

# REPLACEMENT AGENDA

## REGENERATION AND NEIGHBOURHOODS PORTFOLIO DECISION SCHEDULE



16 November 2012

at 10.00 a.m.

in Committee Room C, Civic Centre, Hartlepool

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

### 1. KEY DECISIONS

No items.

### 2. OTHER ITEMS REQUIRING DECISION

- 2.1 Stranton Conservation Area Management Plan - *Assistant Director (Regeneration and Planning)*
- 2.2 Continuation of Charging for the Pre-Application Advisory Service (One Stop Shop) and Monitoring of Legal Agreements - *Assistant Director (Regeneration and Planning)*
- 2.3 Stanhope Avenue – Residents Only Permit Parking Scheme - *Assistant Director (Transportation and Engineering)*
- 2.4 Proposed 20mph Limits – Argyll Road/ Aberdeen Road Area and Kipling Road Area - *Assistant Director (Transportation and Engineering)*
- 2.5 Ward Jackson Park Fountain Refurbishment – *Assistant Director (Neighbourhood Services)*

### 3. ITEMS FOR INFORMATION

No items.



**REGENERATION & NEIGHBOURHOODS  
PORTFOLIO**

16<sup>th</sup> November 2012



**Report of:** Assistant Director (Regeneration and Planning)

**Subject:** STRANTON CONSERVATION AREA  
MANAGEMENT PLAN

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

Non Key Decision

**2. PURPOSE OF REPORT**

- 2.1 To provide information to the Portfolio Holder on the Draft Management Plan (**Appendix A**) that has recently been produced for the Stranton Conservation Area and request permission to take the draft document out to public consultation.

**3. BACKGROUND**

- 3.1 English Heritage in their publication "Guidance on the Management of Conservation Areas" (February 2006) indicates that an appraisal of a conservation area needs a set of policies, strategies and actions identified to actively manage change. Change in a conservation area is inevitable and the purpose of a management plan is to direct this change in such a way that it strengthens rather than undermines the conservation areas special quality.
- 3.2 Existing national legislation and policy advice in the form of the "Planning (Listed Buildings and Conservation Areas) Act 1990" and the "National Planning Policy Framework" provide guidance on how to manage development in conservation areas. Many of these national policies are translated locally to Hartlepool via the Local Development Framework (previously the Hartlepool Local Plan) which provides specific policies to manage listed buildings and conservation areas. However every conservation area has development issues more or less specific to that area. An appraisal was completed in October 2010 which identified these issues and the conservation area management plan is intended to address them.

#### **4. MANAGEMENT ISSUES**

- 4.1 The recent work in Stranton with grants from New Deal for Communities has done much to enhance the conservation area in recent years including works to restore shop fronts and the enhancement of areas of public realm. However the Appraisal identified some very particular problems affecting the quality of Stranton Conservation Area which need specific responses to manage the area and these were:

- Poor maintenance of buildings
- Unsympathetic alterations and loss of traditional architectural details to buildings
- Poor quality shop fronts and signage
- Maintenance of the street surfaces, street furniture and open space.

#### **5. MANAGEMENT OF THE AREA TO DATE**

- 5.1 Since the Appraisal specific action has been taken to address building maintenance and unsympathetic alterations to shop fronts. A grant budget of £346,300 from the New Deal for Communities was aimed at public realm works and carrying out repairs and restoration works to property to improve the appearance of Stranton.

#### **6. PROPOSED MANAGEMENT MEASURES**

- 6.1 A number of issues have been identified in the management plan as relevant to the future management of the Stranton Conservation Area. Further information on each of these issues is provided below along with a brief outline of the suggested measures that are considered to address these problems in the management plan.
- 6.2 Building maintenance – A number of measures have already been tested in the area including the offer of grants for commercial premises to make properties watertight and restore traditional details. Despite this there are still a number of vacant premises in the area. Work in Church Street Conservation Area has demonstrated that small grants for maintenance works can assist in uplifting the area along with other measures such as encouraging good general maintenance. A similar scheme, subject to the availability of funding, could be the catalyst for continued improvements to Stranton.
- 6.3 Shop fronts and advertising on shop fronts – Of particular note within this conservation area are the traditional shop fronts. Unfortunately unsympathetic alterations to some shop fronts along with the installation of modern frontages can impact on the character of the area. On a connected topic the advertisements displayed on shop fronts can also be an issue as these are usually an integral part of the overall design. It is proposed that

the Council produces a document to provide information to owners in relation to traditional shop front designs.

- 6.4 Unsympathetic alterations – In addition to works to shop fronts and signage, alterations to upper floors and non-retail buildings have impacted on the appearance of the conservation area. Examples of this are the incremental changes that have been made to Bathgate Terrace altering windows and doors; as a result much of the character of the buildings has altered. It is proposed that the local authority uses the powers available to it through the planning process in both considering planning applications and taking enforcement action to ensure that inappropriate alterations are minimised.
- 6.5 The street environment and trees – Works have already been carried out to the public realm in the area including paving works and investment in Stranton Garth itself. These areas have enhanced the conservation area. It is hoped that in the future the areas which have not been included within these schemes can benefit from similar investment. Further to this trees have been highlighted in the document as a positive contributor to the character of the conservation area. Given the impact that they have on the streetscene the document encourages the retention of trees and replacement planting where trees are lost.

## **7. CONSULTATION**

- 6.1 It is felt that the document would benefit from public consultation prior to its finalisation. The document will be placed on the Council's website to allow it to be considered and comments submitted to officers. A press release will notify residents of the intention to do this. This is a small conservation area therefore where possible businesses and property owners will be approached directly with a copy of the document and a questionnaire to provide any comments that they may have on the area.
- 7.2 The Conservation Area Advisory Committee has already been consulted and provided feedback on the document at a meeting earlier in the year.

## **8. FINANCIAL CONSIDERATIONS**

- 8.1 Any costs associated with the consultation will be met through existing Planning Services budgets.

## **9. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 9.1 There are no equality or diversity implications.

**10. SECTION 17 OF THE CRIME AND DISORDER ACT 1998  
CONSIDERATIONS**

- 10.1 There are no Section 17 Implications.

**11. RECOMMENDATIONS**

- 11.1 That the Portfolio Holder notes the report and agrees to the public consultation for the Stranton Conservation Area Management Plan.

**12. REASONS FOR RECOMMENDATIONS**

- 12.1 The Local Authority has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 Section 71 (1) to, 'formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.' Furthermore the Act suggests that such proposals should be submitted for consideration by the public in the area to which they relate.

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

- 13.1 A copy of the Draft Management Plan document is available in the Members Library.

**14. BACKGROUND PAPERS**

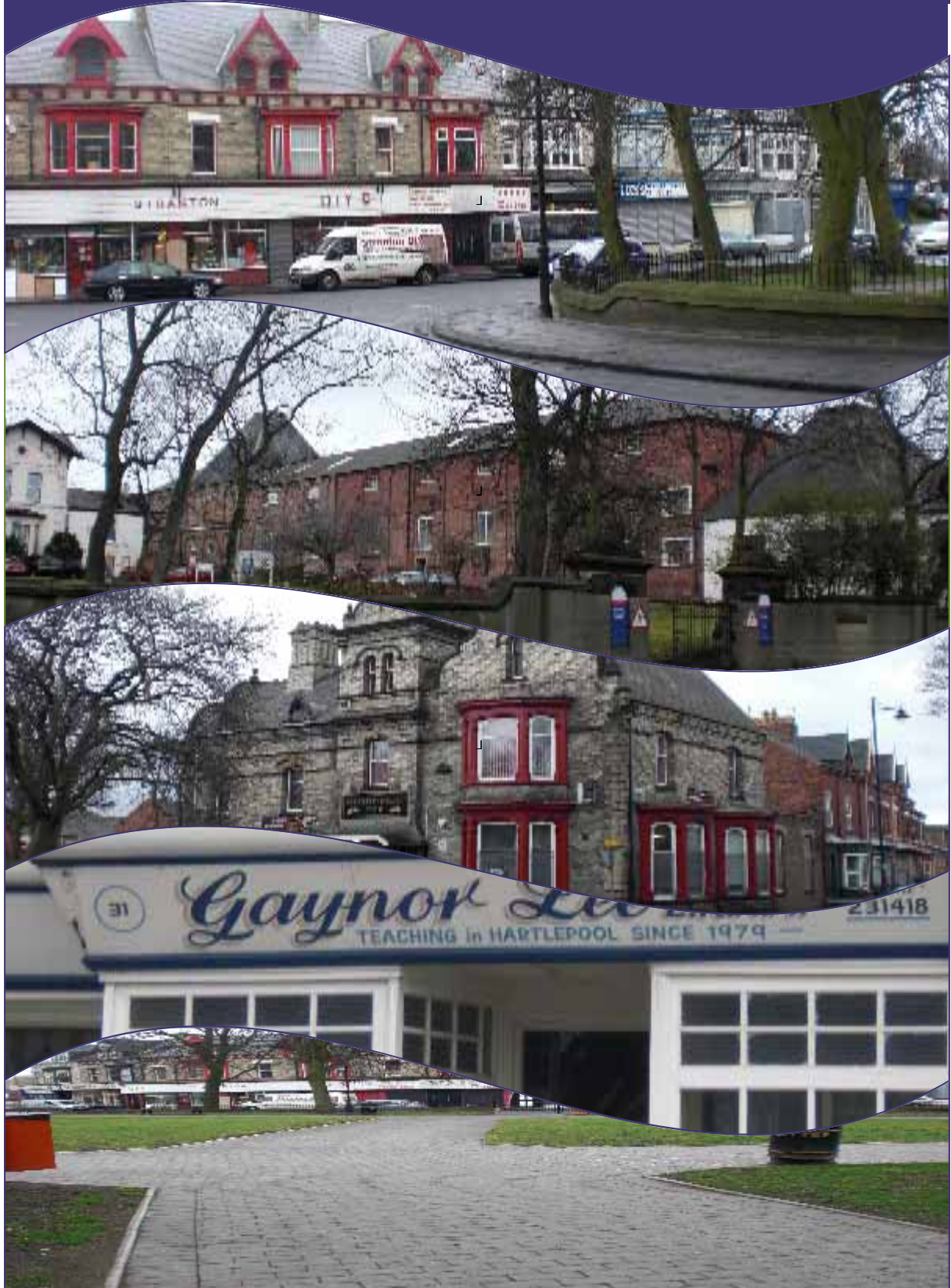
- 14.1 There are no background papers.

**15. CONTACT OFFICER**

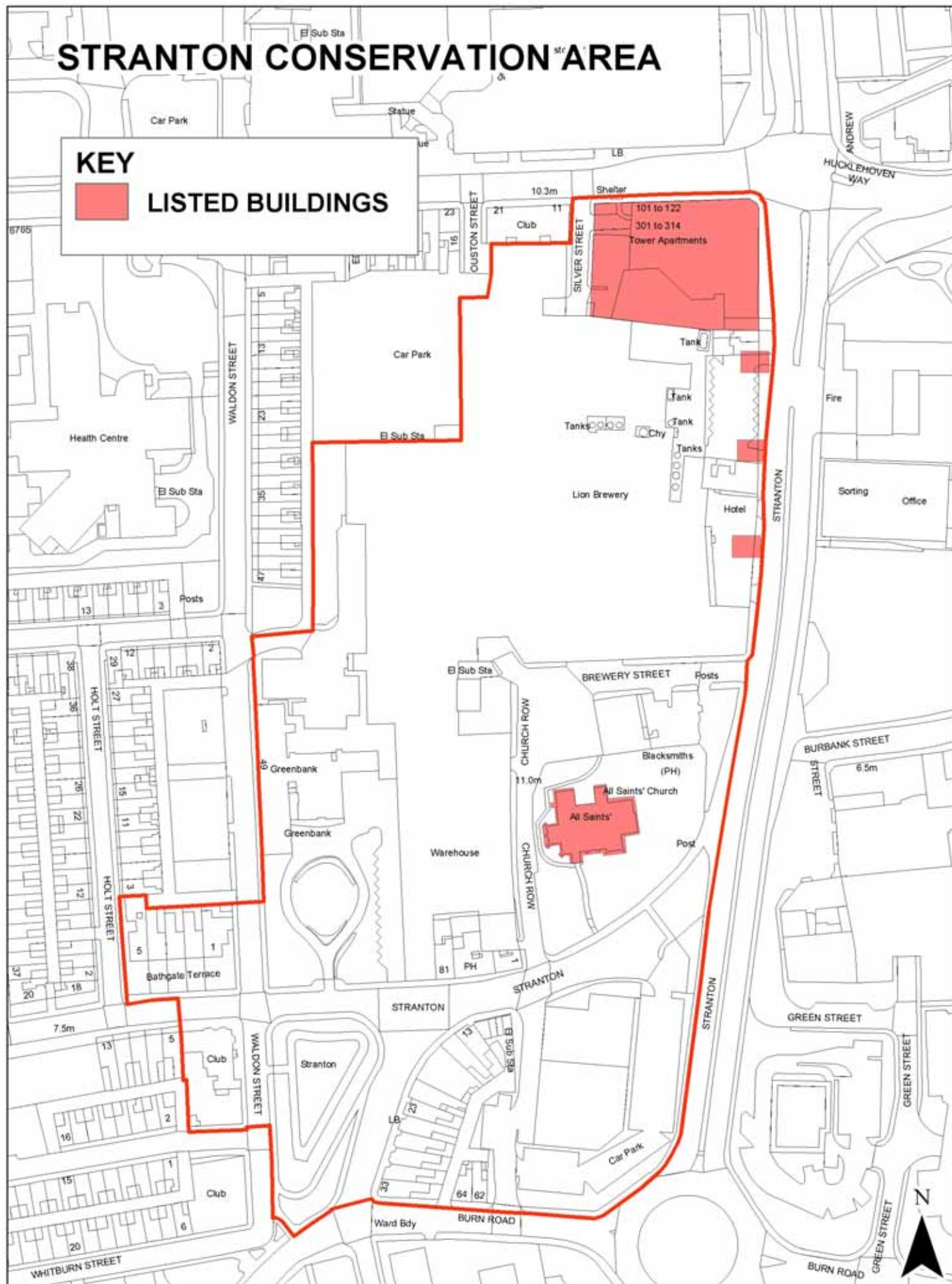
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# DRAFT MANAGEMENT PLAN STRANTON CONSERVATION AREA







# 1. INTRODUCTION

Conservation areas in Hartlepool are intended to add to the quality of life of those living in and visiting the town.

These areas are special quality places in which to live, to establish a business, to work and provide a link to Hartlepool's past through the buildings, coastline and countryside.

Conservation areas are attractive to those visiting the area and provide a stage to show Hartlepool at its best.



The following report provides a basis for managing Stranton Conservation Area. Change in a conservation area is inevitable and the purpose of a management plan is to direct this change in such a way that it strengthens rather than undermines the conservation areas special quality. It will ensure that the characteristics that contribute to make the area attractive and of high quality are kept and reinforced to ensure that Stranton Conservation Area continues in the future to add to the quality of life of Hartlepool.

The Stranton Conservation Area Draft Management Plan should be read in conjunction with the Stranton Conservation Area Visual Appraisal completed in 2010. The Appraisal, in summary, identified some particular issues affecting the quality of Stranton Conservation Area which needed specific management to protect the appearance and character of the area.



## 2. KEY ISSUES WITHIN CONSERVATION AREA

The Key aims of the Management Plan are:

- To raise awareness of the importance and value of local heritage
- To provide guidance and set out objectives to preserve and enhance buildings, structures and public spaces within the conservation area.
- To provide design guidance on key development issues within the conservation area.
- To outline key statutory requirements with respect to development within the conservation area.

The Visual Appraisal identified some very particular issues affecting the quality of Stranton Conservation Area which needed specific responses to manage the area. These were:

- Poor maintenance of buildings.
- Poor quality of shop fronts and signage.
- Unsympathetic alterations and loss of traditional architectural details to buildings
- Maintenance of the street surfaces, street furniture and open spaces.



Each of these subjects are dealt with on the following pages. An in depth analysis of each of the issues is provided alongside solutions to tackle these problems.

### 3. SUMMARY OF THE CURRENT CHARACTER OF THE CONSERVATION AREA AND POLICIES



The conservation area is a compact area to the south of the town centre. At its heart is the Church of All Saints (Grade II\* Listed Building) which is a visually prominent building located on the main southern approach to Hartlepool. It stands on elevated ground in a grassed and treed church yard.



Defining the northern corner of the area is the former Co-operative Department Store (Grade II Listed Building). Recently renovated the building is now known as Park Tower. Work was carried out in two phases with 50 apartments created in 2008. This was followed in 2010 by four commercial units to the ground floor, two of which are occupied. The blinds to the commercial units on the ground floor, along with the vacancies, have reduced the activity viewed at street level and the sparsely lit apartments seen on an evening can give the effect of a much underused building.



Between these two listed buildings is Cameron's brewery, a significant industry in the town. The site of the brewery covers much of the conservation area with original, red-brick properties interspersed with more modern, utilitarian, functional buildings and structures. The site is included on the list of locally listed buildings, acknowledged as being of significance to Hartlepool however in some views these original buildings can be dwarfed by the modern paraphernalia on site.



To the south eastern corner of the area are two purpose built retail units which have been empty for a number of years. This is not of the same character as the rest of the site however it does provide the setting to the Church of All Saints and is on a significant junction. The current disused status of the buildings detracts from both the setting of the Church and the conservation area.

### 3. SUMMARY OF THE CURRENT CHARACTER OF THE CONSERVATION AREA AND POLICIES CONTINUED



To the south western corner of the area is Stranton Garth. The only area of public open space within Stranton. Works carried out from 2006 to 2008 with a £346,300 grant from New Deal for Communities included providing new footpaths, seating and railings to the boundary wall enclosing this space. This work has enhanced this part of the conservation area.



Other public realm works have been carried out to compliment the work in Stranton Garth in the form of paving works to the footpaths around Stranton Garth itself and other significant routes such as to the front of the shopping parade, church and Green Bank.

Green Bank was once part of the Brewery complex but now provides office accommodation for Housing Hartlepool. It sits in generous grounds and faces towards Stranton Garth. The building has been extended but, for the most part, these do not impact on the original house.



Facing on to Stranton Garth is the Stranton Social Club. The building was constructed as a house and although the upper floors remain intact, unsympathetic adaptations have marred some of its significant features such as the main entrance to the property.

Fronting on to Stranton Garth is a parade of eleven shops. Four of these are vacant or boarded up at ground floor level which creates gaps in the terrace. These are a significant parade of buildings and acknowledged as such featuring on the local list. A





### 3. SUMMARY OF THE CURRENT CHARACTER OF THE CONSERVATION AREA AND POLICIES CONTINUED



number of these shops have been altered with changes to shop fronts. For example in some cases whole sale replacement of shop fronts have taken place, in others two single shop fronts have been replaced with one. Other changes which diminish the character of this parade are minor alterations such as the installation of roller shutters over traditional details. At first floor level there are fewer changes to the properties which reinforces the overall unity of the terrace.



The other commercial buildings in the area are a small group of properties on Elwick Road including the Causeway Public House which incorporates 1 Church Row. The Causeway retains much of its original finishes and 1 Church Row has been restored complementing it.



A group of residential properties exists in the form of Bathgate Terrace. All of the properties are occupied however many have lost original detailing such as windows and doors. This lack of unity detracts somewhat from the overall character of the area.



The Planning (Listed Buildings and Conservation Areas) Act 1990 and other relevant planning legislation provide for various powers that enable local planning authorities to discharge their responsibilities to preserve the unique character and appearance of conservation areas. At a local level the current development plan for Stranton is the Local Plan adopted in April 2006. Relevant policies from this plan can be found in appendix 1 of this document.





## 4. BUILDING MAINTENANCE

**Objective — To continue to maintain and enhance the properties in the Stranton Conservation Area**

A number of measures have already been tested in this area to address the issue of building maintenance in Stranton. £86,000 grant assistance had been invested from New Deal for the Community funds in buildings to make them watertight and repair and restore traditional details such as shop fronts, timber windows and doors.

Despite the grant assistance there are a number of vacant premises (four), three of which are consecutive shops in the row. These units have been vacant for a prolonged period of time and although some have been recently decorated if left empty and unmaintained this can detract from the character of the area and in particular this row of shops.

It is acknowledged that the grant assistance available has been targeted at the commercial premises in the area and as such those properties on the fringes of the area, such as Bathgate Terrace have not been in receipt of any direct assistance.

The good general maintenance of properties on a regular basis ensures the long-term future of such buildings. It is clear that in the case of large properties where scaffolding can sometimes be required to do this owners are less inclined to carry out a regular programme of works. Such actions should be encouraged by way of advice and, where available, grant assistance.



### **Actions**

- 1. The Council will negotiate through the development control process and / or make use of its statutory powers to protect buildings that contribute positively to the special character of the conservation area in cases where buildings are shown to be under threat as a result of poor maintenance.**
- 2. The Council will accept proposals for the appropriate repair of the buildings in Stranton if the designs are sympathetic to the existing architectural detail, style and proportion of the existing building .**
- 3. The Council will produce guidance documents regarding the maintenance of buildings in conservation areas.**

## 5. SHOP FRONTS

**Objective — To secure the preservation, restoration or improvement, as appropriate, of shop frontages in Stranton Conservation Area.**

Of particular note within this conservation area are the traditional shop fronts. The original designs are detailed in a relatively simple form however those with curved windows to the shops can appear more complex .

Some of the buildings in the conservation area have undergone unsympathetic alterations which have affected the quality and character of the area. Examples include the insertion of modern grilles and security measures on properties without consideration for the architectural features on the building and the wholesale removal of shop fronts.

Repair and reinstatement of shop fronts and other features like bay windows by building owners can be beneficially assisted by public financial support where available. Grant regimes in similar conservation areas, such as Church Street, have shown how the offer of grant assistance can help owners in restoring traditional details which is to the benefit of the conservation area.

It is important to note that any decision regarding attempts to restrict the use of shutters to shop fronts has to consider the need of owners to protect their properties. To achieve a balance between properties and protecting the quality and character of the conservation area the council could consider less intrusive means of ensuring the security of the properties in the conservation area. Introduction of measures such as the use of CCTV could be used as a way to reduce the need for shutters.



### Action

1. The council will produce a document to provide information to owners on shop front designs.
2. The council will encourage the reinstatement or repair of original doors, windows and features that reflect the original shop fronts of the area.
3. The council will take enforcement action against unauthorised change of use or removal of a shop front where there is a negative impact on the character or appearance of the conservation area.

## 6. ADVERTISING ON SHOP FRONTS

**Objective — To encourage the use of traditional signage on commercial properties in Stranton Conservation Area.**

The Area Assessment identifies a number of the shops within the conservation area where the design and presentation of business adverts could benefit from design guidance regarding their shop front and business advertising on the property.

The quality of business advertising is most problematic where,

- adverts stretch across a number of properties,
- both adverts and shutters are incorporated onto an original shop front with little regard for original details,
- modern shop fronts have been installed with generic, standard signage over.

Poor quality signage can dramatically change commercial parades such as those found in Stranton.



### Action

1. The council will produce guidance documents regarding appropriate forms of shop front advertising.
2. The council will exercise control over the display of advertisements in Stranton Conservation Area to ensure that signs are designed and located to respect the character and appearance of the host building and historic street scene.

## 7. UNSYMPATHETIC ALTERATIONS TO BUILDINGS

**Objective — To encourage the preservation, restoration or improvement, as appropriate, of buildings in Stranton Conservation Area.**

In addition to works to shop fronts and signage, alterations to other parts of buildings along with changes to non retail properties can impact on the appearance of the conservation area.

The accumulation of minor alterations in terraces can be just as damaging to the character of a conservation area as wholesale changes to individual buildings. Whilst grant funding has been available for commercial properties in the past there has not been the same level of funding for other properties within the conservation area. A combination of the planning process and grant assistance has led to improvements to 1 Church Row, the former Co-operative Department Store and 15 Vicarage Gardens which have enhanced the conservation area.

Minor works which are permitted development and therefore do not require a planning application can have a negative impact on the character of a conservation area. In particular the cumulative effect of alterations to a terrace can change the character of those buildings. In other conservation areas the availability of grant along with improvements to individual properties has acted as a catalyst for wider improvements within single streets.

The use of the planning process alongside available financial assistance can enhance the character of a conservation area. In showing residents the type of development which is acceptable in exemplar schemes this can assist in reinforcing the character of a place.



### Action

1. Where consent is required, resist unsympathetic alterations and loss of traditional architectural details through positive use of existing development control powers.
2. Encourage appropriate reinstatement of traditional architectural details in future development negotiations.
3. Take enforcement action against unauthorised removal of traditional architectural details where a breach of planning control has occurred.



## 8. THE STREET ENVIRONMENT

**Objective — To maintain and enhance the public realm of Stranton Conservation Area**



The Appraisal identified the works that have been carried out already to enhance the street environment. New Deal for the Community invested £346,300 in public realm improvements.

Works to the pavements on the main routes through the area have been carried out via a phased programme of works based on an overall master plan for the area. These compliment the paving and seating works which can be found in Stranton Garth.



There are short stretches of pavement on Waldon Street, Bathgate Terrace and Burn Road that could be considered in future public realm works. A good standard of materials and design has been established and this should be repeated in those areas if funding becomes available.



### Action

1. The Council will ensure the retention / reinstatement of traditional paving and hard landscaping where appropriate.
2. The Council will encourage like for like replacement, in appropriate materials where damage to street surface occurs.
3. The Council will ensure the good maintenance of street furniture, and, where replacement is required that they are an appropriate design

## 9. TREES

**Objective — To manage the tree coverage in and around Stranton Conservation Area**

Within Stranton Conservation there is good tree coverage in both public and private spaces. In particular the group of trees found in Stranton Garth and in the grounds of Green Bank and the Social Club on Waldon Street contribute to a feeling of a green central area at the heart of the conservation area. This positive aspect of the conservation area is identified in the appraisal and is highlighted in the management plan to ensure that this continues.

Those trees in the conservation area do not require specific tree preservation orders being automatically protected by conservation area status. The requirements to provide six weeks notice regarding works on trees in conservation areas should provide sufficient time for the Council to make a decision as to the validity of the proposed works.



### **Action**

1. The Council will encourage the planting of new and replacement trees where appropriate within the Conservation Area and outside the Area where these support the setting of the conservation area.

## APPENDIX 1

### EXISTING NATIONAL AND LOCALLY BASED CONSERVATION AREA POLICIES

1. Existing national legislation and policy advice in the form of the “**Planning (Listed Buildings and Conservation Areas) Act 1990**” and “**National planning policy Framework**” (NPPF). They provide specific advice on the decision making process and issues to be considered as regards listed buildings, non listed buildings in conservation areas and conservation areas themselves.
2. Many of these national policies and advice are translated specifically to Hartlepool via the **Local Development Framework** (previously the **Hartlepool Local Plan**) which provides specific policies to manage listed buildings and conservation areas. The relevant local plan policies and guidance are listed below:

HE1: Protection and Enhancement of Conservation Areas

HE2: Environmental Improvements in Conservation Areas

HE3: Developments in Vicinity of Conservation Areas

HE8: Works to Listed buildings Including Partial Demolitions

HE12: Protection of Locally Important Buildings

Supplementary Note 5: Design Guidance for Development in Conservation Areas and for Works to Listed Buildings.

The Local Plan will be superseded by a new documents called the Local Development Framework (LDF). The key document within the LDF is the Core Strategy which is still being developed.

The Council will follow the guidance under the current Local Plan and the Local Development Framework until formal adoption of the LDF.

## APPENDIX 2

### EXISTING STATUTORY POWERS

#### Planning (Listed Building and Conservation Areas) Act 1990

- Powers are available under the Planning (Listed Building and Conservation Areas) Act to make an **Urgent Works Notice** (Section 54) for the urgent preservation of an unoccupied (or partly unoccupied) listed building to prevent further deterioration of a building.
- Under Section 48 of the same Act a **Repairs Notice** can be served on an empty listed building to carry out physical works of preservation. If the owner declines to undertake the works specified, then compulsory acquisition powers can be invoked to acquire the building. With CPO powers “back to back” deals can be considered with a building preservation trust (like the Cleveland Building Preservation Trust operating locally) as a development partner, giving access to grant for feasibility studies and loans of up to £500,000 for development works from the Architectural Heritage Fund. The costs associated with this type of action are staff time which will have been budget for. The willingness of the authority to use the powers described may be enough for the owner of a listed building to sell to an owner more willing or able to re-use a building.
- Some of the above powers also apply to non-listed buildings in conservation areas. Section 76 of the 1990 Act allows the local planning authority to invoke Section 54 (outlined above) with the agreement of the Secretary of State allowing an **Urgent Works Notice to be served on an unlisted building**. Powers are not available to invoke Section 48 to serve a Repairs Notice on an empty non-listed building. There are further alternative powers relating to public safety (1984 Building Act), or to provide residential accommodation under Section 17 of the 1985 Housing Act by acquiring buildings.

#### Town and Country Planning Act 1990

- Other relevant powers are provided by the Town and Country Planning Act 1990. Under this legislation a **Section 215 Notice** is a notice that is served on the owner or occupier of a property when the poor condition and the appearance of the property or land are detrimental to the surrounding areas or neighbourhood. The notice requires proper maintenance of the property or land in question, and it specifies what steps are required to remedy the problem within a specific time period.



## GLOSSARY

### **Conservation Area**

A conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

### **Heritage Asset**

A building, monument, site, place, or area of landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment.

### **Listed Building**

These are buildings of special architectural or historic interest. The protection afforded to a listed building includes its interior and any historic fixtures and fittings (e.g. memorials where fixed to the building). Objects or structures within the curtilage of a listed building, unless constructed after 1<sup>st</sup> July 1948, are also protected.

### **Locally Listed Building**

Locally listed buildings are buildings, structures, parks, gardens and open spaces in Hartlepool which are thought to be of special local architectural or historic interest.

# REGENERATION AND NEIGHBOURHOODS PORTFOLIO

Report to Portfolio Holder  
16 November 2012



**Report of:** Assistant Director (Regeneration and Planning)

**Subject:** CONTINUATION OF CHARGING FOR THE PRE-APPLICATION ADVISORY SERVICE (ONE STOP SHOP) AND MONITORING OF LEGAL AGREEMENTS

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non - Key Decision

## 2. PURPOSE OF REPORT

2.1 To provide an update to the Portfolio Holder on the effectiveness of charging fees for the Planning Advisory Service ('One Stop Shop'), the monitoring of legal agreements and to request the continuation of charging for these services.

## 3. BACKGROUND

### Pre-Application Advice

3.1 This relates to the monitoring of the Planning Advisory Service, known as the 'One Stop Shop'. The Planning Services Team previously offered a free advisory service to enable proposals to be considered informally before applications were submitted. It was decided in 2011 that due to the current financial climate and with the Government encouraging pre-application discussions between developers and the Council, a charge would be levied for this service. This has been levied since 1 October 2011.

3.2 It was a concern of Officers and Members that householders wishing to erect a conservatory (or similar developments) would not use the pre-application service should there be a fee, and that this may potentially lead to an increase in unauthorised development and thus an increase on the already limited resources of the Council's Enforcement Officer. It was therefore agreed that no fee would be charged for pre-application advice for household developments. However it was agreed that should a household

require a rapid response to an enquiry, generally household responses are given within 15 working days (for instance when proof is required by a solicitor for a house sale to progress) then a 'fast track' fee was considered appropriate and this is reflected in the proposed charges. The advisory service identifies any consent's required for the development proposed and how to apply for them. The Council strongly encourages use of the service as it may help to 'iron out' any potential problems and therefore deal with an application more efficiently. The service also provides a letter should planning permission not be needed this can be useful should a property/piece of land be sold in the future. The One Stop Shop is part of a positive and proactive planning process, although it is non-statutory.

- 3.3 The workload associated with the provision of the free service was significant (approximately 50% of planning officers workload), at a time when resources were already stretched. Since charging was introduced the number of informal enquiries has declined (particularly minor developments PS Codes 13-20), when compared to a similar period in the last few years as detailed in the breakdown of informal enquiries received below:

1 October 2009 and 1 October 2010 - Total number received = 804

| PS CODE    | NO  |
|------------|-----|
| PS 1 – 6   | 10  |
| PS 7 – 12  | 21  |
| PS 13 – 20 | 268 |
| PS 21      | 464 |
| PS 22      | 15  |
| PS 23 - 27 | 26  |

1 October 2010 and 1 October 2011 - Total number received = 814

| PS CODE    | NO  |
|------------|-----|
| PS 1 – 6   | 8   |
| PS 7 – 12  | 6   |
| PS 13 – 20 | 298 |
| PS 21      | 391 |
| PS 22      | 16  |
| PS 23 - 27 | 114 |

1 October 2011 and 1 October 2012 - Total number received = 451

| PS CODE    | NO  |
|------------|-----|
| PS 1 – 6   | 6   |
| PS 7 – 12  | 6   |
| PS 13 – 20 | 85  |
| PS 21      | 346 |
| PS 22      | 5   |
| PS 23 - 27 | 3   |

- 3.4 Of particular note since the introduction of charges 1<sup>st</sup> October 2011 to the 30<sup>th</sup> September 2012 is that an income of £10,608.67 (excluding VAT) has been received, this is in excess of what was projected. A breakdown of fees and related PS codes are contained in the schedule below.

3.5 In relation to the effect that charging for this service has had on the amount of complaints we have received, it should be noted that there has been no increase.

Current Charging schedule of fees:

| Development Type |  | Cost of Service  |
|------------------|--|--|
| PS Code          | <b>Largescale Major Developments</b>                                       |  |
| 1                | Dwellings (200 or more)(4 ha or more)                                      | £600* for written response, including up to 2 meetings.<br><br>Additional advice requested chargeable at hourly rate <sup>^</sup> with a maximum of £2400*   |
| 2                | Offices/ R & D / light industry (>10,000sq metres or >2ha)                 |  |
| 3                | General Industry/storage/warehousing (>10,000sq metres or >2ha)            |  |
| 4                | Retail distribution and servicing (>10,000sq metres or >2ha)               |  |
| 5                | Gypsy and Traveller pitches (>10,000sq metres or >2ha)                     |  |
| 6                | All other largescale major developments (>10,000sq metres or >2ha)         |  |
|                  | <b>Smallscale Major Developments</b>                                       |  |
| 7                | Dwellings (10 - 199) (0.5 ha and less than 4 ha)                           | £300* for a written response<br><b>Or</b><br>£420* as above plus meeting or accompanied site visit.<br><br>Additional advice requested chargeable at hourly rate <sup>^</sup> with a maximum of £2400* |
| 8                | Offices/ R & D / light industry (1,000sq metres - 9,999 sq metres)         |  |
| 9                | General Industry/storage/Warehousing (1,000sq metres - 9,999 sq metres)    |  |
| 10               | Retail distribution and servicing (1,000sq metres - 9,999 sq metres)       |  |
| 11               | Gypsy and Traveller pitches (1,000sq metres - 9,999 sq metres)             |  |
| 12               | All other smallscale major developments (1,000sq metres - 9,999 sq metres) |  |
|                  | <b>Minor Developments</b>  |  |
| 13               | Dwellings (1-9) (Less than 0.5 ha)   | £120* written response<br><b>Or</b><br>£240* as above plus meeting or accompanied site visit   |
| 14               | Offices/ R & D / light industry (< 1000 sq metres or 1ha)                  |  |
| 15               | General Industry/storage/warehousing (< 1000 sq metres or 1ha)             |  |
| 16               | Retail distribution and servicing (< 1000 sq metres or 1ha)                |  |
| 17               | Gypsy and Traveller pitches (< 1000 sq metres or 1ha)                      |  |
| 18               | All other minor developments (< 1000 sq metres or 1ha)                     |  |
|                  | <b>Other Developments</b>  |  |
| 19               | Minerals Processing  | <b>Based on area as above</b>  |
| 20               | Change of Use  | <b>Based on site area as above</b>   |
| 21               | Householder developments   | <b>Free<sup>#</sup></b>  |
| 22               | Advertisements   | <b>£60*</b>  |
| 23               | Listed building consents (to alter/extend)                                 | <b>Free</b>  |
| 24               | Listed building consents (to demolish)                                     | <b>Free</b>  |
| 25               | Conservation area consents   | <b>Free</b>  |
| 26               | Certificates of lawful development   | <b>Quote on Request</b>  |
| 27               | Notifications  | <b>Quote on Request</b>  |

**NOTES:**

- 1) <sup>^</sup> Hourly charges based on an average of officers hourly charges referred above which is £54.83/hour\*
- 2) \* Denotes that fees would be reviewed by an agreed inflationary amount from 1<sup>st</sup> April yearly.
- 3) <sup>#</sup> A 'fastrack' service with a fee of £60\* is offered this would be subject to inflation as above. This would comprise a response given to a developer within 48 hours of receiving the valid request.
- 4) Time frames:
  - Aim of 15 working days to respond to a Minor & Other developments.



- Aim of 25 working days to respond to a Major developments.
  - Large scale major development timetable to be arranged between case officer and applicant/agent.
  - 'Fasttrack' householder development service aim of 48 hours to respond.
- 5) All fees are shown inclusive of VAT.
- 6) 45 minutes is allocated per meeting, if one is included in the fees above.

### Monitoring of Legal Agreements

- 3.6 Circular 05/2005: Planning Obligations (Para B50) advises Local Authorities to carefully monitor all legal agreements. Once planning obligations have been agreed, it is important that they are implemented or enforced in an efficient and transparent way, in order to ensure that contributions are spent on their intended purpose and that the associated development contributes to the sustainability of the area. This requires monitoring by Local Planning Authorities, which in turn may involve joint-working by different parts of the Authority.
- 3.7 There are two aspects to monitoring and managing legal agreements (section 106 agreements) these being:
- Financial monitoring and management of the monies received from developments, and:
  - Physical monitoring.
- 3.8 The Planning Services Team currently has the post of a Monitoring Officer in place for monitoring the fulfilment of the obligations. This post also monitors compliance with planning conditions, which is also subject to statutory discharge of planning condition charge.
- 3.9 As with pre-application advice other Council's have implemented a charge for the monitoring and management of legal agreements. A schedule of fees was agreed and implemented on the 1 October 2011 as set out below.

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

- 3.10 A fee of £458.33 has been received to date in relation to the monitoring of legal agreements, charges have also been included in other legal agreements however the payment of fees has not yet been triggered.

## **4. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 4.1 There are no equality or diversity implications.

**5. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

- 5.1 There are no Section 17 Implications

**6. PROPOSALS**

- 6.1 It is considered by Officer's that the charges levied for pre-application advice, which are based on the scale of development, are set at the correct level and that the generation of income is welcomed to cover the cost of the service.
- 6.2 A report was taken to the Planning Committee on the 10 October 2012 which was welcomed by Members indicating that the fees received reflected the quality of the advice being given by officers. Members welcomed the income generated and indicated that the income should be retained within the Division. The Planning Committee also requested that their support for the retention of the charging regime was highlighted to the Portfolio Holder. In the case of the monitoring of legal agreements it is again considered that the fees currently set are proportionate and beneficial to cover the cost of this service.
- 6.3 It should be noted that the costs associated with charging for the One Stop Shop and monitoring of legal agreements has been set to cover the costs of providing the service and not as providing profit to the Council.

**7. RECOMMENDATIONS**

- 7.1 That the Portfolio Holder agrees:
1. To the continuation of levying charges for the pre-application advice service and the monitoring of legal agreements; and
  2. That this income be retained within the Planning Services Team to ensure the costs associated with the service are met.

**8. REASONS FOR RECOMMENDATIONS**

- 8.1 To continue to provide a planning advisory service which is encouraged by the Government and in general speeds up the planning process and provides guidance to potential developers and to ensure the costs of this service and the monitoring of legal agreements are covered by the developers rather than Council Tax payers.

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

- 9.1 There are no appendices.

## 10. BACKGROUND PAPERS

- 10.1 The background information relating to the charging schedules can be viewed on the Council's website via the following links:
- [http://www.hartlepool.gov.uk/site/scripts/documents\\_info.php?documentID=205](http://www.hartlepool.gov.uk/site/scripts/documents_info.php?documentID=205)
  - [http://www.hartlepool.gov.uk/info/608/development\\_control/107/development\\_control/5](http://www.hartlepool.gov.uk/info/608/development_control/107/development_control/5)
- 10.2 Circular 05/2005: Planning Obligations  
<http://communities.gov.uk/documents/planningandbuilding/pdf/147537.pdf>

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**REGENERATION & NEIGHBOURHOODS  
PORTFOLIO  
16<sup>th</sup> November 2012**



**Report of:** Assistant Director (Transportation and Engineering)

**Subject:** STANHOPE AVENUE – RESIDENTS ONLY PERMIT PARKING SCHEME

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

Non Key.

**2. PURPOSE OF REPORT**

2.1 To report a number of objections received during the formal legal advertising period.

**3. BACKGROUND**

- 3.1 A report was considered by The Regeneration and Neighbourhoods Portfolio Holder on 24<sup>th</sup> August 2012 to consider the introduction of Stanhope Avenue into a resident controlled permit only parking zone.
- 3.2 The report considered the views of residents who had been consulted over the proposal and by a narrow majority indicated that they would favour the creation of permit parking controls at this location.
- 3.3 The decision was approved by the Portfolio Holder and as a result The Chief Solicitor has advertised the formal legal orders for the statutory period.
- 3.4 The period for objections closed on 25<sup>th</sup> October 2012 and a total of eight objections have been received, including a signed petition by twenty three of the residents, which the Portfolio Holder is required to consider.
- 3.5 Previous consultations have been carried out at this location in 2008 and 2010. On both occasions although the response rate was close the majority of residents expressed a preference not to be included in the permit controlled zone.

#### 4. PROPOSALS

- 4.1 **Appendix A** shows a map indicating the consultation responses which formed the basis of the report in August 2012.
- 4.2 **Appendix B** shows the revised response from residents based on the signed petition and individual letters of objection which have been submitted as a result of the formal advertising of the Parking Order.
- 4.3 The latest figures indicate that several of the properties that previously failed to respond to the consultation have now indicated they would oppose the proposed permit parking scheme, whilst a number of residents that had previously supported the scheme now object to the proposal.
- 4.4 In summary of the 30 properties directly affected by the scheme 29 residents have now responded. 7 indicating they would favour the parking restrictions whilst 22 now oppose the proposed permit scheme.
- 4.5 The letters of objection have raised concerns over several areas of the proposal which in summary include:
- No perceived need / requirement
  - Visitor parking provision
  - Permit cost – differential scale of cost for neighbouring streets.
  - Inconvenience for residents
  - Unnecessary enforcement action against genuine visitors / inconvenience for guests.
- 4.6 Officer's have considered the feasibility of a compromise scheme, where only part of Stanhope Avenue would be included in the permit controlled zone, but the split is not equal and there is a likelihood that a decision to partially include this location will merely displace vehicles into the unregulated area.

#### 5. FINANCIAL CONSIDERATIONS

- 5.1 Resident permit costs are reviewed and set by Cabinet. The charge, should Stanhope Avenue be reintroduced into the permit controlled scheme, would be £20 per annum. This charge is consistent with the charge for non central residential parking zones within the town centre.

#### 6. LEGAL CONSIDERATIONS

- 6.1 The Traffic Regulation Orders have been formally advertised and the letters of objection are required to be considered as part of the legal process. Should the Orders be approved, they would be enforceable under powers and jurisdiction of the Traffic Management Act 2004.

**7. STAFF CONSIDERATIONS**

- 7.1 The Traffic Regulations Orders would be enforced by Civil Enforcement Officers from the Parking Services Team.

**8. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 8.1 There are no equality or diversity implications.

**9. SECTION 17**

- 9.1 There are no Section 17 implications.

**10. CONSULTATION**

- 10.1 Consultation has taken place with the residents of Stanhope Avenue. The local Ward Councillors have also been consulted as part of the consultation process.

**11. RECOMMENDATION**

- 11.1 That the Portfolio Holder reconsiders the earlier decision of 24/8/12 to approve the introduction of Stanhope Avenue into the Permit controlled parking scheme based on the objections received from residents.

**12. REASONS FOR RECOMMENDATIONS**

- 12.1 To ensure all the views of residents have been considered.

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

- 13.1 **Appendix A** – map indicating the consultation responses  
13.2 **Appendix B** – revised response from residents  
13.3 The letters of objection / support received as a result of the advertising of the orders, together with the petition received will be made available at the Portfolio meeting.

**14. BACKGROUND PAPERS**

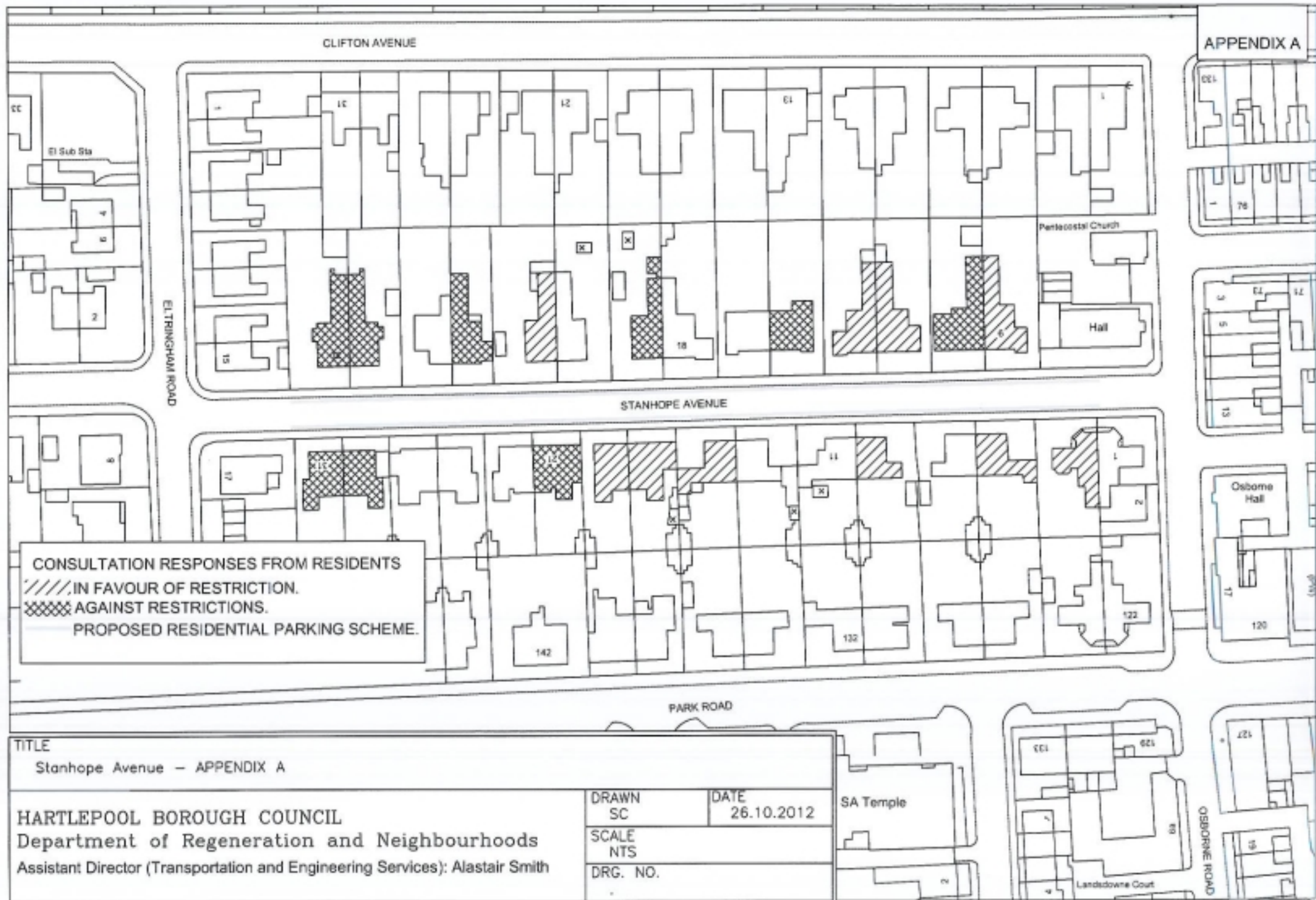
- 14.1 Transport and Neighbourhoods Portfolio Report – 24<sup>th</sup> August 2012.

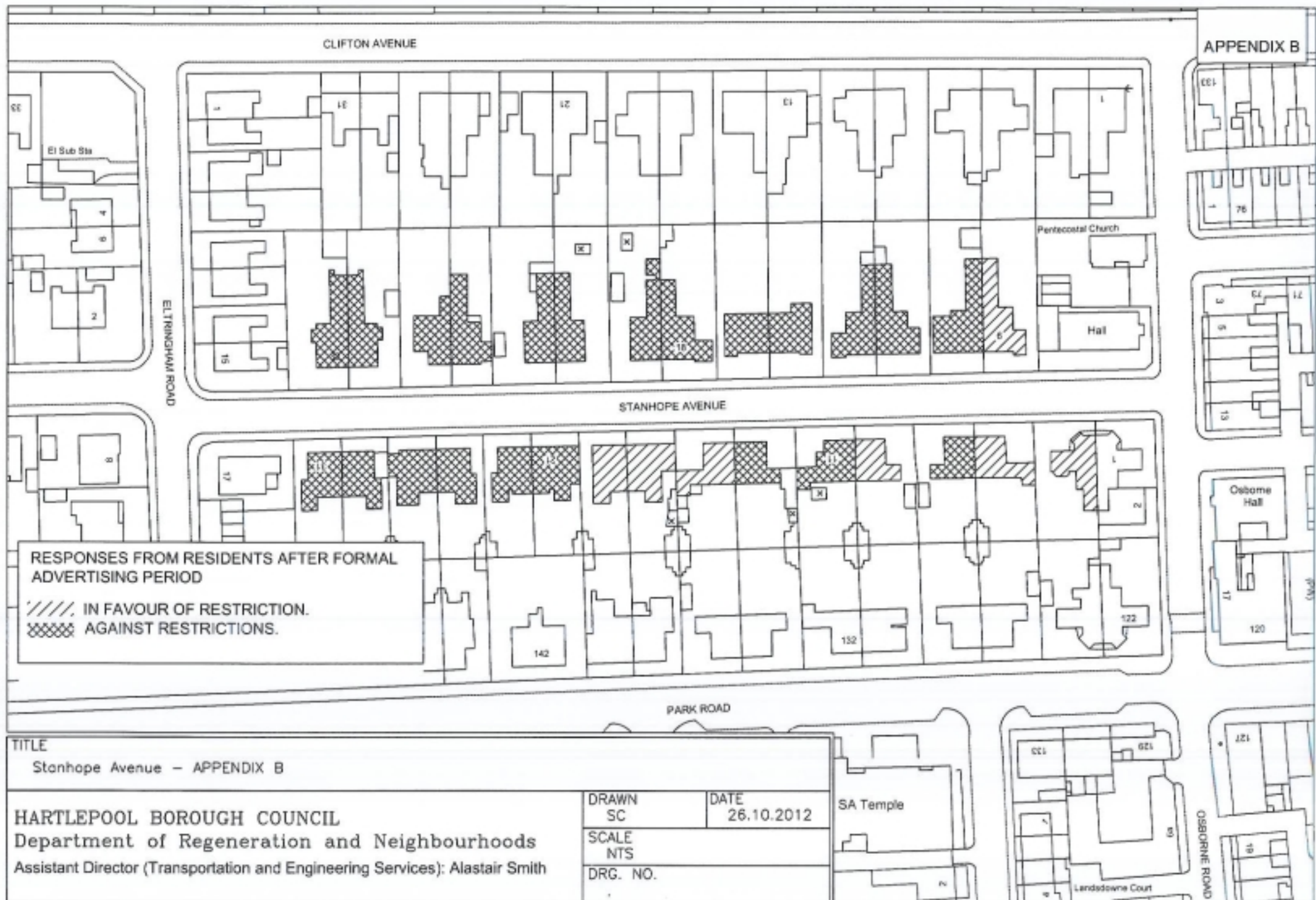
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## **REGENERATION AND NEIGHBOURHOODS PORTFOLIO**

Report to Portfolio Holder  
**16<sup>th</sup> November 2012**



**Report of:** Assistant Director (Transportation and Engineering)

**Subject:** PROPOSED 20mph LIMITS – ARGYLL ROAD/  
ABERDEEN ROAD AREA AND KIPLING ROAD  
AREA

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

1.1 Non-Key Decision

### **2. PURPOSE OF REPORT**

2.1 To seek approval for the implementation of 20 mph speed restrictions at the locations identified above.

### **3. BACKGROUND**

3.1 Requests were received from residents, via local Ward Councillors, for a 20 mph speed limit in both the “A block” area of Rossmere, and the Kipling Road area at Rift House.

The “A” block scheme includes Argyll Road, Arran Grove, Alloa Grove, Ayr Grove, Alva Grove and Aberdeen Road, while the Kipling Road scheme comprises Kipling Road, Gladys Worthy Close, Burns Avenue and Caxton Grove.

3.2 The introduction of these schemes would be road safety enhancements for the streets in question (as a large number of children live and play in these areas), in an attempt to reduce vehicle speeds.

Consultation letters were posted out on September 4<sup>th</sup> to all of the residents who would be affected by the proposed “A” block scheme, and

also to the Neighbourhood Manager and the 3 Ward Councillors. The consultation deadline date was September 17<sup>th</sup>. A total of 110 letters were sent to the residential addresses.

The consultation proved to be positively in favour of the proposal. A total of 40 resident responses were received (36.36% of 110 letters sent). From these replies, 37 were in favour, with 3 against (92.50% of responses received were in favour). There was also a reply from one Ward Councillor, who supported the proposal.

Consultation letters had also been sent to residents, local Ward Councillors and the Neighbourhood Manager, on August 16<sup>th</sup>, for people who would be affected by the Kipling Road area proposal. The consultation deadline was September 3<sup>rd</sup>. In total, 104 letters were sent to the residential addresses.

This consultation also proved to be positively in favour, with a total of 30 resident responses (29% from the 104 letters sent). Of these, 28 were in favour of the proposal (93% of the total responses received).

#### **4. LEGAL CONSIDERATIONS**

- 4.1 Should the schemes be approved, copies of the legal notices will be placed at the appropriate site locations and in the local press, as part of the statutory advertising process.

#### **5. FINANCIAL CONSIDERATIONS**

- 5.1 The 20mph limits would be identified by signage only, and would not include any additional traffic calming measures (such as speed humps etc.). Costs for the scheme would be met from existing Local Transport Plan budgets, which are estimated at around £2,000 (total for both schemes).

#### **6. EQUALITY AND DIVERSITY**

- 6.1 There are no equality or diversity implications.

#### **7. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

- 7.1 There are no implications under Section 17.



# **REGENERATION AND NEIGHBOURHOODS PORTFOLIO**

Report to Portfolio Holder  
16<sup>th</sup> November 2012



**Report of:** Assistant Director (Neighbourhood Services)

**Subject:** WARD JACKSON PARK FOUNTAIN  
REFURBISHMENT

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

Non Key- Decision

## **2. PURPOSE OF REPORT**

- 2.1 To inform the Portfolio holder of aspirations from the Park Residents Group regarding refurbishment of Ward Jackson Park Fountain.

## **3. BACKGROUND**

- 3.1 The Park is grade II listed on the English Heritage Register of Historic Parks and Gardens due to its special historic interest. Ward Jackson Park is also part of the Park Conservation Area.
- 3.2 The park was developed in memory of Ralph Ward Jackson, a local industrialist, who was one of the benefactors and founding fathers of West Hartlepool. Late in life he fell into financial troubles and a fund was set up by the townspeople in acknowledgement of what he had done for the area to support him. Following his sudden death, it was decided that the money should go to a public park to be named in his honour.
- 3.3 Opened in July 1883, to a design by the son of the Town Surveyor, Mathew Scott the park covers 7ha. There is a circular walk around the perimeter of the park which includes a bowling green, pond, bandstand and clock tower. The most recent addition to the park was a café and meeting place known as 'The Place in the Park'. These new buildings were part of the extensive restoration works which took place in the park in 2000 with grant assistance from the Heritage Lottery Fund.
- 3.4 The fountain is a grade II listed building located to the western side of the park near to the pond. Manufactured by Walter Macfarlane & Co of Glasgow the fountain was installed in the park in 1902 to mark Queen Victoria's

Diamond Jubilee. The fountain was refurbished as part of the works supported by the Heritage Lottery Fund mentioned above. The Parks & Countryside Section are of the understanding that the following works took place under the grant:-

#### Fountain

- Fountain dismantled and taken off site to specialist contractor's workshop (Dorothea Restoration Ltd), where existing parts were cleaned of paint and rust and prepared for redecoration. Some repairs were carried out such as cold stitching a crack to the large upper bowl. Missing elements were remade, principally the upper female figure.
- The fountain was redecorated including gilding.
- All elements brought back to site after site preparation and reassembled including water proof pond to base and internal plumbing completed.

#### On site

- Existing mains water supply to north side of fountain capped off.
- Plant installed in a chamber below ground between fountain and lake to provide water supply to the fountain and also to oxygenate the lake via circulation around the fountain.
- Surfacing of the area around the fountain to repair disturbed surface and provide an appropriate setting for the fountain.

3.5 Unfortunately the system circuits and pumps are contained underground and as such is susceptible to flooding. Over the years the system has been replaced to the cost of circa £25,000, unfortunately the site has flooded again which resulted in the power supply being isolated and since then the sump pump has stopped and the fountain no longer works. In order to get the fountain to full working significant investment is required.

## **4. PROPOSAL**

4.1 The Park Residents group have approached the Parks & Countryside section and are keen to take forward the potential restoration of the Fountain and determine the scope of works required. The residents group recognises the current financial position of the Council and is keen to start fund raising to raise sufficient funds to enable the capital works to be undertaken.

4.2 A number of municipal water feature companies have been approached and only one is in a position to provide a quote for works to the existing fountain, undoubtedly due to the problematic nature of quoting for works to such an old and historically significant structure.

4.3 Two proposals have been presented for consideration,

- a) To replace the equipment in the sump to return the system to working order as per the original design. Since the installation was first complete there have been no modifications to the surrounding water feature infrastructure and pipe work on site £20,000. This option would however leave the system susceptible to flooding as it would remain underground.

- b) To isolate the system from the pond, remove the existing pumps and control equipment and install a new system within the boat shed on site to provide complete functionality of the water feature. The controls and other equipment will be housed in the boat shed and only submersible equipment pipe-work will remain in the underground chamber. The pond inlet and outlet connections will be isolated so the water feature will run entirely on recycled water from the fountain itself, with a mains water top up sited in the boat shed to replace lost water. £60,000

This system would remove the majority of equipment from the underground chamber and place the new kit within the boat shed which is adequately protected for the elements and secure. The boat house will house the controls for the system in order to bring them above ground level and will as such reduce the risk of water damage.

An allowance for additional cold weather protection equipment, planning fees, electrical works to make the supply fit for use in the boathouse and a contingency should be considered for unforeseen problems, which would be circa 10% of the overall scheme.

## **5. RISK IMPLICATIONS:**

- 5.1 The risk of Legionella from fountains is high because of the aerosol effect, therefore in order to remove this risk the specification will include for the installation of a Brominator, or similar which introduces a biocide into the system. The Wesley Square fountain operates on the same principal. In addition to this during the summer months the water would be sampled and tested on a monthly basis by a specialist team within the authority.

## **6. FINANCIAL CONSIDERATIONS**

- 6.1 There are ongoing revenue implications which need to be factored in as part of the refurbishment of Ward Jackson Park of approx £1,500 per annum, which is a challenge during the current economic climate and will be considered by the Department.

## **7. LEGAL CONSIDERATIONS**

- 7.1 There are no legal considerations.

## **8. STAFF CONSIDERATIONS**

- 8.1 Staff training of on-site Parks & countryside staff would be required and provided as part of the project.

## **9. ASSET MANAGEMENT CONSIDERATIONS**

- 9.1 There is a wish to maximise our heritage assets, however this must be balanced with the cost of maintenance

**10. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 10.1 There are no equality or diversity implications.

**11. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

- 11.1 The final scheme will be designed with the reduction of crime and anti social behaviour in mind.

**12. RECOMMENDATIONS**

- 12.1 The Portfolio holder is asked to support the Park Residents association in its efforts to raise funds towards the refurbishment of Ward Jackson Park Fountain.

**13. REASONS FOR RECOMMENDATIONS**

- 13.1 The Council welcomes the local support and interest from Park Residents Association in the care, maintenance and development of Ward Jackson Park. It is reassuring to see a community group potentially interested in contributing time the time and support necessary to attract and secure the external funding need to fund this type of schemes, which due to the current financial climate, is not available to the Local Authority at this time.

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**8. RECOMMENDATIONS**

- 8.1 That, the proposed 20mph speed restrictions are implemented within the areas, as outlined in this report.

**9. REASONS FOR RECOMMENDATIONS**

- 9.1 To provide a significant road safety enhancement within these areas, following positive consultation exercises.

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

- 10.1 There are no appendices.

**11. BACKGROUND PAPERS**

- 11.1 There are no background papers.

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