comments
Governance See 1.1	Governance Proposals <ul style="list-style-type: none"> ▪ Inclusivity ▪ Track Record ▪ Constitution 		
Robustness and Business Plan See 1.2	Assessment of organisation in relation to: <ul style="list-style-type: none"> ▪ Viability of business plan ▪ Detailed, cost proposals ▪ Amount of capital funding for project (secured, conditional, speculative) ▪ Amount of revenue funding for project (secured, conditional, speculative) ▪ Professional team / support ▪ Delivery Programme 		
Planning and design See 1.3	Assessment of whether: <ul style="list-style-type: none"> ▪ Proposal is acceptable in accordance with current planning policy ▪ Planning permission likely to be (or has been granted) ▪ Design is accessible: equality of access regardless of age, disability, ethnicity, or social grouping. 		
Total score out of 75			

2. BENEFITS

	Assessment Criteria	Score each section out of 25	Comments
Contribution to Our Plan See 2.1	Assessment of how well the proposals contribute to Our Plan Priorities / Themes / Objectives		
Contribution to neighbourhood priorities See 2.2	Assessment of how the proposals fit with neighbourhood priorities such as:- Complementing or duplicating existing services or activity in a locality Fill a gap in provision locally Improvement to local services		
Community benefits See 2.3	Assessment of proposals in relation to:- Community Empowerment Promoting a sustainable community and voluntary sector		
Equal Opportunities and Diversity See 2.4	Assessment of the potential to make a positive impact in accordance with our Diversity and Equality Statement. Total score out of 100		

3. VALUE FOR MONEY

	Assessment Criteria	Score each section out of 25	Comments
Value for Money	Assessment of how the proposals will:- Present an opportunity for a 'non-operational' asset to be used. Represent the best use of the asset particularly in the medium to long-term		
Economic development and social enterprise See 3.1	Assessment of how the proposals will improve the economic and social offer in the locality.		
Financial Implications See 3.2	Assessment of the financial implication of the transfer in relation to:- Repair and Maintenance Budgets Disposal Cost – Market Value or Discounted Continued Council commitment to the asset Create efficient savings Opportunity Costs Funding commitments Release of restrictive covenants Rental Bid		
	Total score out of 75		

Additional Guidance

Questions / areas to consider when evaluating each proposal

1 Deliverability

1.1 Governance

- Does the organisation have a Constitution?
- Is the organisation a Registered Charity?
- Is the organisation a Registered Company?
- How long has the organisation been established?
- How is the organisation managed?
- How is the organisation governed?
- Does the organisation have an Equal Opportunities policy?
- Does the organisation have insurance?
- Does the organisation have an Annual Report?
- Does the organisation have 3 year audited Annual Accounts?
- Is there a supporting statement available from 2 referees?

1.2 Robustness and Business Plan

- Capacity of recipient to manage asset - *What level of expertise in facilities management exist within the potential recipient? What is the capacity of the recipient to take on ownership and management effectively?*
- Potential for the asset to become a financial liability for recipient - *Are the costs of running and maintaining the facility known, and are they understood by the potential recipient? Have they got a business plan that sets out how they plan to use the asset?*
- Capacity of recipient to deliver promised services/outcomes - *Is there a robust business plan in place? Has the potential recipient got a track record in this area? Does the potential recipient have sufficient capacity to deliver what they propose?*

- Potential for ongoing Council liability - *What are the implications of the transfer in terms of maintenance and health and safety? Are responsibilities clear? What are the insurance arrangements?*
- Does the organisation have the necessary expertise to take on the asset (now and in the future)?

1.3 Planning and Design

- Conflict with other legal, regulatory constraints - *Is the asset a listed building? What are the implications of this? Are there any other regulatory or planning constraints that affect the asset or an area that includes the asset?*

2 Benefits of Transfer

2.1 Contribution to Our Corporate Plans

Priority theme – Lifelong Learning & Skills

Key objectives:

1. Improve educational achievement among young people
2. Increase the number of young people in education, employment or training through improved engagement
3. Safeguard our children and young people

Priority theme – Health & Care

Key objectives:

4. Reduce health inequality
5. Transform services for adults and older people

Priority theme – Strengthening Communities

Key objective:

6. Tackle anti-social behaviour and reduce criminal damage
7. Re-design our services to improve neighbourhood delivery in disadvantaged communities

Priority theme – Jobs & the Economy

Key objectives:

8. Tackle worklessness and poverty
9. Deliver improvements in our towns and villages
10. Create a regeneration blue print for the whole Borough
11. Reduce our carbon footprint
12. Grow our tourism potential to deliver economic and cultural opportunities
13. Promote an integrated, efficient public transport system

Priority theme – Business Improvement

Key objective:

14. Deliver our top 10 business improvement projects.

2.2 Contribution to Neighbourhood Priorities

- Improve or safeguard a service that would otherwise be lost?
- Present an opportunity to deliver specific council priorities (for example from the Sustainable Community Strategy or LAA)

2.3 Community Benefits

- Create a more direct connection between the asset and local people
- Enable the local community to respond to local issues
- Strengthen local identity
- Provide a means for local citizens and groups to access additional resources
- Improve capacity/sustainability of an organisation (e.g. by being able to borrow against the asset, or create a revenue stream from the asset)
- Add value by creating opportunities for individual organisations to work together, for example using the asset as a 'hub'.
- Potential loss of existing community services - *What are the implications of the transfer of the asset in relation to current service provision and community facilities? Does the transfer create any risk to continued provision in the longer*

term? Can appropriate safeguards be identified that would maintain the asset for community benefit (e.g. restricting use, modifications and/or sale of the asset)

2.4 Equal Opportunities and Diversity

- Potential to disadvantage particular individuals or impact negatively on the local community or communities of interest – Complete Equality and Diversity Impact Assessment.
- Potential for a negative impact on community cohesion - *What is the potential impact of transfer on the local community? Are there existing tensions affecting the community?*
- Capture of asset by unrepresentative / extremist minority - *Are there safeguards in place in the short, medium and long-term that will prevent the asset from being used to the detriment of the wider community?*
- Transfer contravenes State Aid rules - *Is there any potential that the transfer could distort competition and affect trade between EU Member States?*

3 Value for Money

3.1 Economic development and social enterprise

- Bring additional investment into Hartlepool (e.g. through grants unavailable to the Council)
- Improve existing economic activity within the local area
- Encourage social enterprise

3.2 Financial Implications

- Lack of value for money - *Are the opportunity costs understood? Are the potential benefits clear and supported by a strong business case? Do the benefits exceed the costs?*
 - Conflict with other funders - *Is there any funding associated with the asset where conditions on its use or ownership may apply?*
 - Annual rent payment proposed by organisation
-

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Appendix 3

Hartlepool Borough Council

Specimen Service Level Agreement



Appendix 3 Specimen Service Level Agreement

SERVICE AGREEMENT RELATING TO A LEASE OF PREMISES KNOWN AS [address of property] TO [name of organisation]

Section A

- A1 This agreement is made between Hartlepool Borough Council, acting through the Chief Executive's Department ("us") and [name of organisation] ("you") at your registered office [address], Company Registration Number [nr] and Charity Registration Number [nr].
- A2 Our Representative (link officer) is [name] (01429 [number]) or such other officer of the Council as shall be notified from time to time in writing to you.
- A3 Your Representative is [name], Director (01429 [number]) or such other person as shall be notified from time to time in writing by you to us.
- A4 The relevant Documents are
- This Agreement
 - The Lease
- A5 The following words shall have the following meanings.
- Lease – the Lease of even date herewith under which we let to you premises known as [address of property]
 - Premises – the premises the subject of the Lease
 - Services – The Services supported by this Agreement.
- A6 "You" includes your directors, trustees, board members, employees, agents and contractors unless the context clearly indicates otherwise.
- A7 Neither you nor we will act as agent or partner of the other, nor incur any liability on the other's behalf or in respect of the other's debts or liabilities. You must not use this Agreement to imply that we undertake or accept liability for your debts or obligations to third parties.
- A8 This Agreement is personal to you and the benefit of the Agreement may not be transferred or assigned by you to any other person or organisation.
- A9 The core of this Agreement is that we are making the Premises available to you for the purposes set out in this Agreement as funding in kind at a rent which will be reduced to a peppercorn, provided you use the premises in accordance with this Agreement. If you cease so to use the premises or do not keep the terms of this Agreement, the Council

may terminate this Agreement, in which case you will immediately cease to be eligible for a reduction in your rent.

B Terms and Conditions

B.1. Introduction

B.1.1 This Agreement sets out the services you will provide, the terms on which you will provide them and the basis on which we will make the Premises available to you on favourable terms.

B.2. Context

B.2.1 The Council is making the premises available to you because among its policy priorities are the following and it considers that supporting you by providing the premises for your use will further them. They are therefore our priorities for funding your provision of your service:

- Providing a focus for local community activities
- Challenging discrimination and promoting diversity.
- Infrastructure support for local community and voluntary sector groups.
- Promoting social and economic inclusion.
- Providing innovation in local service provision

B.2.2 Your core purpose, for which you wish to use the Premises, is: [use of premises]

B.3 Conditions

B.3.1 You must observe the following conditions (B.4 onwards). If you do not, we may by notice require you to do so.

B.3.2 If your failure to do so is serious, or if your failures are persistent or cumulative, we may terminate this agreement. If you break the Agreement or we terminate it, your reduction in rent will terminate.

B.3.3 We will normally give you a written notice of a failure or failures that we regard as potentially grounds for termination, and state what we require you to do to avoid this. However, if a failure is serious, we may suspend this agreement with immediate effect.

B.3.4 If you cease to use the Premises for your Core Purpose (as in B.2.2) or start using the Premises for some other purpose, we will normally regard that as a breach that is so serious and fundamental as to be irremediable and grounds for immediate termination.

- B.3.5 You will be permitted to retain all income from rents and room hire & events fees, but all these monies must be reinvested in and used for the operation and maintenance of the Premises and not spent on any other premises or purposes.

B.4 Financial and Managerial Conditions

- B.4.1 You must use the Premises wholly and exclusively for the purposes set out in this Agreement and the Lease.
- B.4.2 You must observe all the terms and conditions of the Lease.
- B.4.3 You must monitor your provision of the service in accordance with our reasonable requirements.
- B.4.4 You must not make any changes in the way you provide the Services or any changes in the way you run your organisation that affect your provision of the Services without our written consent. If you propose to make any significant changes in the way you provide the Services, or in what you do at the Premises, you must tell our Link Officer and be open and frank with him/her.
- B.4.5 You must tell us of any changes affecting your finances, your key personnel, your Board or Management Committee, as the case may be, and of any proposals to change your constitution.
- B.4.6 At least annually during the term of the Agreement your Representative will meet with the Link Officer to review how effectively you have been delivering the Services, how the Council's priorities are being met, what your plans are for the forthcoming year and how the availability of the Premises will contribute to these.

B.5 Conditions relating to the Service and your responsibilities to Service Users

- B.5.1 You must provide the Services in accordance with this Agreement, reliably and with the skill, diligence and care of competent and appropriately qualified staff able to provide the Services.
- B.5.2 You must demonstrate:
- a commitment to service users by involving them in service development;
 - A knowledge and understanding of their responsibilities for the protection of vulnerable service users.
- B.5.3 Where you are providing personal services, advice or counselling and if you hold any personal information, you must have and implement a written policy of confidentiality.

B.6 Equal Opportunities Conditions

- B.6.1 You must have or develop within a time scale we have approved, an equal opportunities policy and programme for its implementation that is compatible with the Borough Council's own policies and practices, given practicable considerations concerning the size and nature of your organisation.
- B.6.2 You must take all reasonable steps in the provision of the Services and in any other of your activities:
- B.6.2.1 to ensure that there is equality of access, use and involvement for everyone and that you do not discriminate directly or indirectly on grounds of race, disability, age, economic or social background, gender (including sexual orientation and transgender issues), HIV status, marital status, race, (including nationality, cultural or ethnic background) or religion, and observe all legislation relating to equalities; and
 - B.6.2.2 to consult service users fully about the Service, its organisation, management and service provision, and where possible to ensure that users are involved in helping manage, organise and develop activities at the Premises.

B.7 Employment Conditions

- B.7.1 If you employ staff and/or volunteers, you must ensure that:
- You have Employers Liability insurance to at least the statutory minimum and that this covers volunteers as though they were employees;
 - Your employees may join or not join a Trade Union as they wish, and you have appropriate disciplinary and grievance procedures in place which cover both paid staff and volunteers;
 - You give all staff a contract of employment and a job description;
 - All your recruitment procedures are in line with your organisation's Equal Opportunities Policy.
 - You comply with all current employment law and can demonstrate good practice in that procedures are in place to deal with personnel matters.

B.8 General Conditions

- B.8.1 You must not seek to promote or oppose a political party.
- B.8.2 You must make available for our inspection on request the minutes of meetings of your Board or Management Committee and let our Representative, or anyone else we nominate, attend such meetings as observers.

- B.8.3 You must acknowledge that we fund you by the provision of Premises, in any literature or publicity and any information you provide to anyone relating to the Premises must mention that we provide them.
- B.8.4 You must hold during each financial year a properly organised and quorate Annual General Meeting and invite our Representative to it.
- B.8.5 You must hold Public Liability Insurance to a minimum of £5M.
- B.8.6 In addition to any specific requirements in the Lease, when using the Premises you must comply with all legal requirements affecting the premises or their use (including fire and safety regulations) and comply with the terms of any licences and permits obtained;
- B.8.7 If you use any vehicles
- B.8.7.1 You must insure such vehicles fully comprehensively, covering damage to the vehicles, injury to the driver and any claims from third parties.
 - B.8.7.2 You must ensure that such vehicles are only driven by people who are licensed to do so, and who are within the scope of such insurance cover.
 - B.8.7.3 If we ask for it, you must produce all insurance policies and receipts for the current year's premium or other such evidence.
 - B.8.7.4 All insurances must be taken out with a reputable insurer or underwriter.
- B.8.8 You must meet all health and safety regulations and requirements for employees, volunteers and members of the public, and be able to demonstrate that you can do so.
- B.8.9 You must meet the Baseline Standards we have adopted and which we expect all organisations, which the Council funds by making premises available to them on favourable terms.

C. Communication

- C.1 Both Hartlepool Borough Council and the organisation will appoint a representative or contact person named on the front of this agreement.
- C.2 The borough Council's representative (Link Officer) will be the first point of contact and provide advice or information as appropriate and carry out monitoring visits.
- C.3 Your representative will undertake to keep the Council informed of any changes within the organisation affecting your service delivery, management functions or financial viability.

D. Services

- D.1. The parties agree that this Agreement will contribute towards the delivery of these services in Hartlepool and the Premises may only be used for these purposes or in a way that is consistent with and furthers them. You will provide the following Services:
- D.1.1 A well managed resource centre, office and meeting room facilities, with opportunities for training and volunteering, involving a wide range of hard to reach people in activities leading to improved community engagement, community cohesion and civic pride [etc].
- D.1.2 A Range of activities primarily but not exclusively aimed at [etc], including but not limited to:
- Training
 - Volunteering opportunities
 - Community development activities
 - Room and space lettings and hire
 - Networking sessions and events
 - Information sharing
 - Research and policy development
 - Access to ICT and Internet facilities
- D.1.3 You will be responsible for all aspects of operating the Premises, including but not limited to the recruitment and support of a staff team, health & safety, bookings and lettings, security, repairs and maintenance, insurance, all necessary policies and procedures, and all financial aspects.
- D.1.4 You will set up, develop and support a User Group, made up of the Council's Link Officer, regular users, tenants and occupants of the Premises. This group will meet at least twice a year.
- D.1.5 You will ensure that the use of the Premises is maximised and that it is available as a general community resource when not in use for your own purposes, e.g. by letting rooms and/or facilities to other hirers on a sessional basis. The premises will be available for community use for a minimum of [number] days per week, including at least [number] week days, between [time] hrs and at least [number] weekday evenings between [time] hrs.
- D.1.6 You will publicise the availability of your services and facilities to Hartlepool's voluntary & community sector or alternative equivalent organisations, institutions and businesses, including the local community.
- D.1.7 You will ensure that an effective and accessible booking system is in operation, that a tariff of charges is published and reviewed from time to time, and that low-cost room/event hire is available, with local, grass-roots organisations being given priority, in order to encourage local democracy and community engagement.

- D.1.8 You will maintain and improve the visual status and accessibility of the Premises.
- D.1.9 You will develop partnerships with other relevant organisations to enable the most effective use of resources, to maximise the use of the Premises and to enhance the Premises as an asset to the community.
- D.1.10 You will undertake a user satisfaction survey each year and publish the results.
- D.1.11 [etc] any other targets relevant to these premises [etc, etc]

E Duration of Agreement

- E.1 This Agreement will be for five years from the date of the Lease. It will be automatically renewed at the end of the five year period for a further five years or such lesser period as maybe agreed between the parties if you continue to provide the services in accordance with it.
- E.2 At least 6 months before the end of each five year period or such lesser period as may be agreed under E1 we shall review targets set out in D1-D10 and if appropriate the targets will be renegotiated to reflect the Council's priorities and policies, the current needs of the local community and your core purposes.

DECLARATION

On behalf of [name of organisation] we confirm that we have read this Service Agreement and that we are authorised by the Board to sign that this organisation will abide by the conditions that it contains.

	CHAIR
NAME	
ADDRESS	
SIGNATURE	
DATE	

	CHIEF EXECUTIVE
NAME	
ADDRESS	
SIGNATURE	
DATE	

Appendix 2

	PREMISES	COMMUNITY ASSET TRANSFER	COMMENTARY
1	Throston Community Centre	Yes	(2011/12 budget subject to library being retained as improved library)
2	West View CC and West View Library	Yes	(2011/12 budget one integrated property) (excludes Surestart Centre)
3	Jutland Road CC	Yes	(2011/12 budget)
4	Burbank CC	Yes/No	TUPE of staff may apply *see note
5	Owton Manor CC and Library	Yes/No	TUPE of CC staff will apply – library a tenant *see note
6	Seaton Carew CC and Sports Hall	No	Site included within Seaton development plan
7	Foggy Furze Library	No	Site closed. Available for redevelopment
8	Masefield Road CC	No	Part of integrated facility
9	Throston Library	No	Subject to community centre accepted for community asset transfer
10	Headland Library	No	Part of integrated facility
11	Seaton Carew Library	No	Improve community meetings space

NOTE

Burbank CC and Owton Manor CC and Library are only included as an option at this stage with Cabinet decision requested.

CABINET REPORT

9 MAY 2011



Report of: DIRECTOR OF REGENERATION AND
NEIGHBOURHOODS

Subject: SEATON CAREW COASTAL STRATEGY –
ADOPTION AND IMPLEMENTATION

SUMMARY

1. PURPOSE OF REPORT

To update Cabinet regarding the outcomes of the Seaton Carew Coastal Strategy and request formal adoption of the coastal management contained within the strategy.

To inform Cabinet on progress made on implementation of the necessary capital schemes including urgent works required between the Staincliffe Hotel and Station Lane Access Ramp and the requirement to seek and secure external funding contributions for future schemes.

2. SUMMARY OF CONTENTS

The report discusses why the strategy is required; how the strategy was produced; the conclusions and recommendations; consultation; financial implications and programme; approval processes and progress on implementation.

3. RELEVANCE TO CABINET

The strategy sets out a long term plan for management of the coastal defence of the southern frontage of Hartlepool from Newburn Bridge to the Tees Estuary. The whole life cash value of the strategy is approaching £30m.

4. TYPE OF DECISION

Key Decision (test ii applies). Forward Plan Reference Number RN49/10

5. DECISION MAKING ROUTE

Cabinet Decision 9th May 2011.

6. DECISION(S) REQUIRED

That Cabinet adopt the Seaton Carew Coastal Strategy and note the progress made on implementation of the necessary capital schemes and the requirement to secure external funding.

Report of: DIRECTOR OF REGENERATION AND
NEIGHBOURHOODS

Subject: SEATON CAREW COASTAL STRATEGY –
ADOPTION AND IMPLEMENTATION

1. PURPOSE OF REPORT

- 1.1 To update Cabinet regarding the outcomes of the Seaton Carew Coastal Strategy and request formal adoption of the coastal management contained within the strategy.
- 1.2 To inform Cabinet on progress made on implementation of the necessary capital schemes including urgent works required between the Staincliffe Hotel and Station Lane Access Ramp and the requirement to seek and secure external funding contributions for future schemes.

2. BACKGROUND TO THE STUDY.

- 2.1 The 2007 Shoreline Management Plan (SMP2) from River Tyne to Flamborough Head concluded that a detailed long-term coastal defence management plan for Seaton Carew was a priority for action. SMP2 was adopted by the Council following a report to Cabinet dated 30th April 2007.
- 2.2 Specialist consultancy services were required to produce the coastal strategy. Authorisation to develop a select list of tenderers and evaluate them on a quality / price basis was given by the Portfolio Holder for Neighbourhoods and Communities following reports dated 24th September 2007 and 20th December 2007.
- 2.3 The tender for the Seaton Carew Coastal Strategy Study was sent out on 11th February 2008 and opened at Contract Scrutiny Panel on 21st April 2008.
- 2.4 Officers attended the Environment Agency's Project Appraisal Board (PAB) in Leeds on 12th June 2008 in which a presentation was given by officers outlining the origin of the study, the tender process followed and the reasons and benefits for approving the grant to allow the study to be carried out.
- 2.5 Following the PAB presentation, approval was given for grant funding by the Environment Agency and the contract was awarded to Scott Wilson Consultants to the value of £586,015.

3. PRODUCTION OF THE STUDY

- 3.1 The Seaton Carew Coastal Strategy Study frontage runs from Newburn Bridge in the north down to the Tees Estuary in the south covering SMP2 Management Areas 12.2 and 13.1 – 13.4 as shown in Appendix A. The study commenced on Monday 11th August 2008.
- 3.2 The brief prepared by officers from the Engineering Consultancy dictated that the strategy was to be produced in 3 stages as follows:-

Stage A – Condition and Performance Assessment

Stage A of the study assessed the condition and performance of the existing coastal defences for the study frontage over the next 100 years. This included the collation and review of existing data and reports and a number of site investigations to determine the condition of the existing defences. The key components of the Stage A process were:

- Engagement of key stakeholders and consultation;
- Reviewing the existing defence management policies set by the SMP2;
- A detailed visual inspection of the defences;
- Detailed topographical Surveys and aerial photography to produce a 3d ground model;
- Significant ground investigations including trial pits, boreholes, coring, sampling and testing of the walls;
- Computer modelling of the key coastal processes;
- Assessing the current condition of the coastal elements and predicted future performance.

Stage B – Technical and Environmental Assessment

Stage B of the study developed and appraised the management options for the coastal defences along the study frontage. The key components of the Stage B process were:

- Development of strategic objectives;
- Assess what happens if we “Do Nothing”;
- Review and appraise the economic, environmental and technical implications of relevant coastal defence options;
- To recommend a preferred option for long-term (100 years) strategic management of the coastline.

Stage C – Strategy Appraisal Report (StAR)

Stage C details the preferred long-term strategy to be adopted and sets out the business case for the short term (and emergency), medium and long term coastal works in order that funding may be sought from the Government's Flood Defence Grant in Aid Budget (FDGiA) and other beneficiaries.

4. STUDY CONCLUSIONS AND RECOMMENDATIONS

- 4.1 The study recommended considering the frontage as two distinct Management Units: the Northern Management Unit comprising the current hard defences protecting Seaton Carew town, people, residential and commercial properties, recreation and infrastructure; the Southern Management Unit comprising the environmentally designated (SPA, Ramsar and SSSI) soft dunes of Seaton and North Gare Sands and the structures of the North Gare Breakwater (NGB) and Seaton Channel Training Wall (SCTW). The issues and assets at risk in the long term are shown in the tables below

Management Area	NORTHERN MANAGEMENT UNIT		
	MA12.2	MA13.1A	MA13.1B-E
Issues	No significant issues as the new defences in good condition that offer protection to the northern area of Seaton Carew Town	Undermining and overtopping damage of defences. Temporary emergency works have been carried out. Defences are needed to protect Seaton Carew Town.	Undermining of defences. Generally badly deteriorated defences. Poor condition of defences is hindering the Council's regeneration objective in this area.
Condition of Defence / Residual Life	Defences in good condition. Only maintenance required until upgrade in year 50 of the defence strategy.	Poor condition, locally breached. Residual life up to 5 years.	Poor condition. Residual life between 5 - 10 years.
Assets at Risk	82 Residential / Commercial properties over 100 years, none in yrs 0-20, 31 in yrs 21-50, 51 in yrs 51-100. Important infrastructure such as a major transport link (Yr 50), Northumbrian Water outfalls (Yrs 20, 35), mains sewers and gas and cable services. Loss of recreation and tourism	212 Residential / Commercial properties over 100 years, none in years 0-20, 58 in years 21-50, 154 in yrs 51-100. Important infrastructure such as a major transport link (Yr 20), mains and combined sewers and gas and cable services. Loss of recreation and tourism.	193 Residential / Commercial properties over 100 years, none in yrs 0-20, 65 in years 21-50, 128 in years 51-100. Important infrastructure such as a major transport link (Yr 20), Northumbrian Water Headworks (Yr 15), mains and combined sewers and gas and cable services. Loss of recreation and tourism

TABLE 1 NORTHERN MANAGEMENT UNIT – ISSUES, CONDITION OF DEFENCES AND ASSETS AT RISK (REFER TO APPENDIX A AND 4.2 BELOW FOR MANAGEMENT AREA BREAKDOWN).

Management Area	SOUTHERN MANAGEMENT UNIT		
	MA13.2	MA13.3	MA13.4
Issues	This area of beach and dunes is artificially held by the North Gare Breakwater situated in MA13.3 and consists of SPA, Ramsar and SSSI environmentally designated areas.	North Gare Breakwater controls the morphology of large areas of the strategy frontage both north and south and is crucial to prevent loss of beaches and SPA/Ramsar site	Seaton Channel Training wall controls the morphology of this Management Unit. Retains the SPA/Ramsar designated sites and prevents the contaminated land from being exposed.
Condition of Defence / Residual Life	Continued existence of these soft defences relies on the North Gare Breakwater being maintained	The North Gare Breakwater is strategically important to the entire frontage. Currently in poor condition the breakwater is nearing the end of its structural life. Residual life upto 10 years having sustained significant breaches in recent years	Seaton Channel Training Wall is currently in poor condition. Residual life approximately 5 years.
Assets at Risk	No properties at risk. Environmentally designated sites (Ramsar/SPA/SSSI) would be lost if North Gare Breakwater fails.	Frutarom Chemical works (Yr 30), Hartlepool Nuclear Power Station (Yr 50) and Port Access channel (Yr 10) Environmentally designated sites (Ramsar/SPA/SSSI) would be lost if North Gare Breakwater fails.	Frutarom Chemical works (Yr 30), Hartlepool Nuclear Power Station (Yr 50) and Port Access channel (Yr 10). Environmentally designated sites (Ramsar/SPA/SSSI).

TABLE 2 SOUTHERN MANAGEMENT UNIT – ISSUES, CONDITION OF DEFENCES AND ASSETS AT RISK (REFER TO APPENDIX A AND 4.3 BELOW FOR MANAGEMENT AREA BREAKDOWN).

4.2 Capital Works required to be implemented for the **Northern Management Unit** are summarised as follows:-

Newburn Bridge to Staincliffe Hotel (MA 12.2A – C: Appendix 1);

0 – 5 years: no capital works suggested as the relatively new defences are in good condition.

Future: Adaptation to sea level rise will be required in the longer term (50 years +). Maintenance required.

Staincliffe Hotel to Station Lane Access Ramp (Northern Management Unit Phase 1) (MA 13.1A: Appendix 1);

0 – 5 years: urgent works required in this section to formalise emergency works carried out previously by HBC in response to previous storm events (loss of steps in 2006 and accident to a member of the public in 2007). A low

crested rock armour solution is favoured to protect the assets by preventing failure of the seawall and therefore protect against erosion. The low crested rock armour solution does not significantly reduce overtopping rates; however overtopping is not a risk to assets but to pedestrian safety along the promenade and therefore access must be managed during storms events.

These works would be combined with the raising of the low area at the former “North Shelter” by constructing a new seawall to the level of the adjacent seawall protected with the low level rock armour as shown below:-

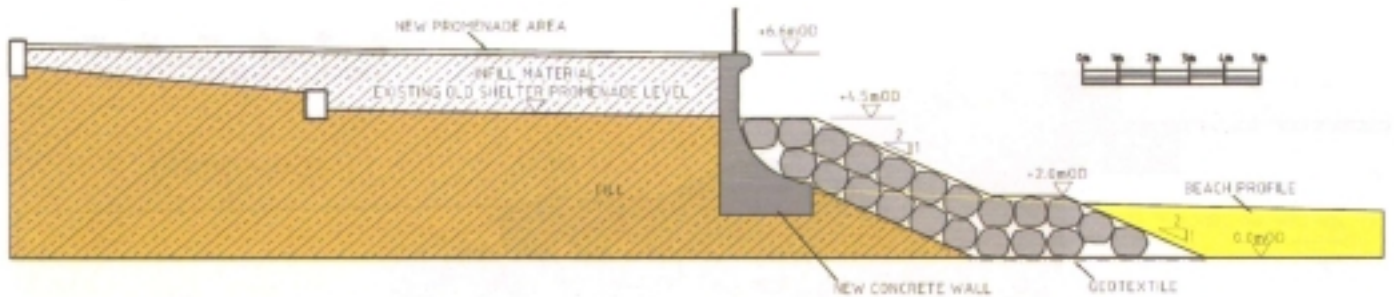


FIGURE 1 INDICATIVE CROSS SECTION OF ROCK ARMOUR, NEW SEAWALL AND FILL THROUGH THE FORMER NORTH SHELTER AREA.

Future: No capital works, maintenance required.

Station Lane Access Ramp to Northumbrian Water Headworks (Northern Management Unit Phase 2) (MA 13.1B - E; Appendix 1);

0 – 5 years: a new and improved seawall is needed in the short term with two potential options developed for this section of frontage; either Option 1 - a full height rock armour revetment or Option 2 - a new seawall constructed in the next 5 years with phased rock armour (constructed in circa 30 years time).

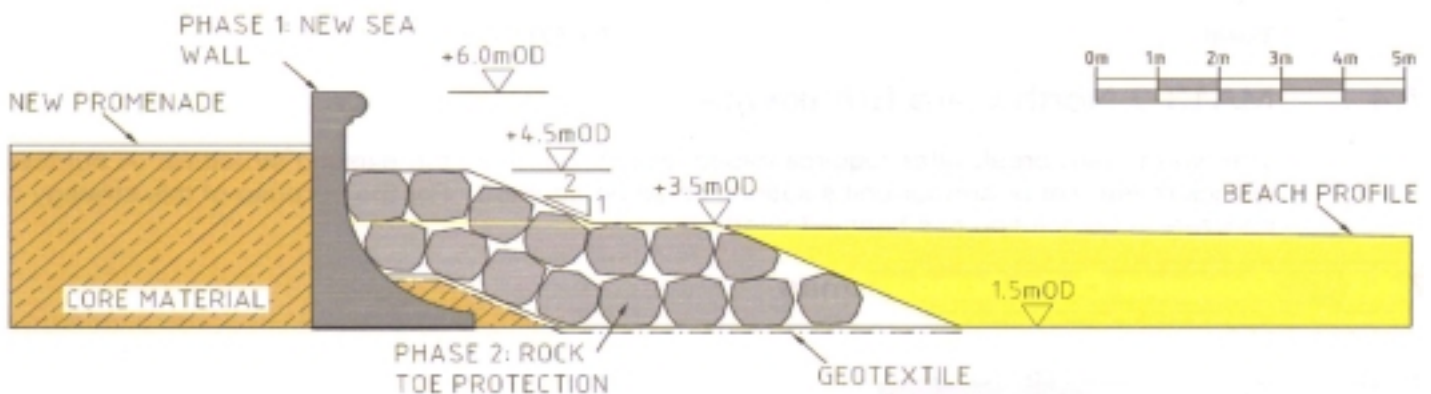


FIGURE 2 INDICATIVE CROSS SECTION OF NEW SEAWALL WITH PHASED ROCK ARMOUR OPTION.

Future: Rock armour works for option 2 as discussed above, maintenance required.

- 4.3 Capital Works required to be implemented for the **Southern Management Unit** are summarised as follows:-

Dunes of Seaton Sands (MA 13.2; Appendix 1);

0 – 5 years: no capital works required.

Future: no capital works required

The North Gare Breakwater (MA 13.3; Appendix 1);

0 – 5 years: the North Gare Breakwater would be reinforced using the remaining existing structure as a core and providing a layer of protective armour. The North Gare Breakwater is critical to maintain beach widths and the dune system at Seaton Carew.

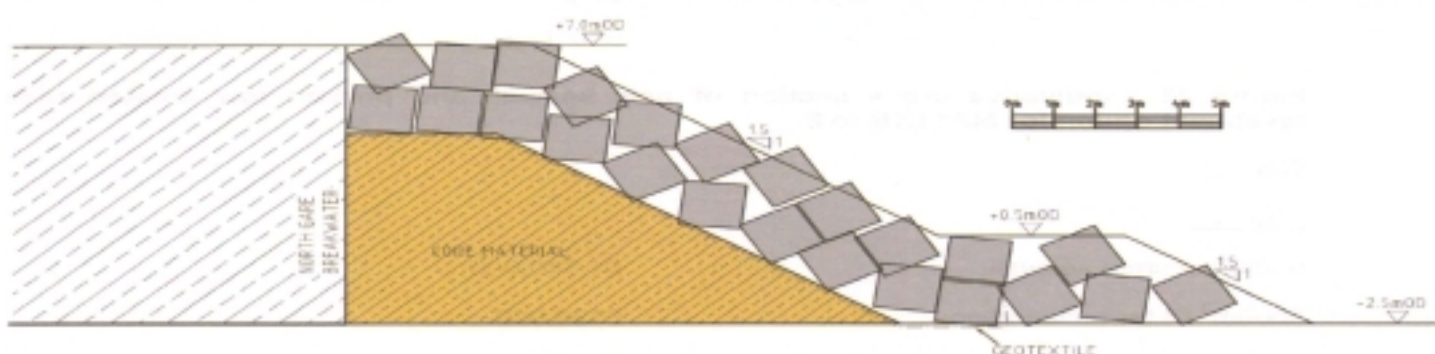


FIGURE 3 INDICATIVE CROSS SECTION OF NEW CONCRETE CUBE ARMOUR TO NORTH GARE BREAKWATER.

Future: refurbishment will be required in the long term to retain the function of the structure.

Dunes of North Gare Sands (MA 13.4; Appendix 1);

0 – 5 years: no capital works required.

Future: the Seaton Channel Training Wall would be reinstated using rock or armour units to ensure that the structure remains effective at retaining sand.

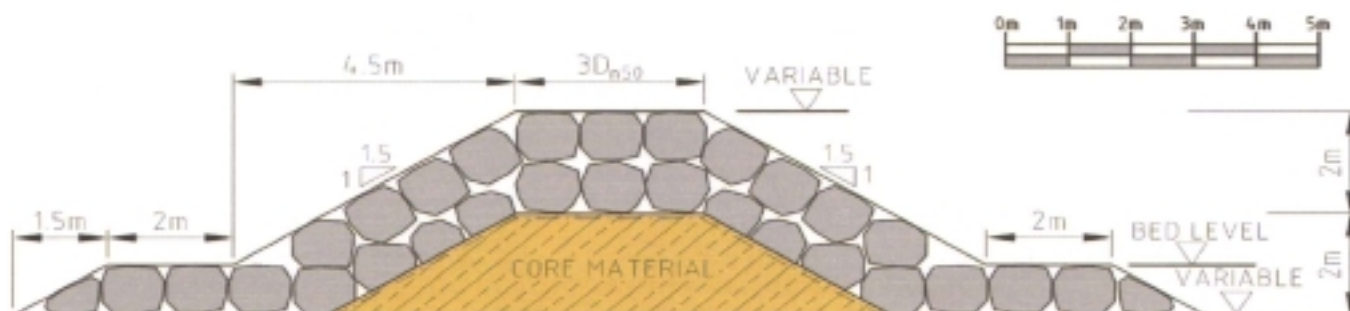


FIGURE 4 INDICATIVE CROSS SECTION OF NEW ROCK ARMOUR TO SEATON CHANNEL TRAINING WALL.

5. CONSULTATION

5.1 Extensive public consultation and engagement of key stakeholders has been carried out throughout production of the strategy as follows:-

- Leaflet, letter and questionnaire issued promoting the commencement of the strategy in November 2008;
- Hartbeat article in November 2008;
- Further Hartbeat article in March 2009;
- 1st public exhibition on 29th April 2009;
- Stakeholder meeting on 27th July 2009;
- 2nd public exhibition on 17th November 2009;
- Further regular meetings held with PD Ports, British Energy and Northumbrian Water;
- Stage A and Stage B documents have been placed in the Members room, Central Library and Seaton Library since January 2011.

6. FINANCIAL IMPLICATIONS AND PROGRAMME

6.1 A breakdown of the cost for works required in the Northern Management Unit is shown in Table 3 below

Cost	2010/11 (£m)	2011/12 (£m)	2012/13 (£m)	2013/14 (£m)	2014/15 (£m)	Future Years (£m)	Total (£m)
	Northern Management Unit Phase 1		Northern Management Unit Phase 2				
Capital	0.3	1.713	2.0	1.882	0	6.579	12.474
Non-Capital	0.1	0.03	0	0	0	0.64	0.77
Total	0.4	1.743	2.0	1.882	0	7.219	13.244

TABLE 3 COSTS OF PREFERRED OPTIONS FOR THE NORTHERN MANAGEMENT UNIT.

6.1.1 100% grant funding from the Flood Defence Grant in Aid programme will be available for the works along the frontage of Northern Management Unit Phase 1.

6.1.2 Financial contributions are being pursued and are critical for the implementation of the proposed works along the frontage of the Northern Management Unit Phase 2. Whilst the majority of funding is expected from FDGiA, external contributions in the order of **£1 Million** may be required to be sourced from NWL, HBC and regeneration/developers. These figures will need to be confirmed during the detailed appraisal stage.

6.1.3 The provision of a new enhanced seawall in the Northern Management Unit Phase 2 is essential to enable the aspirations of regeneration in Seaton Carew to be realised.

6.2 A breakdown of the cost for works required in the Southern Management Unit is shown in Table 4 below

Cost	2010/11 (£m)	2011/12 (£m)	2012/13 (£m)	2013/14 (£m)	2014/15 (£m)	Future Years (£m)	Total (£m)
	Routine maintenance		Detailed project appraisal report		Commence works to North Gare Breakwater	Complete works to North Gare Breakwater and Training Wall	
Capital	0	0	0	0	3.21	11.542	14.752
Non-Capital	0.005	0.005	0.155	0.005	0.005	0.935	1.110
Total	0.005	0.005	0.155	0.005	3.215	12.477	15.862

TABLE 4 COSTS OF PREFERRED OPTIONS FOR THE SOUTHERN MANAGEMENT UNIT.

6.2.1 Contributions are being pursued for the two control structures in the Southern Management Unit (North Gare Breakwater and Seaton Channel Training Wall) as these structures are owned by PD Teesport. The structures also provide protection and commercial benefit to PD Teesport, Hartlepool Nuclear Power Station and Frutarom Chemical Works, all of whom have been approached during the development of the Strategy for contributions. Formal commitment from beneficiaries to providing a contribution will be required during the completion of the detailed project appraisal stage. Contributions are currently estimated at **£6.5 Million**. Approval and funding allocation from FDGiA for the capital schemes for works within the Southern Management Unit will be dependant upon a sufficient level of contributions being received from third parties.

7. APPROVAL PROCESSES

7.1 The Environment Agency are currently responsible for strategic management of coastal defence and provide an overview role which allows them to manage and allocate the FDGiA budget on behalf of DEFRA.

7.2 All coastal strategies are evaluated by the Environment Agency's National Review Group (NRG) which comprises a team of national experts looking at procurement, environmental, economical and technical aspects of the proposals contained in the strategy.

7.3 The formal process requires that this Seaton Carew Coastal Strategy is recommended for approval by NRG. The draft strategy was presented to NRG in September 2010 (in London) by the Council's Assistant Director (Transportation and Engineering) and Principal Engineer. The strategy was

generally well received by NRG and officers were tasked with amending and adding to the documents to provide more detail on:-

- Economic justification of the works;
- Effects on habitat;
- Contributions and funding;
- Water Framework Directive implications;
- Programme and risk.

- 7.4 The revised documentation was returned to NRG in January 2011; at present the only outstanding query prior to NRG recommending the strategy for approval relates to finalisation of the Water Framework Directive report and it is expected that a verbal update can be given at the Cabinet meeting confirming NRG's recommendation for approval.

8. PROGRESS ON IMPLEMENTATION

- 8.1 Table 5 below outlines provisional dates for implementation of the schemes.

Activity	Date
Newburn Bridge to Staincliffe Hotel Continued Maintenance and Monitoring	Ongoing
Northern Management Unit Phase 1 Commence detailed appraisal Approval Construction start Construction completion	June 2010 January 2011 April 2011 September 2011
Northern Management Unit Phase 2 Commence detailed appraisal Approval Construction period 1 Construction period 2	January 2011 October 2011 April 2012 – October 2012 April 2013 – October 2013
Seaton Sands Dunes Continue with No Active Intervention Policy	Ongoing
North Gare Breakwater Commence detailed appraisal Approval Construction start Construction completion	April 2012 April 2013 May 2014 December 2015
Seaton Channel Training Wall Commence detailed appraisal Approval Construction start Construction completion	April 2012 April 2013 September 2016 December 2017

TABLE 5 WORKS PROGRAMME.

- 8.2 A report to Finance and Procurement Portfolio on 6th January 2011 outlined progress made on implementing the urgent works required in the section from the Staincliffe Hotel to Station Lane Access Ramp.
- 8.3 Planning permission has been granted for the works and 100% budget allocation has been made by the Environment Agency (following a successful presentation to the Environment Agency Project Assessment

Board (PAB), in Leeds on 9th December 2010 by the Assistant Director (Transportation and Engineering) and Principal Engineer. All other necessary licences and permits are in place and the works commenced on Monday 18th April 2011. The scheme was designed and will be managed by the Council's Engineering Consultancy.

- 8.4 In February 2011, the Environment Agency announced their capital grant allocation for 2011/12 and stated that the allocation only covered schemes and studies ongoing or commencing in 2011/12. Schemes or studies commencing 2012/13 onwards could not be allocated grant funding as consultation is currently ongoing on proposals for a new funding regime from April 2012.
- 8.5 A scheme requires 2 stages of approval from the Environment Agency; these are a financial allocation and technical approval from either PAB or NRG.
- 8.6 The council have been given budget allocation of £1.8m in 2011/12 (for the urgent works of Northern Management Unit Phase 1) and £2.0m in 2012/13 and £1.88m in 2013/14 for the works for Northern Management Unit Phase 2 (Seaton Lane Access ramp down to the Northumbrian Water Headworks). However, as discussed previously, the Northern Management Unit Phase 2 works require contributions to be secured.
- 8.7 The detailed Project Appraisal Report (PAR) for Phase 2 is currently being prepared in-house by officers from the Council's Engineering Consultancy, previously external specialist consultants have been employed by the Council to carry out this work.
- 8.8 To accompany this PAR, an Environmental Statement is also being prepared in-house by officers from Planning Policy, Landscape Planning and Conservation, Archaeology, Environmental Health and Building Consultancy. This assessment has been funded by grant from the Environment Agency.

9. RECOMMENDATIONS

- 9.1 It is recommended that Cabinet adopt the Seaton Carew Coastal Strategy and note the progress made on implementation of the necessary capital schemes and the requirement to secure external funding.

10 REASONS FOR RECOMMENDATIONS

- 10.1 To ensure that a strategic long-term management plan is in place for the continued defence of the southern frontage of Hartlepool.

11 BACKGROUND PAPERS

Seaton Carew Coastal Strategy Stage A Report.
 Seaton Carew Coastal Strategy Stage B Report.
 Seaton Carew Coastal Strategy Stage C Report.

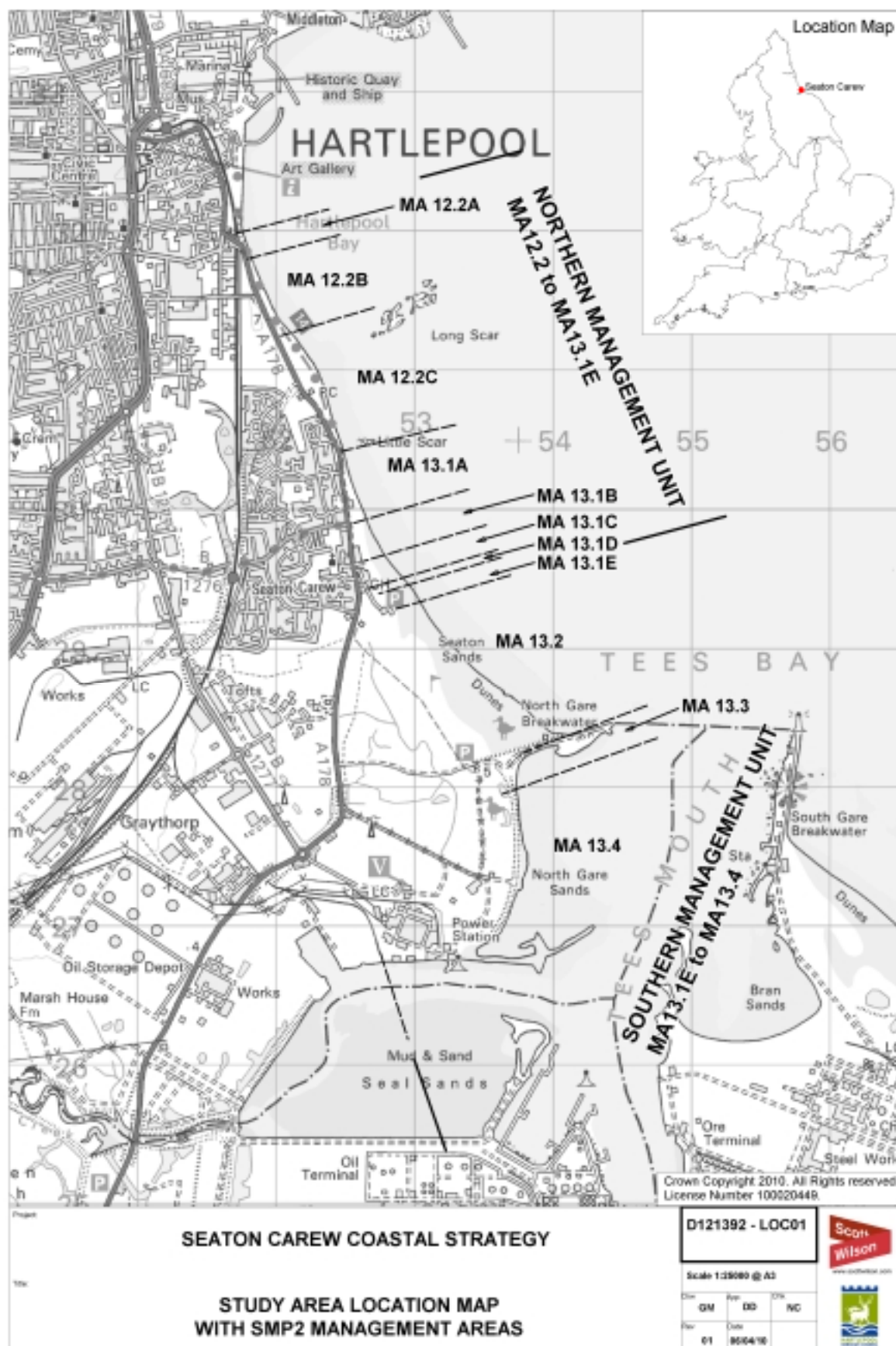
Seaton Carew Town Frontage Phase 1 Project Appraisal Report.
Cabinet Report 30th April 2007.
Neighbourhoods and Communities Portfolio Report 24th September 2007.
Neighbourhoods and Communities Portfolio Report 20th December 2007.
Finance and Procurement Portfolio Report 6th January 2011.

12 CONTACT OFFICER

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Principal Engineer (Environmental Issues)
Regeneration and Neighbourhoods
Transportation and Engineering

Tel No 01429 523207
Dennis.hancock@hartlepool.gov.uk

APPENDIX 1



CABINET REPORT

9 May 2011



Report of: Director of Regeneration and Neighbourhoods.

Subject: UPDATE – FLOOD & WATER MANAGEMENT ACT 2010 AND FLOOD RISK REGULATIONS 2009

SUMMARY

1. PURPOSE OF REPORT

- To update Cabinet (following a previous report dated 24th May 2010) regarding ongoing and completed schemes undertaken in accordance with the Flood and Water Management Act 2010 and Flood Risk Regulations 2009. These include the Hartlepool Surface Water Management Plan (SWMP), Hartlepool Preliminary Flood Risk Assessment (PFRA), Tunstall Farm Beck Flood Alleviation Study (Appendix A) and Powlett Road local land drainage works (Appendix A).
- To inform Cabinet of the grant allocation of £115k (2011/12) and provisionally £133k (2012/13) to undertake/fulfill a number of new duties under the Flood and Water Management Act 2010.

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. The report discusses the requirement for a PFRA and Local Strategy to manage flood risk into the future. The report also provides an update on completed and ongoing schemes (in Appendix A), funding and financial considerations and the next steps towards delivering challenging objectives for 2011/12.

3. RELEVANCE TO CABINET

The legislation relates to strategic management of flood risk throughout the Borough of Hartlepool and imposes new statutory duties on the Council.

4. TYPE OF DECISION

This is a non key decision.

5. DECISION MAKING ROUTE

Cabinet on 9th May 2011

6. DECISION(S) REQUIRED

To note the report and that further update reports on this subject will be brought to Cabinet in the near future.

Report of: Director of Regeneration and Neighbourhoods.

Subject: UPDATE – FLOOD & WATER MANAGEMENT ACT (2010) AND FLOOD RISK REGULATIONS 2009

1. PURPOSE OF REPORT

- 1.1 To update Cabinet (following a previous report dated 24th May 2010) regarding ongoing and completed schemes undertaken in accordance with the Flood and Water Management Act 2010 and Flood Risk Regulations 2009. These include the Hartlepool Surface Water Management Plan (SWMP), Hartlepool Preliminary Flood Risk Assessment (PFRA), Tunstall Farm Beck Flood Alleviation Study (Appendix A) and Powlett Road local land drainage works (Appendix A).
- 1.2 To inform Cabinet of the grant allocation of £115k (2011/12) and provisionally £133k (2012/13) to undertake/fulfill a number of new duties under the Flood and Water Management Act.

2 FLOOD RISK REGULATIONS (2009) & FLOODS AND WATER MANAGEMENT ACT (2010)

- 2.1 Background information outlining the Regulations & Act and the implications for the Council were discussed in the previous Cabinet Report in May 2010.
- 2.2 In Summary, the Council as Lead Local Flood Authority (LLFA) is required to:
- develop, maintain and apply a local flood risk strategy;
 - investigate all flooding incidents, where deemed to be necessary;
 - maintain a register of assets relevant to flooding;
 - approve drainage systems for construction work, in the capacity as SUDS (Sustainable Urban Drainage) Approval Board (SAB) and adopt and maintain SUDS; and
 - co-operate with other authorities, for example through building partnerships and ensuring effective multi-agency working with Northumbrian Water and the Environment Agency.
- 2.3 New roles and responsibilities contained within the Act include:
- development, maintenance, application and monitoring of a strategy for local flood risk management in the jurisdiction of the LLFA;
 - strategic leadership of local risk management authorities. It is recommended that this is done through the formation of a local flood partnership between LLFA's and other risk management authorities;
 - powers to request information from any person in connection with the authority's flood and coastal erosion risk management functions;

- a duty to investigate and publish reports on flooding incidents in its area (where appropriate or necessary) to identify which authorities have relevant flood risk management functions and what they have done or intend to do;
- a duty to maintain a register of structures or features which have a significant effect on flood risk;
- power to do works to manage flood risk from surface runoff or groundwater;
- power to designate structures and features that affect flooding;
- responsibilities as a Sustainable Urban Drainage (SUDS) Approval Board (SAB) with responsibility for approval, adoption and maintenance of new SUDS developments;
- decision making (consenting) responsibility for third party works on ordinary watercourses;
- a duty to exercise flood or coastal erosion risk management functions in a manner consistent with the national and local strategies; and
- a duty to aim to contribute towards the achievement of sustainable development in the exercise of flood or coastal erosion risk management functions and to have regard to any Ministerial guidance on this topic.

3 HARTLEPOOL PRELIMINARY FLOOD RISK ASSESSMENT (PFRA)

- 3.1 The Flood Risk Regulations implement the European Floods Directive. This provides a consistent approach to managing flood risk across Europe, through a six year planning cycle based on a four stage process of: undertaking a Preliminary Flood Risk Assessment (PFRA), identifying Flood Risk Areas, preparing flood hazard and risk maps and preparing flood risk management plans.
- 3.2 Under the Regulations, and in line with responsibilities under the Act, the Council is responsible for undertaking a PFRA for local sources of flood risk, primarily from surface runoff, groundwater and ordinary watercourses. The PFRA is a high level screening exercise which involves collecting information on past (historic) and future (potential) floods, assembling it into a preliminary assessment report, and using it to identify Flood Risk Areas where the risk of flooding is significant. The national definition of “significant” in this instance is where an individual flooding catchment has the potential to affect over 30,000 people.
- 3.3 The PFRA is based on existing and available information and should bring together information from national and local sources including the Flood Map for Surface Water, the Hartlepool Strategic Flood Risk Assessment and Surface Water Management Plan. Information from the PFRA process will also feed into other assessments including the Local Strategy required under the Act.
- 3.4 The PFRA is substantially complete and concludes that there are no “significant” flood risk areas in Hartlepool and therefore stages 3 and 4 (paragraph 3.1 above) are not relevant. The completed PFRA must be

forwarded to the Environment Agency by the end of June and will therefore be brought to Cabinet shortly.

4 HARTLEPOOL SURFACE WATER MANAGEMENT PLAN

4.1 The Engineering Consultancy 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 was £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 The SWMP is well advanced and is due to be completed within the next two months. The Hartlepool SWMP project has three phases:

- Phase 1 – Strategic Risk Assessment;
- Phase 2 – Intermediate Risk Assessment;
- Phase 3 – Options and Action Plans.

4.3 Phase 1 has been completed. In summary, the Strategic Assessment has:

- Produced a preliminary assessment of ranked sites based on the surface water flood risk. The sites are ranked into categories as follows:-
 1. Quick wins – where solutions are developed / apparent on discussion with project partners and can readily be taken forward;
 2. Optioneering Investigation – where the cause is reasonably well understood and further investigation will look at options available;
 3. Detailed Investigations – where detailed investigation is required, multiple sources of flooding are apparent and an integrated solution funded by numerous partners is needed.
- Provided a focus for key stakeholder discussion and encouraged feedback of local knowledge of flood risk;

4.4 Following the findings of the Strategic Assessment, a range of objectives for Phase 2, the Intermediate Assessment, have been developed to reflect the scale of the sites under investigation and to deliver a solutions focused management plan. The intermediate assessment will:

- Incorporate the feedback from key stakeholders regarding local knowledge of flood risk and flooding mechanisms at key sites;

- Categorise sites in terms of flood risk sources and potential mitigation solutions as a decision making tool for selecting sites for detailed investigation or taking forward to Phase 3;
- Provide an outline structure for the SWMP to be filled out through further investigation.

4.5 Members have been forwarded an information pack detailing progress to date and a questionnaire aimed at capturing local knowledge of flood events. It is intended that an open day will be held for members before commencing the public consultation to incorporate public concerns and feedback before the final plan is developed.

5 LOCAL FLOOD RISK MANAGEMENT STRATEGY

5.1 In accordance with the Act, the Council as LLFA has a new statutory function to develop, maintain, apply and monitor a strategy for local flood risk management Borough wide.

5.2 The Local Strategy, in combination with the National Strategy, will encourage more effective risk management by enabling people, communities, business and the public sector to work together to ensure a clear understanding of the risks of flooding and erosion, nationally and locally, so that:-

- investment in flood risk management can be prioritised more effectively;
- clear and consistent plans for risk management are set out enabling communities and businesses to make informed decisions about the management of the residual risk;
- innovative management of flood and coastal erosion risks, taking account of the needs of communities and the environment can be encouraged;
- links between the local flood risk management strategy and local spatial planning can be formed;
- emergency plans and responses to flood incidents are effective to help communities to recover more quickly and effectively after flooding incidents.

5.3 At present, there are no timescales set nationally in respect of when the Local Strategy needs to be complete and adopted. However, once the Surface Water Management Plan for Hartlepool is complete, developing the Local Strategy will be given priority.

6 SUSTAINABLE URBAN DRAINAGE (SUDS) APPROVAL BOARD (SAB)

6.1 As LLFA, the Council will be responsible for setting up a SUDS Approval Board (SAB) to assess, approve, adopt and maintain drainage plans involving SUDS schemes that meet the National Standards for sustainable drainage. It is envisaged that the SAB will consist of core representatives

- from relevant Council Departments, Northumbrian Water, and the Environment Agency with consultation with other bodies e.g. Highways Agency, carried out when needed.
- 6.2 In the future, drainage schemes will need SAB approval prior to the commencement of construction work and therefore it is currently envisaged that the SAB approval process should run in parallel with general planning applications.
- 6.3 The SAB's approval decision is entirely independent of any decisions made by the planning authority. For development to commence, approval will be needed from both the SAB and the planning authority. No work can start if this is not the case.
- 6.4 As the SAB, the Council will be responsible for adopting and maintaining approved SUDS schemes that serve drainage from more than one property; although the definition of a single property is still to be agreed by Defra and WAG.
- 6.5 The SAB will also be responsible for placing all adopted SUDS on the local authority asset register to ensure that the location of all SUDS are known. This should ensure that the functionality of SUDS are not disrupted by future developments.
- 6.6 Timescales for establishing the SAB have not yet been determined as DEFRA are currently working on producing the National Standards. It is envisaged that it may be introduced in pilot areas before being rolled out nationally.
- 6.7 Through the Surface Water Management Plan and our function as a coastal authority, Hartlepool already has good strong links developed with other potential members of the SAB.

7 FINANCIAL CONSIDERATIONS

- 7.1 Defra published the Local Government Finance Settlement on 31st January 2011. Hartlepool Borough Council has been awarded a grant allocation of 115k (2011/12) and provisionally 133k (2012/13) to fulfill the Council's preliminary functions under the Flood and Water Management Act. The figure is calculated as a flat rate to all LLFA's to cover the minimum staff requirement of a full time Chartered Engineer and a Technician, plus an additional element dependent upon flood risk in the area. The Council's Engineering Consultancy can fulfil this requirement as an extension to the existing Land Drainage and Coast Protection functions.
- 7.2 The 2011/12 grant funding is to assist the Council in carrying out the new functions under the Act and to provide an opportunity to enhance the skills and capabilities of staff involved with implementing the new flood risk management functions.

- 7.3 LLFA's are currently awaiting final guidance for setting up of the SAB (as discussed above). It is envisaged by Government that in the long term, the SAB is to be financed on a fee basis to be paid by the applicant / developer. However, in the short term, the above grant is to be used to set up relevant processes and linkages.

8 NEXT STEPS AND SUMMARY

- 8.1 The grant funding of £115k (2011/12) and the provisional award of £133k (2012/13) will allow the key objectives for the Council over this period to be achieved and ensure that the Council is proactive in implementing the responsibilities from the new legislation. (Appendix A of the report highlights progress already made on implementing solutions on the ground.)
- 8.2 An event will be held for members on the Surface Water Management Plan with public consultation prior to completion of the plan.
- 8.3 Future Cabinet Reports will be presented regarding the PFRA, the outcome and implications of the SWMP and progress with both the SAB and Local Strategy.

9 RECOMMENDATIONS

- 9.1 It is recommended that Cabinet note the report and that further update reports on this subject will be brought to Cabinet in the near future.

10 REASON FOR RECOMMENDATIONS

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

11 BACKGROUND PAPERS

1. Flood Risk Regulations – November 2009.
2. Selecting and Reviewing Flood Risk Areas for local sources of flooding (DEFRA) – 2010.
3. Flood and Water Management Act – April 2010.
4. Preliminary Flood Risk Assessments, Final Guide (Environment Agency) – December 2010.
5. Cabinet Report dated 24th May 2010.
6. Transport and Neighbourhoods Portfolio Report dated 17th May 2010.
7. Scheme files in the Engineering Consultancy Section.

12 CONTACT OFFICER

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UPDATE – FLOOD AND WATER MANAGEMENT ACT 2010 AND FLOOD RISK REGULATIONS 2009: APPENDIX A

LOCAL FLOOD MANAGEMENT PROJECTS (2010/11)

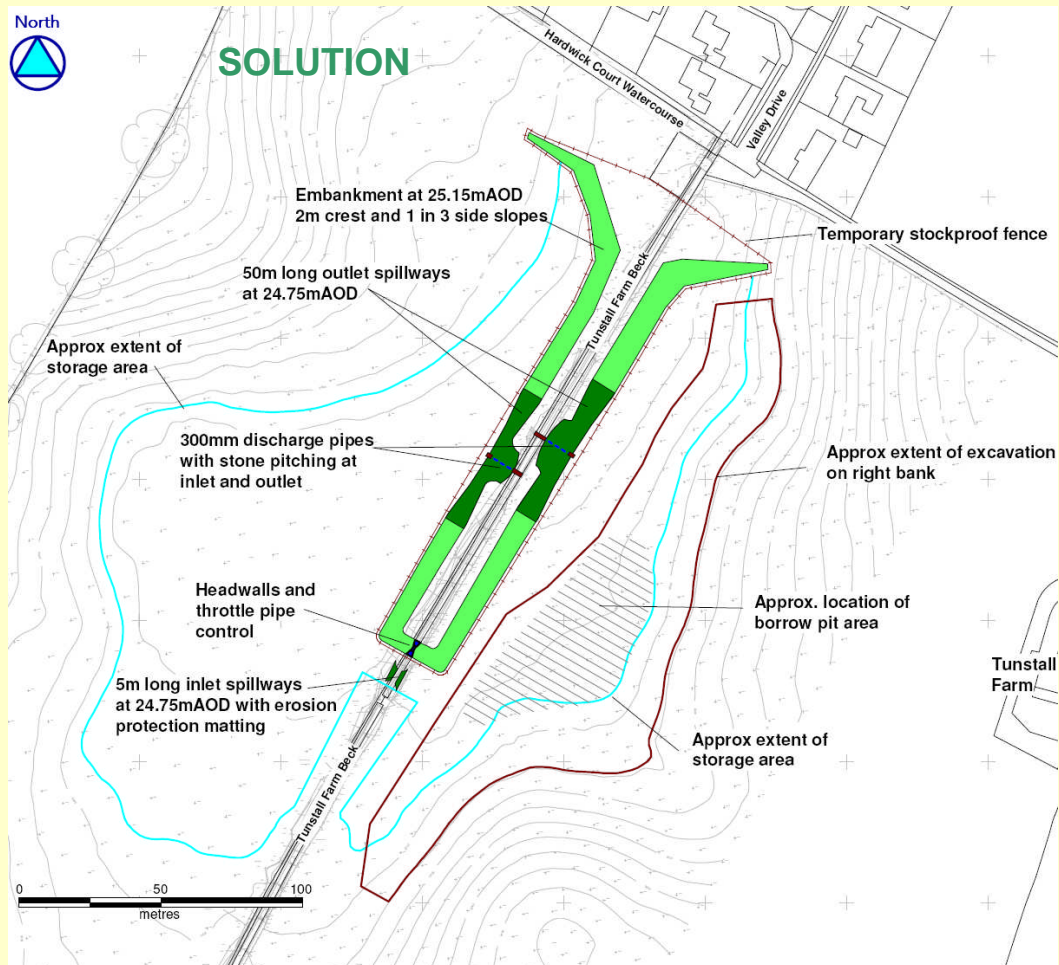
Tunstall Farm Beck

The Cabinet Report dated 24 May 2010 reported that funding had been secured against strong competition to develop the Hartlepool Surface Water Management Plan. Additionally it was intended that the money would also be used to undertake a targeted study at Valley Drive (Tunstall Farm Beck) as the EA had confirmed that some money may be available under their Local Levy Programme.

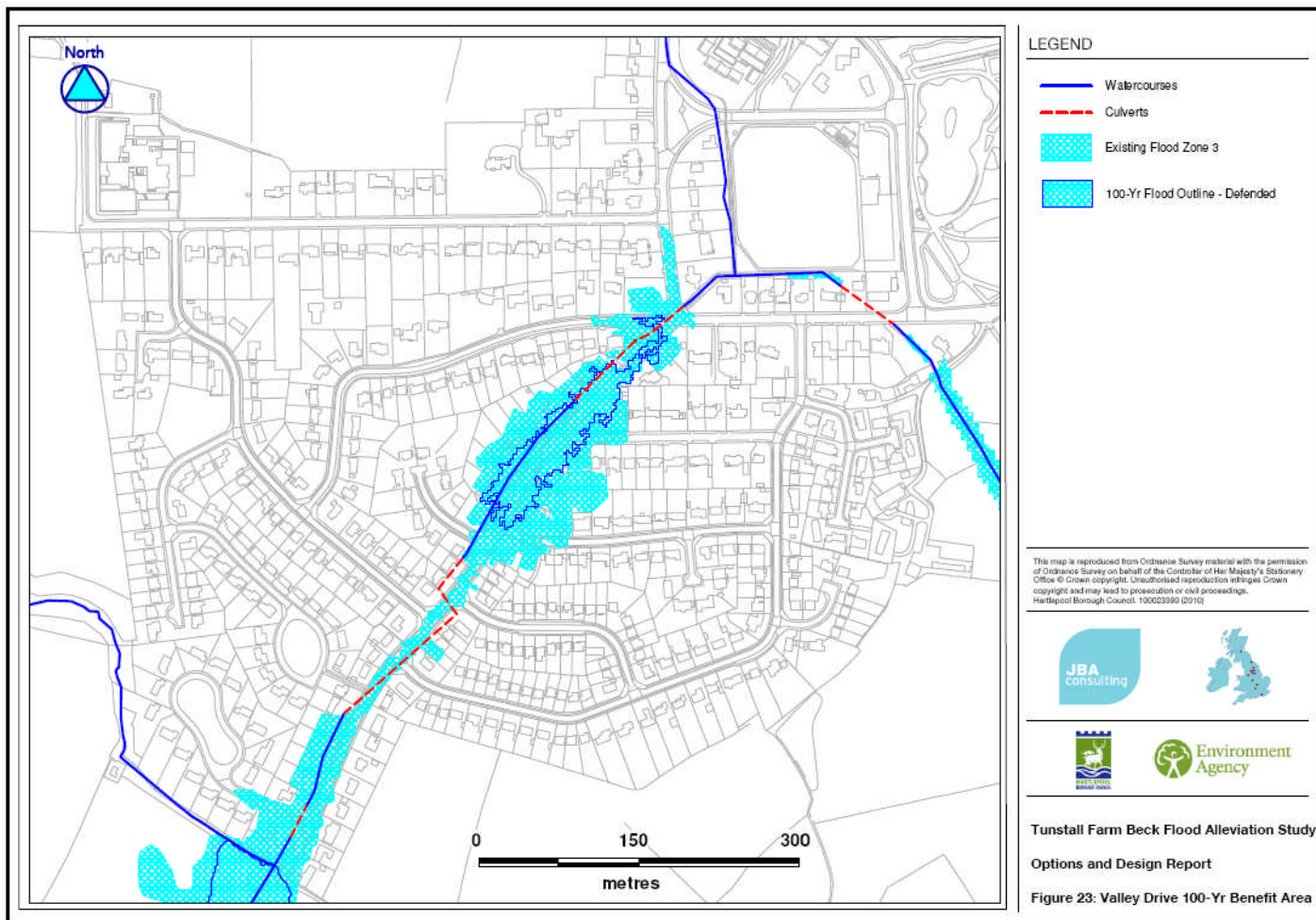
The Valley Drive study assessed options to reduce flooding and designed two separate balancing pond areas upstream of Valley Drive within neighbouring farmland. The design proposals were presented during a public consultation event on 4th October 2010. With the land owners permission, the construction work began in January 2011 and are now complete; the Council's Engineering Consultancy provided project management and site supervision of the works. The flood alleviation works will upgrade the protection of properties, particularly along Valley Drive, up to a 1 in 75 year flood event.

Photographs and plans outlining the works are presented below:





The drawing below shows the positive effect of the works in reducing the extent of the predicted Environment Agency Flood Zone 3 (to that within the dark blue area).



Powlett Road

Residents in Powlett Road have reported problems with respect to wet and waterlogged rear gardens and standing water in under-floor voids for a considerable period of time. Anecdotal evidence is that the problem started some 10 years ago and was progressively becoming worse year upon year.

Approval to implement a scheme was given by the Portfolio Holder following a report to Transport and Neighbourhoods Portfolio dated 17th May 2010.

The design solution was the construction of an infiltration trench, inspection chambers and associated pipe work. Agreement was reached with Northumbrian Water to accept flows from the land drainage works into their surface water sewer in Bakers Mead. This scheme embodies the principles of the Flood Risk Regulations 2009 and Flood and Water Management Act 2010 as the relevant authorities co-operated and worked together to implement a solution and manage flood risk.

PROBLEM



SOLUTION

