

# NEIGHBOURHOODS AND REGULATORY SERVICES COMMITTEE

## AGENDA



**Monday 8 December 2025**

**at 2.00 pm**

**in the Council Chamber,  
Civic Centre, Hartlepool**

MEMBERS: NEIGHBOURHOODS AND REGULATORY SERVICES COMMITTEE

Councillors Boddy, Dunbar, Little, Jorgeson, Riddle (C), Napper, C Wallace (VC)

Parish Council Co-opted Members:

S Smith (Greatham Parish Council)

L Noble (Dalton Piercy Parish Council)

**1. APOLOGIES FOR ABSENCE**

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

**3. MINUTES**

- 3.1 To receive the Minutes and Decision Record of the meeting held on 10 November 2025 (*previously circulated*).

**4. BUDGET AND POLICY FRAMEWORK ITEMS**

- 4.1 Medium Term Financial Plan (MTPF) 2026/27 to 2029/30 – *Director of Finance, IT and Digital and Director of Neighbourhoods and Regulatory Services*

**CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE**

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

**5. KEY DECISIONS**

- 5.1 A19/Elwick Road/North Lane Junction and Elwick Northern Bypass/Hartlepool Western Link Project Compulsory Purchase Order (CPO), Side Roads Orders (SROs) and Slip Roads Order (SLRO) – *Director for Neighbourhood and Regulatory Services*

**6. OTHER ITEMS REQUIRING DECISION**

None.

**7. ITEMS FOR INFORMATION**

None.

**8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

FOR INFORMATION

Date of next meeting on Monday 26 January 2026 at 2.00pm in the Civic Centre, Hartlepool.



# NEIGHBOURHOODS AND REGULATORY SERVICES COMMITTEE

8<sup>th</sup> December 2025



**Report of:** Director of Finance, IT & Digital and  
Director of Neighbourhoods and Regulatory Services

**Subject:** MEDIUM TERM FINANCIAL PLAN (MTFP) 2026/27  
TO 2029/30

**Decision Type:** Budget and Policy Framework

## 1. COUNCIL PLAN PRIORITY

<b>Hartlepool will be a place:</b>
- where people live healthier, safe and independent lives. (People)
- that is connected, sustainable, clean and green. (Place)
- that is welcoming with an inclusive and growing economy providing opportunities for all. (Potential)
- a place with a Council that is ambitious, fit for purpose and reflects the diversity of its community. (Organisation)

## 2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to provide an update on the MTFP and to enable the Committee to scrutinise / comment on the savings proposals referred from the Finance and Corporate Affairs Committee.

## 3. BACKGROUND

- 3.1 Comprehensive MTFP reports have been considered by Finance and Corporate Affairs Committee on 23<sup>rd</sup> June 2025 and the latest report on 24<sup>th</sup> November 2025, this is attached at **Annex A**. A number of key issues were highlighted within these reports, which are briefly summarised in the following paragraphs.

- 3.2 All councils continue to face significant financial challenges owing to the impact of inflation and demand on services, and historic inadequate increases in government funding over recent decades to meet these challenges. In addition, Hartlepool and other many other northern council's continue to face acute financial pressures within childrens social care. These issues are the key drivers of the budget deficit facing the Council.
- 3.3 The government's Fair Funding reforms (Fair Funding 2.0) will update grant funding distribution methods and reset the business rates system for local authorities for the 2026/27 financial year. 2026/27 will be the first year of a 3 year funding settlement. A number of consultations with the sector have taken place during 2025, to inform the direction of these long awaited funding reforms.
- 3.4 In terms of funding movements from Fair Funding 2.0, indications are that based on the current interpretation of the changes Hartlepool would be a modest beneficiary, but not to the level a deprived northern town would have expected from a Fair Funding reform package. In part, the increase in funding in 2025/26, particularly through the provision of the recovery grant has resulted in a lower increase for 2026/27. Government are expected to release local authority level allocations, for the 3 year period, late in December.
- 3.5 As outlined in the MTFP report to Finance and Corporate Affairs Committee in November, the Council has a forecast budget deficit (before savings) of £8.572m for 2026/27 and £20.591m over the full MTFP period.
- 3.6 As in previous years addressing the deficit needs to be managed through budget saving actions and limited use of reserves where deemed necessary. As members will be aware the use of reserves to support the budget position is not sustainable, so must be done in a managed way where needed, to provide time for savings to be delivered or for service transformation to embed.
- 3.7 With regards savings, proposals totalling £4.117m have been proposed for 2026/27, with an additional £0.383m of savings reflected in the Council Tax Base position.
- 3.8 The acceptance of the proposals for 2026/27 would leave a remaining budget gap of £4.300m. At this stage based on the current position presented, it is unlikely that the budget can be signed off as robust, given the requirement to utilise significant reserves, cognisant of the risk around budget volatility and increasing cost pressures facing the council. The increase and sustained nature of social care pressures are a particular concern, including that no growth beyond current years pressures is allowed for in 2026/27, whilst additionally a challenging savings target has been set. To achieve a robust budget the following will be required:
- Significant increased government funding flows from Fair Funding 2.0 and the Local Government Finance Settlement beyond those already forecast; and/or
  - Further significant budget savings or cuts to budgets are agreed; and/or



- Council Tax is increased in 2026/27.

#### 4. ISSUES TO BE CONSIDERED BY POLICY COMMITTEES

- 4.1 Finance and Corporate Affairs Committee is seeking comments on the savings proposals, which are summarised by committee in the table below.
- 4.2 Details of the individual savings provided in **Appendix B**.

	2026/27 £m	2027/28 £m	Total £m
Adults Services and Public Health	(0.664)	(0.214)	(0.878)
Childrens Services	(3.000)	0.000	(3.000)
Neighbourhoods and Regulatory Services	(0.100)	TBC	(0.100)
Finance and Corporate Affairs *	(0.140)	0	(0.140)
All (linked to Fees and Charges Review)	(0.213)	(0.061)	(0.274)
<b>TOTAL SAVINGS</b>	<b>(4.117)</b>	<b>(0.275)</b>	<b>(4.392)</b>

\* Transformation Savings total adjusted downwards by £0.383m given element achieved through council tax base improvements.

#### 5. RECOMMENDATIONS

- 5.1 As requested by Finance and Corporate Affairs Committee, the Committee is requested to consider the recommended savings proposals detailed in **Appendix B** relating to the services within this Committees portfolio and provide any comments to be reported back to Finance and Corporate Affairs Committee on 19<sup>th</sup> January 2026, including suggesting alternative proposals if Members do not wish to implement these proposals.

#### 6. REASON FOR RECOMMENDATIONS

- 6.1 To fulfil the requirement of the Council's Constitution to seek Policy Committee input on proposed savings.

#### 7. BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

- Finance and Policy Committee – Medium Term Financial Plan (MTFP) 2026/27 to 2028/29 – 23<sup>rd</sup> June 2025.
- Finance and Policy Committee – Medium Term Financial Plan (MTFP) 2026/27 to 2028/29 - 24<sup>th</sup> November 2025.

**8. CONTACT OFFICER**

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Sign Off:-

Managing Director	Date: 18/11/2025
Director of Finance, IT and Digital	Date: 18/11/2025
Director of Legal, Governance and HR	Date: 18/11/2025

# FINANCE AND CORPORATE AFFAIRS COMMITTEE

24<sup>th</sup> November 2025



**Subject:** MEDIUM TERM FINANCIAL PLAN (MTFP)  
2026/27 TO 2029/30

**Report of:** Director of Finance, IT and Digital

**Decision Type:** Budget and Policy Framework

## 1. COUNCIL PLAN PRIORITY

<b>Hartlepool will be a place:</b>
- where people live healthier, safe and independent lives. (People)
- that is connected, sustainable, clean and green. (Place)
- that is welcoming with an inclusive and growing economy providing opportunities for all. (Potential)
- a place with a Council that is ambitious, fit for purpose and reflects the diversity of its community. (Organisation)

## 2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to provide an update on the Council's financial position, the government's Fair Funding reforms and to approve the budget savings proposals to be referred to individual Policy Committees.

## 3. BACKGROUND

- 3.1 A comprehensive MTFP update report was presented to the Finance and Corporate Affairs Committee at its meeting in June 2025. The MTFP does not stand still and continuously evolves based on latest information, intelligence, government funding changes and changing circumstances, including the current financial year's forecast budget outturn.

- 3.2 The updated MTFP covers the four financial years 2026/27 to 2029/30. However, in consideration of the position over this period, it is important to recognise that the Council needs to be financially sustainable beyond this 4 year period. Decisions taken should also reflect the position beyond the medium term and into the longer term.
- 3.3 With regards the government's funding reforms, now referred to as 'Fair Funding 2.0', these are currently moving slower than initially indicated. Changes to the Secretary of State for the Ministry for Housing, Culture and Local Government (MHCLG) and the wider ministerial team, alongside significant lobbying on the proposed reforms has delayed the process timescales. Initial indications were that the Local Government Finance Policy Statement would be released in October and the full Provisional Local Government Finance Settlement by late November or early December. Current indications are that the Policy Statement will be released mid to late November and the Provisional settlement in week commencing 15<sup>th</sup> December. The delay in the release of information, on what will be a 3 year funding settlement, continues to hinder budget planning. Further details of the funding reforms consultation and the estimated impact for Hartlepool are included within section 5 of this report.
- 3.4 In addition to the specific local government announcements, the Chancellor will deliver her Autumn budget on the 26<sup>th</sup> November, which is later than in recent years. Speculation of a likely productivity forecast downgrade by the Office for Budget Responsibility (OBR) is placing further pressure on government finances, with tax increases and spending cuts a possibility in the budget statement. In addition to general tax and spending plans, the Autumn Budget is likely to provide further announcements on areas that impact the Council's budget, for example increases to the National Living Wage from April 2026.
- 3.5 At short notice, the Chancellor delivered a pre-budget statement to the nation on the 4<sup>th</sup> November. In the address the chancellor emphasised the need to responsibly manage the public finances and noted the government's priorities as being: cutting NHS waiting lists, national debt and the cost of living, but not through a return to austerity. Tax increases remain the likely option for the Chancellor to improve the fiscal position, but in response to questions on this, she advised the details of the budget would be provided on the 26<sup>th</sup> November, but she will "do what is right, not popular".

#### **4. BUDGET PRESSURES**

- 4.1 The Council must plan for a range of spending pressures and commitments in setting its budget over the MTFP period. Following the comprehensive update provided to members in June, the forecasts in the table below have been updated where necessary, and commentary on the areas of change provided in the subsequent paragraphs. A number of these changes are in response to additional cost pressures arising during

2025/26, driving a significant forecast overspend, as well as additional pressures forecast from April 2026.

	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m	Total £m
<b>Spending Pressures</b>					
Pay and Price Inflation	6.868	4.118	5.270	4.392	20.649
Children's Social Care	6.000	3.120	2.182	1.726	13.028
Waste Disposal	0.500	0.000	0.000	0.500	1.000
Capital Financing	0.000	0.500	0.500	0.500	1.500
Supported Accommodation	0.250	0.255	0.260	0.265	1.030
<b>Total Spending Pressures</b>	<b>13.618</b>	<b>7.993</b>	<b>8.212</b>	<b>7.383</b>	<b>37.207</b>

### **Pay and Price - Pay Award Inflation**

- 4.2 The national pay award for 2025/26 was agreed during July. The agreed pay increase from April 2025 was 3.2% for all employees.
- 4.3 Given the persistence of pay growth in the wider economy, the MTFP continues to include a pay award assumption of 3% for each year. The inflation forecasts and associated pay assumptions in relation to 2026/27 and beyond will be kept under review throughout the budget setting process.

### **Pay and Price - General Price Inflation**

- 4.4 The Consumer Price Index (CPI) measure of inflation rose to 3.8% in July 2025 and has remained at this level in both August and September. This continued elevated inflation rate is nearly double the government's 2% target rate. The Bank of England continue to set their policy approach to support their objective of reducing inflation to their 2% target.
- 4.5 Inflation forecasts and general economic stability continues to be heavily caveated around the potentially volatile impacts of geopolitical factors, namely conflict in the Middle East, Ukraine/Russia conflict and the United States economic policy.
- 4.6 Given funding limitations and a focus on generating efficiencies, general inflation has been allowed for at 2% per year over the MTFP period. Bespoke inflation is included for contracts where specific inflation indices are used.

### **Pay and Price – Adult Social Care Contracts**

- 4.7 The net budget for packages of care is approximately £35m and annual increases to care home fees and home care rates are determined using an established formula. The annual inflation uplift is based on a range of factors and recent increases have been driven predominantly by increases in the National Living Wage (NLW) and the level of non-pay inflation.

- 4.8 The NLW currently stands at £12.21 an hour (April 2025). The Chancellor is likely to confirm the rate from April 2026 in her Autumn budget at the end of November. The independent body who advises the government on the NLW, are the Low Pay Commission (LPC). The LPCs latest projections for 2026/27 were issued in August 2025 and set out an increase to £12.71 from April 2026 (with a range of £12.55 to £12.86).
- 4.9 A prudent, but reasonable assessment of fee uplifts has been included within this MTFP update, this is increased from prior planning assumptions. This remains an area of risk until uplifts are agreed based on confirmed data. Effectively every 1% increase or decrease in fees has a c£0.350m impact on the budget position.

### **Pay and Price - Income**

- 4.10 Historically, for budget planning purposes it has been assumed that all discretionary fees and charges will increase in line with inflation each year. Given the council's financial position and the recent inflationary impact on the council's expenditure budgets, it is proposed to uplift discretionary fees and charges for 2026/27 by a minimum of 5%. Areas with existing income budget shortfalls will still action an increase in charges in April 2026 where appropriate, but prudently the overall income budget target will not be increased, allowing the price increase to address the existing gap.
- 4.11 Following a comprehensive review of fees and charges undertaken during the current year, increased fees and charges will be introduced in a number of areas, and further details are set out within the proposed savings later in the report.

### **Energy Inflation**

- 4.12 Recent years have seen unprecedented market volatility, driven by Covid-19, the Russia-Ukraine war, extreme weather patterns and geopolitical tensions, as well as the UK and Europe's ambitions to move to better security of supply and alternative generation types. This has created a monumental shift in what typical market activity looks like. This movement from traditional market norms has created a market that is very reactive and has the potential to move far more substantially in very short windows of time.
- 4.13 In response to this turbulence, the Council progressed a twofold strategy of increasing the revenue budget for anticipated long term prices, coupled with use of an energy reserve for the shorter term spike. This approach has served the Council well since 2022/23.
- 4.14 The Council purchases its energy via the regional North East Purchasing Organisation (NEPO), which has an agreed Risk and Purchasing Strategy in place to forward buy energy as deemed prudent.

- 4.15 Although energy community pricing is forecast to fall during 2026/27, non-energy costs are forecast to rise at a higher rate. These non-energy related cost rises are driven by the Transmission Network Use of System (TNUoS) tariff. The TNUoS tariff is supporting network upgrades to accommodate increased renewable generation assets and support greater national energy security.

### **Children's Social Care**

- 4.16 The budget pressures in this area continue to be of significant concern for our Council, and many across the region and country. Many areas of expenditure relating to children in our care are experiencing significant and on-going demand and inflationary pressures, these include; increasing numbers of children requiring external placements, independent foster agency (IFA) placements, Connected Care and Special Guardianship allowance payments as well as the associated staffing demands.
- 4.17 As part of the 2025/26 budget setting process additional specific resources of £6.9m were provided into Children's Social Care, given their unprecedented budget pressures. This is in addition to normal inflationary budget increases. Notwithstanding this significant budget increase the 2025/26 projected outturn for Children's Social Care is estimating an overspend of £6.195m.
- 4.18 The main reasons for the overspend continue to be the increase in the numbers and costs of children requiring external residential placements and the associated impacts on social work staffing workloads and budgets. This reflects the increasing complexity of children's needs and the significant fees being charged by the external care market. Overall Hartlepool's Children in Care numbers per 10,000 children, continue to be above regional and national averages. This is because of a number of factors including high levels of poverty.
- 4.19 Between the end of quarters 1 and 2 of 2025/26 financial year there was an increase in the number of children in our care (CiOC), from 345 to 352, and inherent within this an increase in placements required to be made with external providers in order to meet the individual needs of the young people coming into care.
- 4.20 With regard to external provider placement pressures, the current top 25 highest cost external placements are costing in the region of £230,000 per week, which equates to c£12m per year. The average cost of the current 49 external placements is £7,010 per week, with a range of £3,900 to £23,290 per week. There are currently 6 placements in excess of £10,000 per week which is as a result of the complexities of their bespoke needs.
- 4.21 As noted above, CiOC numbers are beginning to increase overall, albeit at a relatively small percentage. Within the overall numbers quoted for CiOC it is important to note that this is not a fixed cohort of children. Some

children positively return home, and some children move into special guardianship order (SGO) or child arrangement order (CAO) arrangements. These SGO and CAO arrangements, although no longer classified as within our care, still retain financial support payments from the Council. This is another area of budget pressure.

- 4.22 To mitigate these cost pressures, 6 key strands of activity are progressing and are being overseen by Senior Management. The activity strands are focused around: edge of care support, prevention and early help, fostering and placement planning, reunification, care leavers support and corporate parenting.
- 4.23 The Council is in the process of opening a new in-house children's home with the possibility of further new homes in the future. In addition, the council is working with a local charity in their development of a children's home in the town, providing more local, lower cost capacity. Both developments will help reduce our exposure to the significant fees being charged by the external care market.
- 4.24 The Council is considering its own local fostering drive and is also included in a large-scale regional recruitment initiative. In addition, increased staffing resources have been provided during 2025/26. The Edge of Care team are providing support to families who are at risk of having children enter the care system. Increased respite support provision has also commenced.
- 4.25 Local case reviews continue to be carried out to ensure care is being provided at the correct level, whilst also challenging costs. Further activity to maximise partner contributions to care costs where appropriate has commenced. Regionally, in the medium-term, partnership working is being considered to try and address care market failures. Following successful pilots elsewhere in the country supported by the Department for Education, a project to consider a North East Regional Care Cooperative has commenced. Further work and consideration of this partnership will be carried out over the coming months.
- 4.26 From national government's perspective 'The Families First Partnership (FFP) Programme' was published earlier in the year. These changes centre around implementing: "Family Help and multi-agency child protection reforms" that make greater use of Family Group Decision Making. The roll-out of these reforms represents a significant step forward in delivering on the government's mission to provide children with the best start in life and break down barriers to opportunity." The approach to meeting the reform requirements, to commence during 2026/27, is currently being developed.
- 4.27 The Medium Term Financial Plan (MTFP) now provides for £6.0m of budget growth for Children's Services in 2026/27. This is a significant increase on the growth provided for in the June MTFP update (£1.5m) but reflects the current year forecast spending. The service has been tasked



with reducing the overspend, and a £3.0m savings proposal is outlined later in the report. However, it should be noted that the budget for 2026/27 does not allow for any growth in Children in our Care numbers or additional cost associated with complexity. As such this poses a real risk to the robustness of the estimate for 2026/27.

- 4.28 Reflecting the significant and sustained pressures, future years growth has been increased, but with a downward trajectory reflecting the anticipation that local, regional and national initiatives may gain positive traction over the MTFP period.

### **Waste Disposal**

- 4.29 Hartlepool has entered into a partnership with six other Local Authorities in the region to procure a new Energy from Waste facility. The procurement process is on-going, with an anticipated go-live date during 2029. The Council has benefitted from very competitive gate fees with the current incumbent, however, these fees stepped up significantly for 2025/26 as part of the contract extension arrangement.
- 4.30 The financial due diligence work continues in relation to the above. A forecast further budget impact of £1m remains within the MTFP period, and the latest understanding of the phasing is incorporated in the latest budget plans.

### **Capital Financing**

- 4.31 A recurring annual saving of £2m has previously been taken over a 12 year period (2017/18 to 2028/29) following a change to the Council's Minimum Revenue Provision policy. This saving unwinds to £1m, with a reduction in 2029/30 of £0.6m and a further £0.4m in 2030/31. To avoid these cliff edge impacts on the MTFP and following a review on borrowing requirements, an increase of the capital financing pressure from £0.250m to £0.500m per annum was included in the MTFP June update.
- 4.32 A further review of borrowing profile and treasury management investment forecasts has indicated the opportunity to remove the £0.500m budget uplift in 2026/27. The council will continue to progress a Treasury Management Strategy that minimises borrowing costs and as such, this increase to the budget provision over the MTFP period will be kept under review.

### **Supported Accommodation**

- 4.33 Supported, "exempt" accommodation provides invaluable support for a range of vulnerable people. Whilst we work with a number of supported accommodation providers, many of which make a positive contribution, there is a growing concern nationally regarding some of the less

scrupulous providers. In such accommodation, rental levels tend to be far in excess of private sector Local Housing Allowance Rates, merely by such providers meeting a loose regulatory requirement to provide a level of 'care, support or supervision' to claimants. The government is currently reviewing such provision and intends to implement a number of measures to address some of the wider concerns in this area.

- 4.34 Supported, exempt accommodation schemes place an increased burden on Councils as many are delivered by charities or voluntary CIC organisations and not Registered Providers. As such councils can only claim partial subsidy for the Housing Benefit that they pay out. This means that Councils can incur significant costs, and, at times, funding substandard schemes which they do not need or require.
- 4.35 The subsidy loss for the Council was £0.076m in 2021/22. This increased to £0.282m in 2024/25 and is forecast to increase substantially in 2025/26 and over the MTFP period. In order to address this pressure £0.250m is included in each year of the period, but will be kept under review, in conjunction with any legislative changes.

### **Cyber Security**

- 4.36 The growing sophistication and frequency of cyberattacks pose a significant threat to public sector organisations, including councils. Whilst the council has robust arrangements in this regard, the increasing threat requires ever growing diligence amongst our employees, but also on-going and likely increased investment in counter measures. A review of our cyber security arrangements has been carried out and investment in further software and systems is recommended. Provision of £0.200m in 2026/27 and a further £0.200m from 2027/28 has been added to the budget planning.

### **Other Budget Pressure Adjustments**

- 4.37 Other budget pressure changes provided for in 2026/27 include an increase in the concessionary travel budget given in year budget pressures (£0.100m) and the removal of the profit share income budget associated with the Middleton Grange shopping centre given current and forecast lettings performance (£0.196m). A further pressure of £1.0m has been included from 2028/29 for the impact of the Emissions Trading Scheme (ETS). The scheme is a mechanism for managing the financial cost of reducing carbon emissions between different sectors of the economy. From January 2028, the ETS will be extended to include emissions from the incineration of waste.

## 5. GOVERNMENT FUNDING

- 5.1 The Local Government Finance Settlement 2025/26 continued the trend of one-year settlements for councils. It provided Hartlepool with a 8.4% increase in Spending Power, against a national average increase of 6.0%.
- 5.2 The above average increase for Hartlepool, and deprived areas like Hartlepool, was the first step of the new national government to begin to reverse the funding cuts of the former government, which disproportionately fell on deprived councils.
- 5.3 The Settlement Policy Statement for 2025/26 confirmed that the additional core national resource (c£1.3bn) into local government, was to be distributed via existing grants but also via the creation of new grants namely the 'Recovery Grant' and 'Children's Social Care Prevention Grant'. The Recovery Grant was noted as being highly targeted towards those authorities with the highest levels of deprivation.
- 5.4 Looking forward to 2026/27, the government has commenced a Local Authority funding reform process (Fair Funding 2.0) including a reset of the business rates system. In addition, a commitment has been made to 3-year settlements from 2026/27, which will aid medium term budget planning.
- 5.5 The first stage consultation on the Funding Reforms was issued by MHCLG in late December 2024 and closed in February 2025. This early stage consultation focused on the underlying principles of local government funding including; review of relative needs formulae which calculate the cost of delivering services, review of area cost adjustments which take into account cost variations across the country, views on council tax equalisation adjustments for those areas which have low council tax bases, views on introduction of deprivation indices and also the period of transition to increased or decreased funding allocations.
- 5.6 Subsequently, in early April 2025, MHCLG published a further consultation paper specifically on, 'Resetting the Business Rates Retention System'. This consultation closed on the 2<sup>nd</sup> June 2025. The processing of 'resetting' the business rates system results in the rates growth currently sitting with those councils able to grow their business rates receipts being redistributed nationally. The current system was introduced in 2013, and under original plans was due to be reset in 2018. The 2018 reset did not take place and continued to be stalled until now (2026/27). Hartlepool is currently a significant loser from this delay, as we are currently c£1m under our business rates base line position, in part due to the reduced valuation of the Nuclear Power Station, whilst other councils are significantly above the baseline. The consultation does confirm the system will be fully reset in April 2026, although transitional arrangements as part

of the wider funding changes will be in place. Hartlepool is a net beneficiary of the resetting of the Business Rates system.

- 5.7 The second round of consultation on the Fair Funding 2.0 reforms was issued by government in June and closed on 15<sup>th</sup> August 2025. This second consultation moved on the 'principles' outlined in the first consultation to a greater level of detail on the direction of travel of the reforms, namely; Relative Need Formulae updates and weightings which drive funding allocations, approach to area cost adjustments which aim to reflect the differing costs of delivery across the country, council tax equalisation approach and lastly and importantly the transition period to the new updated allocations.
- 5.8 Through collaborative working with other local authorities and sector bodies, and engagement with local government funding specialists (Pixel), the information provided through the second round of consultation allowed local authority level, 3-year, funding estimates to begin to be calculated. These estimates continue to be heavily caveated given it is still the consultation stage of the process and MHCLG have not provided full details of the funding quantum available or illustrative examples of distribution, which are needed to provide more certain estimates.
- 5.9 In terms of funding movements, indications were that based on the current interpretation of the changes Hartlepool would be a modest beneficiary, but not to the level a deprived northern town would have expected from a Fair Funding reform package. In part, the increase in funding in 2025/26, particularly through the provision of the recovery grant has resulted in a lower increase for 2026/27.
- 5.10 Based on analysis undertaken by Pixel, the allocation changes currently estimated from Fair Funding 2.0 are particularly unfavourable to the North East, with four NE councils estimated to lose government funding (North Tyneside, South Tyneside, Sunderland and Gateshead). Middlesbrough Council are an outlier where fair funding appears to substantially increase their funding.
- 5.11 Following consultation feedback submissions, ministerial changes and significant and profound lobbying from both expected winners and losers, there are expected to be changes to the detail, but not to the fundamental principles and approach of the funding reforms.
- 5.12 The next step in the process is for MHCLG to issue the Local Government Finance Policy statement, which is expected mid to late November, followed by the Provisional Local Government Finance Settlement in week commencing 15<sup>th</sup> December 2025.
- 5.13 The current working funding assumption on what the Fair Funding 2.0, including a business rates reset, will deliver for Hartlepool is shown in the table below. It is important to note that the position estimated as at June 2025 already included an assumed general inflationary uplift on

government grants and also a c£3.4m estimated benefit from the business rates reset.

Forecast total increases from Government Grant Funding reforms including Business Rates reset benefit

	2026/27	2027/28	2028/29	2029/30	TOTAL
MTFP Update – June 2025	(3.691)	(1.040)	(1.064)	(1.090)	(6.885)
Estimate – November 2025	(5.717)	(3.780)	(4.034)	(1.785)	(15.316)
<b>Estimated Improvement</b>	<b>(2.026)</b>	<b>(2.740)</b>	<b>(2.970)</b>	<b>(0.695)</b>	<b>(8.431)</b>

## 6. LOCAL FUNDING

### Business Rates

- 6.1 Under the Business Rates Retention system, the Council retains locally 49% of Business Rate income. Inherent in the system is an annual uplift usually based on September CPI and this has been factored into the position, although this is yet to be confirmed by government. At present all other assumptions impacting Business Rates have remained unchanged i.e. provision for Appeals, uncollectable debt and discretionary reliefs will remain broadly consistent.
- 6.2 From 2026/27, new powers to set differing rates for particular sectors will likely allow permanently lower charges for those businesses in the Retail Hospitality and Leisure (RHL) sector. For 2025/26 the RHL sector has received relief of 40%, which is a reduction from the 75% relief provided in the 2024/25 financial year.
- 6.3 As noted in section 5, the business rates system will be reset and a new baseline rates position assessed for 2026/27. This provides a position from April 2026 whereby Hartlepool's funding from the government is predicated on an up-to-date view of actual business rates being received, which is welcomed.
- 6.4 As is always the case, the impact of inflationary cost pressures and reduced consumer demand in the wider economy may impact on the collectability of business rates.
- 6.5 The recent news that Venator Materials UK limited has entered administration, will result in a circa £0.250m loss to the council during 2025/26 and a full year loss of circa £0.500m in 2026/27. It should be noted that this has not been included in this MTFP position pending any positive news regarding future operation. This will be kept under review and the MTFP position updated in January should the need exist.

## Council Tax

- 6.6 The Council has a track record of Council Tax base growth in recent years. Whilst new build growth continues to be positive, the position continues to be impacted by exemptions and discounts, including the Single Person Discount (SPD). Hartlepool is not unique in facing these pressures. Investment in fraud detection is providing reductions in the SPD claimants, which positively impacts the base position.
- 6.7 Whilst housing growth continues to be positive, there remains a risk that the wider economic environment i.e. interest rates and cost of living, may have a detrimental impact on growth as well as collectability of Council Tax should household incomes continue to be under strain. Growth in the council tax base of 520 per year is now allowed for in the budget model for 2026/27.
- 6.8 The formal Council Tax referendum limits for 2026/27 and beyond, are expected to be confirmed in the Local Government Finance Policy Statement. Consultation documents, briefings and national modelling are all based on the continued assumption of a total 5% increase referendum limit, in line with recent years.
- 6.9 Formal Council Tax decisions will be made in January and February 2026. The Leader of the Council, and the ruling Labour Group, have pledged to freeze Council tax for 2026/27. In doing so, this would limit the funding available for council services by £0.562m for every 1% foregone. Given the anticipated referendum, limit of 5%, this means foregoing £2.804m in 2026/27, equating to circa £30m cumulative impact available to the council budget over the next 10 years.

## 7. RESERVES

- 7.1 The Council holds reserves for a variety of purposes, including those allocated for known commitments and risks, including capital schemes, the MTFP budget position and our insurance fund. The reserve position has been volatile in recent years given the significant inflationary and demand pressures experienced. The only unallocated reserve is our general fund reserve, which serves as a reserve of last resort.
- 7.2 Reserves have fallen over recent years and are forecast to fall further over the short to medium term to concerningly low levels. Details of reserves held and forecast reductions can be found at **Appendix C**.
- 7.3 The use of one-off reserves to balance the on-going revenue budget position is not a financially sustainable basis to set our budget. However, the volatility of local government finances over recent years, combined

with local decisions on not to increase Council Tax by the amount allowable, has necessitated we do so. The Budget Support Fund is available to smooth the budget deficits where possible but must be used in a planned and carefully managed way.

- 7.4 For 2025/26 £1.000m of the Budget Support Fund was used to support the overall budget position. The one-off nature of reserves means that the budget position is detrimentally hit in subsequent years as their use unwinds. Given the in-year (2025/26) forecast overspend the Budget Support Fund is now at a concerning low level.

## 8. STRATEGY FOR BALANCING THE BUDGET POSITION

- 8.1 Based on the position outlined in sections 3 to 7 above, which importantly includes the currently estimated impact of Fair Funding 2.0, the consolidated budget position to be addressed over the 4 year MTFP period is shown below. The gap to be addressed for 2026/27 is currently forecast to be £8.572m, with a four year gap to 2029/30 of £20.591m.
- 8.2 The position presented has both uncertainty and risk regarding spending pressures but also continued uncertainty linked to the government's funding allocations which won't be confirmed until the end of December. **Appendix A** provides greater detail of the main risks and associated sensitivities impacting on the position.

	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m	Total £m
<b>Spending Pressures</b>					
Pay and Price Inflation	6.868	4.118	5.270	4.392	20.649
Children's Social Care	6.000	3.120	2.182	1.726	13.028
Waste Disposal	0.500	0.000	0.000	0.500	1.000
Capital Financing	0.000	0.500	0.500	0.500	1.500
Supported Accommodation	0.250	0.255	0.260	0.265	1.030
<b>Total Spending Pressures</b>	<b>13.618</b>	<b>7.993</b>	<b>8.212</b>	<b>7.383</b>	<b>37.207</b>
Government Grant Changes	(3.697)	(3.527)	(3.760)	(1.513)	(12.497)
<b>Gap Before Local Funding</b>	<b>9.922</b>	<b>4.466</b>	<b>4.452</b>	<b>5.870</b>	<b>24.710</b>
Business Rates	(2.020)	(0.253)	(0.274)	(0.272)	(2.819)
Council Tax - Base Increase	(1.083)	(0.625)	(0.656)	(0.689)	(3.054)
Collection Fund (Surplus)/Deficit	0.754	0.000	0.000	0.000	0.754
<b>Gap Before Current Use of Reserves</b>	<b>7.572</b>	<b>3.588</b>	<b>3.522</b>	<b>4.909</b>	<b>19.591</b>
Temporary Use of Budget Support Fund (reversal)	1.000	0.000	0.000	0.000	1.000
<b>Bottom Line Gap to be addressed (before Council Tax increases and Savings)</b>	<b>8.572</b>	<b>3.588</b>	<b>3.522</b>	<b>4.909</b>	<b>20.591</b>
<b>Cumulative Gap (before Council Tax increases and Savings)</b>	<b>8.572</b>	<b>12.160</b>	<b>15.682</b>	<b>20.591</b>	

### Transformation and Efficiency Strategy

- 8.3 A strategic and transformational approach to addressing the MTFP funding shortfall and wider financial planning has been adopted. The Council's Transformation Plan which was approved by the Finance and Policy Committee in June 2024 outlined the approach and principles to achieve the Target Operating Model for the council.
- 8.4 Transformation activity is progressing in the following key areas;
- **Demand Management;**
    - Adult Social Care – Sustainability
    - Childrens Social Care – Sufficiency
    - Waste and Recycling
  - **Service Reviews;**
    - Leisure, Culture and Performance Venues Review
    - Schools Catering and Cleaning Review
  - **Land and Property Review**
  - **Fees and Charges Review**
  - **Digitalisation and Back Office;**
    - Customer Contact
    - Income and Cash Management
    - Revenues collection and maximisation
    - ICT Transformation
    - Digital Blue Print Reviews
- 8.5 Activity is progressing well on these schemes, to deliver service improvement and savings that will be realised over the MTFP period. The latest activity within the Transformation Programme, and target budget savings impacting the 2026/27 and future years budget planning is provided at **Appendix B**. The budget savings total £4.117m in 2026/27, with an additional £383,000 of savings reflected in the Council Tax Base position.
- 8.6 The forecast MTFP position, taking into account the savings associated with the Transformation Programme is shown in the table below. In order to prioritise and accelerate the delivery of transformation savings for future years, a Transformation and Efficiency Board will be established in December.



	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m	Total £m
<b>Gap to be Addressed</b>	<b>8.572</b>	<b>3.588</b>	<b>3.522</b>	<b>4.909</b>	<b>20.591</b>
Previously Approved Savings	0.155	0.000	0.000	0.000	0.155
Transformation Savings *	4.117	0.000	0.000	0.000	4.500
<b>Bottom Line Gap to be Addressed (after Savings but before Council Tax increases and use of reserves)</b>	<b>4.300</b>	<b>3.588</b>	<b>3.522</b>	<b>4.909</b>	<b>16.319</b>
<b>Cumulative Gap</b>	<b>4.300</b>	<b>7.888</b>	<b>11.410</b>	<b>16.319</b>	

\* Transformation Savings total adjusted downwards by £0.383m given element achieved through council tax base improvements.

- 8.7 The transformation and savings proposals set out above will be referred to the next meeting of the relevant policy committee. Upon consideration and agreement by the Policy Committee, it is imperative that activity to progress the proposals, to deliver the identified saving, commences immediately. Where policy committees choose not to support a proposal an alternative proposal will need to be provided.

### Council Tax

- 8.8 As noted above, the formal Council Tax referendum limits for 2026/27 and beyond, are expected to be confirmed in the Local Government Finance Policy Statement. Consultation documents, briefings and national modelling are all based on the continued assumption of a total 5% increase referendum limit, in line with recent years. Furthermore, there remains the expectation that the government will assume all councils maximise their Council Tax increases, given the national spending restraints and significant financial pressures all councils are under.
- 8.9 As formal Council Tax decisions for 2026/27 will be made later in the budget setting process, and given the current political direction, the position does not currently include any council tax increase for 2026/27. However, given the continued financial strain the council is facing, the MTFP does assume rises at 4.99% in future years.
- 8.10 The MTFP position after assumed council tax rises at 4.99% from 2027/28 is shown in the table below.

	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m	Total £m
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<b>Gap to be Addressed</b>	<b>4.300</b>	<b>3.588</b>	<b>3.522</b>	<b>4.909</b>	<b>16.319</b>
Council Tax increase estimates	<b>0.000</b>	<b>(2.836)</b>	<b>(3.010)</b>	<b>(3.194)</b>	<b>(9.040)</b>
<b>Bottom Line Gap to be Addressed (after Savings and assumed Council Tax increases)</b>	<b>4.300</b>	<b>0.753</b>	<b>0.512</b>	<b>1.715</b>	<b>7.279</b>
<b>Cumulative Gap</b>	<b>4.300</b>	<b>5.053</b>	<b>5.565</b>	<b>7.279</b>	

**Use of Reserves**

- 8.11 As previously set out, the use of one-off reserves to balance the on-going revenue budget position is not a sustainable approach to setting the budget. Whilst it shunts some of the budget gap back a year, it presents a danger that the Council simply utilises one-off money on delaying decisions. In addition, this approach reduces the scope for the Council to invest and innovate in order to generate recurring savings.
- 8.12 The aim of setting the Council's budget is that it should be sustainable over the medium term period, with recurring spend funded by recurring income. Decisions on use of reserves should be made consistent with that aim. As such it continues to be proposed that any use of reserves should be done on a prudent basis over the period so that within the current MTFP cycle the budget is fully sustainable.
- 8.13 The Council's Budget Support Fund (BSF) helps to smooth the budget position over the MTFP period as well as meeting any one off costs associated with budget reductions e.g. redundancies. The table below shows the current reserve balance at the end of 2024/25 and forecast, usage to balance the 2025/26 budget. It should be noted that the forecast balance is lower than the forecast gap in 2026/27 alone.

	<b>BSF £m</b>
Balance as at 31 March 2025	7.672
Less	
Use of reserve to support 2025/26 budget (approved)	(1.000)
Use of reserve to support 2025/26 forecast overspend	(3.260)
<b>Forecast uncommitted balance over the period</b>	<b>3.412</b>

- 8.14 As noted in section 7 and shown in detail in appendix C, the council's reserves levels are forecast to dramatically reduce over the short to medium term. There are instances where ringfenced reserves may temporarily improve the position, linked to advanced payment of government grant funding, but these funds are very much linked to specific projects or initiatives. They do temporality support cashflow. In quite contrary fashion the council is currently cash-flowing the Dedicated Schools Grant (DSG) deficit, which due to temporary accounting regulations currently in place, can be classified as an unusable reserve. This temporary accounting arrangement is scheduled to end in March 2028, at which point, without government support, will be fully chargeable to the council's general fund. This is a real risk and concern to the council's financial position and most other councils across the country.

### Overall Position

- 8.15 The updated MTFP position outlined in this report presents a significant MTFP gap, with a £4.300m gap in 2026/27 and £7.279m over the MTFP period (after assumed council tax rises from 2027/28)

	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m	Total £m
<b>Gap to be Addressed</b>	<b>4.300</b>	<b>0.753</b>	<b>0.512</b>	<b>1.715</b>	<b>7.279</b>
<b>Cumulative Gap</b>	<b>4.300</b>	<b>5.053</b>	<b>5.565</b>	<b>7.279</b>	

- 8.16 As previously reported, The Leader of the Council and the Labour Group, have pledged a Council Tax freeze for 2026/27. Statutory Section 25 advice will be provided as part of the MTFP report to the Finance and Corporate Affairs Committee in January 2026, and will be based on the latest information available, including the outcome of Fair Funding 2.0 and the Local Government Finance Settlement.
- 8.17 At this stage, based on the current position presented, it is unlikely that the budget can be signed off as robust, given the requirement to utilise significant reserves, cognisant of the risk around budget volatility and increasing cost pressures facing the council. The increase and sustained nature of social care pressures are a particular concern, including that no growth beyond current years pressures is allowed for in 2026/27, whilst additionally a challenging savings target has been set. To achieve a robust budget the following will be required:
- Significant increased government funding flows from Fair Funding 2.0 and the Local Government Finance Settlement beyond those already forecast; and/or
  - Further significant budget savings or cuts to budgets are agreed; and/or
  - Council Tax is increased in 2026/27.
- 8.18 Based on the current position, unless significant additional government funding is received, setting a budget for 2026/27 without an increase in Council Tax is not recommended.
- 8.19 For information - the additional income which could be generated from an increase in council tax at 2%, 3% and 5%, is shown in the table below:

<b>Increase</b>	<b>2026/27 £m</b>
<b>2%</b>	<b>1.124</b>

<b>3%</b>	1.686
<b>5%</b>	2.804

## 9. LEGAL CONSIDERATIONS

9.1 The following issues are relevant in relation to this report:

- the Local Government Finance Act 1992 requires local authorities to set a balanced budget – further reports will enable budget proposals to be approved and then referred to Council to meet this requirement;
- the Local Government Act 2003 requires local authorities to consider the advice of their Section 151 Chief Finance Officer (the Director of Finance, IT and Digital) when making budget decisions. This advice must include details of the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves. This requirement will be addressed in the January report.

## 10. SINGLE IMPACT ASSESSMENT

- 10.1 The savings proposals put forward may impact on the delivery of frontline services or service users to varying degrees. There are some proposals which simply by the nature of the service area that they cover will impact on those with protected characteristics e.g. children's social care relating to children who are in the Council's care. However, owing to the financial challenges facing the Council we have no choice but to change, redesign and potentially close services to reduce costs. Where we need to change, redesign and close services we are working to minimise the impact on those with protected characteristics and will focus on securing services for those who are the most vulnerable within those protected characteristics.
- 10.2 Members are aware from previous MTFP reports that in making financial decisions the Council is required to demonstrate that those decisions are made in a fair, transparent and accountable way, considering the needs and the rights of different members of the community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on different equality groups.
- 10.3 An initial analysis has been undertaken to determine the potential impact of the proposals put forward and these are detailed in the table in **Appendix B**.

- 10.4 Further consideration will be undertaken through policy committees and a cumulative assessment will be included in the MTFP report presented to Finance and Corporate Affairs Committee in January.

## 11. OTHER CONSIDERATIONS

<b>RISK IMPLICATIONS</b>	These are outlined in <b>Appendix A</b> .
<b>FINANCIAL CONSIDERATIONS</b>	As set out in the main body of the report.
<b>SUBSIDY CONTROL</b>	No subsidy control issues are expected to arise from the proposals within this report.
<b>LEGAL CONSIDERATIONS</b>	As set out in the main body of the report
<b>SINGLE IMPACT ASSESSMENT</b>	As set out in the main body of the report
<b>ASSET MANAGEMENT CONSIDERATIONS</b>	Asset Management implications of the proposed savings are included, where appropriate, within the Savings detailed in <b>Appendix B</b> .
<b>ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS</b>	Environmental, Sustainability and Climate Change considerations of the proposed savings are included, where appropriate, within the Savings detailed in <b>Appendix B</b> .
<b>CONSULTATION</b>	Consultation with local business representatives and Trades Unions will be carried out during January.

## 12. RECOMMENDATIONS

- 12.1 It is recommended that Members:

- i) Note the report;
- ii) Note the initial assessment of the forecast budget gap and proposed approach to address this gap in Section 8;

- iii) Note the advice provided at paragraph 8.17 regarding the robustness of the budget.
- iv) Agree the proposals that relate to Finance and Corporate Affairs committee contained within **Appendix B**;
- v) Refer the savings proposals to individual policy committees and instructs them to identify replacement savings if these proposals are not supported;
- vi) Note the risks and scenarios outlined in the report which may impact upon the financial position presented as part of future MTFP updates; and
- vii) Agree that the previously agreed budget timetable may need to be flexed dependent on the position post settlement, but that final approval of the budget must be made by council on the 19<sup>th</sup> February 2026 to ensure annual council tax billing commences promptly.

### 13. REASON FOR RECOMMENDATIONS

- 13.1 To enable the Finance and Corporate Affairs Committee to approve the proposals to progress the development of the MTFP.

### 14. BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

- Finance and Corporate Affairs Committee - Medium Term Financial Strategy 2026/27 to 2029/30 – 23<sup>rd</sup> June 2025.

### 15. CONTACT OFFICER

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Sign Off:-

Chief Executive	Date: 12/11/2025
Director of Finance, IT and Digital	Date: 12/11/2025
Director of Legal, Governance and HR	Date: 12/11/2025



## Appendix A

**MTFP 2026/27 to 2029/30 - Risk Assessment**

Key risks or issues that may impact on assumptions made and impact 2026/27.

Issue and Risk	Potential Impact			
	2026/27	2027/28	2028/29	2029/30
<b>Pay Awards</b> - Provision included in the MTFP based on 3% per annum. No contingency is built in for a higher award should inflation and wage growth remain elevated. Each 1% of pay award in excess of the MTFS provision costs c£675k.	Neutral	Neutral	Neutral	Neutral
<b>Level of Reserves</b> - the MTFP is currently based on using £1.0m of one-off reserves to set the 2025/26 budget and a further £3.260m to fund the forecast overspend. This in effect utilises a significant proportion of the Budget Support Fund. Revenue reserves overall are forecast to drop from £56m to £13m over the coming four years. This would just leave the emergency unallocated general fund, the insurance fund and a small number of earmarked reserves. There would be very limited reserves available should an in year overspend occur. The above position is not inclusive of the significant Dedicated Schools Grant deficit risk.	Negative	Negative	Negative	Negative
<b>Childrens Social Care Pressures</b> The updated MTFP includes for £11.5m of budget growth over the period.  It is assumed that the Childrens Social care transformation plans will stabilise and contain pressures and deliver £3m of cost reductions.  At present there is no guarantee that this will be achieved. Cost volatility in this area is extreme with a single child potentially adding £0.500m+ to the budget pressure.  This is considered a significant risk and will be kept under constant review as part of the budget setting process.	Negative	Negative	Negative	Negative



<p><b>Government Funding –</b> The delayed release of information to inform 2026/27 to 2027/28 government funding understanding is hampering financial planning.</p> <p>Estimates derived from for the 3 year settlement Fair Funding consultation indicate funding increases at lower levels than were anticipated from the reforms.</p> <p>To compound this shortfall, the move to updated allocation levels will be phased over a likely 3 year transition period.</p>	Positive	Positive	Neutral	Neutral
<p><b>Inflationary Pressures</b> - the risk around inflationary pressures remain, with current CPI inflation of 3.8% being nearly double the government's 2% target. Specific risks remain around the likes of energy prices and certain goods, given the geopolitical environment.</p>	Negative	Negative	Negative	Negative
<p><b>One-off Grants</b> - the council relies on a number of one off specific grants to support initiatives and day to day spend on key service areas. A number of these grants are currently scheduled to end at March 2026, with no confirmation of continuation. Should this situation occur a number of preventative schemes will end, capacity across the council will be reduced and potential redundancy costs incurred.</p>	Negative	Negative	Negative	Negative
<p><b>Borrowing Costs</b> - interest rates and borrowing costs remain stubbornly high. Whilst this is having a short term positive impact on the budget position, over the medium to long term we will need to borrow to fund the capital programme and as such we will require a reduction in these rates to prevent a shortfall in our debt charge budget. This will need to be kept under close review and may require some additional or temporary funding to smooth this budget.</p>	Negative	Negative	Negative	Negative

<b>Council Tax Base</b> - the base position has seen a significant increase in 2026/27 due to a positive year of housebuilding, new premiums for empty, furnished properties and anti-fraud work. A more prudent estimate has been assumed for the remaining years but increased housebuilding could lead to an improved position.	Neutral	Positive	Positive	Positive
<b>Waste pressures</b> - there is current uncertainty regarding a number of waste initiatives, including food waste collection, producer responsibility and the suggestion of increased taxation on Energy for Waste facilities. This area will require close monitoring.	Neutral	Negative	Negative	Negative
<b>DSG High Needs Statutory Override</b> - the council held a negative overspend reserve of £1.589m at the end of 2023/24. A further overspend of £3.343m was recorded in 2024/25 leading to an overall deficit of £4.932 at the end of 2024/25. At this point the statutory override is scheduled to end on 31 <sup>st</sup> March 2028. The forecast position at this point is an overspend in the region of £14m. Should the override end as planned, the council would need to fund the deficit position at that point. Current forecasts we would unlikely have the useable resources to do so and as such may be required to use the council's general revenue reserve or seek Exceptional Financial Support.	Negative	Negative	Negative	Negative

Service	Committee	Transformation Theme	Overall Description	MTFS Savings 2026/27 £	MTFS Savings 2027/28 £	Single Impact Assessment (Positive / Neutral / Negative)	Impact Assessment Notes
Adult Social Care	Adult Services and Public Health	Demand Management - Adult Social Care Sustainability	<p><b>Financial Assessment reviews</b></p> <p>To ensure income for the council is appropriately collected by reviewing financial assessments, introducing online financial assessment, accelerating financial contribution and increasing debt recovery.</p> <p>a. Financial Assessment Review - update budgets to reflect the full year impact of the work undertaken during 2025/26 to review financial assessments.</p> <p>b. On-line financial assessments – implement a system module and further review processes to enable quicker indicative assessments, reducing waiting times and thus enabling income collection to commence earlier.</p> <p>c. Debt collection – embed the new strengthened debt collection arrangements via the councils central income and debt management team to sensitively maximise income collection and recovery.</p> <p><b>This is the full year impact of the proposal introduced in 2025/26 and already approved as part of 2025/26 budget setting.</b></p>	250,000	0	N/A	<p>There is no anticipated impact as there is no proposed change to the delivery of the existing service. The proposed change relates to back office processing activities.</p> <p>There is a potential positive impact identified for poverty and disadvantage due to the promotion of welfare benefit maximisation. This should increase the amount of previously unclaimed benefits being accessed by people with social care needs.</p>
Adult Social Care	Adult Services and Public Health	Demand Management - Adult Social Care Sustainability	<p><b>Use of technology to reduce ASC costs</b></p> <p>This project seeks to introduce integrated digital solutions for people with social care needs which will help to manage increasing demand for services and increased costs for people with high levels of need.</p> <p>Using in home digital solutions will allow adult social care teams to better understand the person's behaviours and needs, assess the effectiveness of commissioned support plans and, where appropriate, safely reduce in-person care hours through digital prompts, remote engagement and continuous monitoring.</p> <p>The digital approach will be implemented on a phased approach with the following cohorts:</p> <ul style="list-style-type: none"><li>- Working-age adults with high-cost support packages</li><li>- Older people in the Discharge to Assess service</li><li>- People requiring unscheduled reviews due to a change in need</li></ul> <p>The project is supported through transformation funding.</p>	250,000	150,000	Positive	<p>The anticipated impact is positive as people with social care needs (primarily working age adults with disabilities and older people) will have another option available that allows them to be supported to live independently in their own homes. This will be based on a comprehensive assessment of needs and remote monitoring. The technology can be adapted to meet the particular communication needs of the person and the support that's offered can be less intrusive than more traditional ways of meeting needs.</p>
Adult Social Care	Adult Services and Public Health	Council Wide Fees and Charges Review	<p><b>Fees and Charges</b></p> <p>This project aims to generate additional charging opportunities for the council and will look to develop and embed a more strategic and policy lead approach to charging. Following an externally commissioned review, utilising national and regional benchmarking information, the following amendments are proposed in relation to financial assessment for Adult Social Care contributions.</p> <p>- Implementing an automatic inflationary uplift in line with published pension and benefit rises and CPI for private income. This means that all contributions will be increased automatically from April each year rather than the current approach which applies an increase at the point of a person's annual review. This is a more equitable approach and will reduce transactions once implemented.</p> <p>- Remove the disregard for the overnight element of higher rate Attendance Allowance / Personal Independence Payment. This element of benefit is currently disregarded in the financial assessment process in Hartlepool, but other Councils have implemented a different approach which increases income. The fees and charges work estimated that 559 Hartlepool residents would be affected and that their contribution would increase by up to £36.50 per week.</p> <p>- Introduce fees for people for whom the Council acts as appointee to offset the costs of providing this service, which is very labour intensive. It is proposed that there will be two levels of fee based on light touch assessment (£55 per month) and comprehensive assessment (£85 per month). These fees are in line with the major national provider of appointeeship support Money Care, a social enterprise working with over 100 Local Authorities and a national partner of the Department of Work and Pensions. Aligning fees in this way ensures a fair and equitable approach and avoids a two-tier fee structure. The proposed future model is that Money Care will support the majority of Hartlepool residents who require an appointee, with the Council maintaining an offer for some existing people and those who have particularly complex needs. A pilot directing new referrals to Money Care will commence in January 2026 prior to the changes being implemented from April 2026 to test the approach and ensure a smooth transition.</p> <p>Introducing these changes will require the Adult Social Care Contribution Policy 'Determining Your Financial Contribution' to be updated and published following the budget consultation.</p>	164,000	64,000	Negative	<p>The proposals will potentially have a negative impact on people with assessed needs for care and support, particularly older people and working age adults with disabilities some of whom will have to contribute more to the cost of their support. The impact will be mitigated by ensuring that the updated Contribution Policy is compliant with the Care Act 2014 and Charging Regulations, the continued use of means testing to assess contributions and adherence to the Minimum Income Guarantee which ensures individuals are left with a minimum income after charges.</p> <p>There is a potential positive impact identified for poverty and disadvantage due to the promotion of welfare benefit maximisation. This should increase the amount of previously unclaimed benefits being accessed by people with social care needs.</p>
Waste Services	Neighbourhood and Regulatory Services	Demand Management - Waste and Recycling	<p><b>Recycling increase and contamination reduction</b></p> <p>Continue the existing project to review options with the aim of increasing recycling rates and associated income and reducing residual waste costs and associated costs. This project will dovetail with the new food waste collection requirements. The project will progress in 2026/27 to more targeted marketing campaigns and on the ground interventions.</p>	100,000	TBC	N/A	<p>The proposals focus on compliance arrangements to reduce contamination. They are not a change in policy or recycling requirement.</p>

Service	Committee	Transformation Theme	Overall Description	MTFS Savings 2026/27 £	MTFS Savings 2027/28 £	Single Impact Assessment (Positive / Neutral / Negative)	Impact Assessment Notes
Childrens Social Care	Childrens Services	Demand Management - Childrens Social Care Sufficiency	<p><b>Service wide demand and cost mitigations</b></p> <p>A comprehensive strategy is being implemented to reduce the number of children entering care, whilst ensuring that those already in care continue to receive the support they need to return home where it is safe to do so. Several key initiatives are being progressed across the service, each designed to address different aspects of the care system, the implementation of social care reforms, and importantly continue to improve outcomes for children and families. Each activity will report into the recently established Children's Services Transformation Board.</p> <p>As an initial priority, the service will conduct a review of the most costly placements to evaluate their effectiveness, ensure best value, and explore alternatives where appropriate. Other activities are listed below.</p> <p>a.Early Help for Families – Review and strengthen our early help offer to families to identify needs early and offer help before issues become more serious and escalate to statutory intervention. The early help team will co-ordinate support across different multi-agency partners to ensure joined-up, consistent support, ensuring children and families get the right support at the right time rather than having less handover points across the system.</p> <p>b.Edge of Care – Provision of an edge of care team to support young people (including those with additional needs) who are at risk of family breakdown, leading to a reduction in the number of children coming into care. The council is also working with Tees Valley councils and the ICB (NHS) to support edge of care for children and young people with complex needs.</p> <p>c. Fostering and Placement Planning – Development of a refreshed model for in-house foster carers that increases capacity of foster placements, including those with higher level of need/complexity. This will be accompanied with a local fostering drive. We will also ensure we fairly maximise Health Funding where appropriate and where the child has a defined health need.</p> <p>d. Reunification – Children have a fundamental right to live with, and be cared for, by their parents so long as this is in a safe environment. Reunification pathways help families to come back together safely and sustainably giving children a chance to grow up with their parents, while making sure that the issues then led to separation do not reoccur. Reunification supports a child’s sense of belonging, identity and continuity. Children’s services will form a dedicated reunification team to support parents in developing the skills and stability necessary to safely care for their children. This initiative aims to facilitate the return of children from external and foster care placements to their family homes, ensuring reunification is both safe and sustainable.</p> <p>e. Updated Education Strategy and SEND Reforms – Having a clear education strategy that covers SEND reforms within children’s services is essential for ensuring that every child, including those with additional needs, receives the right support, at the right time, in the right setting. The Government’s SEND and Alternative Provision (AP) reforms require local authorities to continue to: improve consistency, quality and accountability in SEND support; develop local inclusion plans; strengthen early identification and intervention; and ensure better outcomes in preparation for adulthood. An updated education strategy that aligns with these reforms will enable HBC children’s services to be fully prepared for any changes reforms may bring, compliant with our statutory duties and strategically align with national policy.</p> <p>To this end, the service will update our education strategy which ensures our local offer is well co-ordinated, transparent and accessible to families, emphasising joint working between education, health, social care and families. Our strategy will promote: inclusive practice in mainstream schools; early help and graduated response models; alternative provision supporting reintegration; and one which champions the wider early intervention and prevention ethos.</p> <p>The updated strategy will be included as part of a suite of documents, including our SEND sufficiency strategy; SEND and alternative provision capital strategy, to improve planning and ensure sufficient local provision for those with SEND and those who are looked after.</p> <p>f. Care leavers support – The care leavers pathway is being refreshed to ensure young people transitioning out of care are supported to become confident and independent adults. The Transitions Operational Group (TOG) has been established to review and enhance our approach to pathway planning. This includes preparing care leavers for adulthood by promoting stable relationships, health and wellbeing, raising aspirations, and providing tailored support to access housing, employment, education and training opportunities. A review of a housing pathway for care leavers will be undertaken.</p> <p>g. Workforce demand and capacity mapping</p> <p>h. Corporate Parenting – Enhance understanding and accountability amongst all corporate parents regarding their roles and statutory responsibilities, to ensure the effective implementation of the seven corporate parenting principles (Children and Social Work Act 2017).</p> <p>The target of £3m is based on the current pressures identified at Quarter 1 of the financial year 2025/26, and the growth allowed within the MTFP. The proposals should be viewed as an all-encompassing package, rather than individual proposals with individual targets.</p> <p>The project will be supported by transformation funding. In order to ensure progress prior to April 2026, some financial commitments have already been entered into.</p>	3,000,000	0	Positive	The proposals focus on prevention, placement breakdown and reunification to best support the needs of children within Hartlepool. It is therefore anticipated that implementation of these strands will, on balance, have a greater positive impact than any potential negative impact which may occur in a minority of individual cases.

Service	Committee	Transformation Theme	Overall Description	MTFS Savings 2026/27 £	MTFS Savings 2027/28 £	Single Impact Assessment (Positive / Neutral / Negative)	Impact Assessment Notes
Cross Cutting	All	Council Wide Fees and Charges Review	<b>Fees and Charges</b>  This project aims to generate additional charging opportunities for the council and will look to develop and embed a more strategic and policy lead approach to charging. Following an externally commissioned review, utilising national and regional benchmarking information, amendments are proposed in a number of areas to bring the council more into line with charges elsewhere, or to more closely recover costs. In order to limit the impact, some of these proposals cover a number of years. All proposals are individually less than £100,000 in impact and as such are progressing through normal officer delegations. Where service area have operated at a shortfall on existing income targets, savings will be retained by the service to mitigate the existing shortfalls.  Furthermore, fees and charges generally will increase at 5% for the 2026/27 financial year.	213,000	61,000	Neutral	The bulk of the changes to fees and charges relate to charges for third party organisations rather than individual residents. Where changes do relate to individual residents, they are predominantly discretionary services.
ICT / Council Wide	Finance and Corporate Affairs	Digital Reviews	<b>Application Insight and Rationalisation</b>  A review of all software applications in operation within the councils IT estate and their usage to reduce unnecessary applications, avoid future costs, improve procurement and ensure we fully utilise the data held on these systems to inform decision making.  The project will be supported by transformation funding. In order to ensure progress prior to April 2026, some financial commitments have already been entered into.	63,000	0	N/A	There is no anticipated impact, since this is a review of internal software applications.
Accounts Payable / Council Wide	Finance and Corporate Affairs	Digital Reviews	<b>Invoice Payment Processing</b>  This project will improve the efficiency of invoice processing for the Council and generate a new income stream associated with amendments to supplier invoice payment terms. This will be achieved through:  a) E-invoicing - introduction of e-invoicing software to capture information direct from suppliers e-invoices. The software is integrated direct to Integra, the Council's Financial Management System (FMS) and will improve the speed and accuracy of this current manual process and generate staff time savings.  b) Early Payment Solution (EPS) – introduction of an EPS into the current payments process. The EPS allows suppliers to be paid more quickly in return for a discount on the invoice value being paid. This discount generates an income stream into the Council.  Both solutions are widely used by public bodies across the country and councils in the Tees Valley and wider North east region.  The project will be supported by transformation funding. In order to ensure progress prior to April 2026, some financial commitments have already been entered into.	77,000	0	N/A	There is no anticipated impact. The saving arises from more efficient processes and a discount on invoices paid early.
				4,117,000	275,000		

Savings Proposals shown as an Increase in the Council Tax Base

Revenues and Benefits	Finance and Corporate Affairs	Revenues Collection and Maximisation	<b>Council Tax Support accuracy reviews</b>  The Council has the highest proportion of working age Council Tax support claimants in the country. 14.4% of the working age population receive support, compared to the Tees Valley average of 11.0% and the England average of 5.8%. We have the 16th highest claimant count for pensioners with 22.6% receiving support compared to the Tees Valley average of 17.8% and the England average of 12.2%. The cost of the scheme is £13.5m a year for the council. The reasons for the high numbers include deprivation, but also our approach to promoting the scheme to those eligible.  The rest fraud prevention work on Single Person discount has seen the reduction of over 1,000 claimants (circa 5%). During this work, a number of cases where identified that pointed to fraud or out of date eligibility for council tax support.  As such it is proposed to undertake ongoing accuracy and eligibility review of our council tax support caseload.  It is envisaged that this could achieve a 3% reduction in costs of the scheme, equally to £400,000 of annual on-going savings. To do so, two additional benefit officers will be employed and data intelligence will be utilised to prioritise and reviews, thus reducing the net target to £325,000.  It should be noted that those residents remaining on Housing Benefit within Hartlepool, are subject to similar checks instigated by the DWP on Housing Benefit eligibility.  Anti-fraud work on our Single Person discount caseload will continue, and this will support an increase in the target to £375,000.  In order to secure progress prior to April 2026, recruitment has commenced for the two additional posts.	383,000	0	N/A	Accuracy reviews are intended to ensure the right support is provided to those eligible to receive it. Whilst the exercise will result in a reduction in the number of people receiving Council Tax support and/or a reduction in the value of support, it will ensure the appropriate amount of support is provided, and that fraud and error is reduced.
				4,500,000	275,000		

Service	Committee	Transformation Theme	Overall Description	MTFS Savings 2026/27 £	MTFS Savings 2027/28 £	Single Impact Assessment (Positive / Neutral / Negative)	Impact Assessment Notes
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- A - Age

B - Disability

C - Gender Reassignment

D - Marriage and Civil Partnership

E - Pregnancy and Maternity

F - Race
- G - Religion and Belief

H - Sex

I - Sexual Orientation

J - Poverty and Disadvantage

K - Care Leavers

L - Armed Forces Community

## RESERVES FORECASTS (EXCLUDING SCHOOL BALANCES, HRA AND UNUSABLE RESERVES)

## APPENDIX C

	Balance as at 31st March 2025	Forecast Use of Reserves				Forecast Balance as at 31st March 2029
		2025/26	2026/27	2027/28	2028/29	
	£'000	£'000	£'000	£'000	£'000	£'000
Revenue Reserve	5,500	0	0	0	0	5,500
Budget Support Fund (BSF)	7,672	(4,260)	0	0	0	3,412
BSF - Transformation Costs	2,000	0	(500)	(750)	(750)	0
BSF - Invest to Save	1,400	(700)	(350)	0	0	350
Revenue Grants Unapplied	9,107	(6,266)	(1,257)	(1,003)	(125)	456
Business Rates Risk Reserve	0	0	0	0	0	0
Insurance Fund	2,902	(65)	(65)	(65)	0	2,707
Children in our Care Reserve	1,230	(200)	(1,030)	0	0	0
BSF - Treasury Management Income	650	(650)	0	0	0	0
Asset Management Reserve	840	(840)	0	0	0	0
Earmarked Revenue Reserves under £1m	7,038	(3,028)	(2,401)	(846)	0	763
<b>Revenue Reserves Total</b>	<b>38,339</b>	<b>(16,009)</b>	<b>(5,603)</b>	<b>(2,664)</b>	<b>(875)</b>	<b>13,188</b>
Earmarked Capital Reserves	6,303	(5,940)	(363)	0	0	0
Capital Grants Unapplied	11,680	(11,680)	0	0	0	0
<b>TOTAL</b>	<b>56,322</b>	<b>(33,629)</b>	<b>(5,966)</b>	<b>(2,664)</b>	<b>(875)</b>	<b>13,188</b>
<b>Cumulative Balance</b>		<b>22,693</b>	<b>16,727</b>	<b>14,063</b>	<b>13,188</b>	
<b>DSG Reserve</b>	<b>(4,932)</b>	<b>(4,670)</b>	<b>(3,596)</b>	<b>(5,214)</b>	<b>(6,773)</b>	<b>(25,185)</b>
<b>DSG Reserve Cumulative Balance</b>		<b>(9,602)</b>	<b>(13,198)</b>	<b>(18,412)</b>	<b>(25,185)</b>	

# NEIGHBOURHOODS AND REGULATORY SERVICES COMMITTEE

8<sup>TH</sup> December 2025



**Subject:** A19 / ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK NORTHERN BYPASS / HARTLEPOOL WESTERN LINK PROJECT COMPULSORY PURCHASE ORDER (CPO), SIDE ROADS ORDERS (SROS) AND SLIP ROADS ORDER (SLRO).

**Report of:** Director for Neighbourhood and Regulatory Services.

**Decision Type:** Key Decision NRS 104/25

## 1. COUNCIL PLAN PRIORITY

<b>Hartlepool will be a place:</b>
- where people live healthier, safe and independent lives. (People)
- that is connected, sustainable, clean and green. (Place)
- that is welcoming with an inclusive and growing economy providing opportunities for all. (Potential)

## 2. PURPOSE OF REPORT

- 2.1 This report provides an update on the A19 / Elwick Road / North Lane Junction and Elwick Road / Hartlepool Western Link Project (the Scheme) and requests approval to the making of the relevant legal orders.
- 2.2 There is a degree of detail in respect of the order documentation and plans that will ultimately need to be finalised following approval by the Committee and the Council and Members will therefore note that provision is made in the recommendations for the Director for Neighbourhood and Regulatory Services, in consultation with the Director of Legal, Governance and Human Resources, to amend and finalise the documentation as necessary prior to the making and sealing of the various orders.
- 2.3 Delivery of this Scheme is integral to the strategic development to the west of the Hartlepool urban area in accordance with the Hartlepool Local Plan. Details of the Scheme and the future growth of Hartlepool have previously



been considered by the Finance and Policy Committee on 24<sup>th</sup> July 2017, 26<sup>th</sup> November 2018, 14<sup>th</sup> March 2022 and 13<sup>th</sup> March 2023.

- 2.4 The Finance and Policy Committee previously resolved in its meeting of 13<sup>th</sup> March 2023 to proceed with the making of the CPO and the associated orders; such resolution being confirmed by the meeting of the Full Council on 23<sup>rd</sup> March 2023.
- 2.5 Since those resolutions of March 2023, planning permission for the Scheme was granted by the Council as Local Planning Authority (LPA) on 18 January 2024 under reference H/2023/0057. Since planning permission was granted, necessary amendments to the Scheme have been identified and an application pursuant to section 73 of the Town and County Planning Act 1990 was validated by the LPA on 12<sup>th</sup> November 2025 under reference [H/2025/0363]. The CPO documentation will be finalised once this section 73 application has been determined.
- 2.6 Negotiations with landowners have been undertaken and are ongoing. Significant progress has been made in that the Council completed on an option to purchase with one landowner in 2024 and heads of terms for similar options with a number of other landowners are at an advanced stage. However agreement on acquisition has not been achieved with all landowners and while negotiations will continue, in order to avoid any further delays to the Scheme and bring forward its delivery, it is considered necessary to progress a compulsory purchase order (CPO) and two side roads orders (SROs) and as necessary work with the Department for Transport in the promotion of a slip roads order (SLRO).
- 2.7 The justification for making the CPO and SROs to deliver the Scheme remains robust as previously set out in the report to the Finance and Policy Committee of 13 March 2023. However, due to the passage of time and the amendments made to the Scheme through the section 73 application authority is sought to proceed to the making of the CPO as set out below. Therefore, the purpose of this report is to request that Neighbourhoods and Regulatory Services Committee support officers seeking Full Council approval for:
- The making of the CPO and SROs (together "the Orders") for the Scheme
  - Taking a delegation from the Secretary of State for Transport to enable the making of a Slip Roads Order for the Scheme subsequent to the Scheme's implementation, or in the absence of a delegation, to assist the Secretary of State in making such an order; and
  - The Council to enter into an agreement with National Highways pursuant to section 6 of the Highways Act 1980 to receive the necessary trunk road powers in respect of the A19 and the Scheme.
- 2.8 The current drafts of the following documents are attached IN **APPENDIX A**, B, C, D and should be read in conjunction with this report:
- The draft Statement of Reasons (**Appendix A**).
  - The draft Compulsory Purchase Order and Order Maps (**Appendix B**).

- The draft Side Roads Order(s) and Order Maps (**Appendix C**); and
- The draft Section 6 Agreement with National Highways (**Appendix D**).

### 3. BACKGROUND

- 3.1 The concept of the Scheme developed during the preparation of the Hartlepool Local Plan in conjunction with discussions between the Council and National Highways. Historically the junctions at Elwick village and Dalton Piercy have had safety issues and there has been a number of accidents, some of which were fatal. As such National Highways secured funding to look at design options for the creation of a grade separated junction at one of the Elwick village junctions.
- 3.2 The Scheme was subsequently shown to be needed as a result of capacity and safety concerns with vehicles queuing back in the deceleration lane for the right turn into the villages. This was a major concern as it led to cars queuing into the outside northbound lane of the A19 meaning that there could be serious negative implications with regards to highway safety.
- 3.3 The safety and capacity issues led to National Highways putting holding recommendations on planning applications which were coming forward that would intensify the traffic movements through Elwick. In light of this the Council was unable to approve planning applications until the highway issues were satisfactorily addressed.
- 3.4 Simultaneously there were wider concerns with increasing congestion on the A689 and A179, along with the safety and amenity of residents within Elwick Village in terms of increasing levels of cars travelling through the village. These additional concerns led to the Scheme being included within the Local Plan via policy (INF2 Improving Connectivity in Hartlepool).
- 3.5 On 24<sup>th</sup> July 2017, the Council's Finance and Policy Committee considered the '*Elwick Bypass and Grade Separated Junction – Prudential Borrowing Report*'. The report set out the need for and importance of delivering the Scheme with regards the growth of Hartlepool. The costs of the Scheme and the possible delivery routes were set out, including information of the external funding streams that have been applied to.
- 3.6 Permission was sought, and given, to have in place, as a final funding option, a commitment from the Council to agree to prudentially borrow between £8m and £18m, to cover the full cost of the Scheme, or a lower amount if other sources of funding can be secured. The report advised that the Council will be able to secure funding via section 106 agreements to assist in repaying the external funding and / or prudential borrowing, but further advised that if in the event section 106 money is not received (or not received in full), the Council will need to repay the prudential borrowing from the General Fund Budget over a 50 year period.

- 3.7 The Finance and Policy Committee report was referred to Full Council on 28<sup>th</sup> September 2017, and they upheld the decision made in Finance and Policy Committee. The decision was welcomed and the ability to fund the Scheme assisted in defending its deliverability during the Local Plan Examination in Public.
- 3.8 Following adoption of the Local Plan in May 2018 a report, entitled *Hartlepool Western Growth Corridor, Funding Strategy and Compulsory Purchase Order*, was referred to Finance and Policy Committee on 26<sup>th</sup> November 2018. The report gave information as to how the Scheme had developed and set out that since the previous report to Full Council in September 2017, £4.172m had been secured from the Tees Valley Combined Authority (TVCA) and advanced discussions were ongoing to secure a further £4.173m from Homes England. Securing these external grants funds 45% of the estimated cost of this Scheme. The report advised that based on the current estimated Scheme cost of £18.506m the Council needed to prudentially borrow £10.161m towards the overall Scheme. This was significantly less than the maximum potential borrowing reported to Full Council on 28<sup>th</sup> September 2017 of £18m. The report sought agreement to be given to the use of Compulsory Purchase Order (CPO) powers to acquire the land and confirmed that a further report would be brought to Members to formally invoke the CPO if negotiations with the landowners were unsuccessful.
- 3.9 The Finance and Policy Committee report was discussed by Full Council on 30<sup>th</sup> December 2018. The Council upheld the decision made in Finance and Policy Committee.
- 3.10 The Council was unsuccessful in obtaining grant funding from either National Highways or Homes England, however on 27<sup>th</sup> July 2018 the TVCA agreed in principle, and subject to a detailed business case, to provide an additional £4.173 million. In light of the TVCA decision the external grant funding remains at the level discussed by the Finance and Policy Committee on 26<sup>th</sup> November 2018.
- 3.11 On 14<sup>th</sup> March 2022, a report, entitled A19 Grade Separated Junction, Elwick Bypass and Hartlepool Western Link, was presented to Finance and Policy Committee. The report provided an update on the Scheme setting out that significant progress had been made with National Highways in relation to the design of the Scheme and how it will link into the A19 and that the next key step was to complete a Road Safety Audit Stage 1 (RSA 1) and submit this to National Highways for approval. The report further noted that once the RSA 1 was approved this would enable the Council to confirm the exact land requirements. It was advised that negotiations with landowners was ongoing but that no agreements had been made. Members noted the report.
- 3.12 On 13<sup>th</sup> March 2023, a report entitled "A19 / Elwick Road / North Lane Junction and Elwick Northern Bypass / Hartlepool Western Link Project Compulsory Purchase Order (CPO), Side Roads Orders (SROs) and Slip Roads Order (SLRO) (The Scheme)" was presented to Finance and Policy

Committee. The report provided an update on the Scheme setting out that the RSA1 had been completed which then allowed for a planning application to be submitted. It was advised that negotiations with landowners was ongoing but that no agreements had been made. As noted above, it was resolved that delegated approval be given to the then Director of Neighbourhoods and Regulatory Services to make the CPO and associated orders. Such decision being confirmed by the meeting of the Full Council on 23<sup>rd</sup> March 2023.

#### **4. PROPOSALS/OPTIONS FOR CONSIDERATION**

- 4.1 In accordance with the Constitution, the Finance and Corporate Affairs Committee is responsible for proposing changes to the approved Budget and Policy Framework, which are then referred to Full Council for approval. It is not considered that any amendments to the agreed prudential borrowing is required as a result of the passage of time since the Scheme was last considered by the Finance and Policy Committee and therefore it is not considered necessary for the Scheme to be further considered by that Committee. The Neighbourhood and Regulatory Services Committee is responsible for Strategic Asset Management and it is therefore considered appropriate for this Committee to now confirm their support for the Orders before referring the matter to Full Council.

##### **Scheme Description**

- 4.2 The Scheme, as more particularly described in section 3 of the draft Statement of Reasons (SoR) as attached, is located on the A19 between the A179 Sheraton Interchange and the A689 Wolviston Interchange. It comprises a new grade separated junction, including an overbridge at A19 / Elwick Road / North Lane and a single carriageway bypass / link road lying to the north west of the village of Elwick and extending from the new junction to the east north east of Elwick village where it joins the existing Elwick Road at the northern end of what is known as *Devil's Elbow*. A number of further improvement measures will also be undertaken in respect of the existing A19 in the vicinity of the new junction including closures of existing accesses in / out of the A19. Together these measures comprise the Scheme.
- 4.3 The Scheme will provide a third main route from the A19 into the urban area of Hartlepool and will remove traffic from the village of Elwick.

##### **Scheme objectives**

- 4.4 The Scheme will achieve the following objectives and have the following benefits:
- Improve the operation of, and road safety, at the at-grade A19-Elwick junction by the construction of a new grade-separated junction and also contribute to wider improvements in road safety and functionality along the A19 corridor.

- Improve connectivity by creating an additional main junction on the A19 and enhanced link to Hartlepool.
- Contribute to the strategic and local traffic management by relieving pressure on the existing A179 and A689 routes from Hartlepool to the A19.
- Contribute to the regeneration and growth in accordance with the key principles and spatial vision in the adopted Hartlepool Local Plan ("the Local Plan") particularly in order to bring forward housing development and associated social infrastructure. The delivery of a key housing allocation at High Tunstall being dependent on the delivery of the Scheme; and
- Improve road safety, bring environmental benefits to, and protect the character of Elwick, by reducing existing through traffic from the village.

### **Key milestones in Scheme progress to date**

- 4.5 The Council has been working closely with National Highways to agree the design of the Scheme. The Road Safety Audit (Stage 1) was approved by National Highways on 14<sup>th</sup> December 2022 meaning that meaningful progress has been made with a planning application and with the Orders.
- 4.6 The design of the Scheme has now advanced to a level of detail to support a detailed planning application. As noted above, a revised planning application for the Scheme has been submitted. The completion of the Scheme design has enabled confirmation of the Scheme boundary and land-take required.
- 4.7 Interests in land were identified at an earlier stage and contact has been made with landowners as set out below. A further more detailed land referencing process is being undertaken to identify all relevant freeholds, leaseholds, tenancies, easements, rights and other interests in land that will be affected by delivery of the Scheme.
- 4.8 In confirming the Scheme, it has also been necessary to identify effects on side roads and the consequent need to alter or amend the existing local highway network and private accesses as set out in the SRO.
- 4.9 External lawyers were re-engaged in August 2022 to progress the Statement of Reasons and advise generally on progressing the Orders.
- 4.10 Planning permission for an initial iteration of the Scheme was granted by the Council on 18<sup>th</sup> January 2024. Since then, through engagement with the landowners, and in response to understanding the impact of the Scheme upon them, necessary amendments to the Scheme have been proposed. A section 73 planning application was therefore submitted to and validated by the Full Council on 12<sup>th</sup> November 2025 and, subject to this Committee's decision, it would be proposed to make the Orders upon determination of the section 73 application.

### Land acquisition

- 4.11 The extent of the freehold land and land over which rights are required to construct the Scheme is shown on the CPO Plans and the schedule to the draft CPO. The land is predominantly arable farmland in various ownerships.
- 4.12 There are approximately 17 separate parcels of land required for the Scheme, some of the parcels of land are currently jointly owned by several individuals and a number of parcels are in the same ownership. The land required includes two parcels of unregistered land in unknown ownership, and additionally titles to mines and minerals are unregistered. The land required also includes land comprising the subsoil of the adopted highway at the A19 / Church Bank junction that is to be stopped up. Upon stopping up, the land will revert to the adjoining landowners under the legal presumption that they each own the land up to the mid-line; the Council is therefore also seeking the acquisition of such land.
- 4.13 Seven landowners are represented by three land agents with whom the Council has been in negotiations. The Council has only recently made contact with the adjoining owners to the land at the A19 / Church Bank junction and it is not yet known if they will appoint agents.
- 4.14 Pursuant to the lengthy negotiations, it has been possible to secure agreement to acquire the land forming part of High Barns Farm and heads of terms with three other landowners are significantly advanced. However, notwithstanding negotiations with the agents, it has not yet been possible to reach agreement with all landowners. The Council will in any event continue to seek to negotiate with the landowners in parallel with progression of the CPO.
- 4.15 However, in order to ensure delivery of the Scheme it is necessary to secure the acquisition of all relevant interests within the Scheme boundary. That is necessary if the Scheme is to come forward in a timely way as a construction programme could only progress with certainty in the light of confirmed acquisitions. The use of compulsory purchase order powers is the only way to guarantee that the land required for the Scheme is available to the Council.
- 4.16 In respect of land and interests in unknown ownership, it is evidently not possible to acquire such interests by agreement and therefore compulsory acquisition will be required in respect of such interests in any event, whether or not agreement is reached with all of the freehold owners. There are additional statutory procedural requirements in respect of land in unknown ownership to be followed.
- 4.17 The SROs are needed to give authority to stop up, divert, construct, or improve existing parts of the local highway network that will cross or enter the route of the Scheme. A SRO also provides authority to stop up and provide new private means of access to land and premises.

## The Orders and overview of the Statement of Reasons (SOR)

4.18 The Orders to be made and promoted are as follows:

- The Hartlepool Borough Council (A19 / Elwick Road / North Lane Junction and Elwick Bypass / Hartlepool Western Link) Compulsory Purchase Order 202[6]. This CPO contains provision for the compulsory acquisition of land for the purposes of highway elements of the Scheme pursuant to the Council's own compulsory purchase powers. No land acquisition is required in respect of those parts of the Scheme that will ultimately become trunk road/part of the A19 junction.
- The Hartlepool Borough Council (A19 / Elwick Road / North Lane Junction and Elwick Bypass / Hartlepool Western Link) (Classified Road) (Side Roads) Order 202[6] in order to carry out works to the existing local highway network as well as stop up existing private means of access and create such new private accesses which are necessary to enable the Scheme to be constructed. This SRO is also made under the Council's own statutory powers.
- The Council is also promoting the Hartlepool Borough Council (A19 / Elwick Road / North Lane Junction and Elwick Bypass / Hartlepool Western Link) (Side Roads) Order 202[6] to link the new road to the A19 Trunk Road which is also necessary to enable the Scheme to be built along with any consequential alterations to the existing highway network including private means of access. This Order is made on behalf of National Highways in exercise of powers to be delegated under section 6 of the Highways Act 1980; and
- There will also a need for the making of the Hartlepool Borough Council (A19 / Elwick Road/North Lane Junction and Elwick Bypass / Hartlepool Western Link) (Slip Roads) Order 202[6] which will be necessary to ensure that the slip roads at the A19 junction are created as or otherwise become trunk road on completion. This is an Order which will be made by the Secretary of State for Transport and not National Highways and therefore cannot be delegated by National Highways under section 6 of the Highways Act 1980. Discussions will need to be undertaken with the Department for Transport (DfT) as to whether any part of the order making process can or would be delegated to the Council. In the absence of such a delegation the Council will closely liaise with the DfT to ensure that the process for the making of the slip roads order is closely aligned with and where possible integrated within the other order making processes.

4.19 A Statement of Reasons (SoR) has been prepared which sets out the reasons for promoting the Orders and delivering the Scheme and explains the need for the CPO and other orders to enable land and any other interest in the land that is not within the ownership or control of the Council to be acquired to permit the Scheme works to be carried out.

4.20 Although there are elements of the SoR which require updating and finalising to reflect the position as at the date of the making of the Orders the nature of the justification of the Scheme and the use of compulsory purchase and side

roads order powers in relation to the Scheme is clear from the SoR. Although brief summaries are given below of the needs for and justifications of the various orders referred to above, the full justification is set out in the SoR including detail of the highways considerations and the alignment of the Scheme with national and local policy. Members should therefore have regard to the SoR attached as an appendix as a whole in considering whether the powers available to the Council and delegated to it by National Highways or (potentially) the Secretary of State should be exercised for the purpose of making orders in relation to the Scheme.

- 4.21 All of these Orders are in draft form and are subject to amendment in order to make technical adjustments or to accommodate changes to the Scheme that may be required through the determination of the section 73 planning application and / or further discussions with National Highways, for example in the event that additional landscaping was required by the Local Planning Authority then additional land take would be required. The Orders will not therefore be made until the section 73 planning application has been determined.
- 4.22 To give the necessary flexibility to progress the Scheme in an efficient and timely manner a delegation is sought to the Director (of Neighbourhood and Regulatory Services ("the Director")) in consultation with the Director of Legal, Governance and HR to make necessary changes prior to publication of the Orders and during the process of seeking their confirmation.

#### **The need and justification of the CPO**

- 4.23 The purpose of seeking to acquire land and new rights compulsorily is to enable the Scheme to be constructed. The CPO would enable the Council to meet its statutory purposes and strategic highway objectives within the shortest realistic timescale in the most appropriate way.
- 4.24 The Council recognises that a CPO for the Scheme can only be made if there is a compelling case in the public interest which justifies the acquisition of private rights and interests in land and the creation of new rights sought to be acquired. A compelling case exists here as set out at section 6 of the SoR. A CPO is necessary and justifiable in the public interest.
- 4.25 The Council would be making the CPO to secure the outstanding interests and new rights required to enable implementation of the Scheme, which is necessary to achieve its objectives for the area. The Council has held or intends to continue to hold discussions with the owners of relevant interests in an attempt to reach agreement, but the CPO remains necessary to ensure that the Scheme can proceed and to secure those parcels of land and interests in unknown ownership.



**The need and justification of the Side Road Orders (SROs)**

- 4.26 The purpose of the SROs is to maintain access to all land and property directly affected by the Scheme and to make necessary changes to the highway network. In order to build the new road, it is necessary to improve, or stop up, existing highways and construct new highways to link into the new road. It will also be necessary to stop up some existing private means of access to land or premises and to replace those where necessary with new means of access. To enable it to carry out those works the Council is promoting the SROs.
- 4.27 The Council recognises that the SROs for the Scheme can only be made if there is a compelling case in the public interest which justifies the acquisition of private rights and interests and the creation of new rights sought to be acquired. A compelling case exists here as set out in section 8 of the SoR.
- 4.28 The SROs are necessary and justifiable in the public interest.

**The need and justification for the A19 Slip Roads Order**

- 4.29 The proposed highways design incorporates amendments to existing accesses to and from the A19 trunk road and new access to and from the A19 trunk road.
- 4.30 In order to achieve that movement and to meet the requirements of National Highways and the agreed design, the SLRO is necessary. The Slip Roads have been designed to meet the relevant and applicable standards, have been assessed by National Highways and have received the necessary technical approval to be acceptable.
- 4.31 The SLRO will be made by the DfT unless delegation to the Council can be agreed with the DfT.

**The need and justification for entering into agreements pursuant to section 6 Highways Act 1980**

- 4.32 In order to work on the A19 Trunk Road and to construct the overbridge, the Council will need to sign up to an agreement under section 6 of the Highways Act 1980 with National Highways and potentially also an agreement with the Secretary of State. The section 6 agreement will:
- Allow the Council to pursue the A19 SRO on behalf of National Highways under delegated powers.
  - Allow the Council's contractor to work on the trunk road network; and
  - Set out the maintenance and ownership responsibilities for the overbridge and associated infrastructure connecting the A19 with the new bypass.

A commuted sum may be required by National Highways in respect of the ongoing maintenance of the overbridge and associated infrastructure to

deliver the grade separated junction. Negotiations are ongoing with National Highways. In the event that a commuted sum is agreed to be required it is considered that the Council's approved borrowing will not need to be further increased to take into account such additional costs.

- 4.33 The current estimated programme for delivery of the Scheme is as follows:

January / February 2026	Determination of Planning Application
Spring 2026	Orders made and published
Spring 2026 / Winter 2026	Statutory Objection period and possible Public Inquiry
Winter 2026	Secretary of State's decision
Spring 2027	General Vesting Declaration

- 4.34 As noted above where objections are received and not withdrawn then a Public Inquiry will be required. It is estimated that such an inquiry would be held within 6-9 months from the date of submission of the Orders to the Secretary of State. The Council will, in accordance with Guidance, continue to seek to reach agreement with landowners wherever practicable but requires the certainty of land acquisition afforded by the compulsory purchase process if the Scheme is to be delivered.

## 5. OTHER CONSIDERATIONS/IMPLICATIONS

<b>RISK IMPLICATIONS</b>	<p>The final amount of consideration or compensation that may have to be paid to landowners is not yet known as it has not been possible to reach agreement. If agreement cannot be reached, then ultimately the Lands Chamber is the arbiter of compensation. It will have regard to what is known as the Compensation Code, a body of statute and case law, and to valuation expertise. As with any litigation there is inherently an element of risk and uncertainty as to the outcome.</p> <p>The CPO may not be confirmed by the Secretary of State. However, even if there are objections lodged it is considered that the Scheme is in accordance with national and local policies and that the case for compulsory acquisition is robust.</p>
<b>FINANCIAL CONSIDERATIONS</b>	<p><b>Financial Overview of the Scheme</b></p> <p>The financial position in relation to this Scheme was considered by the Full Council in December 2018 and again in Finance and Policy Committee on 14<sup>th</sup> March 2022. The 2022 report provided a</p>

	comprehensive assessment of the financial considerations at the time reflecting the economic climate, a revised profile of expenditure in relation to the Scheme and assessment of risk factors including interest rate changes, housing growth delays and CPO delays. The total Scheme costs were set out to be £24,497,000 with an upper estimate taking into account additional inflation and risk of £26,094,000. The Scheme is still considered to be deliverable within the financial margins and funding set out in the aforementioned report.
<b>SUBSIDY CONTROL</b>	No issues arising
<b>LEGAL CONSIDERATIONS</b>	<p><b>The Highways Act 1980</b></p> <p>The CPO is to be made pursuant to the powers set out in the recommendations in this report and more fully addressed in the SoR.</p> <p>The relevant provisions of the Highways Act 1980 include:</p> <ul style="list-style-type: none"> <li>• Section 239 enables a highway authority to acquire land required for the construction and improvement of a highway.</li> <li>• Section 240 relates to the carrying out of works authorised under a SRO, and use of land as working space and the diversion of watercourses.</li> <li>• Section 246 relates to mitigation of adverse effects of the existence or use of a scheme.</li> <li>• Section 249 contains distance limits from the highway applicable to certain land acquisition powers.</li> <li>• Section 250 provides for acquisition of rights including new rights.</li> <li>• Section 260 relates to land acquired by agreement and included in a CPO over-riding restrictive covenants or other third-party rights.</li> <li>• Sections 14 and 125 confer powers on the Council as highway authority to make side roads orders, including authorising the stopping up of private means of access; and</li> <li>• Section 110 confers power on the Council as highway authority to divert a non-navigable watercourse in connection with the construction, improvement or alteration of a highway; no further orders are required in the exercise of this power.</li> </ul>

	<p>The Highways Act 1980 contains similar powers for National Highways in relation to trunk roads. Section 6 of the Highways Act 1980 contains powers for National Highways to authorise the Council to exercise the powers of National Highways in relation to trunk roads and empowers the Council to exercise such powers were authorised to do so.</p> <p>Circular 2/97 states that it is the Secretary of State's practice not to confirm a Compulsory Purchase Order until he is satisfied that planning permission for the Scheme, to which the Order relates, has been granted. It is therefore not intended to make the Orders until such time as the section 73 planning permission for the Scheme has been granted.</p> <p>The legal considerations that the Council must take into account are set out in this report and in the SoR.</p> <p><b>Human Rights</b></p> <p>The Council has addressed the implications arising from the Scheme in respect of the Human Rights Act 1998 in Section 14 of the SoR. The Human Rights Act 1998 incorporated the European Convention on Human Rights (the "Convention") into domestic law. The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.</p> <p>The European Court of Human Rights has recognised that "regard must be had to the fair balance that has to be struck between competing interests of the individual and of the community". Both public and private interests are to be considered in the exercise of the Council's powers and duties as a local authority. Any interference with a Convention right must be necessary and proportionate.</p> <p>In resolving to make the Orders, the Council has carefully considered the rights of property owners under the Convention against the wider public interest. The Scheme will deliver significant benefits to Hartlepool including to the growth of the Borough in accordance with Local Plan objectives, benefits to the local and strategic road networks, including road safety benefits, and the removal of through traffic from the village of Elwick.</p> <p>Any interference with Convention rights, such as they may be, is considered to be justified and proportionate in order to secure the benefits that the Scheme will bring. All parties whose rights under</p>
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	<p>Article 8 of the Convention and under Article 1 of the First Protocol thereto are both entitled to object to the Orders and be heard at a public inquiry or hearing in accordance with their Article 6 Convention rights, and those entitled to claim compensation are also entitled to appropriate compensation under the relevant statutory provisions.</p> <p>In light of the significant public benefit which would arise from the implementation of the Scheme the Council has therefore concluded that it would be appropriate to make the Orders. It does not regard the Orders as constituting any unlawful interference with individual property rights.</p>
<b>SINGLE IMPACT ASSESSMENT</b>	Attached in <b>Appendix E</b>
<b>STAFF CONSIDERATIONS</b>	No issues arising.
<b>ASSET MANAGEMENT CONSIDERATIONS</b>	As set out within the report
<b>ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS</b>	<p>Environment, Sustainability and Climate Change considerations relating to the Scheme have been considered during the preparation of the 2018 Hartlepool Local Plan particular in preparing policy LS1 (Locational Strategy) and policy INF2 (Improving Connectivity in Hartlepool) along with undertaking significant assessments via the sustainability appraisal. Environment, sustainability and Climate Change considerations were also considered in determining the 2024 planning permission and will be subject to further scrutiny as part of the determination of the section 73 planning application now submitted for the Scheme. With regards to the CPO process there are no specific environment, sustainability and climate change considerations identified at this stage.</p>
<b>CONSULTATION</b>	<p>The Scheme has been the subject of extensive consultation both formal and informal as set out above. In particular the Scheme was consulted upon as part of the 2018 Local Plan process and the 2024 planning permission. Additional consultation will be undertaken as part of the section 73 planning application. There has also been informal consultation throughout the development of the</p>

	<p>Scheme via leafleting, press releases and online announcements. Affected landowners have been contacted via their agents.</p> <p>In the context of the CPO the Council will continue to engage with Parish Council's and local residents groups to update them on the Scheme in more detail in due course.</p>
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## 6. RECOMMENDATIONS

- 6.1 That Neighbourhoods and Regulatory Services Committee requests that Full Council:
- 6.2 Approves the Council entering into an agreement with National Highways pursuant to Section 6 of the Highways Act 1980 ("the Section 6 Agreement") relating to highway works at the A19 / Elwick Road / North Lane junction and the exercise by the Council of all National Highways' powers in respect of the making, publishing and seeking confirmation of the A19 SRO and taking all other related steps necessary to give effect to paragraphs 14.2 and 14.3 below, with delegated authority given to the Director (including any acting Director) of Neighbourhood Services ("the Director") in consultation with the Director of Legal, Governance and HR to reach agreement with National Highways as to the form of such an agreement which shall generally be in accordance with the draft attached as an appendix and with delegated authority to the Director in consultation with the Director of Legal, Governance and HR to agree a commuted sum with National Highways if so required provided that agreement to pay such a commuted sum does not result in any prudential borrowing beyond that already approved by the Council in respect of the Scheme.
- 6.3 Approves the Council (both for itself and in exercise of the powers of National Highways delegated pursuant to the Section 6 Agreement) exercising powers under Sections 14, 125, 239, 240, 246, 250 and 260 of the Highways Act 1980, the Acquisition of Land Act 1981 and all other enabling powers to secure the compulsory acquisition of and otherwise deal with all land and rights and interests in and affecting land necessary to construct the Scheme.
- 6.4 Without prejudice to the generality of the approval at paragraph 14.1 above, authorises the Director of Legal, Governance and HR (both for the Council itself and in exercise of the powers of National Highways delegated pursuant to the Section 6 Agreement as relevant) to make:
- 6.4.1 The Hartlepool Borough Council (A19 / Elwick Road / North Lane and Elwick Northern Bypass / Hartlepool Western Link) Compulsory Purchase Order 2023 ("the CPO") under sections 239, 240, 246, 249,

250 and 260 of the Highways Act 1980, the Acquisition of Land Act 1981 and all other enabling powers, as per the details contained in this report and generally in the form set out in an attached appendix to this report to secure the compulsory acquisition of interests in land and new rights shown on the plans attached as an appendix (the CPO and associated plans being subject to any final amendments the Director considers necessary); and

- 6.4.2 The Hartlepool Borough Council (A19 / Elwick Road / North Lane and Elwick Northern Bypass / Hartlepool Western Link)(Classified Roads) Side Roads Order 2023 ("the SRO") under sections 14 and 125 of the Highways Act 1980 and all other enabling powers, as per the details set out in this report and generally in the forms set out as an appendix (subject to any final amendments the Director considers necessary);
- 6.4.3 The Hartlepool Borough Council (A19 / Elwick Road / North Lane and Elwick Northern Bypass / Hartlepool Western Link) Side Roads Order 2023 ("the A19 SRO") under sections 14 and 125 of the Highways Act 1980 and all other enabling powers, as per the details set out in this report and generally in the forms set out as an appendix (subject to any final amendments the Director and National Highways considers necessary);
- 6.4.4 the CPO and SROs being collectively referred to as "the Orders".
- 6.5 Approves the Council entering into an agreement with the Secretary of State for Transport ("SSfT") and / or the Department for Transport ("DfT") to receive authority or delegation of powers to enable the Council to promote a Slip Roads Order or Orders to be made by the SSfT under sections 10 and 41 of the Highways Act 1980 through to confirmation, including preparation and representations at any Public Inquiry and the exercising of those powers if and when authorised or delegated; or whether or not a delegation is obtained pursuant to this paragraph the Council liaising with and assisting the SSfT and / or DfT in respect of publication and promotion of a Slip Roads Order or Orders under Sections 10 and 41 of the Highways Act 1980 in each case for the designation of the new slip roads created as part of the Scheme as trunk roads;
- 6.6 In respect of the Slip Roads Order, as necessary:
  - 6.6.1 authorises the Director to exercise on behalf of the Council any powers of the Secretary of State under section 10 of the Highways Act 1980 delegated pursuant to an agreement as described in paragraph 14.4 above or otherwise to take such steps as may be necessary to liaise with and assist the Secretary of State as described in paragraph above; or
  - 6.6.2 in exercise of the powers of SSfT and/or the DfT delegated pursuant to an agreement described in paragraph 14.4 above authorises the

Director of Legal, Governance and HR to make the Hartlepool Borough Council (A19 / Elwick Road / North Lane and Elwick Northern Bypass / Hartlepool Western Link) Slip Roads Order 2023.

- 6.7 Approves in principle the Statement of Reasons ("SoR") for the above mentioned Orders generally in the form of the draft set out in an appendix and authorises the Director to agree the final version of the SoR, and the final form of the Orders including authority to make, if necessary, any amendments to the Orders referred to in the above paragraphs necessary to secure the compulsory acquisition of all interests in land necessary to construct the Scheme.
- 6.8 Authorises the Director of Legal, Governance and HR to seal the Orders and as necessary the Slip Roads Order in their final form.
- 6.9 Authorises the Director to take all ancillary and necessary steps, including the publication and service of all statutory notices and presentation of the Council's case at Public Inquiry, to proceed with and secure the confirmation of the Orders and as necessary the Slip Roads Order by the Secretary of State, and making of agreements and undertakings with landowners and other affected parties necessary in order to secure the removal of any objections made to the Orders (where such agreements and undertakings are appropriate), and the vesting of the interests in land and new rights in the Council by way of the making of one or more general vesting declarations under the Compulsory Purchase (Vesting Declarations) Act 1981 or the service of Notices to Treat and Notices of Entry under the Compulsory Purchase Act 1965 and to include authority to request confirmation of the final Orders and as necessary the Slip Roads Order with modifications if, in the light of new information, it appears expedient to ensure the confirmation of the Orders and as necessary the Slip Roads Order.
- 6.10 That authority be given to the Director of Legal, Governance and HR to acquire all third-party interests in land and the properties subject to the CPO and as required for the Scheme (whether compulsorily or by agreement).

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1 The Scheme is consistent with the adopted Local Plan. The need for it and the benefits it will bring are widely recognised. The proposal fits well within the applicable policy and is supported at both local and national level.
- 7.2 To ensure the Scheme is progressed expediently and Orders and as necessary the Slip Roads Order can be published at the earliest opportunity enabling the acquisition of land and the proper dealing with rights and encumbrances.
- 7.2 For the reasons set out in the Report and the attached draft Statement of Reasons there are compelling reasons in the public interest for the



exercising of the relevant powers and the making of the Orders referred to in the Recommendations.

## 8. BACKGROUND PAPERS

- 8.1 Finance and Policy Committee – 14<sup>th</sup> March 2022 – A19 Grade Separated Junction, Elwick Bypass and Hartlepool Western Link
- 8.2 Report to the Tees Valley Combined Authority Cabinet - 27<sup>th</sup> July 2018 – Hartlepool Western Growth Corridor.
- 8.3 Finance and Policy Committee – 26<sup>th</sup> November 2018 – Hartlepool Western Growth Corridor – Funding Strategy
- 8.4 Council - 30<sup>th</sup> December 2018 - Hartlepool Western Growth Corridor– funding strategy and compulsory purchase order.
- 8.5 Council – 28<sup>th</sup> September 2017 – Elwick Bypass and Grade Separated Junction – Prudential Borrowing Report.
- 8.6 Finance and Policy Committee – 24<sup>th</sup> July 2017 – Elwick Bypass and Grade Separated Junction – Prudential Borrowing Report.
- 8.7 Finance and Policy Committee – 13<sup>th</sup> March 2023 – A19 / Elwick Road / North Lane Junction And Elwick Northern Bypass / Hartlepool Western Link Project Compulsory Purchase Order (CPO), Side Roads Orders (SROs) and Slip Roads Order (SLRO) (The Scheme) Report.

## 9. CONTACT OFFICERS

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Sign Off:-

Managing Director	Date: 17/11/2025
Director of Finance, IT and Digital	Date: 14/11/2025
Director of Legal, Governance and HR	Date: 18/11/2025

THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY  
PURCHASE ORDER 2026

THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) (CLASSIFIED  
ROAD) (SIDE ROADS) ORDER 2026

[THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE  
JUNCTION AND ELWICK NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) (SIDE  
ROADS) ORDER 2026

THE HIGHWAYS ACT 1980

AND

THE ACQUISITION OF LAND ACT 1981

DRAFT STATEMENT OF REASONS

November 2025

[...] indicates text to be updated or added before final publication

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## 1. **INTRODUCTION**

- 1.1. This document has been prepared on behalf of Hartlepool Borough Council ("the Council") and comprises the Statement of Reasons for the Hartlepool Borough Council (A19, Elwick Road and North Lane Junction, Elwick Northern Bypass and Hartlepool Western Link) Compulsory Purchase Order 2023 ("the CPO") and the Hartlepool Borough Council (A19, Elwick Road and North Lane Junction, Elwick Northern Bypass and Hartlepool Western Link) (Classified Road)(Side Roads) Order 2023 ("the SRO") (together "the HBC Orders").
- 1.2. The HBC Orders were made on [to be inserted] pursuant to the Highways Act 1980, the Road Traffic Regulation Act 1984 and the Acquisition of Land Act 1981 and all other relevant enabling powers. If confirmed by the Secretary of State for Transport ("the Secretary of State") they will facilitate compulsory acquisition of the land and new rights required for new highway and improvements and authorise the necessary stopping up of existing highways and private means of accesses and the creation of new highways and private means of accesses.
- 1.3. The CPO comprises both an Order itemising interests in land and an Order Map identifying the land ("the Order Land").
- 1.4. The Scheme also necessitates the involvement of National Highways and the exercise of their powers on behalf of the Secretary of State, and those directly of the Secretary of State in respect of the A19 trunk road and this document has been prepared under delegated powers and comprises the Statement of Reasons for the Hartlepool Borough Council (A19, Elwick Road and North Lane Junction, Elwick Northern Bypass and Hartlepool Western Link)(Side Roads) Order 2023 ("the A19 SRO"). Section 2 of this Statement of Reasons provides further detail in respect of the relationship with National Highways and their powers.
- 1.5. Together the HBC Orders and the A19 SRO are "the Orders".
- 1.6. The HBC Orders and the A19 SRO have been made pursuant to the Council's resolutions of 13 March 2023 and [ ] and delegated authority thereunder and thereafter submitted to the Secretary of State for confirmation.
- 1.7. Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007 and Rule 16 of the Highways (Inquiries Procedure) Rules 1994 will apply and will require the Council to serve a statement of case should an inquiry be called.
- 1.8. This Statement has been prepared to support the Orders by describing the objectives and purpose of the proposals for the new grade separated A19, Elwick Road and North Lane junction and the Elwick Northern Bypass/Hartlepool Western Link ("the Scheme"). The main elements of the Scheme include an overbridge ("the Junction") and a single carriageway Bypass/Link ("the Bypass/Link") connecting the existing A19 to Elwick Road.
- 1.9. Section 3 of the Statement describes the aims and purposes of the Scheme. The Council seeks to assemble in its ownership land and interests and new rights included in the CPO to facilitate and enable the construction of the Scheme. The Council also seeks to stop up private means of access adjoining or adjacent to the Scheme and to provide new access to any such properties. This is required to

improve highway functionality and road safety; to improve access and connectivity between the A19 and Hartlepool; to facilitate delivery of new homes and related development of social and community infrastructure in identified development areas in Hartlepool; and to improve road safety and the environment of the village of Elwick by removing through traffic. There is planning policy support in the adopted development plan for the Scheme and the wider regeneration proposals.

- 1.10. Section 4 of this Statement sets out the powers under which the Orders have been made
  - 1.10.1. The CPO has been made under sections 239, 240, 246, 250 and 260 of the Highways Act 1980 ("the 1980 Act") and of the Acquisition of Land Act 1981 and would, if confirmed by the Secretary of State for Transport, enable the Council, as acquiring authority, to acquire interests in land and rights compulsorily for the construction of the Scheme. The confirmation of the CPO will enable the Council to acquire the land and rights necessary for the construction and maintenance of the Scheme and ensure the necessary improvements are made to the local highway network and appropriate mitigation provided.
  - 1.10.2. The SRO and the A19 SRO have been made under sections 14, 16 and 125 of the 1980 Act. Section 125 of the 1980 Act provides that any order made by the Council under section 14 may authorise the Council to stop up private means of access adjoining or adjacent to land comprised in the route of the classified road, or forming the site of any works authorised by such order; and to provide new private means of access to any such premises. The SROs, if confirmed by the Secretary of State for Transport, provide for the stopping up and improvement, raising, lowering, diverting or otherwise of highways which connect with the Scheme, for the construction of new highways, the stopping up of private means of access to land, the provision of new means of access to land and other associated works, including alterations to Public Rights of Way. The SROs, if confirmed, would thereby enable the construction of the Scheme and other necessary and associated works.
- 1.11. If a CPO is to be justified it is necessary to demonstrate that there is a compelling case in the public interest. The Council considers that such compelling case exists. In coming to that view the Council has expressly had regard to the "Guidance on the Compulsory Purchase Process " ("the Guidance"), and in particular has taken into consideration the following paragraphs of the Guidance:
  - 1.11.1. CPOs are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change and used properly contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities and the promotion of business - leading to improvements in the quality of life. (Paragraph 1)
  - 1.11.2. It should be expedient to make a CPO and there should be a compelling case in the public interest (Paragraphs 2 and 12). Notwithstanding that compulsory acquisition is intended as a last resort if an acquiring authority waits for negotiations to break down before starting the process, valuable

time may be lost and initiating formal procedures can encourage those whose land is affected to enter more readily into meaningful negotiations. (Paragraph 2)

- 1.11.3. The purposes for which a CPO is made should justify interference with the human rights of those with interests in land affected. (Paragraphs 2 and 12).
- 1.11.4. It should be demonstrated that the acquiring authority has taken reasonable steps to acquire all of the land and rights required by agreement, except where land ownership is unknown or in question. (Paragraph 2 and 16). It must also be demonstrated that the acquiring authority has taken reasonable steps to understand the impact of the exercise of the CPO on the affected owners and occupiers and has considered and put in place any mitigation measures against such identified impacts.
- 1.11.5. An acquiring authority should provide substantive information about the sources of funding available for acquisition of land and implementation of the scheme. (Paragraph 14).
- 1.11.6. The confirming authority must take a balanced view between the public and private interests considering each case on its own merits. An acquiring authority must have clear proposals for the use of the land sought to be acquired compulsorily and must demonstrate that all necessary resources to achieve such objective are likely to be available within a reasonable timescale. (Paragraph 13).
- 1.11.7. The confirming authority will also need to be satisfied that the interests of those effected by the CPO have been considered and will have regards to any mitigation offered by the acquiring authority when considering the impact of the exercise of the CPO on affected parties. (Paragraph 13)
- 1.11.8. It should also be shown that the Scheme is unlikely to be frustrated by any legal or physical impediments. (Paragraph 15).
- 1.12. The Council has given careful consideration to the reasons for the CPO and is satisfied that the Guidance has been complied with and its requirements met, including that
  - 1.12.1. There is certainty as to the purposes the CPO is to be used for, namely for the Scheme and that the new highway to be constructed will become highway maintainable at the public expense.
  - 1.12.2. The Council has undertaken conceptual and feasibility work in relation to the Scheme. It has also progressed design work in conjunction with National Highways. Planning permission for the Scheme was granted by the Council as Local Planning Authority on 18 January 2024 under reference H/2023/0057, which was subsequently amended by way of an application made pursuant to section 73 of the 1990 Act. Planning Permission was granted by the Council as Local Planning Authority on [ ] 2025 under reference H/2025/0363 ("the Planning Permission"). The Planning Permission establishes the road alignment and land-take

requirements for the Scheme. This includes junctions, overbridge, carriageway, verge, underpasses, landscaping, and drainage. The Scheme has been designed in accordance with relevant planning and highways standards. The land-take required therefore reflects the necessity of meeting the required highway design standards.

- 1.12.3. There is well-established planning policy support for the Scheme. The relationship with housing development to be facilitated by the Scheme is well-established. The Scheme is clearly required as infrastructure necessary to unlock the delivery of housing. The Scheme will also provide strategic and local highway network benefits. It will remove through traffic from the village of Elwick with concomitant amenity and environmental benefits.
- 1.12.4. The Council has contacted affected owners and occupiers for the purpose of discussing appropriate terms for acquisition of interests and payment of compensation. Appropriate terms have been concluded with one of the landowners and discussions are ongoing with the others. The Council has made efforts to notify and engage with all parties whose interests the Council needs to acquire for the Scheme. There are a small number of unregistered interests in unknown ownership that the Council seeks to acquire (as more particularly stated in the schedule to the CPO) and the requisite notices will be placed on the relevant Order Land in respect of these interests once the CPO has been made. The CPO will also be used to acquire all mines and minerals interests. It is readily apparent, that if implementation of the Scheme is to be achieved within a realistic timescale, combined with the presence of unregistered interests in unknown ownership and the need to acquire minerals interests, that compulsory purchase powers must be employed. The Guidance advises that it is often sensible for the formal CPO process to be initiated in parallel with negotiations to acquire the Order Land. The Council is committed to continuing discussions and negotiations with landowners in parallel with progress of the CPO. This Statement demonstrates that the requirements of that Guidance and the requirements of Highways Circulars 1/97 and 2/97 have been met.
- 1.12.5. There are a small number of statutory undertakers potentially affected by the Scheme (as more particularly stated in the schedule to the CPO) and the Council has been in contact with them. The Scheme is not expected to impact the statutory undertakers until approximately 12 months after the Scheme has been implemented. Appropriate protective provisions will be in place in due course and before works impacting the apparatus are commenced.
- 1.12.6. The necessary resources are, or will be, in place to ensure delivery of the Scheme within a reasonable timescale as set out below.
- 1.12.7. The Scheme is not likely to be frustrated by any legal or physical impediments. The position regarding planning application and planning permission is as set out above. Together with the Orders hereby sought all necessary consents will be in place to authorise development and use of the Scheme.

- 1.12.8. The Council has an agreement in place with National Highways pursuant to section 6 of the Highways Act 1980 for the delivery of the A19/Elwick Road/Coal Lane Junction improvements.
- 1.12.9. Provision will be made for agreement with the DfT for associated works pursuant to section 10 of the Highways Act 1980 to ensure the relevant parts of the new Junction become trunk road.
- 1.13. The Council considers that, taking into account the foregoing, there is a compelling case in the public interest that justifies the interference with private interests in land. The Council has therefore made the CPO to secure all interests required in order to deliver the Scheme.

## **2. NATIONAL HIGHWAYS**

- 2.1. The Scheme requires alterations to the existing A19 trunk road network and the provision of a new junction to the A19 trunk road network, which is the joint responsibility of National Highways, as well as alterations to and the provision of new roads falling within the authority of the Council as Highway Authority. It has been agreed that the Council will deliver the Junction on behalf of National Highways and that upon completion of the overbridge, ownership of the structure will vest in National Highways who will be responsible for its management and maintenance as part of the A19 trunk road network while the responsibility for the maintenance of the road surface (in respect of those parts of the Junction not comprising a trunk road) will remain with the Council.
- 2.2. The design of the Junction has been developed and designed by the Council and National Highways has given its technical approval to that design.
- 2.3. The Council is in discussions with National Highways as to the extent of the Scheme to become trunk road and a section 10 order will be made by the Secretary of State for Transport following implementation of the Scheme to ensure the relevant parts of the Junction become trunk road.
- 2.4. National Highways are the highway authority for the A19 Junction elements of the Scheme and will retain ownership and maintenance obligations in respect of the overbridge (excluding the surface of that section of the road that will not be subject to the section 10 order).
- 2.5. [The Council has entered into an agreement pursuant to section 6 of the 1980 Act with National Highways ("the S6 Agreement") by which the relevant powers have been delegated to the Council as is necessary to promote the Scheme the subject of the Orders.]

## **3. THE SCHEME**

- 3.1. The Scheme is located on the A19 between the A179 Sheraton Interchange and the A689 Wolviston Interchange. The Junction is approximately 6km west of the main conurbation of Hartlepool and the proposed Bypass/Link lies to the north west of the village of Elwick where it meets the Junction, extending to the east north east of Elwick Village until it joins the existing Elwick Road at the northern end of what is



known as Devil's Elbow (being a double bend in Elwick Road to the east of Elwick Village where Elwick Road crosses Dalton Beck).

- 3.2. The A19 runs through the west of Hartlepool Borough and forms part of the Strategic Road Network under the control of National Highways. The road provides a key strategic north-south link, connecting Hartlepool to the rest of the region and to the wider road network. Within the vicinity of the site, the A19 is a dual-carriageway with two lanes in either direction and is subject to the national speed limit.
- 3.3. A plan showing the relevant part of the A19 is attached as an appendix.
- 3.4. There are currently two main junctions on the A19 linking to Hartlepool:
  - 3.4.1. The A19 / A179 / B1280 Junction ("Sheraton Interchange") to the north of Elwick is a compact grade-separated signal-controlled junction which has been improved and reconfigured to accommodate traffic-signal control to relieve queuing back on the slip roads to the mainline carriageway of the A19.
  - 3.4.2. The A19 / A689 Junction ("Wolviston Interchange") to the South of Elwick is a grade-separated signal-controlled junction which was improved in 2014 and reconfigured to accommodate traffic-signal control, to relieve queuing back on the northbound slip road to the mainline carriageway of the A19.
- 3.5. Elwick Village was previously served by two smaller junctions, crossing over the A19 at grade. For reasons of safety in 2019, the central reserve of the A19 was stopped up to prevent right-turn movements to and from the mainline carriageway of the A19. The position is therefore now as follows.
  - 3.5.1. The A19 / North Lane Junction is an at-grade priority-controlled junction between the A19 and North Lane. The junction is located to the north of Elwick village. Following the 2019 central reserve closure the junction currently operates as a left-in / left-out priority junction with appropriate deceleration and acceleration lanes.
  - 3.5.2. The A19 / Coal Lane / Elwick Road Junction is an at-grade priority-controlled junction between the A19, Coal Lane and Elwick Road. The junction is located to the south of Elwick village. Following the 2019 central reserve closure the junction operates as a left-in / left-out priority junction with appropriate deceleration and acceleration lanes.
- 3.6. At present Hartlepool is highly reliant on the A689 and the A179 to provide access from the A19 into the main conurbation of Hartlepool. The current reliance on the A689 and A179 routes has seen noticeable increases in traffic congestion over the past 10-15 years. The A19 dual carriageway is oriented north-south through the two at-grade junctions for Elwick. The speed limit is 70 mph. The annual average daily flow (AADF) of traffic for this section of the A19 was 52,526 in 2015 (Outline Business Case, Fore Consulting).
- 3.7. The local road network includes the following:

- 3.7.1. In respect of the A19 / North Lane junction, heading south-eastwards from the A19, North Lane runs through Elwick Village where it joins Elwick Road as an at grade priority-controlled junction.
- 3.7.2. Heading eastwards from the A19, Elwick Road runs through Elwick Village where the speed limit was reduced to 20mph in 2013. There is intermittent footway provision within the centre of the village, with wide grass verges for the remainder of the route. North Lane has footway provision on at least one side for its entire length.
- 3.7.3. Travelling further eastwards from Elwick towards the main conurbation of Hartlepool, Elwick Road is rural in character and subject to the national speed limit. There are no footways or street lighting provided on either side of the road.
- 3.7.4. Elwick Road meets School Lane and Dalton Piercy Road approximately 1.9km to the east of Elwick Village at a priority-controlled crossroads junction.
- 3.7.5. School Lane is a narrow, single-carriageway road, subject to the national speed limit. It runs northwards from Elwick Road to the A179.
- 3.7.6. Dalton Piercy Road runs southwards from Elwick Road, providing access to the village of Dalton Piercy and to the A19 at an at-grade priority-controlled junction. There are no footways present on either side of the road for the majority of its length.
- 3.7.7. Travelling further east, the speed limit on Elwick Road reduces from national speed limit to 30mph upon entry to the built-up area of Hartlepool. The road has a typical carriageway width of 6.0m, although local widening is provided to accommodate for ghost-island priority-controlled junctions with Kielder Road and Cairnston Road. There is a footway on the southern side of Elwick Road, commencing at the gated access to High Tunstall Farm and extending eastwards towards High Tunstall College of Science, and on the northern side from the junction with Woodhouse Lane. There are bus stops located on both sides of Elwick Road and regular street lighting is present.

**3.8. A plan showing the existing highway layout is attached as an appendix.**

- 3.9. Safety concerns have been ongoing in respect of at-grade junctions on the A19 for a number of years. Road marking and traffic sign improvements were undertaken in 2008. Despite efforts to improve the safety record baseline, the at-grade staggered junctions west of Elwick have a poor safety record including fatal accidents.
- 3.10. More recently in 2019 central reserve gap closures were effected on the A19 at Elwick Road, North Road and at Dalton Piercy junctions; such gap closures being undertaken in the context that the Junction and the Bypass/Link were proposed. The gap closures were integral to the planning of the Scheme and were necessary to enable the junction improvements and new link to be delivered as designed.

- 3.11. Any safety benefits that have been achieved through past and more recent improvements are considered likely to be eroded through intensification of use of the junctions as a consequence of increased traffic volumes.
- 3.12. As a result of the safety concerns and poor connectivity into the conurbation of Hartlepool, in allocating key housing sites, the adopted Hartlepool Local Plan ("Local Plan") required as a matter of policy and in consultation with National Highways, a new grade separated junction at this location. National Highways furthermore submitted holding objections to the planning applications in respect of allocated sites HSG5a and HSG7, such holding objections only being lifted with the imposition of planning conditions linked to the gap closures and, in respect of HSG7, the delivery of the Scheme.
- 3.13. An option appraisal was undertaken of both principal elements of the Scheme, i.e. the Junction and Bypass/Link respectively. Five junction options were identified, each of which included a compact grade separated junction. Four Bypass/Link options were identified. The EAST assessment tool was used to assess the options against Scheme objectives including potential to provide additional capacity and to address the known safety concerns. Subsequently sensitivity assessments have also been carried out. The Scheme was identified as the preferred option having taken into account issues in respect of the land take, access issue for existing landowners, land levels, and highways safety issues.
- 3.14. Thereafter a full Transport Assessment was carried out examining the baseline conditions on the local transport network, considering relevant national and local transport policy and assessing Scheme impacts. The Transport Assessment concluded that: the Scheme accords with both national and local transport policy; is designed appropriately to meet predicted future traffic forecasts; provides appropriate junction functionality; will deliver capacity benefits across the network as a result of traffic reassignment; and contains acceptable merge and diverge layouts.
- 3.15. The Scheme would replace the two existing junctions and comprises a new bypass to the north of Elwick Village and a new grade separated junction at the A19 at the northern Elwick access point. It comprises a new grade separated junction on the A19 northern access, introducing the opportunity to cross the A19 safely via the overbridge, and a northern bypass of the village of Elwick. The proposals have been developed in line with the guidance provided by National Highways under the Design Manual for Roads and Bridges (DMRB).
- 3.16. The Scheme will take significant volumes of traffic out of the village of Elwick, making it a safer environment for its residents. It will also provide a safe and effective third access point from the A19 into and out of Hartlepool.
- 3.17. A plan showing the proposed Scheme layout is attached as an appendix.**
- 3.18. The length of the Bypass/Link is approximately 1.5km from the A19 junction to the eastern roundabout, with the link from the 5 arm roundabout adjacent to the A19 to the left slip off on the north bound side of the A19 being approximately 0.8km. From the eastern end, the proposed new junction on Elwick Road will remove significant amounts of traffic movements around the local highway turning known as "Devil's Elbow" as it is anticipated that the existing Elwick Road route will largely be used by village traffic only once the Bypass is open to public use. The proposed route has

been aligned so as to minimise impact on the adjacent agricultural land and loops round to the northern access on the A19 at Elwick.

- 3.19. The road will be 7.3m wide plus 1m rumble strip either side, with a combined width of 9.3m. No kerbs are proposed, but there will be stone filter drains alongside the carriageway. Construction materials include bridge concrete abutments and steel beams, clay embankments with underpasses and culverts formed of corrugated steel and pre-fabricated concrete.
- 3.20. In addition to the new grade-separated interchange and bypass, the improvement measures also include the following elements:
- The provision of:
    - A Type A Taper Diverge northbound off-slip which provides access to Elwick Bypass from the northbound carriageway of the A19.
    - A Type B Parallel Merge northbound on-slip which provides access to the northbound carriageway of the A19 from the Elwick Bypass.
  - The closure of the A19 / Elwick Village Road (Church Bank) left-in / left-out at-grade priority junction, with access to the A19 prohibited in respect of vehicular access while retaining the existing non-vehicular access. This is to be secured by way of the SRO stopping up all access and granting new non-vehicular access across part of Church Bank.
  - The stopping up of the A19 / Coal Lane left-out at-grade priority junction, with access to the A19 prohibited, but with retention of the left-in junction.
  - The reconfiguration of the A19 / North Lane left-in / left-out at-grade priority junction and realignment of North Lane to provide access to a new five-arm roundabout to the north of Elwick Village.
  - The retention of the existing acceleration and deceleration lanes at the A19 / North Lane at-grade left-in / left-out junction.
  - The realignment of North Lane from Elwick Village to tie into a new five-arm roundabout to the north-west of Elwick Village.
  - The provision of a new five-arm roundabout to the north-west of Elwick Village and east of the grade-separated interchange. The roundabout has been designed with an ICD of 50m and features flared two-lane entries on all approaches to the roundabout.
  - The provision of a new four-arm roundabout to the north east of Elwick Village. The roundabout connects the proposed bypass with Elwick Road (eastbound towards Hartlepool) and southbound (towards the village of Elwick) and has been designed with an ICD of 50m and features flared two-lane entries on all approaches to the roundabout.
- 3.21. The Scheme would achieve the following objectives and have the following benefits:

- 3.21.1. Improve the operation of and road safety at the at-grade A19-Elwick junction by construction of a new grade-separated junction and also contribute to wider improvements in road safety and functionality along the A19 corridor.
- 3.21.2. Improve connectivity by creating an additional main junction on the A19 and enhanced link into the main conurbation of Hartlepool and its rural hinterland.
- 3.21.3. Contribute to strategic and local traffic management including by relieving pressure on the existing A179 and A689 routes from the main conurbation to the A19.
- 3.21.4. Improve road safety, bring environmental benefits to and protect the character of Elwick by reducing existing through traffic from the village.
- 3.21.5. Contribute to regeneration and growth in accordance with the key principles and spatial vision in the adopted Hartlepool Local Plan ("the Local Plan") particularly in order to bring forward housing development and associated social infrastructure. The delivery of a key housing allocation at High Tunstall being dependent on the delivery of the Scheme.
- 3.22. As part of a package of measures to address safety concerns on the A19 central reserve closures have already been carried out. The construction of a grade separated junction with overbridge will further improve safety.
- 3.23. The Scheme will also include the following elements:
  - 3.23.1. The proposed alignment of the Scheme crosses four watercourses: Char Beck (part of Greatham Creek Catchment, being a tributary of tidal Tees), Boggle Beck and two unnamed watercourses, with the alignment of Char Beck being diverted along a short stretch as part of the Scheme. The proposed bypass is located within Flood Zone 1. With the designed mitigation however no residual impacts are predicted and the Scheme will have no detrimental impact on water quality, drainage or flood risk.
  - 3.23.2. Surface water attenuation will be provided via attenuation ponds which will be located within the Scheme and will discharge to both Dalton Beck and Char Beck. New culvert with "soft bottoms" will be provided and existing channel width maintained. A new watercourse channel will be created from the proposed attenuation ponds to the west of and parallel with the A19 which will feed into an existing watercourse.
  - 3.23.3. Lighting, road signs and markings will be installed in accordance with the relevant highway standards.
  - 3.23.4. The presence of National Grid overhead lines have been taken into account in the design process and its design guide requirements in respect of clearances has been incorporated into the Scheme design.
  - 3.23.5. There are no current proposed connections into the public sewerage network.

- 3.23.6. Given the nature of the Scheme as a new road and interchange it will not be possible fully to mitigate for the change in landscape character but mitigation as secured through the Planning Permission has been designed to the extent possible and includes:
- 3.23.6.1. an at-grade profile or cutting along the northernmost alignment of the bypass;
  - 3.23.6.2. creation of new habitat areas within remnant, truncated fields to include the provision of species rich grassland, woodland or small scale ponds;
  - 3.23.6.3. new tree planting and the gapping up of existing hedgerows and the planting of new hedgerows to include a greater variety of species;
  - 3.23.6.4. use of wildflower rich native seeds along new road verges, cuttings and embankments;
- 3.23.7. Whilst it is recognised that there will be some limited loss of trees, hedgerows and habitats substantial steps will be taken to mitigate impacts. The Scheme landscape mitigation as secured through the Planning Permission includes new hedgerow planting, new tree screening, "gapping up" of hedgerows to improve habitat connectivity, wildflower rich verge mix planting, and new woodland planting. Best practice will more generally be followed in respect of ecological and habitat mitigation.
- 3.24. In terms of noise impacts, it is anticipated that the benefit of reducing through traffic Elwick Village will reduce the direct incidence of traffic related noise events. Moreover, noise assessments undertaken to date confirm that residential properties will not qualify for noise insulation regulations compensation.
- 3.25. As regards impacts on air quality, it is anticipated that reducing Elwick Village through traffic will provide air quality benefits to residents. The combined effect of the Scheme with residential development, such as at High Tunstall, will be positive in some locations and negative in others. In any event as reflected in the Environmental Impact Assessment submitted pursuant to the planning application the impacts of the Scheme are considered to be acceptable.
- 3.26. The land required for working space will be accommodated within the permanent land take required for the Scheme: the working space required for the Junction will be accommodated within the land take for the overbridge and the working space required for the Bypass/Link will be accommodated within the landscaping mitigation land.
- 3.27. Temporary access arrangements will principally be provided from the existing road network.
- 3.28. A number of new permanent accesses will be created as part of the Scheme as replacement for those necessarily being stopped up or as considered necessary to ensure continued access by landowners to their retained land and as set out below. The existing private means of access and their replacements will be secured through

the SRO and/or the A19 SRO. The SRO will also stop up and divert a small section of public footpath **FP1** where it passes under the new Bypass/Link.

- 3.28.1. The stopping up of the existing A19 / Middleton House Farm private access.
  - 3.28.2. The provision of a new private access from the grade separated interchange to the west of the A19 to facilitate access to Middleton House Farm.
  - 3.28.3. The stopping up of the existing A19/Martindale Farm private access and the adjacent access spur to land north-east of the existing alignment of North Lane.
  - 3.28.4. The provision of a new private access from the re-aligned North Lane to Martindale Farm.
  - 3.28.5. The provision of a new private access from the grade separated interchange to the west of the A19 to facilitate access to High Barns.
  - 3.28.6. The provision of a new private access (to include a field bridge) from the five arm roundabout to the north-west of Elwick Village to facilitate access into the field immediately adjacent to the north of the roundabout.
  - 3.28.7. The provision of a new private access from North Lane to facilitate access into the field immediately adjacent to the east of North Lane to the south of the realigned at-grade A19/North Lane junction.
  - 3.28.8. The provision of a new concrete underpass underneath the Bypass/Link to the east of the five limb roundabout to facilitate access from Martindale Farm to retained land to the north of the Bypass/Link.
  - 3.28.9. The stopping up of the existing field tracks to the north-east of Elwick village and the provision of two pre-cast concrete underpasses creating new private access tracks underneath the alignment of the Bypass / Link.
  - 3.28.10. The stopping up of a field access from the Elwick Road at the far eastern end of the Scheme and the provision of a new private means of access from the eastern-most roundabout into the field immediately to the north of that roundabout.
- 3.29. In respect of the land that is required to provide new private means of access to Middleton House Farm and to Martindale Farm it is proposed to deal with the construction of such accesses by way of the acquisition of rights rather than acquisition of the land.
- 3.30. Oversailing rights across the A19 are also required in respect of construction works associated with the bridge.
- 3.31. Public consultation was undertaken in 2018 including a January 2018 consultation event for three days at Middleton Grange Shopping Centre in the centre of the main conurbation of Hartlepool, staffed at all times by two Council officers; and a February 2018 drop in consultation session at Elwick Parish Hall. Discussions were also

entered into with Elwick Parish Council. Consultation has also been undertaken by the Council as Local Planning Authority in the ordinary course of determining the Planning Permission.

#### 4. **DESCRIPTION OF THE ORDER LANDS**

- 4.1. The Order Land is shown on the CPO Map and comprises approximately [17.85] hectares and is situated on land the majority of which is to the north of Elwick village, which is situated to the west of the main conurbation of Hartlepool but east of the A19 dual carriageway. Some of the Order Land also lies to the South of Elwick village and some lies to the west of the A19 dual carriageway. The affected land is a mixture of pasture and arable grade 3 farmland forming a wide strip crossing a number of different holdings, a farm access, private road and tracks. The land to the east of the A19 is mainly gently undulating but drops away more steeply to a stream near the eastern end. A similar area of farmland on the western side of the A19 is also part of the Order Land, but whilst the land take on the east of the A19 bisects the various holdings, the land on the western side consists of areas adjoining the A19 on the eastern sides of the 2 holdings involved. Field boundaries are mainly fenced but with some hedging. There are no buildings or other structures (apart from fences and in respect of one of the parcels of land a dilapidated stable) on the land.
- 4.2. Full details of the Order Land appear in the Schedule to the CPO, but in summary it includes the acquisition of land and the creation of new rights in respect of land and/or minerals at:
- 4.2.1. Land at High Barns Farm, Elwick, Hartlepool TS27 3HE Title No. CE 170754.
  - 4.2.2. Land at Middleton House Farm, Elwick, Hartlepool TS27 3EN Title No. CE146944.
  - 4.2.3. Land at The Parks, Elwick, Hartlepool Title No. CE219676.
  - 4.2.4. Land on the north side of North Lane, Elwick, Hartlepool Title No. CE261760.
  - 4.2.5. Land at Martindale Farm, Elwick, Hartlepool Title No.s CE41831 and CE144195.
  - 4.2.6. Land at Potters Farm, 9 The Green, Elwick, Hartlepool TS27 3ED Title No. CE154388
  - 4.2.7. Land at North Farm, Elwick, Hartlepool TS27 3ED Title No. CE176982.
  - 4.2.8. Land currently comprising the subsoil along part of Church Bank to the east of its junction with the A19 currently unregistered but once stopped up pursuant to the SRO by the ad medium filum rule will revert to the adjoining landowners (title numbers CE110806 and CE237896).
  - 4.2.9. Land comprising the A19 in the ownership of National Highways and in unknown ownership.



4.2.10. Mines and minerals interests across the extent of the Scheme.

- 4.3. Details of known and unknown interests and rights to be acquired are listed in the Schedule to the CPO. This Schedule has been prepared based upon information gathered through a land referencing exercise comprising inspection of Land Registry title documents, site inspections and enquiries. In addition statutory requisition notices have been used to confirm both ownership and occupation.

5. **ENABLING POWERS**

- 5.1. The Order has been made by the Council pursuant to all relevant powers contained in the Highways Act 1980 namely sections 239 (construction and improvement), 240 (improvement) 246 (mitigation of adverse effects), 250 (rights) and section 260 (clearance of title to land acquired for statutory purposes).
- 5.2. S239 of the 1980 Act provides that a highway authority may acquire land required for the improvement of a highway where works are to be carried out on land outside but adjoining the boundary of an existing highway.
- 5.3. S240 of the 1980 Act provides for acquisition of land in connection with construction or improvement of a highway.
- 5.4. Section 246(1) of the 1980 Act provides the power to acquire land compulsorily outside the proposed boundary of a highway for the purpose of mitigating any adverse effect which the existence or use of highways constructed or improved by them has or will have on the surroundings of those highways. It allows the acquisition of land needed to maintain or improve the environment of areas adjacent to a highway. The Secretary of State's policy is that it is considered desirable that wherever possible section 246(1) land should be included in the same CPO as the land required for the highway itself. Once such land has been acquired, the Highway Authority may make suitable use of it under Section 282 of the 1980 Act which enables the carrying out of works for mitigating the adverse effects which the existence or use of a highway has or will have on the surroundings of the highway. There are express powers to erect physical barriers (such as walls, fences, screens or mounds of earth) alongside roads in order to reduce the effects of traffic noise on people living nearby.
- 5.5. Section 250 of the 1980 Act provides for the compulsory acquisition of rights over land and the creation of new rights. The kind of rights for which these provisions provide for include: the right to lay and maintain drains and associated works; the right to carry out works on watercourses; the right to place and maintain footings or ground anchors in land; the right to reshape or regrade land outside the boundaries of a highway or new proposed highway; the right of access for the construction and maintenance of a retaining wall.
- 5.6. The Council is using its powers of compulsory acquisition because:
- 5.6.1. notwithstanding that negotiations with affected parties have been ongoing for some considerable time, it is not certain that it will be able to acquire by agreement all the land and new rights required; although of course it will continue to negotiate in parallel with the Order process; and

- 5.6.2. the Scheme includes [2] parcels of unregistered land in unknown ownership along with [6] parcels of unregistered mines and minerals interests in unknown ownership where the mines and minerals interests are expressly excluded from the surface ownership which the Council is unable to acquire by agreement
- 5.7. Section 14 of the 1980 Act authorises the Council as the Highway Authority to stop up divert, improve or otherwise deal with a highway that crosses or enters the route of the Junction and/or Bypass/Link.
- 5.8. Section 110 of the 1980 Act further authorises the Council as the Highway Authority to divert an existing non-navigable watercourse in connection with the construction, improvement or alteration of a highway.
- 5.9. Section 125 of the 1980 Act empowers the Council to deal with any private means of access affected by the Junction and/or the Bypass/Link including the provision of a new means of access.
- 5.10. Section 10 of the 1980 Act allows for the Secretary of State to make an order which will ensure that the new road being provided is to become a trunk road and thereafter to be treated as such. The Secretary of State will make a section 10 order following implementation of the Scheme to ensure the relevant parts of the Junction become trunk road.
- 5.11. Section 41 of the 1980 Act applies in respect of the duty it creates for both existing roads and new roads to be constructed to be maintained at public expense, all material powers are given to the Council as set out in the S6 Agreement.
6. **JUSTIFICATION FOR THE CPO**
- 6.1. The Scheme's purposes include improving highway functionality and road safety on the A19 and local highway network, improving connectivity with the A19, relieving pressure on existing routes in Hartlepool, benefitting Elwick Village by reducing through traffic and contributing to regeneration and growth in accordance with key principles and policies of the Local Plan.. The Scheme is integral to bringing forward housing development and associated social infrastructure on allocated sites in the Local Plan.
- 6.2. The purpose of seeking to acquire land compulsorily is to ensure all land and interests on the route of the Scheme can be acquired to facilitate its construction and adoption, which will subsequently support the further development of housing together with the wider highway and environmental outcomes set out above.
- 6.3. The Council is using its powers of compulsory purchase contained in the Highways Act 1980 because acquisition of the land and new rights is required to enable the Scheme to be constructed. The purpose of proposed acquisition is to facilitate the delivery of the Scheme and so in turn contribute to the Council's planning policy objectives within a realistic timescale, including facilitating the delivery of new housing development.
- 6.4. The CPO is required in order to ensure achievement of the Council's policy objectives within a realistic timescale. Although reasonable efforts have been made, and will

continue to be made, to acquire the necessary land and rights by private treaty in order to be able to develop the Scheme and indeed agreement to acquire some of the Order Land has already been secured, it is apparent that the CPO is required to ensure that there is sufficient certainty that it can come forward within a reasonable time period.

- 6.5. Compulsory purchase will enable the construction of the Scheme to take place in a timely fashion in order to derive the public benefits identified herein and the realisation of the Council's planning policy objectives. It is considered that compulsory purchase is not only necessary but also justifiable and that there is a compelling case in the public interest.
- 6.6. The Scheme is clearly in accordance with the adopted Local Plan for the area. It is expressly recognised in Policy LS1, the key strategic Local Plan policy, in the following terms *"the key new element of strategic infrastructure proposed is a bypass to the north of Elwick Village along with a new grade separated junction on the A19 which will create a third high quality and safe access from the A19 into Hartlepool"*. The Local Plan furthermore clearly links the Scheme to the strategic policy and site-specific allocations for new housing forming part of the western extension of Hartlepool. The policies evidence the need for the Scheme to serve the proposed residential developments and establish the policy support for the (partial) funding of the Scheme by way of developer contributions. The policies also evidence the clear public benefits of the Scheme to users of the highway network .
- 6.7. The Scheme will promote and improve the well-being of Hartlepool residents and visitors by unlocking a significant element of housing development that will play a key role in meeting the borough's wider growth targets. It will bring significant benefits to western Hartlepool and the wider area, including facilitating the development of land to deliver new homes that form a key part of the Council's Local Plan Strategy. The Scheme and housing construction programme will also contribute to jobs and economic growth across the borough.
- 6.8. The Scheme will deliver significant direct journey time benefits for people and goods seeking to access the western part of Hartlepool and indirectly produce benefits to road users on other links to the town by reducing congestion. It will create new highway capacity that will reduce the impact of background traffic growth and traffic growth as a result of new housing development on the existing urban area and more specifically on Elwick village.
- 6.9. The purpose of the proposed acquisition is clear. The land to be compulsorily acquired will be required and adopted for highway uses. There is a clearly stated planning policy requirement to bring the Hartlepool western extension housing development forward as set out in the Local Plan and the Scheme is clearly required as the critical infrastructure to realise the full potential of the housing allocations.
- 6.10. The Council has undertaken feasibility testing of options for the Scheme and the extent of land required for its delivery. It is satisfied that the land identified for the Scheme is required having regard to highway standards as specified in Department for Transport's 'Design Manual for Roads & Bridges' (DMRB) and otherwise; and wider spatial planning and policy objectives; and the need to ensure continued access to private agricultural fields both during construction and post-completion of

the Scheme. The route alignment delivers high quality highways infrastructure in accordance with design best practice and all other material considerations.

#### A19

- 6.11. The Scheme will improve the operation of and road safety at the at-grade A19-Elwick junction by construction of a new grade-separated junction and also contribute to wider improvements in road safety and functionality along the A19 corridor.
- 6.12. The A19 in this location has a relatively poor safety record. In particular, one fatality in June 2014 was the subject of a coroner's report which highlighted the need to address safety issues arising on the A19. The Scheme has evolved in part as a response to that record and those concerns. A first step towards improving safety has been the closure of the central reservation gaps. Those closures have, in turn, enabled the development of the Scheme proposals which, if implemented, will further improve safety by means of provision of the new junction and associated stopping up. Specifically, the Scheme will therefore make the following further improvements.
  - 6.12.1. The closure of the left/out turn from Coal Lane onto the A19 will prevent vehicles joining the A19 at a location where there is an inadequate slip road and visibility splay by current design standards.
  - 6.12.2. The closure of the existing private access onto the A19 will prevent vehicles, and in particular slow moving farm vehicles, joining the A19 at a location where there is an inadequate slip road by current design standards.
  - 6.12.3. The closure of the A19 / Elwick Village Road (Church Bank) left-in / left-out at-grade priority junction, with access to the A19 prohibited will prevent vehicles joining the A19 at a location where there is an inadequate slip road by current design standards.
  - 6.12.4. The introduction of the overbridge also provides a safe right turn option from the A19 northbound to Elwick Village and from Elwick Village to the northbound A19. Motorists are therefore considered to be less likely to take chances and conduct riskier manoeuvres by effecting u-turns at any farm access where the central reserve gaps remains open.
  - 6.12.5. The provision of a third main access route within the borough will reduce the likelihood of vehicles queuing back onto the A19 from the northbound off-slip roads at both the A689 and A179 junctions, which is currently a regular occurrence leading to congestion as through traffic has to move out of Lane 1, and also posing significant safety concerns over the risk of collisions.
- 6.13. Overall journey times to and from the A19 will be significantly improved by provision of a third main access.

#### Improved connectivity

- 6.14. The Scheme will improve connectivity with the A19 by creating an additional main junction on the A19 and enhanced links to the borough.

- 6.15. It will provide better and more direct access to the west of Hartlepool and in particular to the housing forming a western extension of the main conurbation. However it will also contribute more generally by enhancing accessibility to job opportunities, retail and leisure in the borough.

Relieve pressure on the existing A179 and A689 routes

- 6.16. The Scheme will contribute to strategic and local traffic management including by relieving pressure on the existing A179 and A689 routes in Hartlepool to the A19, providing a more direct link to western Hartlepool, and as a result reducing congestion on the A179 and A689.
- 6.17. Local network modelling indicates that the Scheme is forecast to improve overall network conditions in both AM and PM peaks. This includes generally being forecast to reduce overall network delays and average queuing, particularly as more traffic is present on the network. The Scheme is also forecast to give rise to significant capacity benefits across most time-periods assessed.

Alignment with the Local Plan and contribution to housing development

- 6.18. The Scheme will contribute to regeneration and growth in accordance with the key principles and spatial vision in the adopted Local Plan, particularly in order to bring forward housing development and associated social infrastructure. Central to this is the aim to plan for the people and places of Hartlepool in a sustainable way and to meet the needs of anticipated population growth. The Local Plan seeks to concentrate housing growth in areas adjoining the existing built up area such as High Tunstall and the South West Extension, together with some limited extensions to Elwick and Hart villages. The delivery of key housing allocations at High Tunstall and Quarry Farm (2) are a critical part of Hartlepool's overall planning policy and its plans to meet housing need and demand. In addition the Local Infrastructure Plan recognises the connection between the housing allocation at High Tunstall and the required delivery of the Scheme in order that such allocation and indeed the consented site is to be brought fully forward. The Scheme is a necessary step in this development process by creating the strategic highway capacity and more direct linkage from the A19 to the development sites to enable full construction and occupation of new homes. The Scheme is thus an integral part of the Council's regeneration and housing proposals established in the Local Plan.
- 6.19. The Scheme will facilitate the regeneration and growth of Hartlepool in line with the key principles and spatial vision in the Local Plan by making housing commercially realisable.
- 6.20. The Scheme is in accordance with Local Plan policy. Policy LS1 is the strategic driver underlying the Plan's contents. It expressly identifies the strategic relationship between development and new highways infrastructure, stating that *"the development of Hartlepool will be based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built up areas and adjacent to areas of strong economic growth but ensuring growth occurs in a controlled way and is delivered alongside local and strategic infrastructure improvements which allow Hartlepool to grow in a sustainable manner. The key new element of strategic infrastructure proposed is a bypass to the north of Elwick Village"*

along with a new grade separated junction on the A19 which will create a third high quality and safe access from the A19 into Hartlepool" (emphasis added).

- 6.21. In order that allocated housing sites are delivered in full it is necessary to effect the improvements contained within the Scheme.
- 6.22. The respective Local Plan housing site policies (HSG5: High Tunstall; HSG5a: Quarry Farm 2; HSG7: Elwick Village; and HSG3(3): Briarfields), included a prohibition on development *"prior to the implementation of the grade separated junction and bypass to the north of Elwick Village unless otherwise agreed with Highways England and the Borough Council."* The Local Infrastructure Plan in turn contains further requirements for financial contributions to the Scheme to be payable in relation to each of the phases of the above allocated sites.
- 6.23. The present position moreover is that the High Tunstall and Quarry Farm 2 sites now benefit from planning permission and in respect to High Tunstall a condition restricting housing numbers pursuant until the Scheme has been delivered. A full planning application for HSG7 Elwick has also been received and it is anticipated that the application will be determined in early 2026. It is therefore necessary to bring forward the necessary highway improvements comprised in the Scheme in order to achieve the strategic objectives of the Local Plan.
- 6.24. The Scheme is also expressly cited in policy INF2: Improving Connectivity in Hartlepool, which further recognises the necessity for improved linkage with the A19 and additionally the relationship between allocated development and highways improvements. It therefore protects the land required for the Scheme and expressly provides that no permanent development will be permitted within land corridors shown on the Policies Map and which includes *"Grade separated junction on A19 (T) at Elwick; improvements and realignment of Elwick Road including bypass north of Elwick village, and realignment of Coal Lane"*.
- 6.25. Other Local Plan policies are relevant to infrastructure quality standards and for example the Scheme aligns with high design standards as required by policies QP3 (Location, Accessibility, Highway Safety and Parking) and QP4 (Layout and Design of Development)

Benefits to Elwick village by removal of through traffic from the village.

- 6.26. The Scheme will minimise the impact that traffic arising from existing and new homes has upon Elwick village by the relocation of through traffic to the new Bypass/Link. It will also deliver improvements to air quality and other environmental parameters in the village improve the quality of life for existing residents.

Delivery

- 6.27. The necessary resources are, or will be, available to achieve delivery of the Scheme within a reasonable timescale, including land acquisition, compensation costs and any blight liability. The Scheme is estimated to cost between £24,497,000 and £26,094,000. Such costs will be recoverable over time through contributions from housing developments and have been secured as planning obligations through s106 legal agreements attached to planning approvals for housing. The Council has approval in principle for capital grant funding of £8,345,000 from Tees Valley

Combined Authority (TVCA). The grant from TCVA includes £1.16m of funds for project development and allows for full draw down of the grant subject to completion of all stages of the Business Case and approval process which will ultimately be contingent on a successful outcome to all relevant statutory procedures. The Council has also resolved to use its ability to access borrowing to fund the gap between outturn scheme costs and available funding and in any case to underwrite all the costs associated with acquiring land should these exceed the available grant and s106 monies.

6.28. Subject to confirmation of the Orders, the Scheme is unlikely to be prevented by any physical or legal impediments to implementation. The Planning Permission clearly sets out the route alignment and land take requirements for all aspects of the Scheme including the junction, overbridge, carriageway, verges, footways, cycleways, crossings, landscaping and drainage that will enable its construction and adoption. The Orders are the only further authorisation required in order to acquire the Order Land and construct the Scheme.

## 7. **CASE FOR ACQUISITION OF INDIVIDUAL INTERESTS AND RIGHTS**

- 7.1. In accordance with the Governments' Guidance on Compulsory Purchase Process the Council has undertaken efforts to acquire the CPO Land by agreement.
- 7.2. The interests sought to be acquired relate to the following, as further identified in the CPO:
  - 7.2.1. High Barns Farm
  - 7.2.2. Village Farm
  - 7.2.3. Martindale Farm
  - 7.2.4. Potters Farm
  - 7.2.5. North Farm
  - 7.2.6. Middleton House Farm
  - 7.2.7. The Parks
  - 7.2.8. Land currently within the adopted highway at the Church Bank / A19 junction that will be stopped up to vehicular traffic pursuant to the SRO.
  - 7.2.9. Land comprising the A19
- 7.3. Letters were initially sent in August 2017 by the specified case manager Philip Timmins (Principal Estates Surveyor, Hartlepool Borough Council) to the agents for all known landowners identified at the time as being directly affected. Representation was already known to the Council through the evolving Local Plan consultation process.
- 7.4. All the principal landowners have been represented from the outset by agents who are specialists in rural land and compulsory purchase and who have advised their respective clients of their rights, and the Council's duties as the acquiring authority.

The correspondence advised that the Council would wish to acquire the relevant land in accordance with the Compensation Code, with an indicative date for possession being given as March 2018. Respective agents have been appraised of the revised timetable throughout the subsequent process. Negotiations have accordingly been conducted via such representatives through postal and extensive email correspondence, and both virtual and in person meetings at the surveyors' offices, on site and at the Council's offices since the initial letters in 2017. Meetings have also included the landowner claimants on occasion, in order to gain their views directly, and in particular to understand their current business operations and the impact the Scheme will or may have on them.

- 7.5. Whilst the process has been lengthy it has always been the Council's intention to keep delay to an absolute minimum. However, the land acquisition negotiations have been complex and have also taken place against a background of significant change in the rural land market due to the emergence of both renewable energy and biodiversity net gain markets as significant factors.
- 7.6. The Council's engineers have also met and corresponded with some of the landowners directly in relation to accommodation works in order to ensure that the practical impact of the scheme will be mitigated as much as possible. Accommodation works will include underpasses, the re-provision of private means of access and water supplies that will be lost due to the Scheme. The extent of landscaping proposed within the Scheme has evolved through discussions with the landowners and provides suitable visual screening and noise attenuation.
- 7.7. The Council has, when requested to do so, paid ongoing fee costs to the landowners' agents so that landowners have not had to bear these costs until compensation was agreed or determined by the court.
- 7.8. Negotiations have continued since the initial letters were sent to the agents acting for the landowners but at the present time agreement has only been reached with one of the landowners in respect of the land at High Barns Farm and consequently only the surface land at High Barns Farm (the mines and minerals interests are not comprised with the same surface title) has been acquired or is under contract to be acquired by the Council.
- 7.9. None of the landowners have proposed relocating to other premises, and therefore the funding of costs to examine such relocation has never been considered necessary.
- 7.10. Most recently, the Council has written to the owners of the land adjoining the highway to be stopped up at Church Bank. In the absence of acquisition by the Council, that land would revert to those adjoining owners under the legal presumption in the absence of evidence to the contrary, that the adjoining owners own the subsoil of any highway up to and including the halfway line.
- 7.11. None of the mines and minerals interests are separately registered and it has not therefore been possible to contact any such owners that may exist.



8. **JUSTIFICATION FOR THE SRO and the A19 SRO**

- 8.1. The SRO and the A19 SRO, if confirmed, will authorise the Council to improve highways, stop up existing highways and private means of access to properties affected by the Scheme, and to construct new highways and provide new private means of access required as a consequence of the Scheme.
- 8.2. A copy of the SRO Plan and the A19 SRO Plan are appended as an appendix. These plans show the extent to which it is necessary to carry out works to existing highways, stopping up of existing highways, stopping up of private means of accesses, and the provision of new private means of access to premises that are likely to be affected by the Scheme.
- 8.3. The proposed alterations to existing highways and private means of access to premises affected by the Scheme are detailed in the schedules to the SRO and the A19 SRO and shown diagrammatically on the SRO Plans and the A19 SRO Plans.
- 8.4. The SRO and the A19 SRO and the necessary changes to the highways and private means of access to premises affected by the SRO are an integral part of the proposed construction of the Scheme:
  - 8.4.1. The stopping up of existing private means of accesses from the A19 to Middleton House Farm and to Martindale Farm is necessary in the interests of highway safety. Both accesses will be re-provided from the new Bypass / Link and a spur off the re-aligned North Lane ensuring continued safe access to all relevant landowners to their retained land.
  - 8.4.2. The stopping up of the existing Church Bank/A19 junction is required to ensure highway safety; the existing access on to the A19 otherwise conflicting with the new acceleration lane and south bound joining traffic from the Junction.
  - 8.4.3. The stopping up of the existing A19 / Coal Lane left out at-grade priority junction is required to ensure highway safety; the existing access otherwise conflicting with the new deceleration lane and north bound off-slip to the new Junction.
  - 8.4.4. New private means of accesses to landowners are required where the Bypass / Link will sever access to retained land.
- 8.5. The SRO is made in relation to the existing North Road and Elwick Road to be improved and the new Bypass/Link to be constructed.
- 8.6. The A19 SRO is made in relation to the A19 to be improved and in respect of private means of access directly onto the A19 to be stopped up.
- 8.7. The Council is satisfied that where highways (including public rights of way) are to be stopped up, as a consequence of the Scheme, other reasonably convenient routes for those highways will be provided under the Scheme, allowing the Secretary of State for Transport to satisfy himself on that matter under section 14(6) of the Highways Act 1980, in his consideration of the SRO and the A19 SRO.

- 8.8. The Council is also satisfied that where private means of access to premises are to be stopped up under the SRO and the A19 SRO, that it is providing another reasonably convenient means of access to the relevant premises under the Scheme, or that other reasonably convenient means of access to those premises already exist allowing the Secretary of State for Transport to satisfy himself on that matter under section 125(3) of the Highways Act 1980, in his consideration of the SRO and the A19 SRO.
- 8.9. Additionally, where the Scheme severs land, the Council has addressed the need to provide new means of access to severed land where necessary and where not otherwise served by existing means of access to such land.

## 9. **PLANNING POLICY**

- 9.1. This section identifies relevant national and local planning policies and other material considerations and addresses how the need for the Scheme and its related objectives accord with the requirements of planning policy.
- 9.2. The current National Planning Policy Framework (NPPF) was published by the Ministry of Housing, Communities and Local Government in December 2024 and was most recently updated in February 2025. The NPPF sets out how the planning system will contribute to achieving sustainable development. In effect, this means planning is required to perform the following three specific roles:
- An economic role, contributing to building a strong, responsive and competitive economy.
  - A social role, supporting strong, vibrant and healthy communities.
  - An environmental role, protecting and enhancing the natural, built and historic environment.
- 9.3. Of pertinence to the Scheme proposals, the NPPF states at paragraph 111 that planning policies should *"Identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development"*.
- 9.4. DfT 'Circular 02/2013: The Strategic Road Network and the Delivery of Sustainable Development'<sup>1</sup> (the Circular) sets out the way in which National Highways will engage with development proposals to deliver sustainable development and, thus, economic growth, whilst safeguarding the primary function and purpose of the Strategic Road Network.
- 9.5. The Circular expressly addresses the relationship between development proposals and highway capacity including that *"Where the overall forecast demand at the time of opening of the development can be accommodated by the existing infrastructure, further capacity mitigation will not be sought"* (paragraph 27) and that *"Where appropriate, proposals for the creation of new junctions or direct means of access may be identified and developed at the Plan-making stage in circumstances where it*

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<sup>1</sup> The Strategic Road Network and the Delivery of Sustainable Development, Department for Transport, 2013.

*can be established that such new infrastructure is essential for the delivery of strategic planned growth."* (paragraph 39).

- 9.6. Local Planning Policy is set out in a suite of documents including the following:
- 9.6.1. Hartlepool Local Plan and Local Plan Policies Map
  - 9.6.2. Hartlepool Local Infrastructure Plan
  - 9.6.3. Hartlepool Rural Neighbourhood Plan 2016-2031
  - 9.6.4. High Tunstall Masterplan (Adopted December 2018)
- 9.7. Other relevant plans and strategic documents include:
- 9.7.1. Highways England Strategic and Delivery Plans 2020-2025
  - 9.7.2. Northern Powerhouse: One Agenda, One Economy, One North
  - 9.7.3. Northern Powerhouse Independent Economic Review
  - 9.7.4. Tees Valley Combined Authority Strategic Transport Plan
- 9.8. The Hartlepool Local Plan<sup>2</sup> was adopted by Hartlepool Borough Council in May 2018. It replaces the saved policies of the 2006 Local Plan. The Local Plan is the key Development Plan Document (DPD) within the Local Development Framework (LDF) and sets out the spatial vision and strategic objectives for the Borough for the period 2016 to 2031.
- 9.9. Local Plan Policies and strategies relevant to the Scheme proposals include the following.

Policy LS1 (Locational Strategy)

- 9.9.1. Policy LS1 is the main Locational Strategy policy for Hartlepool. It recognises that previous reliance on constraining development to the urban area is no longer viable and whilst promoting viable brownfield sites nonetheless allows a westward expansion into greenfield land.
- 9.9.2. In so doing it seeks to concentrate housing growth in areas adjoining the existing built up area such as High Tunstall and the South West Extension, together with expansion at Wynyard and some limited extensions to Elwick and Hart villages.
- 9.9.3. It cross-refers to the Local Infrastructure Plan and recognises the connection between the High Tunstall and Quarry Farm 2 housing allocations and delivery of the Scheme.

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<sup>2</sup> Hartlepool Local Plan, Hartlepool Local Planning Framework, Hartlepool Borough Council, 2018.

- 9.9.4. Policy LS1 is the strategic driver underlying the Plan's contents. It expressly identifies the strategic relationship between development and new highways infrastructure. It states:

*"The development of Hartlepool will be based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built up areas and adjacent to areas of strong economic growth but ensuring growth occurs in a controlled way and is delivered alongside local and strategic infrastructure improvements which allow Hartlepool to grow in a sustainable manner. The key new element of strategic infrastructure proposed is a bypass to the north of Elwick Village along with a new grade separated junction on the A19 which will create a third high quality and safe access from the A19 into Hartlepool."* (Emphasis added).

- 9.9.5. Policy LS1 also makes reference to new housing development to be located as shown on the proposals map and including:

- *A south west extension of the town (which benefits from planning permission) of approximately 1250 new dwellings in accordance with policy HSG4.*
- *An extension of the town at High Tunstall of approximately 1200 new dwellings in accordance with policy HSG5.*

- 9.9.6. There are triggers in legal agreements linking payments towards the Scheme to housing delivery. It is therefore necessary to bring forward the necessary highway improvements comprised in the Scheme in order to achieve the strategic objectives of the Local Plan. Further details about the relationship between housing and Scheme are set out below.

#### Policy INF1: Sustainable Transport Network

- 9.9.7. Policy INF1 primarily addresses sustainable transport networks with an aim to reduce the need to travel. It also lends policy support to the Scheme in stating that a key priority of a sustainable transport network is to *"improve connectivity both within Hartlepool and between Hartlepool and the other parts of the Tees Valley and the wider North East region by improving the quality and reliability of key road and rail links"*.

#### Policy INF2: Improving Connectivity in Hartlepool

- 9.9.8. Policy INF2 further recognises the linkage between development and highways improvements. It states that planning conditions or legally binding agreements will be used to secure any improvements necessary to the transport network as a result of a development and that financial contributions may be required from developers. Policy QP1 (Planning Obligations) and the Planning Obligations Supplementary Planning Document set out the type of contributions likely to be required.

- 9.9.9. Policy INF2 also expressly provides that no permanent development will be permitted within land corridors shown on the Policies Map that are reserved for the following road and rail schemes:

*"Grade separated junction on A19 (T) at Elwick; improvements and realignment of Elwick Road including bypass north of Elwick village, and realignment of Coal Lane;*

Other policies relating to infrastructure quality standards

- 9.9.10. New transport infrastructure should also where appropriate conform to high design standards set out in policies QP3 and QP4, protect the natural environment as set out in policy NE1, and link into the Borough Council's green infrastructure network identified in policy NE2 (Green Infrastructure).

Policy HSG5: High Tunstall Strategic Housing Site

- 9.9.11. The High Tunstall site is allocated for approximately 1200 dwellings. The site covers an area of approximately 83.50 hectares as illustrated on the Policies Map. The development will be phased over the plan period.

- 9.9.12. Policy HSG5 states that:

*"No development will be permitted prior to the implementation of the grade separated junction and bypass to the north of Elwick Village unless otherwise agreed with Highways England and the Borough Council".*

- 9.9.13. The Local Infrastructure Plan gives further detail on the infrastructure requirements linked to the site and states that developer contributions will be secured to repay any loans secured in relation to the Scheme.

- 9.9.14. High Tunstall Masterplan was endorsed by the Council's Regeneration Services Committee on 17 December 2017 and is a material consideration in the determination of planning applications for the High Tunstall site and states as follows:

*"Prior to the occupation of any of the dwellings within Phases 2-8 inclusive, the scheme to provide the northern bypass of Elwick Village and the grade separated junction on the A19 at the northern junction with the A19 shall have been completed and be operational to the satisfaction of the Local Planning Authority. This scheme is being developed by Hartlepool Borough Council"*

- 9.9.15. Outline planning permission for the High Tunstall site was granted by the Council on 14 March 2019 under reference H/2014/0428 for residential development comprising up to 1200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting. Reserved matters approvals in respect of access, appearance, landscaping, layout and scale for the erection of 162 no. residential dwellings and associated engineering works were granted by the Council on 6 November 2020 under reference H/2020/0048. As of [September 2025] [53] dwellings had been completed with [47] occupied.

- 9.9.16. Condition 8 of the outline permission H/2014/0428 states:

*"prior to the occupation of the 209th dwelling of the 1200 dwellings hereby approved, the scheme to provide a bypass of Elwick Village and a grade separated junction on the A19 shall be fully open to traffic, to the satisfaction of the Hartlepool BC, Durham BC and Highways England"*

#### Policy HSG5a: Quarry Farm (2) Housing Site

- 9.9.17. The Quarry Farm (2) housing development is allocated for approximately 220 dwellings. The site covers an area of approximately 11.30 hectares as illustrated on the Policies Map. The development will be phased over the plan period.
- 9.9.18. Policy HSG5a states that
- "No development will be permitted prior to the implementation of the grade separated junction and bypass to the north of Elwick Village unless otherwise agreed with Highways England and the Borough Council".*
- 9.9.19. The Local Infrastructure Plan gives further detail on the infrastructure requirements linked to the site and states that developer contributions will be secured to repay any loans secured in relation to the Scheme.
- 9.9.20. Outline planning permission for the Quarry Farm 2 site was granted by the Council on 12 October 2018 under reference H/2015/0528 for residential development for up to 220 residential dwellings with associated access, all other matters reserved. Reserved matters approvals for the erection of 220 no. residential dwellings were granted by the Council on 23 January 2020 under reference H/2019/0352. All 220 dwellings have now been constructed and are occupied.

#### Policy HSG7: Elwick Village Housing Development

- 9.9.21. The Potters Farm/ North Farm site at Elwick Village is allocated for a total of approximately 35 dwellings as illustrated on the Policies Map, to be phased over the plan period, and is required
- "to contribute, on a pro-rata basis with High Tunstall (HSG5), Quarry Farm 2 (HSG5a) and Briarfields (HSG3(3), to the provision of the grade separated junction and bypass to the north of Elwick Village."*
- 9.9.22. A full planning application (H/2024/0388) for the erection of 43no. dwellings and associated landscaping and infrastructure was validated by the Council on 15 January 2025 is currently awaiting determination. It is anticipated that the application will be determined in early 2026

#### Policy HSG3: Briarfields Housing Development

- 9.9.23. The Briarfields site is allocated for a total of approximately 14 dwellings as illustrated on the Policies Map, to be phased over the plan period, and is required

*"to contribute, on a pro-rata basis with High Tunstall (HSG5), Quarry Farm 2 (HSG5a) and Potters Farm/North Farm Elwick (HSG7), to the provision of the grade separated junction and bypass to the north of Elwick Village."*

- 9.9.24. No planning applications have yet been received or determined in respect of HSG3 allocated site.

#### Policy NE7: Landscaping Along Main Transport Corridors

- 9.9.25. Main road corridors within the borough are considered to be an integral part of the green infrastructure network and a high standard of landscaping, tree planting and design are necessary to ensure the routes remain attractive.

#### Local Infrastructure Plan

- 9.10. The Local Infrastructure Plan (2016) (LIP) identifies infrastructure required to facilitate and deliver allocations and proposals within the Local Plan, responsibilities for delivery, and sources of funding. The LIP is a key element of the Local Plan evidence base and will be a mechanism by which its delivery can be monitored. As well as setting out a realistic delivery programme for the Local Plan, it also takes account of other local authority strategies and delivery plans and investment programmes from infrastructure providers.
- 9.11. Whilst policies in the Local Plan will provide the spatial direction for Hartlepool, the LIP provides a framework within which timely funding and delivery of supporting infrastructure that reflects the scale and type of development and the needs of the locality can be identified and delivered. Without timely delivery of infrastructure new development may be delayed and/or there could be unacceptable social, economic or environmental impacts on existing infrastructure.
- 9.12. With regards to connectivity and transport in Hartlepool, the LIP notes that:
- "A particular weakness for Hartlepool is the reliance on only two principal access points to/from the A19, namely the A179 and the A689. Both of these access points are becoming increasingly congested. As well as acting as a physical constraint on specific development proposals, congestion and delays can have a significant impact on economic performance and act as a deterrent to future expansion and investment. A key strategic aim of the Local Plan is to provide a new grade separated junction on the A19 at Elwick, to be delivered in conjunction with new housing development in the north west of the town. This will provide an alternative, safe access to the A19 and relieve congestion at the A179 and A689 junctions, reducing the costs associated with delays and improving reliability of the road network."*
- 9.13. The LIP identifies a number of projects that now have been or will be required to contribute to improvements to the highway network in order for development to proceed and additionally to ensure the safety and efficiency of the highway network over the Local Plan period.

#### Hartlepool Rural Neighbourhood Plan

- 9.14. The Hartlepool Rural Neighbourhood Plan (the Neighbourhood Plan) was made in December 2018. The Neighbourhood Plan relates to the designated rural parishes of Brierton, Claxton, Dalton Piercy, Elwick, Greatham, Hart, and Newton Bewley.
- 9.15. Policy T1 (Improvements to the Highway Network) states that financial contributions will be sought from development proposals towards improvements to the highway network, including:
- 9.15.1. Improved village approach roads and junctions to the A179, A689 and A19;
  - 9.15.2. Alleviating the impact on the villages of the increase in traffic arising from new development in Hartlepool; and
  - 9.15.3. Appropriate measures to discourage traffic related to any new development on the edge of Hartlepool from using minor roads through the villages in the Neighbourhood Plan.
- 9.16. Policy H5 (Housing Development on the Edge of Hartlepool) requires new housing development to address any significant impacts arising from an increase in traffic on the road network between Hartlepool and the A19 as a result of new development. This should include mitigation measures identified by Transport Assessments which may include improvements to the junctions from the villages to the A19, A179 and A689 as well as measures to discourage traffic from the new development using minor roads through the village in the plan area.

#### Highways England Strategic and Delivery Plans 2020-2025

- 9.17. The plans comprise the Strategic Business Plan and the 50 Year Delivery Plan. The Strategic Business Plan looks to align with the Government's second Road Investment Strategy (RIS2) in which the Government set out to secure a safer more reliable strategic road network. The Strategic Business Plan states that safety remains their first imperative, to ensure that roads are safe, dependable and durable.
- 9.18. The Delivery Plan sets out several enhancement schemes that are either already under construction or planned along the A19 between Middlesbrough and Newcastle Upon Tyne. The Scheme is not referenced in the Delivery Plan but the Strategic Business Plan includes a commitment to actively work with government, customers, stakeholder and partners to plan for the longer term.

#### Northern Powerhouse Independent Economic Review

- 9.19. The Northern Powerhouse Independent Economic Review of 2016 states in high level terms:

*"Because the North is fragmented by poor transport links between key settlements, the economy as a whole is failing to gain the agglomeration effects which would help grow its productivity. Better transport connectivity can help to promote a higher employment rate, by improving access to centres of employment, and it can help to promote higher productivity, by improving the attractiveness of an area for investment, improving access to markets, increasing the pool of workers available to work in higher productivity urban*



*locations, and increasing the effective scale of cities and the associated benefits of agglomeration.*

*Accordingly, targeted investment in new road infrastructure will be warranted to enhance the reliability and resilience of road travel, reduce journey times and improve the connections offered by the North's road networks."*

9.20. Additionally, the 2023 update of the NPIER states:

*"To transform the North's economic performance requires significant improvement in transport connectivity, intra and inter-urban/city connectivity, and across the wider policy ecosystem,...Only with sustained public sector investment in connectivity and the wider policy ecosystem can we fully transform the North of England."*

#### Tees Valley Combined Authority (TVCA) Strategic Transport Plan

9.21. The Tees Valley Combined Authority Strategic Transport Plan sets out that the TVCA's vision for transport in the Tees Valley is *"to provide a high quality, quick, affordable, reliable, low carbon and safe transport network for people and freight to move within, to and from Tees Valley"*. The plan identifies the A19, grade separated junction, Elwick bypass and Hartlepool Western link as one of the "significant schemes" within the TVCAs Key Route Network (KRN). The KRN is the network of roads that the TVCA see as being the most vital to the future growth aspirations in the area from both an economic and social perspective, and will form the basis for developing a long-term programme of transport improvements.

9.22. The Tees Valley Road Implementation Plan, being one of the implementation plans supporting the strategic transport plan identified the Scheme as one of the live schemes within the KRN programme and states:

*"This scheme will provide a new strategic route for road traffic to/from Hartlepool to the A19, thereby relieving congestion on the existing A179 and A689 routes and by creating a new grade separated junction with the A19, overcome safety concerns with regards to the existing at-grade junctions. The scheme will provide direct benefits to the residents of Elwick village through significantly reducing through traffic, helping to make it a safer environment, and it will also facilitate housing development in West Hartlepool. A Strategic Outline Business Case was prepared in Summer 2016 and detailed design is now underway."*

#### **10. PLANNING POSITION**

10.1. Planning permission for a previous iteration of the Scheme was granted by the Council as Local Planning Authority on 18 January 2024 under reference H/2023/0057. This planning permission was subsequently amended by way of an application made pursuant to section 73 of the 1990 Act. Planning Permission was granted by the Council as Local Planning Authority on [REDACTED] 2025 under reference H/2025/0363 ("the Planning Permission") for an amended scheme which took into account further necessary mitigation measures.

- 10.2. In addition the planning position in relation to housing development is contextually relevant.
- 10.3. There are four sites specifically identified in the Local Plan as being required to make financial contributions in respect of the Scheme:
- HSG5a – Quarry Farm 2 (H/2015/0528)
  - HSG5 – High Tunstall (H/2014/0428)
  - HSG7 – Potters Farm / North Farm, Elwick (H/2024/0388)
  - HSG3(3) - Briarfields
- 10.4. In conjunction with the Local Plan process, planning applications have been determined in respect of High Tunstall (H/2014/0428) and Quarry Farm 2 (H/2015/0528) and a further planning application has been submitted in respect of Elwick (H/2024/0388).
- 10.5. Quarry Farm 2 was an outline application for up to 220 dwellings (H/2015/0528). An existing development at Quarry Farm in respect of an outline application for 81 dwellings had previously been consented on appeal on 18 February 2015 (H/2014/0215). Planning permission at Quarry Farm 2 was granted on 12 October 2018 with a condition 3 requiring a scheme to be submitted, approved in writing by the Council (in consultation with Highways England) prior to occupation of any dwellings, in respect of central reserve gap closures on the A19 at Elwick Road, North Road and at Dalton Piercy junctions. Such closure works preventing right-hand turn manoeuvres were required to be completed prior to occupation of any dwellings. Those central reserve closures have now been effected.
- 10.6. In addition the development has been required to pay a pro-rata contribution towards the grade separated junction and the Elwick By-pass to make the development acceptable in planning terms. A contribution of £12,000 per dwelling (totalling £2,640,000) towards the cost of the Scheme has therefore been secured through a s106 agreement.
- 10.7. Quarry Farm 2 is now fully built out and occupied. Section 106 contributions totalling £2,640,000 have now been received by the Council.
- 10.8. At High Tunstall an outline application for 1200 dwellings and permission was granted on 14 March 2019. As with the Quarry Farm 2 development a condition tying the development to central reserve closure was imposed and the development was also required to pay a pro-rata contribution towards the Scheme. A further condition (condition 8) was imposed stating that that prior to the occupation of the 209th dwelling, the Elwick bypass and the grade separated junction on the A19 would be fully open to traffic to the satisfaction of the Council, Durham County Council and Highways England. A contribution of £14,400,000 (plus indexation from January 2018 in respect of £11,904,000 of that contribution) towards the costs of the grade separated junction and Elwick bypass has been secured through a s106 agreement.

- 10.9. At the date of this statement, reserved matters approval for 162 dwellings has been granted and [47] dwellings are now occupied. Section 106 contributions totalling [£480,000,000] have now been received by the Council.
- 10.10. In respect of Elwick, a full planning application for 43 dwellings was validated by the Council on 15 January 2025. The application has not yet been determined but if approved, will be subject to a section 106 agreement requiring a contribution of £516,000 [plus indexation] towards the costs of the Scheme.
- 10.11. There is currently no extant planning permission for HSG3(3) nor any applications awaiting determination. [TBC at date of submission]

## **11. IMPLEMENTATION AND FUNDING**

- 11.1. The necessary resources are, or will be, available to achieve delivery of the Scheme within a reasonable timescale, including land acquisition, compensation costs and any blight liability.
- 11.2. The Scheme is estimated to cost between £24,497,000 and £26,094,000. Such costs will be met from:
- 11.2.1. Contributions from housing developments and that have been secured as planning obligations through s106 legal agreements attached to planning approvals for housing.
- 11.2.2. Capital grant funding of £8,345,000 from TVCA. Such grant includes an initial £1.16m of funds for project development and allows for full draw down of the grant subject to completion of all stages of the Business Case and approval process which will ultimately be contingent on a successful outcome to all relevant statutory procedures.
- 11.2.3. The Council has also resolved to use its ability to access prudential borrowing to fund the gap between outturn Scheme costs and available funding and in any case to underwrite all the costs associated with acquiring land should these exceed the available grant.
- 11.3. The Local Plan requires financial contributions towards the Scheme from the following allocated sites
- HSG5a – Quarry Farm 2 (H/2015/0528)
  - HSG5 – High Tunstall (H/2014/0428)
  - HSG7 – Elwick (H/2024/0388)
  - HSG3(3) - Briarfields
- 11.4. Details of the planning position and contributions in respect of the above sites are set out at section 8 above.
- 11.5. In terms of the funding available for implementation of the Scheme the position as at the date of this Statement is set out below.

Strategic site and policy	Local Plan requirement	LP delivery timeframe	Progress
High Tunstall HSG5 & INF2.	£14,400,000.00 £12,000 per dwelling (plus indexation in respect of 209 <sup>th</sup> to 1200 <sup>th</sup> dwelling.)	Short/medium/long.	H/2014/0428 approved and contribution secured. £480,000 contributions received as at 31 <sup>st</sup> October 2025.
Quarry Farm (2) HSG5a & INF2.	£2,640,000.00 £12,000 per dwelling.	Short/medium.	H/2015/0528 approved and contribution secured. £2,640,000.00 received in full.
Elwick Village HSG7 & INF2	£516,000 £12,000 per dwelling.	Short /Medium/	Allocated H/2024/0388 received, to be determined likely early 2026.
Briarfields HSG3 (3) & INF2. 14-unit allocation	£168,000 £12,000 per dwelling.	Medium/long.	Allocated but no application.
Windfall Sites. INF2.	£12,000 per property.	Various.	Site by site basis.

- 11.6. Funding for the Scheme has therefore been adequately secured through a number of sources and in the immediate term the Council is able to use its prudential borrowing powers to ensure that any delay in receipt of the developers' contributions does not inhibit the Scheme coming forward. It is not therefore considered that funding will cause any impediment to the Scheme being delivered.

## 12. **SPECIAL CONSIDERATIONS**

- 12.1. There are no areas warranting special consideration within the extent of the Scheme. However the below considerations in the vicinity of the Scheme should be noted.
- 12.2. The Elwick Conservation Area encompasses the village centre and includes Elwick Hall and St Peter's Church. A plan identifying the extent of the Conservation Area is attached as an appendix.
- 12.3. There are no listed buildings falling within land required for the Scheme. Listed buildings in the vicinity of the Scheme include The Forge, Church of St Peter, Wilton Cottage, Elwick Windmill and Elwick Hall respectively. It is considered that they are unlikely to be affected by the Scheme.

- 12.4. There is one Scheduled Monument (list number 1016353) located approximately 30m to the east of the south-western arm of the Scheme parallel to the A19 and directly to the east of the village of Elwick. The Scheduled Monument comprises a fishpond, two enclosures and a section of medieval open field system. It is considered to have been used for fishing and wildfowl management in connection with the former medieval Elwick Hall. Also within the Scheduled area is a pillbox dating to World War II.

13. **VIEW OF GOVERNMENT DEPARTMENTS**

- 13.1. No views have been expressed by a Government Department.

14. **HUMAN RIGHTS**

- 14.1. The European Convention on Human Rights ("ECHR") was incorporated into domestic law in England and Wales by the Human Rights Act 1998 ("the 1998 Act"). The 1998 Act prevents public authorities from acting in a way which is incompatible with rights protected by the 1998 Act.
- 14.2. Of particular relevance to the compulsory purchase process are Article 8 of the Convention regarding respect for privacy and family life and Article 1 of the First Protocol which concerns the protection of property. In addition Article 14 protects the right to enjoy rights and freedoms free from discrimination on any ground such as sex, race, colour, language, religion, political or other opinion or national or social origin.
- 14.3. In addition the Guidance advises that "acquiring authorities should only use compulsory purchase powers where it is expedient to do so and where there is a compelling case in the public interest". An acquiring authority should therefore be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Regards should be had, in particular, to the provisions of Article 1 of the First Protocol to the ECHR, and in the case of a dwelling, Article 8 thereof.
- 14.4. Such rights are qualified rights and may therefore be overridden where it is considered that the interference with these rights are proportionate and that the interference is necessary in the interests of, amongst other things, national economic well-being.
- 14.5. The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that "*regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole*", and both public and private interests have been taken into account in the exercise of the authority's powers and duties as a local authority.
- 14.6. It is acknowledged that the CPO, if confirmed, will result in the taking of property. However, this will be in accordance with a statutory process which was held to be compliant with Article 6 of the Convention which provides that "*everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law*". Compensation will be payable in accordance with law including compensation for property on the basis of the market value of the interest

acquired, together with disturbance, statutory loss payment and where appropriate home loss payments.

- 14.7. The CPO process undertaken by the Council has taken into account the social, economic and environmental well-being of the locality. The process already allows for the payment of compensation to those where properties and other private rights are affected by the acquisition of land under the CPO process.
- 14.8. Moreover, in pursuing this CPO (and associated Orders), the Council has carefully considered the balance to be struck between individual rights and the wider public interest. In this instance it is considered that the Orders are required in the public interest and are consistent with the ECHR and the 1998 Act in that the public purpose of securing the site for the redevelopment described herein and concomitant economic, social and environmental benefits are of sufficient weight to override the interference with human rights that the CPO necessarily involves; and that compulsory acquisition is necessary to achieve that purpose. It is also considered that the Order is proportionate having regard to the alternative means of securing the objectives to be delivered by the Scheme.

15. **EQUALITIES IMPACT ASSESSMENT**

- 15.1. In preparing the HBC Orders and in determining to make the CPO, the SRO and the A19 SRO, the Council has had regard to its statutory duties and obligations under the Equality Act 2010 including its obligations under sections 149 and 150 thereof and has taken into account the differential impact the HBC Orders and the A19 SRO may have on groups of persons with different characteristics.

16. **ENQUIRIES**

- 16.1. In respect of land acquisition please contact:

Tim Wynn BSc(Hons)MRICS

Strategic Asset Manager

Hartlepool Borough Council

[tim.wynn@hartlepool.gov.uk](mailto:tim.wynn@hartlepool.gov.uk)

Tel 01429 523386

- 16.2. In respect of the CPO and SRO process please contact:

Scott Parkes BEng (Hons)

Consultancy Manager Hartlepool Borough Council

[Scott.Parkes@hartlepool.gov.uk](mailto:Scott.Parkes@hartlepool.gov.uk)

Tel: 01429 523207

17. **LIST OF DOCUMENTS IN EVENT OF INQUIRY**

17.1. [To be inserted]

18. **LIST OF PLANS**

- 18.1. Appendix A - S6 Agreement
- 18.2. Appendix B - Plan of A19
- 18.3. Appendix C - existing highway layout
- 18.4. Appendix D – proposed scheme layout
- 18.5. Appendix E - copy of the SRO Plan and the A19 SRO Plan
- 18.6. Appendix F – Elwick Conservation Area

DRAFT

**DRAFT 13 NOVEMBER 2025**

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

**THE HIGHWAYS ACT 1980**

**AND**

**THE ACQUISITION OF LAND ACT 1981**

The Hartlepool Borough Council (in this Order called "the Acquiring Authority") makes the following order:

1. Subject to the provisions of this order the Acquiring Authority is, under Sections 6, 239, 240, 246, 249, 250 and 260 of the Highways Act 1980, hereby authorised to acquire compulsorily for the purposes of:
  - (1) the construction of a highway, including a bridge over the A19, which is to be maintainable at the public expense between the A19 and Elwick Road, north of the village of Elwick and to the west of the Hartlepool conurbation in the Borough of Hartlepool;
  - (2) the construction of highways to connect the above mentioned highway with the existing road system in the vicinity of the A19 and village of Elwick in the Borough of Hartlepool, including roundabouts connecting with North Lane and Elwick Road respectively;
  - (3) the improvement of existing highways in the vicinity of the route of the above mentioned highways including North Lane, Elwick Road and Coal Lane in pursuance of the Hartlepool Borough Council (A19/Elwick Road/North Lane junction and Elwick Northern Bypass/Hartlepool Western Link) (Classified Roads) (Side Roads) Order 2026 and the Hartlepool Borough Council (A19/Elwick Road/North Lane junction and Elwick Northern Bypass/Hartlepool Western Link) (Side Roads) Order 2026 (hereinafter "the Side Roads Orders") ;
  - (4) the provision of new means of access to premises in pursuance of the Side Roads Orders;
  - (5) the diversion of a watercourse and the carrying out of works on watercourses in connection with the construction and improvement of highways and the provision of new means of access to highways;



- (6) use by the Acquiring Authority in connection with the construction and improvement of highways, the diversion of a watercourse and the provision of new means of access to premises as aforesaid;
- (7) the improvement of the land adjoining or adjacent to the above mentioned new and existing highways;
- (8) mitigating the adverse effect which the existence or use of the highway proposed to be constructed or improved as mentioned in articles (1), (2) and (3) of this Order;
- (9) the carrying out of drainage works in connection with the construction of highways,

the land which is described in the Schedule hereto and delineated and shown coloured pink on the map hereinafter mentioned and the new rights which are specified in the said Schedule over the land which is described therein and is delineated and shown coloured blue on the said map.

The map aforesaid is a map consisting of [x] sheets numbered [ ] to [ ] respectively, prepared in duplicate, sealed with the Common Seal of the Acquiring Authority and marked "Map referred to in the Hartlepool Borough Council (A19/Elwick Road/North Lane Junction and Elwick Northern Bypass/Hartlepool Western Link) Compulsory Purchase Order 2026".

One duplicate of the map is deposited in the offices of the Acquiring Authority and the other is deposited in the offices of the Secretary of State for Transport.

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1	[CE146944] [ ] square metres. Arable land forming part of Middleton House Farm, Elwick, all to the west of the A19.	Roy Alexander Blyth, Jean Blyth, Neil Alexander Blyth and Alison Mayes of Middleton House Farm, Elwick, Hartlepool, TS27 3EN ( <i>excluding mines and minerals</i> )  Unknown ( <i>in respect of mines and minerals</i> )			Owner  Zayo Group UK Limited of 100 New Bridge Street, London, England, EC4V 6JA
2	Mines and minerals interests subsisting underneath [ ] square metres land forming part of High Barns Farm, Elwick, all to the west of the A19.	Unknown			Owner  High Barns Farm Ltd (CRN 11271879) of Hartbushes Hall, Station Road, Wingate, TS28 5NG  Zayo Group UK Limited of 100 New

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
					Bridge Street, London, England, EC4V 6JA
3	[CE146944] A right of access with or without vehicles, plant and machinery together with a right to construct a new private means of access [insert orientation, width and length] over [X] square metres of arable land] forming part of Middleton House Farm, Elwick, all to the west of the A19	Roy Alexander Blyth, Jean Blyth, Neil Alexander Blyth and Alison Mayes of Middleton House Farm, Elwick, Hartlepool , TS27 3EN ( <i>excluding mines and minerals</i> )  Unknown ( <i>in respect of mines and minerals</i> )			Owner
4	[CE41831] [X] square metres. Arable land forming part of Martindale Farm, Elwick, to the east of the A19 and to the north of Elwick Village.	Gordon Cracknell of Martindale Farm, Elwick, Hartlepool TS27 3DT  Unknown ( <i>in respect of mines and minerals</i> )			Owner

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
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Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
5	[X] square metres. Highway land comprising part of North Lane, Elwick	Unknown			Hartlepool Borough Council of Civic Centre, Victoria Road, Hartlepool, TS24 8AY (as Local Highway Authority)
6	[CE219676] [X] square metres comprising a grassed area of land between the A19 to the west and North Lane to the east, The Parks, Elwick.	Margaret Wreford Howell of Calais House, Calais Road, St Martins, Guernsey, GY4 6AP  Unknown (in respect of mines and minerals)		Un-named summer grazing tenants	Owner  Tenants
7	All rights and interests in [X] square metres of land comprised in highway on North Lane with the exception of those rights and interests owned by Hartlepool Borough Council.	Unknown (in respect of mines and minerals)			Hartlepool Borough Council of Civic Centre, Victoria Road, Hartlepool, TS24 8AY (as Local Highway Authority)
8	[x] square metres of arable land to the east of the A19	Gordon Cracknell of Martindale Farm,			Owner

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
	and to the north of Elwick Village and comprising a strip of land between plots 4 and 10  Note: this strip of land has been omitted from Gordon Cracknell's title (see plots 4 and 10), possibly by Land Registry error	Elwick, Hartlepool TS27 3DT			
9	[CE261760] [ ] square metres. Arable land on the north side of North Lane, Elwick, all to the east of the A19.	Christopher Linton of 1a Hillcrest Grove, Elwick, TS27 3EH and Timothy Charles Linton of 48 Wolviston Road, Billingham, TS22 5JP  <i>Unknown (in respect of mines and minerals)</i>			Owner
10	[CE144195] [ ] square metres. Arable land forming part of Martindale Farm, Elwick, to the east of the A19 and to the north of Elwick Village.	Gordon Cracknell of Martindale Farm, Elwick, Hartlepool TS27 3DT			Owner

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
11	[CE144195] [ ] square metres. Arable land forming part of Martindale Farm, Elwick, to the east of the A19 and to the north of Elwick Village.	Gordon Cracknell of Martindale Farm, Elwick, Hartlepool TS27 3DT			Owner
12	[CE154388] [ ] square metres. Arable land forming part of Potters Farm, Elwick, to the east of the A19 and to the north of Elwick Village.	Bryan Ernest Claughan of 9 The Green, Elwick, Hartlepool, TS27 3ED			Owner  Energis Communications Limited of Vodafone House, The Connection, Newbury, Berkshire, RG14 2FN  National Grid Electricity Transmission Plc of 1-3 Strand, London, WC2N 5EH

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
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Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
					Northern Powergrid (Northeast) Ltd of Lloyds Court, 78 Grey Street, Newcastle-upon- Tyne, NE1 6AF (Wayleave no.s 74028 and 72756)
13	[CE176982] [ ] square metres. Arable land forming part of North Farm, Elwick, to the east of the A19 and north east of Elwick Village.	Margaret Beatrice Iveson of High Force Farm, Raydaleside, Askrigg, Leyburn, North Yorkshire DL8 3DL and Joan Marjery Hansen of Jersey Cottage, Elwick, Hartlepool TS27 3ED and Sandra Yvonne Leonard of Naisberry Farm Cottage, Elwick, Hartlepool, TS27 3EA and George Bell of Millstone House, Elwick, Hartlepool TS27 3ED and Dorothy Watson of Butterwick Moor Farm, Butterwick, Sedgefield, TS31 3ER			Owner  National Grid Electricity Transmission Plc of 1-3 Strand, London, WC2N 5EH  Northern Powergrid (Northeast) Ltd, Lloyds Court, 78 Grey Street, Newcastle-upon- Tyne, NE1 6AF  [Farm water supply / underground field pipe for farm feed

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
					troughs and owners water supply]
14	All rights and interests in [X] square metres of land comprised in highway on Elwick Road with the exception of those rights and interests owned by Hartlepool Borough Council.	Unknown ( <i>in respect of mines and minerals</i> )			Hartlepool Borough Council of Civic Centre, Victoria Road, Hartlepool, TS24 8AY ( <i>as Local Highway Authority</i> )
15	[x] square metres of land comprised in highway and grassed verge adjacent thereto	Unknown			Hartlepool Borough Council of Civic Centre, Victoria Road, Hartlepool, TS24 8AY ( <i>as Local Highway Authority</i> )  National Grid Electricity Transmission Plc of 1-3 Strand, London, WC2N 5EH



**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
					Northern Powergrid (Northeast) Ltd, Lloyds Court, 78 Grey Street, Newcastle-upon- Tyne, NE1 6AF

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**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1	<p>HSBC UK Bank Plc of 1 Centenary Square, Birmingham, United Kingdom, B1 1HQ</p> <p>HSBC Bank Plc of 8 Canada Square, London, E14 5HQ</p>	<p>Registered Charge dated 19 September 2011.</p> <p>Registered Charge dated 19 September 2011.</p>	<p>Northern Gas Networks Limited of 1100 Century Way, Thorpe Park Business Park, Colton Leeds, LS15 8TU</p>	<p>Restrictive covenants and rights granted in relation to a pipeline for the transmission and storage of gas together with rights of access over Plot 1 pursuant to a Deed of Grant dated 24 January 2006.</p>
2			<p>Northern Electric Plc of Lloyds Court, 78 Grey Street, Newcastle Upon Tyne, NE1 6AF</p>	<p>Restrictive covenants and rights granted in relation to electric lines, poles and associated apparatus together with rights of access and tree/bush felling and/or removal pursuant to a Deed of Grant dated 4 April 1996</p>
3	<p>HSBC UK Bank Plc of 1 Centenary Square, Birmingham, United Kingdom, B1 1HQ</p>	<p>Registered Charge dated 19 September 2011.</p>	<p>Northern Gas Networks Limited of 1100 Century Way, Thorpe Park Business Park,</p>	<p>Restrictive covenants and rights granted in relation to a pipeline for the transmission and storage of gas together with rights of access over Plot</p>

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
	HSBC Bank Plc of 8 Canada Square, London, E14 5HQ	Registered Charge dated 19 September 2011.	Colton Leeds, LS15 8TU	1 pursuant to a Deed of Grant dated 24 January 2006.
4	<p>The Agricultural Mortgage Corporation Plc of Keens House, Anton Mill Road, Andover, Hampshire, United Kingdom, SP10 2NQ</p> <p>The Agricultural Mortgage Corporation Plc of Keens House, Anton Mill Road, Andover, Hampshire, United Kingdom, SP10 2NQ</p>	<p>Registered Charge dated 1 December 2006.</p> <p>Registered Charge dated 30 May 2014.</p>		

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
10	The Agricultural Mortgage Corporation Plc of Keens House, Anton Mill Road, Andover, Hampshire, United Kingdom, SP10 2NQ	Registered Charge dated 1 December 2006.	Unknown	Plot 10 is subject to rights granted by a conveyance of adjoining land dated 16 November 1969, including rights of access, drainage and to lay a water pipe.
	The Agricultural Mortgage Corporation Plc of Keens House, Anton Mill Road, Andover, Hampshire, United Kingdom, SP10 2NQ	Registered Charge dated 30 May 2014.	Unknown	Plot 10 is subject to rights of drainage and services reserved by a conveyance dated 22 June 1972.
			Northern Electric Plc of Lloyds Court, 78 Grey Street, Newcastle Upon Tyne, NE1 6AF	Restrictive covenants and rights granted in relation to overhead electric lines, poles and associated apparatus together with rights of access and tree/bush felling and/or removal pursuant to a Deed of Grant dated 13 March 1998

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
11	<p>The Agricultural Mortgage Corporation Plc of Keens House, Anton Mill Road, Andover, Hampshire, United Kingdom, SP10 2NQ</p> <p>The Agricultural Mortgage Corporation Plc of Keens House, Anton Mill Road, Andover, Hampshire, United Kingdom, SP10 2NQ</p>	<p>Registered Charge dated 1 December 2006.</p> <p>Registered Charge dated 30 May 2014.</p>	<p>Unknown</p> <p>Unknown</p> <p>Northern Electric Plc of Lloyds Court, 78 Grey Street, Newcastle Upon Tyne, NE1 6AF</p>	<p>Plot 11 is subject to rights granted by a conveyance of adjoining land dated 16 November 1969, including rights of access, drainage and to lay a water pipe.</p> <p>Plot 11 is subject to rights of drainage and services reserved by a conveyance dated 22 June 1972.</p> <p>Restrictive covenants and rights granted in relation to overhead electric lines, poles and associated apparatus together with rights of access and tree/bush felling and/or removal pursuant to a Deed of Grant dated 13 March 1998</p>
12			Energis Communications Limited of Vodafone House,	Restrictive covenants and rights granted in relation to the installation. Maintenance and use of telecommunications apparatus

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
			<p>The Connection, Newbury, Berkshire, RG14 2FN</p> <p>National Grid Electricity Transmission Plc of 1 - 3 Strand, London, WC2N 5EH</p> <p>Northern Powergrid (Northeast) Ltd of Lloyds Court, 78 Grey Street, Newcastle-upon-Tyne, NE1 6AF</p>	<p>together with rights of access over Plot 12 pursuant to a Deed of Easement dated 9 April 1999.</p> <p>Restrictive covenants and rights granted in relation to the erection, maintenance and use of overhead electric lines, conductors and tower together with rights of access and tree/bush felling over Plot 12 pursuant to a Deed of Grant dated 4 June 2019.</p> <p>(Electricity) Wayleave No.s 74028 and 72756)</p>
13			Unknown	Plot 13 is subject to an easement of drainage rights for the benefit of

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
			<p>Joan Marjorie Hansen and Edward Hansen of Jersey Cottage, The Green, Elwick, Hartlepool TS27 3ED.</p> <p>James Andrew Leonard and Hazel Leonard of Canterbury House, The Green, Elwick, Hartlepool, TS27 3ED.</p> <p>George Bell of Millstone House, The Green, Elwick, Hartlepool, TS27 3ED.</p>	<p>Carlton, Elwick granted by a conveyance of other land dated 11 November 1969.</p> <p>Plot 13 is subject to easements and covenants in respect of drainage, together with rights of access for repair and maintenance pursuant to a Deed dated 12 May 2010.</p>

**THE HARTLEPOOL BOROUGH COUNCIL (A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK  
NORTHERN BYPASS/HARTLEPOOL WESTERN LINK) COMPULSORY PURCHASE ORDER 2026**

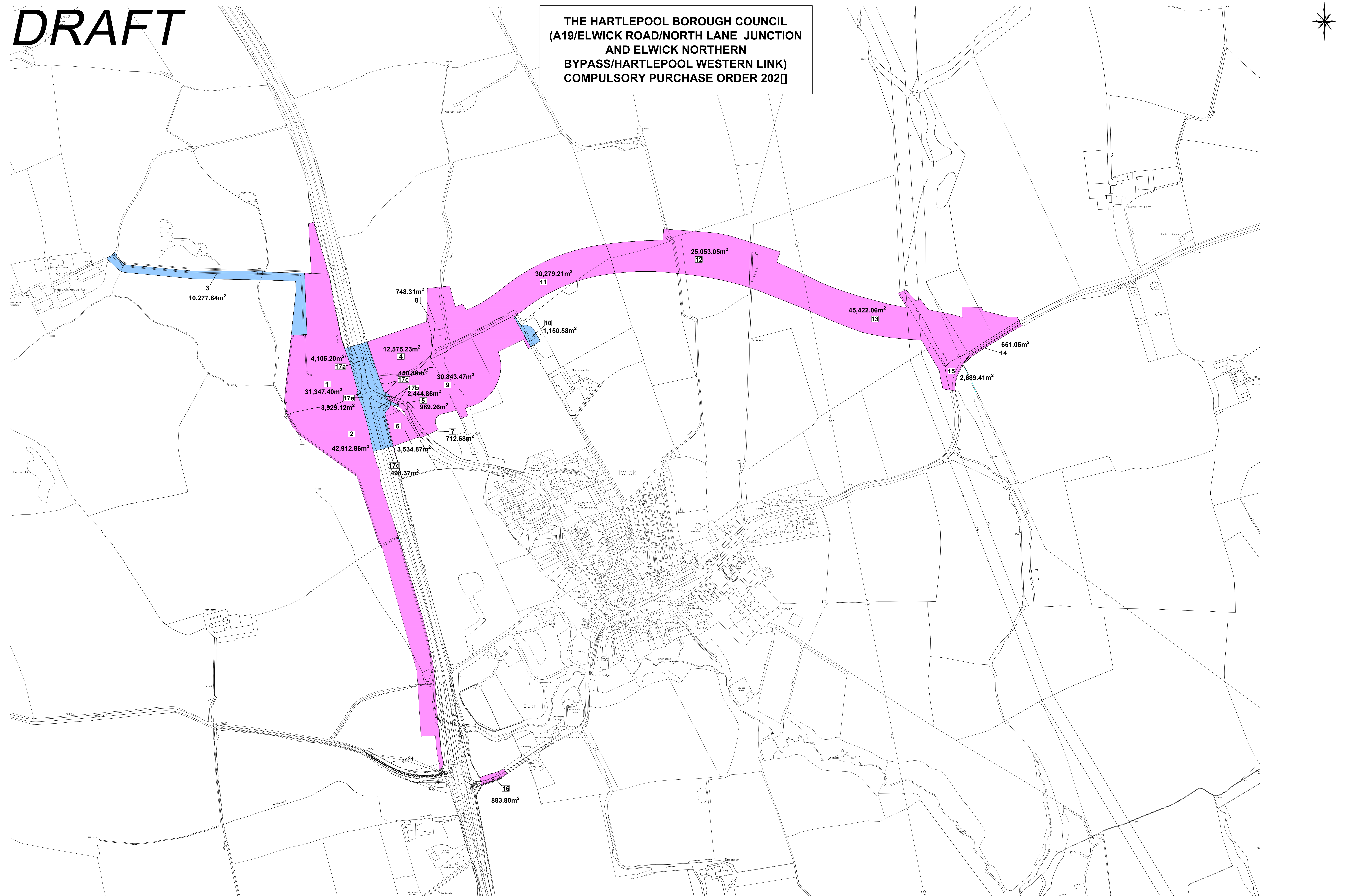
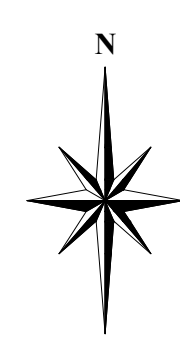
Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15			National Grid Electricity Transmission Plc of 1-3 Strand, London, WC2N 5EH  Northern Powergrid (Northeast) Ltd of Lloyds Court, 78 Grey Street, Newcastle-upon- Tyne, NE1 6AF	TBC



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THE HARTLEPOOL BOROUGH COUNCIL  
(A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN  
BYPASS/HARTLEPOOL WESTERN LINK)  
COMPULSORY PURCHASE ORDER 202[]





**DRAFT 13 NOVEMBER 2025**

**HIGHWAYS ACT 1980**

**THE HARTLEPOOL BOROUGH COUNCIL**

**(A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK NORTHERN  
BYPASS/HARTLEPOOL WESTERN LINK) (CLASSIFIED ROAD)(SIDE ROADS) ORDER  
2026**

The Hartlepool Borough Council ("the Council") make this Order in exercise of powers conferred by sections 14 and 125 of the Highways Act 1980 and all other powers enabling them in that behalf:

1.

- (1) The Council is authorised in relation to that length of the classified road in the Parish of Elwick in the Borough of Hartlepool to:
  - (a) improve the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching;
  - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
  - (c) construct a new highway along each route whose centre line is shown on a Site Plan by an unbroken black line surrounded by stipple;
  - (d) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band; and
  - (e) provide new private means of access to premises along each route or at each location shown on a Site Plan by thin diagonal hatching.
- (2) Where a new highway is to be constructed wholly or partly along the same route as a new access or part of one, that new highway shall be created subject to the private rights over that new access.
- (3) Each new highway is given a reference number and letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word "Footpath" or "Cycle Track (with a right of way on foot)" appears beneath its reference number and letter in that Schedule, in which case it will be a Footpath or Cycle Track (with a right of way on foot) as the case may be. Each new access is given a reference number followed by a lower case letter on a Site Plan, which is also placed in the respective Schedule.
- (4) Where a new highway is to be constructed or a new access is to be provided in connection with the stopping up of a length of highway or private means of access described in a Schedule, its reference number and letter or number (as the case may be) is placed in the said Schedule opposite the description of that length.

- (5) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the classified road is shown in relation to the works shown on each Site Plan.
2. Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator, as the case may be, shall continue to have the same rights as respects that apparatus as they had immediately before the stopping up took place.
3. In this Order:
- (1) Distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;
- (2) A reference to a Schedule or Site Plan number is a reference to the Schedule or Site Plan so numbered;
- (3)
- (a) "the classified road" - North Lane, Elwick, Hartlepool
- (b) "the Council" - means Hartlepool Borough Council
- (c) "improvement" - in relation to a highway includes raising, lowering or otherwise altering that highway, and "improved" shall be construed accordingly;
- (d) "new access" - means a means of access to premises authorised by this Order to be provided;
- (e) "new highway" - means a new highway authorised by this Order to be constructed and "new highways" shall be construed accordingly;
- (f) "Schedule" - means a Schedule to this Order, and "Schedules" shall be construed accordingly;
- (g) "Site Plan" - means one of the plans contained in the Plan Folio marked The Hartlepool Borough Council (A19/Elwick Road/North Lane Junction and Elwick Northern Bypass/Hartlepool Western Link) (Classified Road) (Side Roads) Order 2026 (Sheets 1-3)
- a duplicate has also been deposited at the offices of the Secretary of State for Transport.

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**SCHEDULE 1****A19/Elwick Road/North Lane Junction  
and Elwick Northern Bypass/Hartlepool  
Western Link****Sheet 1 of 3****Highway to be Improved**

North Lane (at its junction with the A19) – a 26m section of highway to be improved upgrading the access off and onto the A19 at North Lane (marked K on Sheet 1).

North Lane (a section of highway starting approximately 92m south east of its junction with the A19) – a 28m section of highway to be improved upgrading North Lane where it meets the new highway (marked N on Sheet 1).

<b><u>Highway to be Stopped Up</u></b>	<b><u>Reference Letter of New Highways</u></b>
North Lane from a point [38 metres] south east of its junction with the A19 in a south-easterly direction for a distance of [61] metres (marked H on Sheet 1)	L and M
-	C
-	D
-	E
-	F
-	G
-	O

<b><u>Private Means of Access to be Stopped Up</u></b>	<b><u>Reference Letter of New Accesses</u></b>
A section of the access track from the northbound A19 highway to Middleton House Farm, for 10 metres westwards from its junction with the A19 (marked B on Sheet 1).	A
Access track from the south bound A19 highway to Martindale Farm, a distance of 319 metres (marked I on Sheet 1).	P

<b><u>Private Means of Access to be Stopped Up</u></b>	<b><u>Reference Letter of New Accesses</u></b>
Track going north for 60m from the access track leading from the south bound A19 highway to Martindale Farm (as identified immediately above) to land forming part of Martindale Farm, a distance of 60 metres (marked J on sheet 1).	Q
Access Track from Worset Lane to Potters Farm where that access is crossed by the classified road, for a distance of 59 metres (marked R on Sheets 1 and 2).	S (see sheet 2)

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**SCHEDULE 2**

**A19/Elwick Road/North Lane Junction  
and Elwick Northern Bypass/Hartlepool  
Western Link**

**Sheet 2 of 3**

**Highway to be Improved**

Elwick Road (a section of highway starting 340m south west of North Urn Farm) – a 196m section of highway to be improved, upgrading Elwick Road where it meets the new highway (marked BB on Sheet 2).

<b><u>Highways to be Stopped Up</u></b>	<b><u>Reference Letters of New Highways</u></b>
Public footpath running along track from North Farm to land at North Farm where that access is crossed by the classified road, for a distance of 61 metres (marked U on Sheet 2). (Note: public footpath and private access to be stopped up at V below overlap and share the same surface)	W

<b><u>Private Means of Access to be Stopped Up</u></b>	<b><u>Reference Letters of New Accesses</u></b>
Access Track from Worset Lane to Potters Farm where that access is crossed by the classified road, for a distance of 59 metres (marked R on Sheets 1 and 2).	S
Access Track from North Farm to land at North Farm where that access is crossed by the classified road, for a distance of 61 metres (marked U on Sheet 2).	V
Access Track from Elwick Road to land at North Farm, a distance of 92 metres (marked Z on Sheet 2).	AA
-	T
-	X

<b><u>Private Means of Access to be Stopped Up</u></b>	<b><u>Reference Letters of New Accesses</u></b>
-	Y

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**SCHEDULE 3**

**A19/Elwick Road/North Lane Junction  
and Elwick Northern Bypass/Hartlepool  
Western Link**

**Sheet 3 of 3**

**Highways to be Improved**

Coal Lane (a section of highway starting at its junction with the A19, 522m south east of High Barns) – a [ ] metre section of highway to be improved, altering the highway on the approach to and at the junction with the A19 (marked DD on sheet 3).

Coal Lane (a section of highway starting at its junction with the A19, 522m south east of High Barns) – a 180 metre section of highway to be improved, altering the highway on the approach to and at the junction with the A19 (marked EE on sheet 3).

Coal Lane (a section of highway starting at its junction with the A19, 522m south east of High Barns) – a 180 metre section of highway to be improved, altering the highway on the approach to and at the junction with the A19 (marked FF on sheet 3).

Given under the Common Seal of the Borough of Hartlepool on the

Day of

2026

THE COMMON SEAL OF

**the Borough of Hartlepool**

was affixed in the presence of:

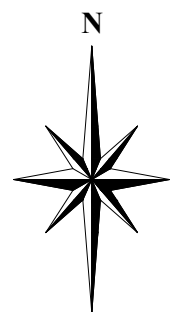
Authorised Signatory

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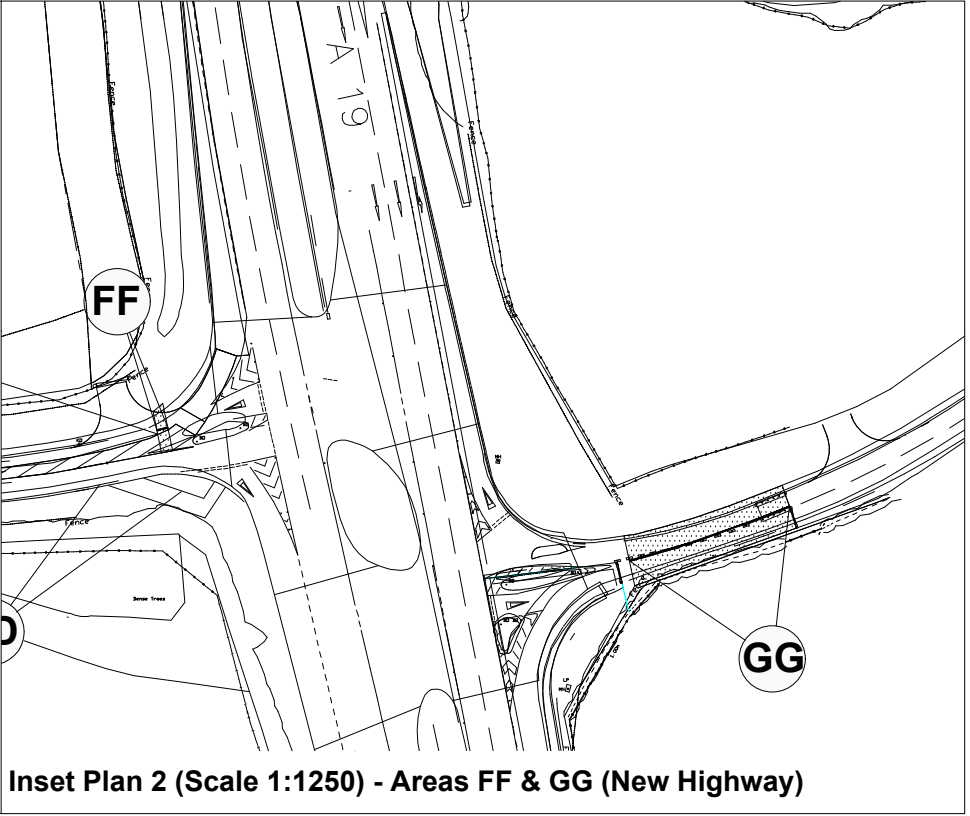
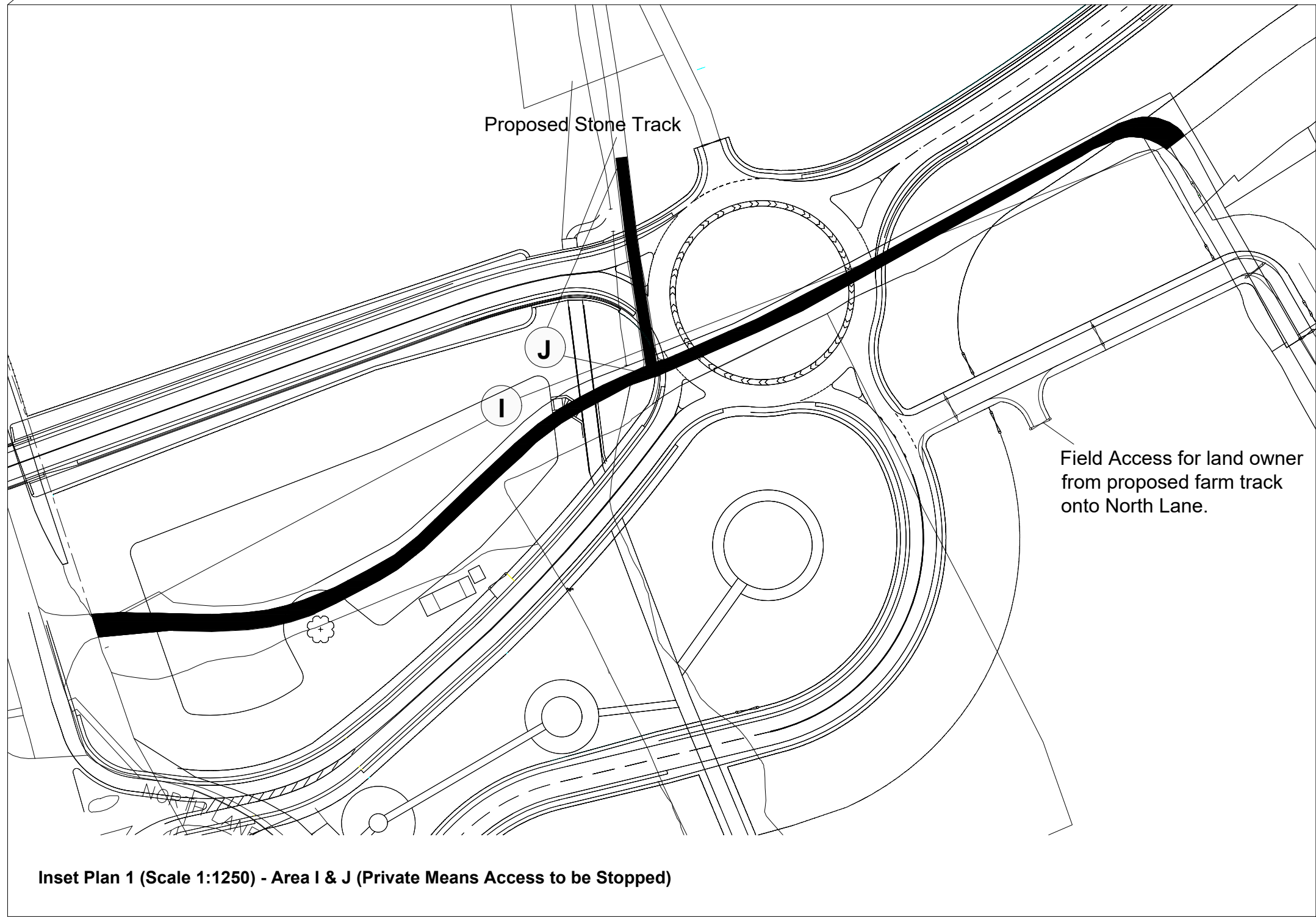
THE HARTLEPOOL BOROUGH COUNCIL  
(A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL  
WESTERN LINK) (CLASSIFIED ROAD) (SIDE  
ROADS) ORDER 202[ ]



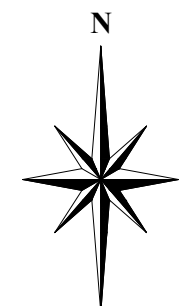
Plan 2

Plan 1

Plan 3

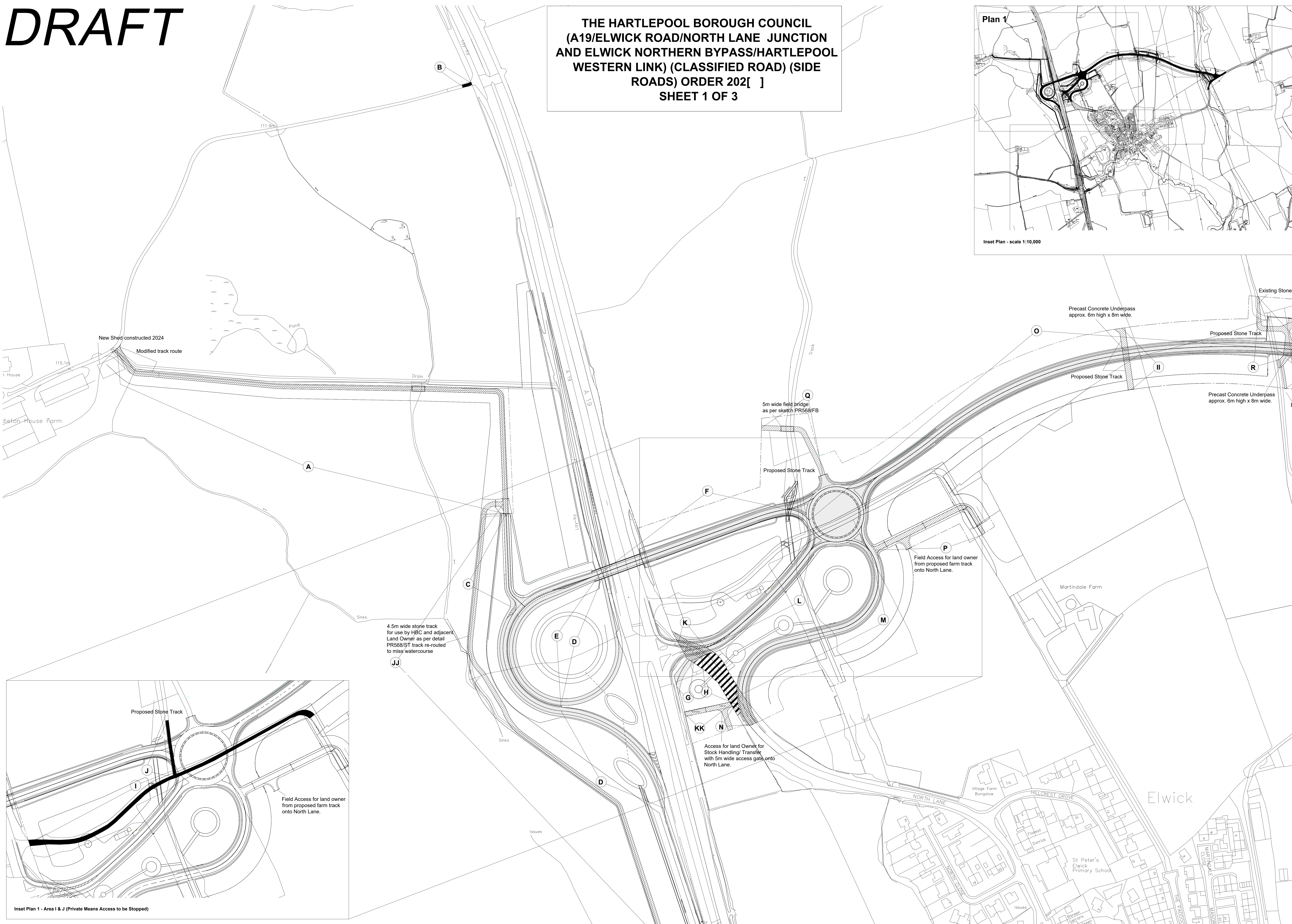






**Plan 1**

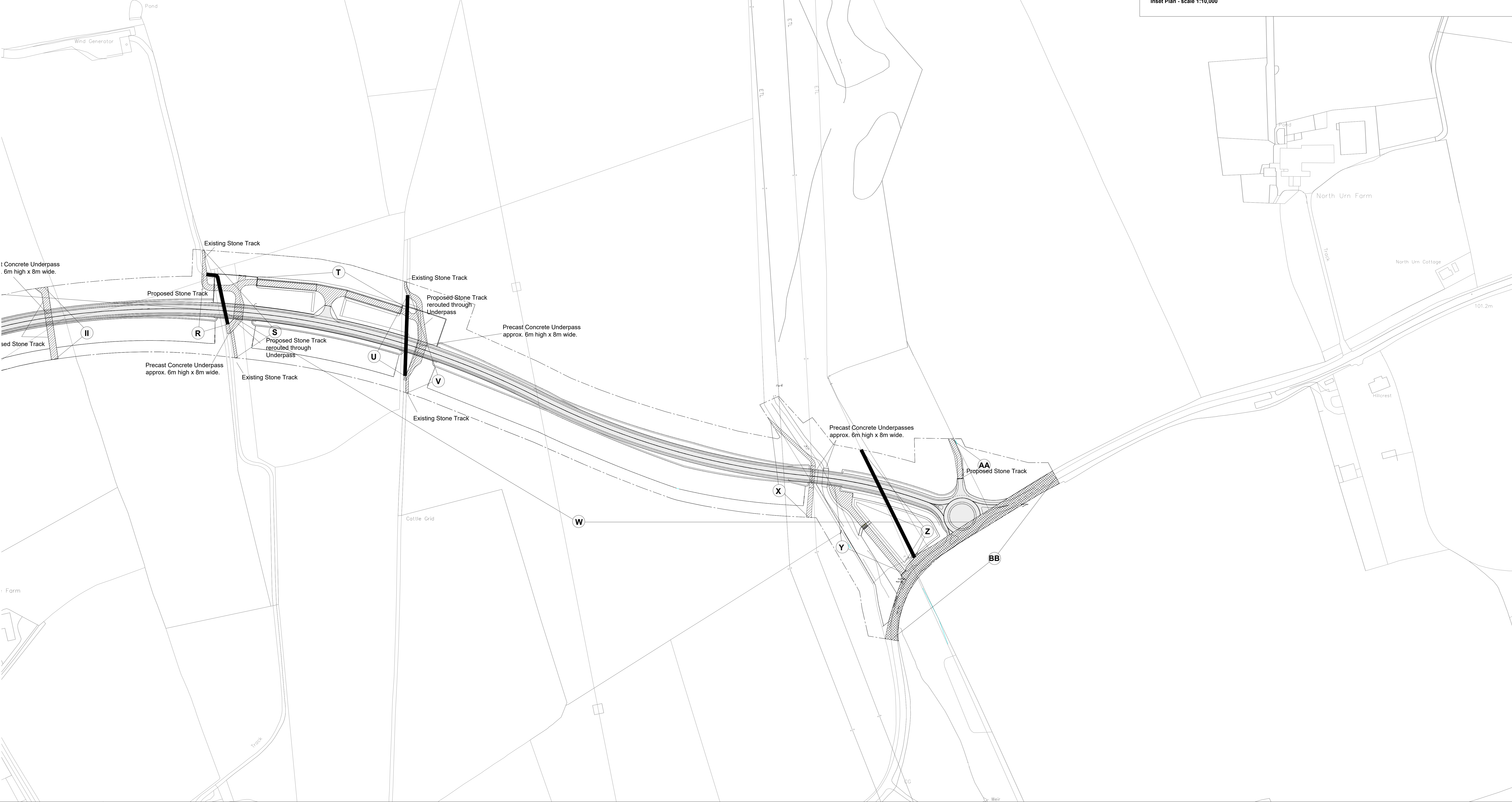
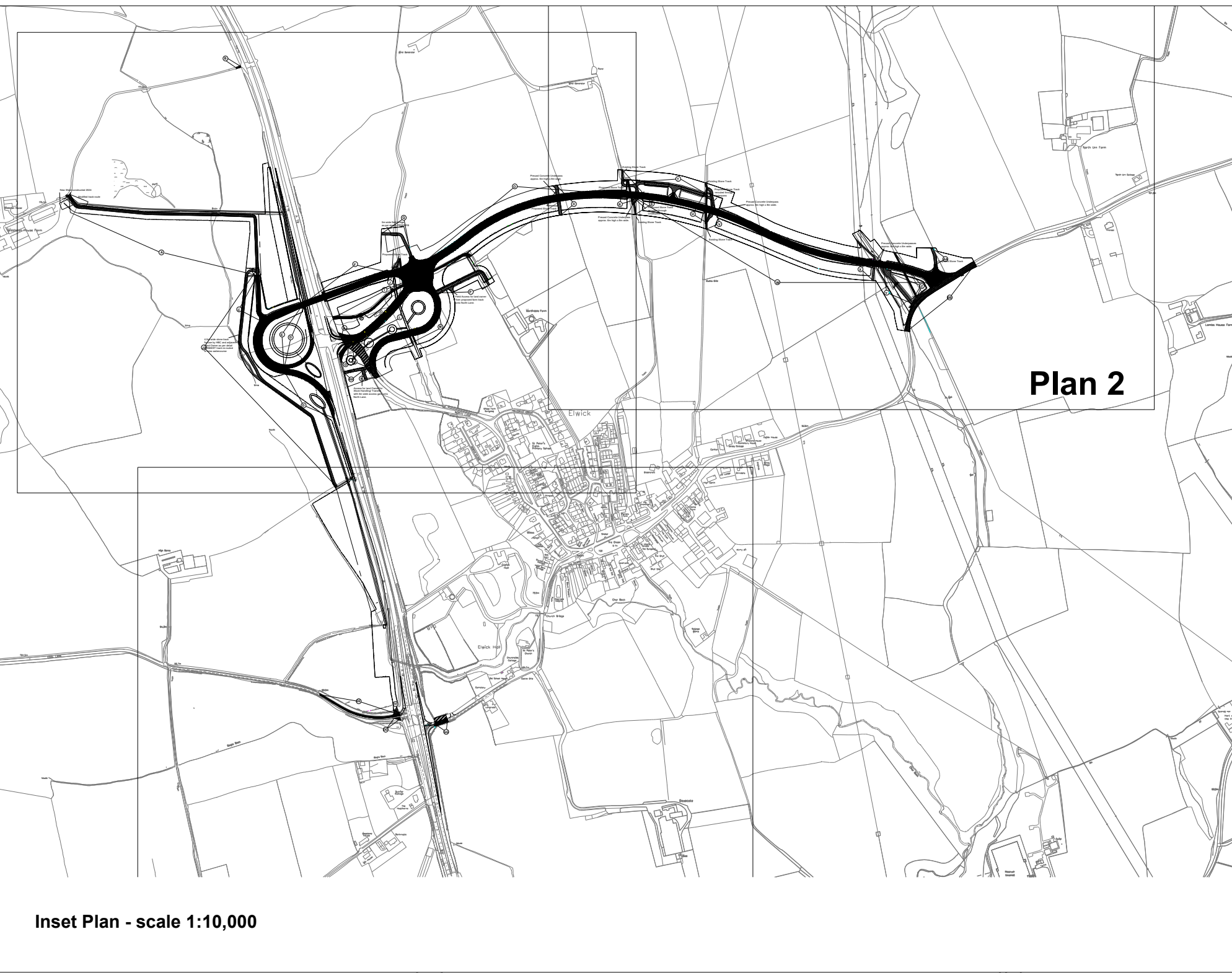
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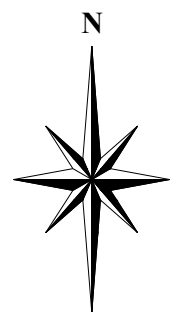
THE HARTLEPOOL BOROUGH COUNCIL  
(A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL  
WESTERN LINK) (CLASSIFIED ROAD) (SIDE  
ROADS) ORDER 202[ ]  
SHEET 2 OF 3





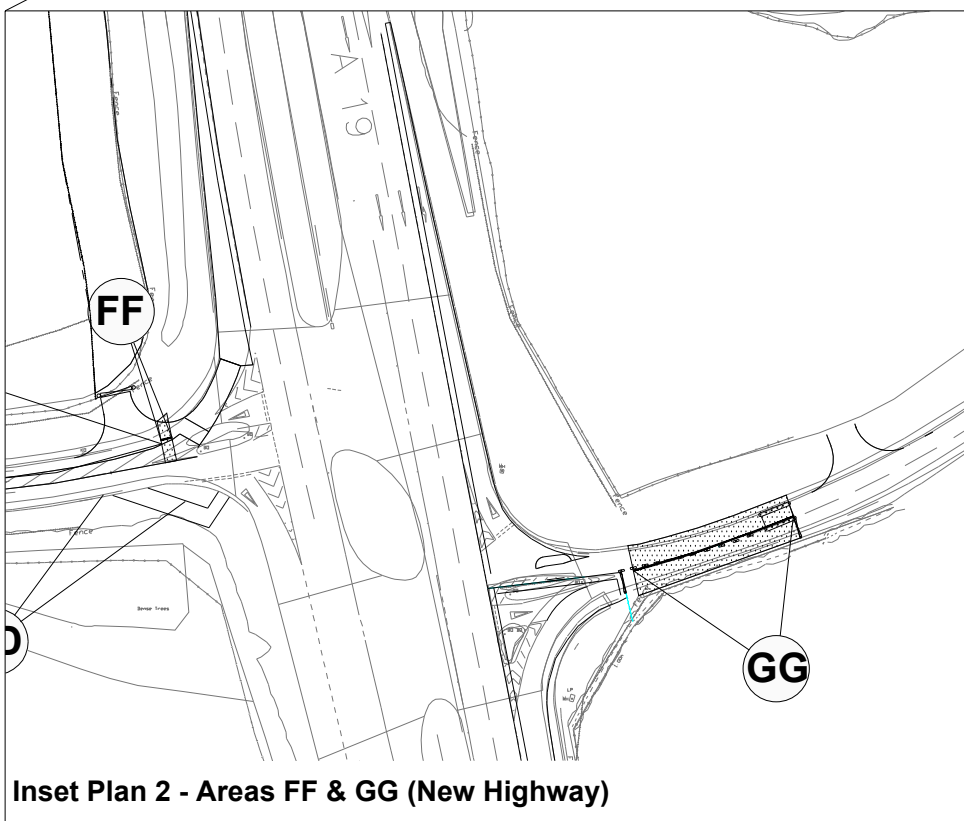
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THE HARTLEPOOL BOROUGH COUNCIL  
(A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL  
WESTERN LINK) (CLASSIFIED ROAD) (SIDE  
ROADS) ORDER 202[ ]  
SHEET 3 OF 3



Plan 3

Inset Plan - scale 1:10,000



Inset Plan 2 - Areas FF & GG (New Highway)



**DRAFT 13 NOVEMBER 2025**

**HIGHWAYS ACT 1980**

**THE HARTLEPOOL BOROUGH COUNCIL**

**(A19/ELWICK ROAD/NORTH LANE JUNCTION AND ELWICK NORTHERN BYPASS/HARTLEPOOL WESTERN LINK)(SIDE ROADS) ORDER 2026**

The Hartlepool Borough Council ("the Council") on behalf of National Highways under delegated powers pursuant to section 6 of the Highways Act 1980 make this Order in exercise of powers conferred by sections 14 and 125 of the Highways Act 1980 and all other powers enabling them in that behalf:

1.

- (1) The Council is authorised in relation to that length of the A19 road to carry out the following works at or in the vicinity of the A19 Trunk Road and the classified roads known as North Lane, Church Bank, and Coal Lane in the Parish of Elwick, Hartlepool:
  - (a) improve the lengths of the Trunk Road named in the Schedules and shown on the corresponding Site Plan by cross hatching;
  - (b) stop up each length of the Trunk Road described in the Schedules and shown on the corresponding Site Plan by zebra hatching; and
  - (c) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band;
- (2) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the Trunk Road is shown in relation to the works shown on each Site Plan.

2. Where immediately before a length of the Trunk Road is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator, as the case may be, shall continue to have the same rights as respects that apparatus as they had immediately before the stopping up took place.

3. In this Order:

- (1) Distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;
- (2) A reference to a Schedule or Site Plan number is a reference to the Schedule or Site Plan so numbered;
- (3)
  - (a) "the Council" - means Hartlepool Borough Council

- (b) "existing access" means a private means of access to premises authorised by this Order to be stopped up
- (c) "improvement" - in relation to a highway includes raising, lowering or otherwise altering that highway, and "improved" shall be construed accordingly;
- (d) "schedule" - means a Schedule to this Order, and "Schedules" shall be construed accordingly;
- (e) "Site Plan" - means one of the plans contained in the Plan Folio marked The Hartlepool Borough Council (A19/Elwick Road/North Lane Junction and Elwick Northern Bypass/Hartlepool Western Link)(Side Roads) Order 2026 (Sheets 1-2)  
a duplicate has also been deposited at the offices of the Secretary of State for Transport.
- (f) "Trunk Road" means the A19 trunk road

4. This Order shall become operative on the date on which notice that is has been confirmed by the Minister is first published in accordance with paragraphs 1 and 4 of Schedule 2 to the Highways Act 1980.
5. This Order may be cited as the (A19/Elwick Road/North Lane Junction And Elwick Northern Bypass/Hartlepool Western Link)(Side Roads) Order 2026.



**SCHEDULE 1****A19/Elwick Road/North Lane Junction  
and Elwick Northern Bypass/Hartlepool  
Western Link****Sheet 1 of 2****Highway to be Improved**

Trunk Road on the northbound direction at a point [ ] metres north / north west of Coal Lane in a north-westerly direction for a distance of [ ] metres – a [ ]m section of Trunk Road to be improved upgrading the access off and onto the A19 from the new Elwick Northern Bypass / Hartlepool Western Link road (marked A on Sheet 1).

Trunk Road on the southbound direction at a point [ ] metres north north west of North Lane in a south-easterly direction for a distance of [ ] metres – a [ ]m section of Trunk Road to be improved upgrading the access off and onto the A19 from the new Elwick Northern Bypass / Hartlepool Western Link road (marked B on Sheet 1).

Trunk Road on the central reservation at a point [ ] metres east of the private access track from the northbound A19 highway to Middleton House Farm for a distance of [ ] metres – a [ ]m section of Trunk Road to be improved in conjunction with the provision of new accesses off and onto the A19 from the new Elwick Northern Bypass / Hartlepool Western Link road (marked F on Sheet 1).

Trunk Road on the northbound direction at a point [ ] metres immediately adjacent to the private access track from the northbound A19 highway to Middleton House farm for a distance of [ ] metres – a [ ]m section of Trunk Road in conjunction with the provision of new access off and onto the A19 from the new Elwick Northern Bypass / Hartlepool Western Link road (marked G on Sheet 1).

<b><u>Highway to be Stopped Up</u></b>	<b><u>Reference Letter of New Highways</u></b>
Trunk Road from a point [ ] metres north north west of its junction with North Lane in an westerly direction for a distance of [ ] metres (marked [ ] on Sheet 1)	[ ]
Central reservation gap on the Trunk Road from a point [ ] metres north north west of its junction with North Lane in an westerly direction for a distance of [ ] metres (marked [ ] on Sheet 1)	[ ]

<b><u>Private Means of Access to be Stopped Up</u></b>	<b><u>Reference Letter of New Accesses</u></b>
A section of the access track from the northbound A19 highway to Middleton House Farm, for [ ] metres westwards from its junction with the A19 (marked [ ] on Sheet 1).	[ ]
Access track from the south bound A19 highway to Martindale Farm, a distance of [ ] metres (marked [ ] on Sheet 1).	[ ]
North Lane from a point [38 metres] south east of its junction with the A19 in a south-easterly direction for a distance of [61] metres (marked H on Sheet 1)	[ ]

**SCHEDULE 2**

**A19/Elwick Road/North Lane Junction  
and Elwick Northern Bypass/Hartlepool  
Western Link**

**Sheet 2 of 2**

**Highway to be Improved**

Trunk Road on the northbound direction at Coal Lane Junction in a north-westerly direction for a distance of [ ] metres – a [ ]m section of Trunk Road to be improved in conjunction with changes to the access off and onto the A19 from Coal Lane (marked C on Sheet 2).

Trunk Road in the central reservation [insert description] at Coal Lane Junction in a north-westerly direction for a distance of [ ] metres – a [ ]m section of Trunk Road to be improved following the closure of the access off and onto the A19 from Coal Lane (marked D on Sheet 2).

Trunk Road on the southbound direction Church Bank junction in a south easterly direction for a distance of [ ] metres – a [ ]m section of Trunk Road to be improved following the closure of the access off and onto the A19 from Church Bank (marked E on Sheet 2).

<b><u>Highways to be Stopped Up</u></b>	<b><u>Reference Letters of New Highways</u></b>
Central reservation gap on the Trunk Road from a point [ ] metres east of its junction with Coal Lane in an easterly direction for a distance of [ ] metres (marked [ ] on Sheet 2)	[ ]
Trunk Road on the northbound direction at Coal Lane Junction in a north-westerly direction for a distance of [ ] metres (marked [ ] on Sheet 2)	[ ]
Trunk Road on the southbound direction Church Bank junction in a south easterly direction for a distance of [ ] metres (marked [ ] on Sheet 2)	[ ]

<b><u>Private Means of Access to be Stopped Up</u></b>	<b><u>Reference Letters of New Accesses</u></b>
Access Track from Elwick Road to land at North Farm, a distance of 92 metres (marked Z on Sheet 2).	AA
-	T
-	X
-	Y

DRAFT

DRAFT

Given under the Common Seal of the Borough of Hartlepool on the

Day of

2026

THE COMMON SEAL OF

**the Borough of Hartlepool**

was affixed in the presence of:

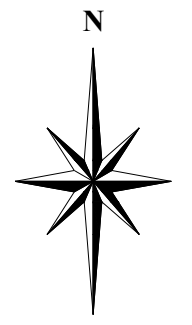
Authorised Signatory

DRAFT

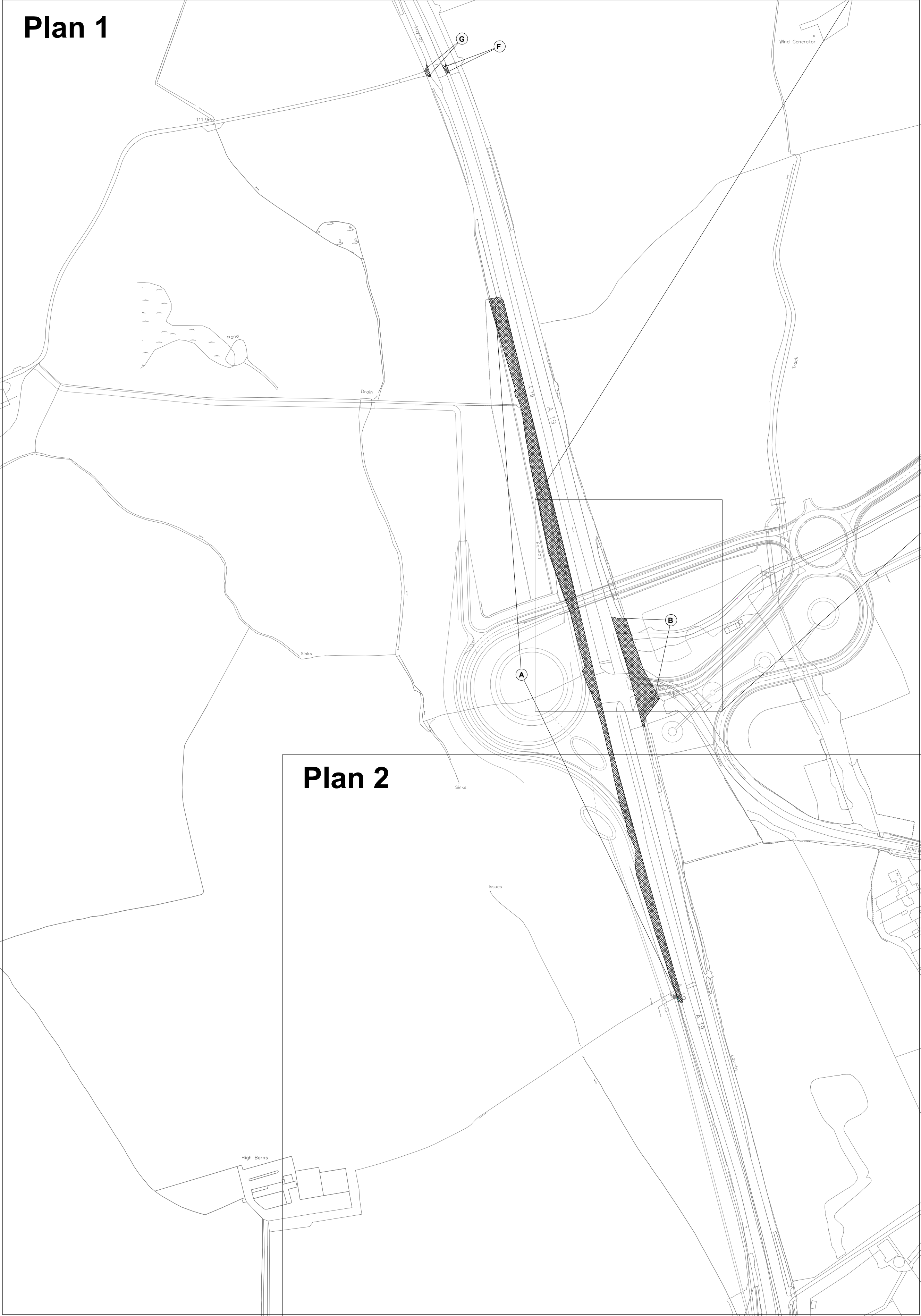
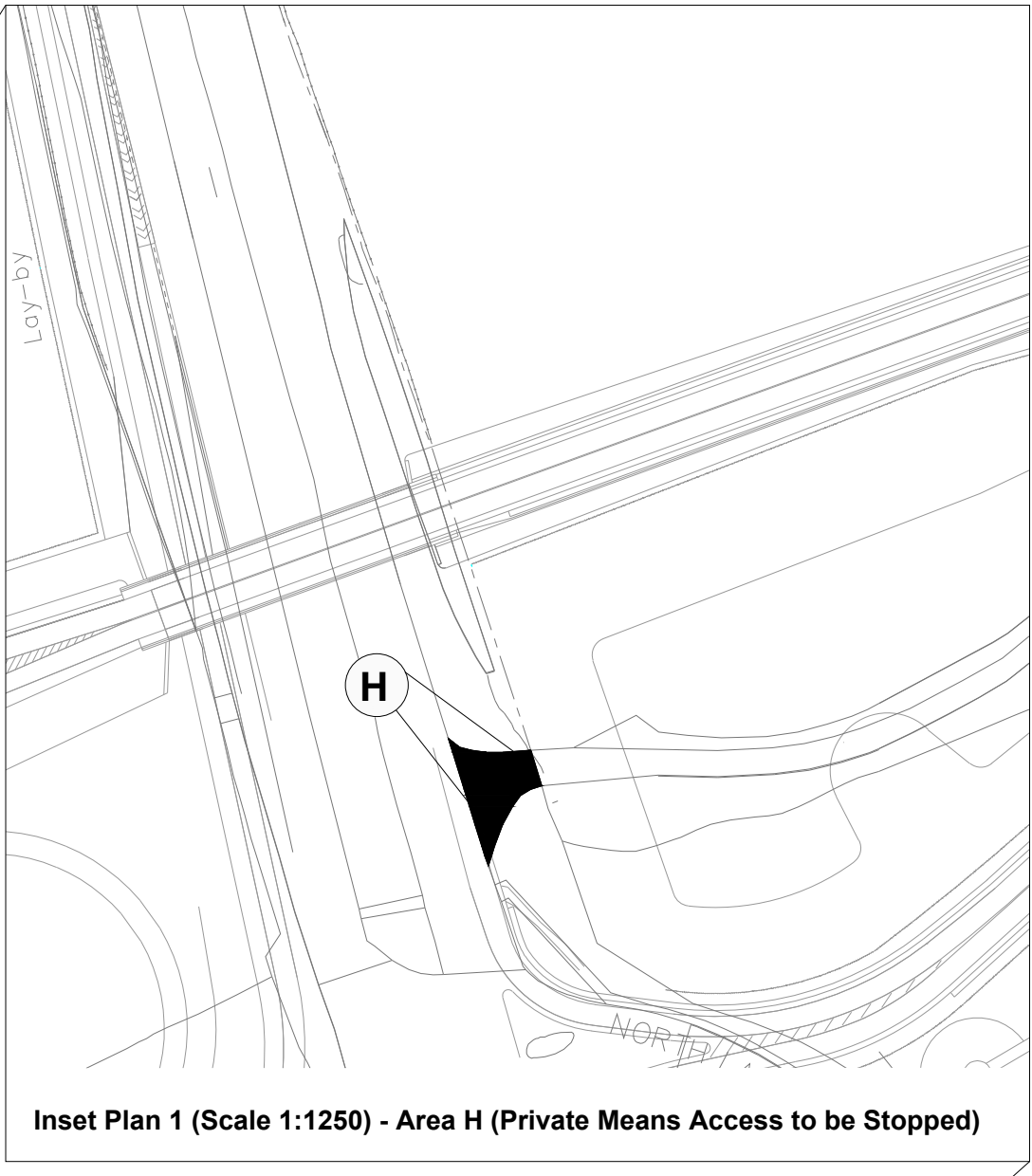


DRAFT

THE HARTLEPOOL BOROUGH COUNCIL  
(A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL  
WESTERN LINK) (SIDE ROADS) ORDER 202[ ]

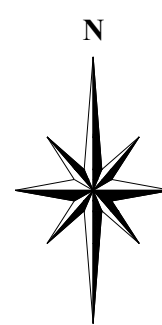


- KEY
- Highway to be Stopped Up
  - Highway to be Improved
  - New Highway
  - Private Means Access to be Stopped
  - New Means of Access
  - Watercourse to be Diverted
  - New Watercourses

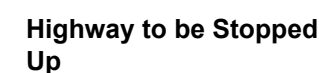




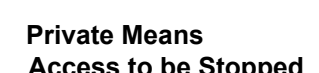
**THE HARTLEPOOL BOROUGH COUNCIL  
(A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL  
WESTERN LINK) (SIDE ROADS) ORDER 202[ ]  
SHEET 1 OF 2**



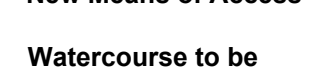
**KEY**



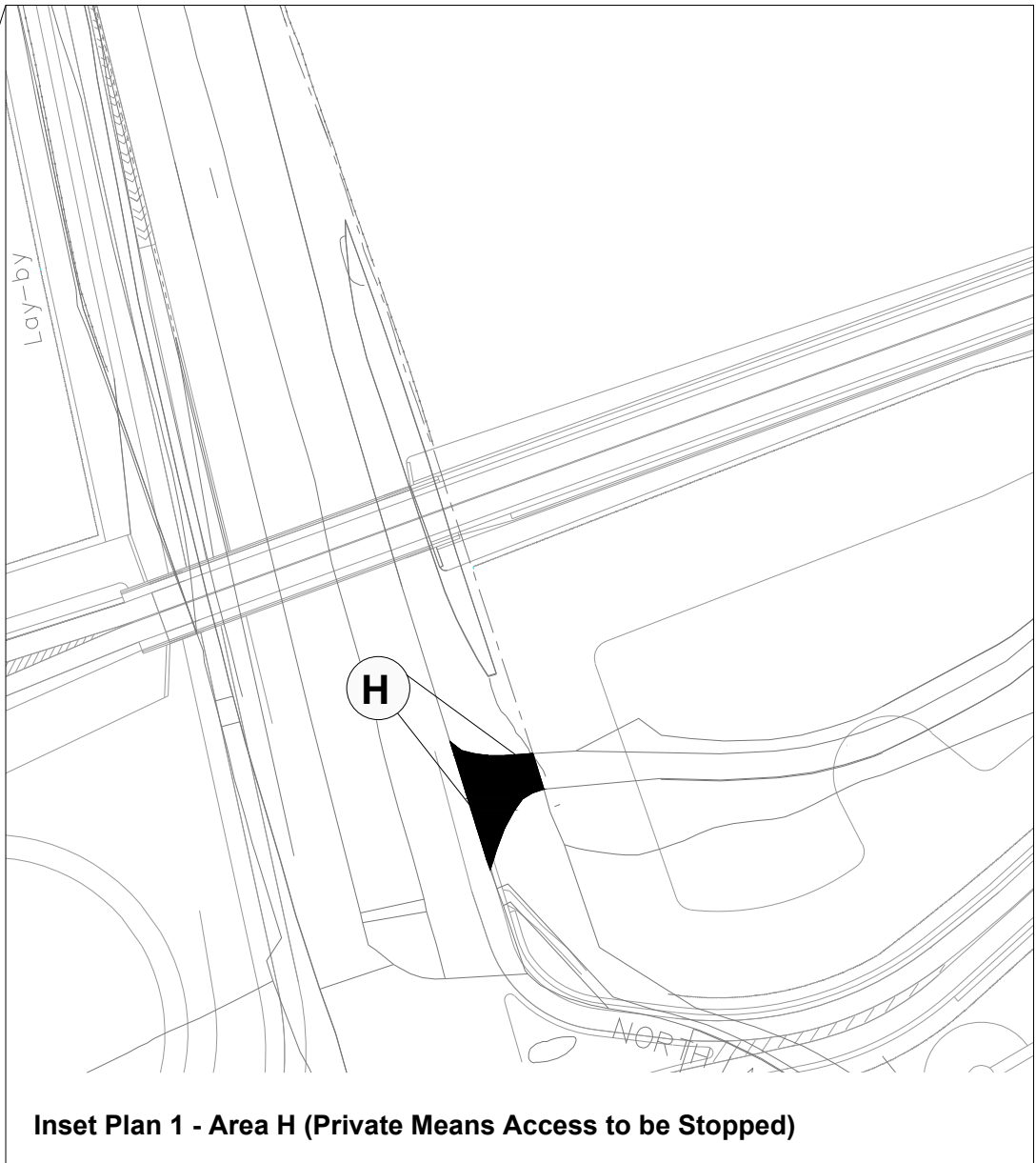
### New Highway



### New Means of Access



Diverted



**Inset Plan 1 - Area H (Private Means Access to be Stopped)**



### Plan 1

**Inset Plan - scale 1:10,000**

LOCATION	Elwick Bypass, Hartlepool
----------	---------------------------

DEED PACKET



DRAWN BY C

DATE 02/05

DRWG NO	A1
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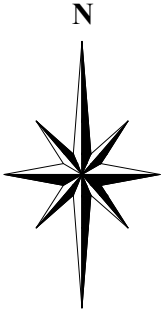
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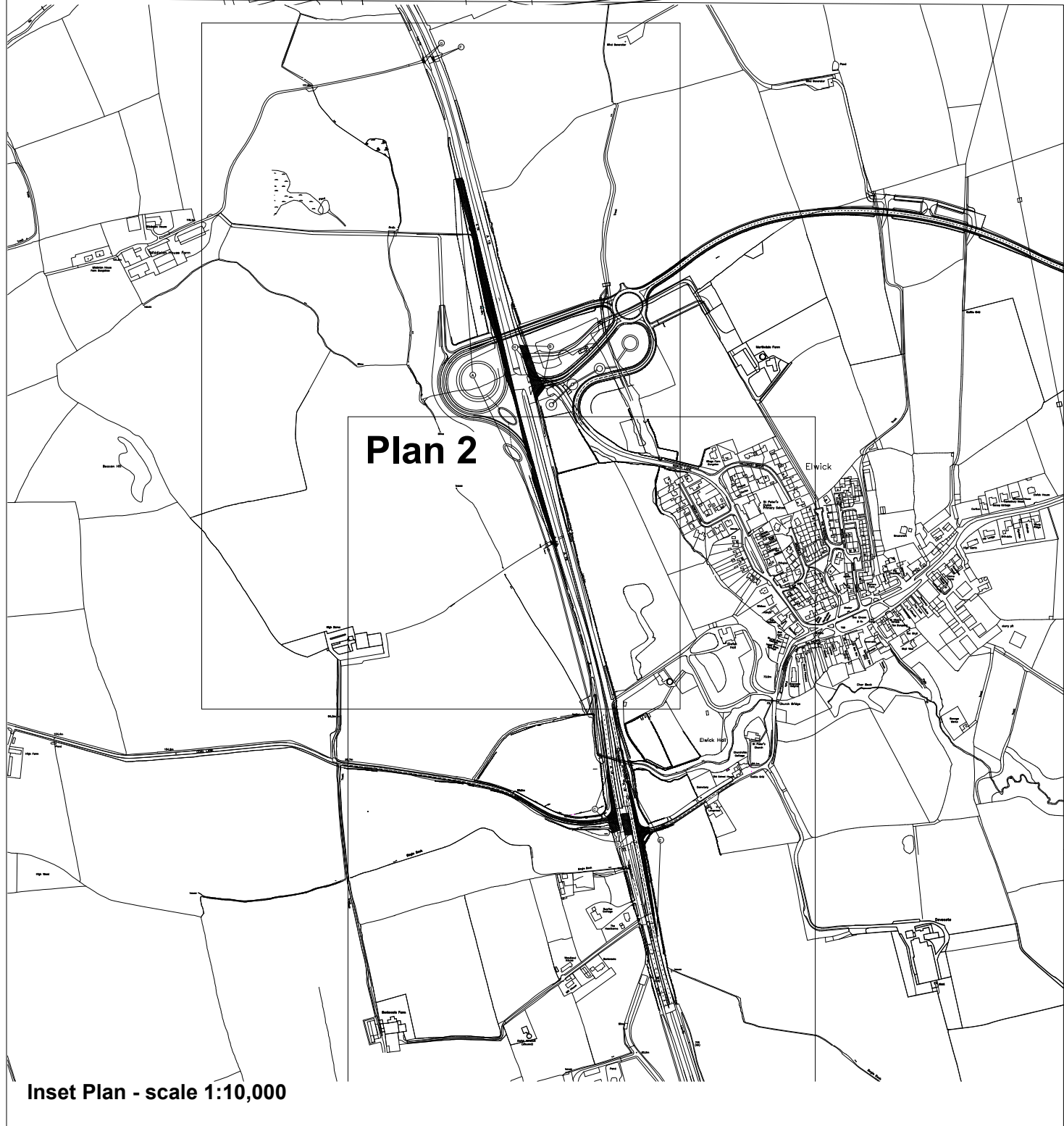


DRAFT


THE HARTLEPOOL BOROUGH COUNCIL  
(A19/ELWICK ROAD/NORTH LANE JUNCTION  
AND ELWICK NORTHERN BYPASS/HARTLEPOOL  
WESTERN LINK) (SIDE ROADS) ORDER 202[ ]  
SHEET 2 OF 2



- KEY
- Highway to be Stopped Up
  - Highway to be Improved
  - New Highway
  - Private Means Access to be Stopped
  - New Means of Access
  - Watercourse to be Diverted
  - New Watercourses



Inset Plan - scale 1:10,000  
Scale: 1:1250

LOCATION Elwick Bypass, Hartlepool	
DEED PACKET	
 HARTLEPOOL BOROUGH COUNCIL Resources and Development Civic Centre Victoria Road Hartlepool TS24 6AY Tel: 01429 266522 Fax: 01429 523899	
DRAWN BY CS	DATE 02/05/23
SCALE 1:1250 @ A0	
DRWG NO A19 SRO/02	

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**DATED** \_\_\_\_\_ **20**

**NATIONAL HIGHWAYS LIMITED**

**and**

**HARTLEPOOL BOROUGH COUNCIL**

\_\_\_\_\_  
**AGREEMENT**

**pursuant to section 6 and section 8 of  
the Highways Act 1980  
relating to highway works at  
A19 for the Elwick Road/ North Lane  
Junction and Elwick Road/Hartlepool  
Western Link Project**

\_\_\_\_\_

**THIS AGREEMENT** is made this                  day of                  20  
BETWEEN

- 1 **NATIONAL HIGHWAYS LIMITED** registered in England and Wales with  
company number 09346363 of Bridge House 1 Walnut Tree Close Guildford  
Surrey GU1 4LZ ("**National Highways**"); and
- 2 **HARTLEPOOL BOROUGH COUNCIL** of Civic Centre, Victoria Road,  
Hartlepool, TS24 8AY ("**the Council**")

and collectively referred to as the "Parties" or individually referred to as "the Party"

WHEREAS

- (A) The Council is the local highway authority for the administrative area in which the Scheme is located.
- (B) National Highways is the strategic highways company appointed by the Secretary of State by virtue of the Appointment Order which appoints National Highways as highway authority in respect of all highways within the whole of England and including the A19 Trunk Road to which this Agreement applies.
- (C) National Highways are exercising the powers given to it under section 6 and 8 of the Act and other enabling powers detailed in clause 2.1 of this Agreement to authorise the carrying out of certain of its functions in accordance with the terms of this Agreement by the Council and pursuant to section 8 of the Act, National Highways and the Council have agreed to the apportionment of costs and expenses incurred pursuant to this Agreement as set out in this Agreement.
- (D) The Scheme involves carrying out the Works that will include alterations modifications and improvements to the Trunk Road.
- (E) Planning permission has been granted for the Scheme by the Council under application number H/2023/0057 on 18 January 2024.
- (F) The Works will require the making of orders under the Act including the Road Orders to enable the Scheme to be brought forward. These orders will be brought forward by the Council including the Road Orders which will be bought forward pursuant to the delegation provided in this Agreement.
- (G) As part of the Scheme the Council is proposing to construct a new highway that will pass over the Trunk Road and pursuant to section 24 of the Act National Highways gives its approval to the construction of such new highway which shall connect to the Trunk Road
- (H) The Council intends to design, fund and carry out the Scheme and National Highways has agreed to authorise the Council to carry out the Works subject to the terms and conditions of this Agreement.

**NOW IT IS AGREED AS FOLLOWS:**

**1 Definitions**

- 1.1 In this Agreement the following expressions unless the context otherwise requires have the following meanings:

**“Act”** means the Highways Act 1980 (as amended);

**“Adjacent Areas”** means the land (or part thereof) adjacent to the Works as shown edged red on drawing [ ] annexed hereto or such other areas as may be agreed in writing from time to time between National Highways and the Council;

**“Administration Fee”** means the fee payable as part of the National Highways costs pursuant to clause 13 of this Agreement that represents the internal costs of National Highways in administering the implementation of the Works and the requirements of this Agreement and charged as a flat fee based on the final costs of the Works;

**“Appointment Order”** means the appointment of a Strategic Highways Company Order 2015;

**“Asset Data”** means the information and data required by National Highways for the purposes of updating relevant databases to ensure compliance with National Highways’ Asset Data Management Manual (ADMM) in operation at the relevant time;

**“Consents”** means approvals, consents, licences, permissions, or registrations (including but not limited to consents required from the local planning authority) in relation to the Scheme or any part of it required to enable the Works to be lawfully carried out and maintained;

**“Commuted Sum”** means such sum (if any) required by National Highways following approval of the final design of the Works to be used to fund the future cost of maintaining or replacing the Works;

**“Completion Certificate”** means the certificate issued by the National Highways project manager to certify that the Works have been completed in accordance with clause 7 of this Agreement;

**“Construction Contract”** means the contract for the construction of the Scheme;

**“DMRB”** means the Design Manual for Roads and Bridges published by National Highways and any amendment to or replacement of it for the time being in force save to the extent they are a departure from such standards and have been approved by National Highways;

**“Effective Date”** means the date of this Agreement;

**"Final Certificate"** means a final certificate to be issued by the National Highways' project manager when the Maintenance Period has expired;

**"Initial Deposit"** means the estimated sum payable to National Highways pursuant to clause 13.2 of this Agreement to cover all initial stages of work until such time as the cost of the Works and the costs of National Highways payable pursuant to clause 13 of this Agreement can be estimated;

**"National Highways Project Manager"** means the person nominated by National Highways to facilitate the Works throughout the design and construction of the Scheme and to be notified to the Council prior to the commencement of the Works or such replacement officer as may from time to time be appointed and notified to the Council;

**"Inquiry"** means a public inquiry that may be held in relation to either or both of the compulsory acquisition of land required for the carrying out of the Scheme or the Road Orders.

**"Licence"** means the licence dated 1 April 2015 issued pursuant to the Infrastructure Act 2015 setting out the Secretary of State for Transport's statutory directions and guidance to National Highways;

**"Maintenance Period"** means a period of not less than 52 weeks from the date of issue of the Completion Certificate ending at the issue of the Final Certificate during which the Council is required to maintain the Works;

**"Planning Permission"** means the permission granted for the Scheme by the Council on 18 January 2024 under reference number H/2023/0057 or any variations thereof pursuant to sections 96A or 73 of the Town and Country Planning Act 1990;

**"Programme"** means the programme for the carrying out of the Works or such updated programme as the Parties may agree from time to time both Parties acting reasonably;

**"Proposed Trunk Road"** means that part of the Scheme that is agreed between the parties subsequent to the date of this Deed that is to become part of the Trunk Road;

**"Road Orders"** means the orders pursuant to sections 14 and 125 of the Act required for the carrying out of the Works;

**"Scheme"** means the road improvement scheme comprising the construction of a new grade separated junction comprising erection of bridge structure and of new highway north of Elwick Village linking to the existing highway with associated hard and soft landscaping, drainage features and ancillary works as shown on drawing [ ] annexed hereto.

**"Section 10 Order"** means an order to be made by the Secretary of State pursuant to section 10 of the Act directing that the Proposed Trunk Road shall become part of the Trunk Road;

**"Streetworks Coordinator"** means the party who has the duty to coordinate the execution of works and the use of the highway by traffic for the Scheme in accordance with section 59 of the New Roads and Street Works Act 1991;

**"Traffic Management Measures"** means the measures required to ensure the proper management of traffic during the construction of the Works in accordance with the provisions of section 16 and section 17 of the Traffic Management Act 2004 which must include (but are not limited to) the signing of diversion routes reasonably anticipated to be used by the public during the Scheme construction;

**"Trunk Road"** means the A19 at Elwick;

**"Works"** means the works to the Trunk Road pursuant to the Planning Permission which form part of the Scheme as described in Schedule 2 and shown edged blue on drawing numbers PR568/NHI (1 of 2) and PR568/NHI (2 of 2) annexed hereto.

- 1.2 Clause, Schedule and paragraph headings do not affect the interpretation of this Agreement.
- 1.3 The Schedules form part of this Agreement and have effect as if set out in full in the body of this Agreement. Any reference to this Agreement includes the Schedules.
- 1.4 Any reference to a statute or statutory provision includes a reference to that statute or statutory provision as amended extended or re-enacted and to any regulation, order, instrument or subordinate legislation under the relevant statute or statutory provision.
- 1.5 Words importing one gender must be read and construed to include any other gender.
- 1.6 Unless the context otherwise requires, words importing the singular include the plural and vice versa.
- 1.7 Reference to any person includes any reference to a body corporate unincorporated association or a partnership and vice-versa.
- 1.8 Reference to any right exercisable by any Party hereunder must be construed as including (where appropriate) the exercise of such right by all other persons having a like right.
- 1.9 References to a statute or a provision of a statute include any statute or provision of a statute amending consolidating or replacing it for the time being in force.

- 1.10 Words denoting an obligation on a party to do any act matter or thing include an obligation to procure that it be done and words placing a party under a restriction include an obligation not to permit or to allow infringement of the same.
- 1.11 Any words following the terms including, include, in particular, for example or any similar expression must be construed as illustrative and must not limit the sense of the words, description, definition, phrase or term preceding those terms.

## **2 Statutory Provisions**

- 2.1 This Agreement is made pursuant to Section 6 and Section 8 of the Act, and is further entered into by National Highways pursuant to the Infrastructure Act 2015 and the powers given to it under the Licence and the Delegation of Functions (Strategic Highways Companies) (England) Regulations 2015.

## **3 Exercise of Highway Authority Functions**

- 3.1 National Highways authorises the Council to carry out the Works as agent of National Highways at its own expense and at no cost to National Highways.
- 3.2 National Highways agrees that from the Effective Date until the issue of the Final Certificate the exercise of its functions as highway authority in respect of the Works are delegated and allocated to the Council.
- 3.3 The authority given to the Council under clause 3.1 and clause 3.2 includes but is not limited to:
- (a) National Highways' functions relating to the maintenance, improvement or other dealing with the Trunk Road in respect of the Works and for the construction of the Works subject to the issue of the Authorisation;
  - (b) the promotion of the Road Orders on the terms set out in Schedule 1 of this Agreement;
- 3.4 The Parties shall at all times co-operate with each other to enable the Works to be carried out promptly effectively and without undue disruption to the existing highway network and in particular shall assist each other in the promotion and publication of any necessary traffic regulation orders and dealing with any other statutory requirements including those of any utility companies.
- 3.5 The Council must keep National Highways fully informed as to the progress of the Road Orders, (including during any Inquiry that may arise) including any compulsory purchase order and side roads order that the Council make in respect of the Scheme.
- 3.6 In the event that an Inquiry is required, National Highways must provide such reasonable support to the Council as the Parties may consider appropriate.

#### 4 Obligations in relation to the carrying out of the Works

- 4.1 Prior to commencing the Works the Council must obtain the written approval of National Highways to the design of the Works and the Programme substantially in the form of the authorisation at Annexure 2 of this Agreement ("**Authorisation**") and must obtain the approval of National Highways of the expenditure to be incurred by the Council in respect of the Works in its discharge of the functions carried out by it pursuant to this Agreement.
- 4.2 Prior to commencing the Works the Council shall obtain a confirmed Section 10 Order from the Secretary of State as referred to in clause 11 below
- 4.3 The Council must obtain the relevant Consents for the Works and must carry out the Works in compliance with the Consents.
- 4.4 The Council must exercise all functions herein with reasonable skill and care.
- 4.5 The Council must:
- (a) ensure that all road safety audits and other mandatory reports are carried out in accordance with DMRB, including GG119 (Road Safety Audit) and GG 142 (walking cycling and horse riding assessment) (or such updated or revised standards as may be published from time to time);
  - (b) construct the Works in accordance with the Manual of Contract Documents for Highway Works and the DMRB;
  - (c) comply with any reasonable requirement of National Highways as to the manner in which the Works are to be carried out;
  - (d) carry out the Works in accordance with the Programme unless otherwise agreed in writing (both parties acting reasonably);
  - (e) carry out and complete the Works to the reasonable satisfaction of National Highways;
  - (f) obtain approval in advance from National Highways for occupancy of the Trunk Road required for the carrying out of the Works in accordance with National Highways' Asset Management Operational Requirements (AMOR) including Network Occupancy Management System (NOMS) used to manage road space bookings and network occupancy; and
  - (g) collect and provide to National Highways the Asset Data.
- 4.6 The Council must notify National Highways of alterations to the Works prior to implementing such alteration and must not make any material alteration to the Works without the prior written consent of National Highways, such consent not to be unreasonably withheld or delayed.
- 4.7 The Council must give National Highways not less than 14 days' notice of any access to any road or lane space required for the execution of the Works.



- 4.8 The Council must in the execution of the Works take such precautions for the protection of public and private interests as would be incumbent on National Highways if it were the Highway Authority.
- 4.9 The Council shall act as the Streetworks Coordinator for the Scheme. It must carry out the Traffic Management Measures associated with the Scheme PROVIDED THAT the Council shall first seek the approval of National Highways with regard to timings of all Traffic Management Measures required for the Works.

## **5 Procurement of the Works**

- 5.1 In carrying out the procurement and tender process to secure the contract for the construction of the Works the Council must comply with any reasonable directions of National Highways as to the terms of the contract to be entered into by the Council for carrying out the Works.
- 5.2 The Council must provide draft copies of all procurement documentation including the tender and the contract documents to National Highways.
- 5.3 The Council must include any additional requirements National Highways submit for inclusion in the tender and the contract documents provided that such additional requirements are provided without unreasonable delay.

## **6 Site meetings and inspections**

- 6.1 The Council must provide National Highways with copies of documents, correspondence, data and other information as National Highways may from time to time reasonably require.
- 6.2 The Council must give the National Highways Project Manager not less than 5 working days' notice (or in cases of emergency then as much notice as is reasonably possible) of all site meetings and must allow the National Highways Project Manager and other representatives of National Highways to attend all site meetings.
- 6.3 The Council must allow National Highways access to the Works and the Adjacent Areas of the Scheme at any such time as National Highways may reasonably require upon at least 5 working days prior notice for the purpose of viewing the state and progress of the Scheme in order to determine whether the Scheme, and in particular the Works, are being carried out in accordance with the requirements of this Agreement and the Council must take proper consideration of any representations made by National Highways in respect of such.

## **7 Completion of the Works**

- 7.1 When the Council considers that the Works have reached completion (which must include the carrying out of a Stage 3 safety audit in accordance with the DMRB and the requirements of National Highways and the completion of works resulting from the audit) it must notify National Highways and allow National Highways the opportunity to inspect the Works.

7.2 Following an inspection of the Works referred to at clause 7.1 above and completion of any remedial works identified by National Highways, National Highways shall issue the Completion Certificate provided that the Works have been completed to National Highways reasonable satisfaction and in accordance with the terms of this Agreement.

7.3 On completion of the Works and following the issue of the Completion Certificate, the Council must provide a copy of the following items to National Highways:

- (a) the health and safety file (produced in accordance with the requirements of the Construction (Design and Management Regulations) 2015; and
- (b) the Asset Data

7.4 From and including the date of issuing the Completion Certificate the Works shall be available for use as a public highway.

## **8 Maintenance Period**

8.1 The Maintenance Period begins upon the date of the Completion Certificate.

8.2 During the Maintenance Period the Works must be maintained by the Council to the reasonable satisfaction of National Highways until:

- (a) an as-built record of the finished works has been undertaken by the Council and submitted to National Highways such survey must show all above ground apparatus, including all street lights, signs, markings, poles, columns, boxes, cabinets, covers, drainage gullies, expansion joints, and safety rails structures on a survey base;
- (b) copies of the recorded location of all as-constructed below ground statutory and highway authority controlled apparatus has been submitted to the Council and National Highways;
- (c) all defects identified through joint inspection and comprising matters within the scope of the Works have been remedied and all timescales for the Maintenance Period have expired in accordance with the provisions of clause 9 below; and
- (d) the Final Certificate has been issued in accordance with the provisions of clause 9 below.

## **9 Final Certificate**

9.1 No earlier than 52 weeks from the date of issue of the Completion Certificate and provided that:

- (a) all identified defects requiring remediation have been completed such that the Council consider the Final Certificate may be properly issued; and

- (b) a Stage 4 safety audit has been carried out (if such Stage 4 safety audit is required under DMRB and any additional works, alterations or amendments to the Works reasonably required as a result of the Stage 4 safety audit are completed);

the Council shall notify National Highways in writing and give National Highways an opportunity to inspect the Works.

9.2 Following the inspection of the Works referred to at clause 9.1, National Highways shall issue the Final Certificate provided that:

- (a) all additional works, alterations or amendments to the Works reasonably required as a result of the Stage 4 safety audit are completed;
- (b) any additional works necessary to remediate any defects identified during the Maintenance Period have been completed;
- (c) the Asset Data has been provided; and
- (d) all fees payable pursuant to this Agreement, including the Commuted Sum (if required), have been paid to National Highways.

## **10 Reallocation of Functions**

10.1 Following the issue of the Final Certificate National Highways shall maintain the Works [other than those parts of the Works that the Council shall maintain pursuant to clause 10.3 below].

10.2 Following the issue of the Final Certificate National Highways shall maintain the bridge structure that runs over the Trunk Road which includes the piled foundations (including pile cap), support pillars, bridge deck, water proofing layer and parapets as shown coloured [ ] on drawing [ ] at their own expense.

10.3 Following the date of its construction, the Council shall maintain the carriageway on the bridge structure referred to at clause 10.2 above, which is above the waterproofing layer, at their own expense which shall become highway maintenance at the public expense. For the avoidance of doubt the Council shall be the highway authority for the bridge surfacing.

10.4 The Council shall indemnify National Highways against any actions, charges, claims, costs, expenses, losses, damages, demands, liabilities and proceedings arising out of any breach or non-observance by the Council or its maintenance obligations in clause 10.3 above.

10.5 In the event that National Highways considers a further agreement is required relating to the allocation and maintenance functions in respect of the Works:

- (a) National Highways shall notify the Council in writing that such further agreement is required; and

- (b) the Council and National Highways shall enter into a further agreement under section 6 or 8 of the Act to allocate agreed responsibility prior to the commencement of Works; and
  - (c) For the avoidance of doubt, where such written notice has been issued pursuant to clause 10.5(a) above, National Highways shall not issue the Authorisation until such agreement has been entered into
- 10.6 In the event that further agreements relating to the allocation and maintenance functions in respect of the completed Works are required, the Council and National Highways agree to enter into further agreements under Section 6 or 8 of the Act to allocate agreed responsibility.

## **11 Section 10 Orders**

- 11.1 Before the commencement of the Works, the Council and National Highways will agree the Proposed Trunk Road.
- 11.2 The Council will before the commencement of the Works instruct the Secretary of State to make the Section 10 Order and obtain an order from the Secretary of State in this regard.
- 11.3 The Council will obtain National Highways prior approval and consent before any instruction is made to the Secretary of State for the Section 10 Order, such consent not to be unreasonably withheld or delayed.
- 11.4 The Council must notify National Highways of the making and confirmation of the Section 10 Order above within 7 days of the making or confirmation of the Section 10 Order
- 11.5 National Highways agree to provide support to the Council's instruction for the Section 10 Order
- 11.6 The Council shall keep National Highways informed as to the progress of the Section 10 Order including during any Inquiry that may arise.
- 11.7 The Council will use all best endeavours to ensure that the Section 10 Order is progressed within a reasonable timescale at each stage of the order-making process.
- 11.8 The Council shall not commence the Works until the Section 10 Order has been confirmed

## **12 Transfer of land and dedication**

- 12.1 National Highways may require any land in the ownership of the Council or acquired by the Council as part of the Scheme which is subject to the Section 10 Order to be transferred to National Highways.
- (a) National Highways shall serve notice on the Council within 4 weeks following the issue of the Completion Certificate if they require any such

land to be transferred to them and identifying by reference to a plan the extent of the land required to be transferred; and

- (b) Any such land identified pursuant to clause 12.1(a) shall be transferred to National Highways within 56 days of the issue of the Final Certificate.

12.2 Land transferred under clause 12.1 must be transferred:

- (a) free of financial charge;
- (b) with vacant possession but subject always to usage rights reflecting the public highway status;
- (c) with full title guarantee; and
- (d) free from encumbrances that would impact on its use as highway.

12.3 The freehold of the land coloured [ ] on drawing [ ] shall continue to vest in National Highways but from the date hereof responsibility for the construction of the highway passing over the Trunk Road as identified on the said drawing shall fall on the Council. Pursuant to section 24 of the Act National Highways hereby approve the said highways construction

### **13 Payment of costs of National Highways**

13.1 The Council must pay to National Highways the costs and expenses reasonably and properly incurred by National Highways, prior to costs being incurred by National Highways, in relation to the Works and the implementation of this Agreement including without prejudice to the generality of the following any such costs and expenses in relation to:

- (a) the approval of design work carried out by or on behalf of the Council;
- (b) the carrying out of any supervision of the Works;
- (c) legal expenses and administrative expenses not included in the Administration Fee;
- (d) the Administration Fee;
- (e) legal and administrative costs incurred in relation to any transfer of land pursuant to clause 12 of this Agreement;
- (f) the costs of drafting, negotiating and completing this Agreement;
- (g) the costs incurred by National Highways in relation to supporting the Council before any Inquiry in relation to the Works.

13.2 National Highways must provide to the Council notification of the amount required as the Initial Deposit as soon as reasonably practicable and the Council must pay an amount equal to the sum notified to it within 28 days of receipt of the notification.

- 13.3 National Highways must provide the Council with an estimate of the costs referred to in clause 13.1, including its estimate of the Administration Fee payable, as soon as reasonably practicable following the Effective Date (save for the cost associated with clause 13.1(f) above) and the Council must pay a sum equal to the estimate within 28 days of receipt of the estimate (**Estimated Costs**) and in any event prior to commencing the Works.
- 13.4 If, at any time or times after the payments referred to under clause 13.2 and 13.3 have become due National Highways believes that its costs will exceed the relevant estimate notified to the Council, National Highways may give notice to the Council of the amount it estimates its costs will exceed the relevant estimate (**Excess**) and the Council must pay an amount equivalent to the Excess within 14 days of notification.
- 13.5 As soon as reasonably practicable after the issue of the Final Certificate, National Highways must give to the Council a final account of the costs it has incurred in accordance with clause 13.1 (**Final Account**). Within 28 days of the date of the Final Account:
- (a) if the Final Account shows that a further sum is due to National Highways the Council must pay the sum shown due; and
  - (b) if the Final Account shows that the sum or sums previously paid by the Council have exceeded the costs incurred by National Highways, National Highways must refund the amount shown due to the Council.
- 13.6 Each amount stated to be payable by the Council under or pursuant to this Agreement is exclusive of VAT.
- 13.7 If any VAT is at any time chargeable on any supply made by National Highways under or pursuant to this Agreement the Council must pay National Highways an amount equal to that VAT as additional consideration on receipt of a valid VAT invoice.
- 13.8 If any sums payable under this Agreement are unpaid on the due date then the paying party must pay Interest on the sum outstanding from the due date until the actual date of payment at a rate of one per cent above the rate payable in respect of compensation under section 32 of the Land Compensation Act 1961

## 14 Payment of a Commuted Sum

- 14.1 The Council must pay the Commuted Sum to National Highways within 14 days of request and in any event prior to the issue of the Final Certificate.

## 15 Indemnities

- 15.1 The Council hereby indemnify National Highways against any actions, charges, claims, costs, expenses, losses, damages, demands, liabilities and proceedings arising out of any Traffic Management Measures associated with the Works and out of any breach or non-observance by the Council of its obligations in this Agreement relating to the design, construction and

management of the Works (including without limitation any negligent or defective design or construction of the Works), including (but not limited to:

- (a) third party claims for death, personal injury or damage to property;
- (b) statutory or other liability for the safety or security of the working methods, employment practices, protection of the environment and control of pollution; and
- (c) third party claims for unlawful interference with any rights of light, air, support, water, drainage or any other easement or right.

15.2 The Council hereby indemnify National Highways in respect of any claims under Section 10 of the Compulsory Purchase Act 1965, the Land Compensation Act 1973, and any claims for compensation under the Noise Insulation Regulations 1975 arising out of, in connection with or incidental to the carrying out of the Works and the Scheme.

15.3 The Council hereby indemnify National Highways against all costs and expenses properly incurred in complying with its obligations under any statutory provision arising from the construction or use of the Works.

15.4 The indemnification referred to in this clause 15 includes:

- (a) all fees incurred by claimants which National Highways is obliged to pay, and those of National Highways or its agent or contractor in negotiating claims (together with VAT payable on any professional advisors' fees);
- (b) statutory interest payments to claimants and their professional advisors; and
- (c) National Highways' reasonable and proper legal and administrative costs in making the compensation, fees and interest payments.

15.5 The indemnification referred to in this clause 15 does not apply in respect of any actions, charges, claims, costs, expenses, losses, damages, demands, liabilities and proceedings arising out of any act, neglect, default or liability of National Highways.

## **16 National Highways' Power to Execute the Works in Default**

16.1 In the event of any breach of this Agreement or should for any reason the Works not be completed to the reasonable satisfaction of National Highways then at its absolute discretion National Highways may by notice to the Council:

- (a) direct that the Council procure, at its own expense, the carrying out of such works necessary in order for National Highways to be so satisfied, acting reasonably; or

- (b) inform the Council that it intends to carry out such necessary works and the Council hereby indemnify National Highways for its costs (reasonably and properly incurred) in doing so.

16.2 In the event of any breach of this Agreement or should for any reason the Works not be completed to the reasonable satisfaction of National Highways and where National Highways acting reasonably considers it would not be practical to complete the Works, National Highways may:

- (a) by notice to the Council require the Council to procure, at its own expense, reinstatement of the Trunk Road(s) and other land and premises of National Highways disturbed by the Works to their previous condition; or
- (b) inform the Council that it intends to carry out such necessary works of reinstatement of the Trunk Road(s) and other land and premises of National Highways disturbed by the Works to their previous condition itself and the Council hereby indemnify National Highways for its costs (reasonably and properly incurred) in doing so.

## **17 Notices**

17.1 All notices and communications in relation to this Agreement are valid and effectual if dispatched by first class recorded delivery or letter to the Party to whom such notice request demand or other written communication is to be given or made under this Agreement and addressed as follows:

- (a) in the case of the Council to the Executive Director of Development, Neighbourhoods and Regulatory Services at the address recited above;
- (b) in the case of National Highways to the National Highways Project Manager at Great North House, 20 Allington Way, Darlington, DL1 4QB

or such other name and address for service as has been previously notified to the other Party.

## **18 Settlement of disputes**

18.1 In the first instance in the event of a disagreement arising between the Parties, the Parties shall raise the disagreement with their respective Divisional Directors and/ or Chief Executives for further discussion in an effort to reach agreement on the dispute.

18.2 In the event of any dispute or difference arising between the Parties to this Agreement which is not satisfactorily resolved through the means outlined in clause 18.1 in respect of any matter contained in this Agreement such dispute or difference shall be referred to an independent and suitable person holding appropriate professional qualifications to be appointed (in the absence of an agreement) by or on behalf of the president for the time being of the Institution of Civil Engineers and such person shall act as an expert whose decision will be final and binding on the Parties in the absence of manifest error and any costs will be payable by the Parties to the dispute in such proportion as the



expert determines and failing such determination must be borne by the Parties in equal shares.

- 18.3 Any expert howsoever appointed must be subject to the express requirement that a decision is reached and communicated to the relevant Parties within the minimum practicable timescale allowing for the nature and complexity of the dispute and in any event not more than twenty-eight working days after the conclusion of any hearing that takes place or twenty-eight working days following receipt of any file or written representation.

## **19 General**

- 19.1 No consent or approval modification alteration or waiver of any of the provisions of this Agreement except as otherwise herein provided for is effective unless the same is in writing and signed on behalf of the Parties and annexed to this Agreement.
- 19.2 This Agreement contains the entire agreement between the Parties in relation to the Works and the transactions hereby contemplated and all prior or contemporaneous agreements understandings representations and statements whether oral or written are merged herein save as regards any future compliance with any statutory requirements or any subsequent amendments to this Agreement that may from time to time be agreed between the Parties.
- 19.3 Any termination of this Agreement is without prejudice to the rights of the Parties against each other for any breach of this Agreement which occurred before termination.
- 19.4 For the purposes of the contracts (Rights of Third Parties Act 1999) it is agreed and declared that nothing herein confirms any third party rights
- 19.5 This Agreement is strictly personal to each Party who is not be entitled to part with or assign in any way with its interest and obligations under this Agreement unless to a successor body in the case of National Highways.

## **20 Governing Law**

- 20.1 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) is governed by and construed in accordance with the law of England and Wales.

## **21 Counterpart**

- 21.1 This Deed may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all the counterparts shall together constitute the one Agreement. Transmission of the executed signature page of a counterpart of this Agreement by (a) fax or (b) e-mail (in PDF, JPEG or other agreed format) shall take effect as delivery of an executed counterpart of this Agreement. If either method of delivery is adopted, without prejudice to the validity of the agreement thus made, each

party shall provide the others with the original of such counterpart as soon as reasonably possible thereafter. No counterpart shall be effective until each party has executed and delivered at least one counterpart.

IN WITNESS whereof the Parties have executed this document as a Deed delivered the day and year first before written.

DRAFT

## **SCHEDULE 1**

### **Delegation of functions relating to the Road Orders**

#### **DELEGATION OF POWERS IN RESPECT OF ROAD ORDERS**

1. The preparation of the Road Order to be made pursuant to section 14 and 125 of the Act, such order to be in a format approved by National Highways.
2. The preparation of all material required in connection with the Road Orders, including but not limited to statements of reasons, scheme drawings and certificates relating to publication and services of necessary notices.
3. Submission of the made section 14 and 125 orders to the Secretary of State for Transport for confirmation.
4. The promotion of the Road Orders, including all notices required to be published and served in connection with the Road Orders.
5. All work dealing with comments, representations and objections.
6. All work dealing with any public inquiry arising out of the Road Orders including but not limited to preparation of the statement of case, proof of evidence and negotiations with objectors.
7. All work required following confirmation of the Road Orders including but not limited to notices required to be published and served in connection with the Road Orders

**SCHEDULE 2**

**(description of works)**

1. Construction of grade separated junction and overbridge across the A19 Trunk Road consisting of single span bridge and associated on and off slip roads.
2. Ancillary works to include drainage (land and highway), landscaping and relevant signage.
3. Physical works to prevent the passage of vehicular traffic Southbound on the A19 Trunk Road in respect of the on/off slip roads at Church Bank
4. Physical works to prevent the passage of vehicular traffic Northbound on the A19 Trunk Road in respect of the on slip roads at Coal Lane
5. Associated signage in connection with the new junction

DRAFT

**Annexure 1**

**Drawings**

DRAFT

## Annexure 2

### Form of Authorisation

From: National Highways Limited

To: Hartlepool Borough Council

[date]

### **Works at A19 for the Elwick Road/ North Lane Junction and Elwick Road/ Hartlepool Western Link Project - Authorisation**

Pursuant to the Agreement by Deed made under Section 6 of the Highways Act 1980 on [date] between National Highways Limited and yourselves (the “**Agreement**”), we hereby authorise you to proceed with carrying out of the Works in accordance with the terms of the Agreement.

This notice constitutes the Authorisation referred to in clause 4.1 of the Agreement.

Yours faithfully

Duly authorised for and on behalf of National Highways Limited

Executed as a Deed by affixing the  
common seal of **HARTLEPOOL**  
**COUNCIL** in the presence of:

..... Authorised Signatory

Executed as a Deed by affixing the  
common seal of **NATIONAL**  
**HIGHWAYS LIMITED** in the  
presence of:

..... Director or Authorised Signatory

DRAFT

# Hartlepool Borough Council – Single Impact Assessment Form

Guidance for completing this form is available in the “Single Impact Assessment: Toolkit for Officers”, available from the Single Impact Assessment page on the intranet at <https://hbcintranet/Pages/Single-Impact-Assessments.aspx>.

## Section 1 – Details of the proposed action being considered

<b>1.1 Lead Department:</b>	Neighbourhood and Regulatory Services
<b>1.2 Lead Division:</b>	Strategic Asset Management
<b>1.3 Title of the proposed action:</b>	
A19 / Elwick Road/North Lane junction and Elwick northern bypass / Hartlepool western link project Compulsory Purchase Order (CPO), Side Roads Orders (SROs) and Slip Roads Order (SRO).	
<b>1.4 Brief description of the proposed action:</b>	
<p>The report provides an update on the A19 / Elwick Road / North Lane Junction and Elwick Road / Hartlepool Western Link Project (the Scheme) and requests that permission is given to go through the process to approve to the making of the four orders (CPO, SROs and SRO).</p> <p>The design of the scheme is approved through a planning application, but this current process must be undertaken so that the council can buy the land to facilitate building the road.</p> <p>The proposed action here is to seek agreement to proceed to an inquiry to make four orders so that HBC can facilitate the delivery of a new grade separated junction of the A19 and a link road north of Elwick. Officers discussed the process undertaken to get to CPO and cross-referenced actions with the protected characteristics as set out below.</p> <p>Officers considered that the use of the road will be for all Hartlepudlians and visitors and thus the process and overall outcome will have an impact upon all wards.</p> <p>The project has been widely consulted upon and HBC paperwork and officers do make it clear that if there are barriers to engaging that such barriers can be overcome to ensure everyone has the chance to be involved in the process.</p>	



# Hartlepool Borough Council – Single Impact Assessment Form

## 1.5 Who else is involved:

Four HBC officers assessed the scheme and agreed to the findings of this assessment  
A team of officers are involved in the project as a whole with support from Ward Hadaway and engagement with National Highways.

## 1.6 Who will make the final decision about the proposed action:

Neighbourhood and Regulatory Services Committee on 8<sup>th</sup> December 2025 and then Full Council on 11<sup>th</sup> December.

## 1.7 Which wards will be affected by the proposed action? Tick all that apply

All wards	<input checked="" type="checkbox"/>	Hart	<input type="checkbox"/>	Seaton	<input type="checkbox"/>
Burn Valley	<input type="checkbox"/>	Headland & Harbour	<input type="checkbox"/>	Throston	<input type="checkbox"/>
De Bruce	<input type="checkbox"/>	Manor House	<input type="checkbox"/>	Victoria	<input type="checkbox"/>
Fens & Greatham	<input type="checkbox"/>	Rossmere	<input type="checkbox"/>	N/A - Internal council activities	<input type="checkbox"/>
Foggy Furze	<input type="checkbox"/>	Rural West	<input type="checkbox"/>		

## 1.8 Completed By:

Name	Job Title	Date Completed
Helen Smith	Land Use Policy Team Leader	10/11/2025

1.9 Version	Author	Summary of Changes	Date
1.0	Helen	Original version	

# Hartlepool Borough Council – Single Impact Assessment Form

## Section 2 – Explaining the impact of the proposed action

### 2.1 What data and evidence has informed this impact assessment?

The proposed action here is to seek agreement to proceed to an inquiry to make four orders so that HBC can facilitate the delivery of a new grade separated junction of the A19 and a link road north of Elwick.

This report is to provide an updated position; no new evidence has been reviewed to get to this position which is an update from March 2023. Prior to March 2023 the below was assessed and used to inform decisions:

- Local infrastructure plan 2016
- Hartlepool Local Plan 2018
- Hartlepool Rural Development Plan 2018
- Highways England Strategic and Delivery Plans 2020-2025
- Northern Powerhouse Independent Economic Review  
Combined Authority (TVCA) Strategic Transport Plan

The necessary CPO and equality impact legislation and guidance has been reviewed and legal advisors have made sure the appropriate rules/processes are followed.

### 2.2 If there are gaps in evidence or not enough information to assess the impact, how have you addressed this or how will you address it?

Gap(s) Identified	How it / they have or will be addressed
No	No

# Hartlepool Borough Council – Single Impact Assessment Form

## 2.3 Risk Score

Impact	Negative Impact Score	Explanation – what is the impact?
<b>Age</b>		
<input type="checkbox"/> No Impact	Likelihood score: e.g. Almost certain 4 Impact score: e.g. Major 3 Overall score: e.g. Red 12	Officers liaise with agents and landowners all of all ages, typically the agents are of working age. No age restriction barriers became apparent in engaging with the agents and or landowners and therefore no measures were put in place. Officers treat all agents and landowners with courtesy and respect no matter their age. If age barriers are identified as negotiations and the process as a whole consultees then officers will act accordingly.
<b>Disability</b>		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	Discussions took place on site and in buildings and as far as officer are aware there were no physical mobility issue. None of the agents/ landowners identified any disability related needs.
<b>Gender Reassignment</b>		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	No issues were raised or put to us officers and thus no special parameters were required.
<b>Marriage and Civil Partnership</b>		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	The marital status of agents and landowners is not relevant to the process and/or outcome. All agents are treated with respect no matter their marital status. Solicitors are used to obtain agreement and signatures from landowners when land sales are agreed, names may be subject to change if the landowners marital status changes but this would be picked up by solicitors when they undertake their due diligence.

Impact	Negative Impact Score	Explanation – what is the impact?
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## Hartlepool Borough Council – Single Impact Assessment Form

Pregnancy and Maternity		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	No matter arose with regard to pregnancy and maternity.
Race (Ethnicity)		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	Race is not relevant when seeking to obtain land, the route of the bypass is determined through the planning process and the land that is needed is simply the land needed. Negotiations ensue no matter the agents or landowners race. All agents and landowners were English speaking and so no language barriers were identified.
Religion or Belief		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	Religion and beliefs are not relevant when seeking to obtain land, the route of the bypass is determined through the planning process and the land that is needed is simply the land needed. No cultural barriers were identified.
Sex		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	The landowners involved are not all the same sex, all landowners and agents are treated with respect and courtesy no matter their sex. No issues relating to sex were identified and/or put to officers.

# Hartlepool Borough Council – Single Impact Assessment Form

Impact	Negative Impact Score	Explanation – what is the impact?
<b>Sexual Orientation</b>		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	No issues arose with regard to sexual orientation; the sexual orientation of the agents and landowners is unknown and there is no reason for officers to know unless they were told. No matter a person's sexual orientation all agents and landowners were treated with respect.
<b>Care Leavers (Local)</b>		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	No agents and/or landowners identified as care leavers and thus no actions requested were needed to address any care leaving associated issues.
<b>Armed Forces (Local)</b>		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	No landowners identified as being in or were in the armed forces and thus no actions requested were needed to address any care leaving associated issues.
<b>Poverty and Disadvantage (Local)</b>		
<input type="checkbox"/> No Impact	Likelihood score: Impact score: Overall score:	<p>No issues regarding poverty and disadvantage were uncovered and/or put to officers during the process to date.</p> <p>The process of land negotiation is a fair, a price is offered and negotiated upon and such a price is unlikely to put landowners or others into poverty and disadvantage. If agreement cannot be reached, then the role of the inspector is to set the sale price. The inspector has to follow the compensation code when deciding upon a price and there is an option to challenge the inspector's decision of a person feels aggrieved.</p>

# Hartlepool Borough Council – Single Impact Assessment Form

## Section 3 - Mitigation Action Plan or Justification

Group(s) impacted	Proposed mitigation	How this mitigation will make a difference	By when	Responsible Officer
N/A				
N/A				
N/A				
N/A				
N/A				

<b>Justification</b> If you need to justify your proposed action explain this here N/A
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## Section 4 - Sign Off

<b>Responsible Officer sign off:</b>	
Name	Helen Smith
Job title	Land Use Policy Team Leader
<b>Assistant Director / Director sign off:</b>	
Name	Kieran Bostock
Job title	Director for Neighbourhoods and Regulatory Services

Once the Single Impact Assessment is completed please send to [impactassessments@hartlepool.gov.uk](mailto:impactassessments@hartlepool.gov.uk).

**Hartlepool Borough Council – Single Impact Assessment Form****Section 5 - Review (To be completed after implementation)**

<b>5.1 Review completed by:</b>		
<b>Name</b>	<b>Job Title</b>	<b>Date review completed</b>

<b>5.2 Did the impact turned out as expected?</b>

<b>5.3 Were the proposed mitigations the correct ones and were they successful in reducing any negative impacts?</b>

<b>5.4 Were there any unexpected outcomes?</b>

## Hartlepool Borough Council – Single Impact Assessment Form

### 5.5 Following the review please identify next steps here (Select one)

- ☐ Additional mitigation required (give details below - 5.6)
- ☐ Original proposed course of action needs to be revisited
- ☐ No further action required

### 5.6 Additional mitigation(s) or justification

Group(s) impacted	Proposed mitigation	How this mitigation will make a difference	By when	Responsible Officer

**Justification** If you need to justify your proposed action explain this here

Submit form with completed review to [impactassessments@hartlepool.gov.uk](mailto:impactassessments@hartlepool.gov.uk)