

# CABINET AGENDA



**Monday 25 June 2012**

**at 9.30 am**

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

**MEMBERS: CABINET:**

The Mayor, Stuart Drummond

Councillors Hill, Lauderdale and Thompson.

**1. APOLOGIES FOR ABSENCE**

**2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

**3. MINUTES**

To receive the Record of Decision in respect of the meeting held on 11 June 2012 (previously circulated)

**4. BUDGET AND POLICY FRAMEWORK**

4.1 Core Strategy Schedule of Changes Document – *Director of regeneration and Neighbourhoods*

**5. KEY DECISIONS**

5.1 Hartlepool Borough Council / Hartlepool Housing Partnership Agreement – *Director of Regeneration and Neighbourhoods and Director of Child and Adult Services*

**6. OTHER ITEMS REQUIRING DECISION**

6.1 Chief Executive Arrangements – *Chief Finance Officer and Chief Solicitor*  
6.2 Community Infrastructure Levy – *Director of Regeneration and Neighbourhoods*

**7. ITEMS FOR DISCUSSION/INFORMATION**

7.1 2011/12 Final Outturn Position and Statutory Accounts – *Chief Finance Officer*  
7.2 Social Fund Localisation – *Chief Finance Officer*

# CABINET REPORT

25<sup>th</sup> JUNE 2012



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

**Subject:** CORE STRATEGY SCHEDULE OF CHANGES DOCUMENT

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## 1. TYPE OF DECISION

1.1 This report is part of the Budget and Policy Framework.

## 2. PURPOSE OF REPORT

2.1 To present to Cabinet a requirement for a Schedule of Changes (see **Appendix 1**) to the Core Strategy Publication Document and seek authorisation to consult on these changes in line with statutory requirements, prior to the Core Strategy Examination in Public (EIP) hearing held by the Secretary of State for Communities and Local Government.

## 3. BACKGROUND

3.1 The Core Strategy is the key Development Plan Document within the Local Development Plan Framework setting the spatial vision, strategic objectives and core policies for the town for the next 15 years. It will provide the delivery mechanism for the 2008 Sustainable Community Strategy and other plans and strategies of the Council in as far as they relate to the use and development of land and will provide the policy framework to support the development management and control process.

3.2 In January 2012 Cabinet were presented with a report which set out the background to the preparation of the Core Strategy, referring to the detailed report which was considered by Cabinet in September. The report set out the next steps towards adoption of the plan which included consultation on the draft Publication Document, submission to the Secretary of State, the holding of an Examination in Public and then formal adoption - subject to the plan being deemed to be 'sound'. Approval was granted by Cabinet and subsequently by Council to approve and submit the Core Strategy Publication Document to the Secretary of State for Communities and Local Government for independent Examination.

## **4 PROGRESSING THE CORE STRATEGY**

- 4.1 The National Planning Policy Framework (NPPF), published on 27<sup>th</sup> March 2012, proposes to dramatically simplify the planning system. Last year, the Government announced its intention to simplify the planning system by creating a single document encompassing all planning guidance. It was felt that existing guidance of over 1,000 pages in total was causing delay and uncertainty in the planning process. As this document is now published and effectively supersedes a vast amount of National Planning Guidance this must be reflected in any emerging Core Strategies.
- 4.2 In light of the recently published NPPF and progress towards adoption of the Core Strategy, Hartlepool took advantage of an offer from the Planning Inspectorate to receive a 'visit' from a Planning Inspector to discuss the Core Strategy and its compliance with the NPPF. This meeting was extremely beneficial and it became apparent that a Schedule of Changes will be required to be submitted to the Secretary of State for Communities and Local Government which will incorporate changes necessary to make the proposed Core Strategy compliant with the National Policy and Guidance.
- 4.3 The Schedule of Changes would be submitted to the Secretary of State who will as part of the process of considering the Council's Core Strategy will appoint an independent Inspector to assess the plan for 'soundness' and consider representations and objections to the Plan.
- 4.4 The Schedule of Changes is required to be consulted upon by the Council, and all responses resulting from this round of consultation would be given directly to the Planning Inspector for consideration. The final decision on acceptance of these changes and weight attached to responses to the consultation would be at the Inspectors discretion. An Examination in Public (EIP) hearing will be held to allow key policy proposals to be debated in greater detail with invited objectors and supporters being able to present their case.

## **5 THE SCHEDULE OF CHANGES DOCUMENT**

- 5.1 A draft copy of the Schedule of Changes is attached to this report, however this document may need minor modification prior to submission.
- 5.2 The key issues associated with the Schedule of Changes are:
- Minor changes to wording to reflect the recently published NPPF and other national guidance;
  - Minor factual changes and relevant changes in light of the last round of consultation;
  - The inclusion of a model sustainable development policy;
  - The inclusion of a Gypsy, Traveller and Travelling show people policy;
  - The inclusion of a control of advertisement's policy;
  - The inclusion of a telecommunications policy;
  - Concerns regarding the deliverability of North Burn's allocation as an employment site.

5.3 Minor changes

Minor changes are proposed to reflect the publication of the NPPF and other associated National documents which replace guidance currently referenced in the Core Strategy. Included in the Schedule of Changes are factual changes and relevant changes which have come to light during the last round of publicity.

5.4 Model Sustainable Development Policy

The Planning Inspectorate has given guidance on a requirement for all Local Plans (Core Strategies) to include a model policy relating to sustainable development which although duplicating the NPPF should be included, the Schedule of Changes reflects the wording of the model policy.

5.5 Gypsy, Travellers and Travelling Showpeople

The 'Planning Policy for Traveller Sites', published alongside the National Planning Policy Framework (2012), sets out that the Government's aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers, while respecting the interests of the settled community.

5.6 It is essential therefore that Local Authorities understand the accommodation needs of Gypsies and Travellers within their local area. To that end, the need for sites within Hartlepool was identified within the Tees Valley Gypsy and Traveller Accommodation Needs Assessment (2009). This research and report was commissioned by all five Tees Valley Authorities (Hartlepool Borough Council, Middlesbrough Borough Council, Stockton-on-Tees Borough Council, Redcar and Cleveland Borough Council and Darlington Borough Council) and co-ordinated by the now defunct Tees Valley Joint Strategy Unit.

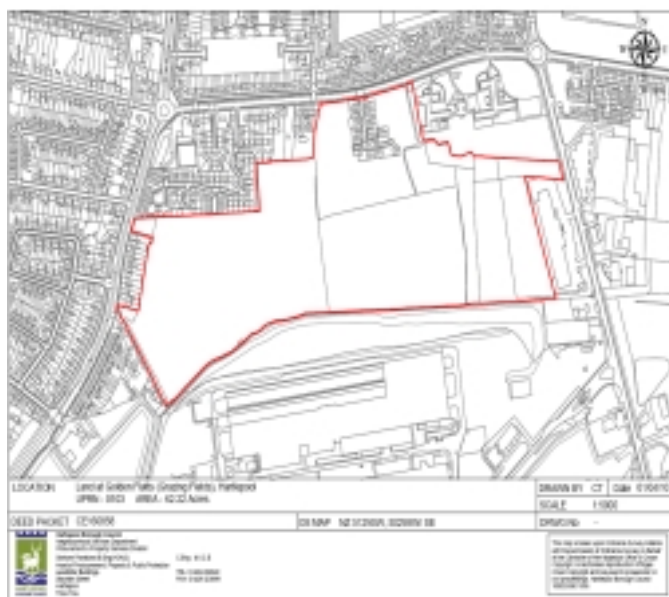
5.7 The study identified that 142 additional Gypsy and Traveller pitches were required across the Tees Valley by 2021, the majority of the identified need being within Darlington.

5.8 In light of the Planning Inspectors visit it became apparent that Hartlepool Borough Council is required to identify appropriate Gypsy and Traveller sites to ensure that there is sufficient provision of such sites to meet the identified need.

5.9 In May 2012 a Gypsy and Traveller Sites Assessment was completed. This report detailed Hartlepool's approach to identifying the needs of this community and appropriate sites which are available, suitable and achievable to allocate as Gypsy and Traveller sites. The report identifies that the required need is for only 6 pitches within Hartlepool, and that it is therefore considered appropriate that this should be contained within one permanent site. This would also accord with the fundamental principles of the NPPF of contributing towards achieving sustainable development by reducing potential impacts on the environment. It is also considered it would help foster inclusivity within Gypsy and Traveller communities, allowing people to be sited on an appropriate site with sufficient infrastructure provisions and access to necessary services and facilities rather than being displaced across the Borough on unauthorised sites.

- 5.10 The assessment undertaken initially considered 216 sites within the Council's ownership and after further screening stages which considered that suitability, achievability, and deliverability of sites, identifies 4 suitable sites (plans of these sites are contained within the Core Strategy Schedule of Changes document). The 4 sites are identified below:

**GT029 Land at Golden Flatts  
Hartlepool**



**GT051 Land at Bruntoft Avenue  
Hartlepool**



- 5.11 Rather than identify a preferred site at this stage, which has not been publicly consulted upon, it is considered prudent to consult on all suitable sites (as detailed above) and then allow the Planning Inspector to consider any representation to the sites and allocate the most suitable site (this corresponds with the advice from the visiting Planning Inspector).
- 5.12 Advertisement & Telecommunication policies  
Government advice previously was not to duplicate National policy/guidance. Officers took the view that advertisements were effectively controlled by Planning Policy Guidance (PPG) 19: (Outdoor Advertisement Control) and telecommunication development was effectively covered by Planning Policy Guidance 8: (Telecommunications) and as such policies were not included in the Core Strategy. The NPPF has superseded a vast amount of National Planning Policy, including PPG 8 & 19 and therefore it is considered prudent to include policies to control advertisements within the Borough.
- 5.13 North Burn Employment Site  
*The NPPF states; 'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose'.*

North Burn is proposed to be allocated as a high quality employment site; this site was allocated in the adopted Hartlepool Local Plan 2006 and the Regional Spatial Strategy 2008. Policies relating to employment and the economy reflect the importance of Wynyard as strategic prestige employment location for the region as well and the Borough, however significant concerns regarding the deliverability of the North Burn site which is akin to Queens Meadow and is proposed as high quality rather than prestige employment have been expressed by the Highways Agency. The Highways Agency have submitted representations which state that they would prefer the removal of the North Burn site as it is unsustainable and undeliverable and would have a significant impact on the Strategic Road Network. The Highways Agency has also produced a Highway Study for the Wynyard area in January 2011 which looks at a number of development scenario's for Wynyard and advises:

*The North Burn development is indicated to be an issue; the network cannot accommodate the entire Wynyard development so congestion would eventually occur as the site is built out. It is clear that the addition of the North Burn would increase this problem, and indeed none of the development could be accommodated if it were brought forward in addition to the Wynyard development.*

A viability paper has been carried out by Council Officers to identify delivery risks for all sites proposed to be allocated within the Core Strategy. It acknowledges that the anticipated infrastructure costs and highways network implications associated with the deliverability of North Burn are high risk and this combined with the Highways Agency submission poses concern for officer's that the site will be deemed questionable in terms of viability/deliverability at the Independent Examination.

English Heritage has also raised an objection to the inclusion of this site as an employment site, in terms of the potential impact on the adjacent Schedule Ancient Monument.

It is considered prudent for officer's to advise Members that there is a risk in including the North Burn site as an allocation at this stage as the Planning Inspector may recommend the site be removed or that the plan be found unsound.

## **6 RECOMMENDATIONS**

6.1 Cabinet is requested to:-

- i. acknowledge the changes deemed necessary to make the Core Strategy compliant with National Policy;
- ii. agree to the consultation of the Schedule of Changes for the Core Strategy Schedule subject to minor editing;

## **7. REASONS FOR RECOMMENDATIONS**

7.1 The Core Strategy is a statutory document which sets the strategic planning policy framework for the Borough for the next 15 years. The process of consultation follows a procedure which is laid down in statute. The Core Strategy must take account of recent publications.

## **8. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE**

8.1 Appendix 1 Core Strategy Schedule of Changes Document.

## **9. BACKGROUND PAPERS**

9.1 Cabinet Report 26<sup>th</sup> September 2011  
Cabinet Report 23<sup>rd</sup> January 2012  
Council Report 9<sup>th</sup> February 2012

## **10. LEGAL CONSIDERATIONS**

10.1 There is a statutory duty to prepare a Local Plan in accordance with the Planning and Compulsory Purchase Act 2004 (as amended). The advice in the report takes in consideration of the Localism Act 2011, the National Planning Policy Framework 2012 and the publication 'Planning Policy for Traveller Sites' 2012.

## **11 EQUALITY AND DIVERSITY CONSIDERATIONS**

- 11.1 Consultation on the Schedule of Changes will be carried out in accordance with the Council's adopted Statement of Community Involvement (SCI). The SCI was prepared in compliance with the Hartlepool Compact and its associated protocols.

## **12 FINANCIAL CONSIDERATIONS**

- 12.1 There will be some minimal costs associated with managing the next stage of the consultation process and more substantial costs (as a rough estimate £70,000) relating to the Examination in Public (EIP). These are statutory requirements. The consultation costs will be met from existing ringfenced budgets.

## **13. CONTACT OFFICER**

Dave Stubbs  
Director (Regeneration and Planning)  
Regeneration and Neighbourhoods  
Civic Centre  
Victoria Road  
Hartlepool  
TS24 8AY

Tel: 01429 523301

Email: [dave.stubbs@hartlepool.gov.uk](mailto:dave.stubbs@hartlepool.gov.uk)



**Submission Stage Schedule of Changes for the Hartlepool Local Plan**

Policies highlighted in yellow

Work still to do – red

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
General Changes Throughout the Document							
1	n/a	n/a	Core Strategy	Local Plan	Factual change	Minor	TB Done
2	n/a	n/a	2026	2027	Factual change	Minor	TB Done
3	n/a	n/a	Chapter numbers updated	Chapter numbers and paragraph numbers updated.	Factual change	Minor	TB Done
4	n/a	n/a	Contents Page updated	Contents Page updated	Factual change	Minor	TB Done
5	n/a	n/a	Minor grammar corrections	Minor grammar corrections	Factual change	Minor	TB Done
Front cover							
6	Front page	n/a	Core Strategy	Hartlepool Local Plan 2012	Factual change	Minor	MK Done
Foreword HW							
7	1	Foreword	As the elected Mayor of Hartlepool I am proud to endorse this Publication Core Strategy for the Borough.	As the elected Mayor of Hartlepool I am proud to endorse this Core Strategy for the Borough.	Factual change		HW done
8	1	Foreword	Although there was disappointment when the mixed-use regeneration scheme for was unable to proceed, this now opens up the opportunity for investment in these growth industries.	Although there was disappointment when the Victoria Harbours owner informed us that they no longer wished to pursue the mixed-use regeneration scheme, the owner's desire to focus on attracting major investment to the Port related to the renewable energy sector is an exciting opportunity for us.	Factual change	Minor	HW done
9	1	Foreword	I believe that the proposal for compact urban growth involving a planned extension to the south west of the town is the right and most sustainable option	I believe that the proposal for compact urban growth involving a planned extension to the south west of the town, that will incorporating an exemplar green wedge is the right and most sustainable option	Factual change	Minor	HW done
10	1	Foreword	"I believe that this Publication Draft Core Strategy"	I believe that this Local Plan.	Factual change	Minor	HW done
11	1	Foreword	The Council has worked incredibly hard to gather and consider the views of the various stakeholders and this is reflected	The Council has worked incredibly hard to gather and consider the views of the various stakeholders and this is	Factual change	Minor	HW done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			in the decision which was taken to review and re-consult on the Preferred Options stage.	reflected in the decision which was taken to review and re-consult on the Preferred Options stage in <i>November 2010</i> .			
12	1	Foreword	help the town achieve its ambitions whilst providing protection to its most attractive and sensitive assets	help the town achieve its ambitions whilst providing protection to its most attractive and sensitive assets including the historic environment and the town heritage assets.	Publication consultation	Minor	HW done
13	1	Foreword	This document will be subject to one final stage of public consultation which will run between Monday 13 <sup>th</sup> February and Monday 26 <sup>th</sup> March 2012. It will then be submitted to Government for an independent review and Examination in Public.	Remove text.	Factual change	Minor	HW done
<b>1. INTRODUCTION HW</b>							
14	5	1.1	n/a	The coalition government still consider this approach effective however, within guidance the now refer to Core Strategies as LOD Plans. It is for that reason that this plan is entitled the Hartlepool Local Plan.	Factual change	Minor	HW done
15	5	1.4	Core Strategy	Local Plan	Factual change	Minor	HW done
16	5	1.5	Currently the Borough Council is working on a number of additional documents within its LDF which are intended to provide further advice and information. These include:	Currently the Borough Council is working on a number of additional documents within its LDF which are intended to provide further advice and information to developers and decision makers, and are not intended as an undue burden upon development. These include:	Factual change	Minor	HW done
17	6	Introduction Chart 1	Regional Spatial Strategy (RSS)	No changes as of June 2012. This position may alter prior to examination.	Factual update	Minor	HW done
18	6	Introduction Chart 1	N/A	Remove reference to saved policies of the Hartlepool Local plan	Factual change	Minor	HW done
19	6	Introduction	N/A	Insert a text box relating to	Factual change	Minor	HW

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
		Chart 1		Neighbourhood Plans as due to the Localism Act they are classed as DPD's			done
20	6	Introduction Chart 1	Core Strategy DPD	Hartlepool, local Plan	Factual change	Minor	HW done
21	6	1.7	It has been produced following earlier consultation on the Issues and Options Discussion Paper in 2007, Preferred Options documents in January and November 2010	It has been produced following earlier consultation on the Issues and Options Discussion Paper in 2007, Preferred Options documents in January and November 2010 and the Publication Document in February 2011.	Factual change	Minor	HW done
22	6	1.7	This document sets out the Council's proposed policies and, following a final period of consultation will be submitted to the government for independent examination.	Remove text	Factual change	Minor	HW done
23	7	Introduction Chart 2	N/A	Update time line Submission – June 2012	Factual change	Minor	HW done
24	7	1.8	The document also reflects national policy objectives including recent changes towards encouraging sustainable growth	The document also reflects national policy objectives including recent changes towards encouraging sustainable growth (Footnote 1 inserted after growth)	Factual change	Minor	HW done
25	7	1.8	In particular the Core Strategy	In particular the Local Plan	Factual change	Minor	HW done
26	7	1.10	These will be identified on a Proposals Map, which will sit alongside the Core Strategy.	These are identified on a Proposals Map, which sits alongside the Local Plan.	Factual change	Minor	HW done
27	8	1.11	This Publication Draft Core Strategy is supported by four accompanying documents:	This Local Plan has been guided and is supported by four accompanying documents:	Factual change	Minor	HW done
28	8	1.11	A Sustainability Appraisal which shows how the policies in the Core Strategy meet our sustainability objectives; and	A Sustainability Appraisal which shows how the policies in the Core Strategy meet our sustainability objectives; and has informed the preparation of the Local Plan to ensure it is the most appropriate plan for the Borough.	Factual change	Minor	HW done
29	8	1.13	<a href="http://www.hartlepool.gov.uk/site/scripts/d">http://www.hartlepool.gov.uk/site/scripts/d</a>	Add in new web link when document is	Factual change	minor	HW

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			ocuments_info.php?documentID=108	put on web			
30	9	1.14 1.15 1.16	<p><b>How to Comment</b></p> <p>1.14 The vision, objectives and policies set out in this Publication Core Strategy represent what the Council considers to be the most appropriate strategy for the Borough having compared these to other reasonable alternatives. This document will be open to a final stage of public consultation before being submitted to the Government for independent examination.</p> <p>1.15 You can make comments on this Publication Core Strategy and its supporting documents in the following ways:</p> <ul style="list-style-type: none"> <li>• Fill in one of the response forms that are located in all the above locations and available to download from the Council's website;</li> <li>• You can send your comments by letter to the Planning Policy Team at Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT; or</li> <li>• Email your comments to <a href="mailto:Planningpolicy@hartlepool.gov.uk">Planningpolicy@hartlepool.gov.uk</a></li> </ul> <p><b><u>All comments should be received by 4pm on Monday 26<sup>th</sup> March 2012.</u></b></p> <p>1.16 Information provided in response to this consultation, may be subject to publication or disclosure. All information will be handled strictly in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).</p>	Remove all text.	Factual change	Minor	HW done
<b>2. THE CORE STRATEGY IN CONTEXT HW</b>							
31	10	2.1	..has to reflect national policy	..must reflect national policy...	Factual change	Minor	TB done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
32	10	2.1	n/a (new text)	The plan has been prepared having regard to ensuring viability and deliverability of development.	NPPF change	Minor	TB Done
33	10	2.2	The Act gives local communities greater control over what happens in their area through the introduction of Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build. Such plans will need to be in general compliance with the Core Strategy and are expected to support growth rather than being used as a mechanism to prevent development.	The Act gives local communities greater control over what happens in their area through the introduction of Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build. Such plans and/or orders will assist in influencing the future of the place people live and work, they will need to be in general compliance with the Core Strategy and are expected to support growth rather than being used as a mechanism to prevent development.	Factual change	Minor	HW done
34	10	2.3	The Localism Act proposes the revocation of Regional Spatial Strategies (RSSs).	The Localism Act gives delegated authority to ministers to revoke regional strategies. Should Ministers revoke the North East RSS then	Factual change	Minor	HW done
35	10	2.4	The Government is also promoting a strong 'Planning for Growth' agenda which seeks to encourage the planning system to support long term sustainable growth particularly in helping to deliver new housing and economic growth. A National Planning Policy Framework (NPPF), which is currently in draft form consolidates this aim and establishes a presumption in favour of sustainable development, encouraging local authorities to plan positively for growth. The NPPF seeks to consolidate and simplify planning policy guidance and will eventually replace current guidance, including Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs).	The Government is promoting a strong 'Planning for Growth' agenda which seeks to encourage the planning system to support long term sustainable growth particularly in helping to deliver new housing and economic growth. The National Planning Policy Framework (NPPF), consolidates this aim and establishes a presumption in favour of sustainable development, encouraging local authorities to plan positively for growth. The NPPF consolidates and simplifies planning policy guidance and replaces national current guidance, including Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs).	Factual change	Minor	HW done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
36	10	2.5	As part of the Tees Valley Enterprise Zone, three sites within Hartlepool have approved EZ status and Local Development Orders will be prepared to provide a simplified planning process.	As part of the Tees Valley Enterprise Zone, three sites within Hartlepool have EZ status and Local Development Orders have been prepared and adopted to provide a simplified planning process.	Factual change	Minor	HW done
37	11	Before para 2.6	n/a	The north east RSS was adopted in July 2008 after a number of years of evidence gathering and preparation, the RSS replaced Regional Planning Guidance (RPG 1), which was adopted in September 2004. The north east RSS forms part of the Hartlepool Development Plan, it set out how much land should be allocated for housing, retail, leisure, and employment purposes and where major new strategic sites would be i.e. wind farm sites or infrastructure. The coalition Government has indicated its intentions to abolish Regional Spatial Strategies and will introduce legislation through the Localism Act to remove them from statute. At present the North East Regional Spatial Strategy is still part of the development plan for the Borough and due regard should be had to the policies within it.	Factual change	Minor	HW done
38	11	2.11	An Economic Regeneration Strategy (ERS) is in the course of preparation and is expected to be adopted in early 2012.	An Economic Regeneration Strategy (ERS) has been prepared and was endorsed in February 2012.	Factual change	Minor	HW done
39	11	2.11	The ERS incorporates a 3 year action plan which takes realistic account of available resources and reflects the policies included in the Local Plan.	The ERS incorporates a three year action plan which takes realistic account of available resources and reflects the policies included in the Local Plan.	Factual change	Minor	HW done
<b>THE BOROUGH OF HARTLEPOOL HW</b>							
40	12	3.6	Over the past 20 years Hartlepool has experienced some transformational	Over the past 20 years Hartlepool has experienced some transformational	Publication consultation	Minor	HW done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			changes through public and private investment which was stimulated by the development of Hartlepool marina and investment in the town centre and continued with investment in the tourism infrastructure of the historic Headland	changes through public and private investment which was stimulated by the development of Hartlepool marina and investment in the town centre and continued with investment in the in the historic fabric of the historic Headland for its intrinsic heritage value and for tourism.			
41	15	Table 2	n/a	Insert - Diverse range of heritage assets including the maritime, industrial and religious	Publication consultation	Minor	HW done
42	15	Table 2	Uncertainty in relation to Council cuts	Uncertainty in relation to Council Budgets	Factual	Minor	HW done
<b>CORE STRATEGY VISION, THEMES AND OBJECTIVES HW</b>							
43	16	4.2	improvements to the quality and design of housing and other areas ("attractive environment"),	improvements to the quality and design of housing and associated areas and the boroughs natural and historic environment ("attractive environment"),	Publication consultation	Minor	HW done
44	16	4.3	2007	2027	Factual change	minor	HW done
<b>THE LOCATIONAL STRATEGY TB</b>							
45	n/a	New Section to be inserted prior to Locational Strategy	n/a	<p>5 THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT</p> <p>5.1 The Government's National Planning Policy Framework (NPPF) has adopted the widely used United Nations definition of sustainable development – development which meets the needs of the present without compromising the ability of future generations to meet their own needs. Sustainable development includes three key aspects: the community, environment and the</p>	NPPF Change	Minor	TB done

# 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<p>economy; however it can only be achieved when all three aspects are considered together consistently and are given equal weight.</p> <p>5.2 The NPPF encourages growth and so planning authorities are strongly encouraged to allow development which meets the development needs of the area, the Government terms this 'the presumption in favour of sustainable development'.</p>			
46	n/a	n/a	n/a	<p>POLICY SUS1: The Presumption in Favour of Sustainable Development</p> <p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material</p>	NPPF change	Major	MK Done



## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<p>considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> <li>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</li> <li>Specific policies in that Framework indicate that development should be restricted.</li> </ul>			
47	18	5.4	The port owners have indicated to focus on port-related development including offshore wind and sustainable energy solutions. This is fully supported by the Council.	The port owners have indicated their intentions not to proceed with the anticipated mixed use development of Victoria Harbour and have expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions. This is fully supported by the Council as an alternative to the now undeliverable Victoria Harbour mixed use development.	Factual Change	Minor	TB done
48	18	5.7	2010.....2011 and 2026	2012.....2012 and 2027	Factual Change	Minor	TB done
49	18	5.8	2026	2027	Factual change	Minor	MK done
50	20	New	n/a	Nuclear Power	Factual change	Minor	MK

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
		paragraph Following 5.14		<p>Hartlepool has been shortlisted as a potential location for a new replacement nuclear power station and as such this plan is required to safeguard land to ensure that a new power station is deliverable if needed.</p> <p>If chosen for a new power station it is likely that there will be a period of increased activity in the area as a new power station will need to be operational before decommissioning can begin on the existing power station. It is however recognised that this is one of the most important local employers and there appears to be support in general from the community within Hartlepool.</p> <p>The assessment of some of the key areas of infrastructure which will need to be assessed is considered within the Local Infrastructure Plan, however it is not anticipated that there are any issues which would question the deliverability of the development.</p> <p>As it is a scheme of national significance, the ultimate decision on whether to permit the development of a new power station will not be taken by the Borough Council and as such no dedicated policy is included within this plan, this is based on the assumption that the new nuclear power station is a 'like for like' replacement of the existing nuclear power station, should this not be the case a review of the Local Development Framework maybe required. However, as part of the</p>			done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				consultation process the Council will assess any future development against the other policies within this plan as a consultee in the national process.			
51	20	5.17	n/a	Insert sub section in relation to Historic environment. <i>Historic Environment</i> The Council will through the policies of the Local Plan look to preserve and/or enhance the heritage assets and wider historic environment of the Borough.	Publication consultation	Minor	TB Done
52	21	Policy LS1	A south west extension of the town of approximately 2500 new dwellings.	A south west extension of the town of approximately 2500 new dwellings in accordance with policy HSG2.	Factual Change	Minor	TB Done
53	21	Policy LS1	New housing development will be located within (as shown on Diagram 1):	New housing development will be located within (as shown on Diagram 1 and the proposals map):	Factual Change	Minor	TB Done
54	21	Policy LS1	Development for employment uses will be located at (as shown on Diagrams 1 & 3):	Development for employment uses will be committed at land retained for (as shown on Diagrams 1 & 3 and the proposals):	NPPF Change & Factual change	Minor	TB Done
55	21	Policy LS1	n/a	Include the quantum in hectares of land committed at all employment locations listed in the policy and the safeguarded site for a potential new nuclear power station.	Factual/NPPF Change	Major	TB Done
56	21	Policy LS1	and shown in Diagrams 4 & 5:	and shown in Diagrams 4 & 5:	Factual error correction.	Minor	TB done
57	21	Policy LS1	A network of new and existing Green Wedges will be protected from development, managed and enhanced (as shown on Diagram 1) as identified in policy NE1.	A network of new and existing Green Wedges will be protected from development, managed and enhanced (as shown on Diagram 1 and the proposals map) as identified in policy NE1.	Factual Change	Minor	TB done
58	23	Key diagram 1	N/A	Amend OS background to show streets more clearly	Factual change	Minor	AC Done
<b>MINIMISING AND ADAPTING TO CLIMATE CHANGE HW</b>							
<b>Meeting the Challenge of Climate Change</b>							

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
59	24	6.1	Climate Change is a serious global threat which could have a significant negative impact on people's lives. Problems that may occur in Hartlepool associated with climate change include coastal flooding and erosion linked to sea level rise; increased likelihood of storms and other severe weather events that may affect buildings, transport infrastructure and business activities; changes in agriculture and wildlife and plant habitats resulting in changes to our flora and fauna and more extreme weather with higher summer temperatures which could cause health problems for residents and wetter winters that could lead to an increase in flood events.	Climate change is one of the most serious challenges to the economy, natural environment, historic environment and our communities. The impacts of climate change which are predicted for this area include: <ul style="list-style-type: none"> <li>o Increased likelihood of severe weather events including heat waves and storms. This will impact on agriculture, the natural and historic environment, human health, buildings and transport infrastructure for example. The impacts could have results such as reduced productivity in the business sector, increased demand for services, and changed crop patterns.</li> <li>o Increased potential for coastal flooding and erosion linked to sea level rise; this impact will be less marked than further south, but the borough must be prepared.</li> </ul>	Factual change	Minor	HW done
60	24	6.3	In seeking to deliver on this commitment, the Borough Council is taking a lead role in adapting the way it operates its services and in influencing the attitudes and actions of residents, and businesses. In 2009 the Council, signed up to the European Union's (EU's) Covenant of Mayors initiative, which is a written commitment to go beyond the EU target to reduce carbon dioxide emissions by 20% by 2020. Hartlepool Borough Council has produced a Sustainable Energy Action Plan (SEAP), which outlines the steps that may be taken to exceed the 20% target.	In seeking to deliver on this commitment, the Council is taking a lead role in adapting the way it operates its services and in influencing the attitudes and actions of residents, and businesses; the following bullets provide a number of examples: <ul style="list-style-type: none"> <li>o In 2009 the Council, signed up to the European Union's (EU's) Covenant of Mayors initiative, which is a written commitment to go beyond the EU target to reduce carbon dioxide emissions by 20% by 2020. Hartlepool Borough Council has produced a Sustainable Energy</li> </ul>	Factual change and NPPF change To conform better with NPPF para 94.	Minor	HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<p>Action Plan (SEAP), which outlines the steps that may be taken to exceed the 20% target.</p> <ul style="list-style-type: none"> <li>○ The Council has adopted a Sustainable Construction Strategy which looks at all stages of construction from design and planning through to renovation and demolition of its own estate, and covers buildings and infrastructure such as highways.</li> <li>○ The Council has already carried out substantial work to improve the energy efficiency of its buildings including the use of photo-voltaic panels to generate electricity and voltage optimisation units to reduce the amount of electricity used.</li> <li>○ The council is also working hard to change the behaviour of residents through awareness raising events, activities and communications.</li> <li>○ The Council has a well established service for domestic recycling including doorstep collection of paper, glass, plastics, cardboard, cans and garden waste. Recycling tends to require fewer natural resources and results in less carbon emissions.</li> </ul>			
61	24	6.4	6.4 The Council has adopted a Sustainable Construction Strategy which looks at all stages of construction from design and planning through to renovation and demolition, and covers buildings and infrastructure such as highways. The	The Council will continue to work with partners to introduce new initiatives to address climate change with the aim of achieving or preferably exceeding national targets.	Factual Change	Minor	HW Done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			Council has already carried out substantial work to improve the energy efficiency of its buildings including the use of solar panels and optimisation units at a range of locations. The council is also working hard to change the behaviour of residents through awareness raising events, activities and communications. It has a well established service for domestic recycling including doorstep collection of paper, glass, plastics, cardboard, cans and garden waste. The Council will continue to work with partners to introduce new initiatives to address climate change and encourage and help achieve or preferably exceed national targets.				
62	24	6.5	The Core Strategy adopts this as a fundamental principal	The Core Strategy adopts this as a fundamental principle	Factual change	Minor	HW done
63	25	6.7	CO <sup>2</sup>	CO <sub>2</sub>	Factual change	Minor	HW done
64	25	6.10	Green infrastructure by providing shade and absorbing heat can also help moderate temperatures in urban areas, helping to create a comfortable outside environment for residents.	Green infrastructure provides shade and absorbs heat so can also help moderate temperatures in urban areas, helping to create a comfortable outside environment for residents.	Factual change	Minor	HW done
65	25/26	6.12	Recycling in its many forms is important as a means of reducing waste, making more efficient use of resources and minimising impacts on the natural environment. Harmful chemicals and greenhouse gasses are released from rubbish in landfill sites; habitat destruction and global warming are some the effects caused by deforestation; recycling reduces the need for raw materials and recycling is more energy efficient and leads to preservation of natural resources.	Recycling is important as a means of reducing waste. If waste is not recycled it is usually disposed of in landfill sites which can result in the release of greenhouse gases which contribute to climate change. Recycling reduces the need for raw materials and in general recycling is more energy efficient and results in fewer carbon emissions.	Factual change	Minor	HW done
66	26	6.13	In support of these benefits, recycling	In support the Council's commitment to	Factual change	Minor	HW

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			facilities and the use of sustainable construction methods which result in the reduction, re-use, sorting, recovery and recycling of waste will be encouraged. In terms of recycling facilities, appropriate locations and policies are set out in the Tees Valley Joint Minerals and Waste Development Plan Documents (2011)	mitigating and adapting to climate change, recycling facilities and the use of sustainable construction methods will be encouraged. In terms of recycling facilities, appropriate locations and policies are set out in the Tees Valley Joint Minerals and Waste Development Plan Documents (2011)			done
67	26	6.15	The provision of renewable energy will help meet the Government targets and reduce impacts on climate change. Whilst at a macro-economic level the Council is actively encouraging growth and investment in renewable energy provision and construction, small scale renewable energy projects can also have a significant cumulative impact. In particular, the provision on major new developments of a proportion of the energy supply from decentralised and renewable or low carbon sources would significantly contribute towards carbon reduction targets. The Council recognises that this requirement should not overburden developers to the extent that it impacts on the viability of development. Such measures may add little to the overall costs and may have long term benefits in terms of property values. The Council will therefore require, where the building/s allow, major developments to secure a minimum of 10% of their energy supply from decentralised and renewable or low carbon sources. Should specific site constraints prevent this provision from being achieved on site, then a contribution to a carbon management fund will be required, to be invested in off	The provision of renewable energy technologies on dwellings will be encouraged as it is seen as a positive mechanism for assisting in addressing climate change and tackling fuel poverty. In line with the North East Regional Spatial Strategy and the council's own evidence base <sup>2</sup> it is considered appropriate and reasonable to require that any residential development with 10 or more dwellings or 1000m <sup>2</sup> of non residential floor space should secure, a minimum of 10% of their energy supply from decentralised and renewable or low carbon sources and other appropriate design measures. The Council recognises that this requirement should not overburden developers to the extent that it impacts on the viability of development; however such measures may add little to the overall costs and may have long term benefits in terms of property values.	Factual change	Minor	HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			site renewable energy efficiency projects within in the Borough.				
68	26	Insert new para following 6.15	n/a	<p>Insert new para following 6.15</p> <p>The Council has a flexible approach to ensuring that all developments seek to address the issues surrounding climate change and appreciate that it may not always be feasible, due to design limitations or structural issues, to provide such infrastructure on site, therefore if it can be demonstrated that such on site provisions are not possible, and notwithstanding any requirements within policy CC2 Energy Efficiency, then the equivalent energy saving will be sought, or a combination of both energy efficiency and energy provision. If none of the above are physically possible then the equivalent contribution to a carbon management fund will be required.</p>	Factual change	Minor	HW Done
69	27	Policy CC1 (7)	<p>Requiring that major new developments (either new build or conversion) of 10 dwellings or above or 1000m<sup>2</sup> or above of non residential floor space should secure, where viable and where the building/s allows, a minimum of 10% of their energy supply from decentralised and renewable or low carbon sources and other appropriate design measures.</p> <p>Where it can be demonstrated that it is not appropriate to incorporate such provisions within the development, an off site scheme, or a contribution to a carbon management fund will be required, to be invested in off site renewable energy and efficiency projects within in the Borough</p> <p>The renewable or low carbon energy technologies must be made operational before any new or converted buildings are</p>	<p>Requiring that major new developments (either new build or conversion) of 10 dwellings or above or 1000m<sup>2</sup> or above of non residential floor space should secure, in line with policy CC3, where viable and where the building/s allows, a minimum of 10% of their energy supply from decentralised and renewable or low carbon sources and other appropriate design measures.</p> <p>Where it can be demonstrated that it is not feasible to provide such energy generation measures on site then the provision of the equivalent energy saving should be made by improving the building fabric having regard to the type of development involved and its design, or a combination of energy provision and energy saving measures</p>	Factual change	Major	HW done



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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			occupied.	that equates to the equivalent of 10% should be provided or in cases where constraints do not allow this a contribution to a carbon management fund will be required, to be invested in off site renewable energy and efficiency projects within in the Borough. The renewable or low carbon energy technologies must be made operational before any new or converted buildings are occupied.			
Energy Efficiency							
70	28	6.16	Improving the energy efficiency of buildings can play an important roll in reducing levels of carbon emission. All new development should help to achieve the Government and the Council's commitment to reducing CO <sub>2</sub> emissions. Developers will be encouraged to incorporate within the design of their scheme, energy efficiency measures which help to minimise carbon emissions and the use of energy and natural resources. The incorporation of 10% minimum on site renewable or decentralised energy provision in line with policy CC1 will be required. Other measures including water recyding, waste minimisation and use of recyded or locally sourced materials will also be encouraged along with use of solar energy, passive heating and cooling, natural light and natural ventilation and efficient design solutions including layout and design of new developments which	Improving the energy efficiency of buildings can play an important roll in reducing carbon emissions. All new development should help to achieve the Government <sup>3</sup> and Council's commitment to reducing CO <sub>2</sub> emissions. Developers will be encouraged to incorporate energy efficiency measures within the design of their scheme, which help to minimise carbon emissions and the use of energy and natural resources. Measures to reduce the use of potable water through greywater recycling for example will be encouraged; this is because treating water for human consumption results in carbon emissions, and there are water uses such as toilet flushing which can be done with greywater. Other measures which will be encouraged are waste minimisation, use of recyded materials, local sourcing, passive heating and cooling, maximising natural	Factual change	Minor	HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			minimise energy consumption.	light and natural ventilation and other efficient design solutions which minimise energy consumption			
71	28	6.17	The Council is prepared to work flexibly with developers and will promote	The Council is prepared to work flexibly with developers and will encourage	Factual change	Minor	HW done
72	28	6.18	There are a variety of tools in place to measure and improve the energy efficiency of homes and other buildings. The principal principle tools, driving this Core Strategy	There are a variety of tools in place at design stage to measure and improve the energy efficiency of homes and other buildings. The principle tools, at present, driving this Local Plan	Factual change	Minor	HW done
<b>Renewable Energy Developments</b>							
73	30	6.19	Renewable energy which covers energy flows that occur naturally and repeatedly in the environment can include energy from wind, the fall of water, the movement of the oceans, heat from the sun and also biomass. They can help provide clean energy for the UK and reduce CO <sub>2</sub> emissions that are associated with electricity from coal, gas and oil. Hartlepool is already helping the country meet its UK targets with the existing three wind turbines that are located within the Borough at High Volts and the five permitted, but as yet unimplemented, turbines at Red Gap.	Renewable energy involves capturing energy flows that occur naturally and repeatedly and include energy from wind, the fall or flow of water, the movement of the oceans, heat and light from the sun and also biomass. These sources of energy provide clean energy and reduce CO <sub>2</sub> emissions that are associated with generating electricity from coal, gas and oil.	Factual change	Minor	HW done
74	30	6.20	The planning system has sought to balance the environmental and economic benefits of renewable energy installations. The Borough Council will seek to ensure that the most appropriate renewable energy installation is provided within sites and is appropriately located so that they do not have a detrimental impact on residents and the landscape quality of the Borough.	The generation of renewable energy will help meet the Government targets <sup>4</sup> and reduce climate change. Whilst at a macro-economic level the Council is actively encouraging growth and investment in renewable energy provision and construction and is already helping the country meet its UK targets with the existing three wind turbines that are located within the Borough at High Volts and the five permitted, but not yet built,	Factual change	Minor	HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				turbines at Red Gap it is acknowledged that small scale renewable energy projects can also have a significant cumulative impact. In particular, and in line with policy CC1, Climate Change, the provision of a proportion of the energy supply from decentralised and renewable or low carbon sources on major new developments would significantly contribute towards carbon reduction targets.			
75	30	6.21	Solar panels are often an appropriate use on homes and businesses as they can be incorporated into roof design. Wind turbines are often the most prominent renewable energy installations; they may be acceptable in some locations as an important source of renewable energy. However in other locations wind turbines may alone or in combination be intrusive in the landscape, may be visually prominent, a source of noise, shadow flicker, electromagnetic interference, have significant impacts on the ecology of the area and adversely affect neighbouring residents and wildlife.	The planning system seeks to maximise the environmental and economic benefits of renewable energy installations. The Council will seek to ensure that the most appropriate renewable energy installation is provided and that it is appropriately located so that they do not have a detrimental impact on residents, the historic environment or landscape character.	Factual change	Minor	HW done
76	30	6.22	Some applications may need to be accompanied by an Environmental Statement indicating the likely effect of the development on human beings, flora, fauna, soil, water, air, climate, the landscape, material assets and the cultural heritage. Any applications for wind turbine installations should include details of associated developments and infrastructure; giving the Borough Council the opportunity to assess any likely impact upon the environment can be	Solar thermal and photo-voltaic panels are often an appropriate use on homes and businesses as they are relatively easy to incorporate into roof design. Wind turbines are an important source of renewable energy, but they can in some instances be prominent in their surroundings. Wind turbines may be acceptable in some locations such as on employment sites or in association with other wind turbines <sup>5</sup> , but in locations, where wind turbines may alone or in combination be intrusive in the	Factual change	Minor	HW done

<sup>5</sup> Wind farm capacity study....

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			assessed and mitigated against.	landscape, be visually prominent, a source of noise, shadow flicker, electromagnetic interference, have significant impacts on the ecology of the area and adversely affect neighbouring residents and wildlife they will not be encouraged. If sufficient land is available a ground source heat pump may be appropriate.			
77	30	Insert new para following 6.22	n/a	<p>Insert new paragraphs following 6.22</p> <p>Some applications may need to be accompanied by an 'environmental statement'<sup>6</sup> which will include an indication of the likely significant effect of the development on human beings, flora, fauna, soil, water, air, climate, landscape, material assets and cultural and historical heritage. Applications for wind turbine installations will need to include details of associated infrastructure such as new access roads so that the Council can fully assess the proposal.</p> <p>The Council is prepared to work flexibly with developers and will promote a range of technologies appropriate to the type, scale and nature of the development. In identifying suitable energy efficiency measures it acknowledges that new technologies continue to emerge and the Council will endeavour to provide further guidance as appropriate</p>	Factual change	Minor	HW done
78	31	CC3	"...in accordance with policies LS1, CC1, CC2, ND3."	"...in accordance with policies LS1, CC1, CC2, ND3 and ND4."	NPPF change due to new Telecommunications and Utilities Policy.	Minor	MK

<sup>6</sup> Insert EIA regs

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79	31	CC3 (7)	Provision for the protection, preservation and/or mitigation for any features of strategic, cultural, agricultural, ecological, historic, including archaeological importance, including landscape character, where relevant.	Provision for the protection, preservation and/or mitigation for any features of strategic, cultural, agricultural, ecological, historic importance, including landscape character, where relevant.	Factual change	Minor	HW done
Reducing and Mitigating Flood Risk TB							
80	32	6.27	Developments in higher risk areas will only be supported where it is essential to meet the Borough's strategic regeneration priorities and be compliant with the national sequential and exceptions tests (PPS25) or appropriate legislation applicable at the time.	Developments in higher risk areas will only be supported where it is essential to meet the Borough's strategic regeneration priorities and be compliant with the national sequential and exceptions tests (NPPF and Technical Guidance) or appropriate legislation applicable at the time.	NPPF Change	Minor	TB - done
TRANSPORT MK							
81	34	7.1	efficient sustainable	efficient, sustainable	Factual change	Minor	MK done
82	34	7.2	dual carriageway (A689 & A179)	dual carriageway (A689 & A179 (in part))	Factual change	Minor	MK done
83	34	7.3	This congestion is starting to affect the punctuality of bus services, the reliability of freight movement, the safety of pedestrians and cyclists and air quality.	It is considered that whilst the developments likely to come forward over the plan period will inevitably increase this level of congestion, with the appropriate mitigation levels, as set out in the Local Infrastructure Plan (LIP), the levels of congestion can be kept to an acceptable level.	Factual change	Minor	MK done
84	34	Add to end of 7.4	n/a	All transport schemes considered within this section are set out in more detail within the LIP. The LIP considers areas of concern, possible improvements and related costs, possible funding sources and the level of concern to the deliverability of the Plan.	Factual change	Minor	MK done
85	36	Add to end of 7.14	n/a	Ongoing work between the Tees Valley Authorities, in particular Stockton Borough Council, and the Highways	Factual change	Minor	MK done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				Agency to provide a scheme of improvement in and around this junction will ensure network capability in this area is improved to cater for future development within both Boroughs.			
86	36	7.15	in the longer term	in the longer term (beyond the plan period)	Factual/darification change	Minor	MK done
87	36	Add to end of 7.15	western distributor road.	western distributor road. There is only a requirement for a 7.3m single carriageway road, not a dual carriageway.	Factual	Minor	MK done
88	36	7.16	As part of the proposals it is the potential for a new station at Queens Meadow will be investigated and may offer the opportunity for park and ride facilities to be provided in this location.	Remove text	NPPF	Minor	MK done
89	36	7.17	"...to Seal Sands. Development.."	"...to Seal Sands. This link may be necessary to support the development of a new nuclear power station and is reserved to ensure land is available if needed. Development..."	Factual	Minor	MK done
90	37	7.18	"...set out in the Local Transport Plan and the Rights of Way Improvement Plan..."	"...set out in the Local Transport Plan, the Local Infrastructure Plan and the Rights of Way Improvement Plan..."	Factual	Minor	MK done
91	37	TR1	"...Where considered appropriate development will contribute..."	"...Where considered necessary development will contribute..."	Publication Consultation (Highways Agency)	Minor	MK done
92	38	TR2	No permanent development will be permitted within the corridors of land shown on the Proposals Map which are reserved for the following road improvement schemes: <ul style="list-style-type: none"> <li>A19 North Burn Access</li> <li>B1277/A178 Brenda Road/Tees Road, and</li> <li>A179 (Powlett Road)</li> </ul>	No permanent development will be permitted within the corridors of land shown on the Proposals Map which are reserved for the following road and rail improvement schemes: <ul style="list-style-type: none"> <li>A19 North Burn Access</li> <li>B1277/A178 Brenda Road/Tees Road, and</li> <li>A179 (Powlett Road)</li> </ul>	Factual change	Major	MK done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<ul style="list-style-type: none"> <li>Extension to Seaton Snook Branch Line to Seal Sands</li> </ul>			
93	38	TR2	Plan	plan	Factual change	Minor	MK Done
<b>NEW DEVELOPMENT HW &amp; MK</b>							
94	39	8.1	Infrastructure of the town	Infrastructure of the Borough	Factual change	Minor	MK Done
95	39	8.1	“...potential to create negative impacts appropriate mitigation measures will be required...”	“...potential to create negative impacts, if harm cannot be avoided, appropriate mitigation measures will be required...”	Publication Change English Heritage 11/12	Minor	MK Done
96	39	8.3	The Borough Council will continue to use planning conditions as part of the planning application process to ensure that new developments in the Borough are well designed and attractive...	The Borough Council will strive to ensure that new developments in the Borough are well designed and attractive...	Publication Change  For clarity in light of EH comments.	Minor	MK Done
97	39	8.4	“...places three tests on planning obligations. In determining an application...”	“...places three tests on planning obligations. These tests are also set out in the National Planning Policy Framework (NPPF). In determining an application...”	NPPF	Minor	MK Done
98	39	8.5	Circular 5/05 reiterates previous guidance that planning obligations should only be sought where they meet the following tests: (i) Relevant to planning; (ii) Necessary to make the proposed development acceptable in planning terms; (iii) Directly related to the proposed development; (iv) Fairly and reasonably related in scale and kind to the proposed development; and (v) Reasonable in all other respects.	Paragraph deleted	NPPF – Circular 05/05 superseded.	Minor	MK Done
99	39	8.6	Circular 05/05 is expected to be replaced in the near future and the tests set out in 8.4 will supersede those in Circular 05/05.	Paragraph deleted	NPPF – Circular 05/05 superseded.	Minor	MK Done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
100	40	8.9	The Council has yet to decide whether it wishes to adopt CIL or to rely on the more restricted pooling mechanism to support the provision infrastructure. Depending on the outcome of this, the developer contributions will be determined through either an SPD in the case of planning obligations or a CIL charging schedule.	If viability testing illustrates that there is scope to implement a CIL charging schedule without detrimentally impacting on the deliverability, in general, of developments in the Borough the Council will produce a CIL. If developed, this will help developers understand more clearly the financial implications of development within Hartlepool. An SPD will be produced in relation to developer contributions and the use of planning obligations which may be required for site specific infrastructure works.	Factual change	Minor	MK done
101	40	New paragraph to follow 8.9	n/a	To ensure that sites within the plan are viable, whilst still providing the necessary contributions towards infrastructure, viability assessments have been produced for a range of development types to illustrate deliverability.	NPPF change – to illustrate deliverability in line with paragraph 177 of NPPF	Minor	MK Done
102	41	ND1	n/a	Add to bottom of list <ul style="list-style-type: none"> <li>• Maintenance contributions</li> </ul>	Factual change	Major	MK Done
103	41	ND1	n/a	Add to list <ul style="list-style-type: none"> <li>• Community and Cultural Services</li> </ul>	Factual change	Major	MK/TB Done
104	42	Heading to 8.10	Community Facilities, Services and Utilities	Community Facilities and Services	NPPF change – to reflect utilities dealt with separately to allow new information on Telecommunications to be included	Minor	MK done
105	42	8.10	“...new facilities and utilities at an appropriate scale...”	“...new facilities at an appropriate scale...”	NPPF change – to reflect utilities dealt with separately to	Minor	MK done



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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
					allow new information on Telecommunications to be included		
106	42	8.12	<p><i>Utilities</i></p> <p>The network of public utility infrastructure which provides for developments such as sewers and telecommunications is vital. Many areas of the town are currently at capacity in terms of the sewerage system and further developments which are linked into the system could consequently cause overflowing in some areas. New development which will impact on the infrastructure of surrounding areas will need to be carefully assessed. The Local Infrastructure Plan considers the impacts that the developments within the Core Strategy are likely to have on the infrastructure and utilities within the Borough and this will enable the Borough Council to ensure that the potential impacts of new developments are considered at an early stage and will require enhancements to the network where necessary. These improvements will be secured through planning obligations or conditions.</p>	Text deleted (moved to create new section following on from the Community Facilities and Services Policy) (Core Strategy reference changed to Local Plan)	NPPF change – to reflect utilities dealt with separately to allow new information on Telecommunications to be included	Minor	MK done
107	43	8.20	Policy ND2, Community Facilities, Services and Utilities	Policy ND2, Community Facilities and Services	NPPF change – to reflect utilities dealt with separately to allow new information on Telecommunications to be included	Minor	MK done
108	43	8.22	The Borough Council has a duty to	The Borough Council has a duty to	NPPF change –	Minor	MK

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			ensure that the residents of Hartlepool are provided with a range of quality utilities and community facilities which will meet their expectations both now and in the future. Any future developments that occur within Hartlepool must not unduly put pressure onto existing utilities, infrastructure or community facilities. Where improvements are necessary to cope with the additional pressure of new development, these will need to be delivered as part of the development.	ensure that the residents of Hartlepool are provided with a range of quality community facilities which will meet their expectations both now and in the future. Any future developments that occur within Hartlepool must not unduly put pressure onto existing community facilities. Where improvements are necessary to cope with the additional pressure of new development, these will need to be delivered as part of the development.	to reflect utilities dealt with separately to allow new information on Telecommunications to be included		done
109	44	ND2	ND2: Community Facilities, Services and Utilities	ND2: Community Facilities and Services	Factual	Minor	MK done
110	44	ND2	This will involve maintenance and improvement of existing facilities	This will involve protection, maintenance and improvement of existing facilities	To accord with NPPF in relation to protection of community facilities	Major	MK done
111	44	ND2	May need to update text in relation to school depending on what education come back with				MK
112	44	ND2	A local centre will need to be provided by the developers at the South West Extension which will be expected to incorporate community facilities to enhance the sustainability of the development.	A local centre will need to be provided by the developers at the South West Extension which will be expected to incorporate community facilities, as specified in Policy HSG2, to enhance the sustainability of the development.	Factual change, for clarity	Minor	MK done
113	44	ND2	4) Conformity with Policies LS1, CC1, TR2, ND3, RC2, RC7 and LT1.	4) Conformity with Policies LS1, CC1, TR2, ND1, ND3, RC2, RC7 and LT1.	Factual change	Minor	MK done
114	44	ND2	The Local Infrastructure Plan considers the potential impacts of new developments and requires enhancements to infrastructure and utilities where necessary to ensure that there is no detrimental impact on surrounding areas as a result of the new development. Planning	Deleted text to be included in a new Policy ND3 titled Telecommunications and Utilities	NPPF change	Major	MK done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			Conditions or legally binding agreements will be used to secure any improvements necessary to infrastructure and utilities network as a result of a development. Such improvements may require financial contributions from developers in line with Policy ND1.				
115	45	New supporting text following Policy ND2 (Community Facilities and Services)	n/a	<p><i>Utilities</i></p> <p>The network of public utility infrastructure which provides for developments such as power, sewers, broadband and other telecommunications installations are vital for sustainable economic growth.</p> <p>Many areas of the town are currently nearing capacity in terms of the sewerage system and further developments which are linked into the system could consequently cause overflowing in some areas if these issues are not addressed and appropriate improvements or mitigation measures put in place as part of new developments. The Local Infrastructure Plan considers the impacts that the developments within the Core Strategy are likely to have on the sewerage and potable water infrastructure within the Borough and this will enable the Borough Council to ensure that the potential impacts of new developments are considered at an early stage and will require enhancements to the network where necessary. These improvements will be secured through planning obligations or conditions.</p> <p>Advanced, high quality communications</p>	NPPF change	Minor	MK done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<p>infrastructure is essential to support sustainable economic growth. The development of high speed broadband and other communications networks is vital not only for business, but in ensuring that communities can access the technology they require.</p> <p>Also of critical importance is the provision of power to serve any new developments. The Local Infrastructure Plan looks in detail at the provision of gas, electric, renewable energy and nuclear energy as a means of serving development in the Borough over the plan period.</p> <p><i>Providing Sustainable Infrastructure for Telecommunications and Utilities</i> The Borough Council has a duty to ensure that the residents of Hartlepool are provided with a range of telecommunications and utilities which meet their expectations both now and in the future. Any developments that occur must not unduly put pressure onto existing utilities and infrastructure. Where improvements are deemed to be necessary these will be required to be delivered as an integral part of new development.</p>			
116	45	New Policy ND3 to be inserted	n/a	<p>ND3: Telecommunications and Utilities</p> <p>Having regard to Technical and operational constraints and the significance of the proposal as part of the national network, the Borough Council will seek to protect areas of</p>	NPPF change to reflect the need to plan for telecommunications	Major	MK done

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				<p>environmental importance, including conservation areas, and areas of high landscape value. Where the operator can demonstrate that there are no suitable alternative locations, proposals within areas of particular environmental importance should be sensitively designed and sited making use of modern techniques to minimise visual impact.</p> <p>Proposals for Telecommunications development should:</p> <ol style="list-style-type: none"> <li>I. Include a Statement stipulating that the proposed facility when operational will not exceed the ICNIRP guidelines for public exposure;</li> <li>II. Provide evidence to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest</li> <li>III. Include design and siting techniques, including screening and landscaping, to minimise the impact of equipment;</li> <li>IV. Highlight the relationship of equipment to existing buildings and townscapes / landscapes, topography, views and vistas;</li> <li>V. Provide evidence that the operator has explored the possibility of sharing existing masts or replacing a mast so that it is suitable for joint use;</li> </ol>			

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<p>and</p> <p>VI. Provide evidence that the operator has explored the possibility of erecting equipment on or within existing buildings or structures; and.</p> <p>VII. Undertake consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone</p> <p>The Local Infrastructure Plan considers the potential impacts of new developments in terms of new utilities. Where improvements to the utilities network are required as a result of new development planning conditions or legally binding agreements will be used to secure any improvements. Such improvements may require financial contributions from developers in line with Policy ND1.</p>			
<b>Design Of New Development HW</b>							
116	45	8.26		Full stop at end of paragraph	Factual change	Minor	HW done
117	46	8.33	Development proposals will need to satisfy a set of general design and sustainability requirements the components of which contribute to achieving good quality design.	Development proposals will need to satisfy a set of general design and sustainability requirements the components of which contribute to achieving good quality inclusive design.	NPPF change To conform better with NPPF para 61.	Minor	HW done
118	47	8.38	Developments should be of a scale and character in keeping with their surrounding and should not have a detrimental effect on the occupiers of adjacent or nearby properties or on the environment generally.	The Borough Council will support innovative design where appropriate. to ensure that new development does not appear to dominate existing development any n w development should be of a scale and character in	Factual change	Minor	HW done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			Tandem development, where one house is located behind the other sharing the same access or having an access very close to the frontage house,	keeping with their surroundings and should not have a detrimental effect on the occupiers of adjacent or nearby properties or on the environment generally. Tandem development, where one house is located behind the other sharing the same access or having an access very close to the frontage of another dwelling,			
119	46	8.35	The density of development should be appropriate to its location	The density of development should be reflective of its location	Factual change	Minor	HW done
120	46	8.37	The historic and cultural remains of the Borough are important for educational purposes, for realising our past and cultural heritage and helping the economy within the Borough. New development proposals should consider archaeological remains that the locality may have, and where possible should sympathetically preserve or incorporate such remains into the development or provide appropriate interpretation.	The historic and cultural remains of the Borough are important for many reasons including, educational purposes, to help create a sense of place for realising our past and cultural heritage and to help create a sense of place and boost the economy within the Borough. New development proposals should consider the significance of all heritage assets which include the boroughs archaeological remains and where possible should sympathetically preserve, enhance and/or be incorporated into the development. With regard to archaeological interests in particular the remains should be preserved in situ, excavation and recording will only be seen as a last resort. The suite of Conservation Area Character Appraisals listed within appendix ? and policies HE1, HE2, HE3 and HE4 should be considered when proposing works to any heritage asset, designated and non-designated.	Publication consultation	Minor	HW done
121	47	Policy ND3	ND3: Design of New Development	ND4: Design of New development	NPPF change. New policy number as a	Minor	HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
					result of additional Policy		
122	47	Policy ND3	The Borough Council will seek to ensure developments are of a high quality design. All new developments should be designed to take into account, where relevant, the following:	The Borough Council will seek to ensure developments are of a high quality inclusive design. All new developments should have regard to other relevant policies within this plan and be designed to take into account, where relevant, the following:	NPPF change To conform better with NPPF para 61.	Minor	HW done
123	47	Policy ND3 (3)	The layout, scale, massing and height, which reflects and enhances the distinctive features and character of the area and improves the environment they are located within.	The layout, scale, massing height and materials, which reflects and enhances the locally distinctive features, character and history of the area, assists in creating a sense of place and improves the environment they are located within.	NPPF change To conform better with NPPF para 58.	Minor	HW done
124	47	Policy ND3 (7)	Be developed in a way that minimises crime and the fear of crime, incorporating Secured by Design standards, as appropriate.	Be developed in a way that minimises crime and the fear of crime, amongst other considerations through incorporating Secured by Design standards, as appropriate.	Publication consultation	Minor	HW done
125	48	Policy ND3 (10)	The provision of adequate car and cycle parking, servicing arrangements and highway safety provisions in line with the highway design guide and specification guide at the time.	The provision of adequate car and cycle parking, servicing arrangements and highway safety provisions in line with the relevant local guide at the time.	Publication consultation	Minor	HW done
126	48	Policy ND3 (13)	The effect on wildlife, natural habitats, existing trees, hedgerows, local landscape character and other landscape features, and the incorporation of additional opportunities, including Biodiversity Action Plan habitat, where practical and viable and in accordance with Policy NE2.	The effect on wildlife, natural habitats, existing trees, hedgerows, local landscape character and other landscape features, and the incorporation of additional Biodiversity opportunities, including Biodiversity Action Plan habitat, where practical and viable and in accordance with Policy NE2.	Factual change	Minor	HW done
127	48	Policy ND3 (14)	The historic environment and the heritage assets, including archaeological remains, and their settings.	The historic environment and heritage assets, including archaeological remains, and their settings.	Factual change	Minor	HW done
128	48	Policy ND3	Flexibility to changing needs of residents	Flexibility to changing needs of	Publication	Minor	HW



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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
		(20)	and by 2013 be in accordance with life time homes standards.	residents and be in accordance with life time homes standards.	consultation		done
129	48	Poicy ND3	n/a	Appropriate high quality, inclusive and innovative design, that does not significantly detract from the Boroughs local distinctiveness, and that has regard to the criteria above will be supported.	NPPF change To conform better with NPPF para 58.	Major	HW done
<b>Advertisements</b>							
130	48	Insert new Text following Design of New Development Policy	n/a	<p><b>ADVERTISEMENTS</b></p> <p>Advertisements can be seen widely across the Borough, they can play a helpful role in promoting the Borough and businesses within it, provide direction to locations and they can temporarily assist in screening untidy buildings or areas.</p> <p>In some instances advertisements can have a negative impact upon the Borough and the local planning authority has a responsibility to consider the appropriateness of any advertisements and how they impact upon amenity and public safety.</p> <p>When focusing on amenity (includes residential and visual amenity and the cumulative impact of each advertisement on these amenities in relation to other adverts and street furniture such as bins, light columns and traffic signs), consideration should be given to the local characteristics and features such as street scene and heritage assets which contribute to the distinctive nature of the locality.</p> <p>In relation to public safety it is necessary to consider the effect of an advertisement upon the safe use of vehicles and operation of traffic flow, which includes pedestrian traffic. This</p>	NPPF change	Major	HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<p>effect should be considered in relation to safety at all levels including air traffic. The likely behaviour of pedestrians drivers and cydists, should be considered, taking into account the effect of the proposed advert along with possible confusion with any road, traffic sign, traffic signal or possible interference with a navigational light or an aerial beacon.</p> <p>In those areas which the Borough Council considers merit protection on amenity grounds, orders may be made defining them as Areas of Special Control wherein certain rights to display advertisements are withdrawn.</p>			
131	48	Insert new Text and Policy following Design of New Development Policy	n/a	<p>New Policy ND5</p> <p><b>ADVERTISEMENTS</b></p> <p>The Borough Council will seek to ensure that advertisements are appropriately located within the Borough and are of an appropriate scale and size. Applications for advertisements should have regard to the following criteria:</p> <ol style="list-style-type: none"> <li>1) The impact of the advertisement either individually or by a resultant cumulative effect upon the building/land on which it is to be displayed or upon the surrounding area; and</li> <li>2) The impact upon public safety, in particular whether the</li> </ol>	NPPF change	Major	HW done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				<p>advertisement itself, or the location proposed is likely to be so distracting or impacts upon site lines that it creates a hazard.</p> <p>Advertisements which introduce visually obtrusive features will not be permitted.</p>			
<b>HOUSING AC</b>							
132	49	9.3	It is intended to continue this programme in future years utilising available resources.	Included as part of the housing market renewal programme is the empty homes strategy; which will endeavour to bring empty homes back into use through collaborative working with key partners and focussed coordinated action. It is intended to continue these programmes in future years utilising available resources.	Publication consultation	Minor	AC Done
133	50	9.7	The previous housing targets established in the Regional Spatial Strategy no longer need to be planned for as the Localism Act has abolished the RSS. Remove as the Localism Act has abolished the RSS.	The previous housing targets established in the Regional Spatial Strategy no longer need to be planned for.	Factual change	minor	AC Done
134	51	9.16	The approximate 2,400 total dwelling capacity identified for the existing urban area is estimated through an assessment of existing planning permissions and typical housing densities on sites where housing would be considered suitable. The approximate 3,000 total dwelling capacity for the newly identified greenfield sites is estimated through consideration of typical housing densities in adjacent or nearby residential areas. These densities also reflect the Council's desire to raise the standard and quality of the residential environment as set out in other policies within the Core Strategy. Bearing this in	The approximate 2,700 total dwelling capacity identified for the existing urban area is estimated through an assessment of existing planning permissions and typical housing densities on sites where housing would be considered suitable. The approximate 2,700 total dwelling capacity for the newly identified greenfield sites is estimated through consideration of typical housing densities in adjacent or nearby residential areas. These densities also reflect the Council's desire to raise the standard and quality of the residential	Factual change	Minor	AC Done

## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			mind each individual site has a tailored maximum dwellings per hectare threshold which equates to a maximum dwelling provision on each site. Although individual sites differ, reflecting their location and the type of housing expected to be provided on the site, the overall average density is approximately 25 dwellings per hectare.	environment as set out in other policies within the Core Strategy. Bearing this in mind each individual site has a tailored maximum dwellings per hectare threshold which equates to a maximum dwelling provision on each site. Although individual sites differ, reflecting their location and the type of housing expected to be provided on the site, the overall average density is approximately 25 dwellings per hectare. Due to the diversity of the identified and allocated housing sites numerous delivery scenarios can be advocated. As a result an expected and an accelerated delivery scenario are proposed. Both scenarios are demonstrated in the Housing Implementation Plan.			
135	52	n/a	Table 5	Table 5 Updated to reflect the current housing commitments.	Factual change	Minor	AC Done
136	52	9.17	Table 6 and Graph 1 provide an indicative phasing matrix which illustrates how the housing sites could be phased and delivered over the next 15 years. It is anticipated that the majority of the new housing in first 5 years is expected to be delivered through existing planning permissions and sites identified in the SHLAA as being deliverable within five years. These sites will be focussed within the urban area and the majority will be on previously developed land.	Table 6 and Graph 1 provide an indicative phasing matrix which illustrates the expected delivery scenario how the housing sites could be phased and delivered over the next 15 years. The expected delivery scenario assumes that 5% of the planned housing need delivery (identified in table 4) is brought forward from later in the plan period and delivered over the first 5 years. The Borough Council can further demonstrate an accelerated delivery scenario, where 20% of the planned housing need delivery (identified in table 4) is brought forward from later in the plan period and delivered over the first 5 years. The accelerated delivery scenario is	NPPF	Minor	AC Done

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				demonstrated in the Housing Implementation Strategy. Bearing in mind the expected delivery scenario it is anticipated that the majority of the new housing in first 5 years is expected to be delivered through existing planning permissions and sites identified in the SHLAA as being deliverable within five years. These sites will be focussed within the urban area and the majority will be on previously developed land.			
137	52	9.18	The South West Extension is of strategic importance for the future delivery of housing in the Borough over the next 15 years.	The South West Extension is of strategic importance for the expected delivery of housing in the Borough over the next 15 years.	NPPF	Minor	AC Done
138	54	Table 6	Table 6	Table 6 Updated to reflect the expected delivery scenario.	NPPF	Minor	AC Done
139	55	Graph 1	Graph 1	Graph 1 Updated to reflect the expected delivery scenario.	NPPF	Minor	AC Done
140	56	9.20	The Borough Council will not seek to control housing delivery through policies in the Core Strategy according to the timetables illustrated in Table 6 and Graph 1; each housing site identified will deliver according to the housing market at the time.	The Borough Council will not seek to control housing delivery through policies in the Core Strategy according to the expected delivery timetables illustrated in Table 6 and Graph 1; each housing site identified will deliver according to the housing market at the time.	NPPF	Minor	AC Done
141	56	9.21	Table 7 illustrates how the above phasing scenario is split between brownfield and greenfield land.	Table 7 illustrates how the expected delivery phasing scenario is split between brownfield and greenfield land.	NPPF	Minor	AC Done
142	56	Table 7	Table 7	Table 7 Updated to reflect the expected delivery scenario.	NPPF	Minor	AC Done
143	57	HSG1	"...in accordance with policies LS1, CC1, ND3 and HSG4..."	"...in accordance with policies LS1, CC1, ND3, ND4 and HSG4..."	NPPF change due to new Telecommunications and Utilities Policy.	Minor	MK Done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
144	57	HSG1	Figures in the tables in policy amended to reflect the delivery scenario in Table 6.	Figures in the tables in policy amended to reflect the delivery scenario in Table 6.	Factual Change	Minor	AC Done
145	57	HSG1	Second table: Maximum Dwelling Provision	Second table: Approximate Dwelling Provision	Publication Consultation	Minor	AC Done
146	58	9.22	The development of the site will be supported by a masterplan which will guide the development of the scheme and set out in detail the main components of the scheme.	The development of the site will be supported by a masterplan which will guide the development of the scheme and set out in detail the main components of the scheme. All identified site constraints and required mitigation and infrastructure to enable the development is identified in the Housing Implementation Strategy.	Factual change	Minor	AC Done
147	58	9.24	Details of these provisions including specific boundaries and treatments to the green wedge, strategic buffers and housing sites will be set out in the master plan.	Diagrams 1 and 2 identify the South West Extension site, however this is only indicative. Diagram 2 identifies how the site could be developed and suggests how the green wedge and housing areas could be orientated, however, this diagram is only indicative. Details of these provisions including specific boundaries and treatments to the green wedge, strategic buffers and housing sites will be set out in the master plan.	Publication consultation	Minor	AC Done
148	59	HSG2	The Borough Council will ensure that the South West Extension identified in policy HSG1, with the site boundaries and infrastructure defined on Diagram 2, and covering approximately 145 hectares, will be phased over the plan period and will be developed in strict accordance with the following criteria.	The Borough Council will ensure that the South West Extension identified in policy HSG1, covering approximately 145 hectares, will be phased over the plan period and will be developed in strict accordance with the following criteria:	Publication consultation	Minor	AC Done
149	59	HSG2	5) Approximately 45ha of multifunctional green infrastructure including formal and informal leisure, and recreational facilities will be allocated, developed and managed as a strategic green wedge, as defined by the site boundaries and in accordance	5) Approximately 45ha of multifunctional green infrastructure including formal and informal leisure, education provision and recreational facilities will be allocated, developed and managed as a strategic green wedge, as defined	Publication consultation	Minor	AC Done

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			with policy NE1.	by the site boundaries and in accordance with policy NE1.			
150	59	HSG2	Notwithstanding the above criteria, any development on the site must be in accordance with policies ND1, HSG5, CC1, CC2 and ND3.	Notwithstanding the above criteria, any development on the site must be in accordance with policies CC1, CC2, ND1, ND3, ND4 and HSG5.	NPPF change due to new Telecommunications and Utilities Policy.	Minor	MK
151	61	9.26	Bearing this in mind, the need for new additional dwellings outside of development limits will need to be given special and detailed consideration prior to planning permission being granted.	Bearing this in mind, proposals for new additional dwellings outside of development limits will need to be given special and detailed consideration prior to planning permission being granted.	Publication consultation	Minor	AC Done
152	62	HSG3	5) Proposals are in accordance with policies ND2, ND3 and NE2.	5) Proposals are in accordance with policies ND2, ND3, ND4 and NE2.	NPPF change due to new Telecommunications and Utilities Policy.	Minor	MK
153	62	HSG3	HSG3	Add criterion 6 6) Or where the development would represent the best viable use or secure the future of a heritage asset.	NPPF	Minor	AC Done
154	67	9.42	Previous SHMAs identified an affordable housing need in the Borough with annual delivery targets of 30% and 20%. The 2012 TVSHMA continues to identify areas of affordable housing need in the Borough however the assessment advocates an overall target of 10%. The 10% target reflects the changes to the current housing market and that housing is becoming more affordable in the Borough.	Previous SHMAs identified an affordable housing need in the Borough with annual delivery targets of 30% and 20%. The 2012 TVSHMA continues to identify areas of affordable housing need in the Borough and advocates an annual affordable housing delivery target of approximately 89 dwellings. Compared to the net additional dwelling provision target of 320, the net affordable housing delivery target is approximately 28%.	Factual change	Minor	AC Done
155	67	9.47	The established process as to how an appropriate commuted sum is calculated is detailed in appendix 12.	The established process as to how an appropriate commuted sum is calculated is detailed in appendix 11.	Factual change	Minor	AC Done
156	68	HSG5	HSG5 An affordable housing target of 10% will be required on all sites. The affordable provision and tenure and mix will be	A minimum affordable housing target of 10% will be required on all sites. The affordable provision and tenure and mix will be negotiated on a site-by-site	Factual change	Minor	AC Done

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			negotiated on a site-by-site basis, having regard to the economic viability of the development and the most up-to-date evidence of housing need, aspiration and the local housing market.	basis, having regard to the economic viability of the development and the most up-to-date evidence of housing need, aspiration and the local housing market.			
157	69	9.49	The housing clearance programme has been backed up by studies and consultation which helped identify the worst affected areas and with a mix of public and private sector funding supported by the use of Compulsory Purchase procedures where required, significant progress has been made.	The housing clearance programme has been backed up by studies and consultation which helped identify the worst affected areas and with a mix of public and private sector funding supported by the use of Compulsory Purchase procedures where required, significant progress has been made. Included as part of the housing market renewal programme is the empty homes strategy; which will endeavour to bring empty homes back into use through collaborative working with key partners and focussed coordinated action. It is intended to continue these programmes in future years utilising available resources.	Factual change	Minor	AC Done
158	71	Add new paragraphs following Policy HSG8.	n/a	<p>9.56 The Borough Council is committed to providing facilities and accommodation options for the likely permanent and transit site needs of Gypsies and Travellers and Travelling Showpeople in the area, as part of the overall future housing provision over the next 15 years. This will be provided in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.</p> <p>9.57 The Tees Valley Gypsy and Traveller Accommodation</p>	NPPF	Major	AC Done



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				<p>Needs Assessment (TVGTAA) (2009) identified where future provision should be located in the Tees Valley, on a “where need arises” basis. Evidence suggests that there is a defined need in the Borough for six permanent residential pitches (with 0 plots required for Travelling Showpeople) which need to be provided over the next 15 years. There are currently 10 housed Gypsies and Travellers within the Borough. There are no authorised residential pitches for these communities.</p> <p>9.58 The Borough Council is committed to allocating one site in the Borough with a minimum capacity for six residential pitches on Council owned land which is unpolluted, has safe and convenient vehicular and pedestrian access, and which has adequate on-site facilities for parking, storage, play and residential amenity. The pitches will be located in an urban area to enable provision of suitable accommodation from which travellers can access existing education, health, welfare and employment infrastructure. Early and regular consultation should be conducted with members of this community where they are prospective residents of a site, to ensure it contains the key</p>			

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				<p>elements which meet their particular needs.</p> <p>9.59 The TVGTAA (2009) states that there will be no need for plots for Travelling Showpeople in the next 15 years. However, in preparation for any potential change in needs, the Borough Council will ensure that traveller sites are either; suitable for mixed residential and business uses; or by considering and identifying separate sites for residential and business purposes in close proximity to one another if mixed sites are not practicable.</p>			
159	71	New Policy HSG9: Gypsy and Traveller Provision	New policy	<p>HSG9: Gypsy and Traveller Provision</p> <p>The Borough Council will allocate a site(s) in the Borough to meet the identified Gypsy and Travellers and Travelling Showpeople need provision over the plan period.</p> <p>Proposals for the provision of Gypsy and Travellers and Travelling Showpeople sites will be approved where there is no significant detrimental effect on the amenity of the occupiers of adjoining or nearby properties and providing they are, where relevant, in accordance with policies LS1, CC1, CC3, CC4, ND1, ND2, ND3 and ND4 that:</p> <p>1) There is adequate access to the site and provision for</p>	NPPF	Major	AC Done

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				<p>parking, turning and servicing within the site.</p> <p>2) The site is accessible to education, health, welfare and employment infrastructure.</p> <p>3) The site is neither subject to unacceptable pollution by reason of noise, dust, fumes or smell, nor to potential nuisance or hazard created by existing or approved commercial or industrial activities.</p> <p>4) The site is adequately screened and landscaped to provide sufficient privacy and security while not isolating the community from the rest of the settled community.</p> <p>5) If required, the size of the site is large enough to accommodate mixed or separate residential and business uses and additional parking space for extra caravans, cars and lorries.</p>			
<b>STRENGTHENING THE ECONOMY TB</b>							
160	72	10.4	The financial incentives will be specific to each area and will either on the basis of business rate relief or enhanced capital allowance on plant and machinery. These incentives will be time limited. The simplified planning regimes will also be time limited and the details of these will be set out in Local Development Orders for each individual site. Development within these Zones will be expected to be in compliance with the policy	The financial incentives are specific to each area and are either on the basis of business rate relief or enhanced capital allowance on plant and machinery. These incentives are time limited (3 years). The simplified planning regimes will also be time limited and the details of these are set out in Local Development Orders for each individual site which were adopted by the Borough Council in April 2012.	Factual change	Minor	TB done

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			requirements of the Core Strategy.				
161	73	10.9	Overall these allocations provide a diverse range and mix of sites in terms of location.....	Overall these commitments provide a diverse range and mix of sites in terms of location...	Factual change	Minor	TB done
162	74	10.10	<ul style="list-style-type: none"> <li>Specialist port-related, offshore energy and renewable energy manufacture and supply chain uses (Victoria Harbour)</li> <li>Specialist industrial sites retained for chemical and potentially polluting &amp; hazardous industry</li> </ul>	<ul style="list-style-type: none"> <li>Specialist port-related, offshore energy and renewable energy manufacture and supply chain uses (The port and Graythorp Yard within the Southern Business Zone)</li> <li>Specialist industrial sites retained for chemical and potentially polluting &amp; hazardous industry (at the Southern Business Zone)</li> </ul>	Factual change	Minor	TB done
163	77	10.18	justify its allocation for prestige employment use.	justify its continued commitment for prestige employment use. The whole of the site currently has planning permission for employment uses.	Factual change	Minor	TB done
164	77	10.20	the allocation will include controls on densities and uses in other parts of the site.	the commitment will include controls on densities and uses in other parts of the site.	Factual change	Minor	TB done
165	78	EC1	Change title of policy EC1 from "Prestige Employment Site Wynyard Park"	To "Prestige Employment Site Wynyard Business Park"	Factual/ Publication reps change	Minor	TB - done
166	78 - 87	EC1-6	n/a	Insert quantum of committed employment land (in hectares) in all employment policies and the quantum (in hectares) of what is currently available for development.	Factual/NPPF change / Publication to reflect Highway Agency concerns.	Major	TB - done
167	78 - 87	EC1-6,	n/a	On all employment land policies add ND1 and the new ND3	Factual change	Minor	TB done

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				(Telecommunications and Utilities) to the list of policies that development needs to be in accordance with.			
168	78 - 87	EC1/EC3/EC4 & EC6	The Borough Council will allocate land.....	The Borough Council has (*ha) of employment land committed....	Factual change	Minor	TB done
169	78, 83 & 85	EC1/EC4/EC5	n/a	.....as defined on Diagram 3	Factual change	Minor	TB done
170	79	10.23	Sites at North Burn and Queens Meadow Business Park are allocated as higher quality business parks.	A site at North Burn is allocated and a site at Queens Meadow Business Park is committed for higher quality business parks. Higher quality business parks	Factual change	Minor	TB done
171	82	10.28	Land allocated for general employment will allow for greater flexibility.....	Land committed for general employment will allow for greater flexibility....	Factual change	Minor	TB done
172	83	10.29	and covers an area of about 170 hectares	Remove text as quantum is in the policy.	Factual Change	Minor	TB Done
173	83	EC4	Replace bullet points with lower case letters for list of sites.	Replace bullet points with lower case letters for list of sites.	Factual for proposals map reference.	Minor	TB done
174	83	EC4	(site f) Brenda Road East.	(site f) Brenda Road	Factual change	Minor	TB done
175	83 & 87	EC4/EC6	Remove Graythorp Yard and put in EC6 as specialist uses.	Remove Graythorp Yard and put in EC6 as specialist uses.	Factual change	Major	Tb done
176	86	10.37	CDL Cables.	JDR Cables.	Factual change	Minor	TB done
177	87	Policy EC6	Subject to conformity with policies with LS1, CC1, CC2 and NE2 proposals will be permitted where they meet the following criteria:	Subject to conformity with policies LS1, CC1, CC2 NE1 and NE2 proposals will be permitted where they meet the following criteria:	Factual change	Minor	TB done
178	87	EC6	Replace bullet points with lower case letters for list of sites. Delete reference to diagram 3 after power station as already covered by above change.	Replace bullet points with lower case letters for list of sites. Delete reference to diagram 3 after power station as already covered by above change.	Factual for proposals map reference.	Minor	TB done
179	87	EC6	n/a	Insert quantum of the safeguarded site for a potential new nuclear power station	Factual	Minor	TB done
<b>THE RURAL AREA SB</b>							
180	88	11.2	The rural area is an important asset for	The rural area is an important asset	NPPF Change	Minor	TB -

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			the Borough in terms of its role in supporting the local economy, the environment, eco systems and tourism.	for the Borough in terms of its role in supporting the local economy, the environment, eco systems, food production and tourism.			done
181	88	11.3	Some development may be acceptable within the rural area, such as, farm diversification, employment provision and tourism accommodation which can help to support the rural economy and encourage sustainable communities.	Some development may be acceptable within the rural area, such as agricultural buildings to support food production, farm diversification, employment provision and tourism accommodation which can help to support the rural economy and encourage sustainable communities.	NPPF Change	Minor	TB - done
182	89	RU1	Proposals should also be in conformity with Policies LS1, CC1, CC2, CCS3, CC4, ND3, TR2, LT1 and NE2.	Proposals should also be in conformity with Policies LS1, CC1, CC2, CCS3, CC4, ND1, ND3, ND4, TR2, LT1, HE1, HE2, HE3, HE4 and NE2.	Publication consultation/ Factual change	Minor	SB done
<b>RETAIL AND COMMERCIAL DEVELOPMENT AC</b>							
183	92	RC1	The Borough Council will identify and define	The Borough Council has identified and defined	Publication consultation	Minor	AC done
184	95	12.17	n/a	.....and is a key regeneration site for Hartlepool where a masterplan is proposed with private sector partners. It was for this reasons that it was included in an expansion to the town centre.	Factual change	Minor	TB Done
<b>Planning For A Sustainable Marina</b>							
185	97	12.20	Furthermore, it was noted that there has been a relative dedine in the overall comparison goods offer at the adjacent Highlight Retail Park.	Furthermore, it was noted that there has been a relative dedine in the overall comparison goods offer at Highlight Retail Park.	Publication consultation	Minor	AC done
186	97	12.22	As highlighted earlier in this section there is a need to improve the physical links between the marina and other parts of the town centre.	As highlighted earlier in this section there is a need to improve the physical links between the Marina and parts of the town centre.	Publication consultation	Minor	AC done
187	97	12.22	The maina	The Marina	Factual change	Minor	AC

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							done
Planning For Sustainable Edge Of Town Centre Locations							
188	99	12.25	Certain uses, including A4 drinking establishments and A5 hot food takeaways can have a detrimental impact on nearby residential properties.	Certain uses, including A4 drinking establishments and A5 hot food takeaways can have a detrimental impact on nearby residential amenity.	Factual change	Minor	AC done
189	99	12.25	Therefore, the only suitable location for new drinking establishments and hot food takeaways outside of the town centre is the Marina. Location of such facilities in other edge of town centre areas will be resisted in order to protect residential amenity.	Remove text	Publication consultation	Minor	AC done
Planning For A Sustainable Night Time Economy							
190	103	12.31	The Hartlepool Retail Study identifies Church Street and the Marina as key night-time destinations	Is it not just the SW Marina?	Publication consultation	Minor	AC
Planning For Sustainable Local Centres							
191	106	Diagram 6		Improve OS quality of the map so that streets are clear	Factual change	Minor	AC
<b>LEISURE AND TOURISM MK</b>							
192	109	13.2	The value of leisure and tourism in today's society cannot be underestimated.	The value of leisure and tourism in today's society should not be underestimated.	Factual change	Minor	MK done
193	110	13.7	"...The master plan would seek to secure a mix of commercial, leisure and housing in the commercial core, improvements to the adjacent promenade, and the removal of a prominent untidy building. This would be supported by the development of housing on other nearby sites. The master plan, which will take the form of a Supplementary Planning Document will help guide the overall development of the area."	"...The master plan would seek to secure a mix of development with commercial and leisure improvements and developments within the Seaton Carew Core area (as identified on the Proposals Map) funded through housing developments on small sites within Seaton."	Factual Change	Minor	MK Done
194	111	13.11	Existing sports hall provision in the public sector is concentrated at Mill House Leisure Centre (swimming baths and	Existing sports hall provision in the public sector is concentrated at Mill House Leisure Centre (swimming baths	Factual Change	Minor	MK Done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			multi-purpose leisure centre) in the central area of the town with smaller multi-use facilities at the Headland, Belle Vue and Brierton (on the former school site) and several smaller sports halls including Rossmere and Seaton Carew, although the latter of these is scheduled to close in March 2012. The Borough Council recently invested in elements of the Mill House Leisure Centre to ensure its short term future. The Borough Council is currently considering its medium/long term plans for the provision of wet and dry side sports provision within the Borough.	and multi-purpose leisure centre) in the central area of the town with smaller multi-use facilities at the Headland, Belle Vue and Brierton (on the former school site). The Borough Council recently invested in elements of the Mill House Leisure Centre to ensure its short term future.			
195	111	13.15	There are however two other areas in the town where such developments could be located	There are however two other areas in the borough where such developments could be located	Factual change	Minor	MK Done
196	112	Policy LT 1	Development at the Marina will be a key priority for the Borough Council. The area will continue to develop as a major visitor attraction and new developments which complement and build on the success of the Maritime Experience will be encouraged. The Borough Council will seek to protect the areas of water within the Marina from development, retaining the ambience and attraction of the marina development as a whole.	Development at the Marina will be a key priority for the Borough Council. Major visitor attraction and new developments which complement and build on the success of the Maritime Experience will be encouraged. The Borough Council will seek to protect the areas of water within the Marina from development, retaining the ambience and attraction of the marina development as a whole.	Factual change	Minor	MK Done
197	112	Policy LT 1	4) There will be no significant detrimental effect on the amenities of occupiers or users of adjoining or nearby land or on the flora or fauna of designated wildlife sites, and;	Remove criteria	This criteria is covered in policy ND3 and this policy (LT 1) cross references with ND3.	Major	MK done
198	112	Policy LT 1	3) 4) 5)	1) 2)	Factual change	Minor	MK Done
199	112	Policy LT 1	All developments must be in conformity	All developments must be in conformity	NPPF change	Minor	MK



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			with Policy LS1, ND3 and NE1	with Policy LS1, ND3, ND4 and NE1	due to new Telecommunications and Utilities Policy.		
<b>THE HISTORIC ENVIRONMENT HW</b>							
Planning For Sustainable Conservation Areas							
200	115	14.1	The historic environment serves an important role in defining the town's character, culture and heritage. It provides a reminder of the historical formation and development of a town and contributes towards economic development, regeneration and the creation of sustainable communities. Historic environments and buildings can make a positive contribution towards the quality of the built environment and help promote Hartlepool as an attractive place in which to live and to visit. Hartlepool has a variety of important heritage assets including individual and groups of buildings, Scheduled Monuments, archaeological sites, parks and gardens and historic landscapes which are of special historic and architectural character on a local or national scale.	Hartlepool has a variety of important heritage assets including individual and groups of buildings, Scheduled Monuments, archaeological sites, parks and gardens and historic landscapes which are of special historic and architectural character on a local or national scale. The historic environment serves an important role in defining the town's character, culture and heritage. It provides a reminder of the historical formation and development of a town and contributes towards economic development, regeneration and the creation of sustainable communities. The historic environment and its heritage assets and buildings make a positive contribution towards the quality of the built environment and help promote Hartlepool as an attractive place in which to live, work and visit.	Factual change	Minor	HW done
201	115	14.2	There are eight conservation areas across the Borough. Five of the conservation areas are located within the main built up area these include the historic part of the Headland, Church Street, Grange, the Park area and Stranton. The other three cover the historic parts of Seaton Carew and the villages of Elwick and Greatham. Most of these areas have benefited from public sector investment in recent years in recognition of their intrinsic value and importance	A number of prominent visitor attractions in Hartlepool have been developed on this ethos of using heritage for economic regeneration, tourism development and cultural assets. For example Christ Church, a converted listed church, houses an art gallery and the Heugh Gun Battery, a scheduled ancient monument, is now a military museum.	Factual change	minor	HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
202	115	14.3	Each of these conservation areas has unique qualities and features which help to define their individual character. These may include groupings, orientation, massing and style of buildings; special architectural details such as windows, doors and shop front design; finishing materials, decoration and ornamentation; streetscape, trees, hedgerows, landscaping and boundary enclosure, views and vistas. In considering applications for development, alteration or demolition in these areas, it is important that these special features are preserved and enhanced and that the quality of design is of a high standard. This does not mean that no changes will be permitted within conservation areas, but it does require that great care should be taken in order to avoid unsympathetic design and incompatible changes.	Over many years the Council has proactively supported and encouraged investment in Conservation Areas throughout the town aimed at preserving and enhancing their physical character and facilitating new uses for buildings at risk. Such investment has often been part of wider regeneration initiatives. Area programmes are aimed at developing the tourism infrastructure, supporting economic growth and improving the living environment for local residents.	Factual change	minor	HW done
203	116	14.4	Over many years the Council has proactively supported and encouraged investment in Conservation Areas throughout the town aimed at preserving and enhancing their physical character and facilitating new uses for buildings at risk. Such investment has often been part of wider regeneration initiatives. Areas such as Church Street and the Headland have been the focus of major regeneration programmes aimed at developing the tourism infrastructure, supporting economic growth and improving the living environment for local residents. Investment has included grants to property owners to carry out repairs and restoration to traditional features and public realm improvements.	This proactive approach is also reflected in work undertaken to gain a better understanding of the character and appearance of the Borough's heritage assets. Conservation Area Appraisals are in place for the Headland, Park and Grange Conservation Areas, and visual assessments have been produced for Seaton Carew, Church Street, Elwick, Greatham and Stranton. The local authority continues to review and manage these assets producing two management plans a year to compliment the existing conservation area appraisals and reviewing one conservation area appraisal per year to ensure that the information remains relevant. Any such reviews would	Factual change	minor	HW done

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				include an examination of the Article 4 Directions in place in four of the eight conservation areas to ensure that these are still necessary and, where appropriate, look to designate further directions where it can be shown that these are required and have the support of residents. A Village Design Statement has also been prepared for Greatham Village which was adopted as Supplementary Planning Guidance within the Hartlepool Local Plan 2006. It is anticipated that the information in this plan will be updated and reflected in the Rural Plan which is currently being prepared for part of Hartlepool.			
204	116	14.5	This proactive approach is also reflected in work undertaken to gain a better understanding of the character and appearance of the Borough's heritage assets. Conservation Area Appraisals are in place for the Headland, Park and Grange Conservation Areas, and visual assessments have been produced for Seaton Carew, Church Street, Elwick, Greatham and Stranton. A Village Design Statement has also been prepared for Greatham Village which was adopted as Supplementary Planning Guidance within the Hartlepool Local Plan 2006.	Locally significant buildings, structures and open spaces have been identified and placed on a local list finalised in January 2012. It is the intention to update this list biennially to ensure that the list continues to reflect the rich heritage that local residents treasure.	Factual change	minor	HW done
205	116	14.6	In recognition of the value and importance of Hartlepool's historic areas, buildings and landscapes to our cultural, social and economic life the Borough Council will continue to protect and will actively encourage the enhancement of these historic assets wherever possible through constructive conservation approaches.	The local authority continues to proactively manage heritage assets throughout the Borough and have identified those at risk and placed these on a register. The register will be reviewed annually to seek to accurately define the state of the boroughs heritage assets. The authority will work with owners to find solutions to remove	Factual change	minor	HW done

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				buildings from the list with one building removed from the list each year. This work will include actively seeking uses for vacant buildings including, where appropriate, marketing buildings and directly finding potential occupiers. In addition we will work closely with owners to advise them of the processes of making buildings sound and viable for future occupiers.			
206	116	14.7	Any new development, alteration or demolition, should be carefully managed or designed to ensure that they are in keeping with and positively enhance the character and setting of a Conservation Area or heritage asset. A high standard of design is expected for any new development in these areas and great care should be taken to ensure that unsympathetic design and incompatible changes of use do not occur.	The combination of reviewing conservation areas, identifying locally significant buildings and the heritage at risk in the borough combines to provide a comprehensive set of data on the character and appearance of the townscape which is held in the authorities Historic Environment Record. This record provides a sound basis not just for the conservation of the historic environment but also for new developments which impact on heritage assets. It ensures that all development sustains and enhances the townscape of Hartlepool.	Factual change	minor	HW done
207	116	14.8	The Council will consider the future preparation of a Heritage Supplementary Planning Document (SPD) to provide further guidance and clarity on development relating to the historic environment and will take account of Conservation Area Appraisals, Visual Assessments and the Greatham Village Design Statement in determining applications for development, alteration and demolition. Consideration will be given to providing additional protection including the possible use of Article 4 Directions.	Strategic conservation policy will continue to be guided by the borough's Conservation Area Advisory Committee. The committee, comprising local residents associations, parish councils and amenity body's acts as a sounding board highlighting topics relevant to local residents that should be addressed.	Factual change	minor	HW done
208	116	New	n/a	In recent years the authority has sought	Factual change	minor	HW

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		paragraphs to follow 14.8		<p>to consolidate its heritage assets through the provision of grants to improve the wider historic environment, along with focusing on individual properties to accumulatively achieve a goal of enhancement. Significant schemes have included a £7.36 million Townscape Heritage Initiative Scheme in the Headland Conservation Area which tackled key buildings, individual housing grants and environmental improvements. More recently the authority provided grant assistance to residential properties that were listed or located in a conservation area for small schemes to make houses sound and restore traditional details. The authority will draw on existing skills to investigate funding opportunities for the historic environment to continue this investment where possible and advise individual buildings owners of the opportunities that may be open to them to directly apply for financial assistance.</p> <p>Advice will be provided by the authority in the form of leaflets to owners relevant buildings for the maintenance and improvement of their properties. Leaflets are already provided on replacement windows and doors and this suite of information will be expanded to include other topics such as maintenance of buildings, railings and shop fronts. This will provide building owners with sources of guidance when carrying out work to their property and assist in reinforcing the sense of place.</p>			done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				In recognition of the value and importance of Hartlepool's historic areas, buildings and landscapes to our cultural, social and economic life the Borough Council will continue to protect and will actively encourage the enhancement of these historic assets wherever possible through constructive conservation approaches.			
209	116		n/a	<b>Planning for Sustainable Conservation Areas</b> There are eight conservation areas across the Borough. Five of the conservation areas are located within the main built up area these include the historic part of the Headland, Church Street, Grange, the Park area and Stranton. The other three cover the historic parts of Seaton Carew and the villages of Elwick and Greatham. Most of these areas have benefited from public sector investment in recent years in recognition of their intrinsic value and importance.	Publication consultation	minor	HW done
210	116		n/a	Each of these conservation areas has unique qualities and features which help to define their individual character. These may include groupings, orientation, massing and style of buildings; special architectural details such as windows, doors and shop front design; finishing materials, decoration and ornamentation; streetscape, trees, hedgerows, landscaping and boundary enclosure, views and vistas. In considering applications for development, alteration or demolition in these areas, it is important that these special features are preserved and enhanced and that the quality of design	Factual change	minor	HW done

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				is of a high standard. This does not mean that no changes will be permitted within conservation areas, but it does require that the significance of each element of the conservation area is understood so that any works can be better informed. Any potential harm to the conservation areas should be avoided but where harm can not be avoided, such harm will be weighed against the wider public benefits.			
211	116			Any new development, alteration or demolition, should be carefully managed or designed to ensure that they are in keeping with and positively enhance the character and setting of a Conservation Area and heritage assets within it. A high standard of design is expected for any new development in these areas and great care should be taken to ensure that unsympathetic design and incompatible changes of use do not occur.	Factual change	minor	HW done
212	116			The Council will consider the future preparation of a Heritage Supplementary Planning Document (SPD) to provide further guidance and clarity on development relating to the historic environment and will take account of Conservation Area Appraisals, Visual Assessments Design Statement in determining applications for development, alteration and demolition. Consideration will be given to providing additional protection including the possible use of Article 4 Directions.	Factual change	minor	HW done
213	116	Policy HE1	Conservation Area/s	Conservation area/s amend the capitals throughout the policy.	Factual change	minor	HW done
214	116	Policy HE1	8) 9) 10)	Re number 1) 2) 3)	Factual change	minor	HW

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							done
215	117	Policy HE1	Where any demolition is involved, the Borough Council will require that detailed proposals for the satisfactory re-development of the site are secured before demolition takes place.	Where any demolition is involved, the Borough Council will require that detailed proposals for the satisfactory re-development or after treatment of the site are secured before demolition takes place. This will include the requirement to record and advance understanding of the significance of the heritage assets to be lost (wholly or in part) in a manner that is proportionate to their importance and the impact.	NPPF change To better conform with para 141 NPPF	minor	HW Done
216	116	Policy HE1	Where there are important views and vistas into and out of a Conservation Area these should be protected or enhanced.	Where there are important views and vistas into and/or out of a conservation area these should be protected or enhanced.	Publication consultation	Minor	HW Done
217	117	Policy HE1	Where there are important views and vistas into and out of a conservation area these should be protected or enhanced.	Where there are important views and vistas within and otherwise affecting the setting of a conservation area these should be protected or enhanced.	Publication consultation	Minor	HW Done
Listed Buildings							
218	119	Policy HE2	Works to buildings situated adjacent to a Listed Building and those buildings which affect the setting of a Listed Building should be of a design which is sympathetic to, and takes advantage of opportunities to enhance the setting of the Listed Building.	Works within the setting of a Listed Building should be of a design which is sympathetic to, and takes advantage of opportunities to enhance the setting of the Listed Building. If appropriate design solutions that would avoid any harm can not be provided then the scheme will be refused.	Factual Change	Minor	HW Done
219	119	Policy HE2	4) 5) 6) 7)	1) 2) 3) 4)	Factual change	minor	HW Done
220	119	Policy HE2	8) 9)	1) 2)	Factual change	minor	HW Done
221	119	Policy HE2	Where any demolition is involved the Borough Council will require that detailed	Where any demolition is involved the Borough Council will require that	NPPF change To better conform	minor	HW done



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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			proposals for the satisfactory redevelopment of the site are secured before demolition takes place.	detailed proposals for the satisfactory redevelopment or after treatment of the site are secured before demolition takes place. This will include the requirement to record and advance understanding of the significance of the heritage assets to be lost (wholly or in part) in a manner that is proportionate to their importance and the impact.	with para 141 NPPF		
<b>Buildings of Local Interest</b>							
222	120	14.11	Any new development, alteration or demolition, should be carefully managed and designed to ensure that they are in keeping with and positively enhance the buildings' character and setting.	Any new development, alteration or demolition, should be carefully managed and designed to ensure that they are in keeping with and positively enhance the assets significance, character and setting.	Publication consultation	Minor	HW Done
223	120	14.12	Buildings and of Local Interest do not have statutory protection but their contributions to the character of their locality are also important and every effort should be made to retain or enhance them.	Assets of Local Interest, which include buildings, parks and other structures do not have statutory protection but their, intrinsic value and contributions to the character of their locality are also important and every effort should be made to retain and where possible enhance them.	Publication consultation	minor	HW done
224	121	14.18	The Borough Council will seek to protect and enhance important heritage assets	The Borough Council will seek to preserve, protect and enhance important heritage assets	Publication consultation	minor	HW done
225	120	Policy HE3	HE3: Locally Important buildings	HE3: Locally Important Assets	Factual change	Minor	HW done
226	120	Policy HE3	The Borough Council will seek to conserve or enhance the town's Listed Buildings by preventing unsympathetic alterations, encouraging physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration and resisting unsympathetic alterations.	The Borough Council will seek to conserve or enhance the town's Listed Buildings by preventing unsympathetic alterations, encouraging appropriate physical improvement work supporting appropriate and viable proposals to secure their re-use and restoration.	Publication consultation	Major	HW done
227	120	Policy HE3	The Borough Council has compiled a List	The Borough Council has compiled a	Factual change	Minor	HW

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			of Locally Important Buildings within the Borough.	List of Locally Important assets within the Borough.			done
228	120	Policy HE3	building on this list are considered to be worthy of protection as a means of emphasising local character and sense of place.	buildings and other heritage assets on this list are considered to be worthy of protection as a means of emphasising local character and sense of place.	Factual change	Minor	HW done
229	120	Policy HE3	The retention of buildings on the List of Locally Important buildings and their important features will be encouraged.	The retention of heritage assets on the List of Locally Important buildings will be encouraged particularly when viable appropriate uses are proposed. This will include the requirement to record and advance understanding of the significance of the heritage assets to be lost (wholly or in part) in a manner that is proportionate to their importance and the impact.	NPPF change To conform better with NPPF para 131 (1).	Minor	HW done
230	120	Policy HE3		Local list of buildings and other heritage assets	Publication consultation	Major	HW done
231	120	Policy HE3	n/a	Where any demolition is involved the Borough Council will require that detailed proposals for the satisfactory redevelopment or after treatment of the site are secured before demolition takes place. This will include the requirement to record and advance understanding of the significance of the heritage assets to be lost (wholly or in part) in a manner that is proportionate to their importance and the impact.	NPPF change To better conform with NPPF para 141.		HW done
Other Heritage Assets							
232	121	14.4	Ward Jackson Park is included in English Heritage's non-statutory Register of Parks and Gardens of Special Historic Interest	Ward Jackson Park is included in English Heritage's statutory Register of Parks and Gardens of Special Historic Interest	Publication consultation	minor	HW done
233	121	14.15	Bruntoft	Burntoft	Factual change	minor	HW done
234	122	HE4	The Borough Council will seek to protect and enhance important heritage assets	The Borough Council will seek to preserve, protect and enhance all other heritage assets, not referred to on	Publication consultation		HW done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				policies HE1, HE2 and HE3 which includes			
235	122	HE4	Protected Wrecks sites of archaeological interest	Protected Wrecks, sites of archaeological interest	Factual change	minor	HW done
236	122	HE4	n/a	Where any demolition is involved the Borough Council will require that detailed proposals for the satisfactory redevelopment or after treatment of the site are secured before demolition takes place. This will include the requirement to record and advance understanding of the significance of the heritage assets to be lost (wholly or in part) in a manner that is proportionate to their importance and the impact.	NPPF change  To better conform with NPPF para 141.		HW done
<b>THE NATURAL ENVIRONMENT NM/TB</b>							
237	124	New paragraph to follow 15.9	n/a	The NPPF makes provision for local communities to identify special protection green areas of particular importance for them. The Borough Council will assist with designation of these green spaces where appropriate and supported through a local or neighbourhood plan.	To reflect the NPPF.	Minor	TB - Done
238	125	NE1	.....to improve the quantity and quality of green infrastructure and recreation and leisure facilities throughout the Borough based on evidence of local need.	.....to improve the quantity and quality of green infrastructure and recreation and leisure facilities including cycle routes and greenways throughout the Borough based on evidence of local need.	Factual Change	Minor	TB done
239	125	NE1	<ul style="list-style-type: none"> <li>Strategic Green Corridors identified in the Tees Valley Green Infrastructure Strategy, include the River Tees, the Coast Hartlepool to Cowbar, Salholme to Cowpen Bewley, Wynyard and Hartlepool, Salholme to Hartlepool Coast and Hartlepool Quays/Town Centre to Summerhill and</li> </ul>	1) Strategic Green Corridors identified in the Tees Valley Green Infrastructure Strategy, include the River Tees, the Coast Hartlepool to Cowbar, Salholme to Cowpen Bewley, Wynyard and Hartlepool, Salholme to Hartlepool Coast and Hartlepool Quays/Town Centre to Summerhill and north west Hartlepool and Hartlepool Urban	Factual changes to reflect evidence base classifications. Factual changes of bullet points to lower case letters for proposals map reference.	Major	TB - done

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No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			<p>north west Hartlepool and Hartlepool Urban Fringe,</p> <ul style="list-style-type: none"> <li>• Strategic Green Wedges,</li> <li>• Parks and Civic Spaces,</li> <li>• Play Areas,</li> <li>• Sports pitches,</li> <li>• Trees in streets, on highway verge and in public open space, Woodland and wildlife sites, and;</li> <li>• Other public open space identified in the PPG17 Assessment.</li> </ul>	<p>Fringe,</p> <p>2) The following green spaces identified on the proposals map</p> <ul style="list-style-type: none"> <li>a) Strategic Green Wedges,</li> <li>b) Parks and Gardens,</li> <li>c) Childrens Playing Space/Areas,</li> <li>d) Outdoor Sport,</li> <li>e) Green Corridors,</li> <li>f) Civic Spaces,</li> <li>g) Churchyards and cemeteries,</li> <li>h) Allotments &amp; Community Gardens,</li> <li>i) Amenity Greenspace,</li> <li>j) Natural &amp; semi natural green space.</li> <li>K) Other public open space not identified in the PPG17 Assessment.</li> </ul>			
240	125	NE1	Wynyard Woods in conformity with policies LS1, CC1, ND1, HSG1, HSG2 and NE2 as shown on Diagram 1.	Wynyard Woods in conformity with policies LS1, CC1, ND1, HSG1, HSG2 and NE2 as shown on Diagram 1 and the proposals map.	Factual changes	Minor	TB done
241	125	NE1	,,,,,Golden Flatts and Brenda Road East in conformity with policies LS1, CC1 and NE2 as shown on Diagram 1.	.....Golden Flatts and Brenda Road in conformity with policies LS1, CC1 and NE2 as shown on diagram 1 and the proposals map.	Factual changes	Minor	TB done
242	125	NE1	This will be dependant on the Hospital site being vacated during the plan period and be in conformity with policies LS1, CC1 and NE2 as shown on key Diagram 1. The new and proposed extended green wedges are identified on Diagram 1.	This will be dependant on the Hospital site being vacated during the plan period and be in conformity with policies LS1, CC1 and NE2 as shown on the the proposals map. The new and proposed extended green wedges are identified on diagram 1 and the proposals map.	Factual Change	Minor	TB Done
243	125	NE1	..improving access to open spaces with new cydeways and footpaths.....	improving access to open spaces and the countryside with new cycleways and	Factual change to reflect	Minor	TB - done

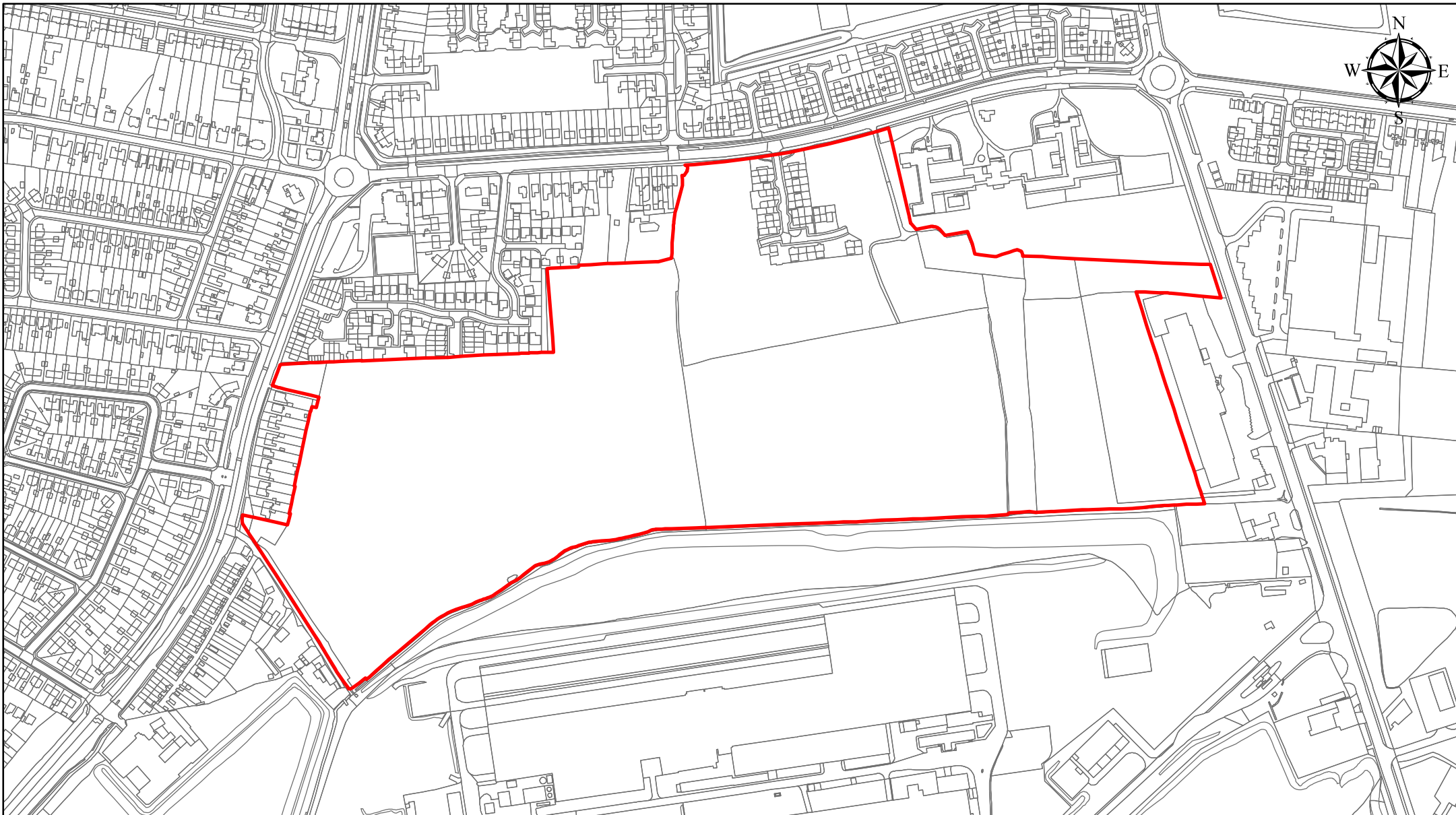
## 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
				footpaths.....	Sustainability Appraisal recommendation		
244	126	NE1	.....where it can be demonstrated that it no longer has any recreational, wildlife or amenity function, and where the local need has already been met elsewhere.	.....where it can be demonstrated to be surplus to needs, has no other recreational, wildlife or amenity function, and where the local need has already been met elsewhere.	Factual Change to reflect Rep from Sport England	Minor	TB - Done
245	128	New paragraph to follow 15.20	n/a	15.21 The National Planning Policy Framework sets out a number of requirements for Local Planning Authorities. Some of these relate to planning at a landscape scale which may involve working across Local Authority boundaries including planning for habitat restoration and creation in areas identified by local partnerships. An application to Defra is currently in progress for a Local Nature Partnership which would cover the five Tees Valley Local Authority areas. It is envisaged that these issues will be addressed through that Local Nature Partnership if its application is successful.	NPPF	Minor	TB - Done
246	128	NE2	Designated biodiversity and geodiversity sites will be protected and where appropriate enhanced,	Designated biodiversity, special landscape areas and geodiversity sites will be protected and where appropriate enhanced,	Factual change	Minor	TB – Done
247	128	NE2	i) Internationally and nationally designated sites receive statutory protection. Development that would affect those sites will not be permitted unless it meets the relevant legal requirements.  ii)_Development which would affect a locally designated site, which is not also allocated for other uses in the Core Strategy, will not be permitted unless the reasons for the	(a) Internationally designated sites: these sites receive statutory protection. Development that would affect those sites will not be permitted unless it meets the relevant legal requirements.  (b) Nationally designated sites: these sites also receive statutory protection. Development that would affect those sites will not be permitted unless it meets the	Factual Change	Minor	TB - Done

# 4.1 Appendix 1

No	Publication Page No	Publication Para No	Existing Text	Proposed Text	Reason for Change	Major / Minor	Officer
			development clearly outweigh the harm to the conservation interest of the site. Where development on a locally designated site is approved, including those that are also allocated for other uses, compensatory measures will be required to maintain and enhance conservation interests. Compensatory measures may include biodiversity offsetting where on-site compensation is not possible. Designated sites will be identified on the Proposals Map, as will areas identified by local partnerships for habitat restoration or creation,	relevant legal requirements.  (c) Locally designated sites: Development which would affect a locally designated site, which is not also allocated for other uses in the Core Strategy, will not be permitted unless the reasons for the development clearly outweigh the harm to the conservation interest of the site. Where development on a locally designated site is approved, including those that are also allocated for other uses, compensatory measures will be required to maintain and enhance conservation interests. Compensatory measures may include biodiversity offsetting where on-site compensation is not possible. Designated sites will be identified on the Proposals Map, as will areas identified by local partnerships for habitat restoration or creation,			
248	128	NE2	There is continued development and improvement of wildlife corridors through continued working with partners to create and develop an integrated network of natural habitats,	There is continued development and improvement of wildlife corridors through continued working with partners to create and develop an integrated network of natural habitats which includes wildlife compensatory habitats,	NPPF Change	Minor	TB - Done
249	129	NE2	..... watercourses and other surface and coastal waters must be protected from contamination from pollutants resulting from development or redevelopment of brownfield land,	..... watercourses and other surface and coastal waters must be protected from over abstraction and contamination from pollutants resulting from development or redevelopment of brownfield land,	Factual change following recommendation from Sustainability Appraisal.	Minor	TB - Done
APPENDICIES							
250	130		Various changes to the appendices	Various changes to the appendices	Factual & NPPF	Minor	





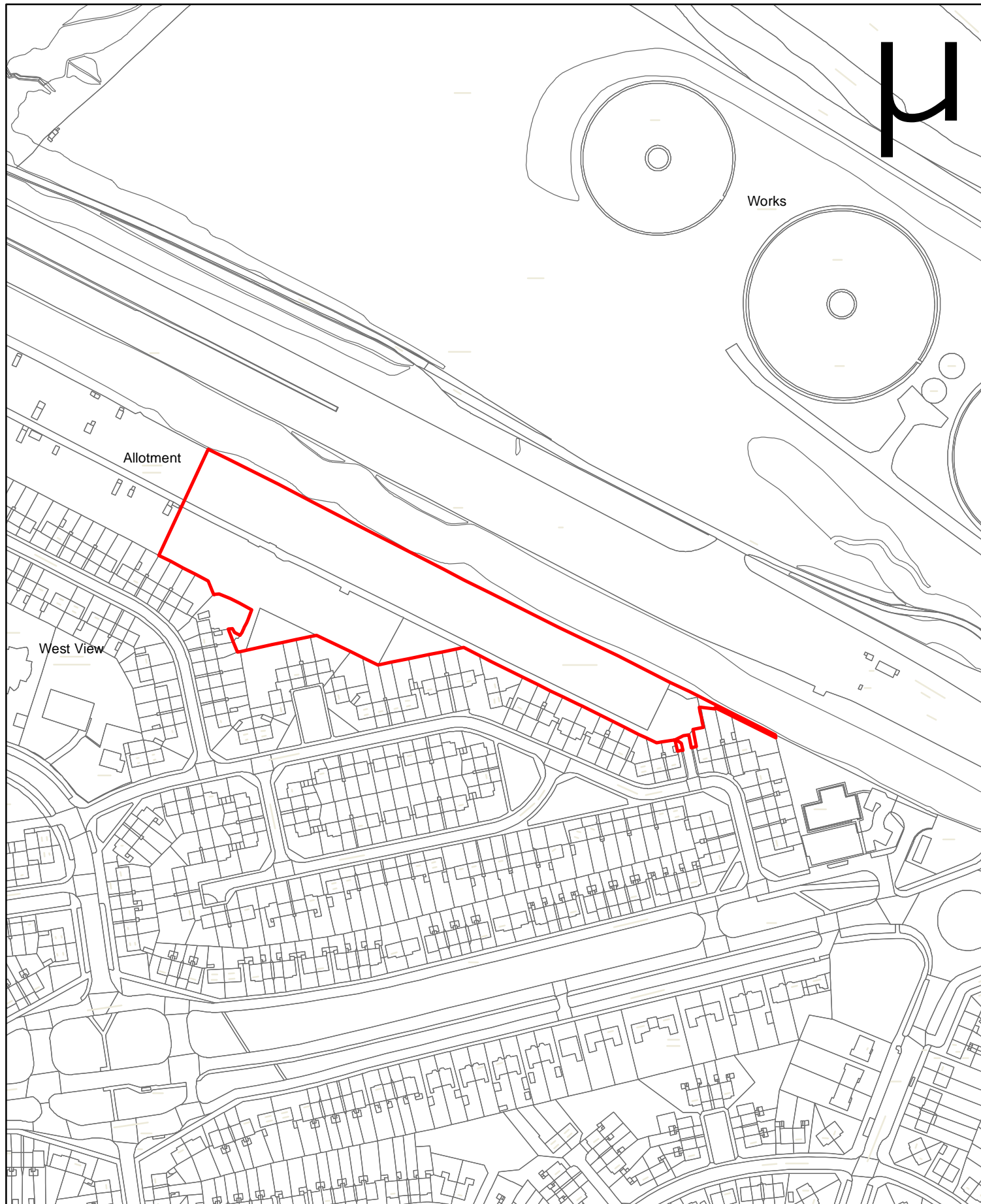
LOCATION	Land at Golden Flatts (Grazing Fields), Hartlepool UPRN - 0103 AREA - 62.22 Acres	DRAWN BY	CT	Date	01/04/10
		SCALE	1:5000		
DEED PACKET	CE166858	OS MAP	NZ 5129SW, 5029SW/ SE		
		DRWG No	-		



**Hartlepool Borough Council**  
Neighbourhood Services Department  
Procurement & Property Services Division  
Graham Frankland B.Eng(HONS)  
Head of Procurement, Property & Public Protection  
Leadbitter Buildings  
Stockton Street  
Hartlepool  
TS24 7NU

C.Eng M.I.C.E  
TEL: 01429 266522  
FAX: 01429 523899

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LOCATION	Land at Bruntoft Avenue (North of No's 13-81), Hartlepool UPRN - 0187    AREA - 3.29 Acres	DRAWN BY	CT	DATE	30/01/09
		SCALE	1:1250		
DEED PACKET	CE171960/ CE171935	OS MAP	NZ 4935SE/ 5035SW		DRWG No    -

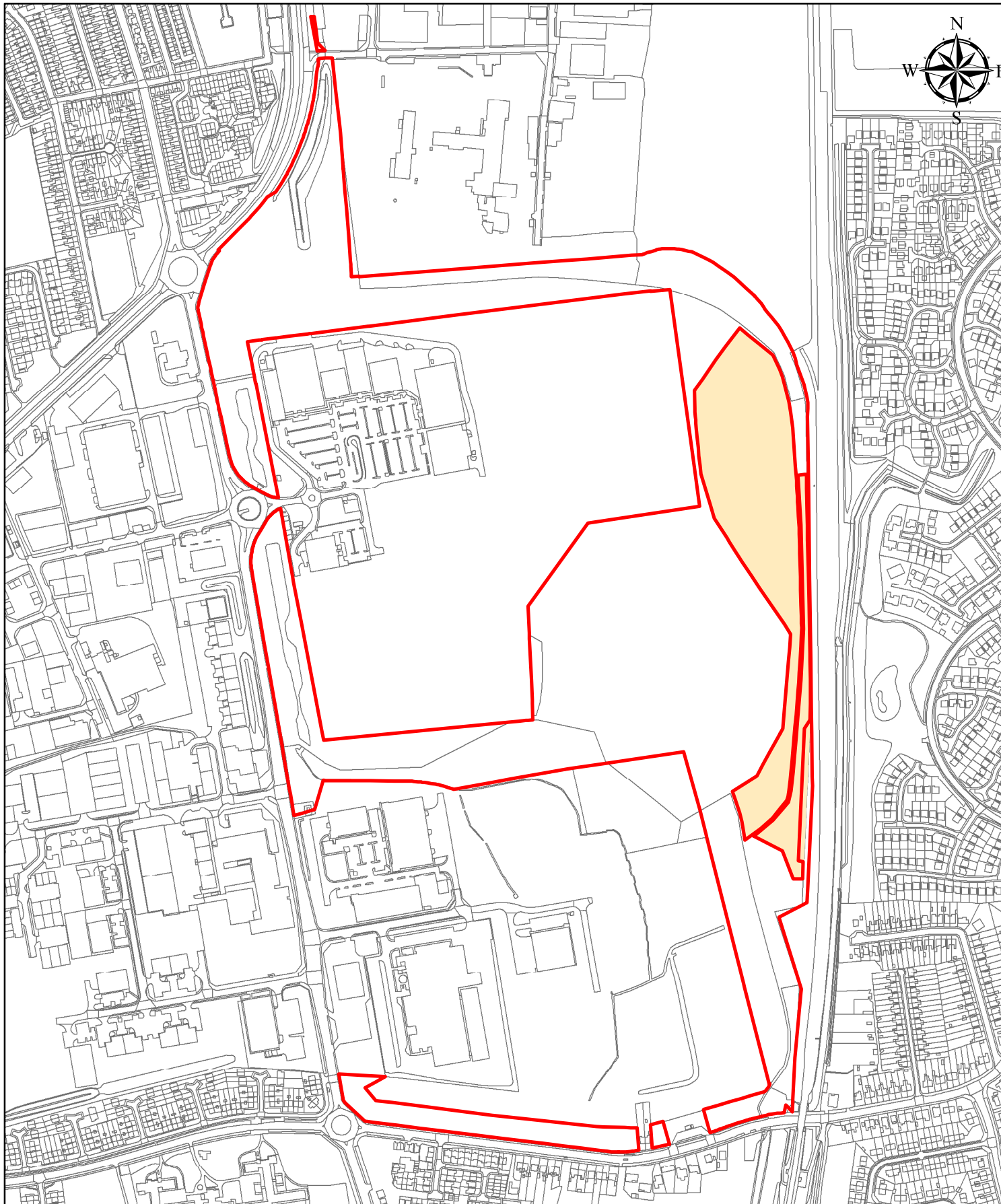


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Graham Frankland B.Eng(HONS)  
Head of Procurement, Property & Public Protection  
Leadbitter Buildings  
Stockton Street  
Hartlepool  
TS24 7NU

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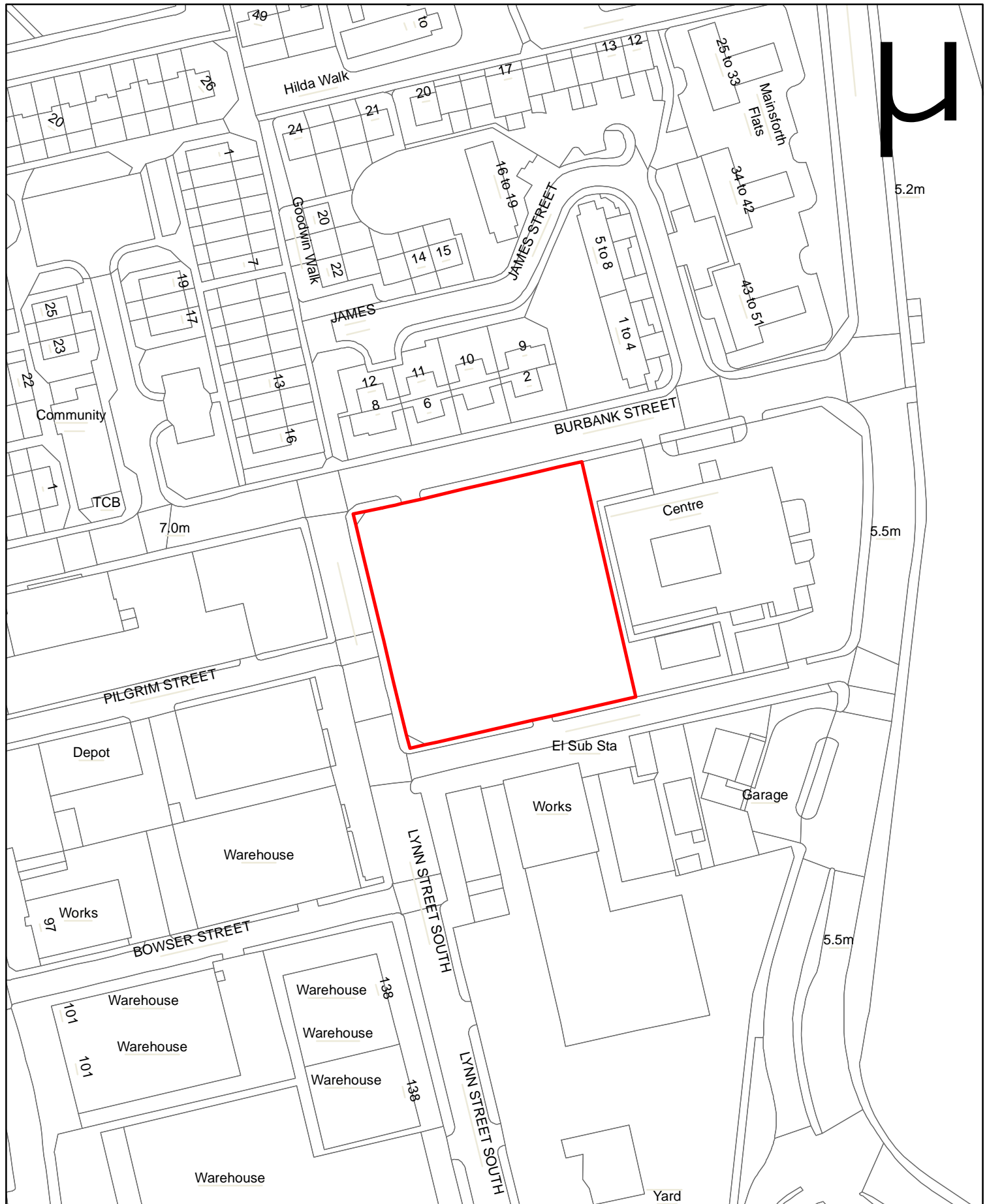
LOCATION	Land at Brenda Road, Hartlepool UPRN - 0312      AREA = 64.10 Acres	DRAWN BY	CT	Date	01/04/11
		SCALE	NTS		
DEED PACKET	CE92093/ CE167758	OS MAP	NZ 5130	DRWG No	-




**Hartlepool Borough Council**  
Neighbourhood Services Department  
Procurement & Property Services Division  
Graham Frankland B.Eng(HONS)  
Head of Procurement, Property & Public Protection  
Leadbitter Buildings  
Stockton Street  
Hartlepool  
TS24 7NU

C.Eng M.I.C.E  
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FAX: 01429 523899

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LOCATION Land at Burbank Street (Former Lynn Street ATC), Hartlepool UPRN - 0487    AREA - 3,604.93 sq/m		DRAWN BY	CT	DATE	09/02/09
		SCALE		1:1250	
DEED PACKET   CE166473		OS MAP   NZ 5132SE/ SW		DRWG No    -	
 <b>Hartlepool Borough Council</b> Neighbourhood Services Department Procurement & Property Services Division  Graham Frankland B.Eng(HONS) Head of Procurement, Property & Public Protection Leadbitter Buildings Stockton Street Hartlepool TS24 7NU		C.Eng   M.I.C.E  TEL: 01429 266522 FAX: 01429 523899		<div>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on Behalf of the Controller of Her Majesty's Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Hartlepool Borough Council 100023390 1999.</div>	

# CABINET REPORT

25<sup>th</sup> June 2012



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

**Subject:** HARTLEPOOL BOROUGH COUNCIL / HOUSING  
HARTLEPOOL PARTNERSHIP AGREEMENT

## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key Decision - RN 102/11. Key Test (i) and (ii) apply

## 2. PURPOSE OF REPORT

2.1 To request Cabinet approval to enter into a Partnership Agreement with Housing Hartlepool for the provision of a range of services to residents.

## 3. BACKGROUND

3.1 When Housing Hartlepool was originally constituted some services, originally provided by Hartlepool Borough Council, were split between the two organisations, recognising there was an essential integration of provision to residents of the town by Housing Hartlepool/ Hartlepool Borough Council that needed to continue.

3.2 Housing Hartlepool took responsibility for the provision of CCTV monitoring services across the Borough, services which were supported by the Council through its provision of funding and equipment. This was provided through the Community Monitoring Centre, originally at Richard Court and now at Greenbank.

3.3 Housing Hartlepool, as part of the operation of the town's Community Monitoring Centre also provided contact points for the Council's emergency call-out and Emergency Planning needs as well as community alarms monitoring for older / vulnerable residents. Additionally, an agreement with Housing Hartlepool was entered into for the installation, maintenance and monitoring of assistive technology equipment (also referred to as telecare) .

3.4 The delivery of these services was originally documented and managed through a number of Service Level Agreements (SLA) and contracts

between the parties. As the SLA's and contracts came towards their end dates work was undertaken to consider how the provision of CCTV and other services could be organised in the future.

#### 4. CONSIDERATIONS

- 4.1 There were a number of options considered in relation to the services and these are described below:

i) *Continue the current arrangements via a renewed SLA/contract.*

This option was not available to the Council as the Public Procurement Regulations require that the acquisition of such services should be procured through a competitive procurement route.

ii) *Carry out a competitive procurement for provision of the services.*

There were a number of complications surrounding this option. The existing services are provided through a combination of resources provided by both parties. Specifically, Housing Hartlepool provide staff and accommodation and the Council provide equipment and funding support and for assistive technology the Council and Housing Hartlepool jointly provide the physical response to alerts. To competitively procure this service would require a realignment of resources with either the Council selling its equipment to the successful bidding organisation or Housing Hartlepool transferring staff, and possibly accommodation, to the Council, or a successful bidder. This option would incur additional cost and provide a risk to the services to and well being of Hartlepool residents.

- 4.2 It should be noted that this sharing of resources across multiple services has created efficiencies in service delivery and cost which would not be available through the fragmentation of services which would be an inevitable result of competitively procuring these services.

- 4.3 As a result of the issues described above, it was proposed that a further option described under iii) should be investigated.

iii) *Create a Partnership Agreement between both parties which will satisfy the Public Procurement Regulations but allow the parties to continue to jointly provide services to the residents of Hartlepool in a cost effective, efficient manner, to the standards expected and currently enjoyed.*

- 4.4 Option iii provides the most attractive solution to the ongoing delivery of Community Monitoring services, and also the opportunity to deliver additional services (in particular those supported by the same staff and infrastructure used for assisted technology monitoring CCTV, and emergency call-out/ planning).

- 4.5 Although not an overriding objective of this piece of work, this solution also retains a local workforce, as opposed to the employment of individuals located elsewhere in the country, thereby contributing economic and social value to the Council and the community generally. This is an important factor in service delivery and procurement arrangements promoted by the Council.
- 4.6 In order to develop this solution, the first task was to ensure that the arrangement would be legal and not fall foul of the Public Procurement Regulations.
- 4.7 A significant amount of work has been undertaken by the Council's Legal Service, including the seeking of Counsel opinion, to determine how we can construct a Partnering Agreement with Housing Hartlepool.
- 4.8 As a result of these investigations, a Partnering agreement has been devised which makes use of exemptions to the Public Procurement Regulations which have arisen through the development of case law and legal precedents.
- 4.9 A major requirement in securing an exemption to the Public Procurement Regulations is that we must be able to demonstrate that we exert the necessary level of control over the body providing the services in question.
- 4.10 The draft Partnering Agreement at **Appendix 1** describes the governance arrangements for any services delivered under the Partnering Agreement and evidences that we have the requisite levels of control.
- 4.11 Whilst the Partnering Agreement describes the overriding principles of how the partners will work together, the detail of the services to be delivered are dealt with in supplementary SLA's, which are underpinned by the overarching Partnering Agreement.
- 4.12 This overarching Partnering Agreement places no financial obligations on the Council and only relates to our interaction with Housing Hartlepool around the services we define as being subject to the Partnering Agreement.
- 4.13 The Partnering Agreement is an open ended arrangement with the facility for either party to withdraw following a defined notice period.
- 4.14 Obligations will only be incurred at SLA level when defining the activities of both partners, e.g. with CCTV, the Council will provide funding and equipment and Housing Hartlepool will provide staff and accommodation.
- 4.15 There are a range of Community Monitoring services which the Council believes will be suitable for delivery under the Partnering Agreement and these are listed below:

Emergency call-out  
Emergency Planning Contacting

Assistive Technology  
CCTV

- 4.16 The governance structure is defined within the body of the Partnering agreement, which includes a structure for the development and delivery of the services and the achievement of the key objectives.

It is envisaged a Partnership Board shall be established on which both the Council and Housing Hartlepool will be represented in equal numbers. The Partnership Board shall be governed and shall make decisions in accordance with the terms set out in Annex A of the agreement. The Board should be chaired by a senior officer of the Council; at a level not below Assistant Director and the Council shall appoint a Manager for every service delivered under this agreement to sit on the board.

## **5. RISK**

- 5.1 Risks to the Council are minimal in respect of entering into the Partnering Agreement as the Agreement places no financial obligations on the Council and only relates to our interaction with Housing Hartlepool around the services we define as being subject to the Partnering Agreement.
- 5.2 Risks surrounding financial and service delivery obligations do arise in the development of SLA's designed to manage the services designated as suitable for delivery under the Partnering Agreement. These risks will be mitigated in the same way as they would be addressed through any contractual arrangement entered into by the Council, i.e. the appropriate officers will identify areas of risk and ensure that the correct obligations, both service delivery and financial, are incorporated into the resultant SLA documentation.
- 5.3 An additional risk also arises in relation to designating those services which are to be delivered under the Partnering Agreement. This risk surrounds the suitability of the service for delivery under the Agreement as it is possible that some services are not delivered via a partnership model but rather through a buyer/supplier arrangement. It is important that any services added to the Partnering Agreement are evaluated to ensure they are suitable for inclusion and do not require the execution of a competitive procurement exercise.

## **6. FINANCIAL**

- 6.1 As described in 5.1 above, the decision to enter into an overarching Partnering Agreement places no financial obligations on the Council.
- 6.2 Paragraph 5.2 highlights that financial risks will occur in the development of SLA's for services however these will be mitigated in the manner described.

## **7. LEGAL CONSIDERATIONS**

- 7.1 There is a specific risk which has legal ramifications and which surrounds the scope of services identified as suitable for inclusion under the Partnering Agreement.
- 7.2 It is critical that the addition of any services to the Partnering Agreement is considered by the Council's legal team to ensure it fits the necessary criteria for inclusion,

## **8. ASSET MANAGEMENT**

- 8.1 The control and management of Council assets related to services delivered under this Partnering Agreement will be handled through the drafting of service specific SLA's for each of the relevant services.

## **9. SECTION 17**

- 9.1 The Council began introducing council-owned and monitored CCTV cameras in the late 1990s. Closed circuit television cameras (CCTV) are one of a number of tools available in crime prevention and community safety. CCTV enables remote surveillance of areas where it is installed, whether as general monitoring or as part of a wider operation by the Council, Police or other organisations like Customs and Excise. Storage and retrieval of CCTV images also allows analysis of evidence after an event has occurred.
- 9.2 These are now monitored via a Community monitoring Centre within Housing Hartlepool's head quarters at Greenbank Stranton, which operates round the clock, every day of the year. From here, CCTV operators and the Police carry out general surveillance and operations, which sometimes take place in conjunction with officers on the ground.
- 9.3 Assistive Technology is a collective term used to describe a variety of services that use information and communication technology (ICT), one of which is telecare, and related response service to support people in their own homes.
- 9.4 In its simplest form Assistive Technology can be a basic community alarm system but is usually used as additional support to a health or social care package to prolong and maintain a person's independence and not as a replacement for direct care and support. Technology for a service user or carer might include:
- Alarms e.g. siren or flashing light.
  - Sensors or triggers that turn off a cooker or turn on a table light during the night.
  - Sensors that shut off a gas supply or provide an alert for flooding.
  - Monitors that send a message to a carer and or the control centre as an alert.



- Live/voice communication that maintains an open line to a control centre for the user to talk to in an emergency.
- Additional or secondary responses for other emergency services e.g. carer to visit, ambulance service.
- Reminders to take medication
- Monitoring of long term medical conditions remotely by health care practitioners

## **10. RECOMMENDATIONS**

- 10.1 That Cabinet approve the proposal that Hartlepool Borough Council enter into a Partnering Agreement with Housing Hartlepool, on the basis described in this report, to facilitate the delivery of a range of services to the residents of Hartlepool.

## **11. REASONS FOR RECOMMENDATIONS**

- 11.1 Benefits of this proposed solution are:
- i) It offers a streamlined way of delivering appropriate services without having to carry out an expensive, time consuming procurement process.
  - ii) Resources associated with service delivery are retained within the Borough.
  - iii) In terms of the Partnering Agreement, this is a flexible arrangement which will, subject to appropriate consideration, facilitate the delivery of a range of services but allow either party to withdraw (subject to notice) should their situation change.

## **12. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE**

- 12.1 i) Copy of the Draft Partnering Agreement.

## **13. BACKGROUND PAPERS**

- 13.1 There are no background papers.

## **14. CONTACT OFFICERS**

Dave Stubbs, Director of Regeneration and Neighbourhoods, Tel: 01429 523301. E mail: dave.stubbs@hartlepool.gov.uk

Jill Harrison, Assistant Director (Adult Social Care). Tel: 01429 523911. E mail: jill.harrison@hartlepool.gov.uk



## **5.1 Appendix 1**

HH.v4.28.05.12

**DATED**

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**PARTNERING AGREEMENT**

**BETWEEN**

**HARTLEPOOL BOROUGH COUNCIL**

**AND**

**HOUSING HARTLEPOOL**

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## **PARTIES**

- (1) **HARTLEPOOL BOROUGH COUNCIL** of Civic Centre, Victoria Road, Hartlepool, TS24 8AY (the **Council**); and
- (2) **HOUSING HARTLEPOOL** of Greenbank, Stranton, Hartlepool, TS24 7QS (**Housing Hartlepool**).

## **BACKGROUND**

- (A) The Partners have agreed to enter into this Agreement to work together to deliver services and achieve key objectives.
- (B) This Agreement is intended to set out the arrangements between the Council and Housing Hartlepool and comprises an overarching agreement which contains the main terms and conditions for the provision of the Services. Details of specific Services (including duration) to be provided by the parties in accordance with the terms and conditions of this Agreement are set out in individual Call-off Agreements.
- (C) The Partners wish to record the basis on which they will collaborate with each other to provide services. This Agreement sets out:
  - i. the key objectives of the Partnership;
  - ii. the principles of the Partnership; and
  - iii. the governance structures the Partners will put in place.

## **1. DEFINITIONS AND INTERPRETATION**

- 1.1 The definitions and rules of interpretation in this clause apply in this agreement.

<b>Agreement</b>	the agreement between (1) the Council and (2) Housing Hartlepool for the provision of the Services;
<b>Business Day</b>	any day that is not a Saturday, a Sunday or a public holiday in England and Wales;

<b>Call-off Agreements</b>	the agreements between (1) the Council and (2) Housing Hartlepool for the provision and delivery of the Services in accordance with the terms and conditions of the Agreement;
<b>Chief Officer</b>	the chief officer from time to time of the Council;
<b>Commencement Date</b>	[ June] 2012;
<b>Data Processor</b>	shall have the same meaning as set out in the Data Protection Act 1998;
<b>Data Protection Legislation</b>	the Data Protection Act 1998, the EU Data Protection Directive 95/46/EC, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003 and all applicable laws and regulations relating to processing of personal data and privacy, including where applicable the guidance and codes of practice issued by the Information Commissioner;
<b>Default</b>	any failure, either on our part or yours to carry out our respective obligations under this Agreement;
<b>Default Notice</b>	a notice setting out the nature of the Default committed and, if the Default can be put right, the action required to put it right and the reasonable timescale within which it is to be put right;
<b>Key Objectives</b>	the objectives intended to be met by both (1) the Council and (2) Housing Hartlepool in order to support the provision of the Services;
<b>Partners</b>	the parties to this Agreement, so long as they remain partners and all other people who are or become parties to this agreement from time to time;
<b>Partnership</b>	the partnership carried on by the Partners for the purpose of the Services under this Agreement;
<b>Partnership Board</b>	the board members of the Partnership (including any committee of the board duly appointed by it);
<b>Personal Data</b>	shall have the same meaning as set out in the Data Protection Act 1998;

<b>Principles</b>	the principles intended to be met by both (1) the Council and (2) Housing Hartlepool where reasonably practicable as set out at clause 3.3 of this Agreement;
<b>Service Manager</b>	the person referred to in clause 5.4 and Annex D to this Agreement;
<b>Services</b>	assistive technology and community monitoring services; and
<b>Staff</b>	persons employed or engaged by each Partner in connection with the provision of the Services in the course of such employment or engagement.

- 1.2 Clause, schedule and paragraph headings shall not affect the interpretation of this Agreement.
- 1.3 A **person** includes a natural person, corporate or unincorporated body (whether or not having a separate legal personality) and that person's legal and personal representatives, successors and permitted assigns.
- 1.4 The schedules and background form part of this Agreement and shall have effect as if set out in full in the body of this Agreement. Any reference to this agreement includes the schedules and background.
- 1.5 A reference to a **company** shall include any company, corporation or other body corporate, wherever and however incorporated or established.
- 1.6 Words in the singular include the plural and vice versa.
- 1.7 A reference to one gender shall include a reference to the other genders.
- 1.8 A reference to a statute or statutory provision is a reference to it as it is in force for the time being, taking account of any amendment, extension or re-enactment and includes any subordinate legislation for the time being in force made under it.
- 1.9 A reference to **writing** or **written** excludes faxes and e-mail.
- 1.10 References to clauses and schedules are to the clauses and schedules of this Agreement; references to paragraphs are to a paragraph of the relevant schedule.
- 1.11 Where the words **include(s)**, **including** or **in particular** are used in this Agreement, they are deemed to have the words "without limitation" following them and, where the context permits, the words **other** and **otherwise** are illustrative and shall not limit the sense of the words preceding them.
- 1.12 Any obligation in this agreement on a person not to do something includes an obligation not to agree or allow that thing to be done.

1.13 A reference to **parties** shall include the parties to this Agreement.

## **2. KEY OBJECTIVES**

2.1 The Partners shall seek to achieve the following Key Objectives:

- (a) To deliver services to customers of Housing Hartlepool and the Council in the most efficient, cost effective manner.
- (b) To secure a safer environment for the people of Hartlepool.
- (c) To make more effective use of Housing Hartlepool and the Council's resources.

## **3. PRINCIPLES OF COLLABORATION**

3.1 This Agreement is designed to describe the operating relationship between the Council and Housing Hartlepool and these rules will be applied to a variety of Services to be delivered under the Partnership.

3.2 This approach is designed to provide maximum flexibility for the achievement of the aims and objectives of the Partnership and it is intended that a variety of services will be added and removed from the Partnership throughout its duration.

3.3 The Partners agree to adopt the following Principles when cooperating to achieve the Key Objectives and delivering the Services:

- (a) collaborate and co-operate so as to establish and adhere to the governance structure set out in this Agreement to ensure that Services are delivered and actions taken as required;
- (b) to be accountable and take on, manage and account to each other for performance of the respective roles and responsibilities set out in this Agreement;
- (c) to be open and to communicate openly about major concerns, issues or opportunities relating to this Agreement or any Services carried out under this Agreement;
- (d) to learn, develop and seek to achieve full potential In terms of sharing information, experience, materials and skills to learn from each other and develop effective working practices, work

collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;

- (e) to adopt a positive outlook and behave in a positive, proactive manner;
- (f) to adhere to statutory requirements and best practice and comply with applicable laws and standards including EU procurement rules, data protection and freedom of information legislation.
- (g) to act in a timely manner;
- (h) to manage stakeholders effectively;
- (i) to deploy appropriate resources so as to ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this Agreement; and
- (j) to act in good faith to support achievement of the Key Objectives, delivery of Services and compliance with these Principles.

#### **4. COMMENCEMENT AND DURATION OF THIS AGREEMENT**

This Agreement shall commence on the Commencement Date and shall continue for a period of ten (10) years or it is terminated in accordance with the terms of clause 16 of this Agreement.

#### **5. GOVERNANCE**

##### **5.1 Overview**

The governance structure defined below provides a structure for the development and delivery of the Services and the achievement of the Key Objectives.

##### **5.2 Guiding principles**

The following guiding principles are agreed. The Partnership will:

- (a) provide strategic oversight and direction;

- (b) be based on clearly defined roles and responsibilities at organisation, group and, where necessary, individual level;
- (c) align decision-making authority with the criticality of the decisions required;
- (d) be aligned with delivery of the Services and achievement of the Key Objectives (and may therefore require changes over time);
- (e) leverage existing organisational, group and user interfaces;
- (f) provide coherent, timely and efficient decision-making; and
- (g) correspond with the key features of the governance arrangements set out in this Agreement.

### **5.3 Partnership Board**

- (a) A Partnership Board shall be established by the Partners on which both the Council and Housing Hartlepool will be represented in equal numbers.
- (b) The Partnership Board shall be governed and shall make decisions in accordance with the terms set out in Annex C to this Agreement.

### **5.4 Service Managers**

- (a) The Council and Housing Hartlepool shall each appoint a Service Manager for every Service delivered under this Agreement.
- (b) The Service Managers shall be governed in accordance with the terms set out in Annex D to this Agreement.

## **6. RISK AND ISSUE MANAGEMENT**

- 6.1 The Partners will pro-actively manage any risk attributed to them under the terms of this Agreement.
- 6.2 The Partners shall develop, operate, maintain, manage and amend processes for the identification and management of risks



associated with the Partnership, the achievement of the Key Objectives and the delivery of the Services.

- 6.3 The Service Managers shall identify risks associated with the Partnership, the achievement of the Key Objectives and the delivery of the Services and shall complete, maintain and submit copies of a risk register to the Partnership Board on a regular basis to for review.

## **7. BUSINESS CONTINUITY**

- 7.1 All call-off agreements shall include a 'Business Continuity' requirement. This requirement will be developed by the relevant Service Managers and shall be approved by the Partnership Board.
- 7.2 The aim of this requirement is to ensure that in the event of termination, of either the Service or this Agreement by one of the Partners, arrangements are in place which will enable the other Partner to continue to deliver the Service(s) should it wish to do so.
- 7.3 Documented Business Continuity arrangements will address all aspects which affect the ongoing delivery of the Service(s), including, but not limited to, staff, equipment, premises, funding etc.

## **8. FUNDING AND RESOURCES**

- 8.1 No specific funding is allocated to the general operation of this Agreement.
- 8.2 Funding and resources will be allocated to specific Services throughout the duration of this Agreement.
- 8.3 Partners can expect to both provide and receive funding and resources, depending on the nature of the Services being delivered.

- 8.4 Information relating to the funding of Services will be detailed in separate call-off agreements developed to cover the provision of Services under this Agreement.

## **9. STATUTORY OBLIGATIONS**

- 9.1 The Partners will at all times comply with their statutory obligations under The Race Relations Act 1976 (including the Race Relations (Amendment) Act 2000), the Sex Discrimination Act 1975 (including the Sex Discrimination (Gender Reassignment) Regulations 1999 and the Employment Equality (Sex Discrimination) Regulations 2005), the Employment Equality (Sexual Orientation) Regulations 2003, the Equality Act 2006, the Equality Act (Sexual Orientation) Regulations 2007, the Racial and Religious Hatred Act 2006, the Employment Equality (Religion or Belief) Regulations 2003, the Disability Discrimination Acts 1995 (including the Disability Discrimination Act 1995 (Amendment) Regulations 2003) and 2005, the Employment Equality (Age) Regulations 2006 and the Human Rights Act 1998 and, accordingly, will not treat one group of people less favourably than others because of their colour, race, religion, sexual orientation, nationality, age or ethnic origin in relation to decisions to recruit, train, promote, discipline, or dismiss their personnel.
- 9.2 The Partners shall at all times comply with the requirements of the Health and Safety at Work, etc Act 1974, the Management of Health and Safety at Work Regulations 1992 and any other Acts, Regulations, Orders, rules of law or Codes of Practice pertaining to health and safety.
- 9.3 The Partners, where applicable, agree, where applicable, to comply in all respects with the Data Protection Act 1998, the Regulation of Investigatory Powers Act 2000 and the Protection from Harassment Act 1997 or any statutory modification or re-enactment thereof.
- 9.4 Notwithstanding any other clause in this Agreement, the Partners each agree and acknowledge that any documents, materials or other information held by one Partner in connection with this Agreement (whether or not supplied by the other Partner) are subject to the provisions of the Freedom of Information Act 2000 and may be disclosed to any person(s) by either Partner where required by that Act

or otherwise by law, and any such documents materials or other information held by one Partner on the other Partner's behalf (whether or not supplied by that other Partner) shall be produced by the holding Partner to the requesting Partner within 10 working days of any written request from the requesting Partner to the holding Partner.

## **10. STAFFING AND DELIVERY OF SERVICES**

- 10.1 The Partners shall ensure that all Services are delivered by a sufficient number of appropriately skilled, experienced, trained and supervised personnel who are employees of either the Council or Housing Hartlepool.
- 10.2 Each Partner will be responsible for the selection, recruitment and training of their own employees in accordance with and to the standards referred to in their organisation's processes and procedures.

## **11. COMMUNITY CONSULTATION AND PARTICIPATION**

- 11.1 The Partners will utilise a number of approaches to ensure the Partnership meets the needs of its stakeholders, in particular the communities the Partners support.
- 11.2 The Partnership will use a combination of interactions to consult and encourage participation with the community. These are
  - (a) notification – this does not, itself, constitute consultation, but can be a first step. Partners will use this approach to allow stakeholders the time to prepare themselves for upcoming consultations.
  - (b) consultation – The Partnership will actively seek the opinions of interested and affected groups. This will be a two-way flow of information, which may occur at any time, from problem identification to evaluation of existing arrangements. It may be a one-stage process or, if preferred by the Partners, a continuing dialogue. The aim of these consultations is to facilitate the design and delivery of higher quality and/or more cost effective services.

- (c) participation – Where possible, Partners will seek the active involvement of stakeholders and interest groups in the formulation of service specifications.
- (d) these processes of consultation will bring expertise, perspectives, and ideas for alternative actions for those directly affected, help the Partners balance opposing interests and identify any unintended effects and practical problems.

11.3 To ensure consultation and participation are effective processes, Partners shall:

- (a) set challenging targets for operational aspects of public engagement (e.g. advance notice to key stakeholders on time between closing date for consultation submissions and publication of output feedback);
- (b) establish relationships with comparable authorities to exchange information for benchmarking purposes;
- (c) conduct a formal dialogue with stakeholders at least once a year to discover their perceptions of the consultation and public participation processes;
- (d) periodically seek information about the likely costs and benefits of using third party or partnership based suppliers of specialist consultation related services.

## **12. INSPECTION**

- 12.1 The Partners shall be permitted to inspect all accounting records held by the other Partner in relation to this Agreement (and in relation to the Services delivered under this Agreement) on reasonable notice.
- 12.2 The Partners agree that for the Partnership and the Services being delivered through the Partnership to be successful they must be based on sustainable, accurate and realistic operational performance and on clear and robust financial information, and further that is to their mutual

benefit to share such information in confidence in order to develop trust and to better understand the pressures and market forces exerted on each of them.

12.3 The Partners shall at all times act reasonably and in good faith in relation to all matters that may arise under this Agreement. This mutual commitment to each other includes an obligation on each Partner to ensure that the other Partner is not unduly prejudiced, financially or otherwise, as a result of the operation of the Services, the acts or omissions of the other Partner, market forces, changes of law or otherwise.

12.4 Subject only to any requirements in law, the Partners commit themselves not to disclose to any third party any commercially sensitive information unless by express written agreement of the other Partner.

### **13. VARIATION**

13.1 Any Partner may request a variation to the Agreement or a Service specification which they shall initiate by raising the issue with the other Partner at a Partnership Board meeting;

13.2 The other Partner will assess and document the potential impact of a proposed variation before the variation can be either approved or implemented;

13.3 The Partner not requesting the variation shall have the right to request amendments to the request and approve it or reject it;

13.4 No proposed variation shall be implemented until such time as the variation has been approved by all Partners. Unless the Partner not requesting the variation expressly agrees otherwise in writing, the Partner requesting the variation shall continue their actions in accordance with the existing arrangements as if the proposed variation did not apply.

## **14. COMPLAINTS PROCEDURE**

- 14.1 If a Service Manager has any issues, concerns or complaints about the Partnership, the achievement of the Key Objectives, the delivery of the Services or any matter in this Agreement, that Service Manager shall notify the other relevant Service Manager and the parties shall then seek to resolve the issue by a process of consultation. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Partnership Board for resolution.
- 14.2 If either party receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the Freedom of Information Act 2000) in relation to the Partnership, achievement of the Key Objectives, delivery of the Services or this Agreement the matter shall be promptly referred to the Partnership Board (or its nominated representatives). No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the Partnership, the achievement of the Key Objectives or the delivery of the Services, without the prior approval of the Partnership Board (or its nominated representatives).

## **15. INTELLECTUAL PROPERTY**

- 15.1 The Partners intend that any intellectual property rights created in the course of the Partnership shall vest in the Partner whose employee created them (or in the case of any intellectual property rights created jointly by employees of both Partners in the Partner that is lead party for the part of the Service that the intellectual property right relates to).
- 15.2 Where any intellectual property right vests in either Partner in accordance with the intention set out in clause 14.1 above, that Partner shall grant an irrevocable licence to the other Partner to use that intellectual property for the purposes of the Partnership.

## **16. TERMINATION**

- 16.1 This Partnership Agreement may be determined by a Partner to the Agreement giving not less than 12 months' written notice of their intention to withdraw.
- 16.2 The withdrawal of one member of the Partnership will serve to determine the Agreement.

- 16.3 In the event of the termination of this Agreement the Partners shall together prepare and agree a timetable for the removal of equipment, the transfer of staff, the transfer of data, where applicable, and all efforts shall be made by the Partners to minimise costs and liabilities arising from early termination of or withdrawal from this Agreement.
- 16.4 The Partners shall be equally responsible for all costs connected with the termination of this Agreement otherwise than strictly in accordance with its terms, such costs to include, without limitation, any salary payments properly due to those whose employment is terminated as a direct result of such termination.

## **17. TERMINATION BY DEFAULT**

17.1 Either Partner may by serving a Default Notice in writing terminate this Agreement by giving no less than 12 months' prior written notice in the event that the other party:

- (a) shall be in material breach of any of the material terms of this Agreement which, in the case of a default capable of remedy, shall not have been remedied by you within 28 days of receipt of a Default Notice specifying the breach and requiring its remedy;
- (b) shall be guilty of gross misconduct and/or any serious or persistent negligence or in breach of Agreement in the provision of the Services;
- (c) shall fail or refuse after written instruction to provide the Services reasonably and properly required hereunder;
- (d) shall commit more than one Default of this Agreement, and the cumulative effect of such Defaults is such that we reasonably believes that you would continue to deliver a sub-standard performance in relation to the Services.

17.2 For the purpose of this clause:

- (a) a breach is capable of remedy if time is not of the essence in performance of the obligation and you can comply with the obligation within the Default Notice within the 28 day period; and
- (b) a Default can be material irrespective of whether actual loss has been or will be incurred as a consequence of the Default.

- 17.3 Termination of this Agreement for whatever reason shall not affect the accrued rights of the parties arising in any way out of this Agreement as at the date of termination and, in particular but without limitation, the right to recover damages against the other and all provisions which are expressed to survive this Agreement shall remain in force and effect.
- 17.4 If either Partner terminates this Agreement or its application to a particular Service under clause 17.1 then the other Partner will continue to provide the Services during the period of notice unless that terminating Partner requests otherwise.
- 17.5 If this Agreement or its application to a particular Service is terminated, then the Council must continue to pay Housing Hartlepool the contract price as set out in each Call-out Agreement throughout the notice period (irrespective of whether the Council have requested Housing Hartlepool to stop providing the Service(s) during such period).
- 17.6 If either Partner may terminate this Agreement or its application to a particular Service then subject always to clause 17.5 above, Housing Hartlepool will continue to provide the Support Services during the period of notice unless the Council request otherwise.

## **18. NOTICES**

- 18.1 A notice given to a party under or in connection with this Agreement:
- (a) shall be in writing and in English;
  - (b) shall be signed by or on behalf of the party giving it;
  - (c) shall be sent to the party for the attention of the contact and at the address listed in clause 16.2 below;
  - (d) shall be sent by a method listed in clause 16.4 below; and
  - (e) unless proved otherwise, is deemed received as set out in clause 16.4 if prepared and sent in accordance with this clause.

- 18.2 The parties' addresses and contacts are as set out in this table:

<b>Party</b>	<b>Contact</b>	<b>Address</b>
Hartlepool Borough Council	[POSITION CONTACT]	OF Civic Centre, Victoria Road, Hartlepool, TS24 8AY
Housing Hartlepool	[POSITION CONTACT]	OF Greenbank, Stranton, Hartlepool TS24 7QS



18.3 A party may change its details given in the table in clause 16.2 by giving notice, the change taking effect for the party notified of the change at 9.00 am on the later of:

- (a) the date, if any, specified in the notice as the effective date for the change; or
- (b) the date five Business Days after deemed receipt of the notice.

18.4 This table sets out:

- (a) delivery methods for sending a notice to a party under this Agreement; and
- (b) for each delivery method, the corresponding delivery date and time when delivery of the notice is deemed to have taken place provided that all other requirements in this clause have been satisfied and subject to the provisions in clause 16.5:

**Delivery method**

**Deemed delivery date and time**

Delivery by hand.

On signature of a delivery receipt.

Pre-paid first class recorded delivery post or other next working day delivery service providing proof of delivery.

11.00 am on the second Business Day after posting or at the time recorded by the delivery service.

18.5 For the purpose of clause 16.4 and calculating deemed receipt:

- (a) all references to time are to local time in the place of deemed receipt; and
- (b) if deemed receipt would occur in the place of deemed receipt on a Saturday or Sunday or a public holiday when banks are not open for business, deemed receipt is deemed to take place at 9.00 am on the day when business next starts in the place of receipt.

18.6 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

18.7 A notice given under or in connection with this Agreement is not valid if sent by e-mail or facsimile transmission.

**19. REVIEW**

19.1 The partners will to review this Agreement on an annual basis. Each such annual review shall consider, without limitation:

- (a) the end of year report to be prepared and submitted by Service Managers on each Service delivered under this Agreement;
- (b) all spend occurring in connection with the relevant Service in the previous 12 months;
- (c) achievement of performance and/or service levels over the previous 12 month period;
- (d) the success or otherwise of partnership working in the context of this Agreement;
- (e) proposals for improving the Partnership approach to the Services and equipment; and
- (f) proposals for improving the Partnership approach in general.

## **20. ASSIGNMENT AND SUB-CONTRACTING**

### **20.1 If either party want to:**

- (a) assign its' interest in this Agreement to any other organisation provided that organisation is and remains a non-for-profit organisation; or
- (b) create any interest in this Agreement or any part of it (for example by way of a trust); or
- (c) create any security over this Agreement or any part of it (for example, by way of a fixed charge);

then that party must first obtain the written consent of the other party which shall not unreasonably withheld or delayed.

### **20.2 In the event that either party wish to sub-contract the carrying out of its' obligations under this Agreement then this shall be by mutual agreement between the parties.**

### **20.3 Notwithstanding clause 19.1(c), consent will not be required to a floating charge over substantially the whole of either party's assets, property and undertaking.**

## **21. CHARGES AND LIABILITIES**

- 21.1 Except as otherwise provided, the Partners shall each bear their own costs and expenses incurred in complying with their obligations under this Agreement.
- 21.2 The Partners agree to share the costs and expenses arising in respect of the Partnership, achievement of the Key Objectives and delivery of the Services between them in accordance with a contributions schedule to be developed and approved by the Partnership Board.
- 21.3 Both Partners shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither Partner intends that the other Partner shall be liable for any loss it suffers as a result of this Agreement.

## **22. STATUS**

- 22.1 This Agreement is not intended to be legally binding, and no legal obligations or legal rights shall arise between the Partners from this Agreement. The Partners enter into the Agreement intending to honour all their obligations.
- 22.2 Nothing in this Agreement is intended to, or shall be deemed to constitute either Partner as the agent of the other Partner, nor authorise either Partner to make or enter into any commitments for or on behalf of the other Partner.

## **23. DATA PROTECTION ACT**

- 23.1 Either party shall (and shall procure that any of its Staff involved in the provision of this Agreement) comply with any notification requirements under the Data Protection Legislation and both parties will duly observe all their obligations under the Data Protection Legislation, which arise in connection with the agreement.
- 23.2 Notwithstanding the general obligation in clause 23.1, each party to this Agreement is processing Personal Data as a Data Processor for the other party, then the party processing the Personal Data shall ensure that it has in place appropriate technical and contractual measures to ensure the security of the Personal Data (and to guard against unauthorised or unlawful processing of the Personal Data and against accidental loss or destruction of, or damage to, the Personal Data), as

required under the Seventh Data Protection Principle in Schedule 1 to the Data Protection Act 1998; and

- (a) provide the other party with such information as that other party may reasonably require to satisfy itself that it is complying with its obligations under the Data Protection Legislation;
- (b) promptly notify the other party of any breach of the security measures required to be put in place pursuant to clause 23.2; and
- (c) ensure it does not knowingly or negligently do or omit to do anything which places the either party in breach of its obligations under the Data Protection Legislation.

23.3 The provisions of this clause shall apply during the continuance of the Agreement and indefinitely after its expiry or termination.

## **24. CONFIDENTIALITY**

24.1 Each party must use all reasonable endeavours to ensure that, subject to clause 23, each party (and any member of Staff) will:

- (a) only use Confidential Information for the purposes of this Agreement; and
- (b) not disclose any Confidential Information to any third party without the other party's prior written consent (such consent not to be unreasonably withheld or delayed); and
- (c) not use the Confidential Information for the solicitation of business from the other party.

24.2 Further, the restrictions in clause 24.1 shall not prevent either party from disclosing to the other (or to any other person) Confidential Information about a Service user where this is in the best interests of the Service user concerned or such disclosure is necessary so as to protect the health, safety or welfare of the Service User or other Service Users.

24.3 The restrictions in clause 24.1 shall continue to apply after the Agreement has come to an end or, if it takes place earlier, termination of the whole of this Agreement but they shall not apply (whether whilst this Agreement is in force or after) to information which:

- (a) is in, or comes into, the public domain (except if this is as a result of a breach by either party of this clause);
- (b) is required to be disclosed by law;

- (c) was already in either party's possession without any restriction as to its use at the date of this Agreement or a date of the relevant Call-off Agreement; or
- (d) subsequently lawfully comes into either party's possession from a third party; or
- (e) is required to be disclosed by any Regulatory Body or governmental body.

## **25. SEVERANCE**

- 25.1 If any court or competent authority finds that any provision of this Agreement (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision shall, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this agreement shall not be affected.
- 25.2 If any invalid, unenforceable or illegal provision of this Agreement would be valid, enforceable and legal if some part of it were deleted, the parties shall negotiate in good faith to amend such provision such that, as amended, it is legal, valid and enforceable, and, to the greatest extent possible, achieves the parties' original intention.

## **26. DISPUTE RESOLUTION**

- 26.1 The parties agree to seek in the first instance, amicably and in good faith, to resolve any dispute arising during the continuance of this Agreement or upon or after its determination by negotiation.
- 26.2 If after 20 Business Days (or such longer period as both parties may agree) of the date of the notice referred to in clause 24.1 the dispute has not been resolved then either one of us may notify the other that it wishes the dispute to be referred to a meeting of a Chief Officer of the Council, (or a person appointed by her to act on her behalf) and a senior officer of Housing Hartlepool, to resolve, negotiating on the basis of good faith.
- 26.3 Should the dispute remain unresolved, then before implementing any other dispute resolution procedure set out in this Agreement, the parties will attempt to settle the dispute by mediation and will jointly source the mediator from the list of accredited mediators approved by the President of the Royal Institution of Chartered Surveyors (**RICS**), and available from RICS.

- 26.4 If the parties cannot agree the identity of a mediator, the mediator will, on application by either party to RICS, be appointed by the President of the Royal Institution of Chartered Surveyors.
- 26.5 If the dispute is not settled at mediation in accordance with this clause within a period of 20 Business Days after the appointment of a mediator or such longer period as may be agreed by the parties, either party may resort to any other process for resolution expressly or impliedly provided for in this Agreement or to litigation.

## **27. GOVERNING LAW AND JURISDICTION**

This Agreement shall be governed by and construed in accordance with English law and, without affecting the escalation procedure set out in clause 5, each Partner agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

## **28. CONTRACT (RIGHTS OF THIRD PARTIES) ACT 1999**

Neither party intends to confer any right or benefit upon a third party and for the avoidance of doubt, the provisions of the Contracts (Rights of Third Parties) Act 1999 are expressly excluded from this Agreement.

Signed for and on behalf of  
**HARTLEPOOL BOROUGH  
COUNCIL**

Signature: .....  
Name: .....  
Position: .....  
Date: .....

Signed for and on behalf of  
**HOUSING HARTLEPOOL**

Signature: .....  
Name: .....  
Position: .....  
Date: .....

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## **ANNEX A PARTNERSHIP BOARD**

### **1. ROLE OF THE PARTNERSHIP BOARD**

1.1 The Partnership Board shall be responsible for the executive management of the Partnership as set out in this Agreement.

1.2 The Partnership Board shall:

- (a) provide senior level guidance, leadership and overall strategic oversight to the Partners;
- (b) carry out the specific obligations attributed to it in this Agreement;
- (c) manage the overall delivery of the Services and the achievement of the Key Objectives including related budgets;
- (d) review the delivery of the Services and achievement of the Key Objectives in accordance with this Agreement and take appropriate and timely action when required;
- (e) be the point of escalation for any disputes related to the Partnership;
- (f) ensure that this Agreement is operated in a manner which optimises value for money and operational benefit;
- (g) receives and reviews reports from Service Managers which summarise key aspects of the operation of the Services and offer potential for improving the benefit either Partner is receiving, in particular value for money;
- (h) determine Partnership strategy and provide guidance on policy matters which may impact on the implementation of the Services or on any future or additional Services to be delivered;



## **2. MEMBERSHIP OF THE PARTNERSHIP BOARD**

2.1 The Partnership Board shall consist of:

**Council:** [NAME(S) AND/OR JOB TITLE(S)].

**Housing Hartlepool:** [NAME(S) AND/OR JOB TITLE(S)].

2.2 All members of the Partnership Board shall be required to declare (to the rest of the Partnership Board) any potential and/or real conflict of interest in any Service.

## **3. PARTNERSHIP BOARD MEETINGS**

3.1 The Partnership Board shall meet on a quarterly basis to discuss and review all reports arising in connection with the delivery of the Services and the achievement of the Key Objectives.

3.2 Each Partner shall ensure that its Board Members shall make all reasonable efforts to attend Board meetings at which that Board Member's attendance is required. If any Board Member is not able to attend a Board meeting, that person shall use all reasonable endeavours to ensure that:

- (i) a delegate attends the relevant Board meeting in his/her place who (wherever possible) is properly briefed and prepared; and
- (ii) that he/she is debriefed by such delegate after the Board Meeting.

3.3 A chairperson shall be appointed by the Partners for the Partnership Board. The chairperson shall be responsible for:

- (i) scheduling Board meetings
- (ii) setting the agenda for Board meetings and circulating to all attendees in advance of such meeting
- (iii) chairing the Board meetings

- (iv) monitoring the progress of any follow up tasks and activities agreed to be carried out following Board meetings
  - (v) ensuring that minutes for Board meetings are recorded and disseminated electronically to the appropriate persons and to all Board meeting participants within seven Working Days after the Board meeting; and
  - (vi) facilitating the process or procedure by which any decision agreed at any Board meeting is given effect in the appropriate manner.
- 3.4 Board meetings shall be quorate as long as at least two representatives from each party are present.
- 3.5 Partners shall ensure, as far as reasonably practicable, that the Board shall as soon as reasonably practicable resolve the issues and achieve the objectives placed before them. Each Partner shall use endeavours to ensure that Board Members are empowered to make relevant decisions or have access to empowered individuals for decisions to be made to achieve this.
- 3.6 All meetings of the Partnership Board will be minuted. These minutes will contain the following minimum level of information:
- time,
  - date,
  - location
  - the fact that prior notice of the meeting was given,
  - names of those in attendance,
  - the presence of a quorum,
  - official actions taken by meeting participants

All actions will be clearly recorded and minutes will be circulated within 2 Business Days of the meeting taking place.

## **ANNEX B**

### **SERVICE MANAGERS**

The Service Managers shall:

- (a) manage the day to day delivery of Services under this Agreement;
- (b) provide strategic management at work-stream level and will provide assurance to the Partnership Board that the Services are being delivered and the Key Objectives are being met within the boundaries set by the Partnership Board;
- (c) be accountable to the Partnership Board for the comprehensive oversight of the delivery of the Services and for the senior management of the operational relationship between the Partners;
- (d) report to the Partnership Board on significant issues requiring decision and resolution by the Partnership Board and on progress against performance targets;
- (e) consider and resolve disputes in the first instance and if necessary escalate the dispute to the Partnership Board.
- (f) be required to declare (to the Partnership Board) any potential and/or real conflict of interest in any Service.

# CABINET REPORT

25 June 2012



**Report of:** Chief Finance Officer and Chief Solicitor

**Subject:** CHIEF EXECUTIVE ARRANGEMENTS

## 1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision.

## 2. PURPOSE OF REPORT

- 2.1 To advise that the temporary arrangements put in place to cover the Chief Executive vacancy are due to expire on 30 June 2012 and to recommend an extension of the current arrangements until full consideration of the options available are completed and subsequent decision implemented.

## 3. BACKGROUND

- 3.1 The post of Chief Executive became vacant in August 2011 and Members subsequently agreed to make a temporary appointment so that full consideration could be given to the options available to the Council.
- 3.2 The Director of Child & Adult Services was appointed as the Acting Chief Executive. The temporary appointment was offered on the basis of it lasting until a permanent appointment of Chief Executive was made or alternative implemented and was expected to last until 31 March 2012. The arrangements were extended until 30 June 2012 with the agreement of Cabinet on 19 March 2012.
- 3.3 Backfill arrangements were also agreed with the Child & Adult Services Department to provide necessary cover statutory responsibilities in the absence of the Director and provide sufficient capacity to ensure service delivery.
- 3.4 Cabinet previously agreed that the Mayor should discuss an appropriate way forward with other Elected Members in the new municipal year. A report was requested by General Purposes Committee setting out three options for consideration relating to the future senior structure of the council. This options report is being considered by General Purposes Committee on 25th

June 2012. Cabinet may wish to consider the information and views from the General Purposes Committee as part of their deliberations prior to making any recommendations to council regarding the future council senior structure.

#### **4. PROPOSED EXTENSION**

4.1 The Chief Executive post will remain vacant beyond 30 June 2012 and it is proposed that the temporary arrangement previously agreed by Council on 27 October 2011 and extended by Cabinet on 19 March 2012 continue until full consideration of the options available are completed and a permanent appointment or alternative implemented.

4.2 The temporary arrangements include:

- The Director of Child & Adult Services undertaking the role of Acting Chief Executive.
- Backfill of the Director of Child and Adult Services functions and statutory duties shared on an equal 50% basis by two Assistant Directors in the Child & Adult Services Department.
- Backfill a specific element (10% of existing duties) of the Assistant Directors' roles by one officer.

4.3 In relation to the terms and conditions of the additional payments these are the minimum legal payments and are fixed for the duration of the arrangements. For clarity no increments are to be paid. The payments are also not pensionable. These arrangements are a departure from the Council's normal employment arrangements and reflect the specific arrangements of these temporary arrangements.

#### **5. FINANCIAL IMPLICATIONS**

5.1 As reported to Council in October these arrangements delivered a saving in 2011/12 of £76,848. It was anticipated that the temporary arrangements may extend into 2012/13 and it was reported that if that should occur a monthly saving of £10,978 would accrue to the Council from April 2012. This monthly saving figure was adjusted to £10,483 to reflect a change in one Assistant Director providing cover who is on a lower substantive salary. Council has agreed that they will determine how this saving will be spent.

## **6. RECOMMENDATIONS**

### **6.1 Cabinet is asked to:**

- Extend the current temporary arrangements to cover the Chief Executive vacancy and agreed backfilling arrangements until the end of August 2012 and/ or full consideration of the options available are completed and subsequent decision implemented;
- consider a further report setting out information as to the options available to the Council.

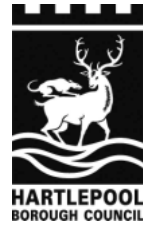
## **7. CONTACT OFFICER**

Chris Little  
Chief Finance Officer  
Tel: 01429 523003  
Email: [chris.little@hartlepool.gov.uk](mailto:chris.little@hartlepool.gov.uk)

Peter Devlin  
Chief Solicitor  
Tel: 01429 523003  
Email: [peter.devlin@hartlepool.gov.uk](mailto:peter.devlin@hartlepool.gov.uk)

# CABINET REPORT

25<sup>th</sup> June 2012



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

**Subject:** COMMUNITY INFRASTRUCTURE LEVY

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non key decision.

## 2. PURPOSE OF REPORT

2.1 Following on from the Cabinet report on the 20<sup>th</sup> February 2012, this report gives further background information to explain what the Community Infrastructure Levy (CIL) is and what the implications of CIL are, timescales involved in the preparation of CIL and further consideration to issues regarding viability testing which are vital to inform the development of a CIL charging schedule. Examples of some of the other Authorities nationally who have adopted or are working towards the adoption of CIL are considered, looking at elements of best practice and advice which is emerging from the Planning Advisory Service (PAS) on the development of CIL. Taking into account the information covered in the report Cabinet approval is therefore sought to appoint consultants to undertake viability testing on a range of types of development. This external advice is considered vital to give the CIL an independence it needs to be considered robust. The results of viability testing would then be reported back to Cabinet with a recommendation as to whether CIL can be implemented in Hartlepool.

## 3. BACKGROUND

3.1 The Community Infrastructure Levy (CIL) is a new planning related developer contribution scheme where developers are charged a levy to raise money to pay for infrastructure. The Community Infrastructure Regulations 2010 updated the definition of what is classed as infrastructure within the 2008 Planning Act. The list of infrastructure now includes:

- roads and other transport facilities
- flood defences
- schools and other educational facilities
- medical facilities

- sporting and recreational facilities
- open spaces

(NB Currently Affordable Housing sits outside of the definition of Infrastructure however a consultation has taken place recently on whether it should be included – the results of this are still awaited. As it currently stands affordable housing contributions would have to be sought via a Section 106 Legal Agreement.)

- 3.2 Local Authorities don't have to use CIL, but from 6 April 2014 they will be prevented by CIL Regulation 123 from using planning obligations to leverage general contributions from new development for community infrastructure. All section 106 "tariff" style approaches will become unlawful. Consequently, Local Authorities which don't have CIL up and running will be losing money.
- 3.3 Therefore the main reason for introducing a CIL is that it would provide a means of securing developer contributions from all qualifying developments to ensure funds are available to cover the cost of new infrastructure, required to enable development and to help give clarity to developers on what they will be required to contribute as part of a development. If CIL is adopted by the Council, developers will be liable to pay a compulsory levy which is charged on a scale of rates based on viability testing. The aim is to raise funds to pay for infrastructure but to also ensure development viability is not compromised – which is why a robust assessment of viability needs to be undertaken at the outset to inform the development of a CIL Charging Schedule. Unlike section 106, CIL is non-negotiable, so applying and collecting it is purely an administrative process.
- 3.4 The levy takes effect through a Charging Schedule which sets out the rate (or rates) of the charge. It must pass through two rounds of public consultation before being subjected to independent examination. The Charging Schedule itself is a simple document, but it relies on two important pieces of evidence – infrastructure planning and a viability assessment of the impact of the proposed rate of CIL on development in the Local Authority's area.
- 3.5 Nationally there are now 5 Authorities who have started charging a CIL after having their charging schedule approved by an Inspector. There are in the region of 20 Authorities who are currently in the process of developing CIL with some awaiting examination and some in the process of developing a charging schedule. The timescales involved from evidence gathering through to adoption have varied depending on the complexity of the charging schedule and range between one and two years. The less complex the charging schedule the less evidence that is needed to back up the rates set. However if varying rates have been set (for example, different rates in different market areas) more evidence is required by an Inspector.
- 3.6 The table below shows the levels of charge per type of development and what types of development have been exempt from paying the levy. It is important to note that certain markets have far more scope to set a higher levy due to the viability of schemes, especially in the London area.



Table 1 – Information on currently adopted CIL Charging Schedules

Area	Commenced Charging	Residential Charges	Retail / Commercial Charges	Other Charges
Newark and Sherwood	1 <sup>st</sup> December 2011	Six Zones, with rates ranging from £0 to £75 per square metre	Retail charged between £100 and £125/sq m; Industrial between £0 and £20/sq m; Offices exempt	Hotels, leisure, residential institutions and community/institutional uses exempt
Shropshire	1 <sup>st</sup> January 2012	Either £40 or £80 per square metre	Nil rate for commercial, employment and retail developments	Nil rate for hotels, residential institutions, assembly and leisure
London Borough of Redbridge	1 <sup>st</sup> January 2012	Flat rate of £70 per square metre for all uses	Flat rate of £70 per square metre for all uses	Flat rate of £70 per square metre for all uses
London Mayoral (crossrail) CIL	1 <sup>st</sup> April 2012	Three charging Bands, with rates of £20, £35 and £50 per square metre	Three charging Bands, with rates of £20, £35 and £50 per square metre	Medical and Health Service developments are exempt, as are school, college and higher education developments
Portsmouth City Council	1 <sup>st</sup> April 2012	£105 per square metre	Retail between £53 and £105 per sq m while offices and industrial developments are exempt	Hotels and residential institutions charged at £53/sq m, while community uses are exempt

(It should be noted that these figures would render development in Hartlepool unviable and if CIL is introduced charges would be substantially lower per square metre to ensure viability of schemes).

- 3.7 When developing a CIL, rates should be based on evidence of infrastructure needed. CIL is calculated on the net increase in gross internal floor area (GIA). The charging Authority can identify indicative infrastructure projects and the gap in the funding of these projects to calculate the aggregate funding gap the levy is intended to address. This needs to be balanced against viability and, in reality, it is likely viability will set the level. As infrastructure needs need to be costed to help identify the gap in funding, it

will be necessary for Hartlepool Borough Council to do some further work internally to cost up the infrastructure identified in the Local Infrastructure Plan (LIP) and to highlight where other sources of funding currently exist towards certain elements of infrastructure identified within the LIP. In order for this to be done successfully, it will be important that a range of departments and teams are involved where necessary.

- 3.8 An unappreciated advantage of CIL is that it will improve development management performance. A big reason for major planning applications missing their 13 week decision-making target had been the time consuming negotiations over section 106 obligations. Under CIL section 106 agreements are still needed for affordable housing (and potentially site specific requirements) but for most other purposes they are a thing of the past. CIL will not hold up the planning application assessment at all.

#### **4. NEED FOR VIABILITY TESTING**

- 4.1 External consultants are proposed to be appointed to carry out an initial assessment of viability for all types of development (residential, industrial, retail etc) in the different geographical areas of the Borough. The viability testing will illustrate which types of new development would be able to sustain a levy and which would not. External consultants will ensure that there is an independent view taken which will inform the development of the CIL and is an approach which has been used by other authorities in the development of CIL to ensure their approach is seen as robust and sound.
- 4.2 If it is shown that there are certain types of development which could sustain the levy then it would be appropriate to look to implement CIL. It is inevitable that a levy rate will put some development at risk, however the aim should be to strike a balance between setting a rate that does not put at risk overall development but also provides enough funds to enable key infrastructure projects to be built.
- 4.3 For residential developments, viability analysis will need to consider whether there are any areas in the Borough where it is not viable to charge CIL or whether we simply charge on all residential developments. We need to consider the fine line between bringing forward development and making it unviable by charging CIL. Redcar & Cleveland in their draft charging schedule are only making the charge in high value residential areas and have mapped these areas within an appendix to the work. Redcar and Cleveland Borough Council were selected to take part in the Community Infrastructure Levy Front Runner project in June 2011 and are committed to go through the process to develop a CIL.
- 4.4 Viability analysis will also need to be carried out on non-residential development. Within the work that Redcar & Cleveland have carried out this analysis concluded that the majority of non-residential development is not viable and unable to support a CIL charge. The only types that were found to be viable were retail developments, in particular convenience retail and

also commercial and industrial developments in South Tees. Viability testing is necessary on non-residential development to ascertain which types of development are able to sustain the levy within Hartlepool.

## **5. NEXT STEPS**

- 5.1 If, following this viability testing, it is shown that there is scope to charge the CIL levy on particular types of development; we would seek Cabinet approval to proceed with the development of a CIL charging schedule. The development of the charging schedule would enable us to illustrate the likely levels of CIL contributions which would be raised through the developments within the Core Strategy period which could be used to fund the infrastructure needs of the Borough. Further work will also be needed on the LIP in terms of indicative costs of infrastructure and to help prioritise the strategic infrastructure.
- 5.2 It is likely that it will take approximately one year from the time the viability work is completed to implement CIL. A more detailed timetable will be set out in the next report to Cabinet should it appear viable to implement CIL.

## **6. FINANCIAL CONSIDERATIONS**

- 6.1 There are costs associated with the appointment of external consultants to undertake the viability testing. These costs would be met through Departmental budgets. It is proposed that consultants who were previously used in 2010 to undertake viability testing in relation to affordable housing provision would be approached to undertake this piece of work. Through using these consultants financial savings maybe able to be made due to their knowledge of the town and previous background work which could be carried across into this study, however, to ensure we receive competitive costs for this piece of work it is proposed to approach other relevant consultants to compare prices. It is anticipated this work would cost between £10,000 and £15,000.

## **7. DECISION REQUIRED**

- 7.1 Cabinet is asked to:
- i) Approve the appointment of external consultants to undertake viability testing on a range of development types to illustrate whether it is viable to implement a CIL in Hartlepool.

## **8. BACKGROUND PAPERS**

- 8.1 There are no background papers.

**9. CONTACT OFFICER**

Dave Stubbs  
Director (Regeneration and Planning)  
Regeneration and Neighbourhoods  
Civic Centre  
Victoria Road  
Hartlepool  
TS24 8AY

Tel: 01429 523301

Email: [Dave.stubbs@hartlepool.gov.uk](mailto:Dave.stubbs@hartlepool.gov.uk)

# CABINET REPORT

25 June 2012



**Report of:** Chief Finance Officer

**Subject:** 2011/12 FINAL OUTTURN POSITION AND  
STATUTORY ACCOUNTS

## 1. TYPE OF DECISION/APPLICABLE CATEGORY

No decision – report for information only.

## 2. PURPOSE OF REPORT

- 2.1 To inform Cabinet of the 2011/12 final Outturn Position and to provide information on the Statutory Accounts.

## 3. BACKGROUND

- 3.1 As part of the Council's approach to preparing the 2012/13 budget details of action taken to manage the 2011/12 budget and the resulting forecast outturn were reported to Cabinet in October and December 2011 and February 2012. These reports were also referred to Scrutiny Coordinating Committee and the overall forecast position reported to full Council on 9<sup>th</sup> and 23<sup>rd</sup> February 2012.
- 3.2 A further update report was also considered by Cabinet in March 2012 and referred to Council on 12<sup>th</sup> April 2012, which outlined relatively minor changes to the previous forecasts including additional financial risks and where resources need to be carried forward to 2012/13 to fund specific rephased expenditure commitments. This report identified uncommitted funds of £0.319m which Council determined to allocate for Family Poverty initiatives.
- 3.3 The forecast outturn reports highlighted the one-off financial benefits in 2011/12 from the following factors:
- The positive action taken during 2011/12 to achieve planned 2012/13 savings early. This provided a one-off benefit in 2011/12 and also provided a more robust base for the 2012/13 budget as some of the required savings were implemented before the start of the new financial year, which reduces financial risk from delays in the achievement of planned savings built into the base budget for 2012/13;

- The robust action taken to manage expenditure, including holding posts vacant to help manage budget reductions needed in 2012/13 by either deleting vacant posts permanently, or by providing redeployment opportunities;
- Temporary savings in interest costs from the netting down of investments and borrowings to take advantage of prevailing 2011/12 interest rate structures and reduce investment counter party exposure. As reported previously this is a temporary benefit and will need managing carefully to ensure the Council locks into long term interest rates at the appropriate time to ensure this area does not become a budget pressure;
- The financial benefit to the Council's budget of the continuation of a freeze in local authority pay levels across all staff. The ongoing saving from pay freezes in April 2011 and April 2012 (the third successive year for local authority employees – fourth year for Chief Officer's) has been included in the base budget for 2012/13.

3.4 The previous reports also advised Members that the positive outturn enabled the Council to address a number of strategic financial risks by earmarking specific funding for these issues. If this funding had not been achieved from the 2011/12 outturn then additional cuts would have been needed in 2012/13 to fund the unavoidable commitments, including significant Housing Market Renewal commitments and redundancy / early retirement costs arising from budget cuts over the 3 years 2012/13 to 2014/15.

3.5 The outturn has also provided one-off funding to partly offset the removal of the 2012/13 Council Tax freeze grant in 2013/14 and funding to potentially provide transitional support to offset the Council Tax Benefit grant cuts next year, or to manage demand risks – which increases the Council's financial flexibility to manage these very difficult issues next year. Decisions on the use of these specific resources will need to be considered as part of the 2013/14 budget process and referred to full Council in February 2013 for a decision.

3.6 Previous reports also advised Members of the financial and service complexities of managing an overall revenue budget in the order of £211 million.

#### **4. FINAL 2011/12 OUTTURN POSITION**

4.1 Work to finalise the 2011/12 outturn position and to complete the Council's detailed statutory accounts is nearing completion. The draft statutory accounts need to be completed before the 30<sup>th</sup> June and will then be referred to the Audit Committee in early July.

4.2 In terms of the Council's financial position at the year end the final underspend is slightly higher than previously forecast by £0.306m ((£0.171m General Fund and £0.135m EIG). There have been no other changes to the

forecast outturns for 2011/12 previously reported and included in the MTFS report submitted to Council in February.

- 4.3 In accordance with the amendments made by Council to the Constitution regarding the final outturn the additional underspend of £0.306m has been transferred into the General Fund Reserve. Proposals for using this amount will need to be approved by full Council. It is suggested that any proposed use is considered as part of the 2013/14 budget process to enable any proposals to be considered in the context of the overall financial challenges facing the Council next year.

## 5.0 RECONCILIATION OF MANAGEMENT ACCOUNTS AND YEAR END STATUTORY ACCOUNTS

- 5.1 As reported in the previous outturn reports the outturn strategy was designed to manage financial risks and unavoidable commitments in 2012/13 and future financial years. This position was therefore reflected in the management accounts and the MTFS report. At the end of the financial year the Council is required to prepare statutory accounts which present this information in a defined format.
- 5.2 In relation to the links between the management accounts and the statutory accounts the key statement is the note showing 'Transfer to/from Earmarked Reserves'. Statutory accounting regulations define 'Earmarked Reserves' as revenue reserves, capital reserves and reserves held in trust (mainly schools reserves).
- 5.3 The Council's management accounts concentrate on revenue reserves as these are the resources directly controlled by the Council and available to management risks. The review of reserves completed during 2011/12 therefore excluded capital reserves, reserves held in trust and reserves already committed to support the 2011/12 budget and this needs to be the starting position for reconciling the statutory accounts and management accounts, as detailed in the following table:

Table 1 - Value of Council's Revenue Reserves

	Balance at 31 March 2011 £'000	Transfer in/(out) of reserves £'000	Balance at 31 March 2012 £'000
Total Reserves (as per 2011/12 Statement of Accounts)	39,024	10,965	49,989
<u>Less - Reserves held in trust and capital reserves</u>			
Schools Balances	5,854	3,082	8,936
Earmarked Capital Reserves	7,546	(931)	6,615
Civic Lottery Reserve	417	9	426
Museums Acquisitions	66	3	69
Value of Council's Revenue Reserves	25,141	8,802	33,943

- 5.4 In summary the transfer into reserves identified in the statutory accounts and reflected in the above table reflect the year end accounting treatment of the issues approved in the MTFS previously reported to Members. The following table reconciles the statutory and management accounts and reflects the issues previously approved in the MTFS.

Reserve	£'000
Total change in reserves reported in Statutory Accounts	8,802
<b>LESS – issues reported in the MTFS reports:</b>	
Strategic One-off Costs Reserve – approved in February 2012 as part MTFS (para 5.6)	(4,066)
Specific one-off commitments identified in MTFS and to be incurred in 2012/13 (para 5.7)	(683)
Rephased income/income risks/specific commitments reported to Council 12.04.12 (para 5.8)	(550)
Earmarked for Family Poverty initiatives as approved by Council 12.04.12 (para 5.8)	(319)
Income in advance – mainly from Department for Health and PCT (para 5.9)	(1,233)
Repayment of Insurance Fund from Transitional Grant (para 5.10)	(1,470)
Changes in other reserves (para 5.10)	(175)
<b>Final Underspend – transferred to General Fund Reserve in accordance with changes approved by full Council on use of final outturn (para 4.2)</b>	<b>306</b>

- 5.5 The following paragraphs provide a detail commentary on the issues detailed in the above table and reflect information previously reported to Cabinet and Council in the MTFS report.
- 5.6 At the time the MTFS was approved in February 2012 the budget report provided a consolidated summary of the previous outturn forecasts submitted in October and December 2011 and February 2012. These reports had identified a gross managed underspend for 2012/13 of £5.186m and also identified specific expenditure commitments of £1.120m covering a range of issues (the most significant issues related to income shortfalls driven by the recession in relation to Building Control, Development Control, land charges, car parking and shopping centre income). As these additional commitments covered more than one financial year the MTFS concentrated on the net uncommitted underspend of £4.066m (i.e. £5.186m less £1.120m) to enable Members to consider proposals for earmarking the available uncommitted funding for strategic financial risks. Council approved proposals to earmark this funding for the following strategic issues:



	£'000
Strategic One-off costs (Redundancy / Early Retirement and Housing Market Renewal costs)	1,980
Transitional Support to offset Council Tax Benefit cuts	1,197
Support to offset removal 12/13 Council Tax freeze grant in 13/14	727
Contribution to Members Ward Issues budget	83
Works in Default Empty Homes	50
Allocated to fund initial 2012/13 Budget Deficit	29
	4,066

- 5.7 Actual spending in 2011/12 against the specific expenditure commitments of £1.12m have now been identified as part of the 2011/12 closure process and some of the reserves have been partly committed in 2011/12 to meet agreed expenditure commitments. For example the partial use of the specific reserve earmarked for Building Control / Development control over the two years 2011/12 and 2012/13. Whilst, use of these reserves in 2011/12 reduces the value of the specific reserves held at 31<sup>st</sup> March 2012, there is also a corresponding decrease in outstanding commitments previously identified. Therefore, in overall terms these phasing issues do not impact on the financial position reported in the MTFS in February. This review has identified that £0.683m will be carried forward to 2012/13 to manage these ongoing risks. At this stage it is not known if this one-off funding is sufficient and this position will be monitored as part of the regular financial management arrangements during 2012/13 and reported to Members.
- 5.8 The decisions reached in the MTFS reflected the forecast outturns based on expenditure and income patterns for the first nine months of the year. Following approval of the MTFS a further review of expenditure and income patterns was completed in February and a further outturn forecast reported to Cabinet and Council. This report identified a range of issues where income had been received earlier than expected, or was higher than normal owing to increased workloads for Neighbourhood Services. In addition, some minor additional managed underspends and one off expenditure commitments were identified for 2012/13. It was therefore recommended that these resources should be carried forward to either fund rephased expenditure and additional one off commitments or to manage income volatility risks in 2012/13. In total these issues amounted to £0.55m of resources to carry forward at the 31 March 2012. After reflecting these commitments there was an uncommitted additional underspend of £0.319m (£0.177m from the General Fund and £0.142m from the Early Intervention Grant) which full Council determined to earmark for Family Poverty initiatives.
- 5.9 As reported previously in the MTFS report the outturn position also includes the receipt of income in advance from external providers, particularly the notification at the year end of one-off funding allocations from the Department of Health and PCT. These resources fund one off commitments in 2012/13 and in accounting terms are reflected in the outturn for the year. These contributions total £1.233m and this is now reflected in the 2011/12 contribution to reserves.

- 5.10 There have also been changes in other reserves. The main change relates to year end accounting treatment of the repayment of the loan to the Insurance Fund which was temporarily used to fund redundancy and earlier retirement costs pending the receipt of the Transitional Grant income of £1.470m. The unused balance of the Transitional Grant of £0.308m has been transferred to the General Fund reserve as previously agreed by Council. There has also been a change of £175,000 in other reserves owing to the rephased use of reserves approved in previous years, which have been carried forward to meet expenditure commitments which have slipped into 2012/13.

## **6. CONCLUSION**

- 6.1 The report completes the financial reporting process for 2011/12 and confirms there have been no significant changes in the forecast outturns reported during 2011/12 to Cabinet, Scrutiny Coordinating Committee and Council.
- 6.2 The report provides a summary of the robust action taken during 2011/12 to manage the overall budget of £211m and the specific reserves created from the 2011/12 outturn. These proposals were included in the MTFS approved by Council in February and enable the authority to manage significant financial risks:
- earmarking resources for one-off redundancy / earlier retirement costs over the period 2012/13 to 2014/15;
  - Housing Market Renewal commitments – following the withdrawal of funding to complete existing schemes;
  - Council Tax Benefits changes and a 10% funding cut;
  - The withdrawal of the 2012/13 one-year Council Tax freeze grant in 2013/14.
- 6.3 If these one-off resources had not been available from the actions taken during 2011/12 the Council would need to make greater cuts in services to release funding for these unavoidable commitments.
- 6.4 The final outturn is slightly higher than forecast by £0.306m. In accordance with the amendments made by Council regarding the final outturn the additional underspend of £0.306m has been transferred into the General Fund Reserve. Proposals for using this amount will need to be approved by full Council. It is suggested that any proposed use is considered as part of the 2013/14 budget process to enable any proposals to be considered in the context of the overall financial challenges facing the Council next year.
- 6.5 The report also provides details of how the previously reported outturn position for 2011/12 is reflected in the year end Statutory Accounts. This information simply provides a reconciliation of the Council's management accounts and year end Statutory Accounts.

**7. RECOMMENDATIONS**

- 7.1 It is recommended that Cabinet note the report and also note the report will be referred to Scrutiny Coordinating Committee to complete the 2011/12 financial reporting arrangements.

**8. REASONS FOR RECOMMENDATIONS**

- 8.1 To provide details of the final outturn for information.

**9. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE**

- 9.1 None

**10. BACKGROUND PAPERS**

- 101 Medium Term Financial Strategy report referred to Council 9<sup>th</sup> and 23<sup>rd</sup> February 2012.

**11. CONTACT OFFICER**

- 11.1 Chris Little (Chief Finance Officer)



**Report of:** Chief Finance Officer

**Subject:** SOCIAL FUND LOCALISATION

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**1. TYPE OF DECISION / APPLICABLE CATEGORY**

1.1 Non key decision.

**2. PURPOSE OF REPORT**

2.1 This report provides details of a new responsibility that is being devolved by central government to local authorities in April 2013, the Discretionary Social Fund and sets out the risks, the progress on a sub regional response and a potential Hartlepool Delivery Model.

**3. BACKGROUND**

3.1 The Social Fund introduced by government in 1998 has two components, Department for Works and Pensions (DWP) payments made according to regulations e.g. winter fuel payments and cold weather payments and DWP Discretionary Social Fund payments.

3.2 This report concentrates on the government's reform of the Discretionary Social Fund which comprises:

- Community Care Grants (CCG's)
- Crisis loans
- Alignment Crisis Loan Payments
- Budgeting Loans

Each of these payments has a distinct purpose and eligibility criteria and all are currently administered by the DWP.

3.3 The December 2010 White Paper "Universal Credit: welfare that works", set out amongst other changes the government's plans for reform of the discretionary payment arrangements. The changes which are scheduled to be implemented from April 2013 will result in the abolition of the current system of discretionary payments. In their place will be a new system of local authority administered support that will

replace Community Care Grants and Crisis Loans for general living expenses. The DWP will retain responsibility for a new advance of benefit facility that will replace alignment crisis loans and budgeting loans.

- 3.4 The DWP has been changing its service delivery model moving from locally based offices that offered a face to face service and processed and maintained benefit claims on site, to remote processing and telephony centres with a minimal level of contact locally. The remote administration of the benefits system has led to criticisms about the quality of decision making and poor targeting of support using discretionary fund payments and high volumes of decisions that are being reviewed and overturned by an Independent Review Service. The government's reforms, with a new role for local authorities, intended to facilitate a more responsive, better targeted and relevant service.

#### **4. COMMUNITY CARE GRANTS AND CRISIS LOANS**

- 4.1 Community Care Grants are non repayable awards made to people in receipt of means tested income benefits, to move back to or stay in the community, to ease exceptional pressures or for certain travel expenses. As such, these grants are a form of community financial support rather than community care. The Welfare Reform Act 2009 allowed applicants to receive goods and services rather than cash awards.
- 4.2 Crisis Loans are interest free loans for people facing an unforeseen emergency or disaster, where they have no other funds and where they would otherwise face serious damage or serious risk to their health and safety. Crisis loans are technically available to anyone, whether receiving welfare benefits or not, however it is understood that relatively few applications are made by those not on welfare benefits.
- 4.3 The government have indicated that they do not expect local authorities to replicate existing arrangements and have inferred that loans should not be a feature of the new system. The government are not being prescriptive about delivery arrangements, however it is likely that the Secretary of State will write to local authorities setting out the government's policy expectations from the transfer of responsibilities.

#### **5. FUTURE FUNDING ARRANGEMENTS**

- 5.1 The DWP have indicated that funding allocations to local authorities for 2013/14 will be based on actual DWP spend in 2012/13 within individual local authority areas. The 2012/13 national DWP budget for Community Care Grants and Crisis Loans is £178m. The DWP are unwilling to confirm what allocations will be for 2013/14, or confirm

whether additional funding will be provided should demand pressures lead to actual expenditure in 2012/13 exceeding the DWP budget. For planning purposes it is prudent to assume, on the basis of recent DWP workshops, that allocations will be based on the £178m control total.

- 5.2 The grant allocation will be un-ringfenced, albeit local authorities will be asked to provide feedback details of their arrangements as part of spread of good practice. Accountability monitoring will therefore be light touch in 2013/14 however detailed on site reviews at about 50 councils will take place in 2014/15.
- 5.3 The DWP have stated that data on their actual levels of spend quarter by quarter in 2012/13 for each local authority will be published to assist local authorities in their financial planning arrangements. Latest available DWP data relates to 2011/12 covers only 2 quarters and for Hartlepool is set out below:

**Hartlepool Discretionary Social Fund Payments  
April – September 2011/12**

	No. of Applications	No. of Awards	Arithmetic Average Award	Total Spend
Crisis Loans	2,090	1,520	£56.84	£86,400
Community Care Grants	990	450	£439.11	£197,600
			<b>TOTAL</b>	<b>£284,000</b>

**Source DWP**

This data would suggest a 2013/14 Local Social Fund allocation for Hartlepool of between £500,000 and £600,000. This is expected to be a cash limited grant.

- 5.4 Local authorities will receive a separate funding allocation for administration of the new arrangements, albeit no details are available at this stage. The DWP have stated that the total amount local authorities receive will be equivalent to that sum defunded from DWP administration budgets. It is therefore unlikely that the admin allocation will be generous and no information is available regarding re-imbursing councils for any design and set up costs that they will incur. For planning purposes, following a recent DWP workshop, it is prudent to assume administration allocations will be about 10% of the value of the payments grant allocation.

## **6. RISKS**

- 6.1 Localisation of the Discretionary Social Fund creates a number of financial and reputational risks for the Council. Currently funding for

Community Care Grants and Crisis Loans within central government is demand led, however the council will be issued with a cash limited allocation within which to administer its new arrangements. It is also likely that the impact of the wider Welfare Reforms, including the introduction of Universal Credit from Oct 2013 will increase the volumes of applications for help in the future. Robust approval criteria and budget management arrangements will be necessary to avoid any overspend which would transfer to the general fund budget. Also there remains a risk that the administration allocations will be insufficient, which may require a compensatory “top slice” from the annual social fund payments grant allocation to avoid any pressure on the general fund budget.

- 6.2 A latent concern is the lack of clarity regarding aspects of on-going funding in the short to medium term. The DWP have not clarified whether an inflationary addition will be made to the local authority social fund grant and administration allowances in the years 2014/15 onwards. In addition, there is a risk that as part of the next comprehensive spending review and planned changes to the formula grant system, that these specific grants are transferred into the formula grant. This could result in this funding being cut at the same rate as cuts in the core grant, which are likely to continue having a disproportionate impact on deprived councils
- 6.3 Reputationally, applicants to the local authority Social Fund who are refused will in future view the refusal as a refusal by the local authority rather than by central government. In defining its local arrangements, the Council will also need to ensure that decisions are fair and impartial and that there are protocols for reconsideration or review of determinations made.

## **7. POTENTIAL HBC DELIVERY MODEL**

- 7.1 The Council's Benefits and Awards Service currently administers Housing and Council Tax Benefit and Free School Meals. In addition, the Benefits Service also manages a Discretionary Housing Payment (DHP) budget on behalf of the DWP, to provide additional “top up” support with housing and council tax costs. The current DHP arrangements involve financial evaluations of an individual's circumstances, appropriate challenge and validation checks including accessing DWP systems to provide an informed basis for decision making.
- 7.2 The existing DHP arrangements have much in common with the new Discretionary Social Fund responsibilities. A sub regional officer group has been formed to work together to share knowledge and expertise and consider the opportunity to adopt common eligibility criteria and common systems and arrangements. At this stage, the consensus at a recent DWP North East and Yorkshire workshop was that councils are most likely to place the discretionary social fund responsibility with their

benefits services where the cumulative knowledge and expertise lies, where officers have authenticated access to DWP systems and where benefits practitioners can also advise on other types of financial support when individuals present themselves with a need for urgent assistance.

- 7.3 Where goods are provided as an alternative to a cash payment as part of future arrangements, the Tees Valley authorities are currently evaluating the use of a third sector charitable organisation, Family Fund Trading (FFT) to provide a payment card facility for social fund recipients which can be used to buy specific types of goods at nominated retailers eg. Comet, Argos etc. Under this system, Council's would use an FFT Procurement Portal to place a request for a payment card to be issued (for specific items and for a specific value) to the social fund receiver who will retain individual choice of brand but will only be able to use the card for the designated specific type of item eg. cooker, fridge etc. The nominated retailers will provide point of sale data to the council to confirm the nature of each individual purchase using the payment card and a VAT invoice will be provided to allow the Council to recover the VAT.
- 7.4 FFT have negotiated discounts with their national select list of retailers and they top slice part of this volume discount to cover their administration costs and pass the remainder of the discount on any purchase made back to the council as a rebate, typically 5%. Adoption of the FFT Procurement Portal also provides access to a range of management information reports. FFT deliver grant giving services on behalf of the four UK governments and are considered a trusted brand with over 40 years experience.
- 7.5 As an alternative to FFT, the North East Purchasing Organisation (NEPO) in conjunction with the Tees Valley authorities is developing a Social Fund procurement framework that could be used to consolidate the forecast purchasing requirements of councils to secure the highest level of discounts and best value from suppliers for items such as fridges, cookers, washers, beds etc. Social Fund support delivery arrangements are currently at the formative stage of development but also under consideration is the potential to electronically load credit directly onto an applicants prepayment card / key for electricity and gas and working closely with a third sector charity to potentially establish emergency food help arrangements within the Tees Valley.
- 7.6 In developing its arrangements, the Council will need to ensure an integrated framework that co-ordinates with financial assistance provided to families by the Council under Section 17 of the Children Act 1989, and explore the potential of the Council's future Furniture Solutions project. Effective coordination, information sharing and sign posting, will assist in ensuring maximum value and effectiveness.



**8. CONCLUSION**

- 8.1 The Coalition Government has made Welfare Reform a key priority and set out its plans, including reform of the Social Fund in a White Paper in December 2010. The government have formed a view that localisation of some Discretionary Social Fund responsibilities with local authorities will provide a more timely and better targeted service than the current remote DWP telephone service. This view is predicated on a recognition that local authorities through their local knowledge, broad responsibilities and experience of benefits administration, better understand their local community, what is required to support local people and can work effectively in partnership to deliver successor schemes to Community Care Grants and Crisis Loans.
- 8.2 The council will need to develop and agree its delivery model for the new social fund responsibilities, develop an implementation plan including testing the effectiveness of the new processes in advance of April 2013 to ensure a seamless introduction of the new responsibility and the continued availability of important financial support. The timescales are challenging, especially in the context of the need for the Council to respond to other welfare reforms, notably the requirement to have a local Council Tax Support scheme in place also by April 2013.
- 8.3 A fundamental issue remains the financial risks to the Council associated with delivering a demand led service within a cash limited allocation from the DWP, particularly as demand for discretionary support may increase as other welfare reforms are implemented. A key element of the Council's future management arrangements for Social Fund responsibilities will be the need for robust approval criteria, sound budgetary control and demand profiling to avoid a potential future general fund budget pressure.

**9. RECOMMENDATION**

- 9.1 Cabinet note the report.

**10. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ONLINE**

- 10.1 None.

**11. BACKGROUND PAPERS**

- 11.1 None.

**12. CONTACT OFFICER**

- 12.1 John Morton

Assistant Chief Finance Officer  
[John.morton@hartlepool.gov.uk](mailto:John.morton@hartlepool.gov.uk)