

# **REGENERATION SERVICES COMMITTEE**

## **MINUTES AND DECISION RECORD**

8 MAY 2014

The meeting commenced at 9.30 am in the Civic Centre, Hartlepool

**Present:**

Councillor Robbie Payne (In the Chair)

Councillors: Councillors Christopher Akers-Belcher, Stephen Akers-Belcher, Kevin Cranney and Keith Dawkins.

Also Present: Councillor Cook.

Officers: Dave Stubbs, Chief Executive  
Denise Ogden, Director of Regeneration and Neighbourhoods  
Louise Wallace, Director of Public Health  
Damien Wilson, Assistant Director, Regeneration  
Tom Britcliffe, Planning Policy Team Leader  
Joanne Burnley, Principal Environmental Health Officer  
Gemma Day, Principal Housing Officer  
Maggie Heaps, Adult Education Coordinator  
Lynda Igoe, Principal Housing Advice Officer  
Nigel Johnson, Housing Services Manager  
Matthew King, Senior Planning Officer  
Antony Steinberg, Economic Regeneration Manager  
Pat Usher, Head of Sport and Recreation  
Patrick Wilson, Employment Development Officer  
Steve Hilton, Public Relations Officer  
David Cosgrove, Democratic Services Team

### **128. Apologies for Absence**

Councillors Keith Fisher and Dr George Morris.

### **129. Declarations of Interest**

None.

### **130. Minutes of the meeting held on 10 April 2014**

Confirmed.

## **131. Planning Obligations Supplementary Planning Document** *(Assistant Director, Regeneration)*

### **Type of decision**

Budget and Policy Framework.

### **Purpose of report**

The purpose of the report was to seek the permission of the Regeneration Committee to consult on the draft Planning Obligations Supplementary Planning Document (SPD).

### **Issue(s) for consideration by the Committee**

The Principal Planning Officer reported that this SPD provided guidance concerning the Local Authority's approach towards securing planning obligations associated with development within the Borough. To date Council Officers had relied upon Policy GEP9 of the Hartlepool Local Plan 2006 to draw down planning obligations (Using Section 106 Legal Agreements) from developments as part of the planning process. This Planning Obligations SPD used the principles underpinned in GEP9 as the policy basis for this document. A copy of the draft SPD was submitted with the report.

It was proposed that an eight week consultation exercise on the document be undertaken commencing on 23 May 2014.

Members questioned if there was a proposal to include the installation of sprinkler systems in new homes; it was known that no one had died in a fire in a building fitted with a sprinkler system. The officer indicated that Cleveland Fire Authority was one of the consultees and if they fed such a comment back, it would be considered as part of the process.

Members considered that a major issue within the document was the proposal that the affordable housing requirements of all new developments should be 27.5%. Members suggested that this figure was too high and placed the Council in a difficult position when negotiating with developers when historically there had been significant developments in the town where the affordable housing requirement had been much lower, and in some cases, nil. The Assistant Director, Regeneration stated that the Tees Valley Strategic Housing Market Assessment (2012) (SHMA) revealed a demand for affordable housing that suggested a requirement of 27.5% of all new developments to be that type of housing. This was a starting point for discussions with developers, however viability of each scheme based upon the deliverability and affordability of the specific development would be factors. Lower figures could be agreed but there needed to be a starting point and the SHMA provided an evidence based demand.

Members also questioned the length of the consultation period. The Principal Planning Officer stated that the statutory minimum was six weeks though the Council's own policy through the Statement of Community

Involvement recommended a minimum period of eight weeks.

### **Decision**

That the draft Planning Obligations Supplementary Planning Document be subject to an eight week consultation period, as reported, and that a report be submitted to a future meeting of the Committee setting out the results of the consultation and the proposed amendments to the SPD.

## **132. Charges for Housing Services** (*Assistant Director, Regeneration*)

### **Type of decision**

Key Decision test (i) applies. Forward Plan Reference No. RN 05/14.

### **Purpose of report**

The purpose of the report was to seek approval to introduce charges for some non-statutory services provided by Housing Services, introduce charges for undertaking works in default of legal notices served and to amend existing charges relating to the enforcement of housing standards under the provisions of the Housing Act 2004.

### **Issue(s) for consideration by the Committee**

The Principal Environmental Health Officer reported that Section 49 of the Housing Act 2004 gives local authorities the power to charge for certain enforcement activity in order to recover administrative and other expenses. This includes taking enforcement action. There was no limit placed on the amount that may be charged but it must be 'reasonable'. It could include the cost of carrying out an inspection, work associated with determining what action to take and actually taking the action.

In addition to the enforcement action taken under the provisions of the Housing Act 2004, enforcement action was also taken under the provisions of a number of other pieces of legislation (in most cases through the service of legal notices) where failure to comply could result in a number of outcomes, including arranging the necessary works in compliance with the notices. There were also a number of instances when action may be taken without the prior service of a legal notice.

It was proposed to introduce new charges as follows: -

- A charge of £100 plus VAT for the immigration inspection service and that this charge will be payable on application for a survey
- A flat rate charge of £300 be applied in relation to all enforcement action taken under the provisions of the Housing Act 2004, except when serving a hazard awareness notice under Section 28 or 29.
- Additional charges be added to the cost of any works that are carried out in default of legal notices of 20% or £20, whichever is the greater. This would relate to all notices, including those served under the provisions of Section 215 of the Town and Country Planning Act 1990,

and emergency action, for example taking emergency remedial action under Section 40 of the Housing Act 2004.

Members questioned who would pay the charges, the property owner or the tenant. The officer indicated that the person responsible for the property, owner or landlord, would be charged.

#### **Decision**

1. That a charge be introduced for carrying out inspections for immigration purposes of £100 plus VAT.
2. That a flat rate charge of £300 be applied for all enforcement action taken under the provisions of the Housing Act 2004, except hazard awareness notices served under Sections 28 or 29.
3. That an additional charge be made where the Council undertakes works in default of the person responsible and this will be 20% of the cost of the work or £20, whichever is the higher.
4. That interest be applied to the costs to be re-charged.

### **133. Selective Licensing** (*Assistant Director, Regeneration*)

#### **Type of decision**

Key Decision (test (i)/(ii) applies). Forward Plan Reference No. RN 03/14.

#### **Purpose of report**

To provide Members with the evidence relating to the feasibility of introducing a new Selective Licensing designation in the Borough, following the report considered by Committee on 5th December 2013.

The report also seeks approval to commence the consultation process, based on Option 2 of the report, for a minimum of ten weeks, with all stakeholders who are likely to be affected by the proposed Selective Licensing designation.

#### **Issue(s) for consideration by the Committee**

The Principal Housing Officer reported that the Working Group, established by this Committee to explore options in terms of proceeding with Selective Licensing in the town, eliminated 'Borough wide licensing' as a viable option during the group's preliminary considerations, and had focused on the 'Licensing of priority wards' in Hartlepool.

The original designation came to an end on 30th April 2014, however, a substantial number of licences will remain in force well beyond this date. There were currently almost 700 licences in force, although it should be noted that there are a number of licences which have been granted and subsequently revoked for various reasons. The Council offers support and guidance to all licensees to assist them to comply with the licence conditions in the first instance, however, the Council is empowered to take formal enforcement action against anyone who is deemed to have operated outside the prescribed requirements of the scheme.

In order to satisfy the required conditions, set out in the Housing Act 2004, sufficient evidence must be presented. The Act provided a discretionary power for local housing authorities to declare a Selective Licensing Scheme providing there was robust evidence in relation to the area, to satisfy one or both of the prescribed general conditions relating to low housing demand and anti social behaviour.

Other considerations that needed to be taken in to account when looking at the introduction of a Selective Licensing scheme included:

- Ensuring the exercise of power was consistent with the overall Housing Strategy;
- Considering whether there were any alternative courses of action available to address the problems; and
- Ensuring that making the designation would significantly assist in achieving the objectives alongside any other courses of action.

When deciding if an area was suffering from, or likely to become, an area of low housing demand, the Act required local housing authorities to consider the following factors:

- The value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority considers to be comparable (whether in terms of type of housing, local amenities, availability of transport).
- The turnover of occupiers of residential premises (in both rented and bought sectors).
- The number of residential premises which are available to buy or rent, and the length of time for which they remain unoccupied.

Other factors that should also be considered include:

- A lack of mixed communities in terms of tenure for example, a high proportion of rented property, low proportion of owner occupied properties.
- A lack of local facilities for example, shops closing down.
- The impact of the rented sector on the local community for example, poor property condition, anti social behaviour etc.
- Criminal activity.

The options appraisal set out in the report showed that there was minimal evidence to support the introduction of a blanket Selective Licensing Scheme that would cover every licensable property across an entire ward (Option 1). Option 2: the introduction of Selective Licensing in distinct streets and areas of the priority wards was the alternative approach suggested by the Working Group. Although this proposed designation would be larger than the scheme that came to an end in April 2014 (estimate 1,663 licensable households based on Census Output Area (COA) data, 2011), it was a significantly reduced scheme to Option 1 and

would enable the resources available to be directed more appropriately to areas of most need within the target wards. At this stage the Committee was only requested to approve Option 2 for consultation. Detailed appendices to the report included maps showing the suggested areas for designation under Option 2.

On analysis of the relevant data, to date, the proposed new designation would be made in response to problems associated with low housing demand, as the anti social behaviour designation criteria could not be substantiated. There was no single anti social behaviour data set readily available to demonstrate that anti social behaviour emanated from or was directly correlated to poorly managed properties in the private rented sector. The absence of a comprehensive data base of privately rented properties had been a significant barrier with regards to the exercise.

To complement Option 2, the report also sought an endorsement from Members to explore options for the introduction of a Voluntary Register / Registration Scheme. The scheme would target education and enforcement measures and run alongside a Selective Licensing Scheme in surrounding areas that had some issues, although less serious and not so highly concentrated.

The Chair welcomed the comprehensive report and requested that a further report on the result of the consultation exercise be submitted to the Committee at the end of the consultation period.

#### **Decision**

1. That Option 2 (introduce Selective Licensing in distinct streets and areas of the priority wards) be endorsed as the option for further exploration;
2. That approval be given to commence the required public consultation on the proposed areas (Option 2), to include the proposed licence fees and conditions, in line with the timetable proposed in the report;
3. That further work be undertaken to explore the options surrounding the introduction of a Voluntary Register / Registration Scheme; and
4. That a report be submitted to the Committee following the consultation period setting out details of the comments received with a final 'Proposal to Designate a Selective Licensing Scheme', being reported in December 2014, as proposed in the report.

### **134. Local Plan Issues and Options Public Consultation Document** (*Assistant Director, Regeneration*)

#### **Type of decision**

Budget and Policy Framework.

#### **Purpose of report**

The purpose of the report was to seek permission from Regeneration Services Committee to consult on the Issues and Options Consultation

Document for a period of eight weeks.

### **Issue(s) for consideration by the Committee**

The Planning Policy Team Leader reported that the Issues and Options Stage was the first stage in the production of a new Local Plan for Hartlepool. The aim of this stage was to seek public thoughts and open the debate on what kind of place residents, businesses and all other stakeholders want Hartlepool to be in the future. Specifically it would focus on the most appropriate locations for development to occur over the next 15 years.

This stage of the process of the development of the new Local Plan for Hartlepool had been brought forward two months from the date originally reported to the Committee. The consultation period for the Issues and Options would last for eight weeks and would run from May until July. Once completed, there would be analysis of the feedback and this, along with the various pieces of evidence base work which were currently being undertaken, would inform the development of the Preferred Options Document for consultation in January 2015.

In order to fully involve the community and other interested stakeholders and to provide meaningful feedback from the consultation it is envisaged that a range of public consultation methods would be used, including:

- A launch day, anticipated to be held at the Historic Quay which could involve a mixture of presentations, informal question and answer sessions and displays. This would involve direct invites similar to the launch of the Hartlepool Vision.
- Copies of the documents made available at the Civic Centre
- A statutory notice in the Hartlepool Mail
- A local press release
- Your town, Your say e-consultation
- Use of the Council's Twitter and Facebook pages
- Reference on the Planning Policy section on the Council's website
- Letters to Parish Councils
- Letters to statutory consultees and other stakeholders
- Individual meetings with community groups, organisations and other interested parties at their request
- Displays in the town centre or supermarkets

Members welcomed the report, particularly the bringing forward of this stage of the Local Plan development by two months. Members were concerned that as many local residents and stakeholders were involved in the consultation process as possible. There was also concern that with so many major issues being subject to consultation at the same time, the authority may be over-loading residents with consultation exercises. The Assistant Director, Regeneration indicated that there would be consolidation of consultation events where possible to achieve the maximum feedback. The internet would be used to a much greater extent and officers would be working with the Public Relations team to get press releases issued after

the meeting and at appropriate points throughout the consultation process.

**Decision**

That approval be given to an eight week public consultation on the Issues and Options Consultation Document, as reported, and that a report be submitted to a future meeting of the Committee setting out the results of the consultation exercise.

**135. Update on Hartlepool Youth Investment Project**  
(Assistant Director, Regeneration)

**Type of decision**

For information only.

**Purpose of report**

The purpose of the report was to update members on the progress of the Hartlepool Youth Investment Project.

**Issue(s) for consideration by the Committee**

The Employment Development Officer reported that the Hartlepool Youth Investment Project (HYIP) was the over-arching key strategic project in Hartlepool, which brought together all key partners such as schools, colleges, work-based learning providers, Jobcentre Plus, National Apprenticeship Service, voluntary sector and, critically, employers. The project commenced in September 2012 and would be delivered to September 2015. However, the project would extend beyond this time as it was now fully established and new targets would be set after this period.

The report set out details of progress to date including progress against targets, future activities and opportunities, data review and the impact on child/family poverty.

Members welcomed the report and congratulated officers on the further reduction in youth unemployment reported at the meeting of 5.5%. Members considered that the involvement of schools and employers were key to the future employability of young people in Hartlepool. There was a mismatch between the direction of pupils in schools and the jobs available and the needs of employers in the town. There needed to be a realistic matching of educational aspirations and employment needs. The progress being made under the reported schemes were an excellent reflection of how that could be achieved and was one of the best good news stories to come out of the Council in many years.

Members questioned why only 126 employers had been contacted so far in the programme. The Officer indicated that employers were targeted for engagement in this programme. This was only one part of the Hartlepool Employer Core Offer that was promoted by the council. The Director of Regeneration and Neighbourhoods commented that the Core Offer reflected the level of working together across departments and teams in



meeting the aspirations of Members. Together with the Director of Child and Adult Services, the Director indicated that she had met with the head teachers of the secondary schools in the town to look at how the curriculum could be focussed towards educating young people to meet the needs of the employment market. The Vice-Chair commented that he believed that education should also incorporate teaching young people the entrepreneurial skills that could lead them into starting their own businesses. The Vice-Chair commented that he wished to look at the creation of a small fund to encourage young people to develop small entrepreneurial projects around the World War 1 Centenary.

The Chair indicated that the whole economic regeneration team should be congratulated on their hard work which was reflected in the excellent outcomes highlighted in the report.

#### **Decision**

That the report be noted.

### **136. Economic Regeneration Quarterly Update** (*Assistant Director, Regeneration*)

#### **Type of decision**

For information only.

#### **Purpose of report**

To update Members on the work of the Economic Regeneration Team (ERT). Being the first quarterly report submitted to committee, the report covered a significant amount of additional background information.

#### **Issue(s) for consideration by the Committee**

The Economic Regeneration Manager updated the Committee on the work of the Economic Regeneration Team including its key activities over the past quarter.

Members suggested that a wider circulation of the work of the Economic Regeneration Team was warranted in light of the excellent results, particularly in terms of youth unemployment. The Chair indicated that the Committee has been positive in its support of the work undertaken by the division in supporting the economic regeneration of the town. Members echoed the Chair comments with references to businesses that had been established and supported by the Economic Regeneration Team.

Members noted the support given to new businesses and the statistics from HMRC in terms of business start-ups and asked if there were statistics on the numbers of businesses that had been supported but still failed and any that had failed and then the people behind them had come back with a new business venture seeking Council support. The Economic Regeneration Manager commented that the statistics on business 'births and deaths' came from the HMRC and was a simple statement of the numbers

registered with them. There was no specific measure to monitor business failures coming back for further support from the Council; the individual officers who provided the support entered details onto a client management system which all the team had access to. Often businesses were forced into closure through no fault of their, own mainly because of bad debts, and support would potentially be available for a new venture.

Members questioned the budget allocation to Tees Valley Unlimited (TVU). The Director of Regeneration and Neighbourhoods stated the figure was based on population. The Chief Executive added that Hartlepool had to recognise that it punched well above its weight in terms of economic regeneration. Economic Regeneration had to be seen on a regional and sub-regional basis now, particularly with the new Local Enterprise Partnership (LEP). Hartlepool benefitted even when the jobs were not directly created here.

The Chief Executive added that TVU was a much slimmer, focussed organisation than in the past. The money to support TVU came directly from Council funds and was a lot less than had been paid in the past. Consideration had been given to the funding during the budget discussions but the gains were considered to be much more than the expenditure.

#### **Decision**

That the report be noted.

### **137. Quarterly Report – Adult Education** (*Assistant Director, Regeneration*)

#### **Type of decision**

For information only.

#### **Purpose of report**

This report provides an update on the activities of the Adult Education service from the beginning of the academic year 2013-2014 until the end of March 2014.

#### **Issue(s) for consideration by the Committee**

The Adult Education Coordinator provided the Committee with an update of the performance of the Adult Education Service. The report showed that the number of enrolments to the end of the quarter had totalled 1632. The report set out a breakdown of those numbers together with detailed updates covering; Adult Skills, Community Learning, Provision funded by the Education Funded Agency (EFA), Tees Valley Workforce Skills, Enterprise Provision, Support and Information, Advice And Guidance Services.

Members questioned the Enterprise Programme which provided activities to employers at full cost and whether Work Skills funding could be utilised. The Adult Education Coordinator indicated that Workforce Skills funding

only applied to small to medium size enterprises (SME's). Members also asked if with the growing numbers of unemployed coming forward, was duplication with training provided through Job Centre Plus and other schemes avoided. The Adult Education Coordinator assured Members that duplication of training was monitored and avoided whenever possible.

Members asked for future reports to include details of the numbers in receipt of one-to-one support from the service. The Adult Education Coordinator indicated that the numbers were quite small but would be included in future reports.

**Decision**

That the report be noted.

**138. Quarterly Update Report for Planning Services  
January-March 2013/2014** (*Assistant Director, Regeneration*)

**Type of decision**

For information only.

**Purpose of report**

To update the Regeneration Services Committee on performance and progress across the key areas of Planning Services for the fourth quarter of 2013/2014.

**Issue(s) for consideration by the Committee**

The Planning Policy Team Leader updated the Committee on performance across the division for the last quarter including details on Development Control, Planning Policy, Landscape Planning and Conservation and Tees Archaeology. The statistics for the Development Control Service were highlighted with 97.89 % of planning applications for the quarter being approved. In terms of the performance for the year 96.42 % of all planning applications were approved which placed the performance as the highest in the North East Region. Members welcomed the report and commented that it revealed the excellent level of performance being given by officers within the service.

**Decision**

That the report be noted.

**139. Sport and Recreation Service – Options Appraisal  
Update** (*Director of Public Health*)

**Type of decision**

For information only.

**Purpose of report**

The purpose of the report was to update Committee on the progress made

with the work being carried out to investigate the potential options for alternative management and delivery arrangements for the Council's Sport and Recreation service and assess these in comparison to continuing the current in-house arrangements. Details of the assessment work to date were given as well as an early indication of the initial response from potential operators within the leisure market.

### **Issue(s) for consideration by the Committee**

The Head of Sport and Recreation reported that in the period 2011/12 to 2014/15, the service had reduced its cost to the Council and had achieved savings and efficiencies amounting to £685,000 in total. For the current financial year (2014/15), the net operational budget for the service amounted to £1.369m, excluding support services costs. However, this level of budget reduction was no longer sustainable and the continuing financial challenge coupled with the need for investment in the facilities means finding innovative ways of continuing to deliver services. A range of options were available and these include using alternative delivery models if these services are to remain.

As part of the exploration of the options available, it was evident that there were several different models of service with variations in the extent to which each departs from the more traditional and current model of "in-house" management. It was important, therefore, that these were properly considered via a rigorous options appraisal process to find the approach that Members consider are best suited to providing optimal value for money whilst still meeting the Council's strategic priorities.

Given the potential value and complex nature of any future contractual arrangements, specialist independent advisors, Max Associates, were appointed by the Council in February 2014 to undertake an initial Options Appraisal review. This was to assist the Council in the appraisal of a range of options and, potentially, the procurement strategy to follow.

It was anticipated that a further report would be prepared for consideration by the Committee within the forthcoming weeks on the Options Appraisal review.

### **Decision**

That the report be noted.

## **140. Planning Peer Challenge** (*Director of Regeneration and Neighbourhoods*)

### **Type of decision**

For information only.

### **Purpose of report**

To inform Members of the findings from the recently conducted Planning Peer Challenge.

### **Issue(s) for consideration by the Committee**

The Assistant Director, Regeneration reported that in January of this year, Members of this Committee received a report entitled 'Planning Peer Challenge' which explained the impacts on the Council's Planning Service as a consequence of retrospectively introduced planning performance measures emanating from the Government's 2012 'Planning Performance and the Planning Guarantee' consultation paper.

As a consequence, contact was made by Officers of the Council with the Planning Advisory Service (PAS) to seek advice and guidance on improving performance. The Planning Peer Challenge took place between the 18th and 20th February 2014 and was delivered by a team consisting of people from the PAS, the Local Government Association, along with Peer officers and Members from other Local Authorities experienced in carrying out Peer reviews. Others involved in the review included Members from across the Council, Members of the Planning Committee, Planning Services users, senior managers, Planning Officers and other Officers from across the Council.

The full Peer Challenge Report was submitted as Appendix 1 to the report which included an Executive Summary of the findings and highlighted the key recommendations from the Peer Challenge Team. The Assistant Director stressed that except for the correction of two minor typing errors, the report was as submitted by the Peer Review Team.

Also submitted as Appendix 2 to the report was a draft Action Plan which provided information on proposed timescales for implementing the recommendations, along with details on the lead officers/Member responsible for delivery. It was stressed, however, that this was a draft Action Plan and may be subject to change once the Action Planning Day takes place, which will be led by the PAS.

The Assistant Director commented that the Peer Review report was a good news item that showed the performance of the Development Control Team in a very positive light. Many of the issues set out in the action plan had already been implemented and Members would be informed of any amendments following the discussions with the Peer Review Team on the action plan.

The Leader commented that the Peer Review report showed that some of the adverse comments levelled at Planning Officers were totally unwarranted and without foundation. A press release correcting some of the accusations of delays and political interference was needed. The officers in the service should be commended for their excellent service and their reputation reinstated.

The Chief Executive supported the Leader's comments. The Peer Review showed that while not perfect, the service offered by the Council works well and provides the public with a good level of service. The Chief Executive

supported the issuing of a press release to right some of the very incorrect statements that were being made about the Council and its planning service. The Chair of the Planning Committee endorsed the comments and added that some of the personal attacks on officers were now shown to be totally unwarranted.

Members noted that within the action plan there was a proposal to reduce the number of members on the Planning Committee, which had been included with the recent Constitution Review. However, the removal of the facility for Members to appoint substitutes for Planning Committee was questioned and it was proposed that this be reconsidered by Council. The Chief Executive indicated that the substitutes issue had been considered by the Chief Solicitor as part of the review and he had considered the removal of substitutes to be appropriate.

### **Decision**

1. That the report be noted and welcomed and that an appropriate press release be issued setting out the conclusions of the Peer Review.
2. That the Action Plan be approved, subject to any amendments following the Action Planning Day meeting with the Peer Review group which would be the subject of a further report to the Committee if necessary.

## **141. Chairman's Closing Comments**

As this was the final meeting of the Committee in the current Municipal Year, the Chairman thanked Members for their attendance and input at meetings during the year. The Committee had made a positive contribution to the work of the department and the Council and Members should be commended for their role.

The Chair also thanked the all the officers and the Democratic Services support for their dedicated input into the work of the Committee which was reflected in the excellent statistical and other outputs reported to the Committee during the year.

The meeting concluded at 11.25 am.

**P J DEVLIN**

**CHIEF SOLICITOR**

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