

TRANSPORT AND NEIGHBOURHOODS PORTFOLIO DECISION SCHEDULE



Friday 18 May 2012

at 9.15 a.m.

in Committee Room C, Civic Centre, Hartlepool

The Mayor Stuart Drummond, Cabinet Member responsible for Transport and Neighbourhoods will consider the following items.

1. KEY DECISIONS

- 1.1 Review of Dog Control Orders - *Assistant Director (Neighbourhood Services)*

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Household Waste - Assisted Collections - *Assistant Director (Neighbourhood Services)*
- 2.2 Arncliffe Gardens Area Proposed One Way System - *Assistant Director (Transportation and Engineering)*

3. ITEMS FOR INFORMATION

No items.

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No items.

TRANSPORT AND NEIGHBOURHOODS PORTFOLIO

Report to Portfolio Holder
18th May 2012



Report of: Assistant Director (Neighbourhood Services)

Subject: REVIEW OF DOG CONTROL ORDERS

SUMMARY

1. PURPOSE OF REPORT

To seek approval to introduce amendments to the Dog Control Orders currently in force across the Borough of Hartlepool.

2. SUMMARY OF CONTENTS

A review of the Dog Control Orders currently in force across the Borough of Hartlepool has recently been carried out and the report summarises the proposed amendments. The report also provides a summary of the responses received following the placing of a formal public notice, informing of the proposed amendments, which appeared in the Hartlepool Mail on the 6th January 2012.

3. RELEVANCE TO PORTFOLIO HOLDER

The Portfolio Holder has responsibility for Environmental issues, including Dog Control Orders.

4. TYPE OF DECISION

Key decision (test ii applies). Forward Plan reference number RN13/12

5. DECISION MAKING ROUTE

Transport and Neighbourhoods Portfolio on 18th May 2012.

6. DECISION REQUIRED

That the Portfolio Holder formally makes the orders detailed in section 2 above and authorises the Chief Solicitor to seal and date, and to insert the date of commencement of the Orders on behalf of the Council.

That the Portfolio Holder notes the discontent expressed by the Headland Parish Council and members of the public over the proposed seasonal 'On Leads' Order on the North Sands.

Report of: Assistant Director (Neighbourhood Services)

Subject: REVIEW OF DOG CONTROL ORDERS

1. PURPOSE OF REPORT

- 1.1 To seek approval to introduce amendments to the Dog Control Orders currently in force across the Borough of Hartlepool.

2. BACKGROUND

- 2.1 At a meeting of the Transport & Neighbourhoods Portfolio Holder in November 2011, approval was given to amend the existing Dog Control Orders currently in force across the Borough of Hartlepool.
- 2.2 The review of existing Orders was prompted by requests from local Councillors and members of the public seeking the introduction of new Orders in certain parts of the town.
- 2.3 Specifically the proposed new Orders include the following:
- a) North Sands, 'On Leads' Order (seasonal, September to March inclusive);
 - b) Fens Field, 'Dog Exclusion' Order;
 - c) Redheugh Gardens, 'On Leads' Order;
 - d) Thornton Street Linear Park, 'On Leads' Order.
- 2.4 The proposal for a seasonal 'On Leads' Order at North Sands was put forward following an issue with the application to develop the former Steetley site on the Headland. Natural England has objected to the application because of concerns over the potential increase in disturbance to water birds on the adjacent North Sands, which it feels will result from the construction of a new housing estate. This area of North Sands is a designated SSSI (Site of Special Scientific Interest).
- 2.5 Following approval to amend the existing Dog Control Orders, and having completed public consultations, formal public notices were placed in the Hartlepool Mail on the 6th January 2012, informing of the Council's intention to introduce Dog Control Orders at the locations specified in 2.1 above. Copies of the notices are attached at **Appendix A.**

- 2.6 Publication of the formal notices is the final stage of the process specified in the Dog Control Orders (Procedures) Regulations 2006. Representations concerning the proposed Orders were invited by 6th February 2012, and section 3 below provides a summary of the responses received.

3. FORMAL PUBLIC NOTICE – SUMMARY OF RESPONSES

- 3.1 No objections were received in relation to the proposed ‘Dogs on Leads’ Orders at Redheugh Gardens and Thornton Street Linear Park, and there was considerable support for the proposed ‘Dog Exclusion’ Order at Fens Field, including that of the Fens Residents Association, local Councillors and the Fens School Governors. However, strong feeling against the seasonal ‘On Leads’ Order at North Sands has continued and the Headland Parish Council has formally lodged its opposition to the proposal.
- 3.2 Written responses to the formal public notices are attached at **Appendix B**.

4. PROPOSALS

- 4.1 It is proposed that the new Dog Control Orders detailed above in section 2 of the report are introduced.

5. RISK IMPLICATIONS

- 5.1 Despite vigorous enforcement campaigns, irresponsible dog ownership in Hartlepool is still at an unacceptable level, which contributes significantly towards the decline of the local environment. Failure to maintain an effective means of combating this town-wide nuisance will undoubtedly result in a further decline.
- 5.2 Natural England has objected to the proposed development of the former Steetley site because of the threat of disturbance to water birds by people walking dogs along North Sands and has advised that a Dog Control Order would be necessary before it could withdraw its objection. It considers the housing development will have the potential to increase recreational usage of the beach.
- 5.3 The former Steetley site is a blight on the landscape and the subject of considerable vandalism and anti-social behaviour, which has a significant negative impact on the local community. Without mitigation for the objection raised by Natural England, it is likely the future development of this site may be jeopardised.

6. FINANCIAL CONSIDERATIONS

- 6.1 Natural England considers the introduction of a Dog Control Order to be essential to the mitigation of disturbance to ecological features along this coastline and accordingly its effectiveness will be closely monitored. A suitable policing regime will therefore be fundamental to the effectiveness of any Dog Control Order and it is envisaged this would place an additional burden on existing Council resources.
- 6.2 Notwithstanding the Council's duty under section 28G of the Wildlife and Countryside Act 1981, there is potential for additional disturbance of water birds that would be solely attributable to the development of the former Steetley site. The cost of any additional policing of the Dog Control Order arising on account of the development will therefore be borne entirely by the developer under a Town and Country Planning Act, Section 106 agreement. In this case a developer is required to provide contributions to offset negative impacts caused by construction and development.
- 6.3 With the exception of providing and maintaining appropriate signage on land to which the Dog Control Orders apply, there are no other financial considerations directly associated with the introduction of new Orders.

7. LEGAL CONSIDERATIONS

- 7.1 Hartlepool Borough Council has a duty under section 28G of the Wildlife and Countryside Act 1981, as incorporated by the Countryside and Rights of Way Act 2000, to take reasonable steps, consistent with the proper exercise of our functions, to further the conservation of the SSSI.
- 7.2 Not taking reasonable steps to further the conservation of the SSSI will be a failure by Hartlepool Borough Council to meet its statutory duties, leaving it open to judicial review.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 Dog Control Orders provide exemptions in particular cases for registered blind people, and for deaf people and for other people with disabilities who make use of trained assistance dogs.

9. STAFF CONSIDERATIONS

- 9.1 There are no immediate staffing issues associated with the introduction of the proposed Dog Control Orders; however, consideration should be given to any future policing of the North Sands if the seasonal 'On Leads' Order were to be introduced. As detailed in section 6 above, Natural England has insisted on an effective policing regime, which will impact on present workload and staffing levels.

10. ASSET MANAGEMENT CONSIDERATIONS

- 10.1 With the exception of maintaining suitable signage on land to which the Dog Control Order applies, there are no asset management considerations directly associated with the introduction of any new Orders.

11. SECTION 17 CONSIDERATIONS

- 11.1 Dog-related matters continue to feature highly amongst peoples concerns, with 'dog foul' and 'stray dogs' being alongside the more complained-about issues dealt with by the Council. Despite vigorous enforcement campaigns, irresponsible dog ownership in Hartlepool is still at an unacceptable level, which contributes significantly towards the decline of the local environment.
- 11.2 As mentioned above, the former Steetley site is the subject of considerable vandalism and anti-social behaviour. This not only has a significant negative impact on the local community, it is also a continuing burden for Council services involved in dealing with the consequences of these activities. Although Hartlepool Borough Council cannot assume responsible for any issues on the former Steetley site itself, as a consequence of its current degraded state, anti-social activities such as vandalism, fly tipping and the abandonment of vehicles are prevalent on neighbouring Council-owned land. All require intervention by various Council departments, and the Police and Fire Brigade are also frequently called to attend incidents in the area.

12. RECOMMENDATIONS

- 12.1 That the Portfolio Holder formally makes the orders detailed in section 2 above and authorises the Chief Solicitor to seal and date, and to insert the date of commencement of the Orders on behalf of the Council.
- 12.2 That the Portfolio Holder notes the discontent expressed by the Headland Parish Council and members of the public over the proposed seasonal 'On Leads' Order on the North Sands.

13. REASONS FOR RECOMMENDATIONS

- 13.1 Dog-related matters continue to feature highly amongst peoples concerns, with 'dog foul' and 'stray dogs' being alongside the more complained-about issues dealt with by the Council. Despite vigorous enforcement campaigns, irresponsible dog ownership in Hartlepool is still at an unacceptable level.
- 13.2 Natural England and the RSPB consider the introduction of a Dog Control Order on North Sands to be important in the mitigation of disturbance to ecological features along the coastline at North Sands. Accordingly, Natural England will not remove its objection to the proposed development of the site until an order is in place.
- 13.3 It is in the Council's interest to seek a suitable resolve to the continuing problems of anti-social behaviour at this location, and to improve the visual amenity of the area. Failure by the Council to provide mitigation to the objection raised by Natural England may result in the development not being granted planning permission and the furtherance of issues contributing to the social decline of the area.
- 13.4 The level of opposition to the proposed 'on Leads' Order on the North Sands should not be ignored; however, the introduction of an Order is a statutory requirement, which has been placed upon the Council by Natural England.

14. BACKGROUND PAPERS

- 14.1 Transport and Neighbourhoods Portfolio – 4th November 2011.

15. CONTACT OFFICER

Denise Ogden
Assistant Director (Neighbourhood Services)
Regeneration & Neighbourhoods Department
Civic Centre
Victoria Road
HARTLEPOOL
TS24 8AY

Tel: 01429 523800

E-mail: denise.ogeden@hartlepool.gov.uk

Public Notices

**HARTLEPOOL BOROUGH COUNCIL
THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT
ACT 2005**

**The Dog Control Orders (Prescribed Offences and
Penalties, etc.) Regulations 2006
Proposed Dogs on Leads (Borough of Hartlepool)
Order 2008 (Amendment) Order 2012**

Notice is hereby given that the Hartlepool Borough Council (hereinafter called "the Council") in accordance with its powers under Section 55 of the Clean Neighbourhoods and Environment Act 2005, intends to make the following Order:

1. "The Dogs on Leads (Borough of Hartlepool) Order 2008 (Amendment) Order 2012" (Hereinafter referred to as "the Proposed Order"). This Proposed Order will amend the 2008 Order so that it will also apply to the following additional land.

(a) Redheugh Gardens (See Map B22)
(b) Thornton Street Linear Park (See Map B23)
(c) North Sands (See Map B24)
2. The effect of the Proposed Amendment Order is that persons must keep dogs on leads in the areas described in 1 (a) & (b) at all times and in respect of 1(c) at all times between 1st September and 31st March.
3. A person in charge of a dog shall be guilty of an offence if, he does not keep the dog on a lead on any land to which the Proposed Amendment Order applies unless –

(a) he has a reasonable excuse for failing to do so; or
(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

The penalty for the offence upon conviction will be a fine, not exceeding level 3 (currently £1,000) on the standard scale.
4. **Notice** is also given that representations concerning this proposed Order must be made by the 6th February 2012 in writing and addressed to Craig Thelwell, Waste & Environmental Services Manager, 1 Church Street, Hartlepool, TS24 7DS or by e-mail to craig.thelwell@hartlepool.gov.uk
5. **Notice** is further given that the maps referred to in this Notice may be inspected free of charge at all reasonable hours during the period in which representations may be made, at the office of Craig Thelwell at 1 Church Street, Hartlepool.

Peter Devlin
Chief Solicitor
Civic Centre
Hartlepool
6th January 2012

**HARTLEPOOL BOROUGH COUNCIL
THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT
ACT 2005**

**The Dog Control Orders (Prescribed Offences and
Penalties, etc.) Regulations 2006
Proposed Dogs Exclusion (Borough of Hartlepool)
Order 2008 (Amendment) Order 2012**

Notice is hereby given that the Hartlepool Borough Council (hereinafter called "the Council") in accordance with its powers under Section 55 of the Clean Neighbourhoods and Environment Act 2005, intends to make the following Order:

1. "The Dogs Exclusion (Borough of Hartlepool) Order 2008 (Amendment) Order 2012" (Hereinafter referred to as "the Proposed Amendment Order") This Proposed Order will amend the 2008 Order so that it will also apply to the following additional land.
(a) Fens Field
2. The effect of the Proposed Amendment Order is that persons will be prohibited from taking dogs onto, or permitting dogs to enter Fens Field. There will be exemptions for registered blind persons with guide dogs, deaf persons in respect of a dog trained by Hearing Dogs for Deaf People and disabled persons with trained assistance dogs.
3. A person in charge of a dog shall be guilty of an offence if he takes the dog onto or permits the dog to enter or to remain on the land to which the Proposed Amendment Order will apply unless –
(a) he has a reasonable excuse for doing so; or
(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

The penalty for the offence upon conviction will be a fine, not exceeding level 3 (currently £1,000) on the standard scale.
4. **Notice** is also given that representations concerning this proposed Order must be made by the 6th February 2012 in writing and addressed to Craig Thelwell, Waste & Environmental Services Manager, 1 Church Street, Hartlepool, TS24 7DS or by e-mail to craig.thelwell@hartlepool.gov.uk

Peter Devlin
Chief Solicitor
Civic Centre
Victoria Road
Hartlepool

6th January 2012

From: Geoff Lilley [REDACTED]
Sent: 07 January 2012 07:32
To: Craig Thelwell
Subject: Dog control order 2012

Dear Craig,

As the Ward Councillor for Greatham Ward I wish to support the dog control order 2012 (dog exclusion) for the Fens school field.

As you will be aware the overwhelming majority of residents want to see this field return to a safe clear place where their children can play, without being intimidated by unruly dogs and the filth of their mess.

Regards

Geoff Lilley (Cllr)

From: [REDACTED]
Sent: 07 January 2012 09:34
To: Craig Thelwell
Subject: Dog control order 2012

As responsible dog owners and concerned residents of the Fens Estate we wholeheartedly support the dog control order 2012 (dog exclusion) for the Fens School Field.

Historically, this area was only used by children as a play area out of school hours before the high fencing was erected. In recent times irresponsible dog owners have consistently been using the field in an inappropriate manner. Some even drive their dogs here from other areas, stand at the gate and allow their dogs to run free on the field without picking up the faeces. Dog owners have plenty of open space in the Fens area to exercise their dogs without using the Fens playing field.

We appreciate the support from Geoff and Alison Lilley in this matter.

[REDACTED]

From: [REDACTED]
Sent: 07 January 2012 10:36
To: Craig Thelwell
Subject: Dog Control Order 2012

Dear Craig,

As a resident of Greatham Ward, I would like to support the Dog Control Order which applies to the piece of land attached to Fens School Field. I myself am a dog owner but believe there are lots of other places to walk dogs and would like to see the land used for other purposes which would benefit the community.

Kindest regards,

[REDACTED]

FROM: [REDACTED]
Sent: 07 January 2012 18:49
To: Craig Thelwell
Subject:

Im writing in support of the proposed dog ban on the Fens school field. As a resident of the Fens estate I feel threatened when passing the field and being surrounded by 3 to 4 huskie dogs...who are always unmuzzled and without leads.

Yours faithfully

[REDACTED]

South Fens
Hartlepool.

From: [REDACTED]
Sent: 07 January 2012 21:23
To: Craig Thelwell
Subject: dog ban

I support the dog ban on fens school field. I am not a dog owner myself but my children play on that part of field which is very safe. There are enough green area's on the back hills of the fens for dog walking.

[REDACTED]

From: [REDACTED]
Sent: 08 January 2012 10:30
To: Craig Thelwell
Subject: Public Notice,

Regarding the public notice appearing in the Hartlepool Mail, I wish to support the dog control order 2012 (dog exclusion) for the Fens school field.

As a resident, including my neighbour, of Northwold Close we would like to see this field return to a safe clear place where children can play, without being intimidated by unruly dogs and the mess they leave behind which owners don't pick up.

Regards,

[REDACTED]

From: stephen gibbon [REDACTED]
Sent: 08 January 2012 13:35
To: Craig Thelwell
Subject: Fens Field v Dogs

. Dear Craig,

Just thought I would add my support for the dog control order on the Fens field.

I know for a fact many children use the area to play football, members of the fire brigade have arranged ball games for local children on the field.

In the past children from the Fens school have been encouraged to go litter picking on that field. This is something I was against at the time and would be again if it happened in the future.

Here on the Fens most dog walkers are responsible dog owners, use the grassy banks and pick up any mess made by the dogs.

The grassy banks is a large area and I don't see the need to allow dogs to be exercised on the field near the school.

Regards

Cllr Steve Gibbon

From: [REDACTED]
Sent: 08 January 2012 15:39
To: Craig Thelwell
Subject: Fens Field Dog Control Order

Dear Mr Thelwell,

As Chairman on Fens Residents Association, I wish to support the dog control order 2012 (dog exclusion) for the Fens school field. There are very few areas on Fens Estate where young people can play. Fens Residents Association successfully campaigned for an area of Fens School field to be set aside for use by young people to be able to play safely but the area has been blighted by dog mess. It has been witnessed many times where dog owners have arrived by car, set their dog free on the field without any supervision.

Fens residents want to see this field return to a safe clear place where their children can play, without being intimidated by unruly dogs and the filth of their mess.

Yours sincerely,

[REDACTED]

From: Alison Lilley [REDACTED]
Sent: 09 January 2012 09:25
To: Craig Thelwell
Subject: Fens School field

Dear Craig,

So pleased to see the closure notice in the 'Mail' for Fens School field. As you know as Fens Ward Councillor I have fought for this to happen for two years now therefore, I wish to record my full support for the dog control order 2012 (dog exclusion) for Fens school field.

Kindest Regards,

Alison Lilley

From: [REDACTED]
Sent: 09 January 2012 17:24
To: Craig Thelwell
Subject: fens field

We object very strongly to this order, we live next to the field [REDACTED] and have never had any problems with dogs on the field-anti social youths are a problem! I use the field for my dog and clear the mess away as do many of my friends. The school does not use the field and to be honest apart from the occasional teenager no one else does.

The field should never have been left open as it is, it should have been fully locked off or totally closed.

Empty beer/vodka cans and bottles, packets and drug left overs and BBQ rubbish are the problem not the dogs.



From: [REDACTED]
Sent: 09 January 2012 21:47
To: Craig Thelwell
Subject: Ban dogs from field.

I support the proposal for the dog ban on Fens School



From: [REDACTED]
Sent: 10 January 2012 09:11
To: Craig Thelwell
Cc: [REDACTED]
Subject: Proposed Dog Control Order

[REDACTED]

I'm somewhat surprised to hear from Mr Lilley that the council intends to place the above order on Fens School field! My house adjoins the field at [REDACTED] and I have been frustrated for many years at the council's inaction on the schools separation of this area of school playing field into public open space.

To the best of my knowledge neither the school nor the council have obtained planning permission for such a change of use including the creation of a new public access. Dog walkers have never caused any problems or disturbance to me, my family or property however I continue to be frustrated by the minority of youths who choose to use this area of land and cause disturbance, leave cans, bottles, condoms and drug needles on the field.

Before the council seek to persecute dog walkers I would like to see the correct planning permission obtained the land be maintained and cleaned or alternatively the field converted back to school playing field which would eliminate the disturbance to all residents in the area.

I would therefore be obliged if you would investigate the situation and advise what action will be taken to rectify this illegal use of the land at Fens School.

Regards

Craig

[REDACTED]

From: [REDACTED]
Sent: 10 January 2012 09:46
To: Craig Thelwell
Subject: re Fens School

Dear Craig,
I wish to fully support the dog closure for the grounds of Fens School.
How people can even think of exercising their dogs on school playing fields ,or any other part of school property is unbelievable.
I have had an email from Alison Lilley, that is how I know about this, I am pleased to give my support.

[REDACTED]

From: [REDACTED]
Sent: 10 January 2012 17:11
To: Craig Thelwell
Cc: [REDACTED] David Frame
Subject: RE: Proposed Dog Control Order

Mr Thelwell

Thank you for your prompt response and I note that the dog control order is independent of the planning permission and I will take up this issue directly with the Planning department.

I would however point out that the anti social behaviour issues only occurred after the school erected their fence and created the new access. This has been an issue for many years now and despite a number of complaints from my wife over many years and Mr Lilley's support the Council continue to evade the issue that is a direct result of the unauthorised creation of a public open space.

[REDACTED]

From: [REDACTED]
Sent: 10 Jan 2012 16:55
To: Chapman Craig
Cc: [REDACTED]
Subject: RE: Proposed Dog Control Order

Dear Mr Chapman,

Thank you for your e-mail regarding the proposed Dog Control Order at Fens Field.

For your information, a Dog Control Order can be made in respect of any land which is open to the air and to which the public are entitled or permitted to have access. In this case, the school governors have permitted the use of the field to members of the public and it is therefore appropriate for an Order to be implemented if there is a consensus in favour of it.

The Council has received numerous complaints about dog-related matters on the field and a request for an Order has been conveyed via the local council members. The Fens Residents Association is also in support and since the public notice appeared in the Hartlepool Mail last Friday, a number of people have registered their approval in writing.

With regards to anti-social behaviour, planning, and maintenance, these are separate issues. However, it is of course important for the Council to address your concerns, particularly those around anti-social behaviour, which you say has been a problem for you and your family in recent times. As such, I have conveyed your remarks to the Neighbourhood Management team for the south area who will coordinate a suitable response. In the meantime, thank you again for your comments regarding the proposed Dog Control Order – these have been noted and placed on record.

Regards

Craig Thelwell
Waste & Environmental Services Manager
1 Church St
Hartlepool
TS24 7DS

Tel: [REDACTED]
Fax: 01429 523038
e-mail: craig.thelwell@hartlepool.gov.uk

From: [REDACTED]
Sent: 10 January 2012 09:11
To: Craig Thelwell
Cc: [REDACTED]
Subject: Proposed Dog Control Order

Mr Thelwell

I'm somewhat surprised to hear from Mr Lilley that the council intends to place the above order on Fens School field! My house adjoins the field at [REDACTED] and I have been frustrated for many years at the council's inaction on the schools separation of this area of school playing field into public open space.

To the best of my knowledge neither the school nor the council have obtained planning permission for such a change of use including the creation of a new public access. Dog walkers have never caused any problems or disturbance to me, my family or property however I continue to be frustrated by the minority of youths who choose to use this area of land and cause disturbance, leave cans, bottles, condoms and drug needles on the field.

Before the council seek to persecute dog walkers I would like to see the correct planning permission obtained the land be maintained and cleaned or alternatively the field converted back to school playing field which would eliminate the disturbance to all residents in the area.

I would therefore be obliged if you would investigate the situation and advise what action will be taken to rectify this illegal use of the land at Fens School.

Regards

From: [REDACTED]
Sent: 12 January 2012 12:59
To: Craig Thelwell
Subject: Dog control order 2021

[REDACTED]

WE wish to record our support to the closure to dogs notice on the fens school field
yours
Mr [REDACTED]
Mrs [REDACTED]

From: Headland Parish Council [mailto:headlandparish@btconnect.com]
Sent: 01 February 2012 12:04
To: Craig Thelwell
Subject: dog control order

Hello Craig

At the meeting of the Headland Parish Council on Tuesday 31st January 2012 the proposed Dog Control Order was considered. The parish council would like to continue its objection in regard to dogs on leads on the North Sands. It was felt that this was not necessary and that other factors including sea coal lorries would affect the birds more than dogs.

Thank you

Gillian Elliston
Headland Parish Council Clerk

From: Headland Parish Council [mailto:headlandparish@btconnect.com]
Sent: 04 January 2012 14:48
To: Craig Thelwell
Subject: RE: dog control orders

Yes thanks Craig, I have done a copy for all the councillors.

-----Original Message-----

From: Craig Thelwell [mailto:Craig.Thelwell@hartlepool.gov.uk]
Sent: 04 January 2012 14:35
To: 'Headland Parish Council'
Subject: FW: dog control orders

Hi Gillian,

I dropped a copy of the Order into the Headland Parish Council office along with a covering letter. Can you please confirm that you have received it?

Many thanks

Craig Thelwell
Waste & Environmental Services Manager
1 Church St
Hartlepool
TS24 7DS

Tel: 01429 [REDACTED]
Fax: 01429 523038
e-mail: craig.thelwell@hartlepool.gov.uk

From: Craig Thelwell
Sent: 14 December 2011 12:08
To: 'Headland Parish Council'
Subject: RE: dog control orders

Morning Gillian,

The report went to Portfolio in November and the concerns of the Headland Town Council, and the people of the Headland, were contained in the report following my visits to your meetings. The Portfolio Holder noted the concerns and did not dismiss them. Unfortunately, as I explained at the meetings, it is Natural England that has placed a 'statutory' duty on the Council to implement a seasonal 'On Leads' Order on North Sands (September to March) in order to protect sea birds. However, I should point out that progression through portfolio does not mean the order is in place. What follows now is the 'formal' consultation by way of a Notice placed in the Hartlepool Mail, and I shall at that stage write to the Headland Town Council informing of the intention to implement the Order. The Headland Town Council will then have an opportunity to make representations if it chooses to do so.

Hope this is clear, but if you require anything else please do not hesitate to contact me.

Regards

Craig Thelwell
Waste & Environmental Services Manager
1 Church St
Hartlepool
TS24 7DS

Tel: 01429 [REDACTED]
Fax: 01429 523038
e-mail: craig.thelwell@hartlepool.gov.uk

From: Headland Parish Council [<mailto:headlandparish@btconnect.com>]
Sent: 14 December 2011 09:53
To: Craig Thelwell
Subject: dog control orders

Hello Craig

At the last meeting of the Headland Parish Council an article published in the Hartlepool Mail was brought to our attention stating that the Dog Control Order for the North Sands had been granted.

We were surprised and disappointed that we had not been informed of this decision and had to learn about it from the local press.

We had been told that consultation report would not be completed till February and thought no decision would be made till then.

Hope you can clarify the position.

Gillian Elliston
Headland Parish Council Clerk



10.1.12.

Attn.
Mr. Craig Shelwell.
Closure Order No. 2021.

Will you please record
my support for this
Closure Order.



TRANSPORT AND NEIGHBOURHOODS PORTFOLIO

Report to Portfolio Holder
18th May 2012



Report of: Assistant Director (Neighbourhood Services)

Subject: HOUSEHOLD WASTE - ASSISTED
COLLECTIONS

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of proposals to introduce a more-robust assessment process for assisted household waste collections.

2. SUMMARY OF CONTENTS

The report provides concise details of the present arrangements for assisted household waste collections and highlights the main concerns surrounding this service. The report also details proposals to address these concerns through a revised scheme, aimed at improving efficiency within the Waste Management section.

3. RELEVANCE TO PORTFOLIO HOLDER

The Portfolio Holder has responsibility for Waste Management.

4. TYPE OF DECISION

Non-key Decision.

5. DECISION MAKING ROUTE

Transport and Neighbourhoods Portfolio 18th May 2012

6. DECISION REQUIRED

That the Portfolio Holder notes the proposals to introduce a more-robust assessment process for assisted household waste collections,

and recognises the immediate and longer-term benefits for Hartlepool Borough Council.

Report of: Assistant Director (Neighbourhood Services)

Subject: HOUSEHOLD WASTE - ASSISTED
COLLECTIONS

1. PURPOSE OF REPORT

- 1.1 To inform the Portfolio Holder of proposals to introduce a more-robust assessment process for assisted household waste collections.

2. BACKGROUND

- 2.1 Hartlepool Borough Council offers an assisted household waste collection service for residents, which is determined on a case-by-case basis, and is dependent on an individual's personal circumstances - typically an individual would be elderly or infirm with no family or friends who could assist in any way.
- 2.2 Currently, the information gathered from those residents wanting an assisted collection requires the applicants' name, address, date of birth, and whether any able-bodied person residing at the property can assist with the presentation of the receptacles; reasons for the application are also required. A copy of the current application form is attached at **Appendix A**.
- 2.3 Applications can be made by letter/pro-forma, telephone or the Council's website; however, there is presently no requirement to verify any of the information provided by residents.
- 2.4 The present assisted household waste collection list stands at around 1000 households and is steadily increasing. However, it has become apparent that many residents are in receipt of an assisted collection service where there is no obvious reason for this to be the case. This adds time and costs to the refuse collection service.
- 2.5 This situation has evolved through the lack of an effective system of identifying individuals with a genuine need for assistance, or possibly as a result of inadequate monitoring of those who are in receipt of the service; that is to say, for example, a new resident/tenant may have continued to receive a service put in place for the previous resident/tenant of the same address.
- 2.6 A recent review of waste services provided by Hartlepool Borough Council, which received Cabinet support, identifies a number of

changes that have the potential to realise significant savings for the Council. Considerable work is now being undertaken to implement these changes and, as part of this process, it is essential that a future waste management service is able to operate as efficiently as possible. Addressing the unnecessary use/abuse of the assisted waste collection service can therefore be considered fundamental.

3. PROPOSALS

- 3.1 The Waste & Environmental Service section proposes to introduce a revised assisted collection scheme, which requires verification of an individual's needs prior to any assistance being granted. This is similar to the verification carried out for Blue Badge requests.
- 3.2 Automatic qualification will apply if the applicant is in receipt of any one of the following:
- Disability Living Allowance (Higher Rate mobility)
 - War Pension (mobility)
 - Blue Badge holder
 - Disabled bus pass holder
 - Registered blind
 - Residents over the age of 80.
- 3.3 Non-automatic qualification may be given for other reasons, which are determined by a home visit assessment.
- 3.4 All instances of assisted collections will be closely monitored by the Waste & Environmental Services section to ensure support is only provided as necessary and for good reason. Furthermore, every case will be reviewed automatically on an annual basis.
- 3.5 The proposed new application form for assisted collections is attached at **Appendix B**.

4. RISK IMPLICATIONS

- 4.1 There is a risk that individual's with a genuine need for an assisted collection may not meet the 'automatic qualification' criteria; however, this risk is mitigated through the provision of a 'home visit' assessment.
- 4.2 The introduction of a more-robust assessment process for assisted waste collections is important to the Waste & Environmental Services sections move towards greater efficiency. Failure to review the current process and improve efficiency will be to the detriment of other planned changes aimed at making significant financial savings for Hartlepool Borough Council.

5. FINANCIAL CONSIDERATIONS

- 5.1 The Waste & Environmental Services section has identified the potential for significant savings through changes to the way in which it delivers its service. In future, it will be essential for the service to operate as efficiently as possible if these savings are to be realised, and the introduction of a more-robust assessment process for assisted household waste collections is therefore important to this overall objective.

6. LEGAL CONSIDERATIONS

- 6.1 Hartlepool Borough Council has a statutory duty to provide a domestic household waste collection service to the residents of Hartlepool. However, for their part, residents are required to present their waste bins on the specified day of collection; the Council may also specify where the receptacles should be placed for emptying, which is normally immediately outside each respective property. Residents are responsible for returning their receptacles to within the curtilage of their property, and this should be carried out as soon as possible after collection.
- 6.2 The Waste & Environmental Services section is mindful of Data Protection issues and has therefore implemented procedures via CICT for the purpose of verifying Blue Badge and Bus Pass applications.

7. EQUALITY AND DIVERSITY CONSIDERATIONS

- 7.1 Although qualification for an assisted collection will be determined through a robust assessment process, the scheme is open to all residents of Hartlepool. All equality and diversity considerations will be taken into account when assessing each individual case.

8. STAFF CONSIDERATIONS

- 8.1 Initial assessments for assisted collections will be carried by Hartlepool Connect staff at the outset of an application, and the automatic selection criteria should make this process relatively straightforward; however, where home visits are required, these will be carried out by staff from the Waste & Environmental Services section. All staff carrying out home visits will have an enhanced CRB clearance and, in the interests of staff safety, all visits will be undertaken in accordance with approved Health & Safety guidelines.

9. ASSET MANAGEMENT CONSIDERATIONS

- 9.1 There are no asset management considerations associated with the introduction of a more-robust assessment process for assisted collections.

10. SECTION 17

- 10.1 There are no Section 17 considerations directly associated with the introduction of a more-robust assessment process for assisted collections; however, Enforcement Officers will closely monitor instances where assistance has been declined in order to protect neighbourhoods from the actions of those who fail to adhere to rules concerning domestic household waste collections.

11. RECOMMENDATIONS

- 11.1 That the Portfolio Holder approves the proposals to introduce a more-robust assessment process for assisted household waste collections, and recognises the immediate and longer-term benefits for Hartlepool Borough Council.

12. REASONS FOR RECOMMENDATIONS

- 12.1 The present assisted household waste collection list stands at around 1000 households and is steadily increasing. Anecdotal evidence exists, which suggests many of these residents are in receipt of the service when there is no obvious reason for this to be the case. Clearly, this unnecessary use, or abuse, serves only to burden the Waste & Environmental Services section at a time when it is looking to operate as efficiently as possible in order to make significant financial savings for the Council. It makes sense therefore that a more-robust process is introduced at the earliest opportunity as part of a major review of waste management services.

13. BACKGROUND PAPERS

- 13.1 There are no background papers.

14. CONTACT OFFICER

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Assisted Collection Application Form

Name:	Date Of Application:
Address:	Contact Telephone No:

State Reason for Application:

.....

... Please continue overleaf if necessary

Date of Birth: Age: OAP?.....Yes/No

Registered Disabled? Yes/No

Mobility Allowance?Yes/No

Do you have use of walking aids/wheelchair?Yes/No

If yes, what?

Do you live alone? Yes/No

If no, who else lives there and can they put the bin out for collection?.....

Do you have a relative/friend/care worker/home help who can put the bin out for collection and return it to the property?
 Yes/No

If so, who?

Would you be able to manage the wheeled bin if they were allocated with a smaller 140ltr bin? (i.e. less than 2 bags produced fortnightly) Yes/No

Further notes:

.....

Signature: Date:

Place on dispensation list? Yes/No



Assisted Collection Application Form

Name:	Date Of Application:
Address:	Contact Telephone No:

State Reason for Application:

.....

... Please continue overleaf if necessary

Date of Birth: Age: OAP?.....Yes/No

Are you in receipt of any of the following?

Disability Living Allowance ☐

War Pension (mobility) ☐

Blue Badge Holder ☐

Disabled bus pass holder ☐

Registered blind ☐

Are you happy for the Council to check on the statements above?
 Yes/No

Do you live alone? Yes/No

If not, who else lives there and can they put the bin out for
 collection and return to the property?

.....

Do you have a relative/friend/care worker/home help who can put the bin out for collection and return it to the property?

Yes/No

If so, who?

Would you be able to manage the wheeled bin if they were allocated with a smaller 140ltr bin? (i.e. less than 2 bags produced fortnightly) Yes/No

Further Comments

.....

Signature: Date:

For Official Use Only :

Decision

Visit Required Yes / No

Date Arranged __/__/__ Officers Name

Place on dispensation list? Yes/No

Any further information

.....

TRANSPORT AND NEIGHBOURHOODS PORTFOLIO

Report to Portfolio Holder
18th May 2012



Report of: ASSISTANT DIRECTOR (TRANSPORTATION
AND ENGINEERING)

Subject: ARNCLIFFE GARDENS AREA PROPOSED
ONE WAY SYSTEM

SUMMARY

1. PURPOSE OF REPORT

To seek approval to the implementation of a one way traffic system along Arncliffe Gardens, Belmont Gdns, Eamont Gardens and Wansbeck Gdns (As shown in **Appendix 1**).

2. SUMMARY OF CONTENTS

The report details the background to the scheme, the consultation undertaken, and the scheme proposals.

3. RELEVANCE TO PORTFOLIO HOLDER

The Portfolio Holder has responsibility for traffic and transportation issues.

4. TYPE OF DECISION

Non - Key

5. DECISION MAKING ROUTE

Transport and Neighbourhoods Portfolio on 18th May 2012.

6. DECISION REQUIRED

The Portfolio Holder approves the introduction of the one way scheme

Report of: Assistant Director (Transportation and Engineering)

Subject: Arncliffe Gdns Area Proposed One Way System

1. PURPOSE OF REPORT

- 1.1 To seek approval to the implementation of a one way traffic system along Arncliffe Gdns, Belmont Gardens, Eamont Gardens and Wansbeck Gdns (As shown in **Appendix 1**).

2. BACKGROUND

- 2.1 During July/ August 2011, a “resident led” consultation was submitted to the Council on behalf of the residents of Arncliffe Gardens, indicating that the majority of them were in favour of the road becoming a one way street, allowing access from Park Road (north end) only. The current south end entrance would no longer be accessible to traffic exiting from Baden Street & Elwick Road.
- 2.2 This request has arisen due to the number of parked vehicles along both sides of Arncliffe Gardens, which has created problems with oncoming traffic flows (drivers unwilling to give way to others who are travelling towards them). This has led to “stand offs” between drivers, abusive language and threatening behaviour, along with damage to residents vehicles due to motorists getting too close to parked cars, etc.
- 2.3 The possibility of one way streets in this area has been investigated previously, but the need to divert the bus service which used Arncliffe Gardens at the time to an adjacent street (in one direction) had been the main reason against this. This service was, however, re-routed in 2009 and no longer uses Arncliffe Gardens.
- 2.4 There is also the potential for vehicle speeds to increase with one way streets. However, in a lot of cases the access difficulties caused by parked vehicles appears to have led to motorists speeding along the road, in order to avoid the possibility of meeting other motorists travelling towards them.

The volume of parked vehicles makes it virtually impossible at times for drivers to pull in and allow others to pass through. Residents have

raised safety concerns with the current situation, and also with the abusive language from arguing motorists in the street.

- 2.5 In addition to Arncliffe Gardens, three of the adjacent streets - Belmont Gdns, Eamont Gdns and Wansbeck Gdns also experience the same issues due to a similar level of parked vehicles. Houses in the other streets to the east/ west of these have driveways, and are also slightly wider, so therefore do not tend to have the same problems. As a result, the proposed scheme was extended to include all four streets.
- 2.6 The proposals were presented to the Council's Traffic Liaison Group, which meets with the emergency services, bus companies, taxi representatives, driving instructors, etc, in October 2011, who were generally supportive of the idea. The Group did acknowledge that there was a potential for increased speeds, as drivers would be aware that there would no longer be any oncoming traffic, but recognised that the existing situation was contributing to the speeding issue.

3. CONSULTATION

- 3.1 Consultation letters & plans of the proposed area were distributed in November 2011, with the results shown at **Appendix 2**. These show that there is clear support for the scheme from residents, for both the overall scheme and each individual street. Ward councillors and the Neighbourhood Manager for the area were also consulted.
- 3.2 In February 2012, the Portfolio Holder asked that a letter be sent to residents of the streets either side of the proposed one way area - Eldon Grove and Lansdowne Road, as a small number had expressed concerns over the scheme. These related to a potential increase in traffic volumes along those two streets if the other roads near to them became one way. It is not intended that Eldon Grove & Lansdowne Road would become one way streets.
- 3.3 From 114 letters sent out, only 5 residents responded to express concerns. These will be available for the meeting, if required.
- 3.4 At present, a high number of motorists seem to avoid the proposed one way streets due to the access difficulties referred to. It is anticipated that their use will increase once they have become one way, so there should be no significant change to either Lansdowne Road or Eldon Grove. Traffic volumes on these streets could in fact reduce if Arncliffe, Belmont, Eamont & Wansbeck become one way, due to some motorists preferring to avoid them at the moment.

4. FINANCIAL CONSIDERATIONS

- 4.1 The scheme will utilise illuminated signage to identify each of the 4 streets as having a one way access, plus no entry signage at the opposite ends of each road. It is anticipated that this should cost no more than £5,000 in total, which will be met from the Council's Local Transport Plan.

5. RECOMMENDATIONS

- 5.1 The Portfolio Holder approves the introduction of the one way scheme.

6. REASONS FOR RECOMMENDATIONS

- 6.1 To improve traffic management in the area, following a positive consultation exercise.

7. BACKGROUND PAPERS

- 7.1 There are no background papers

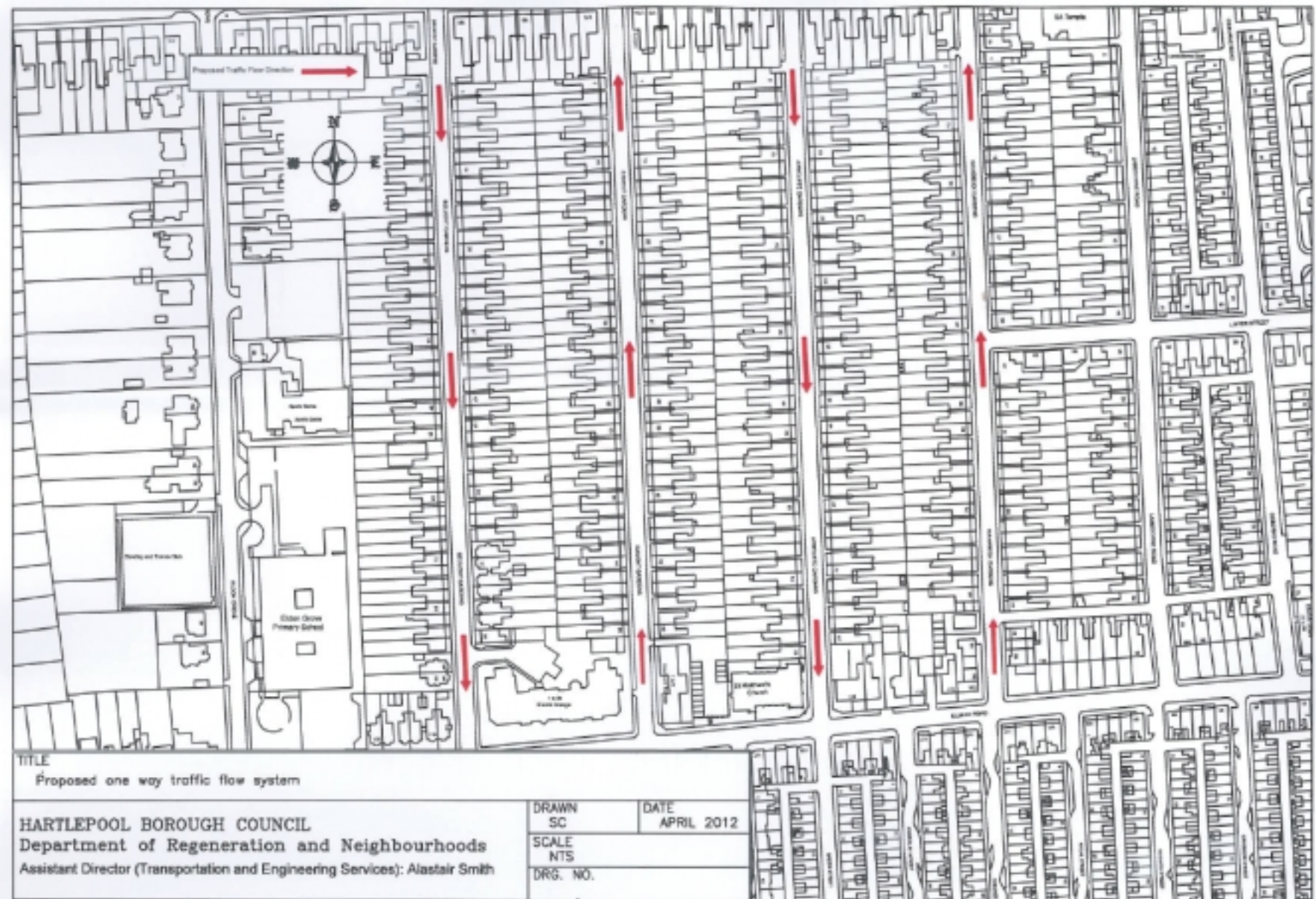
8. CONTACT OFFICER

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2.2 APPENDIX 1



One Way Traffic System - Arncliffe Gds, Belmont Gds, Eamont Gds & Wansbeck Gds

2.2 Appendix 2

<u>Street</u>	<u>Responses</u>	<u>Response</u>	<u>Responses</u>	<u>Response %</u>	<u>Responses</u>	<u>Response %</u>	<u>Total</u>	<u>Total Letters</u>	<u>% Responses</u>
	<u>In Favour</u>	<u>% In Favour</u>	<u>NOT in favour</u>	<u>NOT In Favour</u>	<u>No Pref Indicated</u>	<u>No Pref Indicated</u>	<u>Responses</u>	<u>Sent</u>	<u>Returned</u>
Arncliffe Gardens *	59	76%	6	7%	13	17%	78	84	92.9%
Belmont Gardens	29	73%	11	27%	0	0%	40	88	45.5%
Eamont Gds / Tce	24	69%	11	31%	0	0%	35	90	38.9%
Wansbeck Gardens	29	73%	10	25%	1	2%	40	92	43.5%
Elwick Rd/ Park Rd	13	93%	1	7%	0	0%	14	47	29.8%
TOTALS	154	= 74%	39	= 19%	14	= 7%	207	401	51.60%

* Arncliffe Gardens data includes responses from the HBC consultation AND the "Resident led" petition (for those who did not respond via the HBC consultation).

71% of those who responded were in favour of the proposed scheme.