

COMMUNITY SAFETY AND HOUSING PORTFOLIO DECISION SCHEDULE



Friday 2nd September 2011

at 10.00 am

in Committee Room B, Civic Centre, Hartlepool

The Mayor, Stuart Drummond responsible for Community Safety and Housing will consider the following items.

1. KEY DECISIONS

No items

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Amended Charges for Building Control – *Assistant Director (Regeneration and Planning)*
- 2.2 Briarfields Paddock and the Former Ambulance Station Draft Planning and Development Brief – *Assistant Director (Regeneration and Planning)*
- 2.3 Empty Homes Strategy Update – *Assistant Director (Regeneration and Planning)*
- 2.4 Heritage at Risk Register for Hartlepool – *Assistant Director (Regeneration and Planning)*
- 2.5 Introduction of Charges for Pre-Application Advice and Monitoring of Planning Legal Agreement – *Assistant Director (Regeneration and Planning)*
- 2.6 Talking Cameras – *Assistant Director (Neighbourhood Services)*
- 2.7 Trading Standards Service Plan 2011/12 – *Assistant Director (Regeneration and Planning)*
- 2.8 Baden Street Improvement Scheme Proposal – *Assistant Director (Regeneration and Planning)*

3. ITEMS FOR INFORMATION

- 3.1 Housing Starts and Completions Update – *Assistant Director (Regeneration and Planning)*

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: AMENDED CHARGES FOR BUILDING
CONTROL

SUMMARY

1. PURPOSE OF REPORT

To update the Portfolio Holder on the position in respect of Building Control charges and to seek agreement to the proposed new charges with effect from 1 January 2012.

2. SUMMARY OF CONTENTS

The 1998 Regulations have been replaced by 'The Building (Local Authority Charges) Regulations 2010' introducing a new more flexible approach to setting charges based on the actual surveyor input time for chargeable work. This should allow Local Authorities to compete more effectively with Approved Inspectors (private Building Control providers) to win work.

The latest charge Regulations require Authorities to set charges at such a level to fully recover their relevant costs for fee earning work. Much work has been done to ensure as far as possible that the new charges will cover the current costs for the fee earning portion of the service whilst keeping any charge increases to a minimum to ensure we remain competitive both in cost and service delivery against private building control providers.

The charging system is based on the Council achieving full cost recovery for the chargeable element of the service each year. It is proposed therefore that the Council hourly rate is set at £56 excl. VAT which may need to be reviewed periodically to ensure this remains adequate. Each charge has been calculated using the hourly rate multiplied by the number of hours of work involved for specific application types.

Building Control charges will be reviewed each year and as before the income from charging should equal the cost of the fee earning element of the Building Control Service (plan checking and site inspection) over any three year rolling period.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder is responsible for the Building Control Charges Scheme.

4. TYPE OF DECISION

Non-Key

5. DECISION MAKING ROUTE

Portfolio Holder meeting on 2 September 2011.

6. DECISION REQUIRED

The Portfolio Holder formally adopts the proposed new Building Control Charges Scheme from the 1st January 2012.

Report of: Assistant Director (Regeneration and Planning)

Subject: AMENDED CHARGES FOR BUILDING CONTROL

1. PURPOSE OF REPORT

- 1.1 To update the Portfolio Holder on the position in respect of Building Control charges and to seek agreement to the proposed new charges with effect from 1 January 2012.

2. BACKGROUND

- 2.1 On 1 April 1999 the Government devolved the setting of Building Control charges to individual Local Authorities by way of the introduction of The Building (Local Authority Charges) Regulations 1998. These regulations were drafted in the form of “principles” with sufficient detail and precision to provide that all Building Control Authorities had a consistent scheme throughout England and Wales.
- 2.2 The 1998 Regulations have now been replaced by ‘The Building (Local Authority Charges) Regulations 2010’ to address the inflexibility and restrictions in the 1998 regulations by introducing a new more flexible approach to setting charges based on the actual surveyor input time for chargeable work. This should allow Local Authorities to compete more effectively with Approved Inspectors (private Building Control providers) to win work.
- 2.3 The latest charge Regulations require Authorities to set charges at such a level as to fully cover their relevant costs for fee earning work. As this is a totally new method for recovering these costs much work has been done to ensure as far as possible that the new charges will cover the current costs for the fee earning portion of the service whilst keeping any charge increases to a minimum to ensure we remain competitive both in cost and service delivery against private building control.
- 2.4 With the new Regulations the charging system is based on the Council achieving full cost recovery for the chargeable element of the service each year. The chargeable element is for the service to plan appraise and site inspect various building work subject to the Building Regulations. It should be noted, however, that many other Building Control functions, such as works for people with disabilities, safety at

sports grounds and enforcement and general advice do not attract a charge and are hence regarded as 'non chargeable elements'.

- 2.5 Building Control charges will be reviewed each year and as before the income from charging should equal the cost of the fee earning element of the Building Control Service (plan checking and site inspection) over any three year rolling period.

3. PROPOSALS / OPTIONS

- 3.1 The Council's present Building Control charging scheme, was approved by the Portfolio Holder on the 30th July 2010
- 3.2 To maintain a degree of consistency nationally, the LABC (Local Authority Building Control – this is the member organisation that represents Local Authority Building Control departments in England and Wales) have produced a model scheme, which ensures that charges are made on a common basis. This scheme allows some flexibility for local adjustment as dictated by the requirement of the charges regulations in relation to the recovery of costs. The Council has decided to adopt this scheme as a basis of our building control charges.
- 3.3 Whilst the Local Authority Building Control model has been used as a basis for the scheme LABC have not published any levels of recommended charges for Authorities, as this must be decided by individual Authorities based on their calculated hourly charge.
- 3.4 The charges have therefore been recommended in line with published information from CIPFA using the LABC model scheme as a basis for categories. Our previous charges scheme has therefore been completely changed.
- 3.5 It is proposed that the Council basis its charges on a revised figure of £56 excl (previously £50). VAT hourly rate commencing from the 1st January 2012 which may need to be reviewed periodically to ensure this is adequate. Each work category description has been given a calculated hourly time based on past history of work types and experience. The charges have then been calculated using the hourly rate multiplied by the number of hours of work involved for specific application types. (The expected hours for each category are shown in brackets next to the proposed charge in the tables in the attached charges scheme, **Appendix 1**).
- 3.6 The level of charges has resulted in a similar charge rate as the other Tees Valley Authorities. This will therefore assist our clients working across boundaries.

- 3.7 Following the introduction of this scheme it has also been recognised that a further category of work on domestic internal / external alterations needed adding to cover very minor work up to £500 in value to a cost of £56 + VAT.
- 3.8 It proposed that the current £35 (Not VAT rated) for the search and reproduction for copies of building regulation decision and completion certificates is maintained. This is to cover the costs of obtaining and printing copies

4. RISK IMPLICATIONS

- 4.1 If this scheme is not accepted the Council will be unable to continue with charging until such a scheme is in place.
- 4.2 The hourly rate of £56 excl. VAT reflects actual costs and past records have been used for the number and type of applications to calculate as accurately as possible the hours spent on various projects. A similar amount of work is expected as the previous year – although in the current economic climate we feel this remains difficult to judge accurately. The risk is therefore that the Council may not achieve full cost recovery in line with the schemes principle, although as much as possible has been done to minimise this risk. Year ending 31st March 2011 resulted in a minor deficit of £4,436.09 so this increase will also contribute to reducing this figure further for 2011/2012 and 2012/2013
- 4.3 We have also ensured that charges remain competitive against private building control bodies so we can reduce the risk of losing work to them.

5. FINANCIAL CONSIDERATIONS

- 5.1 The Building Control Service is subject to competition from the private sector and especially in the current economic climate it makes expenditure on staff and income difficult to predict. However, levels of income against expenditure are monitored continuously and it is anticipated, given present workload levels, and pressures on salaries that income from the proposed charge levels should be equal to the level of expenditure on the charge account based on the CIPFA accounting methods.

6. EQUALITY AND DIVERSITY CONSIDERATIONS

- 6.1 Charges for work for disabled person's remains charge exempt in a similar manner to the previous scheme.

7. SECTION 17

7.1 No impact

8. IMPACT CHILD / FAMILY POVERTY

8.1 No impact

9. RECOMMENDATION

9.1 That the Portfolio Holder formally adopts the proposed new scheme as attached from the 1st January 2012.

10. REASONS FOR RECOMENDATION

10.1 Given that we must cover our costs and that the hourly rate has been calculated from staff levels and income from the expected workload then Hartlepool Borough Council's proposed Building Control Scheme should provide a full cost recovery of its chargeable services.

11. CONTACT OFFICER

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HARTLEPOOL BOROUGH COUNCIL
BUILDING CONTROL
SCHEME FOR THE RECOVERY OF
BUILDING REGULATION CHARGES
2012 – 2013

Effective from 1st January 2012



1.0 Introduction

- 1.1 The charges scheme is made under 'The Building (Local Authority Charges) Regulations 2010' and comes into effect on the 1st January 2012.

It will remain in force until it is amended or modified in accordance with the regulations.

Please note this document should be read in conjunction with 'The Building (Local Authority Charges) Regulations 2010'.

2.0 Definitions

The following definitions apply to this Charging Scheme and should be read in conjunction with the other clauses and tables which constitute the Charging Scheme:

‘the Act’ - means The Building Act 1984

‘building’ - means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building.

‘building notice’ - means a notice given in accordance with regulations 12(2)(A)(a) and 13 of the Building Regulations 2000 (as amended).

‘building usage’ - means for the purposes of this scheme, the purpose groups set out in Approved Document B of the Building Regulations 2000 (as amended).

‘building work’ means:

- (a) the erection or extension of a building;
- (b) the provision or extension of a controlled service or fitting in or in connection with a building;
- (c) the material alteration of a building, or a controlled service or fitting;
- (d) work required by building regulation 6 (requirements relating to material change of use);
- (e) the insertion of insulating material into the cavity wall of a building;
- (f) work involving the underpinning of a building;
- (g) work required by building regulation 4A (requirements relating to thermal elements);
- (h) work required by building regulation 4B (requirements relating to a change of energy status);
- (i) work required by building regulation 17D (consequential improvements to energy performance);

‘change of use’ - means a material change of use as set out in regulation 5 of the Building Regulations 2000 (as amended).

‘chargeable function’ - means a function relating to the following –

- (a) the passing or rejection of plans of proposed building work which has been deposited with the council in accordance with section 16 of the Building Act 1984 (as amended).
- (b) the inspection of building work for which plans have been deposited with the council in accordance with the Building Regulation 2000 (as amended) and with section 16 of the Building Act 1984 (as amended)
- (c) the consideration of a building notice which has been given to the council in accordance with the Building Regulations 2000 (as amended)
- (d) the consideration of building work reverting to the council under the Building (Approved Inspectors etc.) Regulations 2000 (as amended)
- (e) the consideration of a regularisation application submitted to the council under regulation 21 of the Building Regulations 2000 (as amended).

‘cost’ - does not include any professional fees paid to an architect, quantity surveyor or any other person.

‘dwelling’ - includes a dwelling-house and a flat.

‘dwelling-house’ - does not include a flat or a building containing a flat.

‘flat’ - means a separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally.

‘floor area of a building or extension’ - is the total floor area of all the storeys which comprise that building. It is calculated by reference to the finished internal faces of the walls enclosing the area, or, if at any point there is no enclosing wall, by reference to the outermost edge of the floor.

2.0 Definitions

‘relevant person’ means:

- (a) in relation to a plan charge, inspection charge, reversion charge or building notice charge, the person who carries out the building work or on whose behalf the building work is carried out;
- (b) in relation to a regularisation charge, the owner of the building; and
- (c) in relation to chargeable advice, any person requesting advice for which a charge may be made pursuant to the definition of ‘chargeable advice’

‘Other Residential (Institutional and Other Residential) building’ - Approved document B: Volume 2 table D1 states that:

- 2(a) Institutional - Hospital, home, school or other similar establishment used as living accommodation for, or for the treatment, care or maintenance of persons suffering from disabilities due to illness or old age or other physical or mental incapacity, or under the age of 5 years, or place of lawful detention, where such persons sleep on the premises.
- 2(b) Other - Hotel, boarding house, residential college, hall of residence, hostel and any other residential purpose not described above

‘Assembly and Recreational building’ - Approved document B: Volume 2 table D1 states that: Place of assembly, entertainment or recreation; including bingo halls, broadcasting, recording and film studios open to the public, casinos, dance halls; entertainment, conference, exhibition and leisure centres; funfairs and amusement arcades; museums and art galleries; non-residential clubs, theatres, cinemas and concert halls; educational establishments, dancing schools, gymnasia, swimming pool buildings, riding schools, skating rinks, sports pavilions, sports stadia; law courts; churches and other buildings of worship, crematoria; libraries open to the public, non-residential day centres, clinics, health centres and surgeries; passenger stations and termini for air, rail, road or sea travel; public toilets; zoos and menageries.

‘Industrial and storage building’ - Approved document B: Volume 2 table D1 states that: Factories and other premises used for manufacturing, altering, repairing, cleaning, washing, breaking-up, adapting or processing any article; generating power or slaughtering livestock.

Place for the storage or deposit of goods or materials (other than described under 7(b)) and any building not within any of the Purpose Groups 1 to 6.

Car parks designed to admit and accommodate only cars, motorcycles and passenger or light goods vehicles weighing no more than 2500kg gross.

‘Office’ - Approved document B: Volume 2 table D1 states that:

Offices or premises used for the purpose of administration, clerical work (including writing, book keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication, police and fire and rescue service work), handling money (including banking and building society work), and communications (including postal, telegraph and radio communications) or radio, television, film, audio or video recording, or performance (not open to the public) and their control.

‘Shop and Commercial’ - Approved document B: Volume 2 table D1 states that:

Shops or premises used for a retail trade or business (including the sale to members of the public of food or drink for immediate consumption and retail by auction, self-selection and over-the-counter wholesale trading, the business of lending books or periodicals for gain and the business of a barber or hairdresser and the rental of storage space to the public) and premises to which the public is invited to deliver or collect goods in connection with their hire repair or other treatment, or (except in the case of repair of motor vehicles) where they themselves may carry out such repairs or other treatments.

3.0 Principles of this Scheme

- 3.1 The set charges or method of establishing the charge have been established in this scheme for the functions prescribed in the Building (Local Authority Charges) Regulations 2010 (referred to as the chargeable functions), namely:
- **A plan charge**, payable when plans of the building work are deposited with the Local Authority.
 - **An inspection charge**, payable on demand after the authority carry out the first inspection in respect of which the charge is payable.
 - **A building notice charge**, payable when the building notice is given to the authority.
 - **A reversion charge**, payable for building work in relation to a building: -
 - Which has been substantially completed before plans are first deposited with the Authority in accordance with Regulation 20(2)(a)(i) of the Approved Inspectors Regulations, or
 - In respect of which plans for further building work have been deposited with the Authority in accordance with the Regulation 20(3) of the Approved Inspectors Regulations, on the first occasion on which those plans are or have been deposited.
 - **A regularisation charge**, payable at the time of the application to the authority in accordance with Regulation 21 of the Building Regulations.
 - **Chargeable advice**, LAs can make a charge for giving advice in anticipation of the future exercise of their chargeable functions (i.e. before an application or notice is received for a particular case), which is payable after the first hour of advice, on demand after the authority has given notice required by Regulation 7(7) of the Building (Local Authority) Charges Regulations 2010 (i.e. the charge has been confirmed in writing following an individual determination). This charge can be discounted from a subsequent application or notice received for the work in question.
- 3.2 The above charges are payable by the relevant person (see definitions).
- 3.3 Any charge which is payable to the authority may, in a particular case, and with the agreement of the authority, be paid by instalments of such amounts payable on such dates as may be specified by the authority. If the applicant and an authority are agreeable, an inspection charge can be fully or partly paid up front with the plans charge.
- 3.4 The charge for providing a chargeable function or chargeable advice is based on the principle of achieving full cost recovery. The charges will be calculated by using the Council officers' average hourly rate stated in the charging scheme, multiplied by the time taken to carry out the functions/advice, taking the following factors into account, as applicable, in estimating the time required by officers to carry out the function/advice:
1. The existing use of a building, or the proposed use of the building after completion of the building work;

2. The different kinds of building work described in regulation 3(1)(a) to (i) of the Building Regulations;
3. The floor area of the building or extension;
4. The nature of the design of the building work and whether innovative or high risk construction techniques are to be used;
5. The estimated duration of the building work and the anticipated number of inspections to be carried out;
6. The estimated cost of the building work;
7. Whether a person who intends to carry out part of the building work is a person mentioned in regulation 12(5) or 20B(4) of the Building Regulations (i.e. related to competent person/self certification schemes);
8. Whether in respect of the building work a notification will be made in accordance with regulation 20A(4) of the Building Regulations (i.e. where design details approved by Robust Details Ltd have been used);
9. Whether an application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other;
10. Whether an application or building notice is in respect of building work, which is substantially the same as building work in respect of which plans have previously been deposited or building works inspected by the same local authority;
11. Whether chargeable advice has been given which is likely to result in less time being taken by a local authority to perform that function;
12. Whether it is necessary to engage and incur the costs of a consultant to provide specialist advice in relation to a particular aspect of the building work.

4.0 Principals of the scheme in respect of the erection of domestic buildings, garages, carports and extensions

Where the charge relates to an erection of a dwelling the charge includes for the provision of a detached or attached domestic garage or carport providing it is constructed at the same time as the dwelling.

Where any building work comprises or includes the erection of more than one extension to a building, the total floor areas of all such extensions shall be aggregated to determine the relevant charge payable, providing that the building work for all aggregated extensions is carried out at the same time.

5.0 Exemption from charges

- 5.1 The Authority has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing dwelling that is, or is to be, occupied by a disabled person as

a permanent residence; and where the whole of the building work in question is solely-

- (a) for the purpose of providing means of access for the disabled person by way of entrance or exit to or from the dwelling or any part of it, or
- (b) for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of the disabled person.

5.2 The council has not fixed by means of its scheme, nor intends to recover a charge for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of a disabled person in relation to an existing dwelling, which is, or is to be, occupied by that disabled person as a permanent residence where such work consists of-

- (a) the adaptation or extension of existing accommodation or an existing facility or the provision of alternative accommodation or an alternative facility where the existing accommodation or facility could not be used by the disabled person or could be used by the disabled person only with assistance; or
- (b) the provision of extension of a room which is or will be used solely-
 - (i) for the carrying out for the benefit of the disabled person of medical treatment which cannot reasonably be carried out in any other room in the dwelling, or
 - (ii) for the storage of medical equipment for the use of the disabled person, or
 - (iii) to provide sleeping accommodation for a carer where the disabled person requires 24-hour care.

5.3 The council has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing building to which members of the public are admitted (whether on payment or otherwise); and where the whole of the building work in question is solely-

- (a) for the purpose of providing means of access for disabled persons by way of entrance or exit to or from the building or any part of it; or
- (b) for the provision of facilities designed to secure the greater health, safety, welfare or disabled persons.

Note: 'disabled person' means a person who is within any of the descriptions of persons to whom Section 29(1) of the National Assistance Act 1948, as extended by virtue of Section 8(2) of the Mental Health Act 1959, applied but disregarding the amendments made by paragraph 11 of Schedule 13 to the Children Act 1989. The words in section 8(2) of the Mental Health Act 1959 which extend the meaning of disabled person in section 29(1) of the National Assistance Act 1948, are prospectively repealed by the National Health Service and Community Care Act 1990, section 66(2), Schedule 10, as from a day to be appointed.

6.0 Information required to determine charges

If the authority requires additional information to enable it to determine the correct charge the authority can request the information under the provisions of regulation 9 of The Building (Local Authority Charges) Regulation 2010.

The standard information required for all applications is detailed on the authority's Building Regulation application forms. This includes the existing and proposed use of the building and a description of the building work

Additional information may be required in relation to –

- The floor area of the building or extension
- The estimated duration of the building work and the anticipated number of inspections to be carried out.
- The use of competent persons or Robust Details Ltd.
- Any accreditations held by the builder or other member of the design team.
- The nature of the design of the building work and whether innovative or high-risk construction is to be used.
- The estimated cost of the building work. If this is used as one of the factors in establishing a charge the 'estimate' is required to be such reasonable amount as would be charged by a person in business to carry out such building work (excluding the amount of any value added tax chargeable).

7.0 Establishing the Charge

- 7.1 The authority has established standard charges using the principles contained within The Building (Local Authority Charges) Regulation 2010. Standard charges are detailed in the following tables. In the tables below any reference to number of storeys includes each basement level as one-storey and floor areas are cumulative.
- 7.2 If the building work you are undertaking is not listed as a standard charge it will be individually determined in accordance with the principles and relevant factors contained within The Building (Local Authority Charges) Regulation 2010. If the authority considers it necessary to engage and incur the costs of a consultant to provide specialist advice or services in relation to a particular aspect of building work, those costs shall also be included in setting the charge.
- 7.3 When the charge is individually determined the authority shall calculate the charge in the same way a standard charge was set by using the average hourly rate of officers' time, multiplied by the estimated time taken to carry out their building regulation functions in relation to that particular piece of building work and taking into account the applicable factors listed in regulation 7(5) of the charges regulations.
- 7.4 Individually determined charges will be confirmed in writing specifying the amount of the charge and the factors that have been taken into account in determining the charge.
- 7.5 The building regulation charges for the following types of building work will be individually determined and the authority will state which factors in regulation 7(5) of the charges regulations it has taken into account in establishing a standard or individually determined charge:
 - A reversion charge;
 - Building work is in relation to more than one building or;
 - Building work consisting of alterations to any use of building where the estimated cost exceeds £100,000 or;

- Work consisting of a non-domestic extension or new build and the floor area exceeds 200m² or;
- Work consisting of a single storey domestic extension over 100m² or;
- Work consisting of a two storey domestic extension over 200m² or;
- Work consisting of a domestic garage or carport with a floor area over 100m² or;
- Work consisting of the erection or conversion of 20 or more dwellings or;
- Work consisting of the erection or conversion of dwellings where the floor area of each dwelling exceeds 300m² or;
- Any other work when the estimated cost of work exceeds £250,000 or;
- Non domestic window or shop fronts of more than 50 windows
- Where more than one standard charge applies to the building work and, with the agreement of the relevant person, the authority will establish the charge by individually determining the charge.
- Where in accordance with Regulation 7(5)(i) of the charges regulations one application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other.

8.0 Other matters relating to calculation of charges

- In calculating these charges, refunds or supplementary charges, an officer hourly rate of £56 excl. VAT has been used.
- Any charge payable to the authority shall be paid with an amount equal to any value added tax payable in respect of that charge.
- Charges are not payable for the first hour when calculating an advice charge
- The authority accepts payment by instalment in respect of all building work where the total charge exceeds £500. The authority on request will specify the amounts payable and dates on which instalments are to be paid.
- Except where otherwise stated the split between the plan and inspection charge will be 30% / 70%.

9.0 Reductions

The authority shall make a reduction in a standard or individually determined charge when chargeable advice has been given before receipt of an application or notice for proposed building work, which is likely to result in less time being taken by the local authority to perform the chargeable function for that work.

When it is intended to carry out additional building work on a dwelling at the same time that any of the work to which Table C relates then the charge for category 4 work up to £5,000 and category 5 work up to 20 windows shall be reduced by 50%.

Where in accordance with Regulation 7(5)(j) of the charges regulations an application or building notice is in respect of building work which, where it can be demonstrated by the applicant or their agent that that building work is substantially the same as work in respect of which plans have previously been deposited by that applicant or agent or building works inspected by the same local authority, a 50% reduction in plan charge will be made.

10.0 Refunds and supplementary charges

- 10.1 If on the basis on which the standard charge or individually determined charge has been set changes, the local authority will refund or request a supplementary charge and provide a written statement setting out the basis of the refund/supplementary charge and also state how this has been calculated. In the calculation of refunds/supplementary charges no account shall be taken of the first hour of an officer's time.
- 10.2 Supplementary charges are shown in the tables of standard charges and supplementary charges will also be made in relation to individually assessed charges when work, or the relevant part of the work, has been, or intends to be carried out by a person mentioned in regulation 12(5) or 20B(4) of the Building Regulations in respect of that part of the work, (*i.e. competent person/self-certification or other defined non-notifiable work*).
- 10.3 Certain charges are calculated by reference to the total aggregated time taken to discharge the required function. The Plan Charge and Inspection charges are therefore not necessarily split in accordance with the general percentage split as set out above.

11.0 Non-Payment of a Charge

- 11.1 Your attention is drawn to Regulation 8(2) of the Building (Local Authority Charges) Regulations 2010, which explains that plans are not treated as being deposited for the purposes of Section 16 of the Building Act or building notices given unless the Council has received the correct and full applicable charge. In other words, relevant timescales do not start until the agreed payment has been made. The debt recovery team of the authority will also pursue any non-payment of inspection charges.

12.0 Complaints about Charges

- 12.1 If you have a complaint about the level of charges you should initially raise your concern with the relevant officer. The council has a comprehensive complaint handling process. If your complaint is not satisfactorily responded to by the officer concerned, details of how to resolve your complaint is available on request and can be viewed on the council's web site.

13.0 Publicity

- 13.1 The Local Authority shall, not less than seven days before the coming into effect publish the fact that a charging scheme or an amended charging scheme has been made, the date on which it comes into effect and the address and times at which a copy of the charging scheme may be inspected free of charge

14.0 Transitional Provisions

- 14.1 The Council's scheme for the recovery of charges dated 1st January 2011 continues to apply in relation to building work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application is made, before 1st January 2012.

15.0 Monitoring and Review

- 15.1 The Council will monitor the charges within this scheme in order to meet the accounting requirements contained in the regulations
- 15.2 Periodic amendments or replacement of this scheme may be necessary. Any such amendment or replacement shall be subject to the publicity requirements above.

16.0 Standard charges

- 16.1 Standard charges includes works of drainage in connection with the erection or extension of a building or buildings, even where those works are commenced in advance of the plans for the building(s) being deposited.
- 16.2 These standard charges have been set by the authority on the basis that the building work does not consist of, or include, innovative or high risk construction techniques (clarification is available from the authority). The duration of the building work from commencement to completion does not exceed 12 months.
- 16.3 The charges have also been set on the basis that the design and building work is undertaken by a person or company that is competent to carry out the design and building work referred to in the standard charges tables that they are undertaking. If not, the work may incur supplementary charges.
- 16.4 If chargeable advice has been given in respect of any of the work detailed in these tables and this is likely to result in less time being taken by the authority when a submission is made then a reduction to the standard charge may be made. If no submission is received within 6 months or a submission is made other than to this authority then an invoice will be issued for the cost of this advice.

16.5 Plan and Inspection Charges

The plan charge and inspection charge are listed in tables A to E.

16.6 Building Notice Charge

The Building Notice charge is the plan and inspection charge added and is listed in tables A to E.

16.7 Reversion Charge

These charges will be individually determined

16.8 Regularisation Charge

The charge is listed in listed in tables A to E.

17.0 Further Advice

17.1 Further information and advice concerning Building Regulation charges can be obtained from:

Garry Hutchison MRICS
Building Control Manager
Hartlepool Borough Council
Bryan Hanson House
Hanson Square
Hartlepool
TS24 7BT

TABLE A - Standard charges for the creation or conversion to new dwelling

Number of Dwellings	Plan Charge £ (hours)	Inspection Charge £ (hours)	Building Notice Charge £	Regularisation charge £	Additional charge £
[1]	[2]	[3]	[4]	[5]	[6]
1	168 (3.0)	420 (7.5)	588	785	336
2	224 (4.0)	588 (10.5)	812	1,092	336
3	308 (5.5)	756 (13.5)	1,064	1,456	336
4	392 (7.0)	952 (17.0)	1,344	1,820	336
5	448 (8.0)	1,008 (18.0)	1,456	1,960	336
6	504 (9.0)	1,176 (21.0)	1,680	2,268	336
7	532 (9.5)	1,259 (22.5)	1,792	2,408	336
8	588 (10.5)	1,428 (25.5)	2,016	2,716	336
9	644 (11.5)	1,484 (26.5)	2,128	2,856	336
10	700 (12.5)	1,652 (29.5)	2,352	3,164	336
11	784 (14.0)	1,792 (32.0)	2,576	3,472	336
12	840 (15.0)	1,960 (35.0)	2,800	3,780	336
13	868 (15.5)	2,044 (36.5)	2,912	3,920	336
14	924 (16.5)	2,212 (39.5)	3,136	4,228	336
15	980 (17.5)	2,268 (40.5)	3,248	4,368	336
16	1,036 (18.5)	2,408 (43.0)	3,444	4,676	336
17	1,064 (19.0)	2,520 (45.0)	3,584	4,844	336
18	1,120 (20.0)	2,576 (46.0)	3,696	4,984	336
19	1,176 (21.0)	2,744 (49.0)	3,920	5,292	336
20	1,232 (22.0)	2,912 (52.0)	4,144	5,572	336

Note:

- For more than 20 dwellings, or if the floor area of a dwelling exceeds 300m² the charge will be individually determined
- The number of dwelling types should be used for the plan appraisal charge and not the total number of dwellings on site
- The total number of dwellings on site should be used for the inspection charge

* An additional charge is for work when the relevant building work, or part thereof, has not been carried out by a person referred to in regulation 7(5) (g) or (h) of the Building (Local Authority Charges) Regulations 2010 applies. It is additional to the inspection charge, building notice charge or regularisation charge.

TABLE B - Domestic extensions to a single domestic building

Category	Description	Plan Charge £ (hours)	Inspection Charge £ (hours)	Building Notice Charge £ (hours)	Regularisation charge £	Additional charge £ *
1	Single storey extension with a floor area not exceeding 10m ²	112 (2.0)	196 (3.5)	308 (5.5)	430	280
2	Single storey extension floor area exceeding 10m ² but not exceeding 40m ²	196 (3.5)	252 (4.5)	448 (8.0)	620	280
3	Single storey extension with a floor area exceeding 40m ² but not exceeding 100m ²	224 (4.0)	336 (6.0)	560 (10.0)	785	280
4	Two storey extension with a floor area not exceeding 40m ²	196 (3.5)	252 (4.5)	448 (8.0)	620	280
5	Two storey extension with a floor area exceeding 40m ² but not exceeding 200m ²	252 (4.5)	336 (6.0)	588 (10.5)	785	280
6	A loft conversion that does not include the construction of a dormer	196 (3.5)	224 (4.0)	420 (7.5)	620	280
7	A loft conversion that includes the construction of a dormer	252 (4.5)	224 (4.0)	476 (8.5)	700	280
8	Erection or extension of a non exempt detached domestic garage or carport up to 100m ²	56 (1.0)	112 (2.0)	168 (3.0)	255	280
9	Erection of a non exempt attached single storey extension of a domestic garage or carport up to 100m ²	56 (1.0)	112 (2.0)	168 (3.0)	255	280
10	Conversion of a garage to a dwelling to a habitable room(s)	112 (2.0)	112 (2.0)	224 (4.0)	310	280
11	Alterations to extend or create a basement up to 100m ²	168 (3.0)	-	168 (3.0)	255	280

- * • An additional charge is for work when the relevant building work, or part thereof, has not been carried out by a person referred to in regulation 7(5) (g) or (h) of the Building (Local Authority Charges) Regulations 2010 applies. It is additional to the inspection charge, building notice charge or regularisation charge.
- Also an additional charge may be payable where complex structural calculations have or need to be submitted as part of the work not complying with the guidance offered in AD A. It is additional to the plan charge, building notice charge or regularisation charge.

TABLE C - Domestic alterations to a single domestic building

Category of Work	Basis of Charge	Plan Charge £ (hours)	Inspection Charge £ (hours)	Building Notice Charge £ (hours)	50% reduction for work carried out at the same time as work referred to in Table B	Regularisation charge
1 Underpinning	Fixed price	112 (2.0)	112 (2.0)	224 (4.0)		310
2 Renovation of thermal elements to a single dwelling.	Fixed price.	140 (2.5)	-	140 (2.5)		200
3 Internal and external alterations, installation of fittings (not electrical or windows) and /or structural alterations. (No additional charge for works ancillary to the building of an extension)	Fixed price based on cost bands: Estimated cost up to £500	56 (1.0)	-	56 (1.0)		80
	Estimated cost up to £1,000	112 (2.0)	-	112 (2.0)		170
	Estimated cost between £1,000 and £5,000	140 (2.5)	-	140 (2.5)		200
	Estimated cost between £5,001 and £25,000	112 (2.0)	224 (4.0)	336 (6.0)		450
	Estimated cost between £25,001 and £50,000	168 (3.0)	336 (6.0)	504 (9.0)		700
	Estimated cost between £50,001 and £75,000	196 (3.5)	336 (6.0)	532 (9.5)		730
4 Window replacement (Fixed price grouped by numbers of windows)	Up to 1	56 (1.0)	-	56 (1.0)		85
	2 to 20	168 (3.0)	-	168 (3.0)		230
	Over 20	224 (4.0)	-	224 (4.0)		310
5 Electrical work (not competent persons scheme). (Fixed price based on extent of works)	Any electrical work other than the rewiring of a dwelling.	56 (1.0)	224 (4.0)	280 (5.0)	N/A	360
	The re-wiring or new installation in a dwelling	56 (1.0)	280 (5.0)	336 (6.0)	N/A	430

TABLE D – Non domestic work - Extensions and new build

Assembly and Recreational use buildings and Other Residential (Institutional and Other),			
Category of work / Description	Plan charge £ (hours)	Inspection charge £ (hours)	Regularisation charge £
1 Floor area not exceeding 10m ²	196 (3.5)	476 (8.5)	924
2 Floor area exceeding 10m ² but not exceeding 40m ²	224 (4.0)	560 (10.0)	1,064
3 Floor area exceeding 40m ² but not exceeding 100m ²	280 (5.0)	644 (11.5)	1,232
4 Floor area exceeding 100m ² but not exceeding 200m ²	308 (5.5)	728 (13.0)	1,400

Industrial and storage			
Category of work / Description	Plan Charge £ (hours)	Inspection charge £ (hours)	Regularisation charge £
1 Floor area not exceeding 10m ²	84 (1.5)	168 (3.0)	364
2 Floor area exceeding 10m ² but not exceeding 40m ²	96 (1.42)	224 (7.0)	448
3 Floor area exceeding 40m ² but not exceeding 100m ²	107 (1.54)	252 (8.0)	476
4 Floor area exceeding 100m ² but not exceeding 200m ²	124 (2.12)	280 (9.0)	532

All other use Classes			
Category of work / Description	Plan Charge £ (hours)	Inspection charge £ (hours)	Regularisation charge £
1 Floor area not exceeding 10m ²	140 (2.5)	308 (5.5)	616
2 Floor area exceeding 10m ² but not exceeding 40m ²	168 (3.0)	392 (7.0)	784
3 Floor area exceeding 40m ² but not exceeding 100m ²	196 (3.5)	448 (8.0)	896
4 Floor area exceeding 100m ² but not exceeding 200m ²	224 (4.0)	504 (9.0)	1,008

The amount of time to carry out the building functions varies dependent upon the different use categories of building. The amount of time to check and inspect a building used for industrial and storage use is less than that for other use, same size buildings and the charge for an assembly use building is higher due to the additional time in respect of this type of work. The use of a building is different under the provisions of the Building Regulations 2000 (as amended). For further definitions see Building Regulations Approved Documents to Part B.

Note: A basement is considered to be a storey and there is an additional charge of £190 if this work is in relation to a basement.

TABLE E – Non domestic work – Alterations

Cat.	Description	Basis of charge	Plan charge £ (hours)	Inspection charge £ (hours)	Regularisation charge
1	Installation of any fitting or other work ancillary to the building of an extension	Included in the charge for the building			
2	Underpinning	Estimated cost up to £50,000	140 (2.5)	336 (6.0)	616
		Exceeding £50,000 up to £100,000	168 (3.0)	392 (7.0)	784
		Exceeding £100,000 up to £250,000	196 (3.5)	448 (8.0)	868
3	Window replacement (non competent persons scheme)	Fixed price grouped by numbers of windows	-	-	-
		Up to 20 windows	56 (1.0)	112 (2.0)	252
		Over 20 up to 50	112 (2.0)	168 (3.0)	364
4	Shop fronts	Fixed price grouped by numbers of windows	-	-	-
		Up to 20 windows	56 (1.0)	112 (2.0)	252
		Over 20 up to 50	84 (1.5)	168 (3.0)	364
5	Renovation of a thermal element	Estimated cost up to £50,000	112 (2.0)	280 (5.0)	560
		Exceeding £50,000 up to £100,000	196 (2.5)	364 (6.5)	784
		Exceeding £100,000 up to £250,000	224 (4.0)	392 (7.0)	868
6	Alterations not described elsewhere including structural alterations and installation of controlled fittings	Estimated cost up to £5,000	56 (1.0)	140 (2.5)	280
		Exceeding £5,000 up to £25,000	112 (2.0)	252 (4.5)	448
		Exceeding £25,000 up to £50,000	112 (2.0)	280 (5.0)	560
		Exceeding £50,000 up to £100,000	140 (2.5)	336 (6.0)	616
		Exceeding £100,000 up to £250,000	168 (3.0)	336 (6.0)	700
7	Installation of Mezzanine floor	Fixed price based on floor area:	-	-	-
		Up to 100m2	56 (1.0)	168 (3.0)	308
		Between 100m2 to 500m2	168 (3.0)	392 (7.0)	784
8	Office fit out	Fixed price based on floor area	-	-	-
		Up to 100m2	56 (1.0)	168 (3.0)	308
		Between 100m2 to 500m2	140 (2.5)	280 (5.0)	588
		Between 500m2 to 1000m2	168 (3.0)	392 (7.0)	784
9	Shop fit out	Fixed price based on floor area	-	-	-
		Floor up to 100m2	56 (1.0)	168 (3.0)	308
		Between 100m2 to 500m2	140 (2.5)	280 (5.0)	588
		Between 500m2 to 1000m2	168 (3.0)	392 (7.0)	784

Additional Charge for the change of use of a building

The charge is £85 where there are no associated substantive building works required to change the use of the building. The charge can be discounted from any application or notice received when substantive works are required.

This additional charge does not apply in relation to a building used for residential purposes that is altered to create more or fewer dwellings.

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: BRIARFIELDS PADDOCK AND THE FORMER
AMBULANCE STATION DRAFT PLANNING
AND DEVELOPMENT BRIEF

SUMMARY

1. PURPOSE OF REPORT

The report seeks Portfolio Holder's endorsement to the draft planning and development brief for Briarfields Paddock and the adjacent former Ambulance Station and requests authorisation to carry out public consultation on the draft brief.

2. SUMMARY OF CONTENTS

The report highlights the intention to dispose of the site for housing purposes, the importance in terms of conservation and planning of the proposed development site, refers to issues relating to land ownership, and requests authorisation to carry out public consultation on the draft brief.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder is responsible for planning and housing matters and the brief is important in the securing the delivery of a high quality residential development within the Park Conservation Area.

4. TYPE OF DECISION

Non Key

5. DECISION MAKING ROUTE

Portfolio Holder meeting 2 September 2011

6. DECISION REQUIRED

Portfolio Holder is requested to approve the draft planning and development brief for the purposes of public consultation.

Report of: Assistant Director (Regeneration and Planning)

Subject: BRIARFIELDS PADDOCK AND THE FORMER
AMBULANCE STATION DRAFT PLANNING
AND DEVELOPMENT BRIEF

1. PURPOSE OF REPORT

- 1.1 The report seeks Portfolio Holder's endorsement to the draft planning and development brief for Briarfields Paddock and the adjacent former Ambulance Station and requests authorisation to carry out public consultation on the draft brief.

2. INFORMATION

- 2.1 The Council's Estates team continually assesses the Council's assets against its Asset Management Plan to ensure the efficient management of resources. Briarfields Paddock, which is located off Elwick Road, is Council owned and is deemed to be surplus to requirements. On Monday 13th July 2009, Cabinet agreed in principle to dispose of the site. This brief has been prepared to provide guidance to potential purchasers of the site and to ensure a high quality of development that satisfies planning and conservation requirements.
- 2.2 The adjacent former Ambulance Station is owned by the North East Ambulance Service. The Ambulance Station is no longer in use and the owners have agreed for their site to be included in the brief to ensure that, should they decide to dispose of this site in the future, the developments are compatible. The brief is attached to this report as **Appendix 1**.
- 2.3 In summary the brief seeks to secure a high quality residential development that complements and enhances the surrounding residential properties within the Park Conservation Area. The area is characterised by large Victorian properties, each set within extensive grounds and the expectation is therefore that the development of these sites will result in a small number of appropriately designed properties. The Council owned Briarfields Paddock is 1.28 hectares in area whilst the Ambulance Station site is 0.17ha.

- 2.4 Given the importance of the site locally, and the need to ensure a high quality and well designed scheme, the intention is to put the brief out to public consultation to seek views and comments. Letters would be sent out to local residents and interested parties and drop-in sessions attended by officers would be held at a local venue. Feedback from this would be considered, and the brief amended accordingly before being brought back to a subsequent Portfolio Holder meeting.

3. FINANCIAL CONSIDERATIONS

- 3.1 There are no major financial implications associated with this consultation process.

4. EQUALITY AND DIVERSITY CONSIDERATIONS

- 4.1 The consultation will be carried out in accordance with the Council's adopted Statement of Community Involvement.

5 RECOMMENDATION

- 5.1 Portfolio Holder is requested to approve the draft planning and development brief for the purposes of public consultation.

6. BACKGROUND PAPERS

Briarfields Paddock draft planning and development brief (attached as **Appendix 1**)

7. CONTACT OFFICER

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BRIARFIELDS Paddock

Planning Development Brief

Hartlepool Borough Council

July 2011



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1. INTRODUCTION

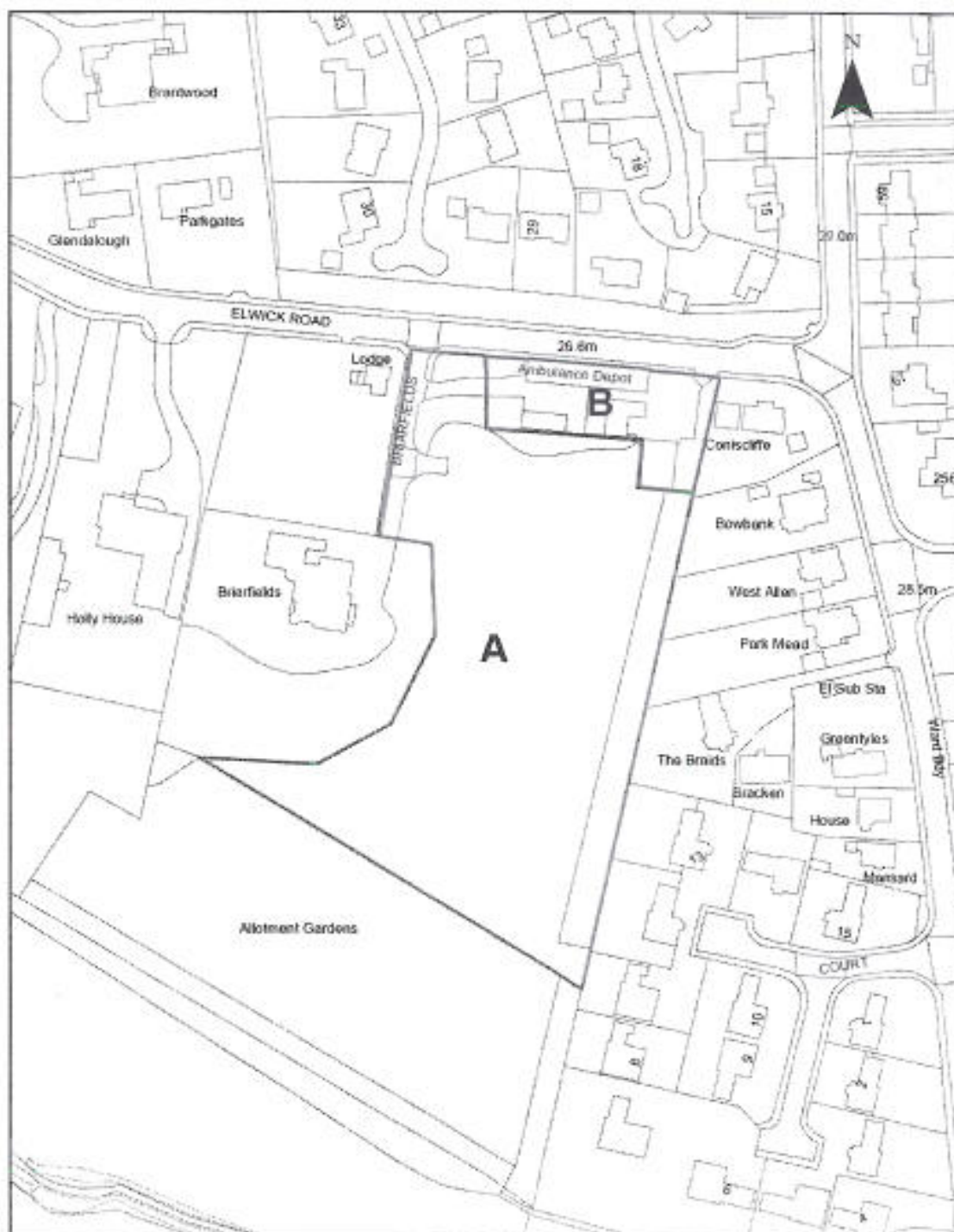
- 1.1 This brief seeks to assist the marketing of Briarfields Paddock off Elwick Road Hartlepool. The purpose of the brief is to secure a high quality residential development on the 1.28 ha paddock to the east of Briarfields House & Lodge. That reflects the character of the surrounding area which is largely low density Victorian houses. The site boundary is shown on figure 2.
- 1.2 Adjacent to the Council owned land (Briarfields Paddock) is a 0.17ha site owned by North East Ambulance Service which was previously used as an ambulance station. Whilst the future marketing of the site would be the responsibility of North East Ambulance Service, this planning guidance incorporates both sites, in order to achieve a coordinated development approach.
- 1.3 The brief is intended to support the Council's aspirations for the redevelopment of existing vacant and/or underused buildings and associated land within the existing urban area. Through identifying opportunities, constraints and considerations the brief will provide clear guidance for potential purchasers and developers in terms of planning and design. Guidance relative to the development of this site is attached as Appendix 1.



(Figure 1 View of site from the south)

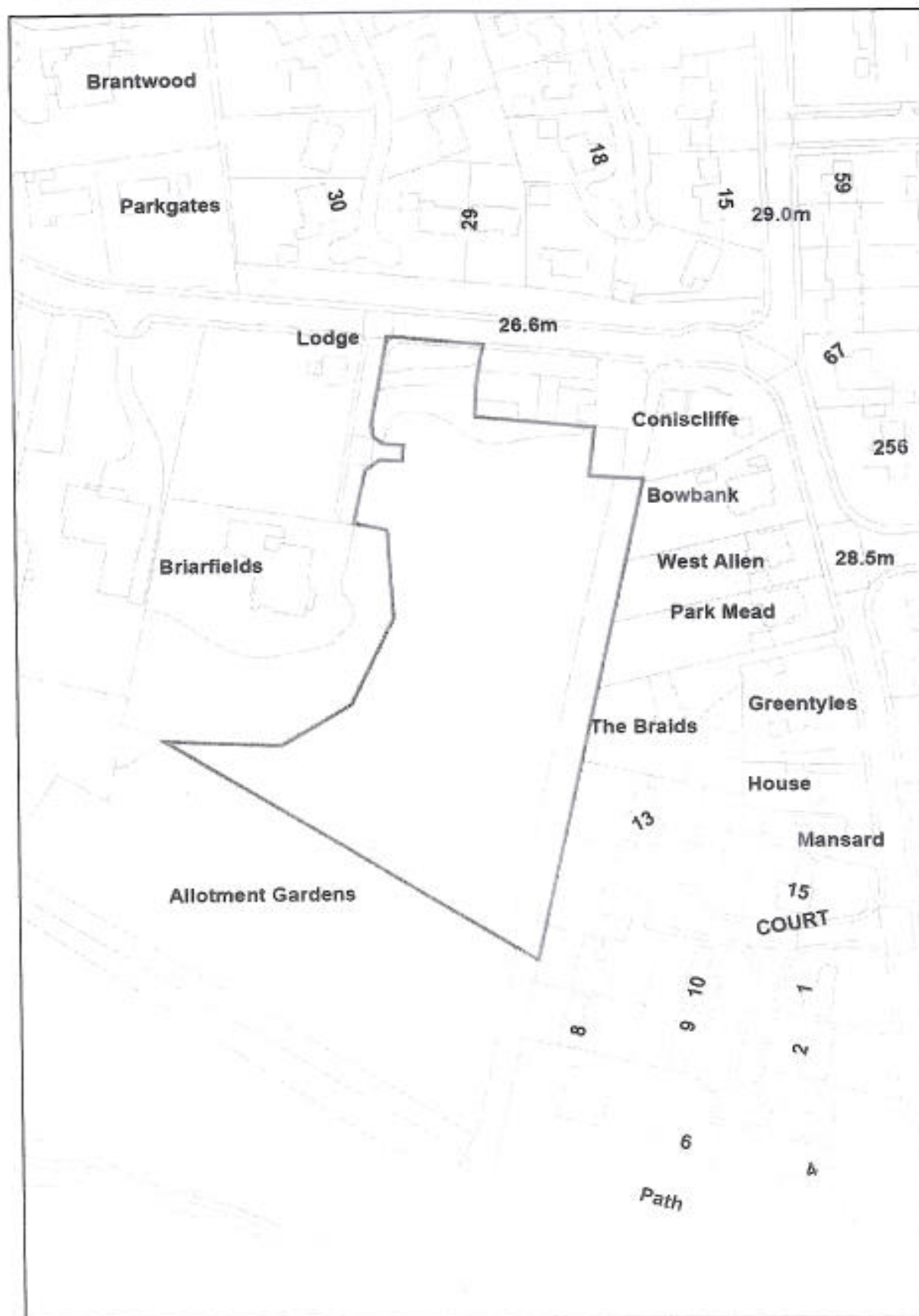
2. WHAT IS THE COUNCIL LOOKING FOR?

- 2.1 The Council, through working with partners, is seeking to achieve a high quality and sustainable residential development that will contribute positively to the surrounding Park Conservation Area.



(Figure 2 site A is Briarfields Paddock and site B is the former Ambulance Station)

Site Location Plan (Figure 3)



Arial photo (figure 4)



3. DEVELOPMENT OPPORTUNITIES

- 3.1 Briarfields Paddock is a prime site set within the Park area of Hartlepool, one of the most prestigious residential locales in the North East region. It represents a unique opportunity to develop the last remaining significant site in the Park Conservation Area.
- 3.2 The Park area is formed and characterised by a series of grand Victorian villas, each set in extensive grounds, around the historic Ward Jackson Park. They were built by the leading industrialists of their day during Hartlepool's shipbuilding and industrial heyday in the late 19th century. This parkland vernacular is bounded by open countryside to the south and the site is within walking distance of Summerhill Country Park and Ward Jackson Park. Ward Jackson Park was laid out during the peak of the industrial era and named after Ralph Ward Jackson who is revered as the founding father of the town. The park is extremely popular and boasts a large pond, bandstand, bowling green and café in addition to its mature trees and well tended lawns and planting beds.
- 3.2 The area is a well established residential community close to excellent primary (West Park) and secondary schools (High Tunstall College of Science) and other amenities such as the popular White House Public House and Hartlepool Cricket Club.



(Figure 5 view of western edge)

4. The Development Site

Location, Context and Connectivity

- 4.1 The town of Hartlepool is located in the North East of England and forms part of the Tees Valley sub-region. There is a population of one million people within 30 minutes and 2.6 million within one hour drive of the town.
- 4.2 The site is located to the eastern part of the borough, within the Park ward and the Park Conservation Area which was designated in 1979. The site is within easy reach of the A179, which serves as an access to the A19. The site is 1½km from the town centre and 2km from the North Sea coast, so a variety of areas of interest are easily accessible on foot, bicycle, public transport or by car.
- 4.3 Hartlepool has a relatively congestion free internal road network with excellent access direct from the town centre to the A19 strategic road network via the A689 dual carriageway and the A179.
- 4.4 Hartlepool is served by the Durham Coast rail line that provides connections to the East Coast Main Line, the Trans Pennine rail network and a direct service from Hartlepool to London. The development site is a 20/25 minute walk away from the town's railway station and is well served by bus routes and pedestrian and cycle routes. Adjacent to the town centre is Hartlepool Marina which is easily accessible by car or by foot and bicycle.
- 4.5 The site is perfectly located for access to Summer Hill Country Park, beautiful open countryside and Ward Jackson Park.
- 4.6 The bus network within Hartlepool is of a high standard, linking many parts of the borough to the town centre, other key locations and to other surrounding areas such as Stockton, Durham and Sunderland.
- 4.7 The town lies within about 18 miles of the Durham Tees Valley International Airport whilst Newcastle International Airport is around an hours drive away or a train ride away.

Site Ownership

- 4.8 The site is wholly within the ownership of Hartlepool Borough Council.

Site Description

- 4.9 Briarfields Paddock is situated off Elwick Road/Briarfields Close, to the south of Hartlepool ambulance station and is east of Briarfields House and Lodge.
- 4.10 The paddock site measures approximately 1.3 hectares. There are no buildings located on the site; however there are a number of trees on the site that should be retained. An access to the site already exists off Briarfields Close that is shared with Briarfields House, Briarfields Lodge and the former ambulance station.



(Figure 6 Entrance from Elwick Road)



(Figure 7 Entrance to Elwick Road)

- 4.11 There is no defined boundary to the north of the site between the paddock and the former Ambulance Station. To the north west is the existing access point on to Briarfields Close that serves Briarfields Lodge and Briarfields House.
- 4.12 To the east there is a 2.5 metre high wall that forms the rear boundary of the dwellings on Elwick Road and North Brook Court; a number of trees are also located along the boundary close the wall.



(Figure 8 former Ambulance Station)



(Figure 9 former Ambulance Station)

- 4.13 To the south are allotments that serve the local community; the allotments are enclosed by a three metre high metal fence. Pedestrian and vehicular access to the allotments is on the northern boundary of the allotment area and faces the development site. Pedestrian access to the allotments should not be affected by any development on the development site; private vehicular access should be created for use by vehicles engaged in maintenance works on the allotments only. Beyond the allotments is a one metre high wooden fence with a public footpath running behind that with access to the open countryside.

A public footpath extends from the Elwick Road entrance gateway to the south east corner of the site as shown on appendix 3. This public footpath is well used and provides a vital link to the allotments. A public right of way must be retained through the site, the existing right of way could be re directed through the site, but every effort should be made to make the right of way as convenient, safe and accessible as possible.



(Figure 10 allotment entrance)



(Figure 11 south east corner, public right of way)



(Figure 12 south east corner, public right of way)

- 4.14 The western boundary is shared with Briarfields House and Briarfields Lodge. Briarfields House is bounded by a recently erected 2.5 metre high close boarded fence, Briarfields Lodge is enclosed by a recently erected low rise wall with art stone caps to the pillars.



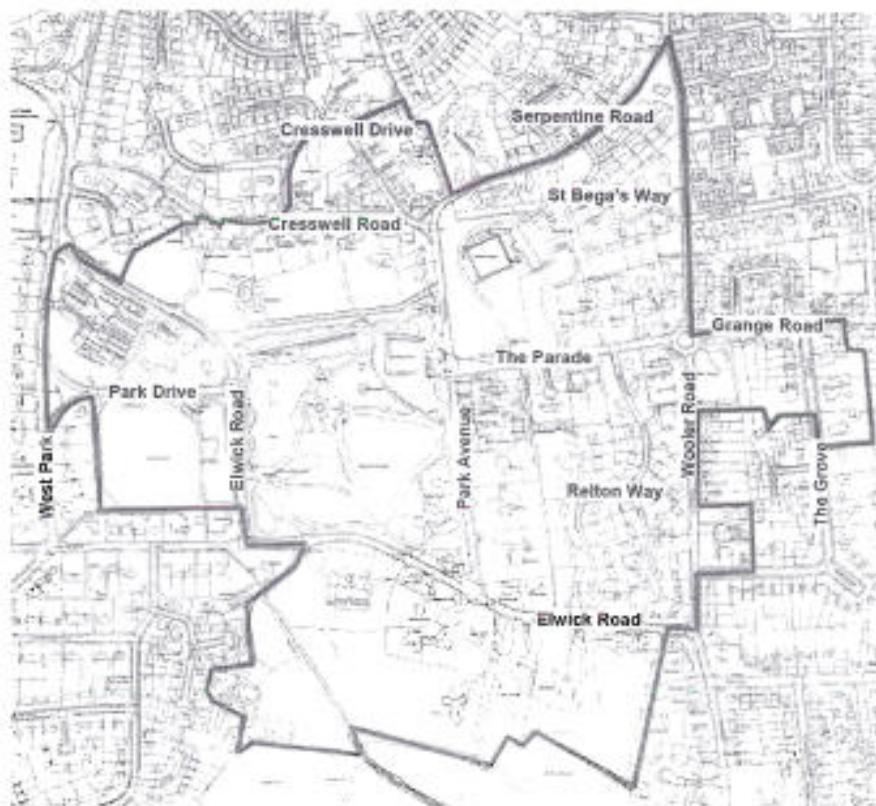
(Figure 13 Western boundary with Briarfields House)



(Figure 14 Western boundary with Briarfields House)

Site History

- 4.15 The site has been used for a variety of purposes over the years. It was formerly used as a practice pitch for Hartlepool United Football Club. More recently the site has been used as a paddock with an access route to the allotments.
- 4.16 Briarfields House is located on the western boundary and was built in 1895 for the Cameron family. The house is not listed but is protected by virtue of its location within the Park Conservation Area. For many years it was an aged persons home before being used as offices by the Council's Social Services department. It was declared surplus to requirements and has been vacant since April 2005. The house has been sold and is currently being converted into eight apartments.
- 4.17 The building is a fine example of a late nineteenth century house. It is possible that at some point the building may be considered for inclusion on a non-statutory local list of buildings to be protected (See Local Plan Policy HE12 and emerging Core Strategy policy 27).
- 4.18 Briarfields Lodge, located to the north western boundary is a single house. In the past it has been used as an intermediate treatment centre and had links with the nursing home at Briarfields House as it was used for staff quarters.
- 4.19 There is planning permission for a three storey six bedroom dwelling with triple garage to be located on the 0.2 hectare plot in between Briarfields Lodge and Briarfields House. Work has not yet started on this but information can be viewed on the planning portal under planning application (H/2007/0818).



(Figure 15 Park Conservation area boundary)

The Character of the Conservation Area

- 4.20 The Park Conservation Area is focused around Ward Jackson Park and some of the historical residential development surrounding it. The quality of the Park Conservation Area derives from the attractive mixture of large imposing late nineteenth century houses set in large grounds with mature trees giving a feeling of spaciousness often with buildings being hidden behind brick walls, trees and shrubs. Villa gardens were often developed on the outskirts of industrial towns when competition for housing space grew.
- 4.21 The large houses in the south of the conservation area also take some advantage of a southerly aspect (long views are concealed by trees). They celebrated nature, albeit a man-made nature by creating public and private grounds of considerable size and complexity, exploiting natural features to create romantic, hidden retreats from the industrial grime that would pay for them.
There is a great variety of architectural features and styles with many of the older buildings being of smooth red brick.
The more modern dwellings within the conservation area were predominantly constructed between 1965-2004, and the majority are substantial detached and semi detached properties.
- 4.22 The conservation area is within a much larger area of nineteenth and twentieth century suburban growth. As is typical of such suburbs, the buildings were often built more incrementally than the development pattern in which they sit. There is considerable variation in the character and appearance of the housing in the wider neighbourhood, with pockets of high and low quality, of integrity and intrusion, of special and not so special interest.



(Figure 16 View of the paddock from the south)

5. POTENTIAL CONSTRAINTS

Habitats, Biodiversity and Trees

- 5.1 All species of bat are protected under British and EU legislation. This protection extends to breeding sites or resting places of bats, regardless of whether the bats are present.
- 5.2 The buildings meet the Council's published criteria for those circumstances where a bat survey would be required to accompany a planning application. Specifically the land surrounding the building contains an area within 200m that has at least 1ha of wooded area that has 50% or more tree cover. Therefore a bat survey is required if any of the buildings are to be demolished or significantly altered externally. Further details of the Council's criteria for bat surveys can be found in Appendix 4.
- 5.3 Any bat survey should be completed prior to submitting the planning application; the bat survey must meet recognised guidelines and have been produced by a suitably qualified ecologist.
- 5.4 Trees are located to the eastern side of the site, these trees add to the overall visual quality of the conservation area and they should be retained.

Flood Risk

- 5.3 The development site lies within 160 metres of a designated 'Main River' but it is not within either the Environment Agency's Flood Risk Zone 2 (medium flood risk) or within Zone 3 (High Risk) as set out in their Standing Advice. Whilst a flood risk assessment is unlikely to be required developers should liaise with the Environment Agency for confirmation.

Access

- 5.4 The site is already served by an access from Briarfields Close, this access should be used for any future development. Any new road constructed on the site should be constructed to an adoptable standard, and then adopted by the Council on completion under a Section 38 Agreement. The access is shared with Briarfields House and Briarfields Lodge and due regard should be given to the other land uses.
- 5.5 Pedestrian and cycle access can be gained from the surrounding footpath and road along Briarfields Close/Elwick Road, and via the public footpath that has an exit/entry point to the south east corner of the site.

Neighbouring Uses

- 5.6 The site is bound by a variety of neighbouring uses. Any development within the paddock should respect the overall character of the conservation area and the neighbouring uses.
- 5.7 To the north of the Paddock is the disused ambulance station that is owned by the North East Ambulance Service. The ambulance station has relocated and the buildings are currently vacant. It is likely that in the future the former ambulance station suite will become available for redevelopment. As stated in the introduction a short brief for the site has been included in appendix 1.

- 5.8 To the east of the site are large residential properties, set within large gardens that front onto North Brook Court and Elwick Road. To the south are the allotments and beyond that the open countryside. Pedestrian access to the allotments should not be negatively affected by any development on the site. A secure private access should be created to allow access for vehicles engaged in maintenance works on the allotments only. To the west lies Briarfields House that is currently being converted into residential apartments. Briarfields Lodge, a two storey dwelling is located to the north west of the site.

Utilities and Services

- 5.9 A drainage survey may be required to confirm the availability of facilities.

Northumbria Water will require that any new development requiring additional connections to the public sewer system should be based on separate surface water facilities.

A soak away system based on Sustainable Drainage techniques is the preferred means of directing surface water from the development.

The nearby watercourse is currently at capacity. In the event of discharge being directed to the water course it is likely that a controlled discharge will be required to accommodate additional surface water run off before discharge into the Burn Valley Beck. In addition private connection to the watercourse will require easements to be negotiated across third party land ownerships.

Developers should discuss mechanisms for the discharge to the sewer system with Northumbrian Water Limited: telephone 0191 4196603.

6. GENERAL DESIGN GUIDANCE

General Design Requirements Summary

- 6.1 The Council is committed to providing high quality housing, in all instances new dwellings should complement, reflect and enhance the surrounding area. Within a conservation area this requirement is paramount, and new developments should blend with the historic nature of the conservation area in a seamless manner.
- 6.2 The following guidance has been put together reflecting the information set out in the 2008 Park Conservation Area Appraisal, surveys of the surrounding area and the overall aims and aspirations of the council.

Sustainable Design and Construction

- 6.3 The Council is committed to sustainable construction of all buildings and structures, their design and planning, commissioning, construction, renovation, conversion, management, and where necessary demolition. The Council has developing a sustainable construction policy which will be applied to its own estate. The Council is aware that its influence and responsibility extends beyond its own estate and it is hoped that developers will address all aspects of sustainable construction in their response to this document.
- 6.4 Sustainable construction methods apply to a wide range of aspects including the requirement to provide buildings which are comfortable, relate to their surroundings, are energy efficient, provide good value for money and effective training opportunities for local people, involving good communications with local residents and businesses throughout the life of the project and so on. The type of building materials is also an important consideration in terms of their impact on the environment and human health; using locally sourced materials should be a priority, as should reducing waste.
- 6.5 Building and renovating sustainably can reduce costs through reduced waste, reduced running and maintenance costs and it supports the local community through using local suppliers. Sustainable construction and renovation also means buildings are designed/redesigned to reduce carbon emissions and to withstand the likely effects of climate change.
- 6.6 The Council wishes to ensure the new development on this site is sustainable. Developers are therefore requested to ensure the principles of sustainable construction are contained throughout their plans for their work on the site.
- 6.7 In line with this commitment the Borough Council seeks a commitment from the developer to meet, as a minimum requirement, Code for Sustainable Homes Level 4 for all new units on the site.
- 6.8 In line with Code for Sustainable Homes and Ecohomes cycle storage will be required for each dwelling.

Layout, Grain and Density

- 6.9 At the Briarfields estate it is important to protect the surviving layout and relationship between the main components, the house, lodge, outbuildings, drive, gateways, formal gardens, open land and aspect to the south.

In historic estates, any new development should protect surviving historic layouts, the design and density of any new development should have due regard to the open southerly aspect and the ambulance station site that was once the outbuildings for the Briarfields estate and appear subservient to Briarfields House. This relationship is common along the southern boundary of the conservation area and this style should be reflected in any future development.

Access

- 6.10 Vehicular access should be gained by the existing access point on Elwick Road. Pedestrian access should link up with the existing surrounding footpaths and rights of way.

Parking Provision

- 6.11 There is an expectation that a minimum of 2 car parking spaces per dwelling should be provided as part of any development.

New Building Form

- 6.12 The 2007 Hartlepool Strategic Housing Market Assessment (SHMA) indicates that just over 55% of the housing stock in the Park ward is detached, around 23 % is semi detached and approximately 16% of the dwellings are bungalows. The properties within the ward are predominately 3 or 4 bedroom properties; the SHMA indicates that there is a need for family homes with three bedrooms or more within the area.
In this instance, given the location of the site within the Park Conservation Area and the historic hierarchy of manor house and outbuildings it is considered that the properties constructed to the north east corner of the site, in a courtyard development would typically be two or three bedroom properties. Larger properties could be located within the southern part of the site.
- 6.13 The traditional hierarchy of the major historic houses and their lodges and outbuildings should be protected and the wider hierarchy between major and minor houses should be protected, ensuring that minor houses are not mixed amongst major ones.
Given the location of the ambulance station site, its courtyard appearance and subservient manner to Briarfields House it would be necessary to reflect this by locating new development within the north east corner of the paddock that could comprise of a courtyard development, with adequate parking (2 per dwelling) and private or communal amenity space, any buildings should be of a similar scale to those of the ambulance station and should appear subservient to the main dwelling, that is Briarfields House.
- 6.14 The open aspect of the site should be retained as much as possible, as it adds to the overall character of the conservation area. The construction of an additional large detached or pair of semi detached house(s) with a large southern garden(s) may be acceptable within the central part of the paddock.
- 6.15 The presumption is that apartments/flats will not be suitable on the site as there is a low demand within Hartlepool for apartments/flats. Within the Park ward the housing need is for family dwelling with three or more bedrooms.
- 6.16 The Council seeks to ensure adequate space is provided between houses. Where practical minimum separation distances at 20m where principal elevations face or 10m where a blank gable wall would face the front or back of a property are normally required.

- 6.17 Particular care should be taken when considering the overall scale and massing of any new development. Individual design components such as main entrance doors, bay windows, single windows, roofs, chimneys, brickwork and boundary treatments should be considered as important elements of any new development. Garages should be sited so they do not dominate the frontage. Vehicular access should be from the main driveway.

Materials

- 6.18 The Tees Lowland character area is largely underlain by Permo-Triassic red mudstones and sandstones, masked by thick glacial boulder clay, sand and gravel, also tinged red. The magnesian limestone underlying the Durham Plateau character area is a complex succession of Permian dolomites and limestones, variously worked for industrial raw materials, aggregate and construction. Construction stone from both landscape character areas appears in the conservation area, and it is possible that some of the earlier bricks would have been made locally from worked clay deposits. These materials are still readily available and every effort should be made to use materials that are similar to those on the House, Lodge and ambulance station buildings.

Public Realm

- 6.19 Due to the proximity to the open countryside, Summer Hill visitor centre, Ward Jackson Park and the cricket ground, it is considered that there is no need to provide any meaningful public realm or open space within the site.

Trees

- 6.20 Trees form an essential element in the character of the site within the Park Conservation Area. Any works should accord with the guidance contained in Supplementary Note 3 of the 2006 Hartlepool Local Plan "Trees and Development".
- 6.21 A tree survey has indicated that the majority of the trees on the site are of a high quality and should be retained because of their individual or group value. The developer will be expected to provide their own arboricultural survey of trees, produced in accordance with the recommendations of BS 5837: 2005 'Trees in relation to construction', which will be used to form the basis of their proposals regarding the felling, planting or remedial work to trees. In considering the juxtaposition of trees and buildings, site layout designs will be expected to ensure that trees are given adequate space, including sufficient allowance for future growth.
- 6.22 Removal of trees is only likely to be approved where good tree management would allow other higher quality trees to be enhanced by the felling of dead, dying or diseased trees. Works to trees should, where possible, be carried out in the period from August to the end of February in order to avoid the bird-nesting season. An exception to this will only be made if a qualified ecologist has surveyed the trees to be removed to establish that no breeding birds are present. In addition any mature trees which are proposed for felling should be checked for wildlife habitats including hollows and cavities. If these are found a bat survey should be undertaken prior to felling.
- 6.23 Where trees are to be removed a replacement planting scheme will be required. All approved pre-development tree works and development facilitation pruning must be carried out in accordance with current arboricultural best practice and with the requirements of British Standard BS 3998 (1989) Recommendations for Tree Work. For further information on trees contact: tony.dixon@hartlepool.gov.uk Tel 01429 284071

7. Additional requirements

Residential Development Delivery Requirements

- 7.1 Any development proposals would have to be in accordance with the planning policies set out in appendix 1.

Affordable Housing Requirement

- 7.2 The Council is currently at the second Preferred Options consultation phase of the Hartlepool Core Strategy that incorporates an Affordable Housing policy (CS10). The document is advocating that any residential developments of 15 dwellings or more should contribute at least 10% of the dwellings as affordable houses. It is considered that the site will not accommodate 15 or more dwellings and if so no affordable units are required.

Developer Contributions

- 7.3 Given the location of the site, close to Ward Jackson Park and the open countryside, it is considered that there is no need to provide any meaningful public realm or open space within the site itself. Bearing this in mind the developer may be required (via GEP9 in the Local Plan, the emerging Core Strategy and the emerging Planning Obligations SPD) to make the following financial contributions to help improve existing play spaces and green infrastructure links within the vicinity of the site:

- £250 per dwelling to contribute to play provision in the surrounding area.
- £250 per dwelling to contribute to green infrastructure in the surrounding area.

- 7.4 Continuing monitoring and the Council's PPG17 Open Space Assessment will be used to identify areas most in need of investment.

Local Training and Employment

- 7.5 There will be a requirement on the developer to recruit local people as employees or placement trainees/apprentices in relation to the construction of buildings granted planning permission and utilise, with the support of Hartlepool Borough Council's Hartlepool Working Solutions team, a Targeted Training & Employment Charter to encourage sub contractors to recruit Local People.
- 7.6 A Targeted Training and Employment Charter will be agreed by the developer and the Council before the development commences on site. Further information on establishing a Training and Employment Charter can be gained by contacting the Council's Economic Development team; details can be found in the Useful Contacts section in appendix 4.

Sustainability

- 7.7 The Council expects that any scheme incorporating 10 dwellings or more would secure, as a minimum requirement, 10% of their energy supply from decentralised and renewable or low-carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable. Given the size of the site and the proposed type of dwellings it is not expected that the site will not accommodate 10 dwellings, therefore it is not necessary to meet this requirement. However the Council are committed to reducing CO2 emissions and every effort should be made by developers to help assist in meeting this target.

- 7.8 All homes constructed would need to achieve at least Code for Sustainable Homes Level four or higher. The Borough Council's aspiration is that all new homes should be Level 4.

8. The Application Process

Pre-Planning Application Discussions

- 8.1 Developers should undertake pre-planning application discussions with the Council at the earliest possible opportunity in order to deliver appropriate development on the site.

Submission Requirements

- 8.2 In addition to the usual plans and elevations (at an appropriate scale), a Design and Access Statement will be required with the submission of the planning application. The Design and Access Statement should detail the context of the area, design considerations of the site, materials to be used and the proposed access arrangements. It would also be advisable to provide an artists impression of the development.
- 8.3 As well as the above considerations regarding submitting a planning application, any submission resulting from this development brief should include the following information:
- A full design and layout proposal for the site demonstrating how the design requirements of this brief have been met.
 - A detailed plan including phasing and timescales of development with target dates and key milestones.
 - A proposal of how the successful RSL, which would manage the affordable houses provided, will work with the local community, identifying any proposed consultation and employment and training opportunities provided to local people.
 - An outline of the measures taken to ensure that all dwellings will meet at least Code for Sustainable Homes level 3.
 - An outline of how renewables will be incorporated into the development.

Building Regulations

- 8.4 Hartlepool Borough Council offers a service of inspection under the Building Regulations.



Ariel View (figure 18)

Site Description

- 2.2 The 0.17 ha rectangular shaped site is located to the south of Elwick Road and to the north of Briarfields Paddock. There are four buildings located on the site, the historical maps within the conservation area appraisal show that the buildings first appeared on the site during 1897 and 1899 and served as outbuildings for the Briarfields estate. From 1964 the outbuilding became the town's ambulance station. There are a number of trees to the south and west of the site, these trees are protected due to their location within the conservation area. The site currently has two accesses one to the east and one to the west; both accesses come off Elwick Road. The site is open on two sides, south and west. The north west boundary consists of a 2 metre high brick wall and to the north east the site is enclosed by 2.5 metre high metal security gates. The eastern boundary has a 2 metre high close boarded fence shared with Coniscliffe, a residential property off Elwick Road.



(Figure 19 View from Elwick Road)



(Figure 20 view from west of the site)



(Figure 21 and 22 view looking in from the west)



(Figure 23 view looking in from the west)



(Figure 24 view looking in from the east)



(Figure 25 and 26 view looking in from the east)



The Character of the Conservation Area

- 2.3 See page 14

Site Ownership

- 2.4 The site is owned by the North East Ambulance Service.

3. Potential Constraints

Habitats, Biodiversity and Trees

- 3.1 All species of bat are protected under British and EU legislation. This protection extends to breeding sites or resting places of bats, regardless of whether the bats are present.
- 3.2 There are areas of 1ha within 200m of the building that have 50% tree cover therefore a bat survey is required if any of the buildings are to be demolished or significantly altered externally.
- 3.3 Any bat survey should be completed prior to submitting the planning application, the bat survey must meet recognised guidelines and have been produced by a suitably qualified ecologist. Trees are located to the eastern side of the site, these trees add to the overall visual quality of the conservation area and they should be retained.
- 3.4 Further advice on bat surveys can be viewed in appendix four.

Flood Risk

- 3.5 See page 15

Access

- 3.6 The site currently has two accesses off Elwick Road, in the past the access to the east was used as an entrance and the access to the west was used as an exit for the ambulances and staff vehicles. The access to the east is close to the junction on Elwick Road and it is considered that the intensification of this access would be unacceptable on highway safety grounds.
- 3.7 The access to the west is further away from the junction or other access points and therefore it is considered that this eastern access should be the main access into the site.

Vehicular access should be gained by the existing eastern access point on Elwick Road. Pedestrian access should link up with the existing surrounding footpaths and rights of way.

Neighbouring Uses

- 3.8 The neighbouring uses for the site are the same as those for Briarfields Paddock and can be viewed on page 15. Variation occurs to the north and south. To the north of the site lies Elwick Road and beyond that the housing area (Relton Way) erected during the mid to late 1990's. To the south is a development opportunity site known as Briarfields Paddock, information in relation to the paddock site can be viewed in the main body of this documents.

Utilities and Services

- 3.9 See page 16

4. General Design Guidance

New Building Form

- 4.1 Most of the buildings on site add to the overall quality of the conservation area, National and Local guidance supports the retention of historic buildings therefore it is considered that three out of the four buildings on site should be retained (see figures 19 and 24).
- 4.2 Every effort should be made to retain all the architectural detail of the buildings such as the window size, the head and sills, the entrances and the roof detail, where they are characteristic of the buildings and conservation area. Any alterations to the buildings should reflect the overall character of the conservation area.
- 4.3 The garage (figure 26) in the north east corner was erected in the 1960's and has no architectural merit therefore demolition of the garage would be acceptable.

Public Realm

- 4.4 There is one area of open space to the east of the site, the open spaces is to the east of the garage. Due to the proximity of open spaces within the surrounding area, no additional community public space or play space is required

Trees

- 4.4 See page 19.

5. Additional Requirements

- 5.1 It is unlikely that 15 or more units will be provided on the site therefore the requirements that apply to Briarfields Paddock set out on page 21 also apply to the ambulance station site.

6. The Application Process

- 6.1 See page 22.

Appendix 2: Planning Policy relevant to both sites

National Policy

Any future development proposals need to take into account:

- PPS 1: Delivering Sustainable Development (2005)
- PPS 3: Housing (2006)
- PPG 13: Transport (2001)
- PPS 5: Planning for the Historic Environment (2010)
- PPG 17: Planning for Open Space, Sport and Recreation (2002)

Development Plan Policy: Regional

Any future development proposals need to take into account the following policies from the Regional Spatial Strategy (RSS) for the North East of England 2008:

- Policy 24: Delivering Sustainable Communities
- Policy 30: Improving Inclusivity and Affordability
- Policy 38: Sustainable Construction

Development Plan Policy: Local Plan

Any future development proposals need to take into account the following policies from the Hartlepool Local Plan adopted 2006, including saved policies as of April 2009:

General Environmental Principles

- GEP1: General Environmental Principles
- GEP2: Access for All
- GEP3: Crime Prevention by Planning and Design
- GEP9: Developers' Contributions

Housing

- HSG5: Management of Housing Land Supply
- HSG9: New Residential Layout – Design and Other Requirements
- HSG12: Homes and Hostels

Conservation of the Historic Environment

- HE1: Protection and Enhancement of Conservation Areas
- HE2: Environmental Improvements in Conservation Areas
- HE12: Protection of Locally Important Buildings

Transport

- Tra16: Car Parking Standards
- Tra20: Travel Plans

Recreation and Leisure

- Rec2: Provision for Play in New Housing Areas

The Green Network

- GN3: Protection of Key Green Space Areas

Development Plan Policy: Local Development Framework

Any future development proposals need to take into account the Supplementary Planning Document (SPD):

- Transport Assessments and Travel Plans SPD

Supporting Guidance

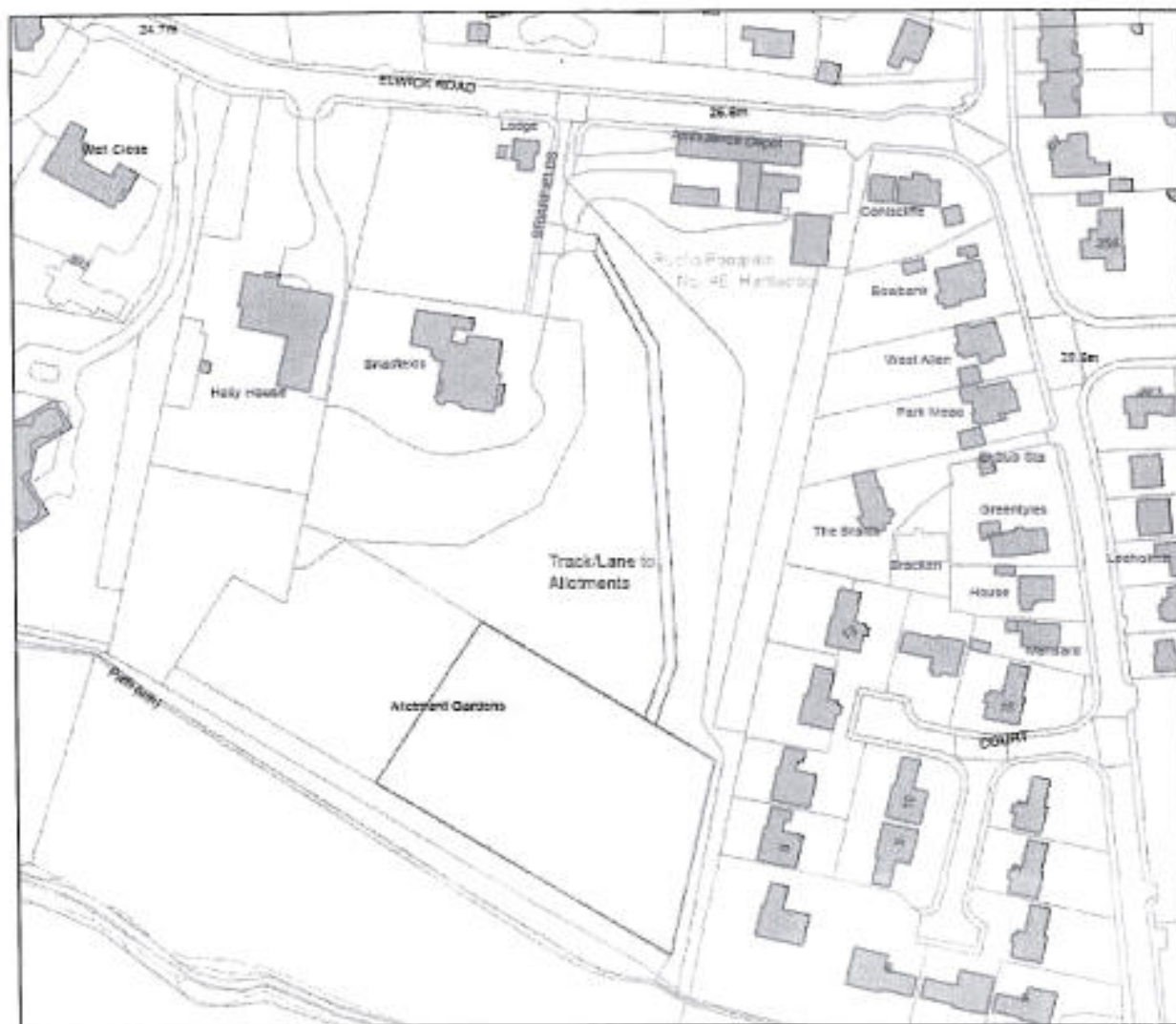
- Park Conservation Area Appraisal (2008)
(http://www.hartlepool.gov.uk/downloads/file/3653/park_conservation_area_character_appraisal)
- Hartlepool Local Plan Supplementary Note 3 – Trees and Development Guidelines
- Hartlepool Local Plan Supplementary Note 5 - Design guidance for development in conservation areas and for works to listed buildings

Further Guidance

Any future development proposals need to take into account:

- Secure by Design Guidance
- Code for Sustainable Homes Technical Guidance
- Ecohomes Guidance
- Urban Design Compendium

Appendix 3: Public Footpath Plan



Appendix 4: Bat survey guidelines

Bat surveys for planning applications

Introduction

These notes have been produced as guidance on the criteria for situations in which the Local Planning Authority of Hartlepool Borough Council would require a bat survey to be submitted as part of a planning application. To determine whether or not your application requires a bat survey please consult the section below "Does your application require a bat survey?"

Legal and Planning Background

All species of bat are protected under British and EU legislation. This protection extends to breeding sites or resting places of bats, regardless of whether the bats are present.

The Government Circular: Biodiversity and Geological Conservation states, *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision"*.

Where a bat survey is required by the Local Planning Authority it must meet recognised guidelines and have been produced by a suitably qualified ecologist. Bat surveys that do not meet this standard may be rejected.

Definitions

- Water is defined as water bodies of 0.5ha and above and water courses carrying open water for a minimum of 400m and being an average of at least 1m in width.
- Woodlands are defined as areas of 1ha or greater of mature trees, ie min 6m height and with a canopy of 50% or greater.

Exceptions

There may be situations where the criteria apply but the building(s) in question do not provide any opportunity for roosting bats, for example because weather boarding and tiles are all well sealed. In such circumstances a bat survey may not be required if so advised by the Council's ecologist.

Advisory Note

The guidelines are meant to cover those situations where it is reasonably likely that bats might occur and a bat survey would be required. Nevertheless bats are highly mobile and individual bats can turn up in any building or any tree which has suitable holes or crevices. Should bats or signs of bats (such as droppings, dead bats etc) be discovered in any structure to be demolished or altered, work should stop immediately and advice sought from Natural England. Failure to do this may result in the law being broken.

The Natural England Bat helpline number is: 0845 1300 228.

**For further information contact:
Hartlepool Borough Council's ecologist on 01429 523431**



Does your application require a bat survey?

1. Will the development involve the modification, conversion or demolition of the following?

- All agricultural buildings (e.g. farmhouses and barns) of brick or stone construction and/or with exposed wooden beams greater than 20 cm thick;
- All tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures;
- All bridge structures, aqueducts and viaducts of brick or stone construction;
- All buildings, structures, trees or other features where bats are known to roost.

Yes

A bat survey will be required, but see exceptions.

No

Go to Question 2.

2. Would the development affect any of the following?

- All buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water;
- Pre-1960 detached buildings and structures within 200m of woodland and/or water;
- Pre-1914 buildings within 400m of woodland and/or water;

NB. Buildings are here excluding single terraced properties, garages or sheds. (For definitions of woodland and water see guidance notes)

Yes

A bat survey may be required, see Question 3.

No

A bat survey would not be required for developments affecting single buildings but see advisory note. For developments affecting multiple buildings see point 4.

3. Would the development affect more than 50% of the side elevations of the building or more than 30% of a roof? (The roof to be taken to include adjoining features such as soffits and barge boards)

Yes

A bat survey will be required, but see exceptions.

No

A bat survey would not be required for developments affecting single buildings but see advisory note. For developments affecting multiple buildings see point 4.

4. Applications involving multiple buildings. Would the development affect any of the following?

- Within 200m of woodland or water: Two or more detached or four or more semi-detached properties or one side of a terraced street or ten or more terraced properties, whichever is the least.
- More than 200m from woodland or water: Five or more detached or ten or more semi-detached properties or one terraced street or 20 or more terraced houses, whichever is the least.

Yes

A bat survey will be required, but see exceptions.

No

A bat survey would not be required but see advisory note.

APPENDIX 5: USEFUL CONTACTS

The following officers within Hartlepool Borough Council would be useful points of contact with regard to discussing elements identified in the Brief.

Department	Name	Telephone	Email
Planning	Helen Williams	(01429) 523279	helen.williams@hartlepool.gov.uk
Building Control	Garry Hutchison	(01429) 523290	gary.hutchison@hartlepool.gov.uk
Highways	Mike Blair	(01429) 523252	mike.blair@hartlepool.gov.uk
Contamination	Dennis Hancock	(01429) 523207	dennis.hancock@hartlepool.gov.uk
Legal	Peter Devlin	(01429) 523003	peter.devlin@hartlepool.gov.uk
Estates	Philip Timmins	(01429) 523387	philip.timmins@hartlepool.gov.uk
Economic	Diane Martin	(01429) 523509	diane.martin@hartlepool.gov.uk
Housing Regeneration	Nigel Johnson	(01429) 284339	nigel.johnson@hartlepool.gov.uk
Northumbrian Water Limited:	Niki Mather	(0191) 4196603	niki.mather@nwl.co.uk
Hartlepool Water Limited	Mr K Ensell	(01429) 858050	kensell@anglianwater.co.uk
Conservation	Sarah Scarr	(01429) 523275	sarah.scarr@hartlepool.gov.uk

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: EMPTY HOMES STRATEGY UPDATE

SUMMARY

1. PURPOSE OF REPORT

To update the Community Safety and Housing Portfolio of the development of the Empty Homes Strategy and the implementation of the Empty Homes Action Plan 2010 to 2015 to bring long term empty homes back into use.

2. SUMMARY OF CONTENTS

Cabinet approved the adoption of the Hartlepool Empty Homes Strategy and associated action plan on the 24 May 2010. This report is to provide an update of the progress of the Empty Homes Strategy and Action Plan 2010 to 2015. The report will provide a summary of the enforcement and incentive options available to bring empty properties back into use and progress in tackling long term empty properties within Hartlepool.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder is responsible for housing policy development and implementation.

4. TYPE OF DECISION

Non-Key

5. DECISION MAKING ROUTE

Community Safety and Housing Portfolio meeting on 2nd September 2011.

6. DECISION REQUIRED

Portfolio Holder to note the contents of the report and progress on the associated action plan and endorse the proposed work plan for 2011/12.

Report of: Assistant Director (Regeneration and Planning)

Subject: EMPTY HOMES STRATEGY UPDATE

1. PURPOSE OF REPORT

- 1.1 To update the Community Safety and Housing Portfolio of the development of the Empty Homes Strategy and the implementation of the Empty Homes Action Plan 2010 to 2015 to bring long term empty homes back into use following the appointment of the Empty Homes Officer in April 2011.

2. BACKGROUND

- 2.1 Hartlepool Borough Council's Empty Homes Strategy was developed to address the excessive number of long term (empty for over six months) private sector empty homes in the town.
- 2.2 Empty homes have a huge social impact as they can affect the appearance of a neighbourhood and people living nearby have to suffer the consequences if an empty home falls derelict or is vandalised. Returning long term empty homes back into use is a key concern for communities and Hartlepool Borough Council is determined to bring these empty homes back into use.
- 2.3 Bringing long term empty homes back into use contributes towards the sustainability of neighbourhoods and community well-being through:
- An increased stock of good quality housing meeting the Decent Homes Standard
 - Promoting regeneration and investment in affected areas
 - Discouraging local property price devaluation
 - Reducing nuisance and negative environmental impact caused by empty homes i.e. crime, fly tipping, vandalism, vermin and arson
 - Reducing damp and other problems for neighbouring properties
 - Helping to meet local housing need, therefore reducing the need for new build homes and the potential reduction of greenfield land development
 - Cutting carbon emissions by renovating and undertaking home improvements rather than building new homes
 - Increasing health outcomes for people
 - Encourage economic vitality through increased trade for local businesses and increasing employment opportunities

- Safeguarding and protecting new build redevelopments in regeneration areas
- 2.4 Homes become empty for different reasons. In Hartlepool there is an oversupply of pre - 1919 two up, two down terraced homes in low demand locations. Other reasons include:
- Disputes over ownership
 - Inability to sell
 - Repossession / bankruptcy
 - Deceased estate (probate)
 - Speculative purchase (buy to keep empty)
 - Neglect by owners / abandonment due to lack of value
- 2.3 The objectives of the empty Homes Strategy are to ensure that owners are informed of all of the options available to them to return their empty property back into use.

3. DELIVERY OF EMPTY HOMES STRATEGY

Prioritisation / Ongoing Casework

- 3.1 The Empty Homes Officer was appointed in April 2011 and has since begun the implementation of the Empty Homes Strategy Action Plan aimed at developing the empty homes service, developing enforcement procedures and working with owners to bring empty homes back into use through an incentive and enforcement approach. The empty Homes Strategy Steering group meets on a monthly basis chaired by the Assistant Director of Regeneration and Planning and monitors progress on the delivery of the empty homes strategy.
- 3.2 The Housing Services Team now employ a joined up team approach to the issue of empty properties. The Senior Environmental Health Officer, Housing Standards Officers, the Landlord Accreditation Officer and the Empty Homes Officer are all involved in some way as part of their everyday duties in tackling the issue of empty homes in Hartlepool. On a day to day basis the Empty Homes Officer concentrates on the long term more problematic empty properties, whilst the Housing Standards Officers and the Landlord Accreditation Officer as part of their everyday duties are involved with short and medium term empty properties e.g. securing empty properties when they have been vacated at short notice, investigating rubbish complaints, liaising with landlords regarding potential tenants for their empty properties.

- 3.3 Initially the Empty Homes Officer has been identifying the ownership of empty homes and will then engage with owners and offer advice and support to encourage owners to bring empty homes back into use. However, enforcement action will be used where required to ensure properties are brought back into use if initial attempts at persuasion fail.
- 3.4 All empty properties which are known to have been empty for longer than 2 years have now been assessed on a case by case basis using the Empty Property Assessment Form. The use of this standard assessment form will ensure a consistent and transparent approach to determine the necessary actions to bring these empty properties back into use, using a combination of persuasion and enforcement actions as appropriate to each individual case.
- 3.5 The Empty Homes Strategy highlights that the Council must use all reasonable endeavours to work with landlords to develop an informal solution to bringing a property back into use before enforcement action is taken. A series of positive action letters have now been developed which are used to establish the owner's intentions for the property and to encourage that owner to bring the property back into use. These positive action letters also provide evidence to demonstrate enforcement action is required if a landlord does not engage.

Update - Non Enforcement Incentive Approach

- 3.6 In addition to the above an incentive approach is in development in the form of the Empty Property Pilot Scheme, approved by Cabinet in August 2011. Hartlepool Borough Council will work in partnership with Housing Hartlepool to bring empty homes back into use through a grant/loan package for landlords. Housing Hartlepool will organise the refurbishment and repair work to the empty property, which they will then lease out for a period of time until the loan is repaid. As part of the terms of this lease Housing Hartlepool would arrange the refurbishment works to the property, manage the contractors on site, identify a suitable tenant to move in, ensure that the rent is paid each week and also manage this property on behalf of the owner. The cost of these refurbishment works would be repaid from the rent on an interest free monthly basis over the term of the lease, and at the end of the lease period the property would be handed back to the owner.
- 3.7 The Council will offer the eligible owners of long term empty properties which have been empty for over 12 months the opportunity to take up the offer of the Empty Property Pilot Scheme to bring their properties back into use. Where the owners of these properties do not take up this incentive to bring their long term empty properties back into use this will be used in evidence at a later stage if further enforcement action is deemed appropriate. Following approval from

Cabinet all owners of properties empty over 12 months have been written to regarding this pilot scheme and there has been a positive response. Implementation of the scheme will begin in September 2011.

Update -Enforcement tools to bring properties back into use

3.8 There are a number of enforcement tools identified within the Empty Homes Strategy. If positive action letters are unsuccessful and the informal approach does not result in a property being brought back into use the most suitable option for enforcement will be identified from the tools highlighted below:

- **Empty Dwelling Management Order (EDMO) – Section 132 Housing Act 2004** The Council can apply to a Residential Property Tribunal to take over a property and to repair, let and manage it on behalf of the landlord for up to 7 years. Costs can be recouped from the rental income. However, it does mean that only properties with relatively low repair costs will be financially viable. The Council would seek to work with a Registered Provider who has the resources to manage properties to pilot an EDMO. Initially an interim EDMO can be applied for 1 year which can then be replaced by a final EDMO at any time if no agreement is reached with the owner. This final EDMO applies for 7 years but can be extended. The advantages of this tool are that it brings a property back into use, it's a powerful persuasive tool, the costs can be recouped from rental income and may take as little as 12 months to obtain. However this tool is open to appeal, would require a procurement process to secure a managing agent, the Council may not recoup the total cost of repair and costs of residential property tribunal can be extremely high.
- **Compulsory Purchase Order (CPO) – Section 17, Housing Act 1985** which removes ownership from the current owner to the Council. It may only be used if the Council can demonstrate that it has taken other measures to bring the property back into use and has a robust plan for the re-occupation / use / management of the property. The Council also needs to clearly demonstrate housing need within the locality. This option shifts responsibility from the owner to the Council for bringing the property back into use and requires public resources for legal fees and acquisition. The threat of CPO can often persuade owner to take action without the need to enforce the CPO however financial resources are needed up front, it is open to public Inquiry and the process can be very lengthy.

- **Enforced Sale – Section 103, Law of Property Act 1925** which allows the Council to force the sale of a property subject to a local land charge following works in default action by the Council. The sale allows the Council to recover debt owed by the owner and also costs incurred as a result of the enforced sale. This tool may indirectly prompt the new owner to return the property to use. This tool allows for the recovery of debts and other authorities have been successful in implementation of enforced sale is a 9-12 month time period. However, if the debt is repaid the sale cannot be enforced.
- **Council Tax Enforced Sale** - A separate procedure is followed where the debts are unpaid council tax. The process to pursue an Enforced Sale in respect of unpaid council tax is set out in the Local Government Finance Act 1992 and involves applying for a 'charging order' which is an order issued from the County Court placed on a debtor's property. Currently there are a few properties in Hartlepool with a charging order granted through the County Court. Currently an Enforced Sale in respect of council tax would only be pursued if the property was empty so as not to make anybody homeless. Currently the Empty Homes Officer and the Principal Recovery Officer from Council Tax are collaborating, sharing information and working in partnership with a view to targeting and pursuing an Enforced Sale in respect of long term empty properties in Hartlepool. Any property which has been empty for over 12 months with more than £1000 Council tax debt can potentially be enforced through this route.

4. **EMPTY HOMES STRATEGY ACTION PLAN PROGRESS**

- 4.1 The implementation of the Empty Homes Strategy Action Plan has begun following the appointment of the Empty Homes Officer in April 2011. An update of the original Action Plan is attached as **Appendix 1**. The action plan demonstrates work already completed in respect of establishing procedures, contacting owners and beginning liaison to bring empty homes back into use. The report highlights completed, ongoing and outstanding actions to be completed over the next 2 years. It is important to note that the action plan is subject to change as ideas and policies develop and actions are completed.
- 4.2 The original action plan (discussed above as appendix 1) has been used to develop a work plan for 2011/12 this is attached as **Appendix 2**. This work plan provides the key actions to be completed and monitored within 2011/12. This report seeks approval to adopt and monitor this work plan through 2011/12. Subsequent reports will be provided to portfolio holder to provide an update of progress against this work plan.

Identification of properties for enforcement action - Top 20 empty properties in Hartlepool.

- 4.3 A key action within the action plan is to bring 10% of empty properties back into use and to identify properties suitable for enforcement action. In order to demonstrate this ongoing work a table of the top 20 empty properties has been developed and this will monitor progress and assist in implementing the most appropriate form of enforcement action. The table includes properties which have been empty for the longest time and those in key strategic locations (identified within the empty homes strategy). Each individual case is assessed on its merits and appropriate informal action taken followed by enforcement action. All properties have been inspected, photographed and an empty property assessment form completed. The table is attached as **Appendix 3. This appendix contains exempt information under schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (paras 2 and 6) Information which is likely to reveal the identity of an individual and Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.**

5. RECOMMENDATION

- 5.1 Portfolio Holder to note the contents of the report and progress made on the associated action plan and endorse the proposed work plan for 2011/12.

6. CONTACT OFFICER

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Hartlepool Borough Council Empty Homes Strategy Action Plan 2010 – 2015




Section 1 – Action Plan 2010 – 2015

Section 2 – Priority Areas for Action

Section 1 – Action Plan 2010 – 2015

Key
Action Complete
Action Ongoing

 Objective One: Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action				
Desired Outcome: To improve neighbourhoods and the environment by targeting and helping to bring long-term empty homes back into use.				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Recruit a dedicated Empty Homes Officer		Assistant Director (Community Safety)	9 months funding secured	April 11 MS appointed to post 1.4.11. ACTION COMPLETE
Develop an Empty Homes Toolkit	Develop an Empty Homes Management Protocol for private owners and registered providers to use when they own empty properties	Empty Homes Officer	Officer Time	September 2011 The Empty Homes Agency has launched the a toolkit which MS is currently adapting for use.
	Develop EDMO policy and procedures	Empty Homes Officer	Officer Time	September 2011 The Empty Homes Agency is launching a toolkit on 23.5.11 that MS will adapt for use. Report to Portfolio in October to formally adopt EDMO policy.
	Develop CPO policy and procedures	Empty Homes Officer	Officer Time	September 2011 Policy for CPO is in developed and has previously been approved by Portfolio. Will go to Portfolio for a refresh in October.
	Develop Enforced Sale policy and procedures	Empty Homes Officer	Officer Time	September 2011 The Empty Homes Agency is launching a toolkit on 23.5.11 that MS will adapt for use. The policy will go to Portfolio for approval in October.
Using enforcement proactively tackle long-term empty properties in areas of housing need.	Bring 10% of long-term empty properties back into use each year	Principal Housing Regeneration Officer	Est. average up to £50k per property	Ongoing 10/11 – 53 properties were brought back

2.3 Appendix 1

				into use ACTION COMPLETE FOR 10/11
	Identify empty properties suitable for enforcement action	Empty Homes Officer	Officer Time	Ongoing The top 20 properties from the Empty over 5 years list have been identified and action agreed. This will be expanded to include additional properties as an ongoing action plan.
	Pilot and evaluate the use of EDMO in line with policy and procedures	Empty Homes Officer	Up to £25k (including refurbishment costs)	April 2012 Timescale altered to 2012 in line with development of policies and procedures.
Explore opportunities for financial assistance to private owners	Evaluate the costs of bringing homes back into use	Empty Homes Officer	Officer Time	April 2011 At Baden Street work has been undertaken to evaluate costs. The Tees Valley Empty Homes Pilot will also establish how much it costs to bring properties back into use. Completed for 2010/11 but ongoing action to record.
	Investigate sources of funding	Empty Homes Officer / Principal Housing and Regeneration Officer	Officer Time	Oct 10 Funding has been identified from SCRAP, LANB, Empty Homes Pilot and RP proposals in their HCA bids for 11/12. This action is ongoing to identify future sources of funding.


2.3 Appendix 1


 Objective Two: Prevent homes from becoming long-term empty				
Desired Outcome: Minimise the number of properties becoming empty for longer than 6 months				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Develop a marketing and publicity approach to promote the Empty Homes Strategy	Develop empty homes publicity material	Empty Homes Officer	£5k	July 10 MS has completed this action. It is currently being checked by Legal before publishing. ACTION COMPLETE
	Improve empty homes information on the internet	Empty Homes Officer	Officer Time	July 10 Work is complete and website is updated. ACTION COMPLETE
Provide a contact point within the Council for empty homes work	Develop and provide a range of methods of communication to enable people to make contact easily	Empty Homes Officer	Officer Time	July 10 A desk and dedicated phone line has been identified for the Empty Homes Officer. Cover is also available from the Housing Options Centre. ACTION COMPLETE
Enhance liaison with private landlords	Offer advice to owners on becoming a landlord and assist in letting empty homes	Empty Homes Officer	Officer Time	Ongoing MS attended the Landlord Forum on 11.5.11. Action Ongoing.
	Continue to promote and reward good landlords through the Landlords Accreditation Scheme by developing and promoting incentive schemes, such as discounts for municipal waste disposal	Landlord Registration Officer	Costs involved for rewards and incentives	Ongoing This work is ongoing.
Enhance partnership working across services	Co-ordination of all relevant agencies and services involved in empty homes work	Line Manager of Empty Homes Officer	Officer Time	Ongoing Action complete for 2010/11. Action Ongoing.
	Work with colleagues in Council Tax to ensure that the options available to bring	Empty Homes Officer	Officer Time	July 2011 Two meetings have been held with

2.3 Appendix 1

	empty homes back into use are made available to owners			Council tax to establish joint enforcement procedure. Some properties identified as an option for this procedure. This work will be developed through the procedures. Action Ongoing
Establish procedures for working with mortgage companies with clients at threat of repossession	Make links and set up early interventions with mortgage companies	Empty Homes Officer	Officer Time	April 2012


2.3 Appendix 1

 Objective Three: Increase decent and affordable rented housing for those in housing need / maximise housing options in the town				
Desired Outcome: Improved access to decent and affordable housing for people in housing need				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Investigate and develop a range of re-use options for owners	Investigate and evaluate the feasibility of developing a leasing scheme with providers through council nominations	Empty Homes Officer	Officer Time	August 2011 This is being investigated through the empty homes Pilot scheme and HH will be entering into lease agreements with private owners. This is also an option in the Baden Street project. This Action is Ongoing.
Increase the use of affordable empty homes in meeting housing need	Use the marketing strategy to encourage landlords to let properties at an affordable rent	Line Manager of Empty Homes Officer	Officer Time	April 2012 As part of the pilot scheme landlords will be required to let their properties at an affordable rent to participate. This action is ongoing.
Work with registered providers to maximise housing options in the town	Monitor and evaluate the outcome from the pilot HH Managing Agent scheme	Housing Advice Manager	Officer Time	April 12 Monitoring will be completed on an annual basis for this scheme. This action is ongoing.

 Objective Four: Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons				
Desired Outcome: To have accurate information and mapped trends in order to effectively progress strategy development and enable informed decision making				
Enhance partnership working across services	Co-ordination of all relevant agencies and services involved in empty homes work	Line Manager of Empty Homes Officer	Officer Time	Ongoing Action complete for 2010/11 and will be ongoing throughout the project.
Develop an Empty Homes Database	Work with colleagues in Council Tax section to identify the data held on all empty properties	Empty Homes Officer	Within existing IT	July 2011 A consistent approach to identifying empty properties has been developed. Action Complete

2.3 Appendix 1

Establish an accurate baseline of empty homes information	Undertake a survey of empty home owners and establish why they are leaving their properties empty	Empty Homes Officer	Officer Time / postage costs	April 2011 Completed for 2010/11 and this will be an ongoing action through the empty property Performa which is sent to owners.
	Consult owners on their views as to what the Council should be doing to help them return their property to use	Empty Homes Officer	Officer Time / postage costs	April 2011 This forms part of the empty property Performa which is sent to all owners of empty properties over 12 months. Ongoing action.
	Consult local residents and other groups for their views on empty homes in Hartlepool	Empty Homes Officer	Officer Time / postage costs	April 2012 Residents of Belle Vue were consulted at the residents day. This action is ongoing.
Map areas of housing need	Use the information from the Compass CBL scheme to identify areas of housing need	Housing Advice Manager	Officer Time	Oct 2012 A revised housing needs assessment has been commissioned on a Tees Valley basis which will be used to supplement data gathered from the CBL system.
Review and monitor empty homes performance	Join National Association of Empty Property Practitioners	Principal Environmental Health Officer	£75 per year	July 2011 Action Completed.

 Objective Five: Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes				
Desired Outcome: Achieve long-term sustainability of these areas				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Ensure empty homes work complements the regeneration activity for the town	Use the Strategy in adjacent HMR areas	Principal Housing Regeneration Officer	Officer Time	Ongoing Action Complete for 2011/12 and ongoing.

Section 2 – Priority Areas for Action

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

- 6 Selective Licensing Areas
 - Hurworth Street Area
 - Dent / Derwent Street Area
 - Belk / Cameron / Furness Area
 - Cornwall Street Area
 - Rodney Street Area
 - Patterdale / Borrowdale Street Area
- Belle Vue
- Oxford Road Area
- Stephen Street / Suggitt Street Area
- West View Road
- Individual Streets i.e.
 - Helmsley Street
 - Baden Street
 - Sheriff Street
 - Mapleton Road / St Oswalds Street
 - Parton Street¹

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


- Tankerville Street
- St Pauls Road

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

¹ Please note that this list is not exhaustive


Work Plan 2011-12

This work plan has been developed from the Empty Homes Strategy Action Plan to highlight work to be completed within 2011/12 to meet the Objectives highlighted within the strategy.


 Objective One: Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action				
Desired Outcome: To improve neighbourhoods and the environment by targeting and helping to bring long-term empty homes back into use.				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Develop an Empty Homes Toolkit	Develop an Empty Homes Management Protocol for private owners and registered providers to use when they own empty properties	Empty Homes Officer	Officer Time	September 2011
	Develop EDMO, CPO and Enforced Sale Policy	Empty Homes Officer	Officer Time	September 2011
	Report to Portfolio Holder to approve policies.	Empty Homes Officer	Officer Time	October 2011
Using enforcement proactively tackle long-term empty properties in areas of housing need.	Bring 10% of long-term empty properties back into use in 2011/12. This is 58 properties in total from a baseline of 579 long term empty properties.	Principal Housing Regeneration Officer	Est. average up to £50k per property	March 2012
	Identify suitable for enforcement action for each of the top 20 empty properties.	Empty Homes Officer	Officer Time	October 2011
	Begin to pilot and evaluate the use of EDMO in line with policy and procedures from a property within the top 20 list of empty homes.	Empty Homes Officer	Up to £25k (including refurbishment costs)	April 2011
Explore opportunities for financial assistance to private owners	Evaluate the costs of bringing homes back into use in Baden Street	Housing Standards Officer	Officer Time	October 2011
	Evaluate the cost of bringing empty homes back into use across the town for implementation of the Pilot scheme.	Empty Homes Officer and Housing Hartlepool	Officer Time	December 2011


2.3 Appendix 2


	Investigate sources of funding for the pilot scheme to bring empty homes back into use.	Empty Homes Officer / Principal Housing and Regeneration Officer	Officer Time	July 2011
	Investigate sources to funding to deliver Baden Street project	Empty Homes Officer	Officer Time	July 2011

 Objective Two: Prevent homes from becoming long-term empty				
Desired Outcome: Minimise the number of properties becoming empty for longer than 6 months				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Enhance liaison with private landlords	Attendance at the Tees Valley Landlords forum to provide advice to Landlords	Empty Homes Officer	Officer Time	January 2012
	Update report to be produced for the landlord Accreditation newsletter	Empty Homes Officer	Officer Time	October 2011
	Leaflet to be included within Council tax letters to landlords with empty properties.	Empty Homes Officer	Officer Time	February 2011
	Leaflet to be included in all letters to landlords of empty properties sent from Housing Services team.	Empty Homes Officer	Officer Time	March 2011
Enhance partnership working across services	Work with Housing Hartlepool to implement the pilot scheme.	Principal Housing and Regeneration Officer	Officer Time	March 2011
	Work with colleagues in Council Tax to establish joint enforcement procedures for empty properties with Council tax debt.	Empty Homes Officer	Officer Time	August 2011
	Conduct briefing session with PCSO's regarding empty homes strategy.	Empty Homes Officer	Officer Time	February 2011
	Attendance at North, Central and South JAG groups to update on Empty Homes Work	Empty Homes Officer	Officer Time	December 2011
Establish procedures for working with mortgage companies with clients at threat of repossession	Make initial links with mortgage companies.	Empty Homes Officer	Officer Time	April 2011

2.3 Appendix 2

 Objective Three: Increase decent and affordable rented housing for those in housing need / maximise housing options in the town				
Desired Outcome: Improved access to decent and affordable housing for people in housing need				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Investigate and develop a range of re-use options for owners	Implement the leasing scheme with Housing Hartlepool as part of the pilot scheme.	Empty Homes Officer	Officer Time	March 2012
Increase the use of affordable empty homes in meeting housing need	Encourage landlords to let properties at an affordable rent through the empty homes pilot scheme.	Line Manager of Empty Homes Officer	Officer Time	April 2012

 Objective Four: Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons				
Desired Outcome: To have accurate information and mapped trends in order to effectively progress strategy development and enable informed decision making				
Develop an Empty Homes Database	Work with colleagues in Council Tax section to identify the data held on all empty properties and receive this on a quarterly basis.	Empty Homes Officer	Within existing IT	July 2011
Establish an accurate baseline of empty homes information	Undertake a survey of empty home owners and establish why they are leaving their properties empty. Write to all owners of empty properties over 2 years including the empty property Proforma.	Empty Homes Officer	Officer Time / postage costs	September 2011
	Consult local residents and other groups for their views on empty homes in Hartlepool. Attend the Neighbourhood consultative forums.	Empty Homes Officer	Officer Time / postage costs	December 2011
Map areas of housing need	Complete the revised Housing needs assessment for the Tees Valley.	Housing Advice Manager	Officer Time	January 2012

 Objective Five: Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes				
Desired Outcome: Achieve long-term sustainability of these areas				
Key Action	Key Task / Actions Involved	Responsibility	Resources	Timescale
Ensure empty homes work complements the regeneration activity for the town	Implement the pilot scheme on empty properties within areas adjacent to HMR sites.	Principal Housing Regeneration Officer	Officer Time	March 2011

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: HERITAGE AT RISK REGISTER FOR
HARTLEPOOL

SUMMARY

1. PURPOSE OF REPORT

To outline proposals to establish a register of 'heritage at risk' for Hartlepool which brings together a list of heritage assets at risk within a single local authority area.

2. SUMMARY OF CONTENTS

The report outlines the background to heritage at risk, the rationale for compiling a register and the proposed criteria which will be used to assess buildings.

3. RELEVANCE TO PORTFOLIO MEMBER

Conservation policy falls within the Portfolio.

4. TYPE OF DECISION

Non - key decision.

5. DECISION MAKING ROUTE

Community Safety and Housing Portfolio meeting 2 September 2011.

6. DECISION(S) REQUIRED

That the Portfolio Holder agrees to the processes outlined in the report to establish a Heritage at Risk Register for Hartlepool.

Report of: Assistant Director (Regeneration and Planning)

Subject: HERITAGE AT RISK REGISTER FOR
HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To outline proposals to establish a register of 'heritage at risk' for Hartlepool which brings together a list of heritage assets at risk within a single local authority area.

2. BACKGROUND

- 2.1 Planning Policy Statement 5; Planning for the Historic Environment (PPS5) encourages local authorities to monitor the impact of their planning policies and decisions on the historic environment. It notes that particular attention should be paid to 'the degree to which individual or groups of heritage assets are at risk of loss or decay, how they expect this will change over time, and how they propose to respond'.
- 2.2 This sentiment is also found in the Draft National Planning Policy Framework which suggests that 'Local planning authorities should set out a strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.'
- 2.3 English Heritage encourages local authorities to monitor heritage in their area and compile local registers of Heritage at Risk. This acts to bring together any existing information on Heritage at Risk in an area including information that is not freely available elsewhere. Hartlepool does not currently have such a register.
- 2.4 In their response to the Core Strategy Preferred Options Report English Heritage expressed concern stating that, 'the full extent of the Borough's heritage assets is not known, in as much as there is not yet a list or register of Locally Important Heritage Assets for it. Nor is the full extent of the condition of those heritage assets known or the extent to which they might be at risk from harm to or loss of significance. This is because the condition of grade II listed buildings and locally important assets has not been assessed.' It further went on to suggest that this was a weakness which could result in 'a threat to the environmental quality and integrity of the Borough'.

- 2.5 The creation of a Heritage at Risk Register for Hartlepool would create a single information point for Heritage at Risk. It would enable those buildings at risk to be monitored on a more formal basis than that which currently exists and highlight the buildings locally which may assist in securing their future. In addition it would address the concerns raised by English Heritage and it is in line with the current and potential future policy requirements.

3. NATIONAL REGISTERS OF BUILDINGS AT RISK

- 3.1 English Heritage initially began work considering buildings at risk in 1991 when an assessment was made of property in London and the first Buildings at Risk Register was published. This was followed in 1998 by a document covering buildings in England. The document focused on Grade I and II* buildings at risk.
- 3.2 The method used to assess properties has since been adapted to serve other types of heritage asset, from archaeological sites and conservation areas to registered parks and gardens, registered battlefields, and protected shipwrecks. The register does not, however, cover grade II listed buildings, significant buildings located in conservation areas or locally listed buildings.
- 3.3 SAVE Britain's Heritage have been campaigning for historic buildings since its formation in 1975. In 1989 it began compiling a register of Buildings at Risk. Buildings on this register are not included on the English Heritage Register. The register covers grade II listed buildings and significant buildings located in conservation areas. The aim of this list is to identify new owners able to repair properties and/or find a new use for them, which will secure the building's future. The list is published every year in a catalogue format and on the internet however there is a charge to access the information.
- 3.4 In Hartlepool one Scheduled Monument (Low Throston Deserted Medieval Village) is included on the English Heritage at Risk Register. There are no buildings or conservation areas on the list. There are twelve grade II listed buildings and properties in conservation areas on the SAVE Register.
- 3.5 All heritage assets featured on existing at risk registers, i.e. English Heritage and SAVE Registers, would be included on a Hartlepool register along with any other assets not featured elsewhere, for example locally significant buildings.

4. CRITERIA FOR INCLUSION ON THE HARTLEPOOL REGISTER

- 4.1 The condition of the heritage assets would be assessed from an external visual inspection. The condition is then used to calculate the level of risk. The same methodology used by English Heritage on the Heritage at Risk Register would be used. This methodology is outlined in **Appendix 1**.
- 4.2 Using the same methodology will enable the authority to evaluate its information against existing national records. This will allow an assessment to be made of any trends appearing locally which can be compared to national data.

5. CONSULTATION

- 5.1 Owners of heritage assets on the register will be notified that their building has been included. There will be an opportunity for comments on inclusion on the list prior to the list being formalised.
- 5.2 The list will be brought back to the Portfolio Holder along with any responses to the consultation for final agreement.

6. PUBLICATION OF THE REGISTER

- 6.1 Once the list has been formalised it will be published on the Councils website.
- 6.2 It is proposed that the list is reviewed annually. The consultation process outlined above will be repeated to enable owners to provide any comments or new information that they have prior to the updating of the list.

7. RECOMENDATION

- 7.1 That the Portfolio Holder agrees to the processes outlined in the report to establish a Heritage at Risk Register for Hartlepool.

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APPENDIX 1**Measuring Risk****Condition**

For buildings at risk, condition is graded as:

- Very bad (structural failure or signs of structural instability)
- Poor (building with deteriorating masonry, leaking roofs, usually accompanied by general deterioration of most elements of the building fabric)
- Fair (structurally sound but in need of minor repairs or showing signs of lack of general maintenance)
- Good (structurally sound and weather-tight)

For sites that cover areas (scheduled monuments, registered parks and gardens and protected wreck sites) one overall condition category is recorded. The category may relate only to the part of the site or monument that is at risk and not the whole site:

- Extensive significant problems
- Generally unsatisfactory with major localised problems
- Generally satisfactory but with significant localised problems
- Generally satisfactory but with minor localised problems
- Optimal
- Unknown (used for scheduled monuments that are below-ground and where their condition cannot be established)

For conservation areas, condition is categorised as: 'very bad', 'poor', 'fair' and 'optimal'.

Occupancy

For buildings that can be occupied or have a use, the main vulnerability is vacancy, or under-use. Occupancy (or use) is noted as follows:

- Vacant
- Part occupied
- Occupied
- Unknown
- Not applicable

Vulnerability

Principle vulnerability is noted for scheduled monuments and may relate only to the part of the monument which is at risk, and include the following:

- Animal burrowing, arable ploughing, coastal erosion, collapse, deterioration – in need of management, scrub/tree growth, visitor erosion.

For registered parks and gardens, protected wreck sites and conservation areas, vulnerability is noted as high, medium or low.

Priority

For buildings at risk, the following priority categories are used as an indication of trend and as a means of prioritising action:

- A Immediate risk of further rapid deterioration or loss of fabric; no solution agreed.
- B Immediate risk of further rapid deterioration or loss of fabric; solution agreed but not yet implemented.
- C Slow decay; no solution agreed.
- D Slow decay; solution agreed but not yet implemented.
- E Under repair or in fair to good repair, but no user identified; or under threat of vacancy with no obvious new user (applicable only to buildings capable of beneficial use).
- F Repair scheme in progress and (where applicable) end use or user identified; functionally redundant buildings with new use agreed but not yet implemented.

Trend

Trend for scheduled monuments, registered parks and gardens, registered battlefields and protected wreck sites may relate only to the part of the site that is at risk and is categorised as:

- Declining
- Stable
- Improving
- Unknown.

For conservation areas trend is categorised as:

- Expected to deteriorate significantly
- Expected to deteriorate
- Deteriorating
- Unknown
- No significant change expected
- Expected to show some improvement.

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: INTRODUCTION OF CHARGES FOR PRE-APPLICATION ADVICE & MONITORING OF PLANNING LEGAL AGREEMENT

SUMMARY

1. PURPOSE OF REPORT

To seek agreement to the schedule of fees proposed for the introduction of a charging policy for pre-application advice and for the monitoring of legal agreements associated with planning consents. It is proposed to commence charging October 2011.

2. SUMMARY OF CONTENTS

The report outlines the background to the proposal and the schedule of fees proposed.

3. RELEVANCE TO PORTFOLIO MEMBER

Planning Services policy falls within this Portfolio.

4. TYPE OF DECISION

Non - key decision.

5. DECISION MAKING ROUTE

Community Safety and Housing Portfolio meeting 2 September 2011.

6. DECISION(S) REQUIRED

That the Portfolio Holder agrees to the schedule and process outlined in the report to establish charging for pre-application services and the monitoring of legal agreements.

Report of: Assistant Director (Regeneration and Planning)

Subject: INTRODUCTION OF CHARGES FOR PRE-APPLICATION ADVICE & MONITORING OF PLANNING LEGAL AGREEMENT

1. PURPOSE OF REPORT

- 1.1 To seek agreement to the schedule of fees proposed for the introduction of a charging policy for pre-application advice and for the monitoring of legal agreements associated with planning consents. It is proposed to commence charging October 2011.

2. BACKGROUND

Pre-Application Advice

- 2.1 In the current financial climate and with the Government encouraging pre-application discussions between developers and the Council it is considered that an ever increasing workload is putting pressure on Development Control Teams. It should be noted that a significant amount of Councils now charge or intend to charge for pre-application advice.
- 2.2 The Planning Services Team currently offers a free advisory service (the 'One Stop Shop') to enable proposals to be considered informally before applications are submitted. The advisory service identifies any consent's required for the development proposed and how to apply for them. The Council strongly encourages use of the service as it may help to 'iron out' any potential problems and therefore deal with an application more efficiently. The service also provides a letter should planning permission not be needed this can be useful should a property/piece of land be sold in the future. The One Stop Shop is part of a positive and proactive planning process, although it is non-statutory.
- 2.3 The workload associated with the provision of this service is significant (approximately 50% of planning officers workload), this as well as a breakdown of types of informal enquiries received is shown on the tables below for the past two years.

January – December 2009

816 informal applications were received

717 planning applications were received

PS CODE 1 – 6	Large scale major	18
PS CODE 7 – 12	Small scale major	13
PS CODE 13 – 20	Minor	289
PS CODE 21	Householder	473
PS CODE 22	Adverts	22
PS CODE 23 – 27	Other	1
	Total	816

January – December 2010

801 informal applications were received

717 planning applications were received

PS CODE 1 – 6	Large scale major	8
PS CODE 7 – 12	Small scale major	22
PS CODE 13 – 20	Minor	282
PS CODE 21	Householder	450
PS CODE 22	Adverts	12
PS CODE 23 – 27	Other	27
	Total	801

2.4 Potential applicants are not obliged to seek pre-application advice, although the Government does encourage early discussions. Pre-application advice cannot bind the local planning authority to a particular outcome, in the event of a formal planning application. Any pre-application advice that has been given will be taken into account if a subsequent planning application is made, however any advice given is not legally binding upon the Local Planning Authority and does not constitute a formal decision.

2.5 The benefits of obtaining informal advice include the following:

- Assisting in the preparation of proposals before formal submission, which, if the advice is followed, should reduce any unexpected delays and be more likely to result in a positive outcome;
- Gain a clear understanding of the objectives of and constraints on development;
- Raise the quality of proposals;
- Save time and money thereby increasing efficiency;
- Reduce the number of invalid applications;
- Reduce the need for planning conditions that could delay implementation;
- Establish a degree of certainty to developers over their proposal;
- Indicating those proposals that are completely unacceptable, so saving the cost of pursuing a formal application;

- Identify if specialist input will be required.

- 2.6 Although there are benefits of obtaining informal advice it is considered that there could be both positive and negative implications in terms of charging for such a service. Positive implications could include an increase in income generation and a potential decrease in workload which is currently considered to be over capacity for officers. Negative implications could include an increase in unauthorised development, thus leading to an increase in planning enforcement workload, an increase in invalid applications, an increase in poor quality application submissions, potential impact on timescales for determination of application and a potential increase in appeals. These factors would need to be carefully monitored to ensure that the other functions associated with Planning Services would not be compromised.
- 2.7 It is considered that the current Planning Services offer is very good and benefits developers substantially, however it is also considered that the cost of providing this service could be recovered directly and not fall as a general cost to the Council taxpayer. The current statutory planning fees do not cover the cost of pre-application planning advice. A consultation paper for a new draft planning policy statement prepared in December 2009 reiterated the usefulness of pre-application advice and proposes charging for a pre-application service, however a decision has not yet been made.
- 2.8 A local planning authority has the power to charge for services provided in the form of pre-application discussions under Section 93 of the Local Government Act 2003. Where a local authority opts to charge a fee for the pre-application phase, any charge must be on a not for profit basis and over the course of each year, the income from charges for such services must not exceed the cost of providing them.
- 2.9 A schedule of fees has been prepared (**Appendix A**). The proposed scale of fees reflects the nature of the development i.e. a change of use would not be expected to pay the same amount as a proposed scheme for a major industrial development.
- 2.10 It is a concern of officers that householders wishing to erect a conservatory would not use the pre-application service should there be a fee, this may potentially lead to an increase in unauthorised development and thus an increase on the already limited resources of the enforcement officer. It is therefore advised that no fee is charged for pre-application advice to household developments. However it is proposed that should a household require a rapid response to an enquiry, generally household responses are given within 15 working days (for instance when proof is required by a solicitor for a house sale to progress) then a 'fast track' fee is considered appropriate and this is reflected in the proposed charges.

- 2.11 **Appendix B** shows what other LPA's charge for pre-application advice.
- 2.12 The Planning Committee agreed in principle to charging for pre-application advice in November 2010 and endorsed the schedule attached subject to the comments below on the 15th July 2011.
- 2.13 The Planning Committee has requested that a monitoring report is provided as an update on the effectiveness of the implementation of the policy within 6 months of implementation. It was advised that the fees should begin in October 2011 as this would enable 6 months full implementation to the end of financial year 2011 to be assessed.
- 2.14 The Planning Committee has also requested that during the first 12 months of the charging policy being in place, any income generated be held within the Department to mitigate costs associated with implementing the policy. This would be subject to review at the end of the first year as would the effectiveness of the policy.

Monitoring of Legal Agreements

- 2.15 Circular 05/2005: Planning Obligations (Para B50) advises local authorities to carefully monitor all legal agreements. Once planning obligations have been agreed, it is important that they are implemented or enforced in an efficient and transparent way, in order to ensure that contributions are spent on their intended purpose and that the associated development contributes to the sustainability of the area. This will require monitoring by local planning Authorities, which in turn may involve joint-working by different parts of the Authority.
- 2.16 There are two aspects to monitoring and managing legal agreements these being:
- Financial monitoring and management of the monies associated with receiving the income; and
 - Physical monitoring.
- 2.17 The Planning Services Team currently has the post of a Monitoring Officer in place for monitoring of the fulfilment of the obligations. This post also monitors compliance with planning conditions, which are already subject to a statutory discharge of planning condition charge.
- 2.18 As with pre-application advice other Council's have implemented a charge for the monitoring and management of legal agreements. There are differences between scales of fees for this and whether it is based on per obligation or per agreement. Again this fee should be levied to cover the cost of the service rather than make a profit. It is officer's view that it would be reasonable to charge per agreement relating to financial monitoring; however physical monitoring could be charged per visit given the differences in work associated with the monitoring.

- 2.19 The Planning Committee agreed in principle to charging for this service in November 2010 and endorsed the proposed scale of fees as below on the 15th July 2011:

Fee	Obligation
£250	per agreement relating to financial monitoring.
£300	per agreement relating to physical monitoring, should there be a requirement for multiple visits this fee would be payable per visit. To be agreed prior to the completion of any legal agreement.

3. RECOMMENDATION

- 3.1 That the Portfolio Holder agrees that:

1. the proposed scale of fees for pre-application advice and monitoring of legal agreements is implemented:
2. a review of the policy is carried out after one year or as soon as practicable

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APPENDIX A Proposed scale of fees

Development Type		Cost of Service
Code	Largescale Major Developments	
1	Dwellings (200 or more)(4 ha or more)	£500* for written response, including up to 2 meetings. Additional advice requested chargeable at hourly rate [^] with a maximum of £2000*
2	Offices / R & D / light industry (>10,000sq metres or >2ha)	
3	General Industry/storage/warehousing (>10,000sq metres or >2ha)	
4	Retail distribution and servicing (>10,000sq metres or >2ha)	
5	Gypsy and Traveller pitches (>10,000sq metres or >2ha)	
6	All other largescale major developments (>10,000sq metres or >2ha)	
	Smallscale Major Developments	
7	Dwellings (10 - 199) (0.5 ha and less than 4 ha)	£250* for a written response Or £350* as above plus meeting or accompanied site visit. Additional advice requested chargeable at hourly rate [^] with a maximum of £2000*
8	Offices/ R & D / light industry (1,000sq metres - 9,999 sq metres)	
9	General Industry/storage/Warehousing (1,000sq metres - 9,999 sq metres)	
10	Retail distribution and servicing (1,000sq metres - 9,999 sq metres)	
11	Gypsy and Traveller pitches (1,000sq metres - 9,999 sq metres)	
12	All other smallscale major developments (1,000sq metres - 9,999 sq metres)	
	Minor Developments	
13	Dwellings (1-9) (Less than 0.5 ha)	£100* written response Or £200* as above plus meeting or accompanied site visit
14	Offices / R& D / light industry (< 1000 or 1ha)	
15	General Industry/storage/warehousing (< 1000 or 1ha)	
16	Retail distribution and servicing (< 1000 or 1ha)	
17	Gypsy and Traveller pitches (< 1000 or 1ha)	
18	All other minor developments (< 1000 or 1ha)	
	Other Developments	
19	Minerals Processing	Based on area as above
20	Change of Use	Based on site area as above
21	Householder developments	Free[#]
22	Advertisements	£50*
23	Listed building consents (to alter/extend)	Free
24	Listed building consents (to demolish)	Free
25	Conservation area consents	Free
26	Certificates of lawful development	Quote on Request
27	Notifications	Quote on Request

NOTES:

- 1) ^ Hourly charges based on an average of officers hourly charges referred above which is £45.69/hour*
- 2) * Denotes that fees would be reviewed by an agreed inflationary amount from 1st April yearly.
- 3) A 'fasttrack' service with a fee of £50* is offered this would be subject to inflation as above. This would comprise a response given to a developer within 48hours of receiving the valid request.
- 4) Time frames:
 - Aim of 15 working days to respond to a Minor development.
 - Aim of 25 working days to respond to a Major development.
 - Large scale major development timetable to be arranged between case officer and applicant/agent.
 - Express householder development service aim of 48hours to respond.

APPENDIX B LPA Comparisons

Local Planning Authority	Major Development	Other Significant Development (large scale major)	Minor Development	Commercial Adverts	Householder Development	Other such as Listed Building, Demolitions etc
Middlesbrough	Now free previously charged £300 + VAT for SV, letter and 1-1 consultation; hourly rates chargeable thereafter	Now free but previously charged £300 + VAT	Now free previously charged £70 +VAT for SV, letter and consultation with officer as necessary; hourly rates chargeable thereafter	Now free previously charged £50+VAT	Now free previously charged £20 + VAT	Free
Durham	Free but charging to begin this year it is likely to take the form of two levels of advice 'outline' and 'full' advice with a maximum of £2000 and minimum of £30. This category likely to attract a higher fee.	Free but charging to begin this year it is likely to take the form of two levels of advice 'outline' and 'full' advice with a maximum of £2000 and minimum of £30 This category likely to attract a higher fee..	Free but charging to begin this year it is likely to take the form of two levels of advice 'outline' and 'full' advice with a maximum of £2000 and minimum of £30.	Free but charging to begin this year it is likely to take the form of two levels of advice 'outline' and 'full' advice with a maximum of £2000 and minimum of £30.	It is not intended to charge for householder advice but to offer a 'fastrack' service with a fee of £50.	Free but charging to begin this year it is likely to take the form of two levels of advice 'outline' and 'full' advice with a maximum of £2000 and minimum of £30.
Stockton	Free	Free	Free	Free	Free	Free
Redcar & Cleveland	Free	Free	Free	Free	Free	Free
Scarborough	£800 + VAT for up to 3 meetings plus written advice. Written advice only approx half fee incurred	£depending on scale could either £800 or £400 + VAT for up to 2 meetings plus written advice. Written advice only approx half fee incurred	£160+ VAT for up to 2 meetings plus written advice. Written advice only approx half fee incurred	No Pre-application discussions are entered into	No Pre-application discussions are entered into	No Pre-application discussions are entered into
Sunderland	Free – however Sunderland are reviewing their pre-application service and it is likely that charging will begin in September 2011, proposed charge £500 + VAT for each	Free – however Sunderland are reviewing their pre-application service and it is likely that charging will begin in September 2011, proposed charge £ 700 + VAT for each	Free – however Sunderland are reviewing their pre-application service and it is likely that charging will begin in September 2011, proposed charge £ 200 + VAT for each site	Free – however Sunderland are reviewing their pre-application service and it is likely that charging will begin in September 2011, proposed charge £35 + VAT	Free – however Sunderland are reviewing their pre-application service and it is likely that charging will begin in September 2011, proposed charge £30 + VAT	Free – however Sunderland are reviewing their pre-application service and it is likely that charging will begin in September 2011, proposed charge,

Local Planning Authority	Major Development	Other Significant Development (large scale major)	Minor Development	Commercial Adverts	Householder Development	Other such as Listed Building, Demolitions etc
	site	site	Change of use = £67 + VAT			Quote on Request Note "DO I NEED PLANNING PERMISSION" enquiries will be charged at £20 + VAT
North Yorkshire	Free	Free	Free	Free	Free	Free
Newcastle	£600.00 for each site. A further fee of £1800 as a follow on from stage 1 (principle of development), or flat rate of £2400	Price on application for Large Strategic Developments	Between £180 - £420 depending on site, a further fee of £240 or £780 as a follow on from stage 1 advice (in principle) or a flat rate of £420 or £1200 depending on size.	Free	Free	Free
North Tyneside	Stage 1: principle view, 1 meeting, 1 written response =£500. Stage 2: detailed pre-application advice = £1500	Stage 1: principle view, 1 meeting, 1 written response =£500. Stage 2: detailed pre-application advice = £1500	£200, 1 meeting, 1 written response		£30	Free
South Tyneside	£300 plus VAT (covers one letter, site visit and meeting) plus hourly rate for officer's time thereafter.		£50 per letter plus £100 for each meeting +VAT + hourly rate for officer's time thereafter.			£100 per letter plus £150 per meeting plus VAT plus hourly rate for officer's time thereafter. Telecoms, minerals and waste etc.
Northumberland	£250 written response £350 as above+ meeting/SV	Major significant development= £500 written response £750 as above+ meeting/SV	£100 written response £200 as above+ meeting/SV		£30-£60 depending on response required, and any meetings etc	

Local Planning Authority	Major Development	Other Significant Development (large scale major)	Minor Development	Commercial Adverts	Householder Development	Other such as Listed Building, Demolitions etc
Hartlepool	£250 written response £350 as above+ meeting or accompanied SV. Additional advice requested chargeable at hourly rate with a maximum of £2000	£500 for written response, including up to 2 meetings. Additional advice requested chargeable at hourly rate with a maximum of £2000	£100 written response £200 as above+ meeting or accompanied SV	£50	It is not intended to charge for householder advice as this could have repercussions on the enforcement element of the DC function, however it is advised that we offer a 'fastrack' service with a fee of £50.	Free

SV = Site Visit

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Neighbourhood Services)

Subject: TALKING CAMERAS

SUMMARY

1. PURPOSE OF REPORT

The report seeks approval of the Portfolio Holder to introduce “Talking Cameras” in addition to the existing use of CCTV provision within the Town Centre Area.

2. SUMMARY OF CONTENTS

The report explains how the introduction of Talking Cameras is to be trialled in the Town Centre area as part of the approach to dealing with the night time economy. The report gives details of the location and how the system could operate. Details are given of where similar initiatives are underway elsewhere across England.

3. RELEVANCE TO PORTFOLIO HOLDER

Community Safety falls within the remit of the Portfolio Holder.

4. TYPE OF DECISION

Non key

5. DECISION MAKING ROUTE

Portfolio on 2nd September 2011.

6. DECISION REQUIRED

The Portfolio Holder is asked to comment on the content of the report, approve the "Talking Cameras" trial, and subject to the trial being successful endorse its roll out in appropriate locations when funding becomes available.

Report of: Assistant Director (Neighbourhood Services)

Subject: TALKING CAMERAS

1. PURPOSE OF REPORT

- 1.1 The report seeks approval of the Portfolio Holder to introduce “Talking Cameras” in addition to the existing use of CCTV provision within the Town Centre Area.

2. BACKGROUND

- 2.1 The “Talking Camera” concept is principally achieved by the addition of speaker/s to an existing CCTV camera monitoring public space. This enables a camera operator to communicate with specific or general members of the public, although not affording a two way dialogue option.
- 2.2 The installation of Talking Cameras has been undertaken in a number of Cities and Town Centres to assist in the management of daytime street behaviour such as littering and general anti-social behaviour, and in the management of the night time economy. In some areas general messages relating to taxi rank locations and other general directions/safety messages are broadcast. Some locations have also used these systems to direct emergency evacuation procedures.
- 2.3 Middlesbrough Borough Council introduced seven Talking Cameras three years ago, which have been utilised to address serious littering problems. Impact has been such that Town Centre deployed street cleaning crews have been reduced from six to two, thus enabling their redeployment. Public feedback has been positive in respect of street management. Whilst night time economy incidents are only sometimes curtailed by voice intervention, there is strong evidence that escalation of incidents has been considerably reduced.
- 2.4 Bristol City Council installed technology in Autumn 2007. The main aims were:
- night time related in reducing levels of violent behaviour;
 - addressing incidents of ASB such as public urination;
 - littering; especially glass related
 - increasing public safety perceptions.

- 2.5 Subsequent evaluation identified that Talking Camera intervention had been an effective tool in general calming and the reduction in the number of incidents of aggressive behaviour. Subsequent migration to daytime support had also assisted positive general behaviour changes.
- 2.6 Talking Cameras however are not effective in the prevention of cycling on pavements. Nor can cameras, irrespective of talking enhancement, be the principal tool in the issue of fixed penalty notices e.g. littering, dog fouling, urination in public. Nevertheless Talking Cameras can afford an early prevention/remedy process whilst cameras can assist in directing enforcement officers for direct intervention.
- 2.7 In the main Talking Cameras afford an effective intervention tool.

3. PROPOSAL

- 3.1 The Regeneration and Planning scrutiny investigation into Hartlepool Borough Council's CCTV provision reported in September 2008. One of the recommendations was that a trial of Talking Cameras in Church Street/ York Road be explored.
- 3.2 Accordingly audio equipment has been installed in the CCTV Monitoring Centre and microphones attached to existing cameras at the following locations:
- Church Street at junction with Station Approach adapting existing HBC Community Safety public space camera
 - York Road and Victoria Road junction – Co-op building.
- 3.3 CCTV operators located within the Monitoring Centre will utilise live camera images to identify emerging or actual incidents and where appropriate, use the microphone to broadcast appropriate messages. The experiences of the system operating within Middlesbrough have been considered and will be used as the basis for the quality and appropriateness of messages. The number of messages broadcast will be relevant to on-street circumstances and it is recognised that an excess of messages, unless warranted, can diminish effectiveness.
- 3.4 Planning and noise pollution aspects have been discussed with the Authority's Planning Officers and for a three month trial period, post operation commencement, it has been agreed that broadcasts levels to 60 decibels may be made. This level is regarded as effective in other areas of existing operation and also recognises that there are residential properties within Church Street. The speaker or horn installed within Church Street is directional, rather than widespread, as far as broadcast and will co-ordinate with the tighter area which the

camera is monitoring. Microphone switch equipment ensures broadcast relates to one camera location at a time.

- 3.5 The Church Street camera is equipped to commence operation, subject to evaluation criteria being finalised and operatives receiving appropriate training, a live date of late September is envisaged.
- 3.6 The York Road camera would follow shortly after once initial testing and operator familiarity with the equipment has been established.
- 3.7 Press promotion of the system will be handled by the Safer Hartlepool Partnership Public Reassurance Group.
- 3.8 Following the procurement and installation of the live operational system, consideration will be given to enhancement with the facility to broadcast recorded messages on a general basis. This was not recognised as a priority during initial development of the mechanism. These recorded messages could be either instructive, to identify taxi rank locations etc., or safety related. This will require additional equipment and system re-alignment, and incur additional cost.

4. EVALUATION

- 4.1 The trial in the two named locations will need to be subject to an evaluation prior to any decision to expand the scheme. The Bristol scheme was evaluated according to the following criteria:
 - Number of successful interventions made by CCTV operatives-calculated as a percentage of the number of interventions that generated compliance with any instruction given.
 - Public acceptance and perception levels based on improved feelings of safety and confidence in the area.
 - Anecdotal evidence from the local community, police, businesses operating in the area, and the general public.
 - Ease of use for the CCTV operatives.
- 4.2 It is proposed we use similar criteria to evaluation the scheme, which will also provide comparator data and enable officers to determine whether the trial has been successful.

5. FINANCIAL CONSIDERATIONS

- 5.1 The initial stage cost of £9,600 was paid for from the Community Safety Capital Grant Fund. It was agreed that £50,000 be top-sliced for CCTV investment from this fund by Cabinet on 15th December 2008. To enhance the provision to enable the broadcast of pre-recorded messages would cost an additional £2,800, which can be met from existing resources.

- 5.2 Should the trial prove successful external funding would be sought to enable the expansion of the scheme in appropriate areas/locations.

6. RECOMMENDATION

- 6.1 The Portfolio Holder is requested to approve the "Talking Cameras" trial, and subject to the trial being successful endorse its roll out in appropriate locations when funding becomes available.

7. REASON FOR RECOMMENDATION

- 7.1 To enhance Community Safety in Hartlepool. The Talking Cameras have the potential to improve the management of the night time economy and could be further developed to deal with environmental issues in the future, as experience in other areas has demonstrated.

8. BACKGROUND PAPERS

- Safer Bristol Evaluation Report- The Introduction and Trial of Talking CCTV in Bristol.
- Cabinet Report September 2008- Regeneration and Planning Services Scrutiny Forum- Final Recommendations of CCTV Investigation
- Cabinet Minutes 15th December 2008

9. CONTACT OFFICER

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COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration & Planning)

Subject: TRADING STANDARDS SERVICE PLAN
2011/12

SUMMARY

1. PURPOSE OF REPORT

To consider the Trading Standards Service Plan for 2011/12.

2. SUMMARY OF CONTENTS

The report sets out details of the Trading Standards Service Plan for 2011/12.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder for Community Safety & Housing has responsibility for this service.

4. TYPE OF DECISION

Non key

5. DECISION MAKING ROUTE

Community Safety & Housing Portfolio.

6. DECISION(S) REQUIRED

Approval of the Trading Standards Service Plan 2011/12.

Report of: Assistant Director (Regeneration & Planning)

Subject: TRADING STANDARDS SERVICE PLAN
2011/12

1. PURPOSE OF REPORT

- 1.1 To consider and approve the Trading Standards Service Plan for 2011/12.

2. BACKGROUND

- 2.1 Trading Standards operates within the Public Protection Service and has a wide range of enforcement responsibilities including product safety, underage sales, weights and measures and counterfeiting. It also plays a significant role in, amongst other things, the detection and prevention of doorstep crime, illicit tobacco, cowboy roofers and builders and other scams and cons.
- 2.2 The Trading Standards Service publishes an annual service plan detailing the previous performance of the Service, the main challenges facing it and a plan of work to be undertaken in the forthcoming year.
- 2.3 The Service Plan details the Service's priorities for 2011/12 and highlights how these priorities will be addressed.
- 2.4 The Service Plan for 2011/12 is attached as **Appendix 1**.

3. THE TRADING STANDARDS SERVICE PLAN

- 3.1 The Service Plan covers the following:
- (i) Service Aims and Objectives.
 - (ii) The background to the Authority, including the scope and demands on the Trading Standards Service.
 - (iii) Service delivery, including inspection programmes, service requests, complaints, advice, liaison and promotion.

- (iv) Resources, including financial allocation, staff allocation and staff development.
- (v) Quality assessment.
- (vi) Details of the review of the Plan.

4. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

- 4.1 In 2002 Hartlepool's Trading Standards Service developed and adopted a Resource Allocation Matrix that provided a methodical and evidence based approach to the identification of service priorities and allowed for limited resources to be directed at those areas of greatest need.
- 4.2 The matrix takes account of a range of factors including public and business concerns, degree of risk to the public, complaint trends, government priorities at a national level and Members concerns at a local level and helps establish which enforcement areas should take priority over others.
- 4.3 This matrix was re-visited in 2011 and the service priorities were identified as detailed in 4.5 below.
- 4.4 The challenging economic climate and significant financial restraints being placed on local government has re-emphasised the need for effective resource allocation and service planning to ensure the best possible value for money for local residents.
- 4.5 The Service Plan highlights that the high priorities for the Trading Standards Service in 2011/12 will be Underage Sales, Product Safety and Tackling Rogue Traders. Medium priorities will be Scams, Counterfeiting and False Descriptions whilst the low priority areas will be Weights & Measures, Misleading Pricing and Loans Sharks (*This being due to the continued operation of a Regional Illegal Money Lending Team that specifically targets loan sharks*).
- 4.6 Service delivery takes the form of premises inspections, sampling, responding to complaints, providing advice and guidance and raising public awareness. It is also sometimes necessary to take formal legal action against those found to be committing serious criminal offences. This may take the form of Simple Cautions or prosecution at Court.
- 4.7 Emphasis will remain on protecting the residents of Hartlepool from those trading practices that can threaten their health and wealth and to restrict and prevent the supply of age restricted products to children.

5. RECOMMENDATION

- 5.1 That the Portfolio Holder approves the Trading Standards Service Plan for 2011/12.

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2.7 Appendix 1

Hartlepool Borough Council

Trading Standards Service Plan

2011/12

TRADING STANDARDS SERVICE PLAN 2010/11

INTRODUCTION

1. SERVICE AIMS AND OBJECTIVES

- 1.1 Service Aims and Objectives
- 1.2 Links to Corporate Objectives and Plans

2. BACKGROUND

- 2.1 Profile of the Local Authority
- 2.2 Organisational Structure
- 2.3 Scope of the Trading Standards Service
- 2.4 Demands on the Trading Standards Service
- 2.5 Enforcement Policy

3. SERVICE DELIVERY

- 3.1 Proactive Work
- 3.2 Trading Standards Inspections
- 3.3 Advice & Guidance
- 3.4 Acting as Statutory Consultee
- 3.5 Local programmes/initiatives
- 3.6 Sampling
- 3.7 Reactive Work
- 3.8 Complaints and Requests for Service
- 3.9 Complaints against our Staff
- 3.10 Liaison Arrangements
- 3.11 Regional Enforcement
- 3.12 Lead Authority Partnership Scheme / Primary Authority Scheme

4. RESOURCES

- 4.1 Financial
- 4.2 Staffing Allocation
- 4.3 Staff Development
- 4.4 Equipment and Facilities

5. QUALITY ASSESSMENT

6. REVIEW OF 2010/11

- 6.1 Overview
- 6.2 Performance Review 2010/11
- 6.3 Trading Standards Inspections
- 6.4 Tobacco Control
- 6.5 Sampling
- 6.6 Promotional / Campaign Work
- 6.7 Formal Enforcement Action
- 6.8 Responding to Complaints
- 6.9 Complaints against our Staff
- 6.10 Compliments

7. AREAS FOR IMPROVEMENT / KEY CHALLENGES FOR 2011/12

INTRODUCTION

This Service Plan details how the Trading Standards Service will be delivered by Hartlepool Borough Council.

The Plan sets out the Council's aims in respect of its Trading Standards Service and the means by which those aims are to be fulfilled.

Whilst focussing primarily on the year 2011/12, where relevant, longer-term objectives are identified. Additionally, there is a review of performance for 2010/11 and this aims to inform decisions about how best to build on past successes and address performance gaps.

1 SERVICE AIMS AND OBJECTIVES

1.1 Service Aims and Objectives

Hartlepool Borough Council aims:

- To carry out our enforcement duties and deliver high quality services through the efficient and effective use of resources;
- To supplement our enforcement role by providing targeted education and advice;
- To encourage innovation through actively seeking out best practice and working in partnership with other agencies;
- To actively contribute towards achieving nationally agreed strategic aims and objectives; and
- To ensure our actions are consistent, proportionate and targeted and that we are transparent and open about what we do.

In its delivery of the service the Council will have regard to directions and examples of best practice as disseminated by Local Government Regulation (formerly known as LACORS), Trading Standards Institute and Central Government.

1.2 Links to Corporate Objectives and Plans

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Community Strategy - the Local Strategic Partnerships (the Hartlepool Partnership) goal is *"to regenerate Hartlepool by promoting economic, social and environmental wellbeing in a sustainable manner."*
- Corporate Plan
- Regeneration and Neighbourhoods Departmental Plan

- Trading Standards Service Plan - sets out how the Council aims to deliver this statutory service and contribute towards corporate objectives

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

"Hartlepool will be an ambitious, healthy, respectful, inclusive, thriving and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential."

This Trading Standards Service Plan contributes towards the vision and the Council's main priorities in the following ways:

Jobs and the Economy

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to Trading Standards related matters and thus help avoid potential costly action at a later stage.

Health and Care

By ensuring that businesses supply safe products and through the prevention of the supply of age restricted products to children.

Community Safety

By encouraging awareness amongst businesses of the role they can play in reducing problems in their community by keeping premises in a clean, tidy and safe condition. By preventing the supply of alcohol to children who may go on to cause anti social behaviour or raise the fear of crime for residents.

Environment

By encouraging businesses to be aware of environmental issues which they can control, such as energy efficiency in commercial and domestic premises.

Culture and Leisure

By exploring ways to promote high standards of consumer confidence in local traders including hotels, other tourist accommodation, public houses and other catering and retail premises.

Strengthening Communities

By developing ways of communicating well with all customers, including proprietors of businesses whose first language is not English, and ensuring that we deliver our service equitably to all.

This Trading Standards Service Plan similarly contributes to the vision set out in the Regeneration & Neighbourhoods Departmental Plan:

“To work hand in hand with communities and to provide and develop excellent services that will improve the quality of life for people living in Hartlepool neighbourhoods”.

The Council is committed to the principles of equality and diversity. This Trading Standards Service Plan consequently aims to ensure that the same high standards of service is offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

2 BACKGROUND

2.1 Profile of the Local Authority

Hartlepool is situated on the North East coast of England. The Borough consists of the town of Hartlepool and a number of small outlying villages. The total area of the Borough is 9,390 hectares.

Hartlepool is a unitary authority, providing a full range of services. It adjoins Durham County Council to the north and west and Stockton on Tees Borough Council to the south. The residential population is 90,161 of which ethnic minorities comprise 1.2% (2001 census).

The borough contains a rich mix of the very old and the very new. Its historic beginnings can be traced back to the discovery of an iron-age settlement at Catcote Village and the headland, known locally as “Old Hartlepool” is steeped in history. On the other hand, the former South Docks area has been transformed in to a fabulous 500-berth Marina.

In August 2010, Hartlepool welcomed almost 1 million visitors as it hosted the finale of the prestigious 2010 Tall Ships' Races; an internationally acclaimed annual competition held every summer in European waters.

The tourist industry impacts upon recreational opportunities, shopping facilities and leisure facilities, including the provision of food and drink outlets.

2.2 Organisational Structure

Hartlepool Borough Council is a democratic organisation. It comprises of 48 elected councilors who are responsible for agreeing policies about provision of services and how the Council's money is spent. The key decision making body is the Cabinet. Members of the Cabinet are appointed by the elected Mayor, and each has a portfolio of responsibility for particular services that the Council provides.

The elected Mayor provides political oversight for Trading Standards enforcement as portfolio holder for Community Safety.

The Management organisation is led by the Chief Executive. The Council is made up of three Departments:

Chief Executive's
Child & Adult Services
Regeneration & Neighbourhoods

The Trading Standards Service is delivered through the Regeneration & Planning Division of the Regeneration & Neighbourhoods Department.

2.3 Scope of the Trading Standards Service

The Council's Trading Standards Service is a constituent part of the Regeneration & Planning Division.

Service delivery broadly comprises:

- Carrying out programmed inspections;
- Investigating complaints relating to consumer protection issues;
- Carrying out programmed test purchase exercises to monitor trader compliance with relevant legislation – including underage sales;
- Taking samples of consumer products for testing and analysis
- Providing advice and information to both consumers and traders;
- Taking action (formal and informal) to ensure compliance with legislation;
- Acting as a Statutory Consultee for applications made under the Licensing Act 2003; and
- Enforcing smoke free legislation in public places.

To achieve strategic aims and objectives it is necessary to work in partnership with other organisations and agencies such as local authorities, Cleveland Police, Her Majesties Revenues & Customs (HMRC) and local businesses. The Council aims to ensure that these joint working arrangements are in place and that officers of the Service contribute, and are committed to, the ongoing development of these arrangements.

2.4 Demands on the Trading Standards Service

The Trading Standards Service is the principal enforcing authority for approximately 500 statutory instruments relating to consumer protection.

With a staff compliment of only four full time officers (including one trainee) it has been necessary to prioritise proactive work and this has been done by the development of a 'Resource Allocation Matrix'. This takes account of a range of factors including public concerns, business concerns, degree of risk to the public, complaint trends, government concerns at a national level and Members concerns at a local level and helps establish which enforcement areas should take priority over others.

Using this matrix the current priority areas for the Trading Standards Service are: -

High Priority

Tackling Underage Sales - The illegal sale of alcohol and other age-restricted products to children not only contributes significantly towards anti-social behaviour in Hartlepool but can also represent a serious risk to the health and well-being of the children involved.

Trading Standards and licensing officers work closely with Cleveland Police and other agencies to target premises that are thought to sell to children and uses underage volunteers to identify where offences are being committed.

Product Safety – Consumers are entitled to assume that all products they purchase will be safe. Trading Standards is responsible for the monitoring, sampling and testing of consumer products to ensure they do not pose a risk.

Rogue Traders – Doorstep crime, cowboy builders and other types of scam can cost local residents hundreds or even thousands of pounds. Trading Standards work closely with a number of agencies to help protect the vulnerable from this type of crime.

Medium Priority

Scams and Cons – Unscrupulous traders routinely prey on the vulnerable and elderly by taking advantage of their goodwill. Most people regularly receive unsolicited letters or e-mails offering services that are 'too good to be true'. Sadly, on some occasions, consumers are drawn into these scams and pay for goods or services that either never arrive or are not what was initially described. In many cases, making one purchase opens up the consumer to many, many other scams and problems can escalate. Trading Standards aims to identify common scams and notify consumers through press releases and other mass media such as the internet and 'Ringmaster'.

Where a company can be identified, formal action would be commenced against them.

False Descriptions – Most consumer purchases are made on the basis of the description they are given by either the manufacturer or retailer. In some cases descriptions are deliberately or negligently misleading – causing consumers to make purchase decisions that they may not have made otherwise. Once money has been handed over it can, on occasion, be very difficult to get back other than to go through the court system. Trading Standards investigates complaints about traders who falsely describe goods and look for the accuracy of descriptions during routine inspections.

Counterfeiting and illicit tobacco – The illegal copying of DVD's, computer software, designer clothing and jewellery continue to be a significant issue in Hartlepool. Counterfeiting is bad for business – it takes money away from local retailers who sell genuine products and puts it into the hands of local and national criminals – with little or no local benefit for the town. Counterfeiting is

often carried out by large organised crime units who are also engaged in other types of criminal activity such as drugs and smuggling.

Trading Standards works closely with HMRC, the Police and trade mark holders to identify and prosecute those who sell counterfeit products.

In April 2010 the Trading Standards Service appointed a tobacco control enforcement officer funded by grant monies made available for two years from the Department of Health. The postholder's responsibilities include working with regional and sub-regional organisations to identify sources of illicit and counterfeit tobacco and to prevent its supply.

Low Priority

Loan Sharks – Working in partnership with the Regional Illegal Money Lending Team Trading Standards identifies and prosecutes those who prey on the vulnerable by illegally lending money at extortionate interest rates. This is categorised as a low priority as there is a bespoke Regional enforcement team that now exclusively targets illegal money lending and, as such, the need for direct local resourcing has been reduced.

Weights and Measures – Many products are still sold by either weight or by length and consumers expect that they will receive the quantity stated. For some products, such as petrol, the value of goods is so high that even a small error in the accuracy of a measuring machine may lead to significant consumer loss.

Trading Standards officers are 'Weights and Measures Inspectors' and routinely carry out checks on weighing and measuring equipment.

Misleading Pricing – Most products are now sold with no price marking on them – bar codes having replaced price stickers. This has made it extremely difficult to check whether the price stated on a shelf is actually the price charged at the checkout. For some purchases, there may be 'hidden extras' that can significantly inflate the final price of goods or services.

Trading Standards staff routinely check the accuracy of price indications in shops and respond to complaints about misleading price indications.

2.5 Enforcement Policy

The Council has signed up to the Regulators Compliance Code and an updated and revised Public Protection Enforcement Policy was adopted in 2011.

3 SERVICE DELIVERY

3.1 Proactive Work

3.2 Trading Standards Inspections

The Trading Standards Service operates a risk based priority programme of business inspections to ensure ongoing compliance with relevant legislation.

Business types are categorised according to a national risk framework with local officers then attaching an additional element based on confidence in the management of the premises. For example, those traders that have demonstrated a clear understanding of their legal obligations and implemented procedures and practices to comply with them will receive less scrutiny than a trader who deliberately or negligently flouts their obligations.

Premises may be classified as being High, Medium or Low Risk or, for premises where consumer protection legislation does not apply, 'No Inspectable Risk'.

The team aims to visit high risk premises on an annual basis, medium risk premises every two years and low risk every five years.

Information on premises liable to Trading Standards inspections is held on the APP computer system. An inspection programme is produced from this system at the commencement of each reporting year.

The inspection programme for 2011/12 comprises the following number of scheduled Trading Standards inspections:

Risk Category	Frequency of Inspection	No of Inspections
High	Not less than 12 months	3
Medium	24 months	213
Low	5 years	283
Total		499

Whilst the low risk premises can be targeted by non-inspection interventions such as mail shots, self assessment questionnaires or training events this approach can be resource intensive and have limited impact.

The target for 2011/12 is to inspect all high risk premises that are due for inspection and 80% of all medium and low risk premises combined.

It is anticipated that consistent, high quality programmed inspections by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action.

Revisits will be carried out to check compliance where contraventions have been identified.

The performance against inspection targets for all Trading Standards inspections is reported quarterly as part of the Regeneration & Neighbourhoods Department internal performance monitoring.

3.3 Advice and Guidance

The Trading Standards Service works closely with the national consumer advice helpline, Consumer Direct, to provide a comprehensive advice and guidance service. Consumers in need of advice regarding the civil law will be serviced by Consumer Direct but where issues are raised that may have a broader local impact the local Trading Standards Service will be alerted and, if appropriate, an investigation commenced.

In most cases the Trading Standards Service will look to work in partnership with local businesses to ensure they are fully aware of their legal obligations and how best to achieve legal compliance. Such advice is offered free of charge and can be made available at a time to suit the trader.

Trading Standards staff also regularly provide advice sessions to local community groups on issues such as doorstep crime, loan sharks/illegal moneylending, rogue traders and the 'work of Trading Standards'.

Recent surveys carried out by the Government have indicated that businesses and retailers value visits by Trading Standards staff as being an important source of up to date advice and information.

The Council considers that assistance to business, in order to help them to comply with the requirements of legislation, is one of our core activities. For Trading Standards issues the Council has a policy of offering comprehensive advice to any business for which it is, or is likely to become, the enforcing authority.

Advice will be available during the course of routine visits and inspections, through information leaflets and booklets, in response to queries and through the Council's website.

3.4 Acting as Statutory Consultee – Trading Standards is a statutory 'Responsible Authority' under the Licensing Act 2003. This means that every application for a licence to supply alcohol or offer other regulated entertainment must be submitted to the Trading Standards Service who will consider the application in terms of its likely impact on the Act's 'licensing objectives'. For Trading Standards this primarily means the protection of children from harm and officers use their expertise in detecting and preventing underage sales to work with prospective licensees and ensure operating procedures are put in place to prevent the sale of alcohol to children.

3.5 Local programmes/initiatives

Trading Standards will be conducting a range of projects and surveys during 2011/12 in order to improve consumer protection and to raise consumer confidence. These include: -

Underage Sales – Working with Cleveland Police the team shall carry out a minimum of one underage sales test purchase operation each quarter. Products to be targeted will include alcohol, tobacco, solvents and in relation to service provision – gambling. In addition to this the Service will use 18 year old volunteers to identify whether premises are adhering to their proof of age policies such as Challenge 21 or Challenge 25. The main aim of these operations will be to highlight to retailers that their processes are failing in order to stimulate improvement rather than to press for immediate legal action.

Trade Association Membership – Consumer are regularly advised to engage with traders who are members of a trade association as a means of ensuring high quality workmanship and reliable dispute resolution. The Trading Standards team will carry out a survey of those traders who claim to be members of an association to ensure consumers can rely on any statements given.

Doorstep Crime – Sadly there are still many rogue traders who target the vulnerable in their own homes – cold calling residents with bogus claims of faulty roofs or ‘once in a lifetime’ deals.

Many complaints about doorstep crime are made direct to the Police so Trading Standards are developing a training programme to educate Police officers about what they can do when they attend an incident and how Trading Standards can investigate and prosecute offenders.

Training will also be offered to carers who may be present when bogus traders call on their clients.

Energy Performance Certificates – As energy prices continue to soar Trading Standards will be ensuring that traders comply with their legal obligations relating to the provision of Energy Certificates for those buying or renting new homes.

Overloaded Vehicles – There is a limit as to how heavy a vehicle can be to safely travel on roads in the UK. With transport costs increasing there can be a financial advantage to reducing journeys by overloading vehicles which can, in turn, significantly reduce the safety of the vehicle concerned. Brakes, tyres and suspension can fail and overloaded vehicles can significantly damage highways.

Trading Standards officers will be leading multi agency enforcement operations to identify and prosecute those who put other road users at risk through deliberate overloading.

Discrimination – complaints have been received that some service providers discriminate between sexes or on the grounds of age by giving different advice or offering different prices. Typically this may mean a mechanic quoting different prices to male and female customers or computer shops charging the elderly for work that may not be required.

The Trading Standards Service will be carrying out test purchase exercises to ensure that no such discrimination is taking place in Hartlepool.

3.6 Sampling

In order to protect the public it is essential that potential problems, particularly safety related, can be identified before they cause damage.

One way of achieving this is through the regular sampling of consumer products to ensure they comply with relevant safety standards or with the descriptions being applied to them.

In most cases samples are sent to the testing laboratory at the Tees Valley Metrology Centre in Middlesbrough where they can be screen tested to identify any obvious faults. Where potential problems are identified samples may then be sent to Testing Houses for more formal testing for evidential purposes.

A sampling plan has been prepared for 2011/12 which will target, amongst other things, the following consumer products: -

Smoke Detectors – Are they reliable?
RCD fitted Electrical Extension Leads – Are they safe?
Fireworks – Do they comply with safety standards?
Babies dummies – Do they comply with safety standards?
Toys for children under 3 – Do they comply with safety standards?

3.7 Reactive Work

3.8 Trading Standards Complaints and Service Requests

It is intended that every complaint / request for service is responded to within 2 working days.

The majority of consumer complaints are forwarded to the Trading Standards Service via 'Consumer Direct' – a national consumer hotline provided by central government. Consumer Direct provide scripted advice that can resolve many of the simplest complaints but the more complex matters, or those requiring a potential criminal investigation, are referred on to the local Trading Standards department.

The initial response is determined after assessment of the information received, and is based on the risk arising from the conditions that are the subject of the complaint.

The potential actions that are available vary from the provision of advice, often after liaison with the business, to full prosecution procedures in line with the Public Protection Enforcement Policy.

399 complaints were received by the Trading Standards Service during 2010/11.

3.9 Complaints against our Staff

Anyone who is aggrieved by the actions of a member of staff is encouraged, in the first instance, to contact the employee's line manager. Details of how and who to make contact with are contained in the inspection report left at the time of an inspection.

Formal complaints are investigated in accordance with the Council's corporate complaint procedure.

3.10 Liaison Arrangements

The Council actively participates in local and regional activities and is represented on the following:

- Tees Valley Public Protection Heads of Service Group
- North East Public Protection Partnership
- North East Trading Standards Association
- Various multi-agency intelligence networks

3.11 Regional Enforcement

Hartlepool is a partner in the North Eastern Trading Standards Association (NETSA) and contributes to the regional enforcement activity planned by it.

In addition there is a Regional Illegal Money Lending Team (IMLT) funded through the Government's Business Innovation and Skills Department and a Scambusters Team that targeted scams and cons that were being perpetrated across the North East.

To assist with the work of these two teams NETSA also managed the work of a Regional Intelligence Officer whose role was to gather and disseminate intelligence to NETSA members, the IMLT and Scambusters.

3.12 Primary Authority Scheme

It is the Council's policy to comply with the Local Better Regulation Office's Primary Authority Scheme.

In particular the Council will contact the Primary Authority and liaise over:

- any proposed formal enforcement action
- service of Notices

- shortcomings in the companies policies that have wider implications

In Hartlepool, there are currently no formal Primary Authority arrangements in place with a Hartlepool based trader however the service works closely with some local businesses on an informal basis.

The level of resourcing will have to be reviewed if an opportunity to enter into a formal Primary Authority arrangement arises.

4. RESOURCES

4.1 Financial Resources

The annual budget for Public Protection for 2011/12 is:

	£000.0
Employees	513
Other Expenditure	142.1
Income	(34.4)
Net Budget	621.1

This budget is for other services provided by this section including Health & Safety, Licensing, Food and resources are allocated in accordance with service demands. The figures do not include the budget for administrative / support services which are now incorporated into the overall budget.

4.2 Staffing Allocation

The Director of Regeneration & Neighbourhoods has overall responsibility for the delivery of the Trading Standards Service. The Assistant Director of Regeneration & Planning has responsibility for ensuring the delivery of the Council's Trading Standards Service in accordance with the Service Plan.

The Public Protection Manager has responsibility for planning service delivery and management of the Trading Standards Service, Food, Licensing, Public Health, Water Quality, Health & Safety, Animal Health and Welfare, Environmental Protection and I.T. as well as general management responsibilities as a member of the Regeneration & Planning Management Team.

The Principal Trading Standards & Licensing officer has responsibility for the day to day supervision of the Trading Standards and Licensing Service and, having the requisite qualifications and experience, is designated as the authority's Chief Inspector of Weights and Measures.

Senior Trading Standards officers are responsible for carrying out the trading Standards premises inspection programme as well as the delivery of all other aspects of the Trading Standards service and will undertake complex investigations.

The Technical Officer (Trading Standards) is responsible for inspections, as well as revisits, investigation of less complex complaints and investigation of accidents.

Administrative support is provided by the Support Services team based within the Regeneration & Neighbourhood Services department.

All staff engaged in Trading Standards law enforcement activity will be suitably trained and qualified and appropriately authorised in accordance with guidance and internal policy.

The resources determined necessary to deliver the service in 2011/12 are as follows:

1 x 0.10 FTE Public Protection Manager (with responsibility also for Food, Licensing, Health & Safety, Environmental Standards & IT)

1 x 0.50 FTE Principal Trading Standards Officer (with responsibility also for Licensing)

2 x Senior Trading Standards Officers

1 x FTE Technical Officer (Trading Standards)

1 x FTE Trainee Trading Standards Officer

4.3 Staff Development

The Council is committed to the training and personal development of its employees through the Investors in People (IIP) process and has in place Personal Development Plans for all members of staff.

The Staff Personal Development Plan Scheme allows for the formal identification of the training needs of staff members in terms of personal development linked with the development needs of the service on an annual basis.

A Personal Development Plan that clearly prioritises training requirements of individual staff members will be developed and reviewed bi-annually. Detailed records are maintained by the service relating to all training received by officers.

4.4 Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the Trading Standards Service.

The service has a computerised performance management system, Authority Public Protection (APP). This is capable of maintaining up to date accurate data relating to the activities of the Trading Standards Service. A documented database management procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the inspection programmes, the recording and tracking of all

Trading Standards activities, the production of statutory returns and the effective management of performance.

Hartlepool is also one of four unitary councils that operate the Tees Valley Measurement Centre in Middlesbrough. The Centre performs all of the Council's statutory Weights and Measures functions (such as the holding and maintenance of weighing and measuring equipment) and carries out the routine testing of industrial weighing machines and petrol pumps.

The Centre also operates a testing laboratory that can conduct both physical and chemical testing of samples. The laboratory is used to 'screen' samples before they are sent to more expensive Test Houses. Only those samples that fail a 'screen test' are sent for further testing – saving both time and expense.

5. QUALITY ASSESSMENT

The Council is committed to quality service provision. To support this commitment the Trading Standards Service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the Trading Standards Service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Principal Trading Standards & Licensing will carry out accompanied visits with officers undertaking inspections, investigations and other duties for the purpose of monitoring consistency and quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

6 PERFORMANCE 2010/11

6.1 Overview - It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan a review has been conducted of performance against those targets established for the year 2010/11.

This service plan will be reviewed at the conclusion of the year 2011/12 and at any point during the year where significant legislative changes or other relevant factors occur during the year.

It is the responsibility of the Public Protection Manager to carry out that review with the Assistant Director of Regeneration & Planning.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Any relevant amendments to the Council's Corporate Plan will be incorporated into the service plan.

Following any review leading to proposed revision of the service plan Member approval will be sought.

6.2 Performance Review 2010/2011

This section describes performance of the service in key areas.

During 2010/11 the staffing resource for carrying out Trading Standards enforcement was reduced due to a Trading Standards officer post remaining vacant throughout the year.

The situation was also exacerbated by the loss of a number of Trading Standards staff over recent years in order to meet corporate efficiency and budgetary savings.

6.3 Trading Standards Inspections

Due to the staffing issues outlined above and other demands on the service the Trading Standards Service carried out a total of 70% of the inspections that were scheduled.

During 2010/11 the Service also carried out 569 enforcement visits to assess compliance with smoke free legislation which came into force on 1st July 2007.

6.4 Tobacco Control

In April 2010 a tobacco control enforcement officer was employed on a two year contract funded through the Department of Health. The officer's primary responsibility was to identify and target premises and retailers who were supplying illicit tobacco – whether from traditional retail premises or from private homes – commonly known as 'tab houses'.

The officer also began a programme of retailer education to help ensure that they were not deliberately or unintentionally supplying illicit or counterfeit tobacco. During 2010/11 this officer carried out 207 visits to premises to provide advice and guidance.

6.5 Sampling

During 2010/11 Trading Standards sampled a number of products to ensure compliance with safety regulations. These included: -

- Hair Straighteners (there is a national problem with counterfeit hair straighteners),
- Child's Deck Chairs (there can be a design flaw leading to potential loss of fingers)

- Children's Toys
- Halloween Toys
- Carbon Monoxide Detectors

6.6 Promotional/Campaign Work

During 2010/11 the Trading Standards Service carried out 12 presentations to community groups and other associations – informing members of their consumer rights and advising them of the work carried out by Trading Standards on their behalf.

6.7 Formal Enforcement Action

On some occasions it is necessary to prosecute for serious or repeat offences. In 2010/11 nine prosecutions were brought by the Trading Standards team. These related to the sale of alcohol and tobacco to children, illegal moneylending and one trader who persistently claimed membership of a trade association when, in fact, he was not a member.

6.8 Responding to Complaints

The Trading Standards Service received a total of 399 complaints from both consumers and traders relating to a wide range of issues. In many cases these complaints can be resolved through the provision of advice or by re-direction to another agency but, in some cases, criminal investigations are necessary.

The receipt of intelligence through complaints made by the general public is invaluable to the Trading Standards Service and the Team's telephone number is always quoted in press releases.

6.9 Complaints against Our Staff

No complaints were made against our staff during 2010/11.

6.10 Compliments about Our Staff

The Trading Standards Team regularly consults with users of the Service as part of the Government's range of National Performance Indicators (NI's). NI182 requires enforcement bodies such as Trading Standards and Environmental Health to report on customer perceptions of both the fairness and helpfulness of any officer they may have had contact with.

In 2010/11 the final satisfaction figure reported to Government for NI182 was 79%. As a figure of 100% would mean every customer being very satisfied

with both the fairness and helpfulness of the officer concerned a final figure of 79% is a very good result and a testament to the work of the team.

7. KEY AREAS FOR IMPROVEMENT & KEY CHALLENGES FOR 2011/12

1. The Public Protection Section lost 21% of its overall budget in 2010/11 as part of a Service Delivery Option review and efficiency savings and further reductions are planned for 2011/12.

On a regional level, the Illegal Money Lending Team has been moved from its base in Middlesbrough and is now managed and operated from Birmingham as part of a national initiative to tackle the issues of loan sharks and illegal lending.

The Government has also announced that the Consumer Direct national helpline service is to be managed by the Citizen's Advice Bureau in the future.

It has also been announced that much of the enforcement role undertaken by the Office of Fair Trading will now be passed to local Trading Standards Services. Whilst this represents a vote of confidence in the effectiveness and efficiency of Trading Standards Services it also creates a number of challenges as the prosecution of large cases of national interest, and the accompanying legal costs, will fall to local authority Trading Standards Services. Whether local authorities believe the potential financial risks of taking large multinational companies to court are appropriate will be a matter to be determined over the forthcoming years.

2. Trading Standards will review and update the premises database to ensure it is accurate and reliable so that resources can be targeted effectively.

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: BADEN STREET IMPROVEMENT SCHEME
PROPOSAL

SUMMARY

1. PURPOSE OF REPORT

- 1 To propose the details of the pilot improvement scheme for Baden Street, which if successful, could be applied to other areas in the town and seek endorsement of the approach.

2. SUMMARY OF CONTENTS

This is a covering report to the Business Case, which outlines the proposed improvement scheme for Baden Street, attached as **Appendix 1**.

3. RELEVANCE TO PORTFOLIO MEMBER

Housing and related matters fall within the remit of the Community Safety and Housing Portfolio Holder.

4. TYPE OF DECISION

Non key decision (capital funding has been previously approved).

5. DECISION MAKING ROUTE

A report that outlined the initial project proposals was considered by the Portfolio Holder in May 2011. The details of the scheme were then reported to a meeting of the Cabinet in July 2011.

6. DECISION REQUIRED

Endorse the detailed project proposal and to commit in principle the use of capital resources outlined in section 4 of this report.

Report of: Assistant Director (Regeneration and Planning)

Subject: BADEN STREET IMPROVEMENT SCHEME
PROPOSAL

1. PURPOSE OF REPORT

- 1.1 To propose the details of the pilot improvement scheme for Baden Street, which if successful, could be applied to other areas in the town and seek endorsement of the approach.

2. BACKGROUND

- 2.1 The Borough Council through the Empty Home Strategy (2010-2015) is committed to adopting real measures to bring empty properties back into use as part of its overall strategic housing approach. The Strategy aims to bring private sector homes back into use, acknowledging concerns of the community regarding empty homes and the issues related to the image of the town. As well as improving the appearance and liveability of affected areas, dealing with empty properties also increases the supply of housing in the town.
- 2.2 Areas of low demand have primarily been dealt with through Housing Market Renewal and regeneration activity however, reductions in central government funding have meant it has become increasingly difficult to deal with these areas in the same way. Alternative approaches are therefore required to deal with these issues that are less resource intensive, but result in the same long term positive outcomes. It is proposed therefore to pilot an alternative approach to dealing with low demand in Baden Street, which if successful could be applied to similar areas across the town.
- 2.3 Baden Street is currently experiencing very low levels of housing demand. There are 45 properties in Baden Street and currently there are 22 properties which are empty. 43 of the properties are in the private rented sector. The condition of these properties is also generally very poor. These circumstances have led to a downward spiral of confidence in the street, and a declining reputation that in turn reinforces the low demand for housing in the area.

- 2.4 The problem is exacerbated further by the empty houses themselves becoming a target for theft, vandalism and anti social behaviour, increasing the spiral of decline. These conditions seem to be concentrated in Baden Street with neighbouring streets relatively unaffected by the acute problems. Left unchecked however the problems in Baden Street will intensify and there is a fear that the problems may spread to neighbouring streets.
- 2.5 Through public meetings, local residents have clearly indicated that urgent action is needed. In 2009/10 the Safer Hartlepool Strategic Assessment identified Baden Street as a priority area that was experiencing multiple crime and anti social behaviour problems. Baden Street has also been identified as a key priority within the housing section of the Town Centre Communities Neighbourhood Action Plan and has been prioritised annually. The Central Area Joint Action Group (JAG) was charged with formulating and implementing an action plan to address the issues. This has resulted in a high level of coordinated activity in the area across a range of agencies including the Police, Probation, Anti Social Behaviour Unit, Victim Support, Fire Service, NHS etc. The JAG however recognised that this approach is resource intensive and leads only to short term solutions. A more comprehensive approach is required that addresses the underlying causes of the problems in Baden Street, which is low demand and an over reliance on the private rented sector and the related problems this brings.
- 2.6 The longer term proposals for Baden Street therefore need to focus on the issues of low demand, tackling absentee landlords that have poor track records of maintenance and responsiveness to tenant concerns, bringing empty properties back into use and improving the appearance of the street.
- 2.7 Further survey work in 2010 revealed that current residents have concerns about how the street is managed and maintained. Support with ongoing tenancies was also highlighted as being desirable. The traffic levels in the street is repeatedly highlighted as an ongoing issue that adds to the low demand for housing in Baden Street and deters families from locating there.

3. SCHEME DETAILS

- 3.1 The Portfolio Holder is asked to refer to the complete Business Case, which is attached as **Appendix 1**.

4. FINANCIAL CONSIDERATIONS

- 4.1 Currently funding of £160,000 has been identified to support the costs associated with implementing the first phase of the Baden Street scheme. The first phase is focussed on bringing the empty properties back into use and addressing the concentrated problems, to assist with assuring the long term sustainability of the street. This funding has been identified from HBC unsupported corporate prudential borrowing.

5. RECOMMENDATION

- 5.1 Portfolio Holder is requested to endorse the detailed project proposal and to commit in principle the use of capital resources outlined in section 4 of the report

6. CONTACT OFFICER

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Baden Street Improvement Scheme: Business Case

Summary Project Information

Length of Project: 1 year

Project Officers: Andrew Golightly/Gemma Day

Job Title: Principal Regeneration Officer

Service Unit: R&N Urban Regeneration and Planning Policy

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Other parties involved in the project: Housing Services, Neighbourhood Services, Housing Hartlepool, Ward Councillors, representatives from the local community plus landlords and agents

Total HBC Cost: £450,000 (approval required for £160,000, first phase only)

Total Project Cost: £450,000*

*includes environmental improvements and incentive schemes for tenanted properties, which will form future phases of the scheme.

Project Purpose and Benefits

The Need for the Project:

Baden Street is currently a focus for criminal and anti social behaviour. It also has a very high level of empty residential properties some of which have been long term empty homes that are having a negative impact on the local neighbourhood.

It is clear from the current range of problems reported in Baden Street that there is a real need for action to address the concerns of residents and the social impact on the street and in neighbouring communities, particularly those in the adjacent streets. A multi faceted approach is required to bring the empty properties back into use, address criminal activity, the poor condition of the shared environment and the management of some properties and tenancies in the street, as people living nearby have to suffer the consequences especially if an empty home becomes derelict, a target for arson, dumping of rubbish or is vandalised.

The current level of void properties in the street is significant and at the time of writing the Business Case there are 22 empty properties. The street has 45 homes of which only 2 are owner occupied and the rest are privately rented. Private landlords and others, including owner occupiers, do not feel confident enough to invest in their properties because of the condition of the rest of the street. As a result of under investment, the condition of the

occupied and empty properties is poor. This under investment also adds to the problems of the area as demand is further reduced.

The level of empty properties in itself generates further criminal activity as they are targeted by drug users, thieves and vandals, increasing the downward spiral of decline. In 2009/10 the Safer Hartlepool Partnership Strategic Assessment identified Baden Street as a priority area that was experiencing multiple crime and anti-social behaviour problems. Following the assessment, the operational delivery arm of the Safer Hartlepool Partnership (SHP) for the area, the Central Area Joint Action Group (JAG), was charged with formulating and implementing an action plan using a problem solving approach to address in particular the following issues:

- Acquisitive Crime
- Criminal Damage
- Anti-Social Behaviour
- Drug Dealing and Supply
- Public Confidence

Over the last year the Central JAG action plan has generated a high level of activity in Baden Street from all of the agencies involved. Activities and resources of Hartlepool Borough Council, Cleveland Police, Probation Service, Anti-Social Behaviour Unit, Victim Support, Cleveland Fire Brigade, NHS and others have been deployed with some success. However the JAG action plan recognises that such an approach is resource intensive and leads only to short term solutions without addressing the underlying causes of the problems in Baden Street – primarily low demand housing and an unregulated private rented sector. Consequently the longer term solutions identified in the JAG action plan to address ongoing issues in Baden Street specifically relate to bringing empty properties back into use, and the rolling out of selective licensing in Baden Street. It is the view of all partners involved in the JAG that without such an approach the problems identified will continue.

The resident survey carried out in Baden Street in 2010 identified that all the residents interviewed had concerns about how the issues resulting in the decline of the street were being addressed, as well as the poor maintenance and management of the properties. Increased support with tenancies was also identified as something that would help to encourage people to stay in the street, with poor responses from landlords to complaints or requests for repairs also mentioned.

In addition, the street is subject to high volumes of traffic, as the street is used as a cut through between Elwick Road and Blakelock Road/Blakelock Gardens, which is another influencing factor in reducing demand for properties in the street. Often vehicles are travelling above the 30mph speed restriction. The high vehicle counts and speed of the traffic may reduce the demand for accommodation from people with young families due to the potential associated dangers of the properties being situated close to the road side. Some action has already been taken to begin to overcome these problems including a pedestrian crossing on Brinkburn Road and the re-

routing of a public bus services away from the street, but further work on traffic reengineering/remodelling is required.

Project Description and Purpose:

The project is a pilot scheme to initially bring the empty properties back into use, to address the concentrated problems and in the long term ensure the sustainability of the street. The proposed scheme complements the recently approved 'Empty Homes Pilot Scheme', aimed at bringing homes back into use. Both schemes are being piloted, which could be rolled out to other areas in the town, in the future.

To address the issues in the street the project will be split into three distinct broad elements.

- (i) Landlord Incentive Scheme;
- (ii) Support Scheme for Tenants and Initiatives to create Sustainable Tenancies; and
- (iii) Environmental Improvements.

(i) Landlord Incentive Scheme

Overview

The first phase of the incentive scheme is available to landlords of empty properties in the street who are committed to making their property available for residential occupation. Only one application to the improvement scheme can be made per property and landlords will be responsible for repairing and maintaining the improvement work undertaken.

The Borough Council will inspect the property to determine what internal and external works (if any) are eligible and prepare a schedule of works, in conjunction with the landlord, including a detailed breakdown of the associated costs. In order to qualify for assistance the landlord will need to sign up to the schedule of works for their property with the Borough Council and undertake these physical improvements in line with the 'agreed property standard' for the scheme (see box overleaf), and within an agreed timescale. The works will need to be carried out in accordance with all necessary statutory consents including planning permissions and building regulations.

Property Standard

Properties should meet the basic standard required for the scheme. Under HHSRS guidelines (Housing Health and Safety Rating System) a dwelling should be a safe and healthy living environment for both occupants and any visitors. To uphold the health and safety of tenants the HHSRS insists that:

- a dwelling should be free from unnecessary and avoidable hazards; and
- where hazards are necessary or unavoidable, they should be made as safe as reasonably possible.

In addition to the above, the Borough Council would like to raise the standard further with the following to achieve a more desirable property ensuring it:

- is in good decorative order;
- has reasonable modern facilities and services; and
- provides a reasonable degree of thermal comfort.

Should Selective Licensing be introduced in the area, landlords will be obliged to licence occupied properties and it is expected that landlords will co-operate fully with the scheme application requirements and conditions. Landlords will also be encouraged to join and participate in any voluntary Accreditation Scheme; one of the Private Sector Housing Schemes that aims to encourage responsible behaviour from landlords and tenants.

Process

As part of the agreement, landlords will be offered the opportunity to obtain their own itemised quotations for the improvement works, in line with the Borough Council's Contract Procedure Rules, which form part of the overall Commissioning and Procurement Strategy. Landlords will need to agree to have any works carried out by a contractor on the Renovation, Grants and Loans Contractors List operated by Housing Services or the Borough Council's Select List of Contractors. Should a landlord wish to source a quote(s) from a contractor who is not on the approved list(s), the contractor will need to successfully complete the necessary application process to be considered for inclusion on the list(s), prior to the submission of the quotes. This option is available in order to have flexibility in this approach and allow landlords to seek independent quotations, but at the same time will ensure the contractors are suitably qualified/experienced and that works are carried out to an appropriate standard.

A value for money assessment will be undertaken on the quotes submitted by the landlord. An award will be based on the lowest quote deemed reasonable. Decisions on repayable grant applications will follow a similar process/reporting mechanisms to that already established for the Targeted Vacant Buildings Grants Scheme and therefore considered for approval by the Community Safety and Housing Portfolio Holder and the Assistant Director of Regeneration and Planning. Upon completion of the agreed

works, an inspection will be required to ensure the works have been carried out in accordance with the agreed work schedule, prior to issuing any payments.

An alternative option to the above would be to procure the generic works to the properties as one block contract, in adherence with the Commissioning and Procurement Strategy. This contract would have clauses built in to allow the Borough Council the option to add to or extend the contract for a further period to incorporate additional properties as landlords sign up to the scheme.

This approach needs to be discussed in detail with applicants to determine if it would be a more attractive option. It would be a more cost effective way of procuring the work through achieving economies and efficiencies of scale.

Opportunities to link training provision with the regeneration activity in Baden Street can be provided through the engagement of a company/social enterprise offering supervised, practical, 'hands on' construction based experience, training and learning for unemployed young people from the area, to develop their employability and vocational skills to ensure they are 'job ready', as well as build confidence, self belief and raise aspirations. The company/social enterprise needs to be a contractor on one of the approved lists held by the Council. The company could then be promoted to landlords and potentially asked to quote for the properties to be renovated under this scheme. It must however be noted, and flagged up with landlords from the outset, that due to the remit of a company/enterprise of this nature, works often take longer to complete, in comparison to that of skilled tradesperson in the private sector, but using a construction training company would generally be more cost effective. This might be appealing to some landlords, as the same standard and quality of work would be achieved because all of the work is overseen by professionals.

Construction based training companies on the approved lists will also be invited to quote for the internal and external decorating works required for each of the properties being improved under the scheme, as part of the incentive package funded separately by the Borough Council (see 'incentives' section for further details) to improve the appearance of the outside of the properties and radically alter the perception of properties and the street as a whole. Consideration is also to be given to offer the painting scheme to the tenanted properties under phase one, providing them with the opportunity to have their front doors, window frames (where applicable) and lintels painted, free of charge.

If proactive or willing landlords could be identified that were willing to participate early, then an individual improvement scheme could be delivered, improvements carried out and tenants identified, and this could be used as an example/show house to promote the scheme to others who may be sceptical about the scheme or have not yet engaged in discussions or attended any meetings specifically for landlords, to date.

Application forms and accompanying guidance notes for the incentive scheme are currently being drafted and will be taken to the Baden Street Working Group for endorsement.

Types of Work

Internal

Eligible works can include new/improved kitchens, bathrooms and central heating systems plus damp proof courses, minor structural repairs, re-wiring, plastering and joinery work.

External

Eligible works can include repairs to/new windows, doors, roof repairs or replacement, rendering and rainwater goods*.

*funding for fall pipe covers already secured from the Town Centre Communities Forum for every property in the street.

Retrospective works or works in progress will not be eligible, irrespective of whether the work to the property qualifies for assistance.

In order to facilitate the internal clearance of the properties it is also proposed that as part of the scheme, skips could be made available to allow landlords to clear unwanted rubbish from inside the properties. This will also help to reduce the incidences of fly tipping and rubbish being dumped illegally.

Security Provision

Providing a flexible range of security services on site whilst works are being completed on the properties and in the interim period before a tenant occupies the property will be essential, to ensure the investment from both the Borough Council and landlords is protected and to provide the assurances to owners who have previously expressed this as a specific concern whilst being consulted about the scheme.

Level of Support

Option1

Primarily a repayable grant scheme with assistance available, set at 50% of the cost of the work, up to a maximum of £5,000, with the remainder of the cost being met by the landlord. Any offer would be subject to the condition that the property is available to rent for a minimum of 5 years after the work is completed. There will be flexibility built into the scheme to allow a reasonable period of time to turn over the property, determined as 3 months between tenancies, to carry out any essential repairs and maintenance and re-let. If the property is not re-let within 3 months (flexible in exceptional circumstances) the landlord would be required to pay back the amount of grant awarded. A repayment plan will be determined with the landlord at such point. The turnover of properties in the street will be monitored quarterly by the Borough Council's Empty Homes Officer using existing systems and procedures to identify if/when properties are becoming empty. Whilst in post

the dedicated Community Development Officer will also assist with this process from their own observations and through information received from local people about any changes in circumstances.

A charge will also be placed on the property, for the grant amount, for 5 years, so if the property is sold, the grant will be re-paid via the charge (see further details under paragraph on clawback).

Table 1: Repayable Grant Offer Scenarios

Cost of Works	HBC Contribution	Landlord Contribution
2,000	1,000	1,000
5,000	2,500	2,500
10,000	5,000	5,000
12,000	5,000	7,000

Example (highlighted) – maximum level of grant award available

In order to ensure a landlord is not excluded from the scheme, it is necessary to build in an element of flexibility to enable loans to be issued to landlords who are able to prove they are financially unable to invest in their property. Their capacity to cover the match funding contribution would be determined through a rigorous affordability check on each applicant. Loans will be issued at 2% above the rate of the Public Works Loan Board (PWLB) at the time of the offer, repaid by direct debit in accordance with the agreed terms, with the Borough Council's Enforcement Team to recover defaults on loan repayments. This is one of the safeguards of the scheme, to ensure fewer exclusions as possible.

Option 2

As an alternative to option 2, the landlord would be able to opt for a loan arrangement instead of the repayable grant. In this situation, a charge will be placed on the property for the full amount and removed following full repayment of the loan. The loan will need to be paid back in line with the agreed repayment plan, which will be determined for each applicant at the time of the offer (dependent on the amount of loan issued). The loan element covered by this option will then become a recyclable pot for future improvement schemes.

Option 1 or 2 would be available to landlords who would be provided with the opportunity to choose what is most appropriate to suit their circumstances, to encourage landlords to sign up to the scheme.

Clawback

Clawback arrangements will be included in the conditions of any offer to prevent landlords (or owner occupiers where applicable) from using the funding to improve their properties and then sell the properties and benefit directly from the improvement works. If the landlord sells a property that has benefited through the incentive scheme they will be obliged to inform the

Assistant Director of Regeneration and Planning of their intention to sell; this will also be outlined as a condition in an offer letter. In order to overcome the risk that the Borough Council is not made aware of changes in ownership, a charge will be placed on the property so that if the property is then sold, it will be flagged up to the Council as a matter of procedure. Individual properties will however be assessed on a case by case basis, but the length of time the property is occupied and the time lapsed since the property received support will all be taken into consideration in assessing the amount of resource that should be repaid, and will be in accordance with the agreed depreciation schedule for the scheme. A maximum clawback period of 5 years is proposed, beyond which applicants will not be subject to clawback.

Tenancy Agreement and Management of Properties

The incentive scheme reserves the right to be prescriptive about the criteria of tenants that will occupy the property and benefit from the improvement works. There is an expectation that landlords who have had their property improved through the incentive scheme will charge affordable weekly rent payments, which will be no more than the local housing allowance for area at the start of the tenancy and that comparable to rates charged for similar properties in the area. A tie in period for the tenant also needs to be explored.

As part of the scheme, landlords will be offered the option of Housing Hartlepool to lease and manage the property and tenancy on their behalf, as well as provide advice and support to landlords themselves. Housing Hartlepool will be responsible for tenant selection and the implementation and management of the tenancy agreements for a competitive management fee of 15% of the rent per annum for this full property management service.

An outline of what the service includes is identified in the points below:

- Help identify a suitable tenant to move into the property through the Good Tenant Scheme
- Assist the tenant when they move in, for example setting up utility suppliers etc.
- Rent collection and rent account monitoring to prevent arrears occurring
- Manage rent arrears where required
- Complete benefit forms, not just Housing Benefit, but other forms to ensure households maximise their income
- Complete change of circumstances forms to ensure benefits such as Housing Benefit, Tax Credits etc. are paid correctly, preventing financial hardship for the tenant
- Report then chase up repairs with an agreed contractor
- Ensure the property remains safe for occupation – for example ensuring annual gas safety checks are completed, smoke alarms are working etc.
- Undertake legal processes at agreed cost to remove illegal occupants or squatters
- Undertake regular property inspections to ensure property condition is maintained – if necessary taking legal action to protect owner's investment
- Report problems that arise in the surrounding environment, as necessary, and chase up when they are not rectified

- Deal with alleged anti-social behaviour issues that may occur and which could affect the sustainability of the tenancy, and liaise with other relevant providers and agencies, as required
- Work collaboratively with other agencies – for example Social Services, Probation Service, Family Intervention Project etc., to try to ensure a successful tenancy, deal with any issues quickly to prevent possible problems escalating
- Assist the Borough Council's Housing Services and dedicated Community Development Officer for Baden Street, where appropriate, on broader street-wide initiatives, community development etc., as part of supporting the partnership regeneration approach on an on-going basis
- Ensure the property is re-let with minimum rental loss and arranging an agreed level of security to property whilst vacant
- Mediate if tenant has complaints or refer them on to relevant agency, as required, to ensure the tenant settles in and remains in the tenancy
- Assist with any other related service to support the ongoing Neighbourhood Management of the wider area

If a landlord does not want to appoint Housing Hartlepool, a condition of the offer would stipulate that properties improved through the scheme could only be let to tenants who are part of the Good Tenant Scheme and have obtained a Green Card. Those who have obtained an Amber Card could potentially be considered, but each would have to be judged on individual merits. This would be initially and apply to all future lets for the long term stability to be assured after programme and intensive tenant support has ended. Tenants without history or experience of renting in the private sector will not be excluded from the scheme. In such circumstances, individuals, where appropriate, will be asked to attend a short, intensive 'good tenants' course.

Uncooperative Landlords

If it is clear an empty property is in need of improvement works to encourage tenants, and the landlord is not interested in signing up to the landlord incentive scheme then enforcement action will be considered when property owners refuse to participate in the landlord incentive scheme and no satisfactory alternative proposals/arrangements have been made. In order to tackle uncooperative landlords the full range of appropriate enforcement action will need to be identified. Strong positive action will be essential to complement the financial support element of the scheme. Enforcement action that covers property condition, as well as legislative powers and tools that can help to bring properties back into use (as outlined in the Empty Homes Strategy 2010-15, which provides a framework for ensuring empty homes are brought back into use) should be actively pursued in this area. Detailed records will be kept to evidence the support offered to landlords to assist with this potential enforcement action.

(ii) Support Scheme for Tenants and Initiatives to create Sustainable Tenancies

Overview

As well as the physical improvement to properties in the street, a key part of this scheme will be working with and supporting new and existing tenants. Supporting people in their tenancies and teaching people how to manage those tenancies will be critical to the success of the scheme. Existing resources and services are available through the Borough Council's Housing Services and Housing Hartlepool. A joined up approach between the various teams will be essential to avoid duplication, particularly where Housing Hartlepool are commissioned by landlords to manage their property and associated tenancy (as highlighted in the section above).

To make a real impact however and to give the level of reassurance required to encourage investment in the street, a dedicated, intensive neighbourhood resource through this scheme is required. This will be in the form of a dedicated Community Development Officer, over a 12 month period, and the detail of that role is attached as appendix 1. The employment of the Officer will show commitment and accountability, and with an associated detailed job role, a clear understanding of what will be delivered and over what time period. This type of commitment will help to encourage the investment needed and the sustainability of the scheme by forging strong links with the neighbourhood team at York Road and the team at the Housing Options Centre to address daily operational issues, and by implementing a community led approach that will involve support for new tenants and their integration into the broader community. The Officer will also undertake further work in relation to community development; improving community cohesion through building the capacity of the local community. This Officer will also be responsible for establishing a 'Community House' in the locality for the duration of the scheme and involving partners such as Cleveland Police, Hartlepool Credit Union, Victim Support, Crime Prevention, Anti-Social Behaviour Unit, Adult Education, Fire Brigade, Health Professionals etc. as well as providing a base for the security services from North East Security (NES) Services Ltd. that will be deployed to the street whilst works are ongoing to the properties.

Incentives

Direct contact with these people in these categories, via telephone or home visits will have to be undertaken to determine if they might consider a move under this scheme. A dialogue will be required that outlines the attraction of the scheme and all its advantages, and how they might benefit from participating in the scheme. Marketing materials to be provided to aid this process.

In addition to the dedicated tenancy support and the competitive rates of rent, those entering into the incentive scheme would have access to essential items of household furniture and white goods, as part of the package for new tenants. This scheme helps eligible tenants to furnish their properties and would play a fundamental role in attracting tenants to the street. This would

complement the proposals to undertake decoration works previously explored in this business case (involving the tenant in decisions on colours, where possible, to create a sense of ownership).

Security packs potentially including intruder alarms, spy/peep holes, window alarms, external security lights etc. would also be made available where required (particularly for the rear of the properties). Replacing the locks on the alley gates and re-issuing key to residents will also be explored.

Changing the name of the street is also being investigated as an opportunity to re-brand, potentially through competition in the local community.

(iii) Environmental Improvements

Overview

The other major element of the approach required in the street to complement improvements to the residential properties, is the improvement to the shared environment.

Improvements to the road and paved areas of the street are required as part of the effort to attract people back to the street. Improving these areas of the street will be critical to the success of the overall scheme.

The design of the scheme will ensure that the impact of the vehicle movements in the street are kept to a minimum and all options around the design solution should be explored and consulted on prior to implementation, including the possibility of one way traffic.

The scheme will also attempt to introduce appropriate planting to the area that will help to soften the environment, but not encourage criminal or anti social behaviour and exacerbate litter problems.

A design solution with a low cost, long term maintenance requirement would be preferred. A scheme that could be maintained by a future Tenant Management Organisation or residents group will be considered.

Careful consideration should also be given to the timing of the environmental improvements, these will only be implemented if there is interest, demand and uptake in the property incentive scheme. A stand alone environmental scheme would have little long term affect on the problems in Baden Street. Most of the works covered in this element of the scheme are likely to form a future phase of works in the street.

Displacement

This scheme proposes to address the problem of empty properties by introducing new tenants in to the area. The obvious result of this and other activity may simply result in moving the problem tenants on to other areas nearby or across the town. The particular tenants falling into this category will require intensive support outlined above, and if their needs are not met then the problem will simply be displaced.

Measures will be required, in order to prevent private landlords from terminating lease arrangements with long standing, decent tenants in order to benefit from the incentive scheme. The official project start date was 20 May 2011 when the Community Safety and Housing Portfolio Holder endorsed the outline proposal to deliver an improvement scheme in Baden Street. It is this official project start date that determines which properties are classed as empty for the purposes of this project. Only properties empty on that day will benefit as an empty property from the incentive scheme if still empty.

Communication Plan

Communicating the proposed incentive scheme and progress during implementation, to residents in the street and neighbouring streets will be critical to the success of the scheme. Keeping people informed that the problems in Baden Street are being addressed, how they are being addressed and when works are likely to be completed will help to reassure the local community.

Clear communication through leaflet drops, resident meetings etc. will therefore be required. By demonstrating that positive action is being taken and communicating this widely will help to ensure areas that are currently viable do not deteriorate.

Tenanted Properties in Private Rented Sector

In order to address the problems in Baden Street and ensure its success, the remaining properties that are tenanted, but owned by private landlords, also need to be improved. A similar repayable grant scheme to allow properties to be improved in exactly the same way as the empty properties will be introduced to help to encourage investment, as a future phase of the scheme, subject to funding.

Improvement of properties in these categories will help to ensure a comprehensive, even and fair approach in terms of financial support and improve the impact of the overall scheme. Addressing the empty properties as an initial phase if successful will in itself help to support the market for the other tenanted properties in the street.

Role of Landlords/Agents

It is clear that any successful landlord scheme is going to require that either the landlords or agents are involved in the development and implementation of the scheme. The street is characterised by owners that live outside of Hartlepool and the day to day running and management of properties is left the responsibility of local agents. Involving either landlords and/or agents in the Project Management Group will help to support the success of the project.

Deliverability

As with any incentive scheme, generating and maintaining momentum will be critical. A single point of contact, that is available and accessible will help to ensure the scheme is successful. A base in the street in a house could help to facilitate project implementation and be a useful resource for residents,

tenants and applicants as the scheme is rolled out. Even a part time presence in the area over fixed period of time will help to achieve this.

Other information

It will be important to ensure that as this scheme is developed that it links fully with all the partner organisations/stakeholders and groups operating in the area that are trying to improve Baden Street. For example activities of groups such as the Town Centre Communities Forum need to be fully integrated in to this scheme. Close working relationships with the Neighbourhood Policing Team and Neighbourhood Management Team will also be critical.

It will be important that enough flexibility is built into the scheme to ensure that it can respond to the the problems in Baden Street. The inevitable complexities of particular private circumstances of tenants, landlords and contractors will mean that there will need to be a responsive nature to this scheme, to ensure that the maximum benefits are delivered and value for money is achieved.

In addition to the specific project activity it is critical these interventions are supported by the ongoing intensive neighbourhood management and monitoring activity.

Project Benefits

Output

Date

12 empty properties brought back into use	March 2012
20 tenants supported	March 2012
10 Training Opportunities (through involvement of a social enterprise)	March 2012
1 Environmental Scheme delivered	July 2012

Long Term Outcomes

Outcome

How project will help achieve it

Lower turnover of residents – still need current figures and data	Ensuring supply of reliable tenants
Lower incidents of crime and anti social behaviour	Stricter controls over tenants occupying properties
Establishing a Tenant Management Organisation	The development of a Management Group to monitor the project, is the first step to establishing a group with more responsibilities.

** these will be monitored in the review/evaluation.*

Baseline Data (for Baden Street and adjacent streets; Kimberley and Powell)*

Crime

- the recorded data for the area makes up **15% of the total crime figure for the Burn Valley ward in 2010/11**.
- the actual number of recorded offences in the area has been similar in 2009/10 and 2010/11. There were **34 offences in 2010/11**. In the Burn Valley ward overall there has been a positive direction of travel between 2009/10 and 2010/11 with the number of offences in relation to crime dropping by 22%.

Anti-Social Behaviour

- the recorded data for the area makes up **10% of the total figure for incidents of anti-social behaviour in the Burn Valley ward in 2010/11**.
- between 2009/10 and 2010/11 the number of incidents of anti-social behaviour in the area has increased by 30% with the actual **total number of incidents reaching 61 in 2010/11**. This is not reflective of the Burn Valley ward overall where incidents of anti-social behaviour between 2009/10 and 2010/11 have dropped by 18%.

*data supplied by Community Safety Research Officer, Hartlepool Borough Council

Community Involvement/Consultation

How have local residents been involved in developing the project?

A public meeting which focused on the problems of Baden Street, was held in October 2010. Local residents at this meeting identified the problems faced by those living there and in neighbouring streets. Following this initial meeting numerous meetings of the Working Group, in which residents have actively participated have been held.

How will local people be involved in the running of the project?

Local people have been and will continue to be involved in the development of the scheme through the involvement of resident representatives on the Working Group. This group will also be involved in overseeing the implementation of the scheme. The Working Group will effectively operate as a Management Group, in future, that will receive regular updates and feed back on issues in the street.

Extensive publicity and public consultation will need to be undertaken to advertise the scheme and attempts contact every resident and landlord in the street has already been made.

Linkages (ensuring complementary activity and avoiding duplication)

How does this project link in with other projects in the area?

Links to: HBC Neighbourhood Management
 Housing Hartlepool
 HBC Housing Services

Are there links to other regional or local strategies or particular market conditions which will affect the project? If so what are they?

Part of the problem faced in Baden Street is the result of movements in the property market and wider market forces. Although this project cannot influence those market trends it can reduce there effects.

Cost/Value for Money

<u>Use</u>	<u>Amount</u>	<u>How calculated</u>
Phase One		
Repayable grant payments (to bring empty properties back into use and for owner occupiers)	£70,000	Up to £5,000 for empty properties and owner occupiers, but based on an average of £3,000 to 3,500 per property
Loan payments	£20,000	Estimate up to 5 landlords (¼ of the total number of empty properties) requiring support
Incentive Package	£30,000	Based on £1,500 per property
External Work Programme	£5,000	Based on approximately £100 per property
Tenancy support programme	£15,000	Costs of staff time to actively support people to retain tenancies, and prevent displacement. A dedicated resource to actively work with tenants in all aspects of independent living
Security provision	£15,000	Based on flexible security services for 6 months
Running costs for the 'Community House'	£5,000	Based on £60 per week rent plus additional costs for utilities
Future Phases		
Environmental Improvements*	£200,000	Estimated cost based on previous schemes in similar areas
Repayable grant payments for tenanted properties*	£90,000	Up to £5,000 for tenanted properties, but based on an average of £3,000 to 3,500 per property
Total	£450,000	

**to be included in future phases of the scheme, implemented only if the first phase is successful following evaluation and subject to funding.*

Why is HBC funding needed?

HBC is required because there are currently no external funds available for the Baden Street area to address the current issues.

As part of the project development process other sources of funding will be sought. Funding sources focused on energy efficiency measures and health funding are avenues that will be explored further.

How does this project represent good value for money?

In terms of value for money if this project delivers the anticipated outcomes then it will represent good value for money. Alternative approaches to addressing the issues in Baden Street such as purchase, demolition and comprehensive residential redevelopment would deliver the same long term outcomes but at a much greater cost.

Risk

Risks to project delivery

- (i) Unable to provide suitable tenants/people are reluctant to take up a tenancy
- (ii) Unable to engage fully with landlords and/or agents
- (iii) Engagement with landlords and/or agents is good, but take up is poor
- (iv) Maintenance and vandalism issues
- (v) Securing funding
- (vi) Spread of problems to neighbouring streets
- (vii) Changes in government legislation increasing the time properties can remain empty before legislation can be enforced.

Ways the project will manage these risks

- (i) Work is being done with Housing Hartlepool to identify suitable tenants that could be incentivised to move into Baden Street. Other housing associations could also be approached who may also have tenants that could be incentivised.
- (ii) Letters have already been written to landlords, owners and agents. There is a good network established through the Landlord Licensing Scheme and previous efforts to implement small improvement schemes.
- (iii) There will need to be flexibility built into the scheme to ensure that it is responsive to issues such as low demand. So there might be a need to change maximum and minimum contributions if necessary to encourage take up and interest. It will be critical that the project can meet the requirements and circumstances of all those in the street. Development work with landlords and agents in the planning stages will also be critical in order to determine what level of assistance will incentivise landlords to invest in property.
- (iv) To ensure routine maintenance is carried out and damage to property or vandalism is repaired quickly and effectively it will be important to

have close links to landlords and agents. In addition however it will be necessary to react quickly with enforcement action where it is required and appropriate to ensure properties are reinstated as quickly as possible.

- (v) A funding package will need to be established.
- (vi) The actions proposed through this project will help to prevent the spread of issues related to low demand to neighbouring streets. Physical improvement, tenant incentives, tenant support and environmental improvements should increase demand in Baden Street and prevent the export of problems to other streets.
- (vii) The current government proposals to extend the period prior to the enforcement of Empty Dwelling Management Orders, from 6 months to 2 years, if agreed, will restrict the responsive powers of local authorities. It is likely however that the Baden Street scheme may be implemented prior to any legislative changes.

Milestones and Monitoring

Milestone	Date
Resident Working Group (consideration of initial business case)	March 2011
Meetings with Landlords	Feb-September 2011
Tenant research complete	March 2011
HBC approval of business case/funding	May-September 2011
Joint Resident Working Group (consideration of revised project proposal)	July 2011
Develop project information/material	September 2011
Promote Incentive Scheme	October 2011
First application to the scheme received	November 2011
First application approved	November/December 2011
First works completed	February-March 2012

How will the project be monitored and managed?

The Working/Management Group will meet at regular intervals to oversee the delivery of the project.

Evaluation

How and when will the scheme be evaluated?

A review of the scheme will be carried out after 6 months of full operation. This will be presented back to the Working/Management Group.

How will residents be involved in the evaluation?

Residents directly affected will be involved in feeding back how the scheme is operating and a report will be fed back to the Working Group that has resident representatives.

The Future

What will happen when the funding finishes? How will the benefits of the project be continued?

The tenant support service provided through the scheme will help to ensure that tenants can manage tenancies better and therefore these benefits will continue to accrue after the initial funding is spent.

Support services in the Council will also be available when this dedicated resource is withdrawn.

How will any assets provided through the project be used when the funding finishes? Who will be responsible for their safekeeping and maintenance or disposal?

The assets improved will be in the ownership of the private sector, these however will be conditioned to ensure that the public sector investment is protected, through clawback arrangements and charges on properties.

If the environmental improvements are implemented then the Borough Council will be responsible for maintenance of these assets.

COMMUNITY SAFETY AND HOUSING PORTFOLIO

Report to Portfolio Holder
2 September 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: HOUSING STARTS AND COMPLETIONS
UPDATE

SUMMARY

1. PURPOSE OF REPORT

This is a report for information detailing housing starts and completions in the Borough for quarter 1 (April to June) of 2011-2012. The report also refers to previous starts and completion rates and considers the implications for future housing supply in the Borough.

2. SUMMARY OF CONTENTS

The report explains why the Council monitors housing starts and completions and how this information is used in a number of key functions for which the Portfolio holder has responsibility. The report details the last quarter's starts and completions comparing these with past performance and explains what this may mean for future build rates and housing supply in Hartlepool.

3. RELEVANCE TO PORTFOLIO HOLDER

The Portfolio Holder is responsible for planning and housing matters and this information is relevant to understanding the implications for housing supply in the Borough.

4. TYPE OF DECISION

Non key (For information).

5. DECISION MAKING ROUTE

Portfolio Holder meeting 2nd September 2011.

6. DECISION REQUIRED

The Portfolio Holder is requested to note the report for information

Report of: Assistant Director (Regeneration and Planning)

Subject: HOUSING STARTS AND COMPLETIONS
UPDATE

1. PURPOSE OF REPORT

- 1.1 This is a report for information detailing housing starts and completions in the Borough for quarter 1 (April to June) of 2011-2012. The report also refers to previous starts and completion rates and considers the implications for future housing supply in the Borough.

2. BACKGROUND

- 2.1 The Planning Policy team monitors the starts and completions of all new dwellings across the Borough. For the last 10 years or so this has been done on a quarterly basis using information from Building Control returns, Council Tax information and quarterly site visits to gain an accurate picture of housing supply and the general health of the construction industry in the Borough.
- 2.2 This information is crucial to provide an accurate picture of the house types, sizes, tenure and locations where homes are being provided. In turn this information is used to assess whether Hartlepool is meeting the identified housing need in the Borough as well as achieving the town's ambitions for growth. The monitoring is important in helping to:
- formulate housing strategy and policy;
 - inform the future Development Plan for the Borough (Core Strategy) including helping to provide an accurate evidence base;
 - inform decision making on planning applications.

3. HOUSING STARTS & COMPLETIONS UPDATE & ANALYSIS

- 3.1 The tables below provide details of housing starts and completions for the first quarter of 2011/12. These show that there have been 47 starts and 53 completions in the Borough. These figures compare with 58 starts and 72 completions for the same period of 2010/11 and 129 starts and 165 completions in 2009/10.

Total Starts 2011-2012

Site Name	Quarter 1	Quarter 2	Quarter 3	Quarter 4	2011-2012 Total per site	BF/GF
Golden Flatts (South Beach)	4					Both
Middle Warren 7C (P)	0					GF
Middle Warren 7B (B)	2					GF
Middle Warren 9A (B)	12					GF
Middle Warren 9A (P)	3					GF
Headway	0					BF
Whitehouse Farm	0					BF
Easington Road	16	0	0	0	16	BF
Blakelock Gardens	2					BF
Belle Vue	8					BF
Chester Hotel (part of Headway)	0					BF
Total Starts 2011-2012	47					

BF/GF indicates whether the development is on brown field or green field sites

Total Completions 2011-2012

Site Name	Quarter 1	Quarter 2	Quarter 3	Quarter 4	2011-2012 Total per site	Site Now Complete	GF/BF
Golden Flatts (South Beach)	4					no	Both
Middle Warren 7B (B)	14					no	GF
Middle Warren 7E (CC)	1					no	GF
Middle Warren 9A (B)	9					no	GF
Middle Warren 9A (P)	0					no	GF
Headway	9					No	BF
Belle Vue	12					No	BF
Wynyard (B)	1	0	0	0	1	Yes	GF
Block 16 Coral House	0					no	BF
Block 27 Trafalgar House	0					No	BF
Union House	0					No	BF
Middlethorpe Farm	0					No	BF
152 Grange Road	0					No	BF
Blakelock Gardens	0					No	GF
2 St Paul Road (flats)	2	0	0	0	2	Yes	BF
38 Holt Street (flat0	1	0	0	0	1	Yes	BF
Total Completions 2011-2012	53						

- 3.2 In terms of annual completions, last year there was a net figure of 310 new units for the year. This included 365 completions and 55 demolitions. For 2009/10 the net completion figure was 307 (452 completions and 145 demolitions). It is expected that the number of completions will be lower this year due to the fact that in previous years, despite the recession, the relatively high completion rates were largely due the success in attracting public funding towards schemes by both the Council and Registered Providers operating in the town. There are currently schemes on site at Belle Vue and Easington Road, with proposals expected to come forward at Perth Street over the next year or so. A bid has been submitted for some residual government funding to support housing market renewal activity in the Carr/Hopps Street area, but beyond this there is likely to be limited

public funding available to support housing development in the near future.

- 3.3 In the private sector, the Middle Warren Estate is continuing to perform well with the Bellway Home's sites developing quickly. As the housing market picks up it is expected that demand levels for private housing will recover.
- 3.4 From the tables above it is clear that there are only a small number of sites currently providing new homes with some of these nearing completion. For example the last home has now been completed at the current Wynyard site. Whilst there are still a number of sites available for development within the town, there is clearly a need to bring forward new sites. Currently there are planning applications being considered for developments at Wynyard North for 219 executive homes and an amended scheme for Eaglesfield Road for 64 family dwellings which include 7 affordable units. The proposed allocations within the Core Strategy are intended to provide a variety of development locations to satisfy future demand.
- 3.5 Given the current portfolio of permitted sites and the challenging market conditions it is forecast that there will be between 200 and 250 completions within 2011/12. This is below the target figure of 320 per annum proposed in the Core Strategy, but as the market recovers and new sites come forward, annual completions should recover.

4 NEXT STEPS

- 4.1 Future update reports will be brought to the portfolio holder on a periodic basis including an annual report at the end of each financial year.

5. FINANCIAL CONSIDERATIONS

- 5.1 Housing starts and completions monitoring is a long established part of the work-stream of the planning policy team and no additional costs are associated with this work.

6. RECOMMENDATION

- 6.1 The Portfolio Holder is requested to note the report for information

7. CONTACT OFFICER

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