

# REGENERATION SERVICES COMMITTEE AGENDA



**Friday 13 January 2017**

**at 9.30 am**

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

MEMBERS: REGENERATION SERVICES COMMITTEE

Councillors S Akers-Belcher, Barclay, Cranney, Hunter, Lindridge, Loynes and Thompson

**1. APOLOGIES FOR ABSENCE**

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

**3. MINUTES**

- 3.1 Minutes of the meeting held on 2 December 2016 (*previously circulated and published*)

**4. BUDGET AND POLICY FRAMEWORK**

No items.

**5. KEY DECISIONS**

- 5.1 Housing Services Enforcement Policy – Consultation on Draft Policy – *Assistant Director, Economic Growth and Regeneration*
- 5.2 Raby Estate – Potential Compulsory Purchase Order – *Assistant Director, Economic Growth and Regeneration*



**6. OTHER ITEMS REQUIRING DECISION**

- 6.1 Local Development Framework Authorities Monitoring Report 2015/16 –  
*Assistant Director, Economic Growth and Regeneration*

**7. ITEMS FOR INFORMATION**

- 7.1 Update on Youth Employment Initiative Programme – *Assistant Director,  
Economic Growth and Regeneration*

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

**FOR INFORMATION:**

Date of next meeting – Friday 10 February 2017 at 9.30 am in the Civic Centre,  
Hartlepool.



# REGENERATION SERVICES COMMITTEE

13 January 2017



**Report of:** Assistant Director, Economic Growth and  
Regeneration

**Subject:** HOUSING SERVICES ENFORCEMENT POLICY –  
CONSULTATION ON DRAFT POLICY

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

Key Decision test (i) and (ii) Forward Plan Reference No. RN 08/16

## 2. PURPOSE OF REPORT

- 2.1 The purpose of the report is to seek approval to undertake consultation on an updated existing Housing Services Enforcement Policy which provides a summary of the current legal powers available to the Council when dealing with housing standards, empty properties, licensing of houses in multiple occupation, selective licensing, statutory nuisance and protection of tenants and sets out the way in which those legal powers are enforced.

## 3. BACKGROUND

- 3.1 The previous Housing Services Enforcement Policy was approved in October 2011 and whilst the principles of good enforcement remain the same, there have been some procedural changes as well as the introduction of new powers and sanctions which needed to be incorporated into the policy.
- 3.2 The purpose of the policy is to explain clearly the approach of Housing Services towards enforcement. It provides guidance to enforcement officers, businesses, consumers and the general public on the range of options that are available to achieve compliance with the legislation that we enforce.
- 3.3 The aims of the enforcement policy are to:
- ensure that the law is enforced in a fair, equitable and consistent manner;
  - assist authorised officers to make informed decisions as to appropriate enforcement action at an early stage;
  - help businesses and individuals understand our actions;

- raise general awareness of the powers available;
  - raise housing standards
- 3.4 The policy sets out the enforcement options available to the Council ranging from informal advice through to prosecution. In accordance with the policy, the most appropriate action will be selected depending on the circumstances of the case but as a general rule the Council would always seek to use informal action in the first instance. Depending upon the circumstances, enforcement action may be taken against the owner, landlord, letting agent, managing agent, occupier or (in the case of statutory nuisance) the person responsible for the nuisance.
- 3.5 The policy applies to the whole range of enforcement activities undertaken by Housing Services which includes:
- Housing Standards
  - Empty Dwellings
  - Licensing of Houses in Multiple Occupation (HMOs) and Other Residential Accommodation (Selective Licensing)
  - Protection of Tenants
  - Statutory Nuisance
  - Private Drainage
- 3.6 General enforcement options available include:
- Service of legal notice
  - Refusal, suspension or revocation of a licence/permit
  - Simple caution
  - Prosecution
  - Penalty Charge Notices
- 3.7 Since the previous policy was prepared, the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 and the Redress Schemes for Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 introduced new requirements to protect tenants and property owners. These introduced a new sanction of issuing fixed penalty charges for some new offences which is a significant departure from traditional powers such as serving legal notices and prosecution. The legislation introduced sets out processes to be followed and sets out maximum fine levels; however, the Council has discretion when imposing penalty levels.
- 3.8 The Housing and Planning Act 2016, which received Royal Assent in May 2016, introduces a wide range of new measures designed to tackle rogue landlords and property agents including:
- Banning orders for most prolific offenders
  - Database of rogue landlords/property agents
  - Civil penalties of up to £30,000
  - Extension of Rent Repayment Orders
  - Tougher Fit and Proper Person test for landlords
  - Tenancy Deposit Protection Scheme data sharing

- 3.9 The Act also introduces:
- A new mechanism allowing landlords to legally recover abandoned properties without needing to go to court
  - Powers on electrical safety and client money protection
- 3.10 The Department for Communities and Local Government (DCLG) will be producing guidance and regulations covering the full package of measures introduced by the 2016 Act. Many of the measures will undergo rigorous consultation before regulations come into force. New measures are expected to be in force by October 2017.
- 3.11 Approval was given by the Neighbourhoods Services Committee on 28 September 2015 to transfer the lead role for enforcement of the Unauthorised Encampments Policy from Housing Services to the Community Safety Engagement team and the updated enforcement policy has been updated to reflect this change.
- 3.12 The Department for Business Innovation and Skills Better Regulation Delivery Office published a Regulators' Code in 2014 which regulators must have regard to when developing policies and operational procedures that guide their regulatory activity. This code and associated guidance has been used to develop the updated Housing Services Enforcement Policy. The code sets out that regulators should, amongst other things, consider the impact on business and business representatives before changing policies.

#### 4. PROPOSALS

- 4.1 It is proposed that consultation on the updated Housing Services Enforcement Policy attached in **Appendix 1** is carried out over an eight week period commencing 20 January 2017. The consultation will be available on the Council's website and will be promoted through social media. In addition to this, direct contact will be made with a database of landlords and letting agents, advice agencies and Elected Members.
- 4.2 It is proposed that further changes to the policy will be made as and when secondary legislation is introduced and that these changes will be made under authority delegated to the Director of Regeneration and Neighbourhoods, in consultation with the Chair and Vice Chair of the Regeneration Services Committee. Where changes may have a significant impact, such as the level of Civil Penalties, separate reports will be presented to Committee as appropriate.

#### 5. RISK IMPLICATIONS

- 5.1 There are no risk implications attached to this report.

**6. FINANCIAL CONSIDERATIONS**

- 6.1 There are no financial considerations.

**7. LEGAL CONSIDERATIONS**

- 7.1 The principles of enforcement across Housing Services are set out in the policy.

**8. CHILD AND FAMILY POVERTY**

- 8.1 There are no child and poverty impact implications attached to this report.

**9. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 9.1 There are no equality and diversity considerations relating to this report

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

- 10.1 There are no Section 17 considerations relating to this report.

**11. STAFF CONSIDERATIONS**

- 11.1 There are no staff considerations relating to this report.

**12. ASSET MANAGEMENT CONSIDERATIONS**

- 12.1 There are no asset management considerations attached to this report.

**13. RECOMMENDATIONS**

- 13.1 It is recommended that the updated Housing Services Enforcement Policy is noted and approval given to commence consultation.
- 13.2 That any further changes to the policy will be made as and when secondary legislation is introduced and that these changes will be made under authority delegated to the Director of Regeneration and Neighbourhoods, in consultation with the Chair and Vice Chair of the Regeneration Services Committee.

## **14. REASONS FOR RECOMMENDATIONS**

- 14.1 The current Housing Services Enforcement Policy is out of date and requires updating, and consultation with key stakeholders is deemed necessary.
- 14.2 There are upcoming changes in legislation which will require further amendments to the policy.

## **15. BACKGROUND PAPERS**

- 15.1 Regulators' Code, Department for Business Innovation & Skills, Better Regulation Delivery Office, April 2014  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/300126/14-705-regulators-code.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf)
- 15.2 Regulators' Code Section 6: Local Authority Toolkit
- 15.3 The Code for Crown Prosecutors, CPS, January 2013  
[https://www.cps.gov.uk/publications/docs/code\\_2013\\_accessible\\_english.pdf](https://www.cps.gov.uk/publications/docs/code_2013_accessible_english.pdf)

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# Hartlepool Borough Council

## Housing Services

## Enforcement Policy



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## **1. Introduction**

### **1.1 Purpose of the Policy**

The purpose of this policy is to explain clearly the approach of the Council's Housing Service towards enforcement. It provides guidance to enforcement officers, businesses, consumers and the general public on the range of options that are available to achieve compliance with the legislation that we enforce.

The aims of the enforcement policy are to:

- ensure that the law is enforced in a fair, equitable and consistent manner;
- assist authorised officers to make informed decisions as to appropriate enforcement action at an early stage;
- help businesses and individuals understand our actions; and
- raise general awareness of the powers available.

### **1.2 Scope and meaning of 'Enforcement' and 'Duty Holder'**

This policy applies to the whole range of enforcement activities undertaken by Hartlepool Borough Council's Housing Services, including -

- Housing Standards
- Empty Dwellings
- Licensing of Houses in Multiple Occupation (HMOs) & Other Residential Accommodation (Selective Licensing)
- Protection of Tenants
- Statutory Nuisance
- Private Drainage

A summary of the legislation enforced by Housing Services is attached at **Appendix 1**.

'Enforcement' in the context of this policy, includes action taken by officers aimed at ensuring that individuals or businesses comply with the law.

The term 'enforcement' therefore has a wide meaning and applies to all dealings between the Council and those upon whom the law places responsibilities; i.e. the duty holder. It is not limited to formal enforcement action such as prosecution, but can include a range of interventions that seek to achieve compliance with the law, such as the provision of advice.

Within the context of this policy the term 'duty holder' applies to all individuals or corporate bodies who have a statutory duty under any of the legislation enforced by Housing Services e.g. private landlords, letting agents, proprietors and licence holders and, in respect of statutory nuisance, members of the public.

### **1.3 Legal Status of the Enforcement Policy**

This policy is intended to provide guidance for officers, businesses, consumers and the public. It is not in itself a statement of law and does not affect the discretion of the Council to take legal proceedings where this is considered to be in the public interest.

### **1.4 General Principles**

This policy is written in accordance with the Government's 'Better Regulation Agenda'. Specifically, it implements good practice recommended by the Regulators' Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006 and other relevant guidance.

Each case is unique and will be considered on its own merits. However, there are general principles that apply to the way each case must be approached. These are set out in this Policy, departmental procedures and in the Regulators' Code.

Decisions on enforcement action are taken in accordance with the principles set out by the Macrory Review, which expects policies to:

- aim change the behaviour of the offender;
- aim to eliminate any financial gain or benefit from non-compliance;
- be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction;
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by regulatory non-compliance, where appropriate; and
- aim to deter future non-compliance.

All enforcement decisions will be fair, independent and objective. They will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source.

The Council will employ the services of interpreters and use such other means as necessary to help enable effective communication.

We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision to take formal action. This may include actual harm or loss or the impact on the well being of the individual or animal, or potential or actual harm to the environment.

All enforcement activities, including investigations and formal actions, will always be conducted in compliance with the statutory powers of the officer and all other relevant legislation. This legislation includes, but is not limited to, the Police and Criminal Evidence Act 1984, the Criminal Procedure and Investigations Act 1996, the Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000 and in accordance with any formal procedures and Code of Practice made under this legislation in so far as they relate to our enforcement powers and responsibilities.

This policy aims to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens, in accordance with the Regulators' Code. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

## **2. Principles of Good Enforcement**

### **2.1 Principles of Good Regulation**

The Legislative and Regulatory Reform Act 2006, Part 2, requires Hartlepool Borough Council to have regard to the Principles of Good Regulation when exercising a specified regulatory function<sup>1</sup>. For local authorities, the specified functions include those carried out by housing services.

We will exercise our regulatory activities in a way which is:

- (i) Proportionate – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence;
- (ii) Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures;
- (iii) Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where communications are similar, we will endeavour to act in similar ways to other local authorities;
- (iv) Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return; and
- (v) Targeted – we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.

The Council places great importance on the consistent use of enforcement action and does not set itself numerical targets for prosecutions or the service of statutory notices. Enforcement is distinct from civil claims for compensation and is not undertaken in all circumstances where civil claims may be appropriate, or to assist such claims.

Fair and effective enforcement is essential to protect the health and safety and economic interests of the public, businesses and the environment. Decisions about enforcement action, and in particular the decision to prosecute, have serious implications for all involved.

Housing Services will apply this policy to ensure that:

- Decisions about enforcement action are fair, proportionate, risk-based and consistent;
- Officers apply current Government guidance and relevant codes of practice; and
- Everyone understands the principles which are applied when enforcement action is considered.

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<sup>1</sup> Specified by the Legislative and Regulatory Reform (Regulatory Functions) Order 2007, available at [www.legislation.gov.uk](http://www.legislation.gov.uk)

## **2.2 The Regulators' Code**

Hartlepool Borough Council has had regard to the Regulators' Code, in the preparation of this policy. In certain circumstances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

## **2.3 Human Rights Act 1998**

Hartlepool Borough Council is a public authority for the purposes of the Human Rights Act 1998. We will, therefore, apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This policy and all associated enforcement decisions take account of the Human Rights Act 1998. The rights most relevant to enforcement are those set out in Article 6 (which provides that everyone is entitled to a fair and public hearing), Article 8 (which provides that everyone is entitled to respect for their private and family life, home and correspondence) and Article 1 Protocol 1 (protection of property).

## **2.4 Data Protection Act 1998**

Where there is a need for Hartlepool Borough Council to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1998.

## **2.5 The Code for Crown Prosecutors**

When deciding whether to prosecute, Hartlepool Borough Council has had regard to the Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases. The Code sets out two tests that must be satisfied, commonly referred to as the 'Evidential Test' and the 'Public Interest Test':

- a) Evidential Test – is there enough evidence against the defendant?

When deciding whether there is enough evidence to prosecute, Hartlepool Borough Council will consider what evidence can be used in court and is reliable. We must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each alleged offender.

- b) Public Interest Test – is it in the public interest for the case to be brought to court?

Hartlepool Borough Council will balance factors before and against prosecution carefully and fairly, considering each case on its merits. The public interest factors that we will take into account are detailed under the enforcement options available to us in section 3.

## **2.6 Working in Partnership**

Where appropriate, enforcement activities within Housing Services will be co-ordinated with other regulatory bodies and enforcement agencies, both within and outside the Council. In this way, we will seek to maximise the appropriateness and effectiveness of any enforcement and have an integrated approach to problem solving.

## **2.7 Authorisations and Indemnification of Officers**

All appointed officers will be properly authorised and act in accordance with our policy and the scheme of Delegation contained in the Council's Constitution. We will ensure that enforcement officers are suitably trained and competent for the purpose of enforcing Housing functions.

The final decision on whether to prosecute in all cases will be made by the relevant Head of Service or Assistant Director.

The Council will indemnify authorised inspectors against the whole of any damages and costs or expenses provided they act honestly, within their powers and not against instructions/operating procedures.

Only authorised inspectors that have been indemnified by the Council will take enforcement action and exercise their statutory powers.

## **2.8 Conduct of Investigations**

All investigations will be carried out under the following legislation and in accordance with any associated guidance or codes of practice, in so far as they relate to Housing Services:

- the Police and Criminal Evidence Act 1984
- the Criminal Procedure and Investigations Act 1996
- the Regulation of Investigatory Powers Act 2000
- the Criminal Justice and Police Act 2001
- the Human Rights Act 1998

These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

Our authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice.

### **3. Enforcement Action**

#### **3.1 Enforcement Options**

##### **3.1.1 Advice, Guidance and Support**

We will take a balanced approach to enforcement, using compliance advice, guidance and support as a first response in the case of many breaches of legislation that are identified. Advice is provided, sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action.

Decisions about the most appropriate enforcement action to be taken are based upon professional judgement, legal guidelines, statutory codes of practice and priorities set by the Council and/or Central Government.

Decisions will take account of the following:

- the nature and seriousness of the offence;
- any obstruction on the part of the offender;
- the past history of the offender(s);
- in the case of a new business, an assessment of the duty holder's willingness to undertake any work identified by an authorised officer;
- confidence in the duty holder's willingness and ability to prevent a recurrence;
- the consequence of non-compliance;
- the likely effectiveness of various enforcement options;
- what is in the public interest;
- the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance;
- sufficiency of evidence to support the action.

We have a range of specific enforcement options available to us, which are set out in detail in section 4.

##### **3.1.2 Statutory (Legal) Notices**

In respect of many breaches, Hartlepool Borough Council has powers to issue statutory notices, for example, Improvement Notices and Prohibition Notices. Such notices are legally binding and failure to comply can be a criminal offence which can lead to prosecution and/or (where appropriate), the carrying out of work in default.

A statutory notice will clearly set out actions which must be taken and the timescale within which they must be done. Some notices may require activities to cease immediately where circumstances relating to health, safety, environmental damage or nuisance demand. In other circumstances, the time allowed to rectify a contravention will be reasonable, and take into account the seriousness of the contravention, the implications of the non-compliance and the appeal period for that notice.

Statutory notices will only be served when the following criteria apply:-



- where one or more contraventions have occurred and they are likely to be repeated; and/or
- standards are generally poor with little management awareness of statutory requirements; and/or
- there is history of non-compliance or a lack of confidence in the duty holder responding to an informal approach; and/or
- the consequence of non-compliance could be potentially serious; and/or
- in the case of a statutory nuisance, where the nuisance requires abating.

In serious cases, it may be necessary to adopt a variety of enforcement options, which may include prosecution as well as serving notice.

Some notices issued in respect of premises may be affixed to the premises and/or registered as local land charges.

### **3.1.3 Financial Penalties**

Hartlepool Borough Council has powers to issue fixed penalty notices in respect of some breaches. A fixed penalty notice is not a criminal fine and does not appear on an individual's criminal record. If a fixed penalty is not paid, we may commence criminal proceedings or take other enforcement action in respect of the breach.

If a fixed penalty is paid in respect of a breach, we will not take any further enforcement action in respect of that breach. Payment of a fixed penalty does not provide immunity from further action in respect of similar or recurrent breaches.

The Council is only able to issue fixed penalty notices where it has specific powers to do so. If fixed penalty notices are available, their use is at our discretion.

Where there is a clear breach of legislation, which is punishable by the imposition of a monetary penalty, we will only impose this penalty when the statutory guidance and relevant Council policy has been followed. We will take into account all relevant factors and will (in accordance with legislation and guidance) give prior notification that we are considering the imposition of a penalty. Once a penalty has been issued, clear guidance will be provided in order for the aggrieved party to make an appeal.

We will consider the merits of each case when deciding on the level of fine imposed, having regard to a range of factors which may include, history of compliance, relevant convictions and incidence of offending. We will also consider mitigating factors such as evidence of steps taken to remedy the issue and co-operation with the Council.

If we deem fit, we may grant a business or an individual a grace period in which to comply with the terms of the relevant legislation rather than imposing a monetary penalty immediately.

### **3.1.4 Simple Caution**

A simple caution may be offered where there is an admission and acceptance of guilt by the duty holder. Normally a caution will only be offered for first offences; the

offender should not have received a simple caution for a similar offence within the last two years.

The aim of a simple caution is to:

- deal quickly and simply with less serious offenders;
- divert them from unnecessary appearance in the criminal courts; and/or
- reduce the chances of their re-offending.

For a simple caution to be issued a number of criteria must be satisfied:

- sufficient evidence must be available to prove the case;
- the offender must admit the offence;
- it must be in the public interest to use a simple caution; and
- the offender must be 18 years of age or over and understand the significance of accepting a simple caution.

This course of action is normally considered when the criteria for prosecution are met but extenuating circumstances suggest a more lenient approach would achieve the same objectives.

A simple caution will appear on the offender's criminal record. It is likely to influence how Hartlepool Borough Council and others deal with any similar breaches in the future, and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

Simple cautions will be used in accordance with Home Office Circular 016/2008 and other relevant guidance.

### **3.1.5 Prosecution**

We will use discretion in deciding whether to initiate a prosecution. Our primary purpose is to help prevent harm, and while prosecution can draw attention to the need for compliance with the law, other approaches to enforcement can be more effective.

When deciding whether to prosecute we will consider the following factors:

- the seriousness of the offence;
- whether statutory defences are satisfied;
- whether action has been taken to avoid further offences;
- the validity of any explanation offered;
- what course of action best serves the public interest;
- the availability of any important witnesses and their ability and willingness to co-operate;
- if there is a realistic chance of conviction.

Circumstances which are likely to warrant prosecution are where:

- death was a result of a breach of legislation;
- there has been a blatant or reckless disregard of the law;

- there have been repeated breaches which give rise to significant risk, or persistent and significant poor compliance;
- the offence involves a risk to public health, safety or wellbeing, harm to the environment or where an unacceptable business advantage is gained;
- the offender has failed to correct potential risks after being given a reasonable opportunity to do so;
- the offence involves failure to comply with a Statutory Notice or a repetition of a breach which was subject to a Simple Caution;
- evidence suggests that the offence was premeditated;
- an officer was intentionally obstructed or deceived in the course of their duties.

We will also consider prosecution, where the following circumstances apply:

- it is considered appropriate in the circumstances as a way to draw general attention to the need for compliance with the law and the maintenance of standards required by law, and conviction may deter others from similar failures to comply with the law;
- a breach that gives rise to significant risk has continued despite relevant warnings from employees, or their representatives, or from others affected by a work activity; and
- where officers are assaulted we will also seek Police assistance with a view to seeking the prosecution of offenders.

Throughout the decision making process proper and informed legal advice will be taken.

### **3.1.6 Refusal, Suspension and Revocation of a Licence/Permit**

A business or individual may require prior approval such as a licence, registration or permit before carrying out a certain activity. The Council administers numerous licensing regimes, each having different rules for making applications and their determination.

Usually the Council will grant a licence or permit upon receipt of a valid application if the requirements for licensing are met. These standards may be specified in legislation, local byelaws, or other suitability criteria adopted by the Council. In most cases, an application must be consulted upon and the determination of the licence or permit may be affected by representations received. We will determine the application and grant the licence or permit, with or without conditions, or to refuse the licence or permit within a reasonable time period.

Where a licence or other form of prior approval is refused, the business/individual will be advised on the reason for refusal, and where appropriate the action which must be taken in order to enable the authority to issue the appropriate licence/approval. Advice will be given on the appeal processes open to the business or individual concerned.

Various sanctions are available to the Council where breaches of statute, licence or permit conditions are identified. Informal advice or warnings may result, alternatively the conditions of the licence or permit may be modified or varied and where it is deemed necessary in the interests of public safety or where there is a risk of serious pollution a licence or permit may be suspended or revoked with immediate effect.

In certain circumstances, a licence may be revoked. A decision to revoke a licence will only be made as a last resort when all other avenues have been exhausted.

### **3.1.7 Orders**

In some circumstances, we will need to apply to the court or Residential Property Tribunal to confirm an order before a statutory power can be enacted. In such cases, the reasons for making such applications and the effect of the order will be fully explained in addition to the grounds and process for making objections.

### **3.1.8 Enforcement Action against Individuals (including Prosecution, Disqualification or Prohibition)**

Subject to the above, we will identify and prosecute individuals if we consider that a conviction is warranted and can be secured. Additionally we will actively consider the management chain and the role played by individual directors and managers. We will take action against them where it can be shown that the offence was committed with their consent or connivance or to have been attributable to neglect on their part.

Where appropriate we will seek disqualification of directors under the Company Directors Disqualification Act 1986.

### **3.1.9 No Action**

In some circumstances it will be appropriate to take no action. This includes where there is no statutory contravention, or risk to public health or safety and where there is evidence of satisfactory practices and management controls.

It may be also appropriate to take no action where the cost of compliance to the offender outweighs the detrimental impact of the contravention, or the cost of the required enforcement action to the Council outweighs the detrimental impact of the contravention on the community.

A decision to take no action may also be taken where formal enforcement is inappropriate in the circumstances, such as where the offender has ceased to trade, or is elderly and frail or suffering from mental health issues or serious ill health, and formal action would seriously damage their wellbeing. In such cases, we will take into account the public interest principle and advise the offender and/or the complainant of the reasons for taking no action.

Where the law provides the complainant with other options to resolve the issues which affect them, such as civil remedies we will make sure that they are directed to the most appropriate source of information to assist them. This may involve referral to other council departments, external organisations or advising them to seek independent legal advice.

### **3.2 Right of Appeal against Notices, Withdrawal and Works in Default**

Where there are rights of appeal against a statutory notice or any other statutory action, advice on appeal procedures will be clearly set out in writing at the time the action is taken, together with an explanation of the implications of non-compliance. Whenever possible, this advice will be issued with the notice.

Certain types of notice allow works to be carried out in default. This means that if a notice is not complied with (a breach of the notice) we may decide to carry out any necessary works to satisfy the requirements of the notice ourselves. In most cases, there will be an additional charge to cover administration costs incurred in arranging the work as well as the costs incurred for the work itself. We will ensure that the recipient of a notice is made aware of the possibility of works in default.

If a notice is withdrawn, we will notify the person or organisation of this and an explanation as to the reason.

Where an offence is punishable by the issuing of a Penalty Charge Notice, the offender will be given prior notice of the Council's intention to issue a monetary fine and will be allowed a period of time in which to make a representation, in accordance with the relevant legislation. There will be a procedure in place which will be followed to ensure consistency. Full details on how to make a representation and subsequent appeals will be issued with the notice.

### **3.3 Warrant to Enter Premises**

Officers may apply to a Magistrates' Court for a warrant to enter premises in the following circumstances:

- necessary entry is required at an unreasonable time; and/or
- entry to a premises is refused; and/or
- entry is expected to be refused; and/or
- the premises are vacant and entry is required.

In all cases, officers will exercise their powers courteously and with respect for persons and property, and only use reasonable force when this is considered necessary and proportionate to the circumstances.

### **3.4 Determining Whether Formal Enforcement Action is Viable and Appropriate**

Two 'tests' will be applied to determine whether a prosecution or simple caution is viable and appropriate. Enforcement officers will follow guidance set by the Crown Prosecution Service when applying the tests.

The two tests are:

- The Evidential Test
- The Public Interest Test

### **3.4.1 The Evidential Test**

When deciding whether there is enough evidence to charge, the investigating officer(s) must consider whether the evidence can be used in court and if it is reliable. The Council must be satisfied that there is sufficient evidence to provide a 'realistic prospect of conviction' against each defendant on each charge. A realistic prospect of conviction is an objective test that means that a jury or bench of magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a separate test from the one that the criminal courts themselves must apply.

### **3.4.2 The Public Interest Test**

A prosecution will usually take place, unless the public interest factors against prosecution clearly outweigh those in favour of prosecution. When applying the test the Council will balance factors for and against prosecution carefully and fairly. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect. Some factors may increase the need to prosecute but others may suggest that another course of action would be more appropriate.

A Simple Caution or prosecution proceedings will only be progressed when the case has passed both the evidential test and the public interest test. The principles outlined apply equally to the other types of formal enforcement action that are available.

Circumstances which might indicate that it is not appropriate to prosecute include cases where:

- a conviction is likely to result in a nominal penalty; and
- the offence resulted from a genuine mistake and the offender is prepared to rectify the problem and its causes; or
- the loss or harm caused was minor;
- there has been undue delay in bringing the matter to court (unless the delay was the fault of the offender);
- prosecution proceedings are likely to have a significant detrimental effect on the victim's physical or mental health;
- the offender is elderly or is, or was at the time of the offence, suffering from significant mental or physical ill health, unless the offence is serious or there is a real possibility that it may be repeated.

Deciding on what is in the public interest is not simply a matter of adding up the number of factors for or against prosecution. An overall assessment must be made as to the relative importance of each factor.

Throughout the decision making process proper and informed legal advice will be taken.

### **3.5 Action by the Courts**

Where appropriate we will draw the court's attention to all the factors that are relevant to the court's decision as to what sentence is appropriate on conviction. This may include guidance given by the Court of Appeal.

### **3.6 Representation to the Courts**

In cases of sufficient seriousness, and where legislation allows, we will consider indicating to the magistrates that the offence is so serious that they may send it to be heard or sentenced in the higher court where higher penalties can be imposed.

### **3.7 Notifying Alleged Offenders**

If we receive information (for example from a complainant) that may lead to enforcement action against a business or individual, we will notify that business or individual as soon as is practicable of any intended enforcement action, unless this could impede an investigation or pose a safety risk to those concerned or to the general public.

During the progression of enforcement investigations or actions, all relevant interested parties such as duty holders and witnesses will be kept informed of progress. Confidentiality will be maintained and personal information about individuals will only be released to a Court when required and/or in accordance with the Data Protection Act 1998.

### **3.8 Publicity**

We will consider, in all cases, drawing media attention to factual information about charges that have been laid before the courts, but will take great care to avoid any publicity which could prejudice a fair trial. We will also consider publicising any conviction that could serve to draw attention to the need to comply with legal requirements, or deter anyone tempted to disregard their duties.

### **3.9 Costs and Debt Recovery**

We will seek to recover all our costs associated in undertaking works in default, utilising the Council's corporate debt recovery. Where legislation allows, we will make a charge for preparing and serving statutory notices and making orders. We will also seek to recover any costs incurred obtaining specialist reports which assist in identifying any action to be specified on a notice served under the provisions of the Housing Act 2004. The sums recoverable in most cases will become a local land charge on the property concerned.

Where we take enforcement action through the courts we will seek to recover legitimate costs from convicted offenders.

### **3.10 Civil Action**

The enforcement action we take is distinct from any civil claims for compensation. We will not necessarily pursue enforcement actions in all cases where civil claims are anticipated, nor will the Council actively assist in such cases. We will share relevant information with aggrieved parties where relevant.

## **4. Detailed Enforcement Powers**

### **4.1 Housing Standards**

The Housing Act 2004 is the primary piece of legislation used to enforce housing standards in all residential accommodation (including Houses in Multiple Occupation), however, there are other pieces of legislation that may provide a more appropriate enforcement tool. Officers are expected to exercise their discretion when deciding the most appropriate piece to use. In some cases it may be appropriate to employ a range of enforcement options.

The Housing Health & Safety Rating System (England) Regulations 2005 sets out the method for assessing a dwelling house (see appendix 1) and determines whether a hazard rates as a 'category 1' or a 'category 2' and the possible enforcement actions available under the Act. The Authority is under an obligation to take action with respect to category 1 hazards, whilst there is discretion to act with regards to lower scoring category 2 hazards.

It is the policy of Housing Services to deal with all category 2 hazards which fall within bands D to F (i.e. scoring more than 100) and officers are expected to apply discretion when scores fall below that level. Where it is not deemed appropriate to take enforcement action, advice will be provided to both the tenant and the landlord and recommendations made where appropriate.

We will provide a summary of the Housing Health and Safety Rating System whenever we contact a landlord regarding property condition.

When determining the most appropriate course of action, officers will have regards to the Housing Health and Safety Rating System Operating Guidance and Enforcement Guidance.

We will also take into account the wishes of the occupier before proceeding with any action.

There are a number of enforcement tools available to deal with category 1 and 2 hazards across all tenures.

- Informal Action and Advice
- Improvement Notice
- Prohibition Order
- Emergency Prohibition Order
- Emergency Remedial Action
- Hazard Awareness Notice
- Demolition Order



- Clearance Area

#### **4.1.1 Informal Action and Advice**

In most cases following an inspection, officers will informally contact the duty holder (by letter, telephone or email) to advise them what action may be taken to reduce the identified hazards to an acceptable level. This is to allow an opportunity to the duty holder to agree a proposed course of action.

Informal action can take the form of advice, a verbal warning or a request for action. Informal action may not be considered appropriate if a serious risk is identified and taking informal action would cause undue delay. It may also be considered inappropriate where there is a poor history of non-compliance.

In cases where the hazard score falls below that which we would act upon, we would advise the duty holder accordingly and make recommendations. We will advise the occupying tenant that we are unable to take enforcement action at that time but advise them to let us know if circumstances change.

#### **4.1.2 Improvement Notice**

This notice would specify remedial works, which in the opinion of the officer would reduce the severity of a hazard to an acceptable level and would prevent the recurrence or worsening of the hazard in a reasonable period. A minimum of 28 days must be allowed for compliance, in accordance with the legislation.

#### **4.1.3 Prohibition Order**

A Prohibition Order may be used to close the whole or part of a building, restrict the number of occupants or prohibit the occupation of the dwelling by vulnerable persons where:

- Remedial Action is considered unreasonable, impractical or unreasonably expensive; or
- The dwelling is a listed building

#### **4.1.4 Emergency Prohibition Order**

We may use this course of action if there is a category 1 hazard present and there is an imminent risk of serious harm. For example, this may be used to prohibit the use of a House in Multiple Occupation (or part of it) if there are inadequate means of escape in case of fire.

This will prevent the occupation of all or part of the house with immediate effect.

#### **4.1.5 Emergency Remedial Action**

This form of action may only be taken if there is a category 1 hazard present and there is an imminent risk of serious harm. Under these circumstances we will take appropriate action to remove that risk. For example, this may be used where there is

evidence of a defective gas appliance posing a risk to the health or safety of the occupant. In this instance, the Council may take steps to make the appliance safe.

If this course of action is followed, we are obliged to serve a notice on the owner to inform them of the action taken and the reason for doing so.

We will then seek to recover all costs incurred from the owner.

#### **4.1.6 Hazard Awareness Notice**

We may serve a Hazard Awareness Notice in circumstances where:

- There is not a vulnerable person in occupation;
- Remedial Action is considered unreasonable, impractical or unreasonably expensive;
- The duty holder has already agreed to take action; or
- The occupant has requested that no formal action is taken.

#### **4.1.7 Demolition Order**

Demolition Orders may be used to deal with category 1 and 2 hazards, but when reaching a decision, consideration will be given to:

- The availability of accommodation for re-housing occupants;
- The demand for, and sustainability of, the accommodation if the hazard was remedied;
- The prospective use of the cleared site;
- The impact of a cleared site on the appearance and character of the local environment.

The use of Demolition Orders in respect of dwellings containing category 2 hazards will be subject to an order made by the Secretary of State.

#### **4.1.8 Clearance Area**

A Clearance Area may be declared:

- If it can be shown that each residential building in an area contains one or more category 1 hazard and that the other buildings (if any) in the area are dangerous or harmful to the health and safety of the inhabitants of the area; or
- The residential buildings are dangerous or harmful to the inhabitants of the area as a result of their bad arrangement or the narrowness or bad arrangement of the streets, and that the other buildings (if any) are dangerous or harmful to the health and safety of the inhabitants of an area.

#### **4.1.9 Housing Standards in Houses in Multiple Occupation (HMOs)**

In addition to the enforcement powers described above, the Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all HMOs and cover management and repair. There are no notice provisions with these regulations. If we are unable to deal with these issues informally we will seek to prosecute unless the matters could be dealt with using alternative legislation.

#### 4.1.10 General Provisions of Housing Act Enforcement

Only one form of enforcement action may be taken at any one time under the provisions of part 1 of the Housing Act 2004 in relation to any hazard, but more than one form of action may be taken in relation to two or more hazards. For example it would not be possible to serve an improvement notice to deal with an excess cold hazard at the same time as a hazard awareness notice, but it would be possible to use both notices to deal with two different hazards.

We will make a charge for taking enforcement action under the provisions of the Housing Act as allowed under section 49 for covering administrative and other expenses incurred in the following circumstances:

- 1) Serving an Improvement Notice;
- 2) Making a Prohibition Order;
- 3) Serving a Hazard Awareness Notice;
- 4) Taking Emergency Remedial Action;
- 5) Making an Emergency Prohibition Order;
- 6) Making a Demolition Order under section 265 of the Housing Act 1985.

Before taking enforcement action under part 1 of the Housing Act 2004, we are obliged to give notice to the owner that an inspection will be carried out. We will carry out an initial survey with the consent of the occupier and will notify the owner informally that hazards have been identified and provide a schedule of work that will reduce these hazards to an acceptable level. If we do not receive satisfactory proposals or the owner fails to undertake proposals, we will invite them to a joint inspection at the property before deciding whether to take enforcement action.

This prior notice provision will not apply if we have reason to believe that Emergency Remedial Action will be required to avoid unnecessary delay.

All Housing Act enforcement decisions will be accompanied by a **statement of reasons** stating why that particular course of action has been taken. This statement will provide a detailed explanation as to why that particular course of action has been taken rather than any other.

#### 4.1.11 Environmental Protection Act 1990

Under the Provisions of this Act we are under a duty to investigate and take action to abate statutory nuisances; this includes 'any premises in such a state as to be prejudicial to health or a nuisance'. If a state of affairs exists that required urgent action and it is considered that the premises are prejudicial to health, consideration will be given to serve a notice under the provisions of section 80 of the Environmental Protection Act. This would allow for certain works to be carried out in a shorter timescale. Examples of issues where this notice could be used are:

- Dangerous gas appliance or installation;
- Dangerous electrical installation;
- Defective heating or hot water; or
- Water leaks that may result in collapse of an element.

## **4.2 Empty Properties**

There are a number of enforcement options available to deal with empty dwellings, either aimed at making them safe, secure and/or reducing the impact of their appearance; or returning them into residential use. In most cases we will use informal means to deal with empty properties unless there is a risk to the public and/or a nuisance which is prejudicial to health.

Where an empty property is insecure and/or presents a risk to public health we will normally serve a notice under the provisions of the Local Government (Miscellaneous Provisions) Act 1982, section 29 advising that we intend to make the building secure giving at least 48 hours notice. When officers consider that it is necessary to carry out works immediately, for example if there is a likelihood that the property could be subject to a deliberate fire, they will arrange for the property to be secured without the service of a notice.

Officers will take steps to secure openings to the property, including yard gates, entrance doors and ground floor windows. Openings to the first floor will not generally be required to be secured unless they are accessible, for example via a flat roof.

There are a number of other legislative powers available to us to deal with the condition of an empty property including:

- Town and Country Planning Act 1990, section 215 to improve the external appearance of unsightly property or land considered detrimental to the amenity of the neighbourhood;
- Building Act, sections 77 & 78 to deal with dangerous or dilapidated buildings. This would enable us to require the owner to make the property safe;
- Environmental Protection Act 1990, section 80 requires the owner to abate a nuisance;
- Building Act 1984, section 76 enables the Council to take emergency action to abate a nuisance;
- Building Act 1984, section 78 allows the Council to fence off a property if there is a risk of unauthorised entry or if it likely to suffer vandalism, arson or similar.

Any enforcement aimed at bringing empty properties back into use will only be used when repeated attempts to encourage the owner to bring the property back into use have failed. We will ensure that appropriate advice and guidance is offered and that property owners are made fully aware of the potential enforcement options. When considering enforcement options for empty homes, each case will be assessed on its merits and will only be recommended for enforcement action where there are clear benefits to the neighbourhood or it could address a housing need.

There are three enforcement options available to secure re-occupation of an empty dwelling –

- Compulsory Purchase Order
- Empty Dwelling Management Order
- Enforced Sale

#### 4.2.1 Compulsory Purchase Order

The Housing Act 1985, section 17 allows the Local Authority to acquire dwellings where there is a general housing need. Therefore, we will only use this enforcement option where there is evidence of a housing need.

#### 4.2.2 Empty Dwelling Management Order (EDMO)

Where a dwelling has been unoccupied for a period of at least two years and the owner does not intend to take steps to secure the re-occupation and there is a reasonable prospect that the dwelling will become occupied if an interim EDMO is made, we will consider applying to the Residential Property Tribunal for an interim EDMO. The use of this power is limited to properties that have become magnets for vandalism, squatters and other forms of anti-social behaviour that blight the local neighbourhood. We must give the property owner at least three months notice before the order can be issued.

We will monitor any progress during the 12 months period in which the interim EDMO is in force and will assess the need to make a final EDMO to replace the interim order where:

- The dwelling is likely to become or remain unoccupied (for example if the owner refused to allow a tenancy to be granted);
- We have taken all such steps as appropriate for securing the occupation of the dwelling; and
- We have taken account of the interests of the community and the effect that the order will have on the rights of the relevant proprietor and the rights of third parties.

We will ensure that a management scheme is in place for any property to be subject to a final EDMO which will set out how we intend to manage the property and account for all money spent or collected.

#### 4.2.3 Enforced Sale

Where a debt has been secured against a property we will consider the use of the enforced sale powers as set out by the Law of Property Act 1925. If successful, this would give the Council the ability to sell the property in order to recover any debts outstanding against it. We will only consider using this power when the debt amount reaches a minimum level and that we are reasonably confident that the sale would be successful and that the sale value would cover our costs.

#### 4.3 Mandatory & Discretionary Licensing of Houses in Multiple Occupation (HMOs) & Discretionary Licensing of other Residential Accommodation (Selective Licensing)

Certain Houses in Multiple Occupation (HMOs) are required to be licensed under the provisions of part 2 of the Housing Act 2004 (the Act), broadly speaking these are HMOs that are occupied by 5 or more occupants and are three or more storeys in size.

The Housing Act also introduced a discretionary power under part 2 of the Act to introduce licensing of other HMOs, if it can be demonstrated that there are specific problems associated with them.

We will continue to review the need to introduce discretionary licensing of other HMOs and seek approval to adopt this power if deemed necessary.

Part 3 of the Act also introduced a further discretionary power (which was amended in 2015) to introduce selective licensing in areas experiencing one or more of the following:

- low housing demand,
- a significant or persistent problem caused by anti-social behaviour;
- poor property conditions;
- an influx of migration;
- a high level of deprivation or high levels of crime.

Since 2009, the Council has introduced two schemes which designated selective licensing areas in the Borough (one of which remains in force); this requires all privately rented dwellings in the area to be licensed.

The Council has a duty to ensure all reasonable steps are taken to ensure applications are made. Should enforcement action become necessary for failure to make an application, we will be required to demonstrate the steps we have taken.

#### **4.3.1 Applications for New Licences and Renewals of Existing Licences**

Applications for HMO and Selective Licences will only be accepted if made on application forms submitted electronically through the gov.uk website or (in the case of HMO licence applications supplied by Housing Services) and must:

- Contain all of the required information;
- Be accompanied by the supporting documentation, as indicated; and
- Be accompanied by the appropriate licence fee.

Any deficient application received will be deemed invalid and the applicant will be contacted and given advice on how to rectify it.

In the case of HMO licence applications, we will offer pre-application guidance with regards to standards on space and amenities, making the property suitable for the proposed occupants and the maximum number of households and individuals that the property may accommodate.

#### **4.3.2 Approving and Issuing Licences**

In order to be able to issue a licence, there are a number of tests that must be satisfied:

- The proposed licence holder must be a fit and proper person – this assessment will be based primarily on a self declaration by the applicant. We will also consult with relevant partners and agencies, including other local authorities. We will also undertake further investigations where necessary to follow up on the validity of information provided.

- The proposed management arrangements must be satisfactory having regard to the competence of the proposed manager, whether the proposed manager is a fit and proper person and that the proposed management structure and funding arrangements are acceptable.
- In the case of HMO licence applications, we will determine whether the property is suitable for the proposed number of occupants having regard to the provision of amenities such as bathrooms and cooking facilities.

Once consultation has taken place, a notice must be served stating the reasons for granting the licence, the main terms of the licence and the date by which representations regarding the proposed licence or conditions. Any representations will be considered and may result in the amendment of the licence or conditions which will also need to be consulted on.

We will refuse a licence application if we are not satisfied that the property can be made suitable for the number of individuals or householders (in the case of an HMO); the proposed licence holder or manager is not a fit and proper person; or the management arrangements are not deemed to be satisfactory.

If we are unable to grant a licence for any reason, we will explain this to the applicant and offer advice and guidance to enable the licensing to proceed.

We will apply a set of mandatory conditions to each licence issued in addition to any discretionary conditions which relate to the management, use and occupation of the house and its condition and contents. We will take into account any representations made by any person having an interest in the property or any other consultees. In the case of HMOs we may require additional amenities be provided or works carried out within a given timescale to make the property suitable for the number of occupants.

We may issue a Temporary Exemption Notice (TEN) where we are notified that the owner of a licensable property is taking steps to ensure that the property is no longer required to be licensed, e.g. if the owner intends to occupy the property themselves. A second TEN will only be granted where there are exceptional circumstances and all requests will be assessed on a case by case basis.

### **4.3.3 Revoking a Licence**

The Act sets out a number of circumstances under which a licence may be revoked. This can be either:

- on the Council's own initiative, without the agreement of the licence holder, where the prescribed circumstances are met; or
- at the written request of the licence holder or relevant person.

The licence holder and all relevant persons have a right of appeal against the Council's decision to revoke or refusal to revoke a licence.

If the property is to remain licensable, we must make an interim management order. This will be considered an option of last resort.

**4.3.4 Offences in relation to operating unlicensed HMOs or other dwellings**

It is an offence to operate a HMO or other dwelling in a designated selective licensing area without a licence. If we have made all reasonable efforts to ensure that an application is made, or have been unable to issue a licence there are a number of enforcement options available, in addition to pursuing a prosecution:

- Rent Repayment Order
- Management Order

We will also advise the landlord that they will not be able to issue a section 21 notice (under the Housing Act 1988) to recover possession on termination of a shorthold tenancy, whilst the property is unlicensed.

**4.3.5 Rent Repayment Order**

We will consider applying to the Residential Property Tribunal for a Rent Repayment Order where a landlord has received housing benefits whilst the property should have been licensed but had not. We will take these steps either: following a prosecution for the offence of operating without a licence; or if our officers are satisfied that an offence has been committed.

Where rent has not been paid by housing benefits, we will advise tenants about their rights to make a claim for a rent repayment order.

**4.3.6 Interim and Final Management Orders**

The Council has a duty to implement Interim Management Orders (IMOs) with regards to un-licensed dwellings (including HMOs) in defined circumstances in order to protect the health, safety or welfare of residents, or other persons in the vicinity, who may be affected. This would include properties where the licence has been, or is about to be revoked.

An IMO would enable the Council to take immediate steps to protect the health, safety or welfare of residents, or other persons in the vicinity, who may be affected. It would also enable the Council to take further steps to secure the proper management of the property.

Where the health and safety condition is satisfied within a property that is not required to be licensed, on application to the Residential Property Tribunal, the Council may make an IMO.

Where a house is in an area experiencing a significant and persistent problem with anti-social behaviour and the landlord is failing to take action to combat the problem and the health and safety of occupiers or others is at risk, the local authority may apply to the Residential Property Tribunal for a Special Interim Management Order.

A Final Management Order must be made to replace an IMO on the date the house would be required to be licensed but the Council consider that they would be unable to license it.



If not required to be licensed, may be made on the date the IMO expired, for the purpose of protecting the health, safety or welfare of the occupying persons or others affected.

#### **4.3.7 Offences in relation to breaching licence conditions**

When deciding on the most appropriate action to deal with breaches of licence condition, we will have regard to the seriousness of the breach and the likely or actual impact of the breach.

#### **4.4 Harassment and Illegal Eviction**

When an allegation of illegal eviction or harassment of private sector tenants is reported to the council, it is the duty of the council to investigate under the provisions of the Protection from Eviction Act 1977 and with reference to the Criminal Law Act 1977 (sections 6 & 7).

We will make a judgement on the appropriate action to be taken having regard to 'proportionality' and the seriousness of the alleged offence and a judgement will be made on a realistic and achievable outcome.

We will endeavour to keep complainants informed of every stage of the proceedings and process. We will try to resolve the complaint as expediently as possible and discuss the various options available.

The Council views its role not only as the 'prosecution authority' but also to mediate and negotiate with the complainant and the alleged perpetrator and to encourage and promote good practice within the private rented housing sector. Decisions will also take into account the vulnerability of the complainant, and any previous history of the perpetrator. Complainants will be referred to a legal advisor to take a civil action or obtain an injunction against the perpetrator if this deemed appropriate.

Where a complainant can be re-instated back into the property in safety and without fear of further reprisals all parties would be advised of their rights and responsibilities, this could include a verbal or written warning to the perpetrator and the rights and obligations of the complainant.

These cases will be assessed by the Housing Advice Team and be referred on to the Senior Landlord Tenant Officer or the Principal Housing Advice Officer if unable to satisfactorily resolve by agreement. Where all other options have been explored a decision will then be made whether or not to take a formal statement from the complainant and proceed with a formal PACE interview for the perpetrator.

If the perpetrator admits the offence under caution, a 'simple caution' may be given to the perpetrator which can be used by the complainant to obtain civil damages against them.

If the Principal Housing Advice/Senior Landlord Tenant Officer in conjunction with the Council's Solicitor decide a case should be discontinued an explanation will be given as to why action is not being pursued.

#### 4.5 Statutory Nuisance

We will deal with a wide range of complaints that may be considered a 'nuisance' arising primarily from domestic premises, including:

- Accumulations or deposits, e.g. household refuse, animal faeces
- Defective premises that affect a neighbouring property, e.g. defective guttering causing dampness
- Premises that may be prejudicial to health to the occupier, e.g. with a defective gas appliance
- Filthy or verminous living conditions
- Pests emanating from a property

There are a number of pieces of legislation that are available to us to deal with these situations, including

- Environmental Protection Act 1990
- Public Health Act 1936
- Public Health Act 1961
- Prevention of Damage by Pests Act 1949

We will ensure that the most appropriate legislation is used having regard to the actual circumstances and as to whether the nuisance situation requires swift abatement in order to protect the health or safety of the occupier and other affected parties.

Where possible we will attempt to reach an informal solution.

With regard to properties considered 'filthy' or 'verminous', we will investigate the circumstances around the occupier(s) as in many cases such individuals could be described as vulnerable. We will liaise fully with colleagues in Child & Adult Services before proceeding with any enforcement action.

We may consider the use of Town and Country Planning Act 1990, section 215 powers to improve the external appearance of unsightly property or land considered detrimental to the amenity of the neighbourhood. This would be considered in conjunction with colleagues in Planning Services

#### 4.6 Private Drainage

With effect from 1 October 2011, Northumbrian Water Ltd assumed responsibility from the Council for all private sewers and some drains where the problems are outside the boundary of the dwelling, although a number of powers in relation to drainage were retained. It is the Council's policy, as agreed with the Water Company to refer all enquiries to Northumbrian Water in the first instance. Where the drainage problem remains the householder's or landlord's responsibility, we will usually deal with such matters by service of statutory notice where there is a public health impact.

#### 4.7 The Letting Agents Redress Scheme

The Redress Schemes for Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014 made it a legal requirement for all letting agents and property managers in England to join one of three Government approved schemes from 1 October 2014. We will notify letting

agents and property managers of the requirement to be registered when we become aware that they are not registered and in most cases will allow a grace period in which they can apply for membership.

Failure to belong to an approved scheme is punishable by the imposition of a financial penalty which is expected to be set at the maximum as the norm. Reduced fines will be set if there are extenuating circumstances. It will be the policy of Hartlepool Borough Council to reduce the fine if an agent joins a scheme following notification.

Where a financial penalty is imposed, the agent will be given full details on how to appeal, as required by the Order. Where a fine is not paid, we will take action to recover the sum imposed, as detailed in the Order.

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 require that landlords fit smoke and carbon monoxide (where applicable) alarms in privately rented properties or face a financial penalty for non-compliance. The regulations require local housing authorities to publish a statement of principles which it proposes to follow in determining the amount of a penalty charge.

The Council has a duty to enforce these regulations; the only discretion is around the level of fine which is set. Before issuing a penalty charge notice, the Council is obliged to give notice to the landlord of their intention to do so. This allows the landlord a specific timescale in which they have the opportunity to comply, or to make written representations.

Where a financial penalty is imposed, the landlord will be given full details on how to appeal, as required by the regulations. Where a fine is not paid, we will take action to recover the sum imposed.

## **5. Ancillary Matters Concerning the Enforcement Policy**

### **5.1 Monitoring the Policy**

It is essential that officers adhere to the enforcement policy and management systems will be maintained to monitor the quality and nature of enforcement activity in order to ensure, as far as is practicable, consistency in approach and quality of service.

### **5.2 Departure from the Policy**

All authorised officers taking enforcement action and making enforcement decisions shall abide by this policy.

Any departure from this policy will only be accepted in exceptional circumstances where actions are capable of justification and where there has been full consultation with the Head of Service or relevant Director/Assistant Director.

Where enforcement action is being considered which is believed may be inconsistent with that adopted by other enforcing authorities or contrary to advice issued by competent authorities, we will seek further advice including from our Legal Section and with relevant regional and national advisory groups.

If a reasonable consensus group view cannot be achieved, or if the issue appears to be of national significance, or it is felt that the existing guidance is not adequate the relevant liaison group will seek appropriate advice.

### **5.3 Comments and Complaints about the Service**

If any person is unhappy with the action taken, or the information or advice given by the Council's Housing Services staff, they will be given the opportunity of discussing the matter with the officer's line manager, Head of Service or Director/Assistant Director. This does not affect the right of any aggrieved person to exercise their rights under formal or informal appeal processes.

Details on how to make representations or appeals about any order or notice will be clearly set out in the notice or order issued as required by the relevant legislation.

Hartlepool Borough Council has a corporate Compliments, Comments and Complaints procedure. This sets out the procedure to follow to make a complaint about our services or the conduct of staff.

We are committed to providing quality services, and the suggestions and criticisms about any aspect of our service will help us to do this.

Details on how to make a complaint will be provided upon request.

### **5.4 Review of the Policy**

This policy will be periodically reviewed or in line with changes in relevant legislation, or Regulators' Code.

### **5.5 Feedback**

We value input to ensure that our service is meeting your needs. We would like to hear from you whether your experience of us has been good, or in need of improvement. This helps us to ensure that we keep doing the right things and make changes where we need to. We would welcome your feedback at any time

A copy of this policy is available on the Hartlepool Council website at:  
<http://www.hartlepool.gov.uk/>

You can provide feedback to us in the following ways:

By telephone: 01429 523705

By email: [privatesectorhousing@hartlepool.gov.uk](mailto:privatesectorhousing@hartlepool.gov.uk)

Web: [www.hartlepool.gov.uk](http://www.hartlepool.gov.uk)

By post, or in person at: Housing Services, Regeneration & Neighbourhoods  
Hartlepool Borough Council, Civic Centre, Victoria Road  
Hartlepool TS24 8AY

Opening Hours: Monday to Thursday 8:30am to 5:00pm, Friday 8:30am to 5:00pm

**This policy was approved by Hartlepool Borough Council's Regeneration Services Committee on <Date to be inserted>**

**Appendix 1 - Summary of Legislation Enforced by Housing Services**

The following table sets out the main legislation enforced by Housing Services and includes all relevant regulations and Statutory Instruments made under these enactments.

<b>Housing Act 2004</b>	Housing Conditions – Housing Health and Safety Rating System HMO Licensing Selective Licensing Management Orders Empty Dwellings Management Orders
<b>Housing Act 1985</b>	Overcrowding HMO Regulations Compulsory Purchase Orders Demolition/Closing Orders Clearance Areas
<b>Environmental Protection Act 1990</b>	Statutory Nuisance – premises, accumulations or deposits
<b>Building Act 1984</b>	Defective drainage Sanitary Conveniences Dangerous or dilapidated buildings Nuisance Premises Properties adversely affecting amenity of area through disrepair
<b>Public Health Acts 1936 &amp; 1961</b>	Sanitary Conveniences Defective Drainage Filthy or Verminous Premises Accumulations of Rubbish
<b>Local Government (Miscellaneous Provisions) Act 1976</b>	Power to Obtain Information regarding interest in land
<b>Prevention of Damage by Pests Act 1949</b>	Power to clear land of vermin and/or removal of waste
<b>Local Government (Miscellaneous Provisions) Act 1982</b>	Securing Empty Properties
<b>Protection from Eviction Act 1977</b>	Unlawful Eviction & Harassment
<b>Landlord And Tenant Act 1987 &amp; 1988</b>	Tenants Rights
<b>Town and Country Planning Act 1990</b>	Unightly land or external appearance of property

<b>Law of Property Act 1925</b>	Enforced Sale to recover debts secured against a property
<b>The Smoke and Carbon Monoxide Alarm (England) Regulations 2015</b>	Requirement that landlords fit smoke alarms (and carbon monoxide alarms in some instances)
<b>The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014</b>	Requirement for letting agents and property managers to belong to an approved scheme
<b>The Housing and Planning Act 2016</b>	A number of new measures – awaiting secondary legislation

## **Appendix 2 - Publications/Guidance**

**1.**

Housing Act 2004 Housing Health and Safety Rating System  
Operating Guidance  
Housing Act 2004 Guidance about inspections and assessment of hazards given under  
Section 9  
February 2006  
Office of the Deputy Prime Minister: London

**2.**

Housing Health and Safety Rating System  
Enforcement Guidance  
Housing Act 2004  
Part 1: Housing Conditions  
February 2006  
Office of the Deputy Prime Minister: London

**3.**

Town and Country Planning Act 1990 Section 215 Best Practice Guidance  
January 2005  
Office of the Deputy Prime Minister: London

**4.**

Professional Practice Note – The Law of Statutory Nuisance – Part 1 “Premises”  
1992  
David Ormandy  
Institute of Environmental Health Officers (Now Chartered Institute of Environmental Health)

**5.**

Regulators’ Code  
April 2014  
Department for Business Innovation & Skills  
Better Regulation Delivery Office

**6.**

The Code for Crown Prosecutors  
January 2013  
CPS



# REGENERATION SERVICES COMMITTEE

13 January 2017



**Report of:** Assistant Director, Economic Growth and Regeneration

**Subject:** RABY ESTATE – POTENTIAL COMPULSORY  
PURCHASE ORDER

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key decision (test (i)) – Forward Plan Reference No. RN 29/16

## 2. PURPOSE OF REPORT

2.1 To seek approval from Committee to support the use of the Council's reserved powers of Compulsory Purchase should it be necessary to acquire remaining private properties on the Raby Estate scheme currently being delivered by Thirteen Housing Group.

## 3. BACKGROUND

3.1 Over recent years the Council have delivered a number of regeneration schemes within the Raby Road area which has resulted in the demolition of over 600 units and the provision of new homes at Alexandra Square and Headway. Thirteen Group have also carried out extensive housing regeneration schemes within this area at Easington Road. The Raby Estate regeneration scheme like the other schemes detailed was included within the original North Central Hartlepool housing options study of 2005 and subsequent Masterplan and was identified as an area requiring intervention. It was thought that it would be considered after the major priority areas of Headway, Perth Street, Easington Road had been dealt with.

3.2 Back in 2009 the Housing Hartlepool Board (Now Thirteen Housing Group) considered a background paper on how the estate was performing in terms of stock condition, demand, investment requirements and it was agreed that further community consultations would be undertaken as part of this as the area suffered from low demand and poor property condition. The resident consultation took place by Housing Hartlepool and in 2010 the Housing Hartlepool Board considered a further report setting out a number of options

for intervention; it ultimately decided to endorse a 3 year resident relocations and site assembly strategy that would be undertaken 2011-2014 (approximately 125 houses, with Housing Hartlepool purchasing around 25 private properties sold previously under Right to Buy) prior to taking forward a redevelopment of the site. At that time the Council were kept informed of progress through the Housing Market Renewal Steering Group.

- 3.3 As acquisitions progressed in 2012/13 and a phased redevelopment master plan was produced by JDDK architects; phase 1 of the redevelopment was started by Southdale in 2014, this was the southern part of the site along the Chatham Road frontage. Southdale went into insolvency part way through the build contract; after delays Keepmoat was appointed to complete this first phase and these homes are now constructed and occupied.
- 3.4 The delivery of the second phase of this scheme is the subject of this report. In general, acquisition of property by negotiation with individual owners within the area proposed for redevelopment has progressed very well with a majority of owner occupiers across the site having sold their property to the Thirteen Group. All of the tenants originally located on phase 2 of the scheme have been re-located. All properties owned or purchased by Thirteen Group have now been demolished. Three private owners remain on the scheme. Negotiations are continuing with remaining owners, in efforts to ensure that as many properties as possible can be acquired by agreement. A compensation package including Home Loss payments is in operation. This accords with current best practice and procedural guidance set out by Government in respect of schemes such as this, and reflects the approach taken by the Council in respect of previous housing regeneration schemes.

#### 4. PROPOSALS

- 4.1 Development proposals for the second phase of the scheme have been submitted to planning. The proposal consists of 64 units which includes 36 two bedroom bungalows, 24 two bedroom houses and 4 three bed houses. These units will be a mix of affordable rented and shared ownership. A plan of the site and proposed redevelopment is attached as **Appendix 1**.
- 4.2 Funding for the delivery of this scheme has been approved by the Homes and Communities Agency (HCA) for 31 units and a further grant funding application has been submitted for the remaining 33 units which will be determined by the end of 2016. In addition Thirteen have submitted bids to the Homes and Communities Agency Estate Regeneration Fund. The units would require completion by the 31<sup>st</sup> March 2018.
- 4.3 It is the intention of Thirteen Group to purchase the remaining 3 units by agreement and negotiations with the 3 remaining owners have commenced. All efforts will be made by Thirteen Group to acquire the properties by agreement and there are a number of options available for the three remaining owners.

- 4.4 Members are asked to support the use of the Council's powers of compulsory purchase, if required, to secure the full site, should negotiation and acquisition by agreement fail. Should the situation arise where negotiations are not successful and compulsory purchase is to be considered further reports for decision would be brought to Committee.
- 4.5 The proposals by Thirteen Group have significant regeneration benefit for the town and aim to provide much needed good quality affordable accommodation in particular the provision of 36 2 bedroom bungalows for rent and shared ownership.

## **5. RISK IMPLICATIONS**

- 5.1 There are no risk implications relating to this report, should enforcement action be required in the future a report for decision will be presented to Members and all risks associated with the use of enforcement action specifically the use of Compulsory Purchase Orders will be assessed.

## **6. FINANCIAL CONSIDERATIONS**

- 6.1 There are no financial considerations for the Council relating to this report. Thirteen Group have proposed that should enforcement action be necessary all costs associated with the delivery of this enforcement action would be covered in their entirety by Thirteen Group.

## **7 LEGAL CONSIDERATIONS**

- 7.1 In considering whether or not to make a Compulsory Purchase Order, the Council as acquiring authority must satisfy itself that it has had due regard to: the relevant statute; relevant Government guidance; and all other relevant considerations, including human rights issues. These issues would be considered and any decision to move forward with enforcement action would be subject of a further report for Members consideration and decision.

## **8. CHILD AND FAMILY POVERTY**

- 8.1 There will be no detrimental impact of the decision requested in respect of Child and Family Poverty see **Appendix 2**.

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

- 9.1 There are no equality and diversity considerations relating to this report.

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

10.1 There are no Section 17 considerations relating to this report.

**11. STAFF CONSIDERATIONS**

11.1 There are no staff considerations relating to this report.

**12. ASSET MANAGEMENT CONSIDERATIONS**

12.1 There are no asset management considerations relating to this report.

**13. RECOMMENDATIONS**

13.1 That Committee agree to support the use of the Council's reserved powers of Compulsory Purchase should it be necessary to acquire remaining private properties on the Raby Estate scheme currently being delivered by Thirteen Housing Group. Should the situation arise where negotiations are not successful and compulsory purchase is to be considered, further reports for decision would be brought to Committee.

**14. REASONS FOR RECOMMENDATIONS**

14.1 To achieve the delivery of the Raby Estate regeneration programme and the provision of new build affordable homes in Hartlepool.

**15. BACKGROUND PAPERS**

15.1 There are no background papers relating to this report.

**16. CONTACT OFFICER**

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## 5.2



<b>1. Is this decision a Budget &amp; Policy Framework or Key Decision? YES / NO</b> If YES please answer question 2 below				
<b>2. Will there be an impact of the decision requested in respect of Child and Family Poverty? YES / NO</b> If YES please complete the matrix below				
GROUP	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE
Young working people aged 18 - 21				
Those who are disabled or suffer from illness / mental illness				
Those with low educational attainment				
Those who are unemployed				
Those who are underemployed				
Children born into families in poverty				
Those who find difficulty in managing their finances				
Lone parents				
Those from minority ethnic backgrounds				
<b>Poverty is measured in different ways. Will the policy / decision have an impact on child and family poverty and in what way?</b>				
Poverty Measure (examples of poverty measures appended overleaf)	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE
Number of affordable homes built	Yes			The scheme will increase the provision of affordable housing within Hartlepool.

Overall impact of Policy / Decision			
NO IMPACT / NO CHANGE	Yes	ADJUST / CHANGE POLICY / SERVICE	
ADVERSE IMPACT BUT CONTINUE		STOP / REMOVE POLICY / SERVICE	
<b>Examples of Indicators that impact of Child and Family Poverty.</b>			
<b>Economic</b>			
Children in Low Income Families (%)			
Children in Working Households (%)			
Overall employment rate (%)			
Proportion of young people who are NEET			
Adults with Learning difficulties in employment			
<b>Education</b>			
Free School meals attainment gap (key stage 2 and key stage 4)			
Gap in progression to higher education FSM / Non FSM			
Achievement gap between disadvantaged pupils and all pupils (key stage 2 and key stage 4)			
<b>Housing</b>			
Average time taken to process Housing Benefit / Council tax benefit claims			
Number of affordable homes built			
<b>Health</b>			
Prevalence of underweight children in reception year			
Prevalence of obese children in reception year			
Prevalence of underweight children in year 6			
Prevalence of obese children in reception year 6			
Life expectancy			



# REGENERATION SERVICES COMMITTEE

13 January 2017



**Report of:** Assistant Director, Economic Growth and  
Regeneration

**Subject:** LOCAL DEVELOPMENT FRAMEWORK  
AUTHORITIES MONITORING REPORT 2015/16

---

## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non-Key Decision.

## 2. PURPOSE OF REPORT

2.1 The purpose of this report is to request that Regeneration Services Committee endorse the 2015/16 Authorities Monitoring Report (AMR) attached at **Appendix 1** to this report.

## 3. BACKGROUND

3.1 The AMR is produced annually by Planning Services on behalf of the Council. It reviews the progress made on the implementation of policies in the 2006 Local Plan and generally assesses their effectiveness and the extent to which they are being implemented.

3.2 It also reviews in Chapter 3, the implementation of the Local Development Scheme (LDS, 2015) which is a programme for preparing Local Development Documents (LDDs), in particular a new Local Plan for the town. In accordance with the Planning and Compulsory Purchase Act 2004, upon completion these LDDs will form a major part of the Local Development Framework (LDF) which will eventually replace the 2006 Local Plan.

3.3 Whilst the new Local Plan is being developed, a Hartlepool Policy Framework (HPF) document has been produced to show where it is considered that saved policies from the 2006 Local Plan are in conformity with the National Planning Policy Framework. The HPF, together with guidance contained in the National Planning Policy Framework (NPPF) and other material considerations are currently used to determine planning applications.

3.4 Chapter 4 of the AMR details how the Local Plan policies have, on the whole, been effective in both the management of planning proposals and in the economic, social and environmental development of the borough.

3.5 Highlights of this monitoring year are as follows:

#### 3.5.1 ***Housing and housing policies***

- The net opening stock of housing was 42,901 dwellings and net closing stock was 43,429. There was therefore a net addition of 528 dwellings in the year compared to last year's 376.
- The 2006 Local Plan sets a net additional housing delivery target of 309 dwellings per annum. At 528, this year's net additional dwellings total is above the set net delivery target. Up to date, the borough has under delivered by a cumulative total of 694 dwellings.
- Policy Hsg5 sets a target of housing development to be provided on previously developed land and through conversions (60% by 2008 and 75% by 2016). This monitoring year, 61.3% of housing completions are from previously developed land. IN previous years, most completions were from green field sites and the emerging Local Plan (2018) will allocate more Greenfield strategic housing sites hence it is highly unlikely that the requirements of Hsg5 will be met in future. It must be noted however that the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) no longer require a set percentage of homes to be built on Brownfield land unlike the national guidance that was in place when the 2006 Local Plan was adopted therefore policy Hsg5 will not be implemented in future.
- The current total of empty homes in the Borough is 589 down from last year's total of 938. This year a total of 86 empty homes have been brought back to residential use.
- Although still slightly below the set target of 144 affordable dwellings per year, this year a 136 affordable homes have been delivered, an increase from last year's 39.
- Policy Hsg6 (mixed use areas) cannot be implemented. It states that housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland (50 dwellings) and Victoria Harbour (550 dwellings). However up to date, there have been no dwellings developments on both sites. The land owners indicated their intentions not to proceed with the anticipated mixed use development and instead expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions.

#### 3.5.2 ***Economic activity, town centre, tourism and related policies***

- Economic activity has not grown much this year in comparison to previous years. Only one business moved into Queen's Meadow Enterprise Zone (EZ) i.e. JNP Group with a total floor office space of 114m<sup>2</sup>.

- All additional commercial floor space is from allocated industrial locations and this indicates that industrial policies are still considered robust and have over the report period fulfilled their function in directing industrial activity to allocated employment areas and thus protecting the rest of the borough for other land uses.
- According to the Employment Land Review (ELR) 2015, the total available employment land in the Borough is 409.7 ha. The highest proportion of land available is at Wynyard, Northburn, Queens Meadow and Victoria Harbour whilst much of the remaining land comprises small parcels of land within substantially developed industrial estates.
- The ELR (2015) recommends de-allocations/re-allocations of some sites judged unlikely to come forward such as Golden Flatts, parts of Wynyard, parts of Victoria Harbour, parts of Tees Bay, the whole of Former Centura and the whole of Northburn Electronics Park. When these de-allocations are taken into consideration, a realistic supply of available employment land then adjusts from 409.7 ha to 258 ha.
- However it is important to note that the ELR's recommendations have not been taken into account in reporting the total available employment land this year. This will be formally done through the emerging Local Plan (2018) hence the total available employment land is likely to change upon completion and adoption of the Local Plan (2018).
- This year's vacancy rate (i.e. in terms of floorspace) in the town centre has slightly increased to 12.5% from last year's 11.9%.
- Tourism policies remain robust. A small scale tourist-related application associated with the rural area has been determined in a bid to support the rural economy i.e. holiday cottages at Abbey Hill. Another application was determined at the Marina for additional 12 bedrooms at the travel lodge.

### 3.5.3 ***Natural environment, waste, rural, conservation and related policies***

- Due to housing developments, this year there is a net loss of 6.1ha of habitat from an Ancient Woodland Site and a Conifer plantation at Wynyard. There is no change to the areas of designated international or national sites or of priority habitats or number of designated local nature reserves hence wildlife policies WL2, WL3, WL5 and WL7 remain relatively robust. However, there is need for more mitigation measures or habitat creation/restoration to be put in place to ensure the Borough does not continue to lose natural habitats.
- The amount of waste going to landfill increased again this year whereas that incinerated and that recycled/composted decreased. At 31.9% of waste recycled/composted Hartlepool still is below the set target of 40%. The Minerals and Waste DPD 2011 (M&W DPD) allows for 40% of household waste to be recycled or composted from 2011 rising to 46% in 2016.
- There have been a total of eight developments approved outside the limits to development; six relating to the erection of agricultural buildings, one residential dwelling associated with an equestrian business and one extension relating to an existing rural business. Policies that seek to protect the countryside and enhance diversification

in the rural area are starting to perform as expected, however still need closer monitoring for unjustified isolated dwellings in the rural area. The New Dwellings Outside of Development Limits SPD adopted in August 2015 is expected to monitor isolated residential developments in the countryside more closely.

- No Conservation Area Appraisals were completed this year.

#### 3.5.4 ***Transport, leisure routes and related policies***

- No new cycle routes were created this year, neither have any been linked to the Local Transport Plan or as part of a planning approval. Policy Tra5 of the 2006 Local Plan makes provision for the continued development of a comprehensive network of cycle routes linking the main areas of the borough. This policy may need reviewing since its implementation has stalled for the past seven years.
- This year a 0.5km permissive path and a 1km right of way have been created at Elwick 28 and 29. 1.5km right of way at Seaton 3, Hart 3 and Elwick 20 has been diverted. 0.5km at Elwick 8 has been improved.

#### 3.5.5 ***Neighborhood Plans, Community Infrastructure Levy and duty to cooperate***

- Appendix 4 of the AMR details work carried out on the three confirmed neighbourhood plans in the borough, i.e. Headland, Wynyard and Park
- Whilst the council will keep the situation under review, the present stance on the Community Infrastructure Levy (CIL) is that it is not viable within the Borough. Detailed information on CIL is in Appendix 5 of the AMR.
- Details of co-operation by the Local Planning Authority are contained within appendix 6 of the AMR.

## 4. **PROPOSALS**

- 4.1 It is proposed that the 2015/2016 Authorities Monitoring Report is endorsed.

## 5. **RISK IMPLICATIONS**

- 5.1 There are no risk implications associated with this AMR.

## 6. **FINANCIAL CONSIDERATIONS**

- 6.1 There are no foreseeable financial considerations in endorsing the AMR.

## **7. LEGAL CONSIDERATIONS**

- 7.1 There is a duty on the authority to publish an AMR on an annual basis. There are however no other legal considerations in endorsing the AMR.

## **8. CHILD AND FAMILY POVERTY**

- 8.1 There are no child and family poverty implications relating to this report.

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

- 9.1 There are no foreseeable equality and diversity considerations in endorsing the AMR.

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

- 10.1 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. The Council is committed to securing safe and secure environments within the borough. Safety and security is a key consideration when assessing planning applications; however the issue is not of relevance in endorsing the AMR.

## **11. STAFF CONSIDERATIONS**

- 11.1 There are no staff considerations relating to this report.

## **12. ASSET MANAGEMENT CONSIDERATIONS**

- 12.1 There are no asset management considerations relating to this report.

## **13. RECOMMENDATIONS**

- 13.1 That Regeneration Committee members note the content of the report and endorse it as part of the Local Development Framework.

## **14. REASONS FOR RECOMMENDATIONS**

- 14.1 This AMR will form part of the planning policy framework and will provide detailed assessment of planning policies and their implementation. This will assist in identifying those policies that are not robust and either need

reviewing to ensure that they are implemented or they are in future excluded from the Local Plan.

## **15. BACKGROUND PAPERS**

- 15.1 The Adopted Hartlepool Local Plan (2006)  
[http://www.hartlepool.gov.uk/downloads/file/961/hartlepool\\_local\\_plan\\_2006](http://www.hartlepool.gov.uk/downloads/file/961/hartlepool_local_plan_2006)
- 15.2 The Planning and Compulsory Purchase Act 2004  
<http://www.legislation.gov.uk/ukpga/2004/5/contents>
- 15.3 The Town and Country Planning (Local Planning) (England) Regulations 2012.  
<http://www.legislation.gov.uk/uksi/2012/767/contents/made>
- 15.4 The National Planning Policy Framework (2012)  
<http://planningguidance.communities.gov.uk/blog/policy/>

## **16. CONTACT OFFICERS**

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**Hartlepool Borough Council  
Local Development Framework**

**Authorities Monitoring Report (Draft)**

**2015 - 2016**



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## **EXECUTIVE SUMMARY**

### ***Introduction***

This Authorities Monitoring Report (AMR) is produced by Planning Services on behalf of the Council and relates to the period 1st April 2015 to 31st March 2016. It reviews the progress made on the implementation of the Local Development Scheme (LDS) and generally assesses the effectiveness of planning policies and the extent to which they are being implemented. The LDS that relates to this report was produced in October 2015.

The planning policies assessed in this report, are those of the Hartlepool Local Plan adopted in April 2006. A list of the 2006 Local Plan policies saved beyond April 2009 as per direction of the Secretary of State in 2008 is shown in Appendix 1 and can also be accessed on the Council's website.

Chapter 4 of this report details how the Local Plan policies have, on the whole, been effective in both the management of planning proposals and in the economic, social and environmental development of the borough.

### ***Housing***

In accordance with Part 8, 34 (3) of the Town and Country Planning (Local Planning) (England) Regulations 2012, Chapter 4 includes annual numbers of net additional dwellings which have been specified in a Local Plan policy. The net opening stock of housing as at the start of this year was 42 901 dwellings and net closing stock was 43 429. There was therefore a net addition of 528 dwellings in the year compared with a net addition of 376 the previous year. The 2015 Hartlepool Strategic Housing Market Assessment (SHMA) adopted in March 2015 sets a net additional housing delivery target of 300-325 dwellings per annum, however for the purposes of understanding the delivery shortfall over the period of the 2006 Local Plan the recently endorsed SHMA Addendum, December 2016, used the 309 target per annum set within the 2006 Local Plan. This year's net additional dwelling completion of 528 dwellings total is therefore above the set net delivery target. For the third year running the net additional dwellings has been increasing and this is positive for the Borough as it moves towards demonstrating a five-year supply of housing land, however, there is still a shortfall of nearly 700 dwellings since the adoption of the 2006 Local Plan.

Completions are again expected to improve next year as it is anticipated that there will be more completions from large housing developments such as Quarry Farm, Britmag, Mayfair at Seaton Carew, Area 15 Middle Warren, Wynyard and various small sites. In addition to sites with existing planning permission, the emerging Local Plan (2018) has allocated more Greenfield housing sites which are expected to deliver the Borough's housing need on target. As the emerging Local Plan is at Publication Stage, in line with paragraph 216 of the National Planning Policy Framework, policies within the plan will start to hold weight. The plan will propose an objectively assessed Housing need and will consider other factors in proposing an annual housing target.

Policy Hsg5 sets a target of housing development to be provided on previously developed land and through conversions (60% by 2008 and 75% by 2016). The percentage of gross additional dwellings on previously developed land has fluctuated over the years. This monitoring year it is 61.3% and this is higher than last year's which was 37.8%. The emerging Local Plan, however, seeks to allocate new strategic housing sites on Greenfield land on the urban edge with only a small number of sites being on brownfield land due to deliverability and viability issues. As a result it is anticipated that the proportion of new dwellings delivered on Brownfield land will significantly decrease in the future as the emerging Local Plan sites will contribute to the future housing delivery. Since there is now no national guidance (NPPF or NPPG) requiring a particular percentage of development to be on Brownfield land, the Brownfield target set out by Hsg5 will most likely not be included within the new Local Plan. Due to the stance of national guidance it is therefore not considered a requirement for the authority to meet the target set out within Hsg5. Policy Hsg5 will therefore not be implemented but any new policy within the emerging Local Plan will need to be in line with current guidance contained in National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

The Council has put in place the Empty Homes Strategy (EHS) to bring back to residential use empty properties in the Borough. Phase 1 of the empty homes project aims at bringing back into use 100 empty properties mainly in the York Road and Murray Street areas. As at 31<sup>st</sup> March 2016, there are a total of 589 empty homes across the borough. This year there has been a total of 86 homes completed and the previous year there were 84. More empty homes are being brought back into use therefore the EHS is progressing well and is expected to remain so in the coming years.

The Hartlepool Strategic Housing Market Assessment (2015) sets the annual affordable housing net target of 144 dwellings per annum. The net additional affordable housing delivery for this year is 136 and is the highest it has been for the past 5 years. Although still slightly below target, this is good progress for the Borough in terms of delivery of affordable properties.

According to Policy Hsg6, housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland and Victoria Harbour. The 2006 Local Plan states that development at the strategic site will develop as follows:

- Headland - 50 dwellings in the period 2005-2011
- Victoria Harbour - 550 dwellings by 2005-2011  
- 900 dwellings in the period 2011-2016

There have been no dwellings developed on either sites up to date and since 2009 the land owners indicated their intentions not to proceed with the anticipated mixed use development and expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions. Although the site would have provided a significant number of dwellings, on Brownfield land within the urban limits, the council are fully supportive of the land owners' intentions to retain the land for employment purposes. Therefore Policy Hsg6 cannot be implemented. The new Local Plan will allocate sites to provide housing in deliverable locations and will allocate the Port Land for specialist employment use.

***Economy, Employment, Town Centre***

Economic activity has not grown much this year compared to previous years. Only one business moved into Queen's Meadow Enterprise Zone (EZ) area i.e. JNP Group with a total floor office space of 114m<sup>2</sup>. To date the following companies have moved into the EZs and all are at Queen's Meadow:

- 2015/16 JNP Group
- 2014/15 Applus RTD, Hart Biologicals
- 2013/14 Contract Laboratory Services
- 2012/13 Omega Plastics, Propipe, Durable Technologies, Solomons Europe Ltd

There has been no additional commercial floor space from unallocated sites and this indicates that industrial policies are still considered robust and have over the report period fulfilled their function in directing industrial activity to allocated employment areas and thus protecting the rest of the borough for other land uses.

According to the Employment Land Review (ELR) 2015, the total available employment land this year is 409.7 ha from a total of 17 employment sites and has not changed from the previous year. The highest proportion of land available is at Wynyard, Northburn, Queens Meadow and Victoria Harbour whilst much of the remaining land comprises small parcels of land within substantially developed industrial estates. When the available employment land total is adjusted with the ELR's recommended de-allocations/re-allocations, the total available will be 258ha. However it is important to note that the ELR's recommendations have not been taken into account in reporting the total available employment land. This will be formally done through the emerging Local Plan (2018) hence the total available employment land will most likely change upon completion and adoption of the Local Plan (2018).

This year's town centre vacancy rate in terms of floorspace is 12.5% and is slightly higher than the previous year's 11.9%. Lack of high quality shops still remains a challenge as a number of high quality shops that have shut down have been mainly replaced by low quality shops and charity shops. There is a slight increase in retail activity as evidenced by a reduction in the number of vacant retail units in comparison to last year.

***Tourism, Natural Environment***

Tourism policies remain robust with tourism applications being determined in designated tourist areas within the borough. During this year, only one small scale tourist-related application has been determined in a bid to support farm diversification and the rural economy i.e. holiday cottages at Abbey Hill. Another tourist related application was determined at the Marina for an additional 12 bedrooms at the travel lodge.

The natural environment has lost habitat area this year, as has been the case in the past few years. Though the total of 6.1 ha net loss, comprising mostly

woodland at Wynyard as a result of housing developments, was higher than usual, it is estimated that two, arable priority bird species have suffered losses this year, with three pairs of skylark and one pair of grey partridge losing territory. No other priority species were adversely affected by planning decisions this year, meaning the wildlife policies WL2, WL3, WL5 and WL7 remain relatively robust. However, it is a concern that, on average, there has been a net loss of habitat, including some ancient woodland which is classed as priority habitat. Some permitted developments are coming through the planning system with habitat loss not being compensated with habitat creation and this is flagged as a need for improvement.

### ***Waste, Minerals***

At 31.9%, the proportion of recycled or composted waste has decreased again this year and has been declining since 2011/2012. The Minerals and Waste DPD 2011 (M&W DPD) allows for 40% of household waste to be recycled or composted from 2011 rising to 46% in 2016. Hartlepool council is below the set target within the M&W DPD and possibly measures need to be put in place to encourage households and companies to recycle more.

Discussions on monitoring of the Minerals and Waste (M&W) DPDs commenced in 2012/2013 in cooperation with neighbouring local authorities in the Tees Valley, but this has not been successfully implemented due to work commitments hence again this year it has not been possible to consolidate the joint monitoring report as per joint plan.

### ***Quality of life***

There has been a total of 8 developments approved outside the limits to development; 6 relating to erection of agricultural buildings, one new worker's dwelling to support an equestrian business and one extension relating to an existing business. This year there are no unjustified developments of isolated dwellings in the open countryside. This indicates the effective implementation of rural policies that seek to protect the countryside, promote the rural economy and protect the compactness of the urban area. The council will continue to closely monitor isolated residential developments outside development limits through the New Dwellings Outside of Development Limits SPD (2015).

The Council continues to improve access to the countryside and furniture within the countryside so that a more inclusive network will be available to a broader user base. This year no coastal paths were added but a 0.5km permissive path has been created at Elwick 28 and 29 and in terms of rights of ways; 1km has been created between Elwick 28 and Elwick 29, 1.5km has been diverted at Seaton 3, Hart 3 and Elwick 20 and 0.5km at Elwick 8 has had improvement works on condition and access. No rights of ways have been extinguished or diverted.

For the eighth consecutive year there have been no new cycle routes created. Policy Tra5 of the 2006 Local Plan makes provision for the continued development of a comprehensive network of cycle routes linking the main areas of the borough. Plans are in place to connect and create more cycle ways in the Borough hence in the coming year, Policy Tra5 is expected to yield results.

No Conservation Area Appraisals were completed this year but work is still on-going on reviewing the Seaton Carew conservation Area Appraisal.

***Neighbourhood Plans, Community Infrastructure Levy, Duty to Cooperate***

Work on the confirmed neighbourhood plans i.e. Headland, Wynyard and the Rural Neighbourhood Plan are progressing well and are detailed in Appendix 4 of this report.

Whilst the Council will keep the situation under review, the present stance is that the Community Infrastructure Levy (CIL) is not viable within the Borough. Further details on CIL are in Appendix 5 of this report.

In fulfilling the requirements of section 33A of the Planning and Compulsory Purchase Act 2004 (Duty to co-operate in relation to planning of sustainable development) and as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, part 2, duty to cooperate, (4) (1); the council has continued to cooperate and actively engage with public bodies to develop strategic policies, particularly in the emerging Local Plan (2018). Further details are available in Appendix 6 of this report.

## INTRODUCTION

- 1.1 Government legislation requires all local planning authorities to prepare a monitoring report. This Authorities Monitoring Report (AMR) is prepared in accordance to the new provisions of the Localism Act which have led to Regulation 34 in The Town and Country Planning (Local Planning) (England) Regulations 2012 prescribing minimum information to be included in monitoring reports, including net additional dwellings, net additional affordable dwellings, Community Infrastructure Levy receipts, the number of neighbourhood plans that have been adopted, and action taken under the duty to co-operate. In essence it is a matter for each Local Planning Authority to decide what to include in their AMR over and above the prescribed minimum information as outlined in The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 This report is based on the ongoing monitoring of the borough over the past financial year (2015/2016) and will assist us to plan better for the borough. Where policies are failing we will seek to find out why and look to address them so that they perform more appropriately in the future.

### Planning Legislation

- 1.3 The Planning and Compulsory Purchase Act 2004 introduced a new system of development planning. In light of the Act, planning documents are being prepared and incorporated into a Local Development Framework (LDF). The LDF comprises a portfolio of Local Development Documents which together deliver the spatial planning strategy for Hartlepool (see Diagram 1 below). Some documents are known as Local Development Documents (LDDs) and include Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and Neighbourhood Plans.<sup>1</sup> LDDs will set out the spatial planning strategy for Hartlepool and progressively replace the adopted Hartlepool Local Plan 2006 and associated Supplementary Planning Guidance. The 2012 regulations<sup>2</sup> set out what each LDF document should contain and the formal process they should go through.
- 1.4 The other documents that are within the LDF system, but are not termed LDDs, are:
- The Local Development Scheme (LDS) which sets out the programme for preparing LDDs;
  - The Statement of Community Involvement (SCI) (adopted 2010) sets out how the Council will involve residents and other interested persons and bodies in the planning process; and

<sup>1</sup> Schedule 9, part 2 (6) (b) of the Localism Act amends 38 (3) of the Planning and Compulsory Purchase Act 2004 to include Neighbourhood Plans as LDD's.

<sup>2</sup> Town and Country Planning (Local Planning) (England) Regulations 2012



- The Authorities Monitoring Report<sup>3</sup> (AMR) which assesses the implementation of the Local Development Scheme, the extent to which policies in the LDD are being achieved, provides information with regard to CIL and sets out how the Council has cooperated with other Local Authorities and relevant bodies.<sup>4</sup>

Diagram 1: Hartlepool Local Development Framework

LOCAL DEVELOPMENT FRAMEWORK													
A portfolio of local development and other documents													
Local Development Documents										Other Documents			
Development Plan Documents			Supplementary Planning Documents										
Hartlepool Local Plan	Tees Valley Minerals & Waste DPD	Hartlepool Local Plan Proposals Map	Travel Plans and Transport Assessments SPD	Hartlepool Green Infrastructure SPD	Trees and Development SPD	Planning Obligations SPD	Shop Fronts SPD	Residential Design SPD	New Dwellings outside of Development Limits SPD	Seaton Carew Masterplan SPD	Neighbourhood Plans	Statement of Community Involvement	Authorities Monitoring Report
These documents will comprise the Development Plan for the area and ultimately replace the 2006 Local Plan.			These documents help to give further information and detail to support the Development Plan Documents.							These Documents and the highlighted Development Plan Documents must be prepared.			

### The Authorities Monitoring Report

1.5 Local planning authorities are required to examine certain matters in their Monitoring Reports<sup>5</sup>. The key tasks for this monitoring report are as follows:

- Review actual progress in terms of the preparation of documents specified in the Local Development Scheme against the timetable

<sup>3</sup> Formally termed the Annual Monitoring Report in line with the Town and Country Planning (Local Development) (England) Regulations 2004, as amended.

<sup>4</sup> Part 2, 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the bodies that the council must cooperate with.

<sup>5</sup> Part 8 Town and Country Planning (Local Planning) (England) Regulations 2012

and milestones set out in the scheme, identifying if any are behind timetable together with the reasons and setting out a timetable for revising the scheme (Section 3).

- Assess the extent to which planning policies are being implemented, including any justification as to why policies are not being implemented and any steps that the council intend to take to secure that the policy is implemented. This assessment will be of the saved policies from the 2006 adopted Local plan (Section 4).
- Contain details of any Neighbourhood Development Order or a Neighbourhood Development Plan that are being prepared or have been adopted within the borough (Appendix 4).
- Provide information regarding the progress of the Community Infrastructure Levy (Appendix 5).
- Provide information regarding who the council has cooperated with in relation to planning of sustainable development (Appendix 6).

1.6 In terms of assessing the implementation of such policies, the Authorities' Monitoring Report should:

- identify whether policies need adjusting or replacing because they are not working as intended; identify any policies that need changing to reflect changes in national or regional policy; and
- set out whether any policies are to be amended or replaced.

1.7 In order to assess the effectiveness of planning policies, it is important to set out the social, economic and environmental context within which the policies have been formulated, the problems and issues they are intended to tackle, and the opportunities of which advantage can be taken to resolve such problems and issues. Section 2 of this report therefore gives consideration to the key characteristics of Hartlepool and the problems and challenges to be addressed.

1.8 This report, for the period 1st April 2015 to 31st March 2016, gives consideration to the policies of the Hartlepool Local Plan adopted in April 2006 and the Tees Valley Minerals and Waste Core Strategy and the Policies and Sites DPD adopted in September 2011.

**2 HARTLEPOOL – KEY CHARACTERISTICS, STATISTICS, PROBLEMS AND CHALLENGES FACED**

- 2.1 The key contextual indicators used in this chapter describe the wider characteristics of the borough and will provide the baseline for the analysis of trends, as these become apparent and for assessing in future Authorities' Monitoring Reports, the potential impact future planning policies may have had on these trends. The key characteristics reflect the outcomes and objectives set out in the Community Strategy (2014) in so far as they relate to spatial planning. The document can be viewed on the Hartlepool Partnership website:  
(<http://www.hartlepoolpartnership.co.uk/>).

Hartlepool & the Sub-regional Context

- 2.2 The borough forms part of the Tees Valley along with the boroughs of Darlington, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees.
- 2.3 Hartlepool is an integral part of the Tees Valley region. It is a retail service centre serving the borough and parts of County Durham, in particular Easington. Over recent years the borough has developed as an office and tourism centre. The development of the Maritime Experience and the Marina forms an important component of coastal regeneration exploiting the potential of the coast as an economic and tourist driver for the Region.

Hartlepool in the Local Context

- 2.4 The original settlement of Hartlepool dates back to Saxon times. Originally an important religious settlement the town's early development resulted from the existence of a safe harbour and its role as a port for the city of Durham and subsequent grant of a Royal Charter from King John in 1201. The town as it is today has grown around the natural haven which became its commercial port and from which its heavy industrial base developed.
- 2.5 The borough of Hartlepool covers an area of approximately 9400 hectares (over 36 square miles). It is bounded to the east by the North Sea and encompasses the main urban area of the town of Hartlepool and a rural hinterland containing the five villages of Hart, Elwick, Dalton Piercy, Newton Bewley and Greatham. The main urban area of Hartlepool is a compact sustainable settlement with many of the needs of the residents in terms of housing, employment, shopping and leisure being able to be met within the borough. The Durham Coast railway line runs through the centre of the town and connects Hartlepool to Newcastle, the rest of Tees Valley, York and London. The A19 trunk road runs north/south through the western rural part of the borough, the A19 and the A1 (M) are readily accessed via the A689 and the A179 roads which originate in the town centre.

Population

- 2.6 Information from Tees Valley Combined Authority (Table 1) shows that the population of Hartlepool has slightly decreased from last year's total count of 92 670 to 92 500 this year. Hartlepool has the lowest number of residents in the Tees Valley, with a proportion of 13.9% and Stockton-on-Tees has the highest with a proportion of 29.1%. This year, the Tees valley sub region has had a slight increase in population compared to last year i.e. from 665 130 to 667 500.

Table 1: Population

Area	Population		Proportion,% (Tees Valley)	
	2014/2015	2015/2016	2014/2015	2015/2016
Darlington	105 390	105 400	15.8	15.8
<b>Hartlepool</b>	<b>92 670</b>	<b>92 500</b>	<b>13.9</b>	<b>13.9</b>
Middlesbrough	138 930	139 500	20.9	20.9
Redcar & Cleveland	134 950	135 300	20.3	20.3
Stockton	193 190	194 800	29.0	29.2
<b>Tees Valley Total</b>	<b>665 130</b>	<b>667 500</b>	<b>100.0</b>	<b>100</b>
<b>North East</b>	<b>2 610 480</b>	<b>2 624 600</b>	-	-
<b>England</b>	<b>56 948 230</b>	<b>57 885 400</b>	-	-

Source: Tees Valley Combined Authority (TVCU), mid 2015 estimate

2015 Index of Multiple Deprivation

- 2.7 The IMD measures deprivation in its broadest sense by assessing indicators relating to income, employment, health and disability, education, skills and training, barriers to housing and services, crime and the living environment and combining them into a single deprivation score for each small area in England. This allows each area to be ranked relative to one another according to their level of deprivation. Hartlepool is currently ranked by the Index of Multiple Deprivation (IMD 2015)<sup>6</sup> as the 18<sup>th</sup> most deprived out of the 326 Local Authorities in England. In 2010 Hartlepool ranked as the 24<sup>th</sup> most deprived Local Authority hence there is no improvement in deprivation levels, if anything Hartlepool is now in the top 20 of the most deprived Local Authorities in England.
- 2.8 More detailed information on the IMD and how it is calculated can be found on the following link:  
<https://www.gov.uk/government/statistics/english-indices-of-deprivation-2015>

<sup>6</sup> Communities.gov.uk/Tees Valley Combined Authority

Car Ownership

- 2.9 According to the ONS 2011 national census (updated in January 2013), the percentage of residents in Hartlepool with at least one car or van is 41%. The North East and National (England) percentage stands at 42.2% for both. In comparison Hartlepool is not markedly different from regional and national statistics in terms of car ownership.
- 2.10 Compared to other local authorities in the Tees Valley, Hartlepool has the lowest number of residents who own at least one car or van whereas Stockton-on-Tees has the highest.

Tourism

- 2.11 Despite being in a peripheral location, Hartlepool has evolved into a place which has an appeal for people to live, work and visit. Its successes include a multi-million pound 500 berth marina with a wealth of visitor facilities, including Hartlepool's largest visitor attraction, Hartlepool's Maritime Experience. The most up to date visitor statistics indicate that approximately 3.2 million people have visited Hartlepool as at 2014 and this was up by 1% from the previous year. The number of day's visitors spent in the destination also grew by 1% at 3.7 million visitor days. Visitor expenditure in Hartlepool stands at £148 million, up by 1%. The number of people directly employed in tourism in Hartlepool as at 2014 stood at 1,474, consistent on 2013. When indirect employment in the supply chain is taken into account total employment stands at 2,020, again consistent on 2013.
- 2.12 The number of overnight visitors to Hartlepool stands at 431,000 with these visitors spending 958,000 nights (+1%) in the destination. These visitors spend £54.6 million up by 1% on 2013. This number of visitors staying in serviced accommodation has fallen by 3% to 96,000 while the number of nights spent by these visitors has remained consistent at 170,000 nights. Day visitor levels have grown by 1% to 2.8 million, with expenditure levels growing by the same rate to £94 million. The average spend per trip by overnight visitors is £86.57; while the average spend per day visitor is £22.47. The Food and Drink sector accounts for 35% of all expenditure and 38% of all employment 87% of all visits are day visits while these visitors account for 63% of expenditure
- 2.13 A comprehensive range of eating establishments predominantly situated in Hartlepool Marina – developing a night-time economy along with a range of traditional seaside facilities at Seaton Carew enhanced by the heritage attractions of the Headland. The current regeneration initiative at Seaton Carew Sea front which proposes to redevelop the Long Scar redundant building and its surroundings at the seafront is set to increase the borough's tourism offer. The regeneration accommodation provision within Hartlepool has increased in its range, mix and volume. The Borough's tourist profile has been raised through the success of media coverage from the Tall Ships Races in 2010.

Jobs and Economy

- 2.14 According to the 2016 Tees Valley Combined Authority (TVCA) statistics, Hartlepool has the third highest unemployment claimant rate in the Tees Valley after Middlesbrough and Redcar & Cleveland. This shows there is a slight improvement from last year in which it was second highest only after Middlesbrough. This could indicate that either more people have gone into employment or changes in government policy are such that less people meet all the criteria to qualify to claim job seekers allowance.
- 2.15 Middlesbrough has the highest claimant rate and Darlington the lowest. In comparison to last year and previous years during which claimant rates gradually decreased across the board, this year Redcar & Cleveland and Middlesbrough have both had a marked increase in the claimant rate. However, as indicated by total change figures in Table 2, the increase is not significant enough to influence the overall result of declining claimant rates between 2012 and 2016.

Table 2: Unemployment Claimant Rate (% of the working age population claiming Job Seekers allowance) in March of each year

Area	2012 Claimant rate	2013 Claimant rate	2014 Claimant rate	2015 Claimant rate	2016 Claimant rate	Total change 2012-2016
Darlington	5.6	5.6	4.3	3	2.7	-2.9
<b>Hartlepool</b>	<b>8.0</b>	<b>7.9</b>	<b>6.1</b>	<b>3.9</b>	<b>3.7</b>	<b>-4.3</b>
Middlesbrough	8.5	8.5	6.4	4.4	4.7	-3.8
Redcar & Cleveland	6.9	6.8	5.0	3.9	4.3	-2.6
Stockton	5.9	5.7	4.6	3.2	3.0	-2.9
<b>Tees Valley Average</b>	<b>6.9</b>	<b>6.8</b>	<b>5.2</b>	<b>3.7</b>	<b>3.7</b>	<b>-3.4</b>
<b>North East</b>	<b>5.7</b>	<b>5.5</b>	<b>4.2</b>	<b>3.0</b>	<b>2.7</b>	<b>-3.0</b>
<b>Great Britain</b>	<b>4.0</b>	<b>3.8</b>	<b>2.9</b>	<b>2.0</b>	<b>1.5</b>	<b>-2.5</b>

Source: ONS Annual Population Survey /TVCA March 2016

- 2.16 Table 3 shows that the percentage of working age people in employment or economically active in Hartlepool is second lowest (just slightly above Middlesbrough) and throughout 2011 to 2015 has constantly remained below the Tees Valley, North East and National averages. Darlington still has the highest percentage of people in employment, actually in 2011 and 2014 it was higher than the national average. The increase in the percentage of people in employment in Hartlepool between 2014 and

2015 is reflected in Table 2 by the concurrent reduction of those out of employment and claiming job seekers allowance. This is a positive change for the authority that, in the past has had one of the highest numbers of job seekers claimants and unemployment rates.

Table 3: Percentage of working age population in employment

Area	Year					
	2011	2012	2013	2014	2015	Total change 2011-2015
Darlington	71.4	67.8	68.9	74.3	77.8	6.4
<b>Hartlepool</b>	<b>61.4</b>	<b>58.5</b>	<b>60.9</b>	<b>62.3</b>	<b>71.4</b>	<b>10</b>
Middlesborough	57.4	56.2	58.1	62.4	72.2	14.8
Redcar & Cleveland	62	62.2	63.7	67.5	73.9	11.9
Stockton on tees	70.4	68.7	69.4	70.2	78.9	8.5
<b>Tees Valley</b>	<b>64.8</b>	<b>63.1</b>	<b>64.5</b>	<b>67.4</b>	<b>75.3</b>	<b>10.5</b>
<b>North East</b>	<b>65.9</b>	<b>65.2</b>	<b>66.5</b>	<b>67.3</b>	<b>75.2</b>	<b>9.3</b>
<b>National</b>	<b>70.3</b>	<b>70.2</b>	<b>70.9</b>	<b>71.7</b>	<b>77.8</b>	<b>9.9</b>

Source: TVCA 2016

### Socio-economic Groups

- 2.17 Table 4 illustrates the breakdown of percentage of people in employment by main occupation groups. In comparison to last year, this year Hartlepool has had an increase of employees in most occupation groups including 'skilled trades' which still has the highest number of employees at 14.6% followed by 'professional occupations' at 14.3%. However, the highest increase this year is in the 'managers/senior officials' occupation group which increased from 6.5% to 13%. Hartlepool has the least proportions of employees in the 'professional' and 'administrative and secretarial' occupation groups.

Table 4: Percentage of people in employment by main occupation group

Socio-Economic Class	Hartlepool	Tees Valley	North	National
Managers and senior officials	6.5	8.2	8.2	10.2
Professional occupations	13.3	16.7	16.4	19.9
Associate professional & technical	10.8	10.9	11.9	14.1
Administrative and secretarial occupations	11.7	11.4	12.0	10.7
Skilled trades occupations	12.5	11.8	12.1	10.5
Personal service occupations	11.2	11.0	9.9	9.1
Sales and customer service occupations	6.9	8.4	9.4	7.9
Process plant and machine operatives	11.4	8.0	7.3	6.2
Elementary occupations	13.5	12.6	11.8	10.7

Source: TVCA; Annual Population Survey at June 2015

Health

- 2.18 According to the Tees Valley Unlimited 2015 statistics, Hartlepool has the second lowest life expectancy rates at birth for both males and females in the Tees Valley. It is also lower than both regional and national life expectancies. Middlesbrough has the lowest. At 23.2%, the percentage of people of all ages who said that they had a limiting long term illness, including those resident in care and medical establishments is the highest in the Tees Valley and also higher than the national average which is 17.9% (Source: 2001 and 2011 ONS Census)
- 2.19 Hartlepool has the highest number of people needing care in the Tees Valley. It also has the highest number of people on incapacity benefit, followed by Middlesbrough. Darlington has the least, even lower than the Tees Valley average. Incapacity Benefit is paid to those people incapable of work due to illness or disability. The benefit is not means tested, but is only available to people with sufficient National Insurance (NI) contributions.
- 2.20 The amount of adult smokers, those at high risk due to drinking and those that misuse drugs is also higher than the rest of other authorities in the Tees Valley and the national figure. Total incapacity benefit claimant stands at 3.6% in Hartlepool compared to the regional average of 3.0% and national average of 2.2% (ONS, updated January, 2015).
- 2.21 The obesity rate, however, is slightly lower than the Tees Valley percentage however it is higher than the national rate. The number of deaths related to smoking, heart disease and cancer is higher in Hartlepool than the Tees Valley and nationally.

Lifelong Learning and Skills

- 2.22 Table 5 shows the National Vocational Qualification (NVQ) level attained by the working age population. The working population figures used to calculate residence-based proportions (rates) are based on the 16-64 year age for both males and females. The borough has the lowest proportion of working age residents qualified to NVQ Level 4 and above (equivalent to degree level), in the Tees Valley, at 24.4%. However this is an increase from last year's 22.8%. The proportion of working age population with no qualifications has this year decreased to 11.8% from last year's 13.8% and this is positive for the town.
- 2.23 Hartlepool and neighbouring Middlesbrough jointly have the highest proportions of residents with no qualifications in the Tees Valley. This is well above wider averages. Also, at 11.8%, Hartlepool has the highest percentage of working age residents with no qualifications.



Table 5: Qualifications/no qualifications working age residents

Area	Qualifications					No Qualifications
	NVQ1+	NVQ2+	NVQ3+	NVQ4+	Other	
Darlington	85.5	73.7	54.9	31.5	5.9	8.6
<b>Hartlepool</b>	<b>82.6</b>	<b>69.1</b>	<b>50.2</b>	<b>24.4</b>	<b>5.6</b>	<b>11.8</b>
Middlesbrough	81.3	69.3	51.6	26.8	7.1	11.7
Red Car	85.5	74.0	55.2	30.2	4.5	9.9
Stockton	86.3	76.6	59.3	35.5	3.9	9.8
Tees Valley	84.4	73.0	54.9	30.4	5.3	10.3
North East	85.0	72.9	54.3	30.7	4.6	10.3
National	84.9	73.6	57.4	37.1	6.5	8.6

Source: ONS annual population survey December 2015, reported by the TVCA 2016. Note: Definitions include NVQ4 and above – degree, higher degree, professional qualifications etc, NVQ3 – 2 or more A Levels etc, NVQ2 – 5 O Levels, 1 A level etc, NVQ1 – 1 O Level, 1 CSE/GCSE etc and Other – other or level unknown.

- 2.24 Table 6 shows that over half (53.4%) of all Year 11 students have passed the GCSE or equivalent exams as at 2015. Hartlepool has seen a pass rate drop of about 1.7% and has been dropping since 2013 according to the TVCA statistics.

Table 6: Qualifications by Year 11 students at 2015 (Percent)

Area	Year				
	2011	2012	2013	2014	2015
Darlington	65.7	62.2	64.8	56.9	52.5
<b>Hartlepool</b>	<b>56.4</b>	<b>48.8</b>	<b>59.0</b>	<b>55.1</b>	<b>53.4</b>
Middlesbrough	40.9	47.6	50.3	47.2	46.1
Red Car	55.0	55.0	55.1	50.0	54.3
Stockton	57.3	54.3	57.4	55.1	59.3
Tees Valley	55.1	53.6	57.3	52.9	53.1
North East	56.8	58.5	59.3	54.6	55.4
National	59.0	59.4	59.2	53.4	53.8

Source: TVCA 2015. Examination Results gained by Year 11 (aged 16) pupils by district of learning provision. Equivalent GCSE results are also included where pupils gain level 2 qualifications at school. National Results are for England not Great Britain

## Housing

- 2.25 The key figures for housing (Table 7) are obtained from the ONS website and cover a larger geographical area hence these maybe slightly different when considered at a Local Authority level. The table shows that Hartlepool has a very high proportion of Registered Social Landlord Housing Stock as Percentage of All Dwellings compared to regional and national. At 23.2%, it is twice as much as the regional and national which are 10.4% and 10.1%, consecutively.

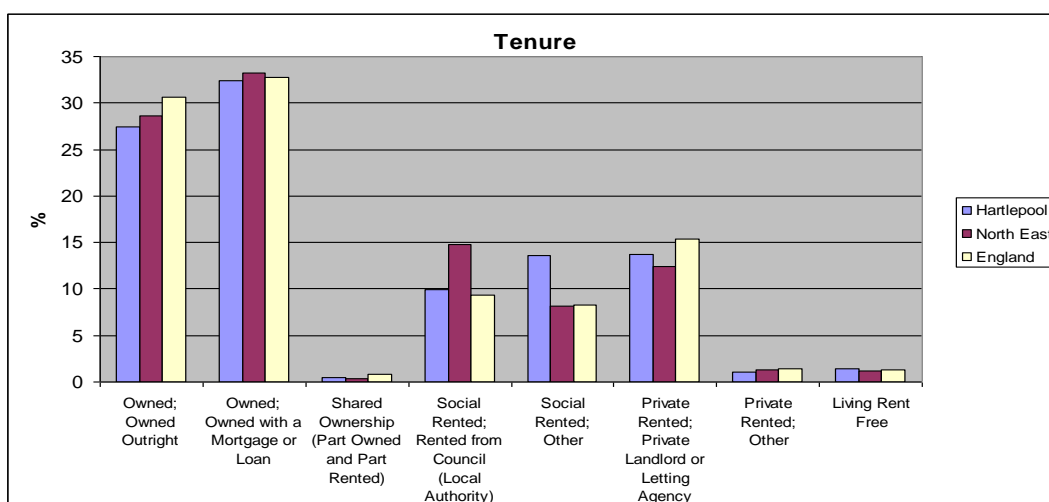
Table 7: Key Figures for Housing

		Hartlepool	North East	National (England)
Total Number of Dwellings	Count	42050	1 179 386	22 947 500
Private Housing Stock as Percentage of All Dwellings	%	76.7	76.8	82.1
Local Authority Housing Stock as Percentage of All Dwellings	%	0	9.8	7.5
Registered Social Landlord Housing Stock as Percentage of All Dwellings	%	23.2	10.4	10.1
Other Public Sector Housing Stock as Percentage of All Dwellings	%	0.1	0.1	0.3
Average Rent Charged for all Registered Social Landlord Dwellings (Net Weekly)	£	49.83	51.51	61.46
Average Rent Charged for all Local Authority Dwellings (Net Weekly)	£	0	46.09	55.15
Council Tax Band A	%	57.78	55.79	24.84
Council Tax Band B	%	15.61	14.91	19.58
Council Tax Band C	%	13.75	14.54	21.76
Council Tax Band D	%	6.96	7.91	15.31
Council Tax Band E	%	3.42	3.99	9.44
Council Tax Band F	%	1.37	1.74	4.99
Council Tax Band G	%	0.98	1.01	3.51
Council Tax Band H	%	0.13	0.11	0.57
Vacant Dwellings and Second Homes	%	4.7	4.6	4.7
Number of Statutory Homeless Households	Count	15	1860	44160

Source: ONS updated October 2013

- 2.26 Tenure statistics on Graph 1 illustrate that Hartlepool has more people living rent free and on social rented housing compared to regional and national figures. Mortgage/loan ownership and owned outright are the most prevalent types of housing tenure, with Hartlepool figures comparatively at par with both national and regional figures.

Graph 1: Tenure



Source: Office for National Statistics updated January 2013, % based on total household count

- 2.27 Table 8 shows the proportion of dwellings in each housing group as assessed in the Hartlepool Strategic Housing Market Assessment (2015). Overall, the vast majority (74.1%) of properties are houses, 12.15 are bungalows, 13.6% are flats/apartments and maisonettes and 0.9% are other types of property including park homes/caravans. Of all occupied properties, 11.3% have one bedroom, 29.2% have two bedrooms, 43.6% have three bedrooms and 15.9% have four or more bedrooms.

Table 8: Property type and size of occupied dwellings across Hartlepool

Property Type	No. Bedrooms (Table %)					Total
	One	Two	Three	Four	Five/more	
Detached house	0.0	0.6	4.3	7.9	1.7	14.5
Semi-detached house	0.1	5.5	19.9	2.9	0.7	29.2
Terraced/town house	0.0	10.5	16.9	1.7	0.7	29.7
Bungalow	2.5	6.9	2.4	0.2	0.0	12.1
Maisonette	0.8	0.2	0.0	0.0	0.0	1.1
Flat/apartment	7.3	5.0	0.1	0.1	0.0	12.5
Other	0.5	0.4	0.0	0.0	0.0	0.9
<b>Total</b>	<b>11.3</b>	<b>29.2</b>	<b>43.6</b>	<b>12.8</b>	<b>3.1</b>	<b>100</b>

Source: Hartlepool Strategic Housing Market Assessment (2015)

- 2.28 The imbalance in the housing stock is being addressed on a holistic basis. Housing market renewal (HMR) initiatives for clearance and improvement are proving to be successful in tackling problems associated with the existing housing stock and new housing development is helping to change the overall balance of housing stock and provide greater choice.

- 2.29 Affordability is still a key issue in Hartlepool as highlighted in the 2015 Hartlepool Strategic Housing Market Assessment and the Council is continuing to invest in more affordable housing in partnership with private developers and housing associations such as Housing Hartlepool.

#### Current House Prices

- 2.30 Table 9 shows house prices and House Price Index (HPI) for the five local authorities in the Tees Valley. House prices are expressed in terms of simple average price for each house type. The simple average is calculated quarterly taking the sum value of all sales transactions divided by the total number of sales transactions (within a 3 month period).
- 2.31 A House Price Index (HPI) is a weighted, repeat-sales index, meaning that it measures average price changes in repeat sales or re-financings on the same properties. Since the HPI index only includes houses with mortgages within the conforming amount limits, the index has a natural cap and does not account for 'jumbo' mortgages which are for large luxury type of housing. The HPI calculation is based on Land Registry data and the figure is adjusted for sales of differing mixes of house types.

Table 9: House prices (simple average) and house price index

Area	House Type				House Price Index
	Detached	Semi detached	Terraced	Flat/maisonett	
Darlington	210 887	126 138	95 789	79 549	101.88
<b>Hartlepool</b>	<b>201 600</b>	<b>103 507</b>	<b>73 743</b>	<b>59 225</b>	<b>101.89</b>
Middlesbrough	222 500	109 953	79 057	66 809	100.89
Red Car	209 800	115 571	87 784	62 992	100.11
Stockton	225 200	114 631	89 442	75 167	100.42
Tees Valley	-	-	-	-	-
North East	205 416	123 558	99 781	87 969	104.85
National	335 972	204 332	179 607	211 891	109.76

Source: Land Registry (<http://landregistry.data.gov.uk/app/ukhpi>), 2016.

- 2.32 Table 9 shows that Hartlepool has the cheapest houses in the whole of the Tees Valley. The highest house prices are in Darlington and Stockton. House price changes have remained stable. House prices have not changed significantly across the Tees Valley as shown by the HPI. However, the HPI shows rising housing market values nationally and regionally.

#### Housing Vacancy rates

- 2.33 The percentage of properties vacant for 6 months or more is shown in Table 10 below as at 2014. Hartlepool has the highest percentage of vacant properties and this is reflected in Table 10 below. The percentage of empty properties has fluctuated between 2010 and 2014 with highest of 2.5% 2012 and lowest of 1.5% in 2013.

Table 10: Percentage of vacant properties (6 months or more)

Area	Year				
	2010	2011	2012	2013	2014
Darlington	1.9	2.2	2.2	1.2	1.6
<b>Hartlepool</b>	<b>2.1</b>	<b>2.1</b>	<b>2.5</b>	<b>1.5</b>	<b>2.2</b>
Middlesborough	1.9	2.3	2.2	2.1	1.8
Red Car	1.9	1.4	1.5	1.0	1.8
Stockton	1.2	1.2	1.6	1.5	1.7
Tees Valley	1.8	1.8	1.9	1.5	1.7
North East	no data	no data	no data	no data	no data
National	no data	no data	no data	no data	no data

Source: TVCA, 2016 (Local Authority Council Tax Registers)

- 2.34 According to the Tees Valley Unlimited, as from April 2013, properties that remain empty for more than two years now incur an additional council tax registry charge.
- 2.35 Table 11 shows that between 2013 and 2014, the number of long term empty properties in Hartlepool has remained the highest compared to other Tees Valley local authorities. With the exception of Red Car and Cleveland and Hartlepool, the rest of the local authorities have seen a decrease in the number of empty properties between 2013 and 2014.

Table 11: Number of long term empty properties (i.e. more than 2 years)

Area	Year	
	2013	2014
Darlington	181	174
<b>Hartlepool</b>	<b>330</b>	<b>330</b>
Middlesborough	178	144
Red Car	290	322
Stockton	259	224
Tees Valley	1 238	1 194
North East	no data	no data
National	no data	no data

Source: Tees Valley Unlimited, (Local Authority Council Tax Registers.

### Community Safety

- 2.36 Community safety remains one of the key issues being addressed by the Hartlepool Partnership and key community safety initiatives such as the introduction of Neighbourhood Policing. Safer Hartlepool Partnership's main aim is to reduce acquisitive crime and prevent re-offending. Table 12 gives a breakdown of offences by the crime category under which they were recorded by Hartlepool Police during the year and previous

years for comparison. These figures are based on the date the crime was recorded not the date the offence occurred.

Table 12: Notifiable offences recorded by the police

	Crime Category/Type	2014/15	2015/16	Change (number)	Change (%)
<b>Publicly Reported Crime (Victim Based Crime)</b>	<b>Violence against the person</b>	<b>1422</b>	<b>1821</b>	<b>399</b>	<b>28.1</b>
	Homicide	4	0	-4	-100
	Violence with injury	726	860	134	18.5
	Violence without injury	692	961	269	38.9
	<b>Sexual Offences</b>	<b>145</b>	<b>204</b>	<b>59</b>	<b>40.7</b>
	Rape	54	60	6	11.1
	Other sexual offences	91	144	53	58.2
	<b>Robbery</b>	<b>30</b>	<b>45</b>	<b>15</b>	<b>50.0</b>
	Business robbery	6	6	0	0.0
	Personal robbery	24	39	15	62.5
	<b>Acquisitive Crime</b>	<b>3483</b>	<b>3725</b>	<b>242</b>	<b>6.9</b>
	Domestic Burglary	348	333	-15	-4.3
	Other Burglary	385	430	45	11.7
	Bicycle Theft	166	163	-3	-1.8
	Theft from the Person	34	39	5	14.7
	Vehicle Crime (Inc Inter.)	571	567	-4	-0.7
	Shoplifting	1038	1246	208	20.0
	Other Theft	941	947	6	0.6
	<b>Criminal Damage &amp; Arson</b>	<b>1492</b>	<b>1628</b>	<b>136</b>	<b>9.1</b>
	<b>Total Public Reported Crime</b>	<b>6572</b>	<b>7423</b>	<b>851</b>	<b>12.9</b>
<b>Police Generated Offences (Non - Victim Based Crime)</b>	<b>Public Disorder</b>	<b>284</b>	<b>270</b>	<b>-14</b>	<b>-4.9</b>
	<b>Drug Offences</b>	<b>321</b>	<b>265</b>	<b>-56</b>	<b>-17.4</b>
	Trafficking of drugs	66	68	2	3.0
	Possession/Use of drugs	255	197	-58	-22.7
	<b>Possession of Weapons</b>	<b>50</b>	<b>61</b>	<b>11</b>	<b>22.0</b>
	<b>Misc. Crimes Against Society</b>	<b>81</b>	<b>114</b>	<b>33</b>	<b>40.7</b>
	<b>Total Police Generated Crime</b>	<b>736</b>	<b>710</b>	<b>-26</b>	<b>-3.5</b>
<b>TOTAL RECORDED CRIME IN HARTLEPOOL</b>		<b>7308</b>	<b>8133</b>	<b>825</b>	<b>11.3</b>

Source: Hartlepool Police, 2016

Key for main category/type (excluding sub categories)

	change less than 0%
	change 0-10%
	change greater than 10%

2.37 Table 12, shows that crime records have continued to increase between last year and this financial year. During the period April 2015 to March 2016, Hartlepool police recorded a total of 8133 offences. Robbery, sexual offences, violence against the person and possession of weapons are in the red category with robbery being the highest at 50%. Acquisitive crime together with criminal damage & arson are in the orange.

2.38 Although total crime recorded crime in the town is still, it is positive to note that some crime categories which have in the past been problematic

in the town e.g. public disorder and drug offences have continued to decline and are marked green in Table 12.

### The Environment

- 2.39 Hartlepool has a rich environmental heritage and very diverse wildlife habitats. The built, historic and natural environment within Hartlepool plays host to a wide range of buildings, heritage assets including archaeological remains, wildlife habitats, geological and geomorphological features, landscape types and coastal vistas.

### The Built Environment

- 2.40 The town has a long maritime tradition and a strong Christian heritage with the twelfth century St Hilda's church, on the Headland (a Grade I Listed Building) built on the site of a seventh century monastery. Some of the medieval parts of borough, on the Headland are protected by the Town Wall constructed in 1315; the Town Wall is a Scheduled Ancient Monument and Grade I Listed Building. There are eight conservation areas within the borough and 201 Listed Buildings, eight Scheduled Ancient Monuments and One Protected Wreck. One of the town's Victorian parks (Ward Jackson Park) is included on the list of Registered Parks & Gardens.

### Geological & Geomorphological Features

- 2.41 The geology of Hartlepool comprises two distinct types:
1. The north of the borough sits on the southern reaches of the Durham Magnesian Limestone Plateau, which is of international geological importance. Although the Magnesian Limestone in Hartlepool is generally too far below the overlying soils to give rise to the characteristic Magnesian Grassland flora found further north, it is exposed in several quarries and road cuttings and forms a spectacular gorge in West Crimdon Dene along the northern boundary of the Borough.
  2. The southern half of the borough sits on Sherwood Sandstone from the Triassic period; a rare exposure on the coast at Long Scar & Little Scar Rocks is a Regionally Important Geological Site. Of more recent geological origin is the Submerged Forest SSSI, which underlies Carr House Sands and is intermittently exposed by the tide. This area of waterlogged peat has yielded pollen, mollusc and other remains, which have been used to establish the pattern of sea-level change in Eastern England over the past 5,000 years

### Wildlife Characteristics

- 2.42 The borough is bordered on the east by the North Sea and features extensive areas of attractive coastline including beaches, dunes and coastal grassland. Much of the inter-tidal area of the coast is

internationally important for its bird species and is protected as Teesmouth & Cleveland Coast Special Protection Area/Ramsar site. There are nationally protected Sites of Special Scientific Interest at Hart Warren, the Hartlepool Submerged Forest and Seaton Dunes and Common. Other areas of the coast include part of the Teesmouth National Nature Reserve and Sites of Nature Conservation Interest. Hartlepool only has one inland Site of Special Scientific Interest (SSSI), Hart Bog. This is a small area which has four distinct plant communities and is of particular botanical interest.

- 2.43 The prominent location of the town's Headland, as a first landfall on the east coast, makes it of national significance for the birdwatching community. Inland is an attractive, rolling agricultural landscape including areas of Special Landscape Value. Interspersed in this landscape are a number of fragmented but nevertheless diverse and important wildlife habitats. There are six Local Nature Reserves in the borough and 40 non-statutory geodiversity and biodiversity sites protected as Sites of Nature Conservation Interest (SNCI) and/or Regionally Important Geological & Geomorphological Sites (RIGGS) have been identified in the Local Plan. A further five sites have been identified by the sub-regional RIGGS group as meriting this designation.
- 2.44 The borough contains some notable examples of wildlife species: grey and common seals are frequent along the coastline with the latter breeding in Seaton Channel. The area of sand dunes, grazing marsh and mudflats around the North Gare form the northern section of the Teesmouth National Nature Reserve where there are salt marsh and dune plants with some important species of marsh orchid and other rare species.

#### Bathing Water

- 2.45 Seaton Beach covers an extensive area and attracts significant numbers of visitors for walking, bathing and windsurfing activities. Seaton Carew Centre and Seaton Carew North Gare (south) both meet the Bathing Water Directives guideline standard which is the highest standard and Seaton Carew North passed the imperative standard which is a basic pass.

#### Air Quality

- 2.46 Air quality in Hartlepool currently meets statutory standards with no requirement to declare any Air Quality Management Areas.

#### Culture and Leisure

- 2.47 Museums associated with Hartlepool's maritime heritage and other important cultural facilities including the art gallery and Town Hall Theatre which are all located within the central part of the borough and comprise a significant focus for Hartlepool's growing tourism economy. In particular, the Hartlepool Maritime Experience is a major regional/national visitor attraction. There are a number of parks and



recreation facilities throughout the town and three green wedges that provide important links between the countryside and the heart of the urban areas. On the fringes of the built up area are three golf courses and a country park at Summerhill.

### Future Challenges

- 2.48 Hartlepool has, over recent, years seen substantial investment, particularly from government funding streams; this investment has completely transformed the environment, overall prosperity and above all Hartlepool's image. The Council wish to build on the previous successes but are faced with severe budget cuts. Below is an analysis of the main strengths, weaknesses, opportunities and threats facing the borough.

Table 13: Hartlepool SWOT Analysis

Strengths	Weaknesses	Opportunities	Threats
<ul style="list-style-type: none"> <li>• Successful allocation of Enterprise Zones</li> <li>• Compactness of main urban area</li> <li>• Expanding population</li> <li>• Sense of community / belonging</li> <li>• Partnership working</li> <li>• Good track record in delivering physical regeneration</li> <li>• Diverse, high quality and accessible natural environment</li> <li>• Diverse range of heritage assets including the maritime, industrial and religious</li> <li>• Availability of a variety of high quality housing</li> <li>• Successful housing renewal</li> <li>• High levels of accessibility by road</li> <li>• Lack of congestion</li> <li>• Good local road communications</li> <li>• Direct rail link to London</li> <li>• Good local rail services</li> <li>• Active and diverse voluntary and community sector</li> <li>• Positive community engagement</li> <li>• Successful event management</li> <li>• Small business and SME development</li> <li>• Growth of visitor market</li> <li>• High quality tourist attractions</li> <li>• High quality expanding educational facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Perceived image</li> <li>• Location off main north-south road corridor</li> <li>• High deprivation across large areas of the town</li> <li>• Low employment rates and high level of worklessness</li> <li>• Legacy of declining heavy industrial base</li> <li>• Small service sector</li> <li>• Imbalance in the housing stock</li> <li>• Shortage of adequate affordable housing</li> <li>• Poor health</li> <li>• Low level of skills</li> <li>• High crime rates</li> <li>• Exposed climate</li> <li>• Range and offer of retail facilities</li> <li>• Reductions in public resources have affected regeneration and employment levels.</li> </ul>	<ul style="list-style-type: none"> <li>• Young population, possible asset for future prosperity</li> <li>• Can improve the economy and the growing house choice thus improving the recent stabilisation of population levels</li> <li>• Availability of land to enable diversification of employment opportunities</li> <li>• Potential for development of major research, manufacturing and distribution facilities on A19 corridor</li> <li>• Potential for further tourism investment</li> <li>• Potential for integrated transport links</li> <li>• Major high quality employment opportunities at Victoria Harbour, Queens Meadow and Wynyard Park</li> <li>• Success of Tall Ships races and opportunity to bid for the event in the future</li> <li>• Plans for development of Tees Valley Metro</li> <li>• Established housing market renewal programme</li> <li>• New state of the art hospital site in Wynyard</li> <li>• Potential New Nuclear Power Station</li> <li>• Renewable Energy and Eco Industries</li> <li>• Developing indigenous business start-up and growth</li> <li>• New government guidance in the form of the NPPF and CIL regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Closure of major employer/s</li> <li>• Expansion of area affected by housing market failure</li> <li>• Climate change and rising sea levels</li> <li>• Lack of financial resources / budget deficits</li> <li>• Increasing car ownership and congestion</li> <li>• Loss of Tees Crossing Project</li> <li>• Access to New hospital</li> <li>• Competition from neighbouring out of town retail parks</li> <li>• Competition from outlying housing markets</li> <li>• Uncertainty in relation to Council budgets</li> <li>• Uncertainty in relation to government funding programmes.</li> </ul>

Source: *Emerging Hartlepool Local Plan*

- 2.49 The main challenges this year and the coming years are similar to those in previous years. In particular Hartlepool is challenged by further public expenditure cuts which will be in place until at least 2018. Until then, local services will have to be further scaled down and carried out on a more constrained budget. Job losses across the borough are a real threat to the local economy and this is likely to lead to an increase in the number of people seeking welfare benefits in the coming years.
- 2.50 Despite the expenditure cuts Hartlepool will continue to support the development of the local economy and to address the imbalance in the housing stock (including the lack of affordable housing and executive housing) so as to at least maintain the population at its current level and to ensure that the borough remains sustainable and an attractive place to live, work and play.
- 2.51 Planning policies: enable an improvement in the range of housing available (both through demolition and replacement of older terraced housing and provision of a range of new housing); enable the diversification of the local economy and the growth in tourism; encourage the provision of improved transport links and seeks to improve the built and natural environment which will all assist in achieving this aim and improve the quality of life within Hartlepool.
- 2.52 Through policies in the Local Plan and various other strategies and incentives the Council will continue to seek ways to achieve higher economic growth rates in Hartlepool in order to bridge the gap with more prosperous authorities in the region and provide greater opportunities and prosperity for residents.
- 2.53 The attraction and retention of highly skilled workers is viewed as critical to regional and sub-regional economic success, the Council will work with other Tees Valley authorities to ensure the right housing and environmental conditions are available to contribute to population growth and the attraction of key highly skilled workers to the region.

**3 IMPLEMENTATION OF THE HARTLEPOOL LOCAL DEVELOPMENT SCHEME**

- 3.1 The Hartlepool Local Development Scheme (LDS) sets out a rolling programme for the preparation of Local Development Documents (LDDs) relating to forward planning in Hartlepool.
- 3.2 The LDS is specifically concerned with development documents being prepared over the next three years but also highlights those which are likely to be prepared beyond this period into the future. It sets out the timetable and highlights the key stages for the preparation of new policy documents and when they are proposed to be subject to public consultation.
- 3.3 The LDS that relates to this report was approved by Cabinet in October 2015. The 2015 LDS shows a revised timetable which takes into account the Government's requirement to produce a Local Plan by early 2017.

Implementation of the 2015 Local Development Scheme

- 3.4 Table 14 details the timetable for the 2015 LDS outlining key dates for different stages and delivery of the LDS's main DPD document; the Local Plan. Work on the 'new' Local Plan (2017) has progressed well as scheduled<sup>7</sup>. Work is underway to collate consultation responses of the Issues and Options document and write a consultation statement. Work on the Local Plan Preferred Options (LPPO) document has progressed well during the year and the draft was completed by end of the year. The final LPPO document is on schedule to be completed and out for the formal statutory 8 week public consultation period by the end of 2016.
- 3.5 To date the following development documents have been adopted within the LDF:
- Transport Assessments & Travel Plans SPD (January 2010)
  - Statement of Community Involvement (SCI) (January 2010)
  - Tees Valley Joint Minerals & Waste DPDs (September 2011)
  - Local Development Scheme (LDS) (January 2012)
  - Authorities Monitoring Report (AMR) (December 2015)
  - Trees and Development SPD (2013)
  - Green Infrastructure SPD (February 2014)
  - Shop Fronts SPD (2014)
  - New Dwellings outside of Development Limits (August 2015)
  - Seaton Carew Regeneration SPD (September 2015)
  - Planning Obligations SPD (November 2015)

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<sup>7</sup> At the time of reporting this AMR the Council has just endorsed an updated LDS (November 2016) due to a slight delay due to the need for additional evidence base work. The new LDS still seeks to submit prior to the end of March 2017.

Table 14: Revised timetable of Hartlepool Local Plan DPD

Table 1: LOCAL PLAN DPD	
OVERVIEW	
<b>Role and content</b>	To set out the vision and spatial strategy for Hartlepool and the objectives and primary policies for meeting the vision.
<b>Geographical Coverage</b>	Borough-wide
<b>Status</b>	Development Plan Document
<b>Conformity</b>	Must reflect the Hartlepool Community Strategy and be in line with National Planning Policy Guidance and meet the Duty to Co-operate
TIMETABLE / KEY DATES	
Stage	Date
Evidence base Production	November 2013 – March 2015
Issues and Option Drafting stage	March - May 2014
Issues and Options extensive public consultation stage	May – July 2014
Preferred Options Drafting stage	August 2014 – March 2016
Preferred Options extensive public consultation stage	May – June 2016
Publication Stage (Reg. 19 Stage)	October - November 2016
Submission to Secretary of State (Reg. 22 Stage)	February 2017 <sup>8</sup>
Pre Inquiry Meeting	May 2017
Public Hearings (Reg. 24 Stage)	June – July 2017
Inspectors Report (Reg. 25 Stage)	October 2017
Redrafting Stage	November 2017
Consultation on Modifications	November – December 2017
Adoption (Reg. 26 Stage)	February 2018
ARRANGEMENTS FOR PRODUCTION	
<b>Lead Organisation</b>	

<sup>8</sup> The November 2016 LDS has Submission by end of March 2017. Timescales following that are out of the hands of the Local Authority and will be determined by the Planning Inspectorate

	Hartlepool Borough Council
<b>Management arrangements</b>	The management arrangements are set out in section 9. Key documents will be approved by the Regeneration Committee and ratified by full Council.
<b>Resources Required</b>	Primarily internal staffing resources with use of consultants if necessary for any special studies required
<b>Community and Stakeholder Involvement</b>	In accordance with the Statement of Community Involvement
<b>POST PRODUCTION / REVIEW</b>	
<p>The effectiveness of the primary policies in relation to the vision and objectives of the Local Plan will be assessed in the Authorities Monitoring Report and where necessary reviewed. The Local Plan DPD may be reviewed in the following circumstances:</p> <ul style="list-style-type: none"> <li>• A further review of the Community Strategy</li> <li>• A significant amendment to the Council's Corporate Vision</li> </ul>	

Source: Hartlepool Borough Council Local Development Scheme October 2015

Table 15: Hartlepool Development Plan Documents key milestones and delivery

Document	Key Milestone	Key Dates	Actual Progress	Milestone Achieved
Hartlepool Local Plan DPD	Preferred Options Drafting Stage	August 2014 – March 2016	A refreshed evidence base and the Issues and Options planning statement were completed during the year. These were used (among other sources of information) to further inform work on the Preferred Options document. The draft Preferred Options document was completed on schedule by end of the year.	Yes

Source: Hartlepool Borough Council

## 4 ASSESSMENT OF POLICIES

### Hartlepool Local Plan 2006

#### Introduction

- 4.1 This section of the Authorities Monitoring Report (AMR) assesses the implementation and effectiveness of current planning policies contained in the Hartlepool Local Plan adopted in April 2006.
- 4.2 The 2012 Regulations<sup>9</sup> specifically require Local Planning Authorities (LPAs) to provide information on annual numbers of net additional dwellings or net affordable dwellings as specified in any Local Plan policy within the monitoring period and since the date the policy was first published, adopted or approved, in this instance April 2006. Although there is a reduced requirement on LPAs to provide information given that the current Local Plan 2006 has objectives and indicators it is considered that policies should still be assessed against these. It is however impractical to assess every single policy of the 2006 Hartlepool Local Plan.
- 4.3 This section therefore considers the objectives of the 2006 Local Plan, the policies relating to these objectives and some related output indicators for assessing the effectiveness of the policies. The indicators include relevant national core output indicators<sup>10</sup> and a number of local output indicators. Whilst working on the LDF, the Local Plan policies have been saved as from 13<sup>th</sup> April 2009. A Schedule of these 'saved policies' which were agreed by the Secretary of State are set out in Appendix 1. The 'saved policies' are also available online on the Council's Planning Policy website on the following link: [https://www.hartlepool.gov.uk/downloads/file/373/schedule\\_of\\_local\\_plan\\_saved\\_policies\\_from\\_13th\\_april\\_2009](https://www.hartlepool.gov.uk/downloads/file/373/schedule_of_local_plan_saved_policies_from_13th_april_2009). A selected number of targets have been included in this report.

#### Hartlepool Local Plan Objectives, Policies and Indicators

- 4.4 The overall aim of the 2006 Hartlepool Local Plan is:

“to continue to regenerate Hartlepool securing a better future for its people by seeking to meet economic, environmental and social needs in a sustainable manner”

- 4.5 In the context of this aim, the strategy for the Local Plan covers the following four broad areas:
- regeneration of Hartlepool,
  - provision of community needs,
  - conservation and improvement of the environment and
  - maximisation of accessibility.

<sup>9</sup> Part 8, 34 (3) of the Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>10</sup> Regional Spatial Strategy and Local Development Framework Core Output Indicators – Update 2/2008

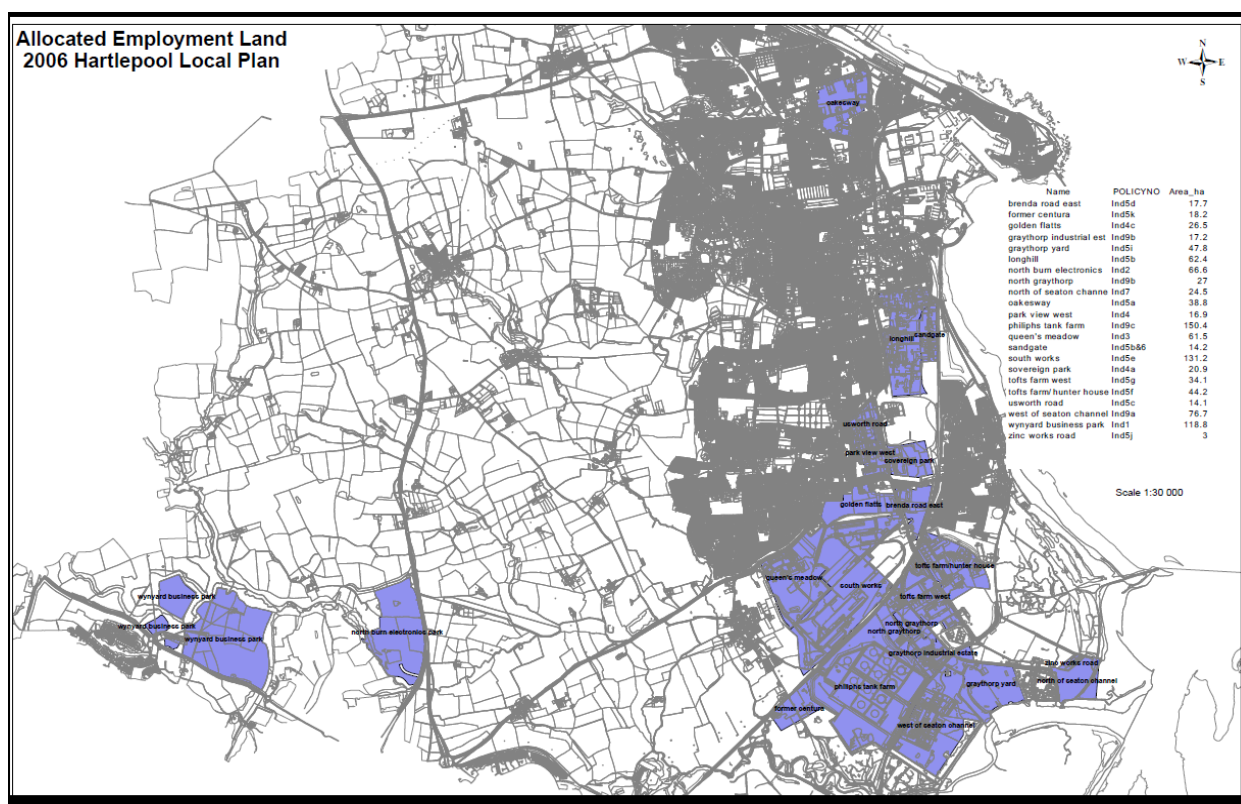
- 4.6 The plan sets out specific objectives relating to the above four elements of the strategy, from which the plan's policies have been developed. Many of these policies relate to more than one objective.
- 4.7 The following part of this section sets out for each objective or group of objectives policies of the Hartlepool Local Plan:
- main policies flowing from the objective(s)
  - output indicator(s),
  - targets (where set),
  - data relating to the indicator(s),
  - some analysis and comment on the data, and where appropriate
  - some commentary on the related local plan policies.
- 4.8 The national core output indicators<sup>11</sup> are grouped into five categories, each with identified indicators, which are as follows
- A) Business development and town centres (BD1, BD2, BD3 and BD4)
  - B) Housing (H1a, H1b, H2a, H2b, H2c, H2d, H3, H4, H5 and H6)
  - C) Environmental quality (E1, E2 and E3)
  - D) Minerals (M1 and M2)
  - E) Waste (W1 and W2)
- 4.9 The above categories have been used as sub sections to this report, along with two further sub sections relating to quality of life (sub section E) and conservation & design (sub section F). These further two sub sections have been included to ensure that all of the local plan objectives are assessed.
- 4.10 As part of the duty to cooperate with neighbouring local authorities in the Tees Valley, it is anticipated that policies in the 2011 Minerals and Waste DPDs (i.e. Policies & Sites DPD and the Core Strategy DPD) will be monitored and jointly reported. Category (D) minerals core output indicators M1 and M2 on 4.8 above will thus be replaced by those shown in Appendices 2 and 3. There is a total of 11 policies in the Minerals and Waste (M&W) Core Strategy DPD and these are coded MWC1 to 11. The M&W Policies and Sites DPD has a total of 12 policies and these are coded MWP1-12. It is important to note that not all M&W policies are applicable to Hartlepool and as such the return to such policies will be recorded as n/a (not applicable).

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<sup>11</sup> Ibid 21

**A BUSINESS DEVELOPMENT, TOWN CENTRES AND TOURISM**Employment land

Map 1: Industrial employment site locations\*



Source: Hartlepool Borough Council, 2006 Local Plan

\* total area 1033 ha

- Local Plan objectives A1, A2, A3, A4 and A8: to encourage the provision of more and higher quality job opportunities, to ensure that sites are available for the full range of industrial and commercial activities so as to enable the diversification of employment opportunities, to encourage the development of additional office, small business and light industrial uses, to promote the growth of tourism and to promote mixed use developments where appropriate.
- Local Plan objectives B2 and D3: to ensure that Hartlepool Town Centre continues to fulfil its role as a vibrant and viable amenity providing a wide range of attractions and services with convenient access for the whole community and to ensure that developments attracting large numbers of people locate in existing centres which are highly accessible by means other than the private car.

Related Policies

- Identification and criteria for development on business and other high quality industrial sites at Wynyard Business Park (Ind1), North Burn



- (Ind2), Queens Meadow (Ind3) and Sovereign Park (Ind4a), Park View West (Ind4) and Golden Flatts (Ind4);
- Identification and allocation of sites for wide range of employment uses including light and general industry (Ind5, PU6), bad neighbour uses (Ind6), port-related development (Ind7) and potentially polluting or hazardous developments (Ind9 – Ind10);
- Encouraging the development of the town centre as the main shopping, commercial and social centre of Hartlepool (Com1);
- Protecting the retail character of the primary shopping area (Com2) and allocation of development site within primary shopping area (Com3);
- Identifying the sequential approach for shopping and other main town centre uses (Com8 and Com9);
- Improvement of accessibility to and within town centre by modes other than the car (Tra1, Tra4, Tra5, Tra7);
- Restriction on retail developments in industrial areas and at petrol filling stations (Com10 and Com11);
- Preventing spread of town centre uses to adjoining residential areas (Hsg4);
- Sequential approach for major leisure developments (Rec14);
- Identifying area where late night uses permitted (Rec13);
- Identification of sites and areas for retail and other commercial development in primary shopping area (Com3), edge of centre locations (Com4), at Tees Bay (Com7) and west of A179/north of Middleton Road (Com17);
- Identification of areas for mixed use developments at the Headland (Com16), edge of centre sites (Com4) and Tees Bay (Com7).

#### Employment Policies assessment

4.11 Most industries in Hartlepool are located in the southern part of Hartlepool and this area is known as the Southern Business Zone (SBZ). In February 2009 a development strategy was produced to support the development of this area. The study indicates that the SBZ consists of 15 separate industrial estates and business parks and covers an area of approximately 170 hectares, the study went on to state that the SBZ is home to around 400 companies who between them employ 5,000 people making it a key employment area and a major driver of economic prosperity for the Tees Valley sub-region. Within the SBZ there have been variations in employment opportunities with increases in some areas but increases have been coupled with decreases so overall the position is very much the same as in 2009.

4.12 The SBZ Action Plan is in place and its vision is:

“To become a driver of success for the sub-region, ensuring the SBZ captures recognised opportunities for growth for the benefit of local people, business and the environment”

To achieve this vision the following strategic objectives have been set:

- Close the skills gap so that local people can better benefit from anticipated economic growth.
  - Provide better access to job opportunities.
  - Enhance support for existing and new businesses.
  - Attract new business and inward investment.
  - Maximise supply chain opportunities for local firms.
  - Improve the environment, appearance and image of the area.
  - Rationalise land use.
  - Help diversify the economic base.
- 4.13 In April 2012, the Enterprise Zone (EZ) status was enacted in 3 industrial locations in Hartlepool, i.e. Oakesway, Queen's Meadow and the Port. The aim of the EZ status is to aid economic recovery and stimulate growth by giving business rate discounts or enhanced capital allowances over a five year period to support the growth of existing firms and/or attract significant inward investment. Local Development Orders were put in place for each of the 3 areas in 2012 with a lifespan of 3 years – these were therefore updated and refreshed LDO's put in place in March 2015 to cover the period to end March 2018.
- 4.14 Only businesses that fall into one of the three business growth sectors will be allowed to take advantage of the financial incentives. These are:
- Advanced Engineering & Advanced Manufacturing;
  - Chemical, Pharmaceutical & Biotechnology, and;
  - Renewable Energy Manufacturing.
- 4.15 This year only one business moved into Queen's Meadow EZ: i.e. JNP Group with a total floor office space of 114m<sup>2</sup>. To date the following companies have moved into the EZs and all are at Queen's Meadow:
- 2015/16 JNP Group
  - 2014/15 Applus RTD, Hart Biologicals
  - 2013/14 Contract Laboratory Services
  - 2012/13 Omega Plastics, Propipe, Durable Technologies, Solomons Europe Ltd
- 4.16 The Employment Land Review (ELR) endorsed by the Council's regeneration committee in January 2015 is to be used as an evidence base for the emerging Local Plan and also as material consideration whilst making planning decisions.
- 4.17 The ELR reveals that there is a total of 409.7ha of available employment land from 29 sites across the borough. It proposes to de-allocate/re-allocate a total of 151.8 ha from sites judged unlikely to come forward such as Former Centura (18.1ha), Northburn Electronics Park (66.7.6ha), Victoria Harbour North Docks west of Marina Way (3.1ha); sites more suitable to be developed for alternative uses such as Golden Flatts (20.8), and Wynyard (39.9ha, but the emerging Local Plan is proposing a larger deallocation). The de-allocations/re-allocations therefore leave a realistic supply of 257.9ha of available employment land from 23 sites and this is recommended to be safeguarded. The full ELR report is available on the Council's website:

[http://www.hartlepool.gov.uk/downloads/file/12170/employment\\_land\\_review-january\\_2015](http://www.hartlepool.gov.uk/downloads/file/12170/employment_land_review-january_2015).

- 4.18 A number of output indicators have been selected to measure the effectiveness of the policies which seek to diversify and improve the economy and employment opportunities. These include most of the national core output indicators relating to business development and additional local output indicators relating to the amount and proportion of developments on prestige, high quality and other sites identified for business uses and the number of new business start-ups.

- Core Output Indicator **BD1**: Total amount of additional employment floor space - by type (gross)
- Core Output Indicator **BD2**: Total amount of employment floor space on previously developed land - by type.
- Core Output Indicator **BD3**: employment land available.

Table 16: Completed Employment Floorspace 2015-2016

		Use Class B1a	Use Class B1b	Use Class B1c	Use Class B2	Use Class B8	Total
<b>BD1 - Total amount of additional employment floor space</b>							
Gross (m <sup>2</sup> )	Queens Meadow, Propipe have built a warehouse building, Unit 2	-	-	-	-	1 250	1 250
Loss (m <sup>2</sup> )		-	-	-	-	0	0
Net (m <sup>2</sup> )		-	-	-	-	1 250	<b>1250</b>
<b>BD2 - Total amount of employment floor space on previously developed land - by type</b>							
		-	-	-	-	-	-
		-	-	-	-	-	-
Total		-	-	-	-	-	-

Source: Hartlepool Borough Council

- 4.19 In comparison to last year this year has a significant decrease in commercial floorspace completions. Table 16 shows a total of 1250m<sup>2</sup> additional floorspace completions at Queens Meadow. However, it is important to note that this completion has already been reported last year from building control commercial returns. The reduced business rates incentive is encouraging business investment in Hartlepool as seen at Queen Meadow EZ with an additional company benefiting from the incentive this year.
- 4.20 Table 16 also shows that this year there has been no commercial floor space completions from previously developed land.

Table 17: Indicator **BD3**: Employment Land Available 2015/2016\*

Name	Allocated Use	Total Area (ha)	Developed/Reserved/Committed (ha)	Available (ha)
Brenda Road East	B1,potentially B2,B8 in certain circumstances	17.7	5.6	12.1
Former Centura	B1,potentially B2,B8 in certain circumstances	18.2	0.0	18.2
Golden Flatts	B1,potentially B2,B8 in certain circumstances	26.5	5.7	20.8
Graythorp Industrial Estate	B1,potentially B2,B8 in certain circumstances	17.2	17.2	0
Graythorp Yard	B1,potentially B2,B8 in certain circumstances	47.8	47.8	0
Longhill	B1,potentially B2,B8 in certain circumstances	62.4	61.4	1
Northburn Electronics Park	B1,B2,B8 related to electronics industry	66.7	0.0	66.7
North Graythorp	B2,potentially polluting or hazardous development	27.0	9.4	17.6
North of Seaton Channel	B2, port related	24.5	0.0	24.5
Oakesway	B1,potentially B2,B8 in certain circumstances	38.8	20.2	18.6
Park View West	B1,potentially B2,B8 in certain circumstances	16.9	14.7	2.2
Philips Tank Farm	B2,potentially polluting or hazardous development	150.4	150.4	0
Queens Meadow	B1,potentially B2,B8 in certain circumstances	61.5	17.2	44.3
Sandgate	B1,potentially B2,B8 in certain circumstances	14.2	14.2	0
South Works	B1,potentially B2,B8 in certain circumstances	131.2	131.2	0
Sovereign Park	B1,potentially B2,B8 in certain circumstances	20.9	9.3	11.6
Tees Bay	Mixed use	9.6	6.4	3.2
Tofts Farm West	B1,potentially B2,B8 in certain circumstances	34.1	25.9	8.2
Tofts Farm East	B1,potentially B2,B8 in certain circumstances	44.2	43.6	0.6
Trincomalee/Maritime	Mixed Use	3.5	0.7	2.8
Usworth Road	B1,potentially B2,B8 in certain circumstances	14.1	14.1	0
West of Seaton Channel	B2,potentially polluting or hazardous development	76.7	76.7	0
Victoria Harbour	Mixed Use	106	42.8	63.2
Wynyard Business Park	B1,B2,B8	118.8	24.7	94.1
Zinc Works Road	B1,potentially B2,B8 in certain circumstances	3.0	3.0	0
				<b>Total 409.7</b>

Source: Hartlepool Borough Council.

\* Table includes mixed use sites: Victoria Harbour, Tees Bay, and Trincomalee/Maritime Avenue.

- 4.21 There has been no recorded uptake of employment land this year hence available land remains as shows on Table 17. As in previous years, the highest proportion of land available is at Wynyard, Northburn, Queens Meadow and Victoria Harbour whilst much of the remaining land comprises small parcels of land within substantially developed industrial estates.
- 4.22 The Employment Land Review (2015) shows a total of 410ha of available employment land from 29 sites across the borough. When this total is adjusted with the ELR's recommended de-allocations/re-allocations, the total available will be 258ha from 23 sites.
- 4.23 The ELR's recommendations have not yet been taken into account in reporting the total available employment land as this will be formally done

through the emerging Local Plan which is scheduled for 2018 hence the total available employment land will change upon completion and adoption of the Local Plan.

- 4.24 It is anticipated that the Nuclear Power station will be replaced like for like so therefore when it is decommissioned and a new one built there will be no overall loss or gain in employment floor space, hence it is not shown in Table 17. At the time it is replaced there is likely to be a short term increase in employment in terms construction jobs associated with the overlap between decommissioning of the existing plant and creation of a new powerstation.

### **Town Centre and Town Centre Uses**

Local Output Indicator: Vacancy rates in the defined town centre

- 4.25 Information on vacancy rates can provide a useful indication of the viability of the town centre. The Retail Study (2015) reports that vacancy rates in terms of both quantum of floorspace and number of retail units in Hartlepool are significantly above the UK national averages. This potentially reflects the significant contraction in retail provision.

Table 18: Vacancy Rates (floorspace) in the Town Centre 2015/2016

	2011/12	2012/13	2013/14	2014/15	2015/16
Total number of commercial units	443	475	480	471	484
Total number of vacant units	118	101	105	97	89
Total Floor Space (m <sup>2</sup> )	160 697	175 575	178 696	174 592	182 193
Vacant Floor Space (m <sup>2</sup> )	24 545	21 829	21 921	20 757	22 753
Vacancy Rate (%)	15.3	12.4	12.3	11.9	12.5

Source: Hartlepool Borough Council, annual retail survey.

- 4.26 This year more units such as the civic centre, former Wesley chapel, town hall, police station, job centre, church street information centre, courts, gainford house and former registry office and social club in Raby road have been added to the survey hence the higher number of units and increase in total floor space.
- 4.27 Vacancy rate in terms of floorspace is 12.5% and is slightly higher than the previous year's 11.9% (Table 18). Lack of high quality shops still remains a challenge. A number of high quality shops that have shut down have been mainly replaced by low quality shops and charity shops. The imminent closure of BHS department store is bound to increase vacancy rates next year. However there are plans of H&M clothes shop moving into former Marks & Spencer unit early next year. This will increase the shop quality offer within the town centre.

• Core Output Indicator **BD4**: Total amount of floor space for town centre uses

Table 19: Amount of completed floorspace for town centre uses  
2015/2016

	A1	A2	B1a	D2	Total
<b>BD4</b> Gross addition (m <sup>2</sup> )	-	-	-	738	738
Loss (m <sup>2</sup> )	-	-	-	0	0
Net (m <sup>2</sup> )	-	-	-	0	0
<b>Total</b>	-	-	-	738	<b>738</b>

Source: Hartlepool Borough Council

4.28 This indicator shows the amount of completed floorspace for town centre uses, both within and outside the town centre boundary but within the whole local authority area. This monitoring year there has been a total 738m<sup>2</sup> of completed floorspace for town centre uses within the borough (Table 19). This is a gymnasium (Xtreme fitness) in Lady Smith Street in Longhill Industrial Estate outside the town centre boundary. There have been no completions within the town centre boundary.

4.29 The town centre policies (Com1, Com2, Com8 and Com 9) basically encourage the development of the town centre as the main shopping, commercial and social centre of Hartlepool and protect the retail character of the primary shopping area. Com 9 lists the main town centre uses to include retail, office, business, cultural, tourism, leisure, entertainment and other developments that are bound to attract large number of visitors. Indicator BD4 on Table 19 shows that the town centre policies are being effectively implemented as there is not much town centre activity completed outside the town centre boundary.

### **Tourism Policies Assessment**

4.30 Tourism has become very important to the Hartlepool economy, the development at the Marina acting as a catalyst to its success. The Local Plan identifies the Town Centre, The Marina, the Headland and Seaton Carew as main tourism destinations and the policies encourage appropriate developments related to the very different characters of these areas.

• Local Plan objective A4: to promote the growth of tourism

### **Related Policies**

- Identification of areas for tourism related developments at the Marina (To1), Headland (To2) and Seaton Carew (To3, To4 and To6);
- Encouragement of green tourism (To8) and business tourism (To11);
- Encouraging the provision of tourist accommodation (To9) and identifying criteria for touring caravan sites (To10).

Local Output Indicator: Planning permissions granted for tourist related developments

Table 20: Planning permissions granted for tourism related developments 2015/2016

General Location	Site / Location	Development	Development progress
<b>Town Centre</b>	None	None	n/a
<b>Edge of town centre</b>	None	None	n/a
<b>Marina area</b>	Travel lodge, The Lanyard	change of use of existing vacant ground floor with A3/A4 permission to hotel use (C1) for additional 12 bedrooms	not started
<b>Headland</b>	None	None	n/a
<b>Seaton Carew</b>	None	None	n/a
<b>Countryside</b>	Abbey Hill Cottages Dalton Piercy	alterations to existing holiday cottages (2) to subdivide to create 2 additional units	ongoing

Source: Hartlepool Borough Council

- 4.31 There have been two tourist-related planning permissions granted during this financial year; one at Abbey Hill cottages in the countryside and outside of development limits and the other at the Marina travel lodge for additional 12 bedrooms (Table 19).

**HOUSING**

- Local Plan objectives A9 and B1: to encourage the provision of high quality housing and to ensure that there is available, throughout the plan period, an adequate supply of suitable housing land which is capable of offering, in different localities, a range of house types to meet all needs.

Related Policies

- Improvement of existing housing stock and its environment (Hsg1);
- Selective housing clearance and housing market renewal programmes (Hsg2 – Hsg3);
- Seeking contributions from developers for improvements in housing areas (GEP9);
- Encouraging and undertaking environmental and other enhancement schemes in Industrial and Commercial Improvement Areas (Ind8 and Com6);
- Management of housing land supply (Hsg5);
- Provision of housing in mixed use developments at Victoria Harbour and the Headland (Hsg6);
- Setting out the criteria for residential annexes, homes and hostels, residential mobile homes and gypsy sites (Hsg11 – Hsg14);
- Encouraging residential conversions (Hsg7);
- Seeking contributions from developers for highway and infrastructure works (GEP9).

- Core Output Indicator **H1**: plan period housing targets (as set in Adopted Local Plan)

Table 21: Housing targets

	Total net housing required	Source of plan target
<b>H1</b>	4500 - 4875	Hartlepool Borough Council Strategic Housing Market Assessment 2015

Source: Hartlepool Borough Council

- 4.32 The housing target this year reflects the Hartlepool SHMA (2015) which sets out an up-to-date position in relation to housing need for the Borough of 300-325 dwellings per annum, equating to 4500–4875 dwellings over the plan period of 15 years as illustrated in Table 21.



However the housing need figures are expected to change next year as the SHMA (2015)<sup>12</sup> is currently under revision.

- 4.33 Following the withdrawal of the Local Plan in 2013 the Council produced an Emergency Planning Policy Justification document which assessed the 2006 Hartlepool Local Plan policies for conformity with national guidance with the National Planning Policy Framework (NPPF). As the authority are currently unable to demonstrate a five year housing supply all policies which deal with the supply of housing are deemed to not be in conformity. As such the Authority relies on the most up-to-date evidence base to set out the housing need for future years. The figure of 300-325 dwellings per annum within the 2015 Hartlepool SHMA provides an assessment of housing need within the town. The need will be further formalised through the emerging Local Plan (2018).

- Core Output Indicator **H2a**: Net additional dwellings - in previous years
- Core Output Indicator **H2b**: Net additional dwellings – for the reporting year
- Core Output Indicator **H2c**: managed delivery target
- Core Output Indicator **H2d**: Actual delivery

- 4.34 Table 22 below illustrates Hartlepool's performance over the period from 2011/2 when the Tees Valley SHMA was adopted.

Table 22: Recent housing delivery

Core Output Indicator H2		2011/12	2012/13	2013/14	2014/15	2015/2016
<b>H2a</b>	Net additional dwellings in previous years	225	122	84	376	
<b>H2b</b>	Net additional dwellings for the reporting year					<b>528</b>
<b>H2c</b>	Managed delivery target	309	309	309	309	<b>309</b>
<b>H2d</b>	Actual Delivery	-84	-187	-225	+67	<b>+219</b>
	Cumulative Delivery (since adoption of 2006 Local Plan)	-568	-755	-980	-913	<b>-694</b>

Source: Hartlepool Borough Council

NB: In relation to actual and cumulative delivery + denotes over delivery and – (minus) under delivery

<sup>12</sup> It should be noted that an addendum to the SHMA (2015) has just been endorsed at the time of writing this AMR (December 2016) and therefore for the next financial year the AMR will reference a new delivery target as set in the SHMA addendum.

- 4.35 target. Policy Hsg5 is therefore not likely to be implemented. Instead the new policy in the emerging Local Plan should be in line with current guidance contained in National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).
- 4.36 Although the council plans to build future homes on Greenfield land the use of vacant buildings including upper floors in retail areas is encouraged by the council and there are funding streams available from central government to bring empty commercial units back into use. Within Hartlepool, the Empty Homes Strategy (EHS) therefore, targets bringing back to use empty properties in the borough.
- 4.37 As at 31<sup>st</sup> March 2016, there are 589 empty homes (empty for at least 6 months) across the borough. Phase 1 of the empty homes project aims at bringing back into use 100 empty properties on an annual basis, mainly in the York Road, Raby Road and Murray Street areas. Table 22 shows that this year the borough's actual housing delivery was above target and this is for the second year running. However due to a backlog of the previous years under delivery, the cumulative total is an under delivery of 694 dwellings since 2006. This is expected to improve next year as it is anticipated that there will be more completions from large housing developments such as Quarry Farm, Britmag, Mayfair at Seaton Carew, Area 15 Middle Warren, Wynyard and various small sites. The emerging Local Plan (2018) has allocated more Greenfield housing sites which are expected to deliver the Borough's housing need on target. This will be in addition to sites with existing planning permission. Therefore the annual target is considered to be an achievable figure hence it is not considered appropriate at the current time to move away from this target.
- 4.38 The net opening stock of housing this year is 42 901 and net closing stock is 43 429. The gross total of 574 additional dwellings consists of 553 new build, 10 conversions and 11 change of use. There were 46 demolitions i.e. (34 at Carr Hopps HMR site, 11 at Raby gardens HMR site and 1 at Wynyards woods) this year therefore the net additional dwellings number is 528 and is higher than last year (i.e. 376). For the third year running the net additional dwellings has been increasing and this is positive for the Borough as it moves towards being able to demonstrate a five year supply of housing sites/land.
- 4.39 The gross total of 553 new build dwellings in 2015/16 were mainly from the completion of a block of flats at the Marina, HMR sites, Middle Warren, Wynyard, The Mayfair at Seaton, and a variety of smaller sites across the Borough. Construction at the Darlings in Hart Village is well on progress and expected to be complete by end of next year. Construction in Britmag in Old Cemetery road and at Quarry farm has commenced and these are expected to contribute more to next year's completions hence it is anticipated that the delivery target will again be met if not exceeded next year.

Related Policies

- Reclamation and re-use of derelict and disused land (GEP17);
- Acquisition of untidy sites (GEP16);
- Encouraging development on contaminated land (GEP18);
- Encouraging residential conversions and the residential re-use of upper floors of properties (Hsg7 – Hsg8).

Brownfield Targets

- Local Plan objectives A7 and C10: to promote development on previously used sites where appropriate and to encourage the full use of empty or underused buildings and to ensure the appropriate enhancement of derelict, unused and under-used land and buildings.

- Core Output Indicator **H3**: New and converted dwellings – on previously developed land (PDL)

4.40 The Local Plan targets for the proportion of housing development to be provided on previously developed land and through conversions of existing buildings is 60% by 2008 and 75% by 2016 as specified in policy Hsg5 of the adopted Hartlepool Local Plan 2006. Whilst this policy is not currently considered in line with NPPF as it relates to the supply of housing, the principle of brownfield housing development is still supported and encouraged by the NPPF and as such the Authority will still support proposals for acceptable development on brownfield land.

Table 23: The number of new converted dwellings and gross new build dwellings being built upon previously developed land.

		Total Dwellings					
		2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<b>H3</b>	Total new build dwellings (gross)	365	290	141	213	376	553
	% built on PDL	58	75.5	52	43.7	37.8	60.6%
	Total converted to dwellings (gross)	5	5	4	2	1	11
	% conversions	1.3	1.7	2.8	0.9	0.3	1.9

Source: Hartlepool Borough Council

- 4.41 The gross total completions of dwellings from new build and conversions this year is 564 (i.e. 553 and 11 as shown in Table 23). 335 new builds were built on previously developed land and this represents 60.6% built on previously developed land (Brownfield land). This is higher than last year in which 142 (37.8%) were completed on Brownfield land. Unlike in previous years, this year there were fewer completions on Greenfield sites. There were 11 gross conversions which accounted for 1.9% of gross total additional new dwellings.
- 4.42 The existing Local Plan does not include a portfolio of deliverable sites for housing and due to the authority being unable to demonstrate a 5 year housing land supply, a large number of housing applications have been received for housing developments on Greenfield sites, some of which have been given permission. The emerging Local Plan (2018) allocates more Greenfield sites for housing hence it is anticipated that the proportion of new dwellings delivered on previously developed land will significantly decrease in the future as only a relatively small number of urban Brownfield SHLAA sites are considered deliverable within the Local Plan period.
- 4.43 However, once a new Local Plan is adopted there will not be a requirement to meet a specific Brownfield This year there has been a total of 86 empty homes brought back into use. The number of empty homes being brought back into use continues to increase each year and this is positive development for the Borough which has a high number of empty homes.

#### Mixed use Brownfield target

- 4.44 Inline with the councils brownfield target to provide 75% of all new dwellings on brownfield land (new build or conversions) by 2016, the 2006 Local Plan sets out (within policy Hsg6) that housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland and Victoria Harbour, the two areas together make up the strategic housing site within the 2006 Local Plan. The 2006 Local Plan states that development at the strategic site will develop as follows:
- Headland - 50 dwellings in the period 2005-2011
  - Victoria Harbour - 550 dwellings by 2005-2011, 900 dwellings in the period 2011-2016

There have been no dwellings developments on both sites up to date. In 2009 the land owners indicated their intentions not to proceed with the anticipated mixed use development and expressed their intension to focus on port-related development including offshore wind and sustainable energy solutions. Although the site would have provided a significant number of dwellings, on brownfield land within the urban limits, the council are fully supportive of the land owners' intentions to retain the land for employment purposes. Therefore Policy Hsg6 can not be implemented.

Local Output Indicator: Types of housing completed
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Table 24: Types of Houses completed (gross number): 2015/2016

Type	Number completed	% of total gross completed
Flat	177	30.8
Terraced house	74	12.9
Semi detached house	128	22.3
Detached house	148	25.8
Bungalow	47	8.2

Source: Hartlepool Borough Council

- 4.45 Table 24 shows that flats accounted for most dwelling types completed this year. This is due to the completion of flats mainly at Mansion House at the Marina (86), Jones Road (42) and former Claremont (23). The delivery of detached and semi detached houses in Hartlepool continues to increase like in previous years whilst terraced housing delivery is decreasing. The number of Bungalows delivered also increased this year although their proportion remains lowest at 8.2%.

- Core Output Indicator **H5**: Gross affordable housing completions

Table 25: Gross affordable housing completions 2011 to 2016

Year	Social rent homes provided	Intermediate homes Provided	Affordable homes total
2015/16	128	8	136
2014/15	32	7	39
2013/14	24	0	24
2012/13	28	2	30
2011/12	64	26	90

Source: Hartlepool Borough Council

- 4.46 With the completion and adoption of the Hartlepool Strategic Housing Market Assessment (2015), the annual affordable housing net target in the borough is now 144 dwellings per annum as opposed to the previous 88 identified in the 2012 Tees Valley SHMA. The net additional affordable housing delivery for this year is 136 and is the highest it has been for the past 5 years. Although still slightly below target, this is relatively good development for the Borough in terms of delivery of affordable properties.
- 4.47 The Borough Council will continue to support the delivery of additional affordable housing through building on council owned land, partnership working with Registered Providers in the borough and through securing affordable housing contributions as part of private residential developments.

• Core Output Indicator **H4**: Net additional pitches (Gypsy and Traveller)

Table 26: Number of gypsy and traveller pitches delivered

	Permanent	Transit	Total
<b>H4</b>	nil	nil	nil

Source: Hartlepool Borough Council

- 4.48 The Council adopted the Hartlepool Borough Gypsy and Travellers Accommodation Needs Assessment (GTAA) in December 2014. The GTAA evidence suggests that in the first instance, the provision of a dedicated Gypsy and Traveller site in the Borough of Hartlepool, whether permanent or stop-over, may not offer the best solution to meeting the small theoretical housing need established through this accommodation assessment.
- 4.49 The study recommends that the Council commits to proactively support and positively intervene with any member of the Gypsy and Traveller community needing re-housing, to explore their housing options, and does not seek to provide a dedicated site for Gypsy and Travellers in its Development Plan.
- 4.50 Support from the Council will include access to currently available bricks and mortar housing, with referral to support agencies if necessary, as well as awareness-raising about the full range of accommodation options and how to pursue them.
- 4.51 However, should the small theoretical need for a site then be manifested as actual demand through a Gypsy and Traveller member request or through a formal planning application, the Council will positively plan for such a site through the existing planning policy framework and any subsequent Development Plan policy framework.

• Core Output **H6**: Housing quality – Building for Life Assessments

Table 27: The level of quality in new housing development

	No. of sites with a building for life assessment of 16, or more	No. of dwellings on those sites	% of dwellings of 16 or more	No. of sites with a building for life assessments of 14 to 15	No. of dwellings on those sites	% of dwellings of 14 to 15	No. of sites with a building for life assessment of 10 to 14	No. of dwellings on those sites	% of dwellings of 10 to 14	No. of sites with a building for life assessment of less than 10	No. of dwellings on those sites	% of dwellings of less than 10	Total No. of housing sites (or phases of housing) sites	No. of dwellings of 10 to 14
<b>H6</b>	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

Source: Hartlepool Borough Council

4.52 Table 27 shows that none of the homes built within this report period were accompanied by a building for life assessment.

**C. ENVIRONMENTAL QUALITY**Adequate Infrastructure

- Local Plan objective A5: to ensure that there is an adequate infrastructure to serve new and existing development

Related Policies

- Allocation of a site for sewage treatment works and criteria for improvements to existing plants (PU3);
- Safeguarding of road corridors (Tra11 – Tra13);
- Identification of access points for major development sites (Tra14);
- Identification of land for power generation (PU6);
- Criteria for renewable energy developments (PU7);
- Seeking contributions from developers for highway and infrastructure works (GEP9).

- Core Output Indicator **E1**: Number of planning permissions granted contrary to Environment Agency advice on flooding and water quality grounds

Table 28: Number of planning permissions granted contrary to Environment Agency advice on flooding and water quality grounds.

	Flooding	Quality	Total
<b>E1</b>	nil	nil	nil

Source: Hartlepool Borough Council

- 4.53 No planning permissions were granted contrary to the advice of the Environment Agency during the year 2015/2016.

Biodiversity and Geodiversity

- Local Plan objective C9: to protect and enhance the biodiversity and geodiversity of the natural environment and ensure the careful use of natural

Related Policies

- Protection and enhancement of national and local sites of nature conservation and geological importance (WL2, WL3, WL5, WL7);
- Protection of species protected by law (WL4) and
- Seeking contributions from developers for works to enhance nature conservation features (GEP9).



Core Output Indicator **E2**: Change in places of biodiversity importance

Table 29: Losses or additions to biodiversity habitat

		Loss	Addition	Net Total
Indicator E2 (area in ha)	2015/2016	6.1	0	-6.1
	2014/2015	1.2	0	-1.2
	2013/2014	2	0	- 2
	2012/2013	0.2	0.2	0.0
	2011/2012	0	0	0

Source: Hartlepool Borough Council

This year there is a total net loss of 6.1 ha of habitat (i.e. 0.5 ha from an Ancient replanted Woodland Site at Wynyard and 5.6 ha of Conifer plantation at Wynyard). The loss is directly attributed to the existing housing developments in Wynyard. Two priority bird species have been estimated to be lost from arable land this year i.e. 3 pairs of skylark and 1 pair of grey partridge.

There seems to be no apparent mitigation procedures put in place to compensate the habitat loss as shown by nil returns in the 'additions' column in Table 29. Ecologically, this is cause for concern as over time there will be a net cumulative loss of priority habitats in the Borough. Planning decisions should minimise and prevent cumulative loss of wildlife habitat and as such more enforcement is needed to ensure mitigation measures are in place and delivered as part of developments that result in the loss of habitats or priority wildlife species. There is no change to the areas of designated international or national sites or number of designated local nature reserves.

• Core Output Indicator **E3**: Renewable energy generation

Table 30: The amount of renewable energy generation by installed capacity and type for the financial year 2015/16

E3		Wind onshore	Solar photovoltaics	Hydro	Biomass						Total
					Landfill gas	Sewage sludge	Municipal (& industrial) solid waste combustion	Co-firing of Biomass	Animal biomass	Plant biomass	
	Applications Permitted & installed capacity in MW	Nil	2	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Completed installed capacity in MW	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

Source: Hartlepool Borough Council

4.54 This year two applications were determined in Newton Bewley for construction of two temporary solar farms to include the installation of

solar panels with transformers and a District Network Operator (DNO) substation.

**D. MINERALS AND WASTE**

- Local Plan objective C11: to ensure that industrial and other potentially polluting or hazardous activities do not have a significant detrimental effect on the adjacent population or workforce and do not have a damaging effect on the environment.
- Local Plan objective C12: to minimise the adverse environmental effects of mineral workings and waste disposal operations and ensure the appropriate restoration

Related Policies

- Policies contained in the Minerals and Waste DPDs
- Control of developments involving the use or storage of hazardous substances (Ind11);
- Control on developments on or near landfill sites (Dco1);

- Core Output Indicator **M1**: Production of primary land won aggregates by mineral planning authority

Table 31: The amount of land won aggregate being produced

	Crushed rock	Sand and gravel
<b>M1</b>	Unknown	Unknown

Source: Hartlepool Borough Council

NB: This information is not publicly available in respect of data for Hartlepool because of issues of business confidentiality.

- Core Output Indicator **M2**: Production of secondary and recycled aggregates by mineral planning authority.

Table 32: The amount of secondary and recycled aggregates being produced in addition to primary won sources in M1 above

	Secondary	Recycled
<b>M2</b>	unknown	unknown

Source: Hartlepool Borough Council

NB: This information is not publicly available in respect of data for Hartlepool because of issues of business confidentiality.

- 4.55 No minerals recorded - although there is a waste transfer operation in the borough which does produce some recycled aggregates as part of the operation. In this respect issues of business confidentiality prevent the publication of detailed figures.

- Core Output Indicator **W1**: Capacity of new waste management facilities by waste planning

Table 33: The capacity and operational throughput of new waste management facilities as applicable

W1	Inert landfill	Non-hazardous landfill	Hazardous landfill	Energy from waste incineration	Other incineration	Landfill gas generation plant	Pyrolysis /gasification	Metal recycling site	Transfer stations	Material recovery/recycling facilities (MRFs)	Household civic amenity sites	Open windrow composting	In-vessel composting	Anaerobic digestion	Any combined mechanical, biological, and/thermal treatment	Sewage treatment works	Other treatment	Recycling facilities construction, demolition and excavation waste	Storage of waste	Other waste management	Other developments	Total
The total capacity (m <sup>3</sup> , tonnes or litres)	0	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0		0	0	0
Maximum annual operational throughput (m <sup>3</sup> tonnes or litres if liquid waste)	0	0	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0		0	0	0

NB: Information regarding the total capacity is not available, so figure is assumed inline with the maximum annual operational throughput permitted  
Source: Hartlepool Borough Council

- 4.56 There are no new waste management facilities this year. However, one waste-related application was determined and approved for change of use to skip hire operation, waste transfer station, recycling and sorting of brick and rubble and non hazardous household waste materials in Graythorp industrial estate.

- Core Output Indicator **W2**: Amount of municipal waste arising, and managed by management type by waste planning authority.

Table 34: The amount of household municipal waste arising and how that is being managed by type

Indicator <b>W2</b>		Landfill	Incineration with E.F.W.	Incineration without E.F.W.	Recycled/composted	Other	Total Waste Arising	% Recycled/composted
Amount of waste arisings in tonnes	2015/2016	28 491.25	3450.58	nil	14972.64	nil	46914.47	31.9
	2014/2015	3461.40	27730.73	nil	15795.53	nil	46985.21	33.6
	2013/2014	546.82	28695.07	nil	19153.57	nil	47848.64	40.0
	2012/2013	1445.6	26089.5	nil	19261.5	nil	46796.6	41.2
	2011/2012	3874.20	19585.01	nil	18529.64	nil	41988.85	44.1
	2010/2011	5610.46	20444.49	nil	17467.26	nil	43522.21	40.1
	2009/2010	6164.00	20153.86	nil	21763.64	nil	48081.50	45.3
	2008/2009	4499.49	29058.77	nil	19829.03	nil	53387.29	37.1

Source: Hartlepool Borough Council

- 4.57 Total waste arising this year has continued to decrease despite the rising number of households in the Borough. The amount of waste going to landfill increased significantly this year and that incinerated reduced significantly. This is due to operational issues with the incinerator so the council switched to more landfill instead. It is expected that the incinerator will be fully operational and operating to full capacity next year so this should reduce amount of landfill waste next year.
- 4.58 At 31.9%, the proportion of recycled or composted waste has decreased again this year and has been declining since 2011/2012. The Minerals and Waste DPD 2011 (M&W DPD) allows for 40% of household waste to be recycled or composted from 2011 rising to 46% in 2016. According to Table 34 above, Hartlepool council is below the set target within the M&W DPD and possibly measures need to be put in place to encourage households and companies to recycle more.

**E. QUALITY OF LIFE**

- Local Plan objective C1: to ensure that developments do not have an adverse impact on the quality of life of the population of Hartlepool.

Related Policies

- Setting out general principles for all new development (GEP1);
- Provision for access for all (GEP2);
- Encouraging crime prevention by planning and design (GEP3);
- Control on the location of food and drink developments (Com12) and on the location of late night uses (Rec13);
- Controlling other new developments to protect the amenities of residents (e.g Com13 and Com14 - developments in residential areas, Hsg9 - residential developments, Rec11 - noisy outdoor sports and leisure activities, PU8 – telecommunications etc.).

Development in the rural area

- Local Plan objectives C2 and C7: to retain the compact form of the main urban area by preventing urban development extending into the countryside and to protect and enhance the character of the existing villages.

Related Policies

- Definition of Urban Fence and Village Envelopes (Rur1 – Rur3 and Rur12 not currently being used in the determination of planning applications due to the lack of a five year supply)
- Developments to accord with Village Design Statements (Rur4);

Local Output Indicator: Planning decisions on proposals for development outside urban fence and village envelopes.

Table 35: Developments approved outside Limits to Development 2011-2016

Developments Approved	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016
Agricultural buildings	1	2	3	0	6; Erection of two storage buildings at The Grange Farm Dalton Piercy, Erection of garage in connection with equestrian business at Willowtree Farm, Erection of a storage building and a mutli purpose building at Low Stotfold Farm, Erection of building for farm animals at Cookfoot Farm Elwick,
New dwellings – no agricultural justification	0	1	2	2	0
New dwellings associated with agricultural existing developments	4	0	1	0	0
New dwellings associated with rural business developments	2	1	0	0	1; equestrian workers dwelling with attached garage at Elwick Hall
Temporary residence in connection with rural business	0	1	0	0	0
Replacement dwellings	0	0	0	0	0
Residential conversions of rural buildings	0	1	1	0	0
Business conversions of rural buildings	1	1	0	2	0
Extensions of gardens	0	0	0	0	0
Recreational and leisure uses	1	4	0	0	0
Extensions and other works relating to existing businesses	0	1	0	1	1, extension to existing agricultural building Benknowle farm,
Telecommunications developments	0	0	2	0	0

Source: Hartlepool Borough Council

4.59 The information provided above relates to planning applications approved for development on land outside the limits to development (urban fence and village envelopes). This has been monitored since 2006 and information prior to 2011/2012 is not shown in Table 35 but is contained in previous reports.

4.60 There have been a total of 8 developments approved outside the limits to development; 6 relating to erection of agricultural buildings, one new worker's dwelling to support an equestrian business and one extension relating to an existing business. This year there are no unjustified developments of dwellings in the open countryside as opposed to last year in which there were 2 residential developments outside development limits. This indicates the effective implementation of rural polices that seek to

protect the countryside, promote the rural economy and protect the compactness of the urban area.

- 4.61 The New Dwellings Outside of Development Limits (NDODL) Supplementary Planning Document (SPD) was adopted in August 2015. The main aim of the SPD is to provide guidance on whether the principle of a new dwelling in countryside is appropriate or not. It is anticipated that the SPD will assist to preserve the open countryside from unwanted, unsustainable and unjustified developments of isolated dwellings which if goes unchecked, ideally could set precedence to isolated residential developments sprouting in unsustainable locations in the rural area and potentially reduce the compactness of the urban area.

#### Access to the Countryside

- Local Plan objective C8: to protect and enhance the countryside and coastal areas and to make them more accessible for the benefit of the residents of, and visitors to, the borough.

#### Related Policies

- Criteria for outdoor recreational developments in coastal areas (Rec1) and in the countryside (Rur16);
- Protection of Special Landscape Areas (Rur20);
- Controls on housing in the open countryside (Rur12);
- Criteria for other development in the countryside including the re-use of rural buildings and farm diversification (Rur7 – Rur8 and Rur9 - Rur11),
- Provision for tree planting and other improvements in the area of the Tees Forest (Rur14);
- Identification of small Community Forest Gateway sites (Rur15);
- Provision of network of leisure walkways including the coastal walkway and other strategic recreational routes (Rur17 – Rur18)

Local Output Indicator: Improvements to rights of way / leisure walkways/coastal path

- 4.62 A recent development to note is the addition of a coastal path as a local indicator due to the enactment of the Marine and Coastal Access Path Act 2009; Part 9 of this Act has placed a duty for a coastal path to be created along the whole of the English coastline. The first section of the England Coastal Path is in place between the North Gare car park at Seaton Carew and Sunderland. The next section from the North Gare car park to Filey has been approved although the stretch from the North Gare car park to the River Tees has been put on hold due to problems with accessing some of the land. The Council will support initiatives to extend the England Coastal Path southwards from its current terminous at North Gare car park.



Table 36: Walkways created, diverted, extinguished or improved

	Walkways	Created (km)	Diverted (km)	Extinguished (km)	Improved (km)
2015/2016	Public Rights of Way	1	1.5	0	0.5
	Permissive Paths	0	0	0	0.5
	England Coast Paths	0	0	0	0
2014/2015	Public Rights of Way	1	0	0	3.25
	Permissive Paths	0	0	0	0
	England Coast Paths	11.5	0	0	2.21
2013/2014	Public Rights of Way	0	2.94	0	2.69
	Permissive Paths	0.35	0	0	0
2012/2013	Public Rights of Way	0	2.67	0	2.18
	Permissive Paths	0	0	0	0
2011/2012	Public Rights of Way	0	0.57	0	0.69
	Permissive Paths	1.89	0	0	0
2010/2011	Public Rights of Way	0	0.465	0	2.173
	Permissive Paths	0	0	0	0.045
2009/2010	Public Rights of Way	1.05	0	0	4.07
	Permissive Paths	1.52	0	0	0
2008/2009	Public Rights of Way	1	0	0.27	5.25
	Permissive Paths	0	0	0	0
2007/2008	Public Rights of Way	0.57	0	0	9
	Permissive Paths	0	0	0	0
2006/2007	Public Rights of Way	0.43	0	0	0
	Permissive Paths	0	0	0	0

Source: Hartlepool Borough Council

- 4.63 This year no coastal paths were added. A 0.5km permissive path has been created at Elwick 28 and 29. In terms of rights of ways, 1km has been created between Elwick 28 and Elwick 29, 1.5km has been diverted at Seaton 3, Hart 3 and Elwick 20 and 0.5km at Elwick 8 has had improvement works on condition and access. None have been extinguished or diverted (Table 36).
- 4.64 The Council will continue to improve access to the countryside and furniture within the countryside so that a more inclusive network will be available to a broader user base. This entails improvement works to the network of footpaths and the installation of self-closing gates and 'Kissing' gates along with 'A' Frames to assist in the reduction of illegal motorbike use.

## Local Output Indicator 29: Length of cycleways completed

Table 37: Length and name of new cycleways created

Year	Length and name of cycleway
2015/2016	None
2014/2015	None
2013/2014	None
2012/2013	None
2011/2012	None
2010/2011	None
2009/2010	None
2008/2009	1.1km (north Hart Farm to Middlethorpe Farm)
2007/2008	2.33km
2006/2007	None

Source: Hartlepool Borough Council

- 4.65 Policy Tra5 of the 2006 Local Plan makes provision for the continued development of a comprehensive network of cycle routes linking the main areas of the borough. This year there have been no new cycle routes created by the Council, neither have any been linked to the Local Transport Plan or as part of a planning approval (Table 37). There have been no cycle ways created since 2009/2010 but work on improving connectivity and creations of more cycle ways is underway. It is not considered that the lack of delivery is due to the policy, more to do with the extensive cuts in public funding which have been experienced over the last few years.

**F. CONSERVATION & DESIGN**Conservation

- Local Plan objective C3: to preserve and enhance the quality, character and setting of Conservation Areas, Listed Buildings and areas of archaeological and historic interest.

Related Policies

- Protection and enhancement of conservation areas (HE1–HE3 and supplementary note 5);
- Protection and enhancement of Registered Parks and Gardens (HE6);
- Protection areas of historic landscape and other archaeological sites (HE15).

Buildings at risk

Local Output Indicator 18: Number of buildings at risk

- 4.66 The National Heritage 'At Risk Register' includes a Grade I church in Hartlepool i.e. St Hilda church on the Headland. In addition, two Scheduled Ancient Monuments are considered to be at risk i.e. a Medieval farmstead and irregular open field system at High Burntoft Farm, Elwick; and Low Throston deserted medieval village. Two conservation areas in Hartlepool also appear on the 'At Risk Register', these are Headland and Seaton Carew.
- 4.67 Table 38 shows the number of listed buildings at risk in Hartlepool.

Table 38: Numbers of Listed Buildings at Risk 2015/2016

2015/2016	Buildings at risk
Grade I	Church of St Hilda, High Street, Headland
Grade II	Shades, 16 Church Street
	Beacon Tower, East End of North Pier
	Church of St Mary, Durham Street
	Former United Reformed Church, Durham Street
	Friarage Manor House, Friar Street
	Market Hotel, Lynn Street
	Throston Engine House, Old Cemetery Rd
	Former Odeon Cinema, Raby Road
	Former Wesley Methodist Church, Victoria Road
	Church of St Mary, Durham Street
Locally listed buildings	22 & 23 Church Street
	Former Yorkshire Bank, 65 Church Street

Source: Hartlepool Borough Council

- 4.68 A Derelict Buildings and Sites Working Group has been established for many years. The Working Group seeks to bring back into use and/or improve a priority list of buildings which does include some of the buildings from the list above. The council has been working with owners to assist in bringing buildings back into use and/or improving them for safety reasons or so that they do not appear an eyesore on Hartlepool's street scene. Maintenance work on the Throston engine house has now commenced.
- 4.69 The Odeon is still on the market and the council is still seeking a development partner to help deliver a scheme for the building. Although every attempt has been made to negotiate with the land owner it is envisaged that the council will acquire the Odeon through a Compulsory Purchase Order at a later date. Maintenance improvements work on the former Wesley Methodist Church is ongoing.
- 4.70 The council hopes that by publishing an annual 'Heritage at Risk' register, vulnerable heritage assets across the borough will be highlighted and this will most likely raise their profile and potentially introduce them to a new audience who may be able to resolve the problems individual heritage assets are suffering from. As part of the document case studies will be provided where buildings are removed from the list to provide examples of heritage assets where successful solutions have been found in order to provide inspiration to other owners in a similar situation.

Local Output Indicator 19: Conservation Area Appraisals undertaken
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Table 39: Conservation Area Appraisal completions

Year	Conservation Area Appraisals
<b>2015/2016</b>	0
2014/2015	0
2013/2014	0
2012/2013	0
2011/2012	0
2010/2011	1
2009/2010	3
2008/2009	1
2007/2008	1
2006/2007	1

Source: Hartlepool Borough Council

- 4.71 For the fifth year running, there have been no Conservation Area Appraisals completed in the financial year 2015/2016.

Design

- Local Plan objective C4: to encourage a high standard of design and the provision of high quality environment in all developments and particularly those on prominent sites, along the main road and rail corridors, and along the coast.

Related Policies

- Setting out general principles for all new development (GEP1);
- Setting out design guidelines for new housing developments and for house extensions (Hsg9, Hsg10 and supplementary note4);
- Providing for high quality of design and landscaping along main approaches to Hartlepool and on the main frontages within industrial estates (GEP7, GN4);
- Encouraging the provision of public art (GEP10).

## Local Output Indicator 20: Satisfaction with design of residential extensions

- 4.72 Design is a key element assessed within each planning application, pre-application advice is encouraged and often design issues are addressed prior to submitting a planning application. Delegated reports and committee reports all contain an assessment of each proposals design quality.
- 4.73 No data has been directly collected with regard to the satisfaction of design or residential extension, however upon assessment of objections received for a variety of planning applications it was established that many objections related to highway/traffic impact and loss of light, the design of residential buildings and/or extensions were rarely an area of concern.

**5. CONCLUSION**

5.1 Economic activity has not grown much this year compared to previous years. One business moved into Queen's Meadow Enterprise Zone (EZ) area i.e. JNP Group with a total floor office space of 114m<sup>2</sup>. To date the following companies have moved into the EZs and all are at Queen's Meadow:

- 2015/16 JNP Group
- 2014/15 Applus RTD, Hart Biologicals
- 2013/14 Contract Laboratory Services
- 2012/13 Omega Plastics, Propipe, Durable Technologies, Solomons Europe Ltd

There has been no additional commercial floor space from unallocated sites and this indicates that industrial policies are still considered robust and have over the report period fulfilled their function in directing industrial activity to allocated employment areas and thus protecting the rest of the borough for other land uses.

5.2 The total available employment land is 409.7 ha from a total of 17 sites. The highest proportion of land available is at Wynyard, Northburn, Queens Meadow and Victoria Harbour whilst much of the remaining land comprises small parcels of land within substantially developed industrial estates. The currently adopted evidence base the Employment Land Review (2015) shows a total of 410ha of available employment land. When this total is adjusted with the ELR's recommended de-allocations/re-allocations, the total available will be 258ha. However it is important to note that the ELR's recommendations have not been taken into account in reporting the total available employment land. This will be formally done through the emerging Local Plan (2018) hence the total available employment land will most likely change upon completion and adoption of the Local Plan (2018).

5.4 This year's town centre vacancy rate in terms of floorspace is 12.5% and is slightly higher than the previous year's 11.9%. Lack of high quality shops still remains a challenge as number of high quality shops that have shut down have been mainly replaced by low quality shops and charity shops. There is a slight increase in retail activity as evidenced by a reduction in the number of vacant retail units in comparison to last year.

5.5 The borough monitors amount of completed floorspace for town centre uses, both within and outside the town centre boundary but within the whole local authority area. This monitoring year there has been a total 738m<sup>2</sup> of completed floorspace for town centre uses within the borough and this is for a gymnasium (Xtreme fitness) in Lady Smith Street in Longhill Industrial Estate outside the town centre boundary. There have been no completions within the town centre boundary.

The town centre policies (Com1, Com2, Com8 and Com 9) basically encourage the development of the town centre as the main shopping, commercial and social centre of Hartlepool and protect the retail character of the primary shopping area. Com 9 lists the main town centre uses to include retail, office, business, cultural, tourism, leisure, entertainment and other developments that are bound to attract large number of visitors.

- 5.6 The tourism policies within the Local Plan identified the Town Centre, the Marina, the Headland and Seaton Carew as main tourism destinations and the policies encourage appropriate developments within these areas. However, rural tourism through recreation and leisure developments could be allowed under certain circumstances (policy Rur16). There have been two tourist-related planning permissions granted during this financial year; one at Abbey Hill cottages for holiday cottages in the countryside and outside of development limits; and the other at the Marina travel lodge for additional 12 bedrooms.
- 5.7 The net opening stock of housing as at the start of this year was 42901 dwellings and net closing stock was 43 429. Net housing delivery was therefore 528 additional dwellings for the year. The gross total of 574 additional dwellings consists of 553 new build, 10 conversions and 11 change of use. There were 46 demolitions (i.e. 34 at Carr Hopps HMR site, 11 at Raby gardens HMR site and 1 at Wynyards woods) this year therefore the net additional dwellings number is 528 and is higher than last year (i.e. 376). For the third year running the net additional dwellings has been increasing and this is positive for the Borough as it moves towards demonstrating a five-year supply of housing land.

As expected from last year, this year's net housing delivery of 528 is above the set annual delivery target of 309 dwellings in accordance with the Hartlepool Local Plan (2006). However due to a backlog of the previous years under delivery, the cumulative total is a total under delivery of 694 dwellings. This is expected to improve next year as it is anticipated that there will be more completions from large housing developments such as Quarry Farm, Britmag, Mayfair at Seaton Carew, Area 15 Middle Warren, Wynyard and various small sites. The emerging Local Plan (2018) has allocated more Greenfield housing sites which are expected to deliver the Borough's housing need on or above target. This will be in addition to sites with existing planning permission. Therefore the annual target is considered to be an achievable figure hence it is not considered appropriate at the current time to move away from this target as this will be updated once the emerging Local Plan is adopted.

- 5.8 Policy Hsg5 sets a target of housing development to be provided on previously developed land and through conversions (60% by 2008 and 75% by 2016). The gross total completions of dwellings from new build and conversions this year is 564 (i.e. 553 and 11, consecutively) and of this 346 completions were built on previously developed land. This represents 61.3% built on previously developed land (Brownfield land). This is higher than last year in which 142 (37.8%) were completed on Brownfield land. Unlike in previous years, this year there were fewer completions on Greenfield sites.

The emerging Local Plan, however, seeks to allocate new strategic housing sites on Greenfield land on the urban edge; as a result it is anticipated that the proportion of new dwellings delivered on previously developed land will significantly decrease in the future as the emerging Local Plan sites will contribute to the future housing delivery – however as there is now no national guidance (NPPF or NPPG) requiring a particular percentage of

development to be on Brownfield land so this will most likely not be included within the new Local Plan. Due to the stance of national guidance it is not considered a requirement for the authority to meet the target set out within Hsg5.

- 5.9 The Council has put in place the Empty Homes Strategy to bring back to residential use empty properties in the Borough. As at 31<sup>st</sup> March 2016 the total number of empty homes (empty for at least 6 months or more) is 589. A total of 86 homes have been brought back into use this year.
- 5.10 According to Policy Hsg6, housing will be approved and provided as part of a mixed use development in the regeneration areas of the Headland and Victoria Harbour. The 2006 Local Plan states that development at the strategic site will develop as follows:
- Headland - 50 dwellings in the period 2005-2011
  - Victoria Harbour - 550 dwellings by 2005-2011  
- 900 dwellings in the period 2011-2016
- 5.11 There have been no dwellings developed on either sites up to date and since 2009 the land owners indicated their intentions not to proceed with the anticipated mixed use development and expressed their intention to focus on port-related development including offshore wind and sustainable energy solutions. Although the site would have provided a significant number of dwellings, on brownfield land within the urban limits, the council are fully supportive of the land owners' intentions to retain the land for employment purposes. Therefore Policy Hsg6 can not be implemented.
- 5.12 Flats accounted for most dwelling types completed this year. This is due to the completion of flats mainly at Mansion House at the Marina (86), Jones Road (42) and former Claremont (23). The delivery of detached and semi-detached houses in Hartlepool continues to increase like in previous years whilst terraced housing delivery is decreasing. The number of Bungalows delivered also increased this year although their proportion remains lowest at 8.2%.
- 5.13 The net additional affordable housing delivery for this year is 136 and is the highest it has been for the past 5 years. Although still slightly below target, this is relatively good development for the Borough in terms of delivery of affordable properties. The Hartlepool Strategic Housing Market Assessment (2015) sets the annual affordable housing net target of 144 dwellings per annum.
- 5.14 The natural environment has lost habitat area this year, as has been the case in the past few years, though the total of 6.1 ha net loss, comprising mostly woodland at Wynyard as a result of housing developments, was higher than usual. It is estimated that two, arable priority bird species have suffered losses this year, with three pairs of skylark and one pair of grey partridge losing territory. No other priority species were adversely affected by planning decisions this year, meaning the wildlife policies WL2, WL3, WL5 and WL7 remain relatively robust. However, it is a concern that, on average, there has been a net loss of habitat, including some ancient



woodland which is classed as priority habitat. Some permitted developments are coming through the planning system with habitat loss not being compensated with habitat creation and this is flagged as a need for improvement.

- 5.15 At 31.9%, the proportion of recycled or composted waste has decreased again this year and has been declining since 2011/2012. The Minerals and Waste DPD 2011 (M&W DPD) allows for 40% of household waste to be recycled or composted from 2011 rising to 46% in 2016. Hartlepool council is below the set target within the M&W DPD and possibly measures need to be put in place to encourage households and companies to recycle more.

- 4.74 There has been a total of 8 developments approved outside the limits to development; 6 relating to erection of agricultural buildings, one new worker's dwelling to support an equestrian business and one extension relating to an existing business. This year there are no unjustified developments of isolated dwellings in the open countryside. This indicates the effective implementation of rural policies that seek to protect the countryside, promote the rural economy and protect the compactness of the urban area. The council will continue to closely monitor isolated residential developments outside development limits through the New Dwellings Outside of Development Limits SPD which has now been adopted.

- 5.17 The Council continues to improve access to the countryside and furniture within the countryside so that a more inclusive network will be available to a broader user base. This year no coastal paths were added. A 0.5km permissive path has been created at Elwick 28 and 29. In terms of rights of ways, 1km has been created between Elwick 28 and Elwick 29, 1.5km has been diverted at Seaton 3, Hart 3 and Elwick 20 and 0.5km at Elwick 8 has had improvement works on condition and access. None have been extinguished or diverted

There have been no new cycle routes created, neither have any been linked to the Local Transport Plan or as part of a planning approval. Policy Tra5 of the 2006 Local Plan makes provision for the continued development of a comprehensive network of cycle routes linking the main areas of the borough. This policy may need reviewing since its implementation has stalled for the past seven years.

- 5.20 No Conservation Area Appraisals were completed this year but work is still on-going on reviewing the Seaton Carew conservation Area Appraisal.

**Appendix 1: Saved Policies from 13th April 2009****SCHEDULE****POLICIES CONTAINED IN HARTLEPOOL LOCAL PLAN (2006)**

GEP1	General Environmental Principles
GEP2	Access for all
GEP3	Prevention by Planning and Design
GEP7	Frontage of Main Approaches
GEP9	Developers' Contributions
GEP10	Provision of Public Art
GEP12	Trees, Hedgerows and Development
GEP16	Untidy Sites
GEP17	Derelict Land Reclamation
GEP18	Development on Contaminated Land
Ind1	Wynyard Business Park
Ind2	North Burn Electronics Components Park
Ind3	Queens Meadow Business Park
Ind4	Higher Quality Industrial Estates
Ind5	Industrial Areas
Ind6	Bad Neighbour Uses
Ind7	Port-Related Development
Ind8	Industrial Improvement Areas
Ind9	Potentially Polluting or Hazardous Developments
Ind10	Underground Storage
Ind11	Hazardous Substances
Com1	Development of the Town Centre
Com2	Primary Shopping Area
Com3	Primary Shopping Area – Opportunity site
Com4	Edge of Town Centre Areas
Com5	Local Centres
Com6	Commercial Improvement Areas
Com7	Tees Bay Mixed Use Site
Com8	Shopping Development
Com9	Main Town Centre Uses
Com10	Retailing in Industrial Areas
Com12	Food and Drink
Com13	Commercial Uses in Residential Areas
Com14	Business Uses in the Home
Com15	Victoria Harbour/North Docks Mixed Use Site
Com16	Headland – Mixed Use
To1	Tourism Development in the Marina
To2	Tourism at the Headland
To3	Core Area of Seaton Carew
To4	Commercial Development Sites at Seaton Carew
To6	Seaton Park
To8	Teesmouth National Nature Reserve
To9	Tourist Accommodation
To10	Touring Caravan Sites
To11	Business Tourism and Conferencing

Hsg1	Housing Improvements
Hsg2	Selective Housing Clearance
Hsg3	Housing Market Renewal
Hsg 4	Central Area Housing
Hsg5	Management of Housing Land Supply
Hsg6	Mixed Use Areas
Hsg7	Conversions for Residential Uses
Hsg9	New Residential Layout – Design and Other Requirements
Hsg10	Residential Extensions
Hsg11	Residential Annexes
Hsg12	Homes and Hostels
Hsg13	Residential Mobile Homes
Hsg14	Gypsy Site
Tra1	Bus Priority Routes
Tra2	Railway Line Extensions
Tra3	Rail Halts
Tra4	Public Transport Interchange
Tra5	Cycle Networks
Tra7	Pedestrian Linkages: Town Centre/Headland/Seaton Carew
Tra9	Traffic Management in the Town Centre
Tra10	Road Junction Improvements
Tra11	Strategic Road Schemes
Tra12	Road Scheme: North Graythorp
Tra13	Road Schemes: Development Sites
Tra14	Access to Development Sites
Tra15	Restriction on Access to Major Roads
Tra16	Car Parking Standards
Tra17	Railway Sidings
Tra18	Rail Freight Facilities
Tra20	Travel Plans
PU3	Sewage Treatment Works
PU6	Nuclear Power Station Site
PU7	Renewable Energy Developments
PU10	Primary School Location
PU11	Primary School Site
Dco1	Landfill Sites
Rec1	Coastal Recreation
Rec2	Provision for Play in New Housing Areas
Rec3	Neighbourhood Parks
Rec4	Protection of Outdoor Playing Space
Rec5	Development of Sports Pitches
Rec6	Dual Use of School Facilities
Rec7	Outdoor Recreational Sites
Rec8	Areas of Quiet Recreation
Rec9	Recreational Routes
Rec10	Summerhill
Rec12	Land West of Brenda Road

Rec13	Late Night Uses
Rec14	Major Leisure Developments
GN1	Enhancement of the Green Network
GN2	Protection of the Green Wedges
GN3	Protection of Key Green Space Areas
GN4	Landscaping of Main Approaches
GN5	Tree Planting
GN6	Protection of Incidental Open Space
WL2	Protection of Nationally Important Nature Conservation Sites
WL3	Enhancement of Sites of Special Scientific Interest
WL5	Protection of Local Nature Reserves
WL7	Protection of SNCIs, RIGSs and Ancient Semi-Natural Woodland
HE1	Protection and Enhancement of Conservation Areas
HE2	Environmental Improvements in Conservation Areas
HE3	Developments in the Vicinity of Conservation Areas
HE6	Protection and Enhancement of Registered Parks and Gardens
HE8	Works to Listed Buildings (Including Partial Demolition)
HE12	Protection of Locally Important Buildings
HE15	Areas of Historic Landscape
Rur1	Urban Fence
Rur2	Wynyard Limits to Development
Rur3	Village Envelopes
Rur4	Village Design Statements
Rur5	Development at Newton Bewley
Rur7	Development in the Countryside
Rur12	New Housing in the Countryside
Rur14	The Tees Forest
Rur15	Small Gateway Sites
Rur16	Recreation in the Countryside
Rur17	Strategic Recreational Routes
Rur18	Rights of Way
Rur19	Summerhill- Newton Bewley Greenway
Rur20	Special Landscape Areas
Min1	Safeguarding of Mineral Resources
Min2	Use of Secondary Aggregates
Min3	Mineral Extraction
Min4	Transport of Minerals
Min5	Restoration of Mineral Sites
Was1	Major Waste Producing Developments
Was2	Provision of 'Bring' Recycling Facilities
Was3	Composting
Was4	Landfill Developments
Was5	Landraising
Was6	Incineration

**Appendix 2: Tees Valley Joint Minerals and Waste Policies (Policies and Sites DPD)**

Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
MWP1: Waste Audits	Number of applications approved where a waste audit is required and included. Number of major applications refused due to lack of a waste audit, or due to the audit being of insufficient quality.	Pre-application discussions Determination of planning applications	Number of applications requiring waste audits, and the number including them, can be checked annually.	Minerals and Waste Planning Authorities Minerals and Waste Developers Other Developers
MWP2: Graythorp Industrial Estate, Hartlepool	Planning permission(s) and development of 65,000 tonnes per annum of commercial and industrial waste management capacity at Graythorp Industrial Estate.	Development/re-use of existing buildings Determination of planning applications	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021. Development at Graythorp is required from the beginning of the plan period.	Waste Planning Authority (Hartlepool Borough Council) Waste Operators / Developers
MWP3: Haverton Hill, Stockton-on-Tees	Planning permission(s) and development of waste management facilities to provide a total site capacity of 630,000 tonnes for the recovery of value of municipal solid waste and commercial and industrial waste and 75,000 tonnes of municipal green waste composting per annum.	Planning permission has been granted for the recovery of value of municipal solid waste and commercial and industrial waste to take the capacity up to 630,000 tonnes per annum. Determination of planning applications for extended composting facility.	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021.	Waste Planning Authority (Stockton Borough Council) Waste Operators
			16,000 tonnes of annual composting capacity is required from the beginning of the plan period, rising to 24,000 tonnes by 2016 and 31,000 tonnes by 2021. Development at Haverton Hill is anticipated to be provided by 2013.	
MWP4: New Road, Billingham, Stockton-on-Tees	Planning permission(s) and development of facilities for MSW and commercial and industrial waste with capacities of: Waste Transfer facilities for 25,000 tonnes per annum; Glass Recycling for 50,000 tonnes per annum; Other recovery facilities for 125,000 tonnes per annum.	Planning permission has been granted for the waste transfer station and glass recycling identified. Determination of planning applications for 125,000 tonnes per annum of recovery facilities.	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021. Development at New Road is anticipated between 2016 and 2021.	Waste Planning Authority (Stockton-on-Tees Borough Council) Waste Operators
MWP5: Port Clarence, Stockton-on-Tees	Planning permission(s) and development of hazardous waste management facilities with capacities of: Contaminated soil treatment of 250,000 tonnes per annum; Hazardous waste recovery of 175,000 tonnes	Planning permission has been granted for the contaminated soil treatment and hazardous waste recovery facilities	Development of the soil treatment facility required by 2016. Hazardous waste recovery facilities will be developed between 2010 and 2021.	Waste Planning Authority (Stockton-on-Tees Borough Council) Waste Operators

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Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
	per annum.	identified.		
MWP6: South Tees Eco-Park, Redcar and Cleveland	Planning permission(s) and development of 450,000 tonnes per annum of waste management capacity for municipal solid and commercial and industrial wastes, including a household waste recycling centre, on the South Tees Eco-Park site over the plan period.	Planning permission has been granted for a household waste recycling centre and an autoclave which would provide a combined capacity of 400,000 tonnes per annum. Determination of planning applications for around 50,000 tonnes per annum of recovery facilities.	80,000 tonnes of annual capacity for municipal solid and commercial and industrial waste recovery is required from 2010, rising to 83,000 by 2021. Development at South Tees Eco-Park is anticipated to be provided between 2016 and 2021.	Waste Planning Authorities Waste Operators
MWP7: Area of Search for Stockton South Household Waste Recycling Centre, Stockton-on-Tees	Planning permission(s) and development of a 25,000 tonnes per annum household waste recycling centre on land within the area of search identified.	Determination of Planning Applications	Development required by 2025.	Waste Planning Authority (Stockton-on-Tees Borough Council) Waste Operators
MWP8: Construction and Demolition Waste Recycling.	Planning permission(s) and/or development of construction and demolition waste management facilities at Hart Quarry, Stockton Quarry, South Tees Eco-Park, Haverton Hill, Port Clarence, New Road and those sites where construction and demolition waste is produced or is to be used, for the recycling of 700,000 tonnes per annum of construction and demolition waste by 2016, rising to 791,000 tonnes per year by 2021. The amount of recycled aggregates being produced (Survey of Arisings and Use of Alternative Primary Aggregates in England) (Core Output Indicator M2)	Determination of planning applications	Development required across the plan period.	Minerals and Waste Planning Authorities Minerals and Waste Operators Developers
MWP9: Small Scale Composting Facilities	Planning permission(s) and development of small scale composting schemes over the plan period.	Determination of planning applications.	Development required across the plan period.	Waste Planning Authorities Waste Operators
MWP10: Small Scale Waste Management Operations	Planning permission(s) and development of small, scale recycling operations at existing or allocated industrial land and public 'bring' sites in locations well used by the public.	Determination of planning applications	Development required across the plan period, including 15,000 tonnes of annual capacity from the beginning of the plan period to meet the requirement for 80,000 tonnes of annual municipal solid and commercial and industrial recovery facilities.	Waste Planning Authorities Waste Operators

**Appendix 3: Tees Valley Joint Minerals and Waste Policies (Core Strategy DPD)**

Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
MWC1: Minerals Strategy	The proportion of alternative materials used for aggregate use (see MWC3); The proportion of construction and demolition waste recycled per year from 38% in 2005 to at least 80% from 2016 onwards (Survey of Arisings and Use of Alternative Primary Aggregates in England/ Annual RAWP Reports); The continuation of use of the wharf and port facilities which land marine dredged sand and gravel; Planning permissions within safeguarding areas, and any associated minerals extraction, over the plan period.	Policies and Sites DPD Submission and determination of planning permissions Land allocations within Local Development Framework document  <b><i>Some of the baseline figures relate to joint figures between the Tees Valley and County Durham and therefore issues external to the Tees Valley could impact on delivery.</i></b>	Construction and Demolition waste recycling to reach 80% by 2016. Other items to be reviewed annually.	Minerals and Waste Planning Authorities Local Planning Authorities Minerals Operators Developers
MWC2: Provision of Primary Aggregate Minerals	NE RAWP reports showing 0.25 million tonnes of sand and gravel and 3.45 million tonnes of crushed rock being produced between 2001 and 2025. (Core Output Indicator M1)	Policy MWC5: Protection of Minerals Extraction Sites Policies and Sites DPDs Submission and determination of planning applications	Provision to be met by 2025	Minerals Planning Authority Local Planning Authority Minerals Operators
MWC3: Alternative Materials for Aggregates Use.	Annual increases in secondary materials (from 410,000 tonnes in 2005) and construction and demolition waste (from 909,625 tonnes in 2006) which are used for aggregate purposes (Survey of Arisings and Use of Alternative Primary Aggregates in England/Annual RAWP Reports). (Core Output Indicator M2)	Policies and Sites DPD Submission and determination of planning applications	To be reviewed annually.	Minerals and Waste Planning Authority Minerals and Waste Operators NE RAWP
MWC4: Safeguarding of Minerals Resources from Sterilisation	Planning permissions within safeguarding areas, and any associated minerals extraction, over the plan period.	Submission and determination of planning permissions Allocations in Local Development Framework documents	To be reviewed annually.	Minerals and Waste Planning Authorities Local Planning Authorities Developers
MWC5: Protection of Minerals Extraction Sites	Continued extraction of minerals from the identified sites.	Submission and determination of Planning Applications Allocations in Local Development Framework documents	To be reviewed annually.	Minerals and Waste Planning Authorities Local Planning Authorities Minerals Operators Developers

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Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
MWC6: Waste Strategy	<p>The provision of annual capacities in the Tees Valley to allow: 40% of household waste to be recycled or composted from 2010, rising to 46% from 2016; to recover value from 53% of municipal solid waste from 2010, rising to 72% from 2016; and to increase the recovery of value from commercial and industrial waste to 73% from 2016; (Figures in 1&amp;2 monitored by Tees Valley JSU, 3 by Environment Agency) A reduction in the annual amounts of construction and demolition waste produced. (2,418,260 tonnes in Tees Valley and County Durham 2005, Survey of Arisings and Use of Alternative Primary Aggregates in England/Annual RAWP Reports), and The use of rail and port facilities for the transport of waste. (Core Output Indicators W1 and W2)</p>	<p>Policies and Sites DPD Submission and determination of planning permissions Land allocations within Local Development Framework documents Tees Valley Joint Municipal Waste management Strategy and each Local Authority's Action Plans</p>	<p>Recovery and recycling rates to meet the targets identified by 2016. C&amp;D waste produced and use of rail / port facilities to be reviewed annually.</p>	<p>Minerals and Waste Planning Authorities Local Planning Authorities Waste Operators Developers</p>
MWC7: Waste Management Requirements	<p>Planning permission(s) and development of: Composting facilities to deal with at least 16,000 tonnes per year of municipal solid waste rising to at least 24,000 tonnes per year by 2016 and 31,000 tonnes per year by 2021, Facilities to recover value from at least 80,000 tonnes per year of commercial and industrial waste from 2010 rising to 83,000 tonnes of per year by 2021, Facilities to recycle at least 700,000 tonnes of construction and demolition waste per year rising to 791,000 tonnes per year by 2021, Facilities to provide additional hazardous waste treatment or management capacity, to reduce the amount of hazardous waste which is sent to landfill per year from the 2007 level of 130,000 tonnes, Two household waste recycling centres. One in the south of Stockton Borough and one in the South Tees area within the plan period, (Core Output Indicators W1 and W2)</p>	<p>Policies and Sites DPD Submission and determination of planning applications</p>	<p>Facilities for composting of MSW to provide 16,000 tonnes per year from the beginning of the plan period, rising to 24,000 tonnes per year by 2106 and 31,000 tonnes per year by 2021. Facilities to recover value from commercial and industrial wastes to provide 80,000 tonnes per year from 2010, rising to 83,000 tonnes per year by 2021. Facilities to recycle construction and demolition wastes to provide 700,000 tonnes per year by 2016 rising to 791,000 by 2021. Amount of hazardous waste sent to landfill to</p>	<p>Waste Planning Authorities Waste Operators</p>



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Policy	Indicators	Implementation / Delivery	Timescales	Responsibility
			be reviewed annually. Household waste recycling centre provision to be made before 2025.	
MWC8: General Locations of Waste Management Sites	Planning permissions over the plan period for waste management facilities of: Large sites in the industrial lands in the core conurbation around the Tees Estuary, Landfill sites and sites under 1ha in area and 25,000 tonnes per annum capacity elsewhere in the Tees Valley.	Policies and Sites DPD Determination of planning applications	Location of waste related permission to be reviewed annually.	Waste Planning Authorities Waste Operators
MWC9: Sewage Treatment	Results of the ongoing Environment Agency monitoring of Northumbrian Water Ltd sites. Planning permissions for Northumbrian Water Ltd projects over the plan period.	Determination of planning applications	To be reviewed annually.	Waste Planning Authorities Northumbrian Water Ltd Environment Agency
MWC10: Sustainable Transport	The use of non-road based transport for the transportation of minerals and waste. The level of capacity used on the A1(M), A66(M), A66(T), A174(T) and A1053(T).	Determination of planning applications	To be reviewed annually.	Minerals and Waste Planning Authorities Developers
MWC11: Safeguarding of Port and Rail Facilities	The continued use of the facilities for the transport of minerals over the plan period.	Land allocations within Local Development Framework documents Determination of planning applications	To be reviewed annually.	Minerals and Waste Planning Authorities Local Planning Authorities Developers

## **Appendix 4: Neighbourhood Development Orders and Neighbourhood Development Plans (as at November 2016)**

### **Hartlepool Rural Plan**

The Hartlepool Rural Plan Working Group is a constituted group and has over the past year, incorporated the responses from the consultation on the first draft into the plan to produce the final draft which has been submitted to the Council for validation (a process whereby the LPA must satisfy itself that the final draft of the Rural Plan complies with the relevant statutory requirements set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended)).

Planning Committee noted the contents of the final draft Rural Plan on 21 September 2016 and the document was validated by Regeneration Services Committee on 16 November 2016. The Council will subject the final draft Rural Plan to an 8 week publicity period and an independent examination. An independent examiner's role is limited to testing whether or not a draft neighbourhood plan or order meets the basic conditions and other matters set out in Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The priority for the group going forward is to await the outcome of the independent examination.

### **The Headland Neighbourhood Plan**

The Headland Neighbourhood Planning Group secured a grant through the Supporting Communities in Neighbourhood Planning Programme to assist them with delivering events and to raise awareness about Neighbourhood Planning but also to commission some consultancy support to develop their Neighbourhood Planning policies. A first draft of the plan has been prepared and the group is in the process of reviewing it. Once this process is completed, a copy of the first draft of the plan will be taken to a future Regeneration Services Committee meeting to ensure general conformity with the NPPF and the Hartlepool Local Plan 2006 and the emerging Local Plan and then be widely consulted upon.

### **Wynyard Neighbourhood Plan**

The Wynyard Neighbourhood Plan Working Group, a sub-committee of the Wynyard Residents Association accessed funding from the Supporting Communities in Neighbourhood Planning Programme to support the initial stages of plan development. The group commissioned the services of a consultant to assist with the preparation of a first draft of the plan. They also secured the support of consultants Aecom (via Locality) to prepare a masterplan for the Wynyard Neighbourhood Plan area. The policies of the plan have been drafted and the group is currently undertaking a consultation exercise with residents in the plan area prior to completing the first draft of the plan.

During initial consultations, the main issues of concern centred around further housing developments in the area, impact on the road network, broadband issues, lack of community centre and school and a desire to ensure that any development that does occur reflects the executive nature of the area.

**Appendix 5: Community Infrastructure Levy (CIL)**

The main reason for introducing a CIL is that it would provide a means of securing developer contributions from all qualifying developments to ensure funds are available to cover the cost of new infrastructure required to enable development and to help give clarity to developers on what they will be required to contribute as part of a development. However paying the compulsory CIL levy would be subject to viability of the development and will be charged on a scale of rates.

Whilst the Council will keep the situation under review, the present stance is that CIL is not viable within the Borough. The Local Authority, as part of the adoption of the Planning Obligations SPD (November 2015), undertook an assessment of viability on different size development types across the Borough, using evidence from viability assessments which have taken place over the past couple of years. The assessments built in the requested developer contributions and looked at varying levels of affordable housing in order to ascertain a deliverable affordable housing target for the SPD and emerging Local Plan.

The assessments illustrated that the affordable housing need of 44% left developments unviable. A range of scenarios were looked at which identified that a target for affordable housing of 18% should be set.

In undertaking the work and in assessing viability of developments over the past couple of years, it has become apparent that there is very little viability on brownfield sites within the urban area and to apply CIL to those would render them unviable and therefore prohibit development in the Borough. Even on greenfield sites both within and on the edge of the urban area viability has had to be considered, and has differed, on a site by site basis. As such it is not considered that the adoption of CIL in the current market conditions would be viable and would likely constrain future housing growth within the Borough due to concerns over viability of developments.

**Appendix 6: Duty to Cooperate**

This section reflects the requirements of section 33A of the Planning and Compulsory Purchase Act 2004<sup>13</sup> (Duty to co-operate in relation to planning of sustainable development) in relation to the time period covered by this report.

The Duty to co-operate requires:

- councils and public bodies to ‘engage constructively, actively and on an ongoing basis’ to develop strategic policy;
- councils to have regard to the activities of the other bodies; and
- councils to consider joint approaches to plan making.

The bodies that the council must cooperate with are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, part 2, duty to cooperate, (4) (1).

**Co-operation with Strategic Partners in Hartlepool**

The council through the Hartlepool Local Strategic Partnership has been heavily involved in the production of the Hartlepool Sustainable Community Strategy. This is overarching policy document for the Borough which provides the basis for the strategic work of the local development framework.

The Strategic Partnership will be involved with each stage of the production of the emerging Local Plan and have opportunities to debate, advise and endorse the document before consultation with the wider local community and other stakeholders.

The Strategic Partnership is made up of local organisations such as Cleveland Police Authority, Cleveland Fire Authority, Hartlepool PCT/NHS Hartlepool, North Tees and Hartlepool NHS Trust and the Skills Funding Agency.

**Other Local Authorities and Sub Regional Organisations**

Hartlepool has many established avenues for co-operation on cross border and strategic planning issues. There are long established forums that meet regularly at Tees Valley level. Hartlepool will engage at all stages of the emerging plan production with these local authorities and particularly with Stockton-on-Tees Borough Council and Durham County Council with whom the borough shares administrative boundaries.

Hartlepool participates in the Tees Valley Development Plan Officers (DPOs) Group meetings. These meetings involve planning policy lead officers from all five Tees Valley Authorities are held every six weeks and discuss strategic planning issues such as housing, transport, waste, biodiversity, and the natural and historic environment.

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<sup>13</sup> PACA as updated by section 110 of the 2011 Localism Act

Development Plan Documents that have been completed at a joint Tees Valley level include The Tees Valley Joint Minerals and Waste Development Plan Documents and the Tees Valley Green Infrastructure SPD. Joint evidence base documents have been produced at this level including the Strategic Housing Market Assessment and the Gypsy and Travellers Accommodation Needs Assessment.

At every third DPO meeting planning officers from authorities that have borders with the Tees Valley are invited to discuss cross border issues. These are:

- Richmondshire District Council
- Durham County Council
- North Yorkshire County Council
- Scarborough Borough Council
- North York Moors National Park Authority

At a more senior level cross border and strategic planning issues are considered at Tees Valley Planning Managers meeting that take place every six weeks and Tees Valley Directors of Place meetings that take place monthly.

As well as the issues covered by the regular Tees Valley meetings there will be more detailed cross boundary meetings between Hartlepool Borough Council and Stockton-on-Tees Borough Council during the plan preparation to discuss key issues such as development, housing and employment sites at Wynyard and transport issues relating to the A689 trunk road and the A689/A19 junctions.

Hartlepool Borough Council is fully committed to other organisations such as Tees Valley Unlimited and the Tees Valley Local Enterprise Partnership (LEP). TVU is responsible for delivering growth and economic equity across the Tees Valley in support of the LEP. Hartlepool Borough Council is represented on the board of the LEP.

A major recent example of co-operation and collaboration was the establishment of the Tees Valley Enterprise Zones, three sites of which are within Hartlepool. The Enterprise Zones were supported by simplified planning process through Local Development Orders that were adopted in April 2012 and since refreshed in 2015.

### Parish Councils

At each stage of the Local Plan consultation process, Parish Councils within and adjacent to the plan area will be invited by e-mail or letter to comment on the proposals within the Local Plan. Officers will attend Parish Council meetings to address queries regarding the proposals.

### Preparation of the Local Plan

Work on the 'new' Local Plan (2018) commenced last year and has progressed this financial year with the preparation of the Preferred Options document. The Preferred Options document was completed by the end of the year and a formal 8 week public consultation period is on schedule to be carried out early next year.

Similar to the Issues and Options, a Preferred Options launch day will be held prior to the formal public consultation. During the launch day, Councillors, officers from various Council departments, developers, consultees, consultants, landowners and business representatives will be invited to attend. Attendees will gain an overview of the 'new' Local Plan (2018) so far via a presentation and then will take part in a question and answer session.

Prior to publication of the Preferred Options, a series of meetings have been held with Stockton Borough Council to discuss key cross boarder issues that arose during the Issues and Options consultation regarding housing, employment and transport at Wynyard. Officers will continue to hold cross border meetings and targeted sessions with many stakeholders of a strategic nature throughout the preparation stages of the Local Plan.

### Co-operation Relating to the Evidence Base

Hartlepool Borough Council commissioned various reports from consultants as well as produced its own work which fed into the evidence base for the new Local Plan. A number of these evidence studies have been carried out jointly or in liaison with the other Tees Valley Local Authorities where the issue was strategic and crossed the administrative boundary. All Tees Valley Local Authorities were consulted in the production of all our evidence base work.

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# REGENERATION SERVICES COMMITTEE

13 January 2017



**Report of:** Assistant Director, Economic Growth and Regeneration

**Subject:** UPDATE ON YOUTH EMPLOYMENT INITIATIVE  
PROGRAMME

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## 1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 For Information Only.

## 2. PURPOSE OF REPORT

2.1 To update Members on the current progress of the Tees Valley Pathways and Routeways Youth Employment Initiative (YEI) Programme.

## 3. BACKGROUND

3.1 In January 2013, the European Commission created the Youth Employment Initiative (YEI) Programme in order to tackle the high levels of youth unemployment across member states. EU funding was specifically targeted at regions in which the youth unemployment rate exceeded 25%. The initiative has a budget of €6 billion for the programme period from 2014 to 2020. Of the funding, €3 billion is from a dedicated Youth Employment budget line complemented by at least €3 billion more from the European Social Fund.

3.2 The Tees Valley qualified for additional funding under the EU YEI and had a notional allocation of £10.9m which was equally matched by £10.9m from the Tees Valley ESF allocation. The ESF element of the funding needed to be locally matched and due to the Tees Valley's Transition Region Status we were required to provide £7.2m of match. This means that the total programme budget will be around £29m.

3.3 The YEI Programme supports young people aged 15 to 29 years across the Tees Valley with progression into education, training, employment and self-employment. The programme was due to commence on 1<sup>st</sup> October 2015 with all delivery needing to be complete by 31<sup>st</sup> July 2018 (with three months for project closure to 31<sup>st</sup> October 2018).

- 3.4 On the 22<sup>nd</sup> April 2015, the Department for Work and Pensions (DWP), as the Managing Authority for YEI, issued three Open Calls to commission ESF / YEI projects. Following this announcement, the Council was approached by a number of partners and agreed to act as the Accountable Body to submit Outline Applications for all three Open Calls as part of a Tees Valley Consortium.
- 3.5 On the 29<sup>th</sup> February 2016, the Council was informed by DWP that it had been successful for both Open Call 2 – Tees Valley Pathways Programme and Open Call 3 – Tees Valley Routeways Programme. This means a final total contract value for both Open Calls of £19.293m which comprises £7.2m of ESF, £7.2m of YEI and £4.8m of local match funding contribution.

#### 4. TEES VALLEY CONSORTIUM

- 4.1 The Tees Valley Pathways & Routeways YEI Programmes are delivered through a Tees Valley Consortium comprising 28 Delivery Partners including the 5 Local Authorities, Colleges and organisations from the public, private and voluntary Sector. These Delivery Partners are managed by the Council as the Lead Accountable Body for both Programmes.
- 4.2 To ensure compliance with financial and performance targets a robust set of processes, procedures and policies have been developed by the dedicated YEI Project Team. These processes, procedures and policies are currently being updated based on feedback both internally and externally. There is a YEI Contract Officer and Administration Assistant in each Tees Valley Local Authority Area who manages their local delivery partners. The staff members are based within their relevant Local Authority and conduct monthly financial, paperwork and contractual reviews with each delivery partner.
- 4.3 All delivery partners have now commenced delivery with a Formal Tees Valley Pathways & Routeways YEI Launch Event taking place on Tuesday 24<sup>th</sup> May 2016 at The National Museum of the Royal Navy Hartlepool. This was attended by all of the delivery partners, councillors, stakeholders and other dignitaries.
- 4.4 The list of Delivery Partners for both the Tees Valley Pathways and Tees Valley Routeways YEI Programmes is shown within **Appendix 1**.

#### 5. CURRENT PERFORMANCE

- 5.1 The Tees Valley Pathways and Tees Valley Routeways YEI Programmes are designed to support young people who are unemployed and/or not in education, employment or training aged 15 to 29 years old who live within the Tees Valley.
- 5.2 Both programmes will support a combined 6,615 young people with 2,940 or 44% progressing into education, employment, training or self-



employment including apprenticeships and traineeships upon leaving. The current performance is shown below: -

- Tees Valley Pathways Programme
  - Starts – 1,171
  - Completed Supported Intervention – 193
  - Offers of EET – 198
  - Progressions – 192
- Tees Valley Routeways Programme
  - Starts – 83
  - Completed Supported Intervention – 9
  - Offers of EET – 9
  - Progressions – 9

5.3 The profiled and actual starts and progressions for both the Tees Valley Pathways and Tees Valley Routeways YEI Programmes broken down by Local Authority are shown within **Appendix 2**. This shows the excellent progress which has already been made even though there was a significant delay to the commencement of the YEI Programmes.

## 6. FINANCIAL UPDATE

6.1 The Council has submitted two claims to DWP for both the Tees Valley Pathways & Routeways YEI Programmes. There have been delays from DWP in paying these claims however on Thursday 24<sup>th</sup> November 2016 we received the payment for the Q2 Tees Valley Routeways Claim.

6.2 These claims cover the period from October 2015 to September 2016 and the total amount for each of the claims is shown below: -

- Q2 2016 Claim – October 2015 to June 2016
  - Tees Valley Pathways – £844,388
  - Tees Valley Routeways – £27,135
- Q3 2016 Claim – July 2016 to September 2016
  - Tees Valley Pathways – £992,232
  - Tees Valley Routeways – £67,848

6.3 A Risk Sharing Agreement has also been developed and signed which will ensure that all five Tees Valley Local Authorities benefitting from the programme will be responsible for any risk in their Local Authority Area associated with clawback conditions in the contract for the Tees Valley Pathways & Routeways YEI Programmes.

## **7. LEGAL CONSIDERATIONS**

- 7.1 In March 2016, the Council received and signed the Funding Agreements for both the Tees Valley Pathways & Routeways YEI Programmes.
- 7.2 The Council has undertaken due diligence checks on all of the delivery partners and the Legal Sections have supported with the preparation of Funding Agreements. These have been sent, signed and executed by each of the delivery partners for both the Tees Valley Pathways & Routeways YEI Programmes.

## **8. STAFF CONSIDERATIONS**

- 8.1 The Council has recruited a YEI Project Team who are responsible for managing the delivery of both the Tees Valley Pathways & Routeways Youth Employment Initiative Programmes.

## **9. CHILD AND FAMILY POVERTY**

- 9.1 This funding will positively contribute to tackling the longer term causes and consequences of child and family poverty by preventing young people from becoming long term NEET by supporting them into a positive destination of education, employment, training and self employment/business start up.

## **10. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 10.1 This funding will provide opportunities for young people, particularly amongst vulnerable groups such as those shown below: -
- Looked after children and care leavers;
  - Young offenders (including those leaving the secure estate);
  - Teenage parents;
  - Young people with specific learning difficulties and/or disabilities;
  - Young people with mental health issues, and;
  - Young people with drug and alcohol misuse issues.

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

- 11.1 This funding will positively contribute to Section 17 by providing education, employment and training opportunities for young people including individuals who may have been identified as high risk of offending.

## **12. RECOMMENDATIONS**

- 12.1 Members are recommended to note the contents of this report and the positive performance of the Tees Valley Pathways & Routeways YEI Programmes.

## **13. CONTACT OFFICER**

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**APPENDIX 1****Delivery Partners**

<b>Name of Delivery Partner</b>	<b>Tees Valley Pathways</b>	<b>Tees Valley Routeways</b>
Business in the Community – High Tide		X
Catcote Academy	X	
Centrepont	X	
Cleveland Fire Authority	X	
Community Campus 87 Limited	X	X
Darlington Borough Council	X	
Darlington Citizens Advice Bureau	X	
Five Lamps	X	
Future Regeneration of Grangetown	X	
Groundwork NE & Cumbria	X	
Hartlepool Borough Council	X	X
Hartlepool NDC Trust		X
ITEC North East	X	X
Middlesbrough College	X	
Middlesbrough Council	X	
Middlesbrough Football Club Foundation	X	
Owton Fens Community Association	X	
Prior Pursglove College		X
Redcar & Cleveland College	X	X
Redcar & Cleveland Council	X	X
Safe in Tees Valley Partnership	X	
Springboard Sunderland Trust	X	
Stockton Borough Council	X	
Stockton Riverside College	X	X
Tees Valley Sport	X	
The Junction	X	
The Prince's Trust	X	X
Wm Morrison Darlington Enterprise Trust	X	

## APPENDIX 2

## YEI Performance by Local Authority

Tees Valley Pathways – Starts by Local Authority				
Local Authority	Inactive		Unemployed including Long Term	
	Profile for Full Programme	Actual – Oct 2016	Profile for Full Programme	Actual – Oct 2016
Darlington	194	64	582	40
Hartlepool	219	80	657	93
Middlesbrough	388	91	1,163	115
Redcar	299	59	898	113
Stockton	410	228	1,230	288
<b>Tees Valley</b>	<b>1,510</b>	<b>522</b>	<b>4,530</b>	<b>649</b>

Tees Valley Pathways – Progressions by Local Authority				
Local Authority	Inactive		Unemployed including Long Term	
	Profile for Full Programme	Actual – Oct 2016	Profile for Full Programme	Actual – Oct 2016
Darlington	65	15	282	9
Hartlepool	72	20	315	5
Middlesbrough	128	34	560	20
Redcar	99	7	431	16
Stockton	136	41	592	25
<b>Tees Valley</b>	<b>500</b>	<b>117</b>	<b>2,180</b>	<b>75</b>

Tees Valley Routeways – Starts by Local Authority				
Local Authority	Inactive		Unemployed including Long Term	
	Profile for Full Programme	Actual – Oct 2016	Profile for Full Programme	Actual – Oct 2016
Darlington	19	1	55	0
Hartlepool	21	5	63	5
Middlesbrough	37	3	110	18
Redcar	29	3	85	23
Stockton	39	4	117	21
<b>Tees Valley</b>	<b>145</b>	<b>16</b>	<b>430</b>	<b>67</b>

<b>Tees Valley Routeways – Progressions by Local Authority</b>				
<b>Local Authority</b>	<b>Inactive</b>		<b>Unemployed including Long Term</b>	
	<b>Profile for Full Programme</b>	<b>Actual – Oct 2016</b>	<b>Profile for Full Programme</b>	<b>Actual – Oct 2016</b>
Darlington	7	1	27	0
Hartlepool	7	3	31	2
Middlesbrough	12	0	54	0
Redcar	10	0	42	0
Stockton	14	1	56	2
<b>Tees Valley</b>	<b>50</b>	<b>5</b>	<b>210</b>	<b>4</b>