



Chief Executive's Department
Civic Centre
HARTLEPOOL

7 SEPTEMBER, 2020

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Brown, Buchan, Cartwright, Cassidy, Fleming, Hall, Hamilton, Harrison, Howson, Hunter, James, King, Lauderdale, Lindridge, Little, Loynes, Marshall, Moore, Prince, A Richardson, C Richardson, Smith, Stokell, Tennant, Thomas, Ward, Young.

Madam or Sir,

You are hereby summoned to attend the COUNCIL meeting to be held on THURSDAY, 17 SEPTEMBER 2020 at 6.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

PLEASE NOTE: this will be a 'remote meeting', a public link to which will be available on the Hartlepool Borough Council website at least 24hrs before the meeting.

Yours faithfully

D McGuckin
Managing Director

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COUNCIL AGENDA



Thursday 17 September 2020

at 6.00 pm

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

PLEASE NOTE: this will be a 'remote meeting', a public link to which will be available on the Hartlepool Borough Council website at least 24hrs before the meeting.

- (1) To receive apologies from absent Members;
- (2) To receive any declarations of interest from Members;
- (3) To deal with any business required by statute to be done before any other business;
- (4) To approve the minutes of the last meeting of the Council held on 30 July 2020 as the correct record;
- (5) To answer questions from Members of the Council on the minutes of the last meeting of Council;
- (6) To deal with any business required by statute to be done
 1. Annual Report Of The Director Of Public Health – 2019 – Acting Director of Public Health
- (7) To receive any announcements from the Chair, or the Head of Paid Service;
- (8) To dispose of business (if any) remaining from the last meeting and to receive the report of any Committee to which such business was referred for consideration;

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

1. Further Periodic Review of the Council's Constitution – Report of Constitution Committee
- (9) To consider reports from the Council's Committees and to receive questions and answers on any of those reports;
1. Green Infrastructure Supplementary Planning Document – Report of Regeneration Services Committee
 2. Public Rights of Way and Other Access Supplementary Planning Document – Report of Regeneration Services Committee.
 3. Allotments Service Review and Dispute Resolution Process – Report of Neighbourhood Services Committee.
- (10) To consider any other business specified in the summons to the meeting, and to receive questions and answers on any of those items;
- (11) To consider reports from the Policy Committees:
- (a) proposals in relation to the Council's approved budget and policy framework;
 1. Medium Term Financial Strategy (MTFS) 2020/21 To 2023/24 – Report of Finance and Policy Committee
 - (b) proposals for departures from the approved budget and policy framework;
- (12) To consider motions in the order in which notice has been received;

"The Labour Group would like to see HBC continue their support for pupils travelling to school by bus and explore other avenues to improve and expand that support across all schools in the town. In order for this to happen the following is moved by the Group:

- To help improve the situation regarding school transport for our families, that the Authority investigate what support other interested parties i.e. TVCA, Academy Trusts, Diocese may be able to provide to families who do not currently qualify for free school transport but are nevertheless struggling with the financial costs of getting their children to school.

- That the Council writes to the Secretary of State asking for the mileage limit for eligible pupils for free transport be reviewed as we feel that the present mileage is unrealistic and potentially dangerous. For Primary School children the limit is 2 miles and for Secondary School pupils it is 3 miles and it is felt that both should be reduced."

Signed: Councillors Harrison, C Richardson, Brown, Prince, Howson and Thomas



- (13) To receive the Managing Director's report and to pass such resolutions thereon as may be deemed necessary;
- (14) To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 9;
- (15) To answer questions of Members of the Council under Rule 10;
 - a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 10.1
 - b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 10.2
 - c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority
 - d) Minutes of the meeting of the Police and Crime Panel and Cleveland Fire Authority – None



COUNCIL

MINUTES OF PROCEEDINGS

30 July 2020

The meeting commenced at 7.00 pm and was an online remote meeting in compliance with the Council Procedure Rules Relating to the holding of Remote Meetings and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The Ceremonial Mayor (Councillor Loynes) presiding:

COUNCILLORS:

C Akers-Belcher	S Akers-Belcher	Black
Brown	Buchan	Cartwright
Cassidy	Fleming	Hall
Hamilton	Harrison	Howson
James	Johnson	King
Lauderdale	Lindridge	Little
Marshall	Moore	Prince
A Richardson	C Richardson	Smith
Stokell	Tennant	Thomas
Ward		

Officers: Gill Alexander, Chief Executive
 Hayley Martin, Chief Solicitor
 Denise McGuckin, Director of Regeneration and Neighbourhoods
 Neil Wilson, Assistant Chief Solicitor
 Amanda Whitaker, Democratic Services Team.

16. APOLOGIES FOR ABSENT MEMBERS

Councillors Brewer, Hunter and Young

17. DECLARATIONS OF INTEREST FROM MEMBERS

It was noted that prior to the meeting, Councillor Little had notified the Chief Solicitor of her personal interest in agenda item 14 – public question.
 At the meeting, Councillor Prince declared an interest in agenda item 14 – public question.

18. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None

19. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council meetings held on the 20th February 2020, 19 March 2020 and the Extraordinary Council meeting held on 10 June 2020, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

20. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL

None

21. BUSINESS REQUIRED BY STATUTE

None

22. ANNOUNCEMENTS

None

23. TO DISPOSE OF BUSINESS (IF ANY) REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

None

24. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES

1. Further Periodic Review of the Council's Constitution – Report of the Constitution Committee.

The Chief Solicitor presented a report which requested consideration of Full Council of the recommendations of the Committee following a periodic review of the Constitution. The report also updated Elected Members on issues which had been considered by the Committee following referrals from Full Council. A

table appended to the report summarised the recommendations of the Committee. Minutes relating to the Committee meetings were appended also.

Whilst presenting the report, the Chief Solicitor highlighted an error in the appended Protocol for Referral of Public Questions to a Policy Committee Meeting. The Constitution Committee had recommended that there should be no time limit for questions at Policy Committee meetings and therefore item 2 in the protocol should be deleted.

In accordance with Rule 6 of the Council's Procedure Rules relating to the Holding of Remote Meetings, the Chair adjourned the meeting to permit the conditions for remote attendance to be re-established for Councillor Tony Richardson.

Upon the meeting being reconvened by the Chair, it was moved by Councillor Tennant and seconded by Councillor Cartwright:-

"That the recommendations set out in the report be approved and that in accordance with Council Procedure Rule 24.2, changes to Council Procedure Rules stand adjourned without discussion to the next Ordinary meeting of Council"

The Chair confirmed that, in the absence of dissent, that this is the unanimous decision of Full Council.

25. TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS OF THE MEETING

1. Hartlepool Armed Forces Covenant – Progress 2019/20 – Address by Armed Forces Champion

The Armed Forces Champion, Councillor Cartwright, presented a report which provided an update on progress in relation to the implementation of the Armed Forces Community Covenant during 2019/20. It was highlighted that, as detailed in the report, significant progress had been made in meeting the objectives and intentions of the Covenant and implementing the measures contained within it. Over and above the ongoing activities, support of the armed forces community in Hartlepool had also continued resulting in a number of achievements which were also detailed in the report.

Whilst a considerable amount of work had been done, the Armed Forces Champion recognised that there was still a long way to go in supporting armed forces personnel and their families in the future.

Following presentation of the report, a question was raised by an Elected Member in relation to designation of a GP practice in the town to deal with the particular needs of the armed forces community. The Armed Forces Champion responded that when details of Hartlepool GP's who are part of the GP Accreditation Scheme are confirmed, the information would be included on the Council's website.

The Chair of Council expressed appreciation to the Armed Forces Champion for his report to Full Council.

26. REPORT FROM THE POLICY COMMITTEES

- (a) Proposal in relation to the Council's budget and policy framework

None

- (b) Proposal for Departure from the Budget and Policy Framework

None

27. MOTIONS ON NOTICE

The following Motion had been received:-

1. HBC acknowledges the impact of climate breakdown which is already causing serious damage around the world.

That the 'Special Report on Global Warming of 1.5°C', published by the Intergovernmental Panel on Climate Change in October 2018,

- (a) Describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise
- (b) Confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.

That all governments (national, regional and local) have a duty to act, and local governments that recognise this should not wait for their national governments to change their policies.

That strong policies to cut emissions also have associated health, wellbeing and economic benefits; and that, recognising this, a growing number of UK local authorities have already passed 'Climate Emergency' motions.

HBC therefore commits to:

Declare a 'Climate Emergency' that requires urgent action.

Make the Council's activities net-zero carbon by 2030, and audit the councils current functions and policies, taking in what is working well and what needs changing.

Achieve 100% clean energy across the Council's full range of functions by 2030.

Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030.

Support and work with all other relevant agencies towards making the entire area zero carbon within the same timescale.

Ensure that political and corporate management teams embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and that these be scrutinised by the Finance and Policy Committee to review Council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline.

Request that Finance and Policy Committee consider the impact of climate change and the environment when reviewing Council policies and strategies.

Work with, influence and inspire partners across the district, county and region to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops.

Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future.

Request that the Chair of Finance and Policy Committee convenes a Citizens' Assembly in 2020 in order to involve the wider population in this process. This group would help develop their own role, identify how the Council's activities might be made net-zero carbon by 2030, consider the latest climate science and expert advice on solutions and to consider systematically the climate change impact of each area of the Council's activities.

Set up a Climate Change Partnership group, involving Councillors, residents, young citizens, climate science and solutions experts, businesses, Citizens Assembly representatives and other relevant parties. Over the following 12 months, the Group will consider strategies and actions being developed by the Council and other partner organisations and develop a strategy in line with a target of net zero emissions by 2030. It will also recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.

Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the Council's

investment strategy to give due consideration to climate change impacts in the investment portfolio.

Ensure that all reports in preparation for the budget and investment strategy will take into account the actions the council will take to address this emergency.

Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise.

Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice.

Signed by Councillors:

Lesley Hamilton, Brenda Harrison, Helen Howson, Dave Hunter, Amy Prince, Paddy Brown, Carl Richardson, Jim Lindridge.

The Motion was moved by Councillor Prince and seconded by Councillor Smith.

On moving the Motion, Councillor Prince read out a letter of support which had been received from a Hartlepool resident, age 9. The letter stated that the resident is a member of Extinction Rebellion and detailed effects of climate change and asked for help to fix it.

Whilst supporting the sentiments of the Motion, Councillor Moore advised that the generic Motion was not appropriate for smaller Local Authorities including Hartlepool and the Motion was not reflective of the governance arrangements of this Authority.

It was moved by Councillor Moore and seconded by Councillor Tennant:-

“That in accordance with Council Procedure Rule 11.5 the Motion be referred to the Finance and Policy Committee”

Members debated issues arising from the Motion.

The Chief Solicitor clarified that in accordance with Council Procedure Rule 11.5 the Motion shall, upon being moved and seconded, stand referred without discussion to the Committee. In response to further debate, the Chief Solicitor assured Elected Members that a report would be submitted to Council, following consideration by the Finance and Policy Committee.

In accordance with Rule 8 of the Council’s Procedure Rules relating to the Holding of Remote Meetings, a recorded vote was taken on the referral of the

Motion to the Finance and Policy Committee and a report to Full Council following consideration by the Committee:-

Those for

Councillors C Akers-Belcher, S Akers-Belcher, Black, Brown, Buchan, Cartwright, Cassidy, Fleming, Hall, Hamilton, Harrison, Howson, James, King, Lauderdale, Little, Loynes, Marshall, Moore, Prince, C Richardson, Smith, Stokell, Tennant, Thomas and Ward.

Those against

None

Those Abstaining

Councillor Lindridge

It was announced that the vote was carried.

CHIEF EXECUTIVE'S REPORT

28. STATUTORY OFFICERS

Following the appointment of Denise McGuckin as the Managing Director and Returning Officer for Elections, Council was asked to appoint Denise McGuckin as the Council's Electoral Registration Officer.

RESOLVED with no dissent – That Denise McGuckin be appointed as the Council's Electoral Registration Officer.

29. DIRECTOR OF PUBLIC HEALTH

The Chief Executive reported that on the 29 June Dr Pat Riordan had tendered her resignation from the role of Director of Public Health with immediate effect. Craig Blundred, the Council's Deputy Director of Public Health had assumed the statutory duties of the Council's Director of Public Health from this date. Council was therefore asked to approve the designation of Craig Blundred as the Acting Director of Public Health on an interim basis whilst Officers work with Public Health England to undertake a recruitment process. This arrangement had been supported by the Regional Director of Public Health.

RESOLVED with no dissent – That Craig Blundred be designated as the Acting Director of Public Health.

30. COUNCIL MEETING DATES

Members were reminded that at the Extraordinary Council meeting, the dates for future meetings of Full Council had been agreed for the remainder of the municipal year. At the request of the Chair, Full Council was requested to approve the change of date of the October Council meeting from 29 October 2020 to 22 October 2020.

On presenting the report, the Chief Executive suggested that Full Council may wish to consider changing the time of Council meetings to start at 5.30 p.m. for the remainder of this municipal year during the Covid-19 crisis to mitigate some of the internet traffic issues being experienced across the network

It was proposed instead that Full Council meetings start at 6.00 p.m.

RESOLVED with no dissent –

- (i) That the date of the meeting of Full Council scheduled for 29 October 2020 be changed to 22 October 2020.
- (ii) That for the remainder of this municipal year all Full Council meetings be held at 6pm till 8pm and the remote rules be updated accordingly.

31 CORONER

Item withdrawn.

32. RESIGNATION FROM POLITICAL GROUP

Full Council was requested to note that notification had been received from Councillor Hunter that he had resigned from the Labour Group and would be, therefore, an Independent Councillor.

Full Council was advised that Councillor Hunter is appointed to the following:-

Licensing Committee
Finance and Policy Committee
Neighbourhood services Committee
Civic Honours Committee
Police and crime panel
Victoria and Jubilee homes

It was reported at the meeting that Councillor Harrison would replace Councillor Hunter as Deputy Leader of the Labour Group.

Nominations were made at the meeting to some of the Committee places to which Councillor Hunter had been appointed.

Following discussion regarding meetings of the Victoria and Jubilee Homes, the Chief Executive advised that Officers would ensure that the organisation aware of the previous appointment of Councillor Prince to the organisation.

RESOLVED with no dissent – (i) That Elected Members replace Councillor Hunter as follows:-

Finance and Policy Committee – Councillor Harrison
Neighbourhood Services Committee – Councillor Howson

33. APPOINTMENTS TO COMMITTEES

Full Council was requested to note the following changes to Committee appointments:-

- That following the Extraordinary Council meeting, confirmation was received that Councillor Stokell to replace Councillor T Richardson on the Planning Committee
- That Councillor Hunter has resigned from the Appointments Panel and a replacement member is therefore sought.

The following vacancies also remained:-

Licensing Committee – 2 vacancies (previously Lab (Ann Johnson) and coalition (Councillor Tony Richardson)

Teesmouth Field Centre
Teesside Environmental Trust
Teesside Pension Fund
Teesside Pension Board
Durham Darlington, Teesside STP Jt Health Scrutiny Committee
Henry Smith Educational Trust

It was reported at the meeting that notification had also been received that Cllr James Black had confirmed that he did not intend to continue to take this seat on the Tees Valley Combined Authority Overview and Scrutiny Committee. A replacement 'independent' member was therefore sought together with a substitute for that member.

On behalf of the labour group, Councillor Brown expressed his appreciation to Councillor Hunter and conveyed best wishes for his future.

RESOLVED with no dissent – That the following appointments be approved:-

Appointments Panel - Councillor Harrison to replace Councillor Hunter

Licensing Committee – Councillor C Richardson to replace former Councillor Ann Johnson and Councillor Ward to one of the vacant coalition seats.

Tees Valley Combined Authority Overview and Scrutiny Committee – Councillor Tennant (substitute Councillor Cartwright) to replace Councillor Black and Councillor Harrison appointed substitute for Councillor Brown.

34. SPECIAL URGENCY QUARTERLY REPORT

In accordance with the requirements of the Access to Information Procedure Rules included in the Council's Constitution, Council was informed that no special urgency decisions had been taken in the periods set out below:-

November 2019 to January 2020
February 2020 – April 2020

RESOLVED – That the report be noted.

Following presentation of her business report at the last meeting of Full Council meeting prior to her retirement, the Chief Executive expressed her appreciation of the support of Officers and Elected Members over the previous 5 years and thanked Elected Members for the privilege of being appointed to serve the town.

35. PUBLIC QUESTION

Question from Anna Martindale to Chair of Finance and Policy Committee:-

“What does the Council intend to do regarding school transport for children living in Seaton Carew attending English Martyrs School to ensure they are not discriminated against, so that they can get to and return from school safely?”

The Chair of Finance and Policy Committee responded that the Council has a duty to provide free Home to School travel assistance to students who are eligible under the Education Act 1996 and the Education and Inspection Act 2006. The Education Act 1996 provides a statutory obligation on Local Authorities to provide home to school travel assistance free of charge to all eligible students of compulsory school age, resident in their area and the categories for eligibility are defined as:

- Those who live over the statutory walking distance from their nearest suitable school – 2 miles for primary students and 3 miles for secondary students;
- Those who are attending their nearest suitable school and they cannot reasonably be expected to walk there because the nature of route would be unsafe for them to do so; and there is no reasonable alternative route, within the statutory walking distance that it would be safe for them to walk;
- Extended rights – those eligible for free school meals or a parent with

whom they live is receiving maximum working tax credits and they live more than two miles from one of their three nearest schools or they are attending a school that is between 2 and 15 miles from their home that their parents have chosen on the grounds of religion or belief; or

- A student is attending a school to meet their special education needs, disability or mobility problem.

Therefore the Council has no obligation to make arrangements to transport non-entitled children to school and home to school transport is arranged only for entitled pupils. Historically when there had been any spare seats on buses we have, for a fee, made these available to students who are not eligible for assistance and this is called a concessionary travel permit. Unfortunately at the present time the Authority was uncertain as to whether there will be an opportunity to offer concessionary travel for the next academic year, commencing September 2020, due to the following reasons:

- Social Distancing – It is difficult to predict what, if any, social distancing measures may be in place by September and although the draft guidance suggests that social distancing on school transport may not be a requirement, it does advise existing ‘bubble networks’ should be maintained where possible. This would have major implications based on the size of the Council’s bus fleet;
- Low income entitlement – Students from low income families who receive free school meals are eligible for travel assistance if they live more than two miles from their nearest suitable school. With the impact of the current pandemic there has been a significant increase in the number of families who have become unemployed and will meet the low income eligibility criteria, therefore this is likely to mean an increase in those being eligible for travel assistance and reduce or indeed eliminate any spare capacity; and
- Public Service Vehicle Accessibility Regulations (PSVAR) – In January 2020 the PSVAR came into force and meant that where a fare was being charged for travel and there were more than 22 seated passengers, the vehicle would need to be accessible meaning it complies with the wheelchair accessibility requirements, as well as more general accessibility requirements including, among other, specifications for seats, steps, floors/gangways and handrails. At the time, not all of the vehicles being utilised for home to school transport were accessible, so the Council allowed those accessing under the concessionary travel permit to travel free of charge from January – July 2020. In order to become fully compliant from September 2020 the Council purchased two replacement vehicles that would be converted and be delivered in August 2020. Unfortunately due to the pandemic, the company carrying out the conversion had to lockdown, this means that we are unlikely to take delivery of the vehicles before the start of the new school term in September and therefore will be unable to sell seats until those vehicles are available. Furthermore the changes to these Regulations have been challenged by Councils nationally due to the impact on provision of concessionary places on Home to School Transport, however the Department for Transport has not rescinded these regulations and unfortunately this means the Council must comply.

Unfortunately concessionary seats are not always available, therefore they are not guaranteed and may be removed if an eligible child makes an application. This message has always been communicated to both parents and schools alike, which is why some schools have taken the decision to provide transport for their pupils with the costs being met by the school. Whilst English Martyrs has chosen not to do this, the Council will continue to monitor the situation over the coming weeks and months, and will work closely with the English Martyrs School to look at alternative options. Should any of the issues change we will write to parents to advise that there is an opportunity to purchase a Concessionary Travel Permit, at the earliest opportunity. In the meantime options with the School will continue to be explored.

Elected Members debated issues arising from the question including the responsibility for the provision of concessionary seats on home to school transport and the implications for other schools in the town. It was suggested that the issue should be discussed with Stagecoach and that Officers continue to work with the school in an attempt to find solution to the issues which had been raised by the question.

It was moved by Councillor Brown and seconded by Councillor Cartwright:-

That further consideration of the issues raised from the question and the wider aspects of home to school transport for other schools in the town be referred to the Finance and Policy Committee.

It was clarified that there was no dissent and that this is the unanimous decision of Council.

36. QUESTIONS FROM MEMBERS OF THE COUNCIL

- a) Questions to the Chairs about recent decisions of Council Committees and Forums without notice under Council Procedure Rule 12.1

Cllr Black referred to the meeting of the Finance and Policy Committee on 29 June 2020, Min No. 10 'Covid-19 Financial Position Update' and asked a question in relation to the provision of discretionary financial support to a business in Seaton Carew. The Chair of the Committee explained that the application had not met the criteria. The Chair added that he would be happy to discuss further outside of the meeting to determine if there was anything that the Authority could do to assist the company.

- b) Questions on notice to the Chair of any Committee or Forum under Council Procedure Rule 12.2

None

- c) Questions on notice to the Council representatives on the Police and Crime Panel and Cleveland Fire Authority

None

- d) Minutes of the meetings held by the Cleveland Fire Authority and the Police and Crime Panel

The minutes of the meetings held by the Cleveland Fire Authority held on 13 December 2019 and the Cleveland Police and Crime Panel held on 4 February 2020 had been circulated.

Elected Members paid tribute to the service of Gill Alexander and conveyed their best wishes to the Chief Executive on her retirement. The Chief Executive responded thanking Elected Members and paying tribute to the Corporate Management Team and Senior Leadership Team.

Best wishes were conveyed also to Councillor Black who had indicated his intention to tender his resignation, following his recent appointment to a politically restricted post.

The meeting concluded at 9.00 p.m.

CEREMONIAL MAYOR

COUNCIL
17th September 2020



Report of: Acting Director of Public Health

Subject: ANNUAL REPORT OF THE DIRECTOR OF PUBLIC HEALTH - 2019

1. PURPOSE OF REPORT

- 1.1 To present the Director of Public Health's Annual Report for 2019.

2. BACKGROUND

- 2.1 The requirement for the Director of Public Health to write an Annual Report on the health status of the town, and the Local Authority duty to publish it, is specified in the Health and Social Care Act 2012.
- 2.2 Director of Public Health Annual Reports have over the last five years covered a range of themes from how public health priorities have changed over the past 40 years, the importance of how work and employment influence health and wellbeing, aging well and starting well.
- 2.3 The theme of the 2019 Annual Report is 'Obesity Prevention and Physical Activity in Hartlepool'. It is presented for the first time, in an innovative electronic format which can be accessed via the following link.
- www.hartlepool.gov.uk/DPH-annual-report
- 2.4 In addition to previous annual reports Members have welcomed copies of detailed ward health profiles. Ward profiles are in the process of being updated and will be circulated to Members prior to full Council.

3. FINANCIAL CONSIDERATIONS

- 3.1 There are no financial issues associated with the development and publication of the report.

4. EQUALITY AND DIVERSITY CONSIDERATIONS

- 4.1 There are no equality and diversity issues arising from this report.

5. RECOMMENDATIONS

- 5.1 Health and Wellbeing Board is asked to note the report and its conclusions.

6. REASONS FOR RECOMMENDATIONS

- 6.1 Ensures compliance with the statutory duties under the Health and Social Care Act 2012 for the Director of Public Health to produce a report and the Local Authority to publish it.

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

None

8. BACKGROUND PAPERS

- 8.1 Director of Public Health's Annual Report for 2019 (**Appendix A**)

9. CONTACT OFFICER

Craig Blundred
Acting Director of Public Health
Craig.blundred@hartlepool.gov.uk
01429 284104

Welcome to this Hartlepool Director of Public Health Annual Report.

It's focus is how people of all ages in Hartlepool can achieve and maintain a healthy weight and improve their physical activity.

Both of these are of the utmost importance for your health and wellbeing as they have a particular impact in terms of your quality and length of life.

Being overweight or obese is linked to a number of very

serious conditions including diabetes, cardiovascular disease and a number of cancers.

Conversely, increasing your physical activity has a significant positive impact on not only your physical health but also your mental health, and this report tells the story of how, here in Hartlepool, we are doing this.

It's an inspiring story about real people who are making a real difference to their health and to their lives.

Obesity



Obesity refers to an unhealthy weight that corresponds with an increase in body fat.

The main way to measure obesity is by using the body mass index (BMI). This measures your weight and height and gives you a score.

For most adults a BMI of:

18.5 to 24.9 means you're a healthy weight
25 to 29.9 means you're overweight
30 to 39.9 means you're obese
40 or above means you're severely obese

Another useful way to measure excess fat is to look at your waist size. Men with a waist size of 94cm and women with a waist size of 80cm are more likely to experience obesity-related problems.

Children should be measured differently – the National Child Measurement Programme (NCMP) has been set up to measure children in reception and Year 6. Children of different ages and sexes develop differently which makes measuring complex. Because of this the NCMP uses a different method which compares a child's BMI with a reference weight.

Here's Gemma Ptak, the Council's Assistant Director (Preventative and Community-Based Services), to tell you more about Hartlepool's obesity problem and how it's being tackled.

Also, [click here](#) for a more detailed breakdown of health in Hartlepool.

Working in Partnership

Local authorities across the country have been engaged in piloting the whole systems approach to obesity prevention. We are learning from them what has worked and also what doesn't work in order to ensure we are using the best possible evidence to develop our work programmes.

We can take our lead by looking at what has been successful elsewhere. A programme of work developed in Amsterdam (the Amsterdam Healthy Weight Programme) has been highlighted as being a good example of an urban level system-wide approach to tackling obesity.

Early indications from the city suggested success in reducing obesity using a range of approaches. These included focusing on the first 1,000 days, working in schools, community-based approaches, working with businesses and helping children to lose weight. This is an example of working together in partnership to achieve our goals.

Here's Craig Blundred, Hartlepool's Deputy Director of Public Health, to tell you more.



Badminton



Hartlepool Borough Council has a range of activities at its local centres that are accessible for all sections of the community. Sports like badminton are key components of the range of activities we provide across the town.

Physical activity is a key element of our obesity prevention strategy. Whether you play organised sport or simply build cycling or walking in to your everyday life, physical activity can help improve your physical and mental health.

Keen badminton regulars Eileen Mennear and Sue Jukes explain why the sessions are important to them.

Junior Funability

We are developing a range of initiatives focusing on building healthy eating and physical activity into everyday lives as well as ensuring services meet the needs of the population.

Examples of this include implementing an infant feeding strategy to support new mothers and children, working with planning colleagues to continue to tackle the problem of the density of takeaways, working with health colleagues to ensure there is a clear pathway for weight management services and ensuring that the system partners work together to ensure a joined-up approach to tackling obesity.

Ensuring children of all ages and abilities are able to access physical activity opportunities is key to increasing participation. Activities like Junior Funability engage children in fun activities that increase their physical activity.

Here's sports coach Katie Gofton to tell you more about the benefits of the Funability sessions at Brierton Sports Centre.



Social Dance



It's important to start early to get into the habit of eating healthily and participating in physical activity.

This doesn't mean, however, that you should stop as you get older. Maintaining physical activity in later life not only helps to prevent obesity but improves bone health, cardiovascular health and also contributes to improving your mental health as well.

We should all maintain physical activity as we age – activities such as social dance also increase our opportunities to meet people and socialise. It's also never too late to start – the most benefits are had if you move from a sedentary lifestyle to moderate physical activity.

June Ions and Tony Pearson, featured here, are two of the people who are enjoying major benefits from social dance.

Planning

The Hartlepool Local Plan states that the Council is committed to ensuring that residents have the best possible opportunities to live a healthy lifestyle.

One way for this to be achieved is through planning controls on fast food takeaways. Public Health England has identified that Hartlepool has a high density of hot food takeaways. These shops, serving energy-dense food, contribute to the ongoing obesity epidemic.

When a planning application for an A5 use is received, if applicable the current floor space is reviewed and if the new development exceeds the threshold, it will generally be refused. Comments on planning applications are also received from key stakeholders including the Council's Public Health team.

Here's Helen Smith, the Council's Senior Planning Officer, to tell you more.



Fiit Mums



Our Fiit Mums bootcamp at Brierton Sports Centre is really popular and is a great example of how physical activity can be lots of fun too.

Mums meet up at this weekly exercise class and use bars, bikes, ropes and other equipment to build their strength and increase their fitness levels.

Best of all – their babies and children are welcome.

Check it out!

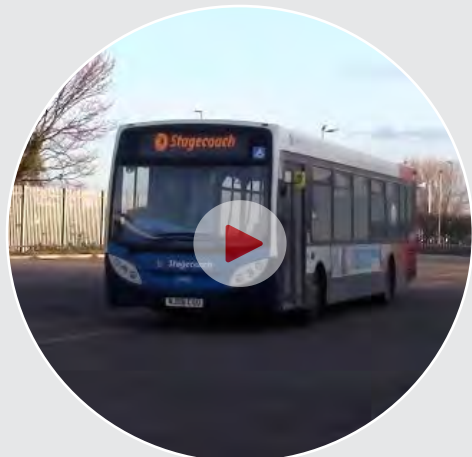
Stagecoach

Working age people spend a lot of time in the workplace, so we are keen to see initiatives that help people to be as healthy as they can be at work.

This is particularly important for those occupations where there are limited opportunities to either eat healthily or to take part in physical activity.

The Better Health at Work Award in Hartlepool supports businesses and employers to engage with their workforce to improve its health and wellbeing.

Stagecoach is committed to supporting its staff to enjoy healthy lives, as Assistant Operations Manager Shaun Anderson explains.



Beating Holiday Hunger



School holidays should be a happy time for families, but for some it can be a time of very considerable financial strain.

Local organisations can play a key role in helping and supporting vulnerable families during this time.

An example is the Filling The Holiday Gap scheme – also known as the ‘Holiday Hunger’ scheme – which provides resources to public sector and voluntary and community sector (VCS) organisations and other charitable groups to help them ensure that families with school-aged children they are working with don’t suffer acute food poverty during school holiday periods.

The scheme is provided throughout Christmas, Easter and summer school

holiday periods and has seen an increasing take-up.

There is the risk that without targeted provision of foods for children during school holiday time, health inequalities across the town may widen. It is still a fact that families normally entitled to free school meals in the most deprived areas of Hartlepool may become malnourished over the school holiday period, often resorting to very poor quality food high in fat, salt and sugar. This contributes to poor nutritional outcomes and rising obesity levels.

Teresa Driver, Development Officer at The Wharton Trust, talks here about how the scheme is delivered and the many benefits it brings.

Exercise Referral

The Exercise Referral Scheme in Hartlepool provides a wide range of physical activity programmes that support people with the following conditions:

- Heart problems
- Pulmonary respiratory illness
- Mobility problems and chronic back pain
- Stress, anxiety and depression
- Diabetes
- Stroke
- Parkinson’s
- Muscular sclerosis
- Pre and post-surgery

A variety of different activities are provided to support people to improve their health and reduce their health risks.

Dorothy Luff is a great advocate of our Exercise Referral sessions.



Conclusion



Where are we going from here?

Here’s Craig Blundred again to sum up.



Report of: Constitution Committee

Subject: FURTHER PERIODIC REVIEW OF THE COUNCIL'S CONSTITUTION

1. PURPOSE OF REPORT

To enable Council to consider the recommendations of the Committee following a periodic review of the Constitution and consideration of a Member referral in relation to the proposed amendments to the Council Procedure Rules which have stood adjourned since the meeting of Full Council on the 30 July 2020.

2. BACKGROUND

This report follows Full Council's consideration of the recommendations of the Committee in response to the periodic review of the constitution and Member referral on the 30 July 2010. In accordance with Rule 22.2 the recommended changes to the Council Procedure Rules must stand adjourned to the next ordinary meeting of Full Council.

3. PROPOSALS

The Committee has made a number of recommendations in relation to the Council Procedure Rules which are summarised in a table appended to this report.

4. RECOMMENDATIONS

That Full Council considers the recommendations of the Committee detailed in the table appended to the report.

5. BACKGROUND PAPERS

Full Council – 15 July 2019

Full Council – 21 March 2019

Constitution Committee Report – 25 November 2019

Constitution Committee Report – 27 January 2020

Constitution Committee Report – 2 March 2020
Council – 30 July 2020

Hartlepool Borough Council – Constitution (Part 4)

6. CONTACT OFFICER

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Chief Solicitor
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COUNCIL REFERRALS TO CONSTITUTION COMMITTEE

Reference Number	Date of Council Referral	Details of Referral	Committee Recommendation
02/19-20	20 June 2019	Full Council Procedure Rules – CPR9 – Questions from the Public	<p>Considered by the Committee on 25 November 2019 and 27 January 2020. Further report submitted to meeting on 2 March when it was recommended as follows:-</p> <p>That Full Council be recommended to approve the amended Council Procedure Rule 9 (attached) including the insertion of a supplementary question, referral to a Policy Committee and removal of debate.</p>

PERIODIC REVIEW OF THE CONSTITUTION 2019/20

Reference Number	Committee Date	Constitution Reference	Recommendation of Committee
07/19-20	25 November 2019	Part 4 - Council Procedure Rule 9.3(i)	Questions will be asked in the order received, except that the Chair of the Council may group together similar questions, which would replace the current requirement for the random selection of questions.
08/19-20	25 November 2019	Part 4 - Council Procedure Rule 11 – Motions on Notice	Appended to this Schedule are the changes proposed to consideration of Motions on Notice.

9/19-20	25 November 2019	Part 4 - Council Procedure Rule 23 – Committees and Sub-Committees of the Council	It is proposed that a paragraph be added that where a Committee is to consider a matter upon which another Committee(s) shares a common interest, that Committee may invite Members of other Committee(s) to attend a joint meeting. The attending Committee Members will have no vote but may take part in the discussion.
12/19-20	27 January 2020	Council Procedure Rule 23 – Committees and Sub Committees of the Council	To be updated to clarify the position in relation to an Elected Member attending a Committee meeting where exempt information is likely to be disclosed.

COUNCIL PROCEDURE RULE 9 - QUESTIONS FROM THE PUBLIC

9.1 General

During a period of 30 minutes, or a longer period at the discretion of the Chair, residents of Hartlepool may raise questions of, Chairs of Committees and Sub-Committees at ordinary meetings of Full Council in accordance with these procedure rules. [Questions and answers shall not be matters for debate.](#)

9.2 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than noon on the Thursday of the week before the meeting (or in the case of a meeting held otherwise than on a Thursday, on the expiry of the fifth clear working day before the meeting). Each question must give the name and address of the questioner and must name the Chair of Committee or Sub-Committee to whom it is to be put (if the questioner is under 16 years of age, the notice must include the name, address and signature of the parent or guardian of the questioner).

Questions may be submitted at a later time than the deadline stated above if, in the opinion of the Chair of the Council, the question relates to an urgent issue that has arisen after the deadline.

9.3 Order of questions

- i) Not later than the day before the commencement of any meeting in respect of which more than one notification has been received under rule 9.2 and not rejected under rule 9.5, the order in which the questions shall be asked shall be determined in a manner of random selection to be stipulated by the Chief Executive. The determination of the order shall take place at the Civic Centre and shall be open to the public.
- ii) There shall be excluded from the process described in rule 9.3(i) the question of any person whose question was dealt with at the immediately preceding ordinary meeting of the Council which shall be placed at the end of the order of questions. If there is more than one question to which this paragraph applies, they shall be asked in the order in which they were asked at the preceding meeting.

9.4 Number of questions

At any one meeting no person may submit more than 2 questions but a question may consist of a number of parts.

9.5 Scope of questions

The Chief Executive in consultation with the Chair of the Council, may reject a question if:-

- i) it is not about a matter for which the Authority has a responsibility or which affects the Borough; or
- ii) it is out of order, illegal, irregular or improper; or
- iii) it is defamatory, frivolous or offensive; or
- iv) it is substantially the same as a question which has been put at a meeting of the Council in the past six months and since when there has been no change of circumstances justifying the resubmission of the question ; or
- v) it requires the disclosure of confidential or exempt information; or
- vi) it is unreasonably excessive because of its length or its number of parts; or
- vii) the name of the person wishing to ask the question is not on the Register of Electors

9.6 Record of questions

- i) The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the Elected Member to whom it is to be put. Rejected questions will include reasons for rejection.
- ii) The Chief Executive shall notify the questioner in writing addressed to the questioner at the address at which s/he is registered that his/her question has been accepted ([or referred to a Policy Committee under Rule 9.8](#)) or rejected under rule 9.5 (the letter will be copied to the parent or guardian identified in the notice if the questioner is under 16 years of age)
- iii) Copies of all questions will be circulated to all Elected Members and will be made available to the public attending the meeting.

9.7 Asking the question at the meeting

- (i) The Chair will invite the Chief Executive to read the submitted question to the Elected Member named in the notice.
- (ii) Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Elected Member who was to respond to the question, will be dealt with by way of a written answer.

(iii) Once the question has been asked, the ~~Chair of the relevant Committee~~Elected Member named in the notice will have 5 minutes to respond to the question.

(iv) Once ~~the Chair of the Committee~~the question has responded to ~~the question~~, supplementary question for clarification purposes only without notice being given. The supplementary question must arise directly from the original question or reply
~~, Elected Members of the Council may, at the discretion of the Chair of the Council, make comment upon and discuss the issue raised by the question under rule 9.1 or move that the issue raised by the question be referred to a Council Committee.~~

9.8 Formal Referral of a Public Question to a Policy Committee

If the Chief Executive in consultation with the Chair of Council considers that it would be more appropriate to do so, a question received on notice for submission to Full Council under Rule 9.2 may instead be referred to the next relevant Policy Committee for answer and shall be dealt with in accordance with the Council's Protocol for Public Questions at Policy Committee meetings which is included in Part 5 of the Constitution.

PROTOCOL FOR REFERRAL OF PUBLIC QUESTIONS TO A POLICY COMMITTEE MEETING

1. Where notice of a question from a member of the public is received in accordance with Rule 9.2 of the Council Procedure Rules and has not been rejected under Rule 9.5, the Chief Executive may in consultation with the Chair of Council refer the question to the relevant Policy Committee for answer.
2. A list of the questions of which notice has been given shall be circulated to Elected Members of the relevant Policy Committee at, or before, the meeting at which they are to be asked.
3. Questions will be asked in the order notice of them was received, except that the Chair may group together similar questions.
4. The question will be answered by the Chair of the Policy Committee without discussion and the answer may take the form of:-
 - (a) a direct oral answer; or
 - (b) where the desired information is contained in a publication of the Authority, a reference to that publication; or
 - (c) where the reply to the question cannot conveniently be given orally, a written answer given to the member of the public submitting the question and circulated to the Policy Committee.
5. The questioner may ask one relevant supplementary question for clarification purposes only which shall be put and answered without discussion. A supplementary question must arise directly from the original question or reply
6. The Member to whom a question, or supplementary question, has been put may decline to answer it. (See note 1 below.)

Notes:

1. It will not be appropriate for a Chair to answer questions under this Protocol about:-

(a) matters which are subject to processes such as particular applications for planning permission, licences, registration, consents or other permissions, or

(b) matters for which there are other processes under the Council's Constitution, such as individual complaints or cases, personnel or disciplinary matters, ethical matters or allegations of fraud.

11. MOTIONS ON NOTICE

11.1 Notice

A Motion must be about a matter for which the Authority has a responsibility or which affects the Borough of Hartlepool.

Except for motions which can be moved without notice under Rule 12, written notice of every motion, signed by at least five Elected Members, must be submitted to and received by the Chief Executive, or by electronic mail to the Chief Executive ~~during normal office hours~~ before 5pm at least ~~seven~~ clear working days before the date of the meeting.

~~These~~ The notice of motion will be entered in a book open to public inspection.

~~ii)~~ The number of motions before an Ordinary Meeting of Council shall not exceed ~~3~~ three subject to consultation with the Chair of Council and in accordance with Council Procedure Rule 11.1. ~~(i)~~ Where, subject to rule 11.2, more than three Motions are received, the Motions to be submitted to Council shall be determined in a manner of random selection which will determine also the order the Motions will be listed on the agenda, any remaining Motions on Notice shall be dealt with at the next ordinary meeting of Full Council.

11.2 Scope

The Chief Executive in consultation with the Chair of the Council, may reject a Motion if:-

i) it is not about a matter for which the Authority has a responsibility or which affects the Borough;
or

ii) it is out of order, illegal, irregular or improper; or

iii) it is defamatory, frivolous or offensive; or

~~iv)~~ it is substantially the same as a Motion which has been put at a meeting of the Full Council in the past six months and since when there has been no change of circumstances justifying the resubmission of the question ; or

v) it requires the disclosure of confidential or exempt information; or

vi) it is unreasonably excessive because of its length or its number of parts;

~~11.3 Motion set out in agenda Motions for which due notice has been given will be listed on the agenda in the order in which notice was received, unless the Elected Members giving notice states, in writing (including electronic mail), that they propose to move it at a later meeting or withdraw it.~~

~~11.34~~ Withdrawal of motion not moved If a motion set out in the agenda is not moved either by ~~an~~ the Elected Members who gave notice of it or some other Elected Member on his/her behalf shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

~~11.5 Remission to committee If in the view of the Chair of Council, in consultation with the Monitoring Officer, the subject matter of any Motion is the responsibility of any Committee or Committees it shall, upon being moved and seconded, stand referred without discussion to such Committee or Committees or to such other Committee or Committees as Full Council may determine, for consideration and report. Provided that the Chair may, if s/he considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting of Full Council, following consultation with the Monitoring Officer.~~

CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

25 November 2019

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillor Moore (In the Chair)

Councillors Harrison, Howson, James and Loynes

Councillor Brewer was in attendance as substitute for Councillor Tennant.

Officers: Chris Little, Director of Finance and Policy
Hayley Martin, Chief Solicitor
Amanda Whitaker, Legal and Democratic Services Manager

7. Apologies for Absence

Councillors Marshall and Tennant

8. Declarations of interest by Members

None

9. Minutes

The minutes of the meeting held on 15 July 2019 were confirmed subject to the following amendment:-

Minute 5 – Council Referral – Delegation Scheme – Third paragraph, final sentence - Deletion of ‘including the formulation of a policy to be determined by the Regeneration Services Committee’.

Arising from the minutes, it was agreed that the Chief Solicitor submit a report to this Committee to address issues raised at the previous meeting relating to the legality of a non-elected member being appointed the Ceremonial Mayor and on the selection process for Ceremonial Mayor in terms of the rotation of Elected Members and the terms of office.

10. Further Periodic Review of the Council's Constitution *(Chief Solicitor and Monitoring Officer)*

The Committee's consideration was sought of proposed changes to the Constitution prior to consideration of the changes by Council. Matters which had arisen during the review were presented as follows:-

Article 2 – Elected Members of the Authority

The Corporate Parent Forum, at its meeting on 11 June 2019, had agreed that this Committee be requested to consider the issue of compulsory training for all Elected Members on their role as corporate parents.

The Audit and Governance Working Group had recommended to the Audit and Governance Committee and it was agreed by Council on 31 October 2019, that guidance and mandatory training should be provided to new and existing Members on completion of the revised electronic form to record Members declarations of Interest.

It was highlighted that Elected Members are not employees of the Council which meant that the measures available to enforce adherence by officers to mandatory training would not necessarily be available for members. The Council could however consider a number of measures as set out in the report. Committee Members agreed that member compliance with their mandatory training should be reported to the Audit and Governance Committee. It was suggested, at the meeting, that non-compliance could be reported regularly also to Full Council.

Alternative methods for the training of Elected Members were discussed including e-learning. It was suggested also that the inaugural training programme, for newly elected Members, should be more structured and that a further report be submitted to this Committee to allow further consideration by members of the Committee.

Article 10 – Community Forums

Members were requested to consider a suggestion from an Elected Member that the Community Forums: 'North and Coastal' and 'South and Central' be combined. Whilst acknowledging the reasons for the suggestion, Elected Members expressed some concerns regarding the practical implications of the proposal. It was agreed that a further report be submitted to this Committee.

Part 3 - Responsibility for Functions

The Committee agreed a recommendation that the Homelessness and housing advice function transfer from the Children's Services Committee to the Finance and Policy Committee in view of the function being a town wide issue.

Full Council Procedure Rules (CPR) – Changes were proposed to the following Procedure Rules:-

CPR4 - APPOINTMENT OF SUBSTITUTE ELECTED MEMBERS OF COMMITTEES AND SUB-COMMITTEES

The Monitoring Officer had proposed to update the Procedure Rule for clarification purposes as set out in the report.

CPR9 – QUESTIONS FROM THE PUBLIC

At the meeting of Full Council held on 20 June, it had been moved and seconded that this Committee be requested to consider changes to Questions from the Public to allow supplementary questions. It was agreed that the issue of supplementary public questions be referred to this Committee. Members of the Committee highlighted issues which had occurred previously when the provision to ask supplementary public questions was included in the Constitution.

It was suggested at the meeting that if supplementary questions were permitted they should be for clarification purposes only which Members recognised would have to be managed by the Chair of Council. Members agreed further consideration was required and that a further report should be submitted to this Committee. Information which had been circulated to Members highlighted that the Constitutions of other Local Authorities did not include provisions for a debate following a public question. It was proposed that the further report address also whether the provision in the Authority's Constitution should continue to allow debate once the Chair of a Committee has responded to a public question.

It was proposed also that Council Procedure Rule 9.3 (i) be updated so that Questions will be asked in the order received, except that the Chair of the Council may group together similar questions, which would replace the current requirement for the random selection of questions.

CPR11 – MOTIONS ON NOTICE

Appended to the report were changes which were proposed to the above Procedure Rule.

CPR23 - COMMITTEES AND SUB-COMMITTEES OF THE COUNCIL

It is proposed that a paragraph be added that where a Committee is to consider a matter upon which another Committee(s) shares a common interest, that Committee may invite Members of other Committee(s) to attend a joint meeting. The attending Committee Members will have no vote but may take part in the discussion.

Officer Employment Procedure Rules – It was proposed that the Procedure Rules be amended to reflect statutory requirements for disciplinary action relating to the Head of Paid Service, Monitoring Officer and Section 151 Officer (Statutory Officers). As a consequence of the changes, it was proposed also that the membership and terms of reference of an Independent

Advisory Committee be added to Part 3 of the Constitution – the Authority's Functions and Delegation Scheme:-

Scrutiny Procedure Rules – It was proposed that the Procedure Rules be amended to provide clarification in relation to Co-opted Members on the Audit and Governance Committee and the Committee's membership. It was proposed also that Appendix C – Procedure for the Decision Making Route for Statutory Scrutiny Final Reports - replace reference to 'Policy Committees' with 'Committees'.

Decision – (i) That Full Council be recommended to approve the following:-

- The update of Article 2 to reflect the requirement for compulsory training for Elected Members on their role as corporate parents and also in relation to mandatory training to new and existing Elected Members.
- That member compliance with their mandatory training be reported to the Audit and Governance Committee and regular reports be submitted also to Full Council.
- That the Homelessness and housing advice function transfer from the Children's Services Committee to the Finance and Policy Committee in view of the function being a town wide issue.
- The suggested clarification of wording for Council Procedure Rule 4 relating to the Appointment Of Substitute Elected Members Of Committees And Sub-Committees
- That Council Procedure Rule 9.3 (i) be updated so that Questions will be asked in the order received, except that the Chair of the Council may group together similar questions, which would replace the current requirement for the random selection of questions
- That the proposed changes to CPR11 – Motions On Notice – be approved
- That a paragraph be added – at CPR 23 - that where a Committee is to consider a matter upon which another Committee(s) shares a common interest, that Committee may invite Members of other Committee(s) to attend a joint meeting. The attending Committee Members will have no vote but may take part in the discussion.
- That the Officer Employment Rules be amended to reflect statutory requirements.
- That the proposed amendments to the Scrutiny Procedure Rules be approved.

(ii) That a further report be submitted to this Committee regarding:-

- alternative methods for the training of Elected Members including e-learning and a more structured approach to Member induction.
- Community Forums
- Questions from Public – supplementary questions and debate

The meeting concluded at 3.15 p.m.

CHAIR

CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

27 January 2020

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillor Moore (In the Chair)

Councillors Fleming, Harrison, Howson, James, Johnson, Loynes,

In accordance with Council Procedure Rule 4.2, Councillor S Akers-Belcher was in attendance as substitute for Councillor Marshall and Councillor Cassidy was in attendance as substitute for Councillor Tennant.

Officers: Gill Alexander, Chief Executive
Hayley Martin, Chief Solicitor
Amanda Whitaker, Legal and Democratic Services Team Manager

11. Apologies for Absence

Councillors Marshall and Tennant.

12. Declarations of interest by Members

None

13. Minutes

The minutes of the meeting held on 25 November 2019 were confirmed.

Following a recent meeting of the Audit and Governance Committee, a member referred to the position in relation to an Elected Member attending a Committee meeting where exempt information is likely to be disclosed. It was requested that the Constitution be updated to clarify the position.

14. Further Periodic Review of the Council's Constitution – Update *(Chief Solicitor and Monitoring Officer)*

The report sought views from the Committee regarding proposed changes to the Constitution prior to consideration of changes by Full Council. A report to

this Committee on 25 November 2019 had addressed issues which had arisen since the previous review. The report provided information on areas identified at the previous meeting upon which Elected Members had sought further information. The report also addressed issues raised at previous meetings regarding the legality of a non-elected member being appointed the Ceremonial Mayor and on the selection process for Ceremonial Mayor in terms of the rotation of Elected Members and the terms of office.

The Committee debated each of the areas identified and expressed views as follows:-

PART 2 – ARTICLES

Article 2 – Elected Members of the Authority

The Committee noted the additional information which had been submitted in relation to the Member Development Programme and expressed the following views:-

- In addition to mandatory training for specified Committees, there should also be mandatory training for members of Policy Committees.
- In addition to reporting non-attendance at mandatory training sessions to Audit and Governance Committee/Council, the appropriate Committee should be advised accordingly.
- The Annual Planning Training Event should change from being optional to a mandatory training requirement.
- Some mandatory training should also be offered by use of e-learning resources.

Article 5 – The Ceremonial Mayor

The Committee was advised of the statutory requirement which stated that “the chairman of a principal council shall be elected annually by the Council from among the Councillors”. It further stated that “the Chairman of a county borough council is entitled to the style of ‘mayor’”. Elected Members noted that it was not possible, therefore, for a non-elected member to be appointed to the role of Ceremonial Mayor.

The Committee noted also an appendix which detailed the protocol for selection of Mayor/Chairman and which highlighted that other Local Authorities in the region had a similar approach to that which is applied in this Authority.

The Committee accepted the advice of the Chief Solicitor and following discussion agreed to recommend that the current approach for selection of Mayor/Chairman not be changed.

Elected Members discussed the importance of the role of Deputy Ceremonial Mayor and agreed to recommend that Article 5 be updated in order that the role is explicitly detailed in the Constitution to ensure full understanding of the role.

Article 10 – Community Forums

At the previous meeting of the Committee, Members had been requested to consider a suggestion that the Community Forums be combined. Following subsequent concerns to the Chief Executive, the Committee was requested to consider the role of the Community Forums which had been part of the Council's governance structure since 1999. The ways of communicating with the public had changed considerably and concerns had been expressed around how well the current arrangements were working and whether they met the Council's current needs around community engagement. It was also recognised that in the main the issues discussed at Community Forums could and were often already being dealt with through other mechanisms set out in the report. It was considered that the Your Say, Our Future exercise had worked very well and was an approach that had facilitated a greater level of involvement and discussion. Members views had been sought on a number of options and it was reported that no responses had been received.

The view was reiterated at the meeting that the Community Forums no longer operated in the way intended when they had been set up. Whilst support was expressed for stopping the Forums and replacing them with a roll out of the Your Say, Our Future approach through a planned annual programme, the Committee requested a report to the next meeting of the Committee to allow them to consider the planned annual programme prior to making any recommendation to Full Council.

PART 4 – RULES OF PROCEDURE

Full Council Procedure Rules – CPR9 – Questions from the Public

At the meeting of Full Council held on 20 June, it had been moved and seconded that this Committee be requested to consider changes to the above Procedure Rule in relation to supplementary questions. At the previous meeting of this Committee, Members had suggested that if supplementary questions were permitted they should be for clarification purposes only. It was noted in the table which had been submitted to that meeting that the Constitutions of other Local Authorities do not include provisions for a debate following a public question. As requested by the Committee, the table submitted previously had been updated following further research and was appended to the report. The outcome of the further review highlighted that the majority of Constitutions which permitted supplementary questions stated that a supplementary question must arise directly out of the original question or the reply. None of the Constitutions reviewed permitted debate following public questions.

Elected Members debated issues arising from the referral from Council. The view was expressed that responses to Council questions were required to be more robust. It was noted that this Authority's Constitution is unique in permitting debate following the response to a question. During the debate the responsibilities of the Chair of Committees were highlighted together with the

advantages of an alternative model whereby questions were formally submitted to Policy Committees which would ensure that other Members of the Committee could contribute to responses to questions. The Chief Executive agreed to model some options, based on the comments made, for submission to the next meeting of the Committee.

UPDATES

Elected Member Referral – Local Joint Consultative Committee (LJCC)

The current Chair of the LJCC had queried whether there was any merit in continuing to hold meetings of the Consultative Committee as there had not been issues referred to the Committee for consideration. Members noted that the Authority now operated various other methods of negotiation and consultation detailed in the report. This Committee was requested to consider whether the LJCC should continue. Elected Members were advised that if this Committee determined to recommend that the LJCC should cease, alternative arrangements would be put in place to formalise the alternative methods that were currently being utilised.

Elected Members were mindful to a review with the potential of replacing the LJCC with alternative methods detailed in the report together with an additional suggestion made at the meeting that any changes which would have been reported to the LJCC being included in the Chief Executive's Business report to Full Council.

It was agreed to recommend that an early meeting of the LJCC be convened to allow the views of members of the LJCC to be sought and reported back to this Committee.

Referrals by Full Council

Civic and Democratic Arrangements Review – A report had been considered by this Committee on 15 July 2019. A copy of that report and the minutes of that meeting were appended to the report. Furthermore on the 19 December 2019, during consideration of a report relating to the Medium Term Financial Strategy (MTFS) 2020/21 to 2023/24, it was resolved that a further review be commenced in relation to the costs of the Authority's civic and democratic functions including the Ceremonial Mayoral system and the electoral cycle.

It was highlighted that whilst some operational expenses could be reviewed outside of the constitutional review, changes to the electoral cycle required formal and statutory public consultation. Good practice guidance on consultation exercises suggested that a 12 week period would be appropriate therefore due to the forthcoming whole Council elections due to be held in May, this would need to be considered in the new Municipal year. Taking this in to account Members were asked to consider how they wished to take the review of civic and democratic arrangements forward. The Committee recommended unanimously that changes to the electoral cycle not be made.

Following the meeting of Full Council in December 2019, further representations were made regarding further savings in terms of the following:-

- *Removal of the Ceremonial Mayor position and all of its costs associated with it and move to a Council Leader chair function.*

Where a change in governance arrangements is proposed the Authority would need to take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals. The Authority must hold a binding referendum following the expiration of the statutory moratorium period in the holding of a referendum, namely, the period of 10 years from the date of the previous referendum. The Committee noted that the last change of governance arrangements followed a referendum in November 2012 and no further referendum to change the governance arrangements could therefore be held until 2022.

- *Remove the requirement to hold civic functions and attendance at civic functions.*

It was highlighted at the meeting that attending Civic functions and events is at the discretion of the Ceremonial Mayor. It was recommended that no further action be taken in relation to this suggestion.

- *Setup a new Events committee function that looks at the Councils events and how we can include local charities and good causes in this.*

Elected Members were advised that the Authority had a small events team within the Regeneration and Neighbourhoods department which organised and supported local events. Furthermore, the Council already had a cross Authority group, the 'Destination Hartlepool' Programme Board', which brought together relevant Council departments and representatives of anchor visitor attractions to plan an annual events programme and publish and promote an annual 'Hartlepool Events Guide.' The guide included details of events organised by the Authority as well as a number of charitable events and is made available via public buildings and schools as well as social media. The Committee agreed to recommend that no changes be made to the existing arrangements.

- *Live streaming of Council meetings on Youtube.*

This has previously been considered by Full Council however at the time was considered to be cost prohibitive. However changes in technology meant that newer and cheaper technology was possibly now available. The Committee acknowledged that the suggestion was not a constitutional issue and the issue was therefore referred to the Chief Executive for consideration.

- *A review of the process of electing Chairs and Deputies. It could be as simple as releasing a job description for chairs and deputies of each committee.*

Elected Members were reminded that the current process for the submission of nominations to the Annual Council Meeting were made following 'Round Table' discussions amongst all Elected Members. Nominations for Chairs and Vice Chairs were considered as part of this process. The functions and responsibilities of each Committee is set out in Article 7 and Part 3 of the Authority's Constitution. When considering the nominations for Chair to these Committees, Members should consider these functions and responsibilities and it was suggested that Members could also consider the introduction of a 'job description for Committee Chairs to be also considered as part of that process as detailed in the report. The Committee agreed to recommend that no changes be made to the existing arrangements.

Bullying and Harassment Motion – A Motion had been approved by Full Council in October 2019 in relation to staff in any workplace to being subjected to bullying and harassment and which urged this Council to agree with the sentiment of the motion and refer it to this Committee to consider whether any changes can be incorporated into the Constitution.

Elected Members were advised that the Committee on Standards in Public Life (CSPL) had recently undertaken a review of local government ethical standards. The CSPL had carried out a consultation which the Authority responded to. Having considered the consultation responses, the CSPL had issued a report which included best practice guidance and a list of 26 recommendations a copy of which was appended to the report. It was highlighted that a number of the recommendations involved legislative change which the Government was currently considering. Elected Members were assured that once any changes had been implemented a further report would be brought to Members for consideration.

RECOMMENDATIONS

- (i) That a report be submitted to the next meeting of this Committee to address issues raised at the meeting in relation to the following:-
 - Community Forums
 - Full Council Procedure Rules – Questions from the Public
 - Local Joint Consultative Committee
- (ii) That the advice of the Chief Solicitor that it was not possible for a non-elected member to be appointed to the role of Ceremonial Mayor was noted and it was agreed to recommend that the current approach for selection of Mayor/Chairman not be changed.
- (iii) That Article 5 be updated in order that the role of Deputy Mayor is explicitly detailed in the Constitution to ensure full understanding of the role.

- (iv) That no changes be made to the existing Civic and Democratic arrangements
- (v) That the livestreaming of meetings of Full Council be referred to the Chief Executive for consideration.

The meeting concluded at 3.55 p.m.

CHAIR

CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

2 March 2020

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillor Moore (In the Chair)

Councillors Harrison, Howson, James, Loynes and Tennant.

Also Present:

Councillor Hunter as substitute for Councillor Johnson in accordance with Council Procedure Rule 4.2.

Councillor S Akers-Belcher as substitute for Councillor Marshall in accordance with Council Procedure Rule 4.2.

Officers: Gill Alexander, Chief Executive
Hayley Martin, Chief Solicitor
Amanda Whitaker, Democratic Services Team.

15. Apologies for Absence

Councillors Johnson and Marshall

16. Declarations of interest by Members

None

17. Minutes

The minutes of the meeting held on 27 January 2020 were confirmed.

Disappointment was expressed that issues outstanding following the additional meeting of the Local Joint Consultative Committee (LJCC) had not been reported to this Committee, as had been agreed at the LJCC meeting.

18. Further Periodic Review of the Council's Constitution *(Chief Solicitor and Monitoring Officer)*

The Chief Solicitor presented the report which sought views from the Committee prior to consideration of changes to the Constitution by Full

Council on 19 March 2020. Elected Members were reminded that at the previous meeting of the Committee, further information had been sought in relation to the following:-

Article 10 - Community Forums – a separate report was included on the agenda which addressed the issues which had been raised at the meeting on 27 January 2020.

Council Procedure Rule 9 – Questions from the Public – Following a review of practice adopted by other Authorities and taking on best practice guidance as set out in 'Knowles Best Practice on Local Authority Meetings' an amendment had been suggested to Rule 9.1 regarding debating public questions to allow more time for consideration of public questions. An appendix to the report addressed the issues which had been raised by the Committee, by way of suggested changes to the Constitution to include the insertion of a new Council Procedure Rule 9.8– Formal Referral of a Public Question to a Policy Committee. Also included in the appendix was a suggested Protocol for Referral of Public Questions to a Policy Committee meeting which if approved would be inserted into Part 5 of the Constitution. Elected Members spoke in support of Formal Referral of a Public Question to a Policy Committee and agreed residents would receive a more prompt response to their questions. Following concerns expressed regarding formal public questions at Policy Committees being limited to 15 minutes in the suggested Protocol, it was agreed that the Protocol be updated to delete reference to time limits.

Elected Member Referral - Local Joint Consultative Committee (LJCC) - Following the discussions at the previous meeting of this Committee, a meeting of the Local Joint Consultative Committee had been convened on 7 February 2020 to consider whether there was any merit in continuing to hold meetings of the Joint Consultative Committee. The recommendations of the LJCC were set out in the report. In considering the recommendations, Members were advised that the proposals did not address potential arrangements for dispute resolution. Therefore a proposal to address this issue was included in the recommendations to this report.

Further to discussions earlier in the meeting (minute 17 refers), Councillor James expressed disappointment that despite agreement at the LJCC meeting, wording had not been provided to this Committee in terms of what would be included in future Chief Executive's reports to Council to keep Elected Members informed of issues which would have been reported to the LJCC.

RECOMMENDATIONS –

- (i) That Full Council be recommended to approve the amended Council Procedure Rule 9 including the insertion of a supplementary question, referral to a Policy Committee and removal of debate.
- (ii) That authority be delegated to the Chair of the Committee, in consultation with the Chair of the Local Joint Consultative Committee

and the Chief Executive to agree the wording of a suitable dispute resolution process.

19. Proposal to Roll Out the Your Say, Our Future Approach *(Assistant Director, Corporate Services)*

Further to minute 14 of the meeting held on 27 January 2020, the report provided the Committee with further detail on the Council's engagement approach, Your Say, Our Future, to consider and use to inform their recommendation to Council on the future of the Community Forums. Going forward it was proposed that a programme of Your Say, Our Future events be agreed at the beginning of each municipal year and that this continued to include the Face the Public events for the Health and Wellbeing Board and Safer Hartlepool Partnership. The number of events held across the year and when they were held would be determined by the topics around which the Council needed to engage on in any given year. This would reflect the development of Strategies and Plans within the Council's Budget and Policy Framework and any other key consultations that were identified. After initial consideration the following programme for the 2020/21 municipal year had been drafted to include:

What	When
Community Safety Plan 2020-2023 and Safer Hartlepool Partnership	June/July 2020
Budget 2021-22 (Medium Term Financial Strategy and Local Council Tax Support Scheme as required)	September/October/November 2020
Health and Wellbeing Board Your Say Our Future Event	February/March 2021

Elected Members were advised that the Your Say, Our Future approach focused on engaging members of the public and partners, and provided the opportunity for engagement with officers from the Council and Partner Organisations. Although elected members were welcome to attend it was recognised that there were other mechanisms for engaging directly with elected members including the use of Members Seminars, informal discussions with Policy Chairs and committee members.

Whilst supporting the Your Say, Our Future approach, Elected Members expressed reluctance to no longer have Community Forum meetings. The Committee discussed the format for the proposed events and agreed that the approach outlined in the report be adopted to ensure that Community Forums are integrated in to the Your Say Our Future programme. With regard to the timeline for the events, it was agreed that the Budget 2021-22 event should be held in October/November and reference to September, when Elected Members would be considering reports, should be deleted from the timeline.

RECOMMENDATION – That subject to the timescale being amended in respect of the budget event to delete reference to September, the approach outlined in the report be adopted to ensure that Community Forums are integrated in to the Your Say Our Future programme.

The meeting concluded at 2.40 p.m.

CHAIR



Report of: Regeneration Services Committee

Subject: GREEN INFRASTRUCTURE SUPPLEMENTARY PLANNING DOCUMENT

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Part of the Budget and Policy Framework.

2. PURPOSE OF REPORT

2.1 The updated Green Infrastructure Supplementary Planning Document (SPD) and Action Plan have been forwarded from Regeneration Services Committee (see **Appendix 3**) following a public consultation on the SPD and amendments being made to the SPD. This report seeks the Council's approval to adopt the SPD.

3. BACKGROUND

3.1 The previous SPD was produced in 2014, and is currently in place. The SPD is split into two documents, the main document and action plan. Between the two documents, they highlight areas of green infrastructure within the borough, acknowledge the role it plays and highlights key projects that require potential funding from developer contributions. The updated document has been produced to reflect updates in local and national policy and provide an up to date picture of green infrastructure projects in the borough and has been amended to reflect comments made by consultees.

4. PROPOSALS

4.1 No options submitted for consideration other than the recommendation.

5. LEGAL CONSIDERATIONS

5.1 The SPD has been composed in accordance with the Planning and Compulsory Purchase Act (2004) (as amended) and the Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended).

6. CONSULTATION

- 6.1 The SPD was consulted upon from Friday 7th February until Friday 17rd April 2020. This 10 week period goes above the 6 week statutory consultation period for SPDs, and an additional 2 weeks was allowed for in light of the Coronavirus pandemic. Correspondence was sent to the statutory consultees, and other organisations and interested parties whose details are stored on our consultation database. Representations, an officer response and the resultant amendment to the SPD is included within the Consultation Statement.
- 6.2 The document was available on the Council's website, and a paper copy was made accessible at the Civic Centre.
- 6.3 All comments received were considered and fed into the SPD where appropriate. On 23rd July 2020, the Regeneration Services Committee agreed the contents of the revised SPD and approved it to be considered for adoption at Council.

7. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Financial Considerations	No relevant issues
Consultation	No relevant issues
Child/Family Poverty Considerations	See Appendix 1
Equality and Diversity Considerations	See Appendix 2
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

8. RECOMMENDATIONS

- 8.1 It is recommended that the Council formally adopt the updated SPD.

9. REASONS FOR RECOMMENDATIONS

- 9.1 Once adopted, this updated SPD will form part of the Hartlepool Local Development Framework. The updates to the SPD ensure it reflects the most up to date local and national policies.

10. BACKGROUND PAPERS

- 10.1 There are no background papers in relation to this report.

11. CONTACT OFFICER

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POVERTY IMPACT ASSESSMENT FORM

1. Is this decision a Budget & Policy Framework or Key Decision? <u>YES</u> / NO If YES please answer question 2 below				
2. Will there be an impact of the decision requested in respect of Child and Family Poverty? YES / <u>NO</u> 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				
Poverty is measured in different ways. Will the policy / decision have an impact on child and family poverty and in what way?				
Poverty Measure (examples of poverty measures appended overleaf)	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE

POVERTY IMPACT ASSESSMENT FORM

Overall impact of Policy / Decision			
NO IMPACT / NO CHANGE		ADJUST / CHANGE POLICY / SERVICE	
ADVERSE IMPACT BUT CONTINUE		STOP / REMOVE POLICY / SERVICE	
Examples of Indicators that impact of Child and Family Poverty.			
Economic			
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			
Education			
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)			
Housing			
Average time taken to process Housing Benefit / Council tax benefit claims			
Number of affordable homes built			
Health			
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			

Department	Division	Section	Owner/Officer	
Regeneration & Neighbourhoods	Economic Growth & Regeneration	Planning & Development	Rebecca Cockburn	
Service, policy, practice being reviewed/changed or planned	Green Infrastructure SPD			
Why are you making the change?	To update the SPD to reflect local/national policy and to include up to date projects.			
How might this impact (positively/negatively) on people who share protected characteristics?				
		Please tick	POSITIVELY	NEGATIVELY
Age				
N/A				
Disability				
N/A				
Gender Re-assignment				
N/A				
Race				
N/A				
Religion				
N/A				
Gender				
N/A				
Sexual Orientation				
N/A				
Marriage & Civil Partnership				
N/A				
Pregnancy & Maternity				
N/A				
Has there been consultation /is consultation planned with people who will be affected by this policy? How has this affected your decision making?	A 10 week consultation period was undertaken, which is in accordance with the Council's adopted SCI, and meets the statutory 6 week requirement.			
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good relationships?	The SPD encourages the creation, protection and enhancement of green infrastructure elements within the borough which will have positive outcomes relating to design quality, ecology and health.			
Describe how you will address and monitor the impact	1. No Impact - No Major Change There is not considered to be an impact.			
	2. Adjust/Change Policy N/A			
	3. Adverse Impact but Continue as is N/A			
	4. Stop/Remove Policy/Proposal N/A			
Initial Assessment	00/00/00	Reviewed	00/00/00	
Completed	00/00/00	Published	00/00/00	

REGENERATION SERVICES COMMITTEE

23rd July 2020



Report of: Assistant Director (Environment and Neighbourhood Services)

Subject: GREEN INFRASTRUCTURE SUPPLEMENTARY PLANNING DOCUMENT

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Part of the Budget and Policy Framework.

2. PURPOSE OF REPORT

2.1 The purpose of this report is to inform the Regeneration Services Committee of the results from the targeted consultation on the Draft Green Infrastructure Supplementary Planning Document (SPD) that was consulted on between Friday 7th February 2020 and Friday 17th April 2020 and to seek approval for the amended SPD (**Appendix 3**) to be reported to full Council for adoption.

3. BACKGROUND

3.1 The previous SPD was produced in 2014, and is currently in place. The SPD is split into two documents, the main document and action plan. Between the two documents, they highlight areas of green infrastructure within the borough, acknowledge the role it plays and highlights key projects that require potential funding from developer contributions. The updated document has been produced to reflect updates in local and national policy and provide an up to date picture of green infrastructure projects in the borough and has been amended to reflect comments made by consultees.

4. PROPOSALS

4.1 No options submitted for consideration other than the recommendation.

5. LEGAL CONSIDERATIONS

5.1 The SPD has been composed in accordance with the Planning and Compulsory Purchase Act (2004) (as amended) and the Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended).

6. CONSULTATION

- 6.1 The SPD was consulted upon from Friday 7th February until Friday 17rd April 2020. This 10 week period goes above the 6 week statutory consultation period for SPDs, and an additional 2 weeks was allowed for in light of the Coronavirus pandemic. Correspondence was sent to the statutory consultees, and other organisations and interested parties whose details are stored on our consultation database. Representations, an officer response and the resultant amendment to the SPD is included within the Consultation Statement (**Appendix 4**).
- 6.2 The document was available on the Council's website, and a paper copy was made accessible at the Civic Centre.
- 6.3 All comments received were considered, fed into the SPD where appropriate, and the attached document is the final iteration.

7. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Financial Considerations	No relevant issues
Consultation	No relevant issues
Child/Family Poverty Considerations	See Appendix 1
Equality and Diversity Considerations	See Appendix 2
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

8. RECOMMENDATIONS

- 8.1 Note and agree the content of the revised Green Infrastructure SPD following the public consultation and submit the revised SPD to full Council for adoption.

9. REASONS FOR RECOMMENDATIONS

- 9.1 Once adopted, this updated SPD will form part of the Hartlepool Local Development Framework. The updates to the SPD ensure it reflects the most up to date local and national policies.

10. BACKGROUND PAPERS

- 10.1 There are no background papers in relation to this report.

11. CONTACT OFFICER

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APPENDIX 1**POVERTY IMPACT ASSESSMENT FORM**

1. Is this decision a Budget & Policy Framework or Key Decision? <u>YES</u> / NO If YES please answer question 2 below				
2. Will there be an impact of the decision requested in respect of Child and Family Poverty? YES / <u>NO</u> If YES please complete the matrix below				
GROUP	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE
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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				
Poverty is measured in different ways. Will the policy / decision have an impact on child and family poverty and in what way?				
Poverty Measure (examples of poverty measures appended overleaf)	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE

POVERTY IMPACT ASSESSMENT FORM

Overall impact of Policy / Decision			
NO IMPACT / NO CHANGE		ADJUST / CHANGE POLICY / SERVICE	
ADVERSE IMPACT BUT CONTINUE		STOP / REMOVE POLICY / SERVICE	
Examples of Indicators that impact of Child and Family Poverty.			
Economic			
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			
Education			
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)			
Housing			
Average time taken to process Housing Benefit / Council tax benefit claims			
Number of affordable homes built			
Health			
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			

APPENDIX 2

Department	Division	Section	Owner/Officer	
Regeneration & Neighbourhoods	Economic Growth & Regeneration	Planning & Development	Rebecca Cockburn	
Service, policy, practice being reviewed/changed or planned	Green Infrastructure SPD			
Why are you making the change?	To update the SPD to reflect local/national policy and to include up to date projects.			
How might this impact (positively/negatively) on people who share protected characteristics?				
		Please tick	POSITIVELY	NEGATIVELY
Age				
N/A				
Disability				
N/A				
Gender Re-assignment				
N/A				
Race				
N/A				
Religion				
N/A				
Gender				
N/A				
Sexual Orientation				
N/A				
Marriage & Civil Partnership				
N/A				
Pregnancy & Maternity				
N/A				
Has there been consultation /is consultation planned with people who will be affected by this policy? How has this affected your decision making?		A 10 week consultation period was undertaken, which is in accordance with the Council's adopted SCI, and meets the statutory 6 week requirement.		
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good relationships?		The SPD encourages the creation, protection and enhancement of green infrastructure elements within the borough which will have positive outcomes relating to design quality, ecology and health.		
Describe how you will address and monitor the impact		1. No Impact - No Major Change There is not considered to be an impact.		
		2. Adjust/Change Policy N/A		
		3. Adverse Impact but Continue as is N/A		
		4. Stop/Remove Policy/Proposal N/A		
Initial Assessment	00/00/00	Reviewed	00/00/00	
Completed	00/00/00	Published	00/00/00	

Hartlepool Borough Council

Green Infrastructure

Supplementary Planning Document

Final Version



May 2020



APPENDIX 3

Table of Contents

1	Introduction	3
2	The Importance of Green Infrastructure	4
3	National and Local Policy and Guidance.....	7
4	Vision and Objectives	10
5	Strategic Green Infrastructure – Ensuring Sufficient Links within Teesside.....	12
6	Existing Green Infrastructure in Hartlepool	15
7	Natural Environment.....	21
8	Historic Environment.....	25
9	Regeneration and Green Infrastructure.....	26
10	Innovative Ideas for Green Infrastructure	27
11	Green Infrastructure within Future Developments	28
12	Planning Obligations and Green Infrastructure	30
13	Investment in and Management of Green Infrastructure	31
14	Monitoring and Review	32
	Appendix 1 - Glossary of Key Terms	33
	Appendix 2 - Green Infrastructure as a result of Planning Obligations	35
	Appendix 3 – Designated statutory and non-statutory wildlife sites in Hartlepool	36



Image 1: Seaton Park

APPENDIX 3

1 Introduction

What is the purpose of this SPD?

- 1.1 The council's Green Infrastructure Supplementary Planning Document (SPD) is split into two documents; the SPD itself and the accompanying Action Plan. This document provides information regarding the importance of Green Infrastructure (GI) within the borough and details the council's GI vision and what GI can be found within the borough, highlighting where there are any gaps which need to be addressed. The Action Plan builds upon this, setting out specifically where improvements are needed to enhance the GI network within the borough.
- 1.2 Once adopted, this SPD will form part of the Local Development Framework, to be used alongside the Local Plan to drive forward the development of GI in the borough. It will enable the council to seek funding to help achieve the enhancement and improvement of GI and inform the public of the GI strategy.

Structure of this SPD

- 1.3 This SPD sets a number of objectives and an overall vision for the delivery of GI in Hartlepool. It sets out the strengths, weaknesses and functionality of GI within distinct areas of the borough. This will aid in highlighting areas of deficiency and where connections and improvements can be made in the future to further enhance the overall network of GI. This document considers relevant national, regional and local policies and guidance which will impact on the delivery of GI.

What is Green Infrastructure?

- 1.4 The 2018 Hartlepool Local Plan defines GI as a strategically planned and delivered network of high quality green spaces and environmental features including parks, open spaces, watercourses, trees and woodland and allotments.

APPENDIX 3**2 The Importance of Green Infrastructure**Why is GI so important?

- 2.1 With an increasing population and densification of the town, the urban environment is growing and planned GI needs to be developed alongside this. A dense built environment is considered to have a negative impact on the health and wellbeing of the population, due to increased pollution and reduced opportunities to undertake physical activity, alongside detrimental environmental impacts, such as heat island effects and increased surface water runoff leading to potential flooding. Sport England's Active Design guidance highlights the lifestyle benefits which can be found from GI which encourages a healthier and active lifestyle.
- 2.2 Urban green space in particular provides accessible health benefits, therefore it is of key importance that within the borough all residents have access to green space close to where they live and work, as well as being able to reap the benefits of the wider network of GI within the borough.
- 2.3 GI is important for the people who live, work in and visit the borough, and is also critical for a multitude of species which are present and are at risk of displacement due to development.
- 2.4 An improved rights of way network will make it possible to move safely, easily and comfortably through the borough on foot or by bike. This will allow visitors and residents alike to explore the urban neighbourhoods, historical parks and village greens.
- 2.5 The rural character of the countryside will be protected and the open landscape aspect of the rural west will be maintained as far as possible.
- 2.6 The capacity of GI to accommodate protected and priority habitats and species will, where appropriate and possible, be enhanced in order to encourage valuable, healthy ecosystems to flourish, so that wildlife and plants can become more resilient to climate change.
- 2.7 Making the best use of existing and new greenspaces will provide greater opportunities for play, sport, recreation, relaxation and local food production, which in turn will promote active healthy lifestyles close to home. The hope is that the growing appreciation for the natural environment will be actively captured so people of all ages can value, manage and care for it.
- 2.8 A quality, distinctive and well connected GI network will help attract new investment, encouraging people to live and work in the borough because of its exceptional ability to delivery healthy, safe and sustainable lifestyles. New green neighbourhoods will improve the quantity and quality of greenspace, habitats and trees for people and wildlife while integrating sustainable drainage

APPENDIX 3

and flood storage will help the borough mitigate the effects of, and help the natural environment adapt to, climate change.

2.9 To summarise, well planned and managed GI has the potential to deliver a wide range of benefits such as:

2.10

- Improved image; helping to attract businesses and inward investment
- Greater sense of place and pride in the local area
- Mitigation of the effects of climate change e.g. flood alleviation, carbon storage
- Improvements to air quality
- Health and wellbeing benefits through places for outdoor relaxation, play, recreation and exercise
- Encourages active and sustainable travel by providing cycle and walking routes
- Increased local food and renewable energy production
- Reduced crime and anti-social behaviour
- Reduction of the heat island effect.
- Protecting and enhancing biodiversity and habitats.
- SANGs have the benefit of taking pressures off sensitive protected areas.

What does the council do?

2.11 Through the maintenance, enhancement and extension of these networks, multi-functional benefits can be realised for local communities, businesses, visitors and the environment. Appropriate strategies, plans and programmes led by the council and involving local partnerships and individual organisations can help to maintain existing GI, and promote solutions to remedy deficiencies and create new opportunities.

2.12 The council seeks to protect and enhance the GI network through its planning policies and by seeking developer contributions to fund projects and mitigate impacts of development, alongside actively improving the existing GI network through seeking external funding and grants to support projects.

What should developers do?

2.13 There are many benefits that come with development, including an expectation that it will contribute towards ensuring the borough is a healthy, attractive place to live, with abundant green space which brings with it social, environmental and economic benefits. This is to help mitigate the drawbacks from increased development which include increased pressure on GI resources such as footpaths and parks due to increased usage, environmental impacts and a sense of overcrowding and overdevelopment due to a lack of provision of open space.

2.14 In order to ensure the sustainability of developments within the borough, it is required that on-site GI elements are factored into schemes. Where this is not

APPENDIX 3

possible or on-site provisions are not considered sufficient, financial contributions towards GI provision within the borough will be sought. This will ensure that development will mitigate any negative environmental impacts, and provide visual and amenity improvements to the site.



Image 2: Rossmere Park

APPENDIX 3

3 National, Regional and Local Policy and Guidance

- 3.1 This document has been prepared within the context of up to date legislation and reflects the key themes of policy guidance.
- 3.2 The importance of GI is recognised in a number of documents which help to highlight the benefit of the protection and enhancement of GI within towns and cities.

Natural Environment White Paper (The Natural Choice: Securing the Value of Nature) (2011)

- 3.3 This paper refers to the role of urban GI as completing “the links in our national ecological network” and “one of the most effective tools available to us in managing environmental risks such as flooding and waves”.

Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services (2011)

- 3.4 This builds on the White Paper and sets out how international and European commitments are to be implemented and achieved. Action 3.4 sets out how the approach of the planning system will guide development to the best locations, encourage greener design and enhance natural networks.

National Planning Policy Framework (NPPF) (2019)

- 3.5 Paragraph 20 of the NPPF requires strategic policies to set out the quality of development and make sufficient provision for landscapes and GI. In Hartlepool, this has been achieved through the adoption of the 2018 Local Plan.
- 3.6 The benefits of access to high quality open spaces are highlighted in paragraph 95, which states that this can have a great impact on the health and well-being of communities. Local authorities have the duty to identify the specific needs of the area and what improvements are necessary.
- 3.7 Paragraph 150 of the NPPF states that local planning authorities should plan for development in a way that avoids increased vulnerability to the range of impacts arising from climate change, including through the planning of GI.

Planning Practice Guidance (PPG) (2014)

- 3.8 The PPG recognises the importance of open space in contributing to GI and providing health and recreation benefits to people living and working nearby. It is key to the achievement of sustainable development.

APPENDIX 3

Natural England's Green Infrastructure Guidance (2009)

- 3.9 This publication considers the planning and delivery of GI, recognising it as part of sustainable spatial planning. It highlights the role of GI as a life support system, with the ability to deliver multiple environmental functions, and to play a key part in adapting to and mitigating climate change.
- 3.10 GI is recognised as an important tool in making the north east an attractive place to live, work and play, whilst also providing the benefits highlighted in national guidance.

Tees Valley Green Infrastructure Strategy (2008)

- 3.11 This sets out the strategic vision for the development of GI within the Tees Valley and identifies key strategic corridors including the coast from Crimdon Dene in the north to Cowbar in the south, and within Hartlepool borough, the town centre to Summerhill Country Park.

Hartlepool Local Plan (2018)

- 3.12 Chapter 16 within the Local Plan focuses on the Natural Environment and Green Networks and includes information not only on GI, but on the natural environment in general, something which forms a critical element of GI within the borough. The policies within this chapter will ensure the protection of designated nature conservation sites, woodland and other priority habitats.
- 3.13 Policy NE2 is dedicated to the safeguarding of GI and sets out the council's aim to support the development of existing GI links within the borough and the restriction of development on GI components that would lead to their loss. This policy sets out which areas fall under the GI allocation and the restricted circumstances in which the council may consider damaging or developing on elements of GI.
- 3.14 Policy QP1 (Planning Obligations) sets out that the council will seek contributions from development towards a number of elements of GI, to ensure their delivery over the plan period.

Local Infrastructure Plan (2016)

- 3.15 Chapter 7 within this plan covers some of the key projects that the council is seeking to further develop and enhance. Many of the areas covered are the large strategic GI corridors however there are some others which form smaller, more discrete elements of the borough's GI which provide important open space in densely populated areas.

APPENDIX 3

Residential Design SPD (2019)

- 3.16 This SPD will play a critical role in the development of GI in the borough. It is important to consider the links between the built environment and the more natural greener spaces, and these areas need good design principles which can be applied through the planning and development process. Working with developers to secure well designed new developments which protect key green areas, provides new GI which complements existing provision and ensure mitigation where GI is lost as a result of the development will be crucial.

Open Space, Sport and Recreation Audit and Assessment (2015)

- 3.17 This document sets the standards for the various types of open space which it assesses. Moving towards the aspirational standards within this assessment will have a significant positive impact on the GI within the borough. The schemes highlighted in the associated Action Plan will aid in moving towards the open space standards in terms of both new provision and quality improvements in existing open space typologies, illustrating clearly the thread between the two documents.

Allotment Strategy and Action Plan (2018)

- 3.18 This document set out to review the current allotment provision within the borough. As a result of this review, it was found that there should be a more balanced distribution of allotment land across the town, which are geographically accessible to all communities and which include a range of plot sizes.

APPENDIX 3**4 Vision and Objectives**

Vision of SPD: *By 2029 Hartlepool will have a high quality, multifunctional, accessible green infrastructure network which enhances the community's quality of life and sustains wildlife.*

- 4.1 The following objectives link the vision to the rest of this Strategy. The projects identified in the accompanying Action Plan should achieve one or more of these objectives, to help deliver the vision.

Objective	Objective Description
1	Protect a high quality visual landscape and townscape, and enhance the unique character, heritage, function, intrinsic quality and sense of place of the borough's GI network to contribute positively to its distinctiveness.
2	Provide a network of interconnected GI and spaces rich in habitat and home to a diverse range of wildlife which also play a critical role in improving the health of residents through providing attractive opportunities for recreation and sustainable travel.
3	Minimise the impact of, and adapt to, the effects of climate change, by reducing greenhouse gas emissions, the use of resources, the risk of flooding and pollution and provide for species adaptation by maximising the protection and creation of GI.
4	Promote the preservation, restoration, management and re-creation of priority habitats, ecological networks and expanding and linking habitats together, including working across council boundaries where appropriate, to assist in restoring biodiversity and allowing species to respond to climate change.
5	Ensure trees and hedges are protected where appropriate throughout the borough and integrate planting schemes within all new developments and, on larger housing schemes, deliver new areas of woodland. The preservation of ancient woodland and veteran trees which are irreplaceable is imperative.
6	Protect and enhance a wide range of high quality opportunities for safe and accessible formal and informal sport, recreation and leisure facilities to encourage the community and visitors to undertake a variety of healthy exercise within attractive settings.
7	Involve users, including "friends of" groups, and neighbours in the design of GI where appropriate, ensuring usability and helping to create a sense of ownership and pride.
8	Support economic growth, attract inward investment and support redevelopment of brownfield land by improving the setting of industrial and commercial areas through the delivery and enhancement of quality, distinctive and attractive GI.

APPENDIX 3

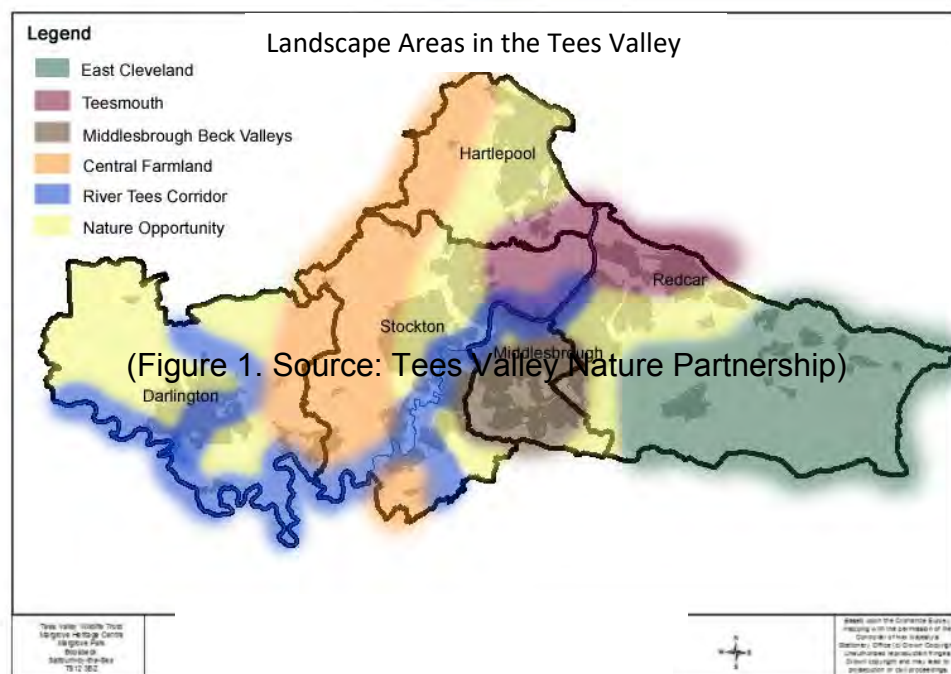
9	Create a quality, distinctive and productive GI network to support local food production, rural diversification and tourism to meet the needs of local businesses, landowners and to provide a diverse employment base.
10	Ensure key green hubs, such as parks, play spaces and woodlands, are, where possible, linked by means of safe and easily accessible green networks and rights of way that together form a high quality GI grid across the whole of the borough.



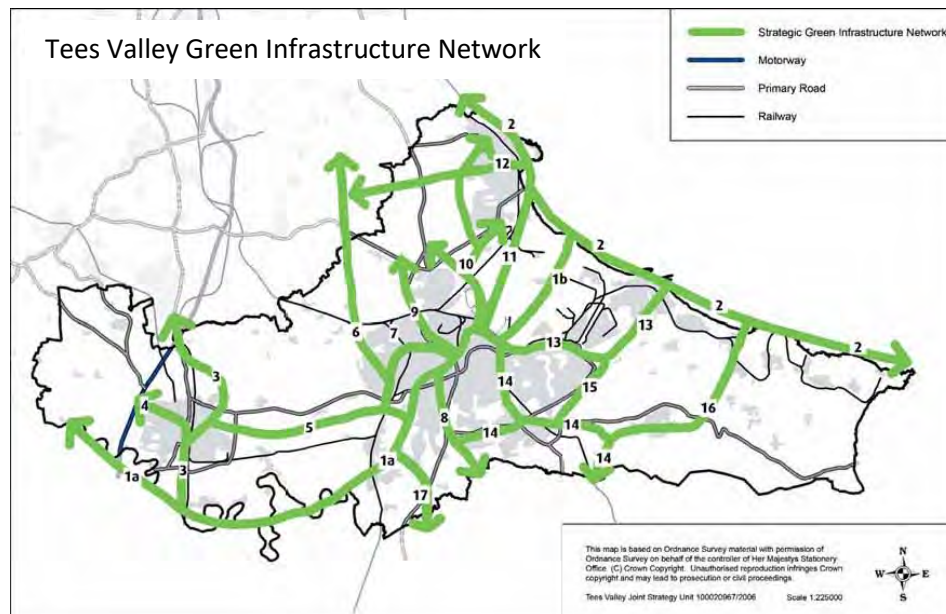
Image 3: Rossmere Park

APPENDIX 3**5 Strategic Green Infrastructure – Ensuring Sufficient Links within Teesside**

- 5.1 Quality of place, quality of life and the well-being of communities is considered central to regional and sub-regional competitiveness, alongside relocation and investment decisions. It is recognised that the region's green spaces are a vital asset, particularly in the context of increasing development pressures, and that GI is increasingly acknowledged as being a key component of sustainable communities.
- 5.2 The Tees Valley Nature Partnership produced a diagrammatic map illustrating the six distinct landscape areas in the Tees Valley.



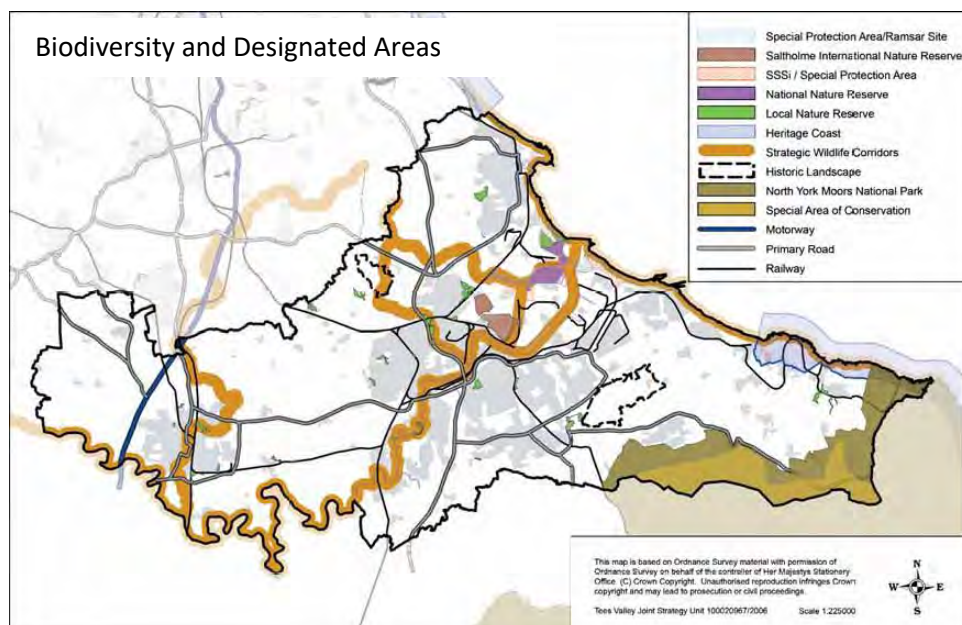
- 5.3 The Tees Valley Green Infrastructure Strategy (2008) helps to drive forward the development of a strategic network of GI across the Tees Valley and reflects links into neighbouring areas. It is important that, in developing a GI strategy, the wider aspirations of the Tees Valley and other neighbouring authorities are taken into account and reflected within Hartlepool. Figure 2, below, illustrates the key green networks in the Tees Valley.

APPENDIX 3

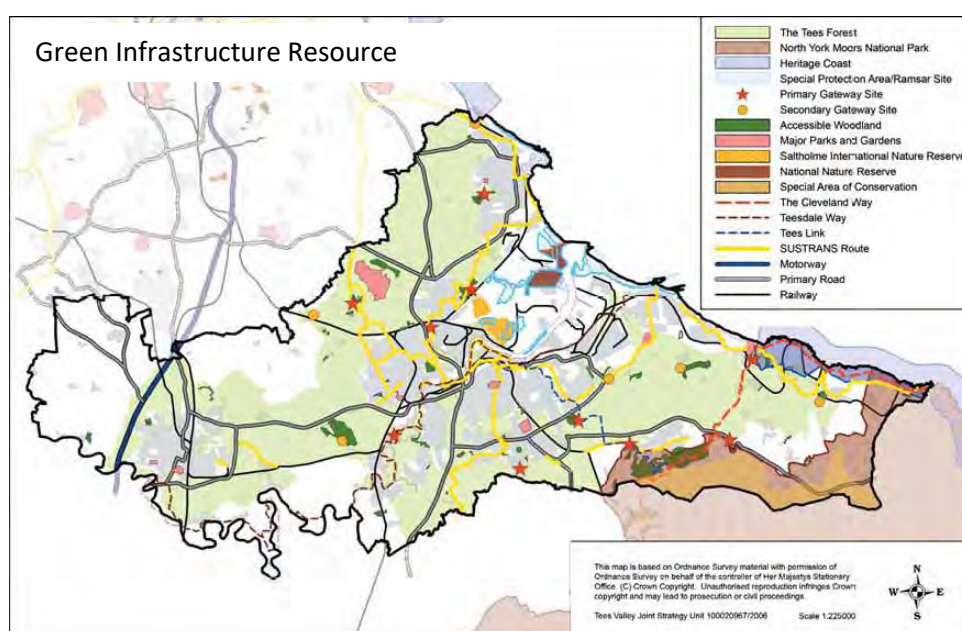
(Figure 2. Source Tees Valley GI Strategy 2008)

- 5.4 The key networks as illustrated above also fit together with many other elements of GI which help to create a Tees Valley which is rich in terms of all aspects of GI including biodiversity, landscape, habitat, green corridors, wetlands and more.
- 5.5 Figures 3 and 4 below help to illustrate the variety of GI which the Tees Valley benefits from. The continual protection and enhancement of GI must respect and complement the GI in the wider region. This strategic understanding of GI in the wider region enables recognition of any weaknesses in the network which could be improved in the future, and helps identify any opportunities to build new GI.

APPENDIX 3



(Figure 3. Source Tees Valley GI Strategy 2008)

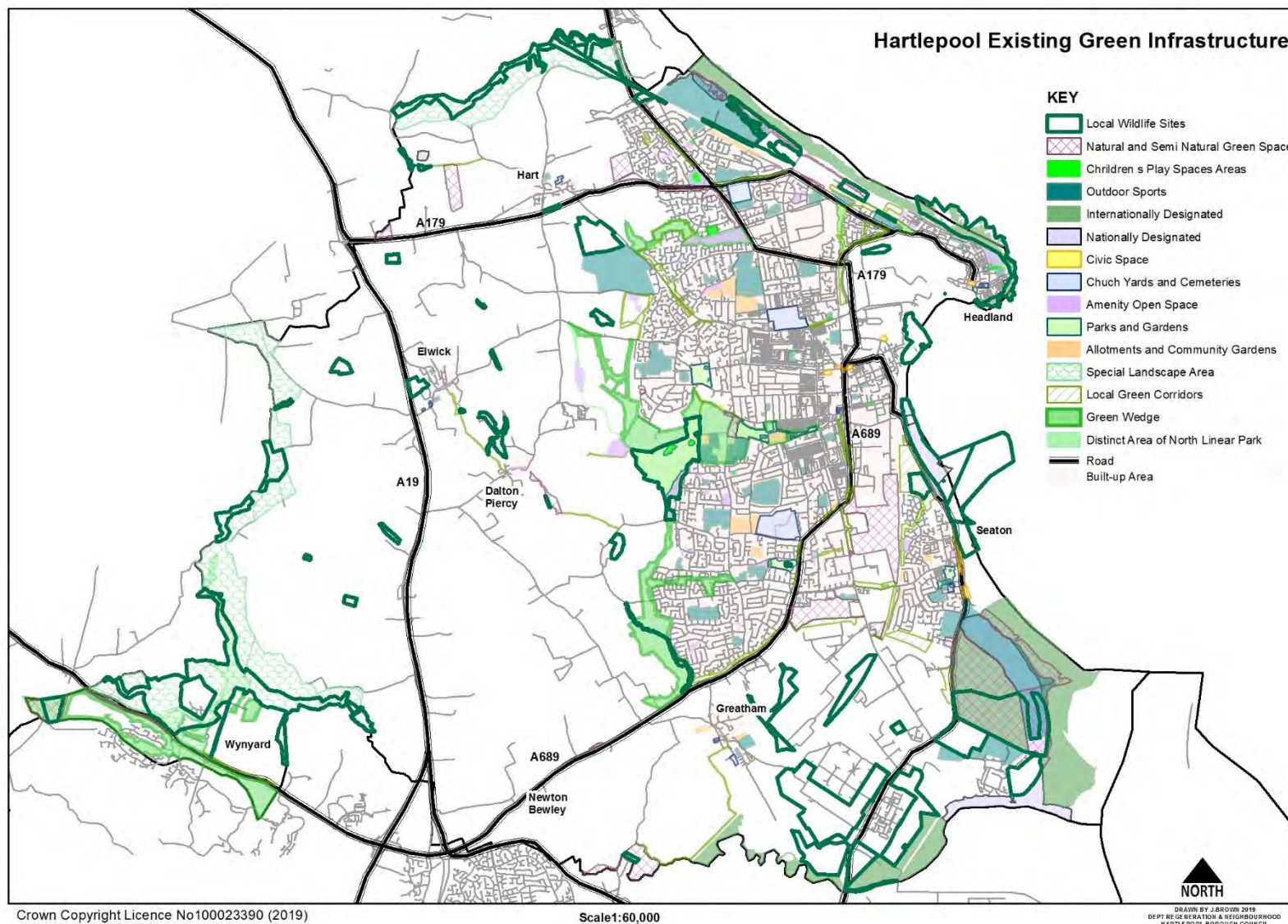


(Figure 4. Source Tees Valley GI Strategy 2008)

6 Existing Green Infrastructure in Hartlepool

- 6.1 This section provides a brief introduction to existing GI within Hartlepool. More information on areas that are in need of investment can be found within the accompanying Action Plan.
- 6.2 Hartlepool currently benefits from a wide range of GI spread across the borough. This ranges from traditional parks such as Ward Jackson and Rossmere, to significant green wedges running from the countryside into the town, to individual gardens.
- 6.3 Individual elements of GI are protected under policy NE2 of the Local Plan, and the accompanying policies map identifies GI components as being; green wedges, parks and gardens, children's playing space/areas, outdoor sport including playing fields, local green corridors, civic spaces, churchyards and cemeteries, allotments and community gardens, amenity open space and natural and semi-natural green space.
- 6.4 Map 1 presents the borough-wide GI network and the larger individual elements which it comprises of.

Map 1 (borough wide GI network)



APPENDIX 3

The Coast

- 6.5 Hartlepool has around 15km of coastline that faces the North Sea, with another 2km along its southern border at Seaton Channel. Access to the coastal areas is a priority as they are used by large numbers of people for various recreational purposes throughout the year. The section of the England Coast Path (designated as a National Trail) through the entire borough has been completed and was officially opened in September 2019.
- 6.6 Much of the coastline can be accessed along beaches or through the dunes, although dunes are dynamic systems which can easily be damaged. Currently there is limited access around Victoria Harbour and Seaton Channel due to industrial and commercial uses.

Ward Jackson Park

- 6.7 The park was provided by public money in 1883 to commemorate one of Hartlepool's greatest entrepreneurs, Ralph Ward Jackson. It is an important example of a Victorian public park and strongly linked to the buildings surrounding it, which sets the tone and reinforces the Arcadian principles of the area. Ward Jackson Park continues to play a crucial role in the provision of attractive green space in the west of the town, acting as a focal point for residents and visitors to enjoy. This is a Registered Park and Garden which, as a designated heritage asset, gives it extra protection.

Rossmere Park

- 6.8 This park forms an important element of the Owton Manor Green Wedge. Set in an urban residential area, the park incorporates open-grassed areas, trees, a lake, an all-weather pitch and fixed equipment playground (for toddlers and teenagers). The park is used for both formal and informal sport and recreation. This park is locally listed and therefore identified as a heritage asset, which highlights the significant positive impact that this park has on the surrounding area.

Seaton Carew

- 6.9 Seaton Park is 16 acres in size and provides a range of facilities for users including a play area, tennis courts, a bowling green, flower gardens and open grassed areas. The large areas of informal open space provide the setting of the Seaton Carew Conservation Area forming a green swathe separating the buildings from the coast.
- 6.10 There are other less formal areas of public open space in Seaton Carew that play an important part in offering different types of green space in the area. For example areas such as the Green, which is a formal green space within a residential area and provides an amenity space for those in surrounding houses and also contributes to the setting of a number of heritage assets in the area.

APPENDIX 3

Owton Manor Green Wedge

- 6.11 This green wedge runs from the rural fringe at Owton Manor through to Rossmere Park in the east. The eastern edge of the wedge, including the Park and the recreation ground on Rossmere Way are major assets to this area of the town and provide space for recreational and sporting activities.
- 6.12 The western end of this green wedge is predominately green open space with some recently planted woodland. This area suffers from anti-social behaviour, including use by motorbikes and quad bikes, which causes significant damage to amenity grassed area. However, due to the general lack of GI in the south of the town, it is of great value to the residents.

Burn Valley Green Wedge Inc. Summerhill Country Park

- 6.13 The Burn Valley Green Wedge runs from the centre of town out to the countryside. This 19 acre park includes three bowling greens, a bowling pavilion, Ornamental gardens, and playground. It provides a walk from the town centre to Family Wood and on to open countryside. Summerhill Country Park is recognised as an area of local importance and provides a valuable space for residents and visitors. Burn Valley Gardens is recognised as having great importance in the borough and thus has been locally listed.
- 6.14 Previous work on the site saw the improvement in the environmental quality and landscape of the upper stretch of the Burn Valley Green Wedge through habitat creation and restoration thereby creating more “wild places and natural spaces” within easy reach of the urban population.

Middle Warren Green Wedge

- 6.15 This green wedge is an integral element of the Middle Warren housing development that has built out over the past 20 years. This forms a green corridor running through to Easington Road. The east of the green wedge is more natural with mature trees, which leads into the section that has been formed as part of the development. A stream forms an attractive feature, and its course has been diversified in order to help form wetland areas and to slow water flow in times of high rainfall.
- 6.16 Extensive tree planting has taken place over the years and a network of footpaths allows users to enjoy a variety of routes through the green wedge, and partake in walking, cycling and running. A children’s play area to the south of Merlin Way has provided further recreational provision within the area.

Wynyard Woods Green Wedge

- 6.17 The green wedge at Wynyard Woods helps to provide an attractive setting for the executive housing at Wynyard. It provides green space with some tree planting, which provides recreational space including for dog walking. In line

APPENDIX 3

with future development in the area there is an aspiration to extend the green wedge through to link with the Castle Eden Walkway.

Golden Flatts Green Wedge

- 6.18 Currently this area is a semi-natural area of land which acts as a buffer between housing on Seaton Lane and the steel pipe mill. This area incorporates sustainable drainage systems (SuDS) ponds associated with housing development on Seaton Lane. This area is seen as one of great opportunity and there are aspirations for a development which would incorporate new woodland, new ponds, walking routes, play space and pitch provision.

North Linear Park

- 6.19 Within the northern area of the borough there are a number of elements of individual green space, such as the Town Moor on the Headland, Central Park, a green corridor on Central Estate and Clavering play area, alongside areas of accessible coastline and countryside. These all contribute towards the overall GI within the northern area of the town and are collectively known as North Linear Park. There needs to be better connectivity to ensure the individual elements of the North Linear Park can be used in conjunction.

Rural Hartlepool

- 6.20 The rural area covers more than half of the borough's total area, with the majority of the public and permissive rights of way path network located there. These paths are relied upon for leisure as well as access to and from work and local amenities. A major issue with the rights of way network in the rural area is the A19 dual carriageway, which severs many routes and adds a degree of danger to those walking routes where they need to cross this road.
- 6.21 The majority of these pathways link into a wide range of the borough's green spaces infrastructure and these vital links provide access to and from the open spaces and form part of a wider network.

Allotments

- 6.22 There are a number of allotments spread throughout the town which provide a valuable amenity for local residents, allowing for the production of fresh fruit and vegetables. This is not only beneficial in health terms but also helps economically. The allotments across the town vary in quality and maintenance, however on the whole the spaces are well cared for by tenants and considered to be an asset to those who use them.

Cemeteries

- 6.23 The principle role of cemeteries is clear and must be respected and pre-eminent in their use, however it is also acknowledged that they provide extensive areas of attractive green space which can have important secondary benefits. It is

APPENDIX 3

noted that there are active cemeteries, which include Stranton and West View, and those which are predominantly full such as North Cemetery. Spion Kop cemetery is of sub-regional importance for the coastal grassland that is found there and this has been recognised in its designation as a Local Nature Reserve in 2004. North Cemetery is a 12.6 hectare area of wooded greenspace in an area that is surrounded by dense housing and is very well used by local residents for walking. Seaton Cemetery is a popular birdwatching site due to mature trees creating a migrant staging post on the coast.

APPENDIX 3**7 Natural Environment**

- 7.1 This chapter of the SPD details the natural environment features that are present within the borough. Some elements of the natural environment form informal, crucial parts of the GI network and their conservation is essential.

Biodiversity

- 7.2 The borough contains several priority habitats and species as defined by the Natural Environment and Rural Communities (NERC) Act 2006, Section 41 list of habitats and species of principal importance for the conservation of biodiversity in England, and the Tees Valley Nature Partnership priority habitats and species. The potential for development to impact on these species is a material planning consideration and should where appropriate be considered during pre-planning investigations and planning application validation.
- 7.3 Many non-designated areas of green space have wildlife value, but these are generally small, isolated and widely dispersed. Expanding and linking these areas is a key objective in restoring biodiversity and allowing species to respond to climate change. The potential for development to impact on these areas is a material planning consideration.

Nature conservation site designation

- 7.4 The most valuable wildlife sites are protected by legal and planning designations, from European Special Protection Areas to Local Wildlife Sites, as detailed in Local Plan policy NE1. Many species of plant and animal have legal protection in their own right. Important geological sites are also protected. Sites are in both public and private ownership. Information on designated sites can be found in Appendix 3 and on the Natural England and council websites. The potential for development to impact on these areas is a material planning consideration.

Priority Habitats

- 7.5 There is a concentration of priority habitats within the Tees estuary (Teesmouth) all along the coastline and in the extensive dene complex in the north of the borough. There are fewer (generally smaller) sites scattered across open farmland. A number of sites are within the town and urban fringe. The potential for development to impact on these areas is a material planning consideration.
- 7.6 Teesmouth contains areas of estuary-related habitats such as mudflats, coastal and floodplain grazing marsh and sand dunes. It includes sites of international importance for over-wintering and breeding wildfowl and wetland birds. There are several areas of coastal and floodplain grazing marsh, the largest being at Greenabella Marsh and Seaton Common. The Hart Warren

APPENDIX 3

and Seaton Dunes areas have extensive sand dunes. Mudflats are found along the north banks of Greatham Creek and Seaton Channel and in West Harbour. Remnants of saltmarsh occur along the north bank of Greatham Creek.

- 7.7 'Previously used' brownfield (or open mosaic) habitat is centred upon areas which were formerly subject to industrial use around the town and these support plant, butterfly and amphibian species.
- 7.8 There are extensive woodland complexes along the northern and south-western boundaries of the borough. Semi-natural ancient woodland is found in the Nesbitt, Thorpe Bulmer and Crimdon Denes complex on the northern boundary with Durham and at the Howls in Dalton Piercy. The Wynyard Woodland Park Complex in the south west of the borough contains some semi-natural ancient woodland, along with broadleaved mixed woodland and wet woodland.
- 7.9 Habitats found scattered across the open farmland include grasslands, fens, ponds and hedgerows. Some hedgerows are 'species-rich'. Semi-natural grasslands are mostly associated with slopes. Within the farmed hinterland of Hartlepool there are six fens and bogs, the most important being Hart Bog, which has a glacial origin.
- 7.10 Priority habitat ponds are mostly found in the urban and industrial areas of the borough, with a few isolated ponds scattered across farmland. The majority of these ponds meet the priority pond criteria and often support amphibians such as common toad, smooth newt and great crested newt.

Geological features

- 7.11 The coastline has several important geological features: Hartlepool Submerged Forest, Hartlepool Headland and Long Scar and Little Scar. Inland, there are notable geological sites at Dalton Batts and West Crimdon Dene and in four quarries. The potential for development to impact on these areas is a material planning consideration.

Priority species

- 7.12 The northern denes and Crookfoot Reservoir support good numbers of bats and harvest mouse is present near Hart Village and probably elsewhere. There is a population of harbour seal centred upon Seal Sands and they often move along Seaton Channel and haul out along Greatham Creek. Grey seals occur but do not breed. Brown hares occur on both brownfield sites and in farmland, but badgers are scarce. Once widespread, the water vole is now scarce within the borough, however otters have become more common.

APPENDIX 3

- 7.13 Breeding populations of bird species of key importance in the Tees Valley are present within the farmland to the west of Hartlepool. Most of these species are also UK Biodiversity 2020 conservation priority species. Over recent years the Teesmouth population of little egrets has increased substantially, with birds roosting in Rossmere Park and the species now breeds in the borough. Most of the coastline is important for non-breeding/overwintering bird populations, and there are international and national designations to protect these. A colony of protected little terns annually nest on the beach.
- 7.14 Small populations of great crested newts are scattered across the borough. Common toads and frogs are widespread and smooth newt is abundant in some ponds.
- 7.15 Common Lizard is the only reptile found in the borough, though this species has not been recorded for over ten years.
- 7.16 A number of priority butterflies occur, especially those dependent on grasslands and brownfield sites, such as dingy skipper, small heath and grayling. Several woodlands with elm trees support white-letter hairstreak butterflies and some with oaks support purple hairstreaks. Recent butterfly colonists include brown argus, silver-washed fritillary and dark-green fritillary, demonstrating how insects are responding to climate change.

Environmental education and green tourism

- 7.17 Local Nature Reserves are specifically places that the public can access to appreciate or learn about wildlife, and other publically accessible sites add to people's experience of nature. The coastal network of wildlife and publically accessible sites continues northwards into County Durham and southwards to RSPB Saltholme.

Waterways and Wetlands

- 7.18 Some small watercourses run along the public right of way network or are otherwise accessible. There are also several artificial ponds and wetlands which have been created, adding to the visual appeal and wildlife value of the areas where they are located. These waterbodies are one of the ways in which the GI in the borough links together and they play a vital part in the setting and quality of green spaces, corridors and natural habitats.
- 7.19 Opportunities to improve the quality and accessibility of watercourses will be sought, and the creation and enhancement of features will be promoted for the benefit to wildlife and also to assist with flood alleviation. Opportunities to diversify watercourses, particularly within the urban areas, as part of the redevelopment of sites will be sought where it is considered the benefits of this are justified.

Alleviating Flood Risk

- 7.20 There is the potential for GI to include planned new water management facilities, which can include balancing ponds and water storage areas. Sustainable Drainage Systems (SuDS) can provide GI elements as well as addressing surface water drainage issues.

APPENDIX 3

8 Historic Environment

- 8.1 The historic environment not only provides a valuable resource, but many tangible and intangible benefits to GI. It can help define a place and connect people to traditions and values. Such concepts can be used to animate areas and help to create or regenerate neighbourhoods and communities. The historic environment can provide “ready-made” GI that underpins other benefits/agendas. For example, the formal space of Ward Jackson Park acts as an essential element of GI to local residents, but also allows for people to experience the historic environment, and is listed as a Registered Park and Garden in recognition of this.
- 8.2 GI can be an important mechanism for protecting heritage assets and their landscape settings and for increasing public access to and appreciation of them. Heritage assets are considered as being irreplaceable resources and GI can be planned appropriately in order to sufficiently safeguard and enhance them. At the same time, the historic environment can add greatly to the richness, scope, diversity and physical extent of GI networks.

APPENDIX 3

9 Regeneration and Green Infrastructure

- 9.1 GI will play a role in the regeneration projects in Hartlepool through improving people's experience of the town centre. This will be through interventions or improvements in small-scale green spaces, urban trees and green public spaces, as well as contributing to 'experience lines' that will reinforce connectivity and movement throughout the town. This is deemed as being valuable in increasing economic activity and investment in the town.
- 9.2 Through these improvements, GI is expected to support the development of people's sense of community through extending dwell times and providing spaces for community congregation for events and activities.
- 9.3 An example of a regeneration project with integrated GI is at the Brenda Road corridor. The utilisation of landmark features, the treatment of external estate boundaries and improved wayfinding into the numerous industrial estates is an opportunity to develop GI in this area. Addressing the quality of this GI would be aimed at retaining and attracting businesses, encouraging private sector investment and improve the sense of place between estates and throughout this area.

APPENDIX 3

10 Innovative Ideas for Green Infrastructure

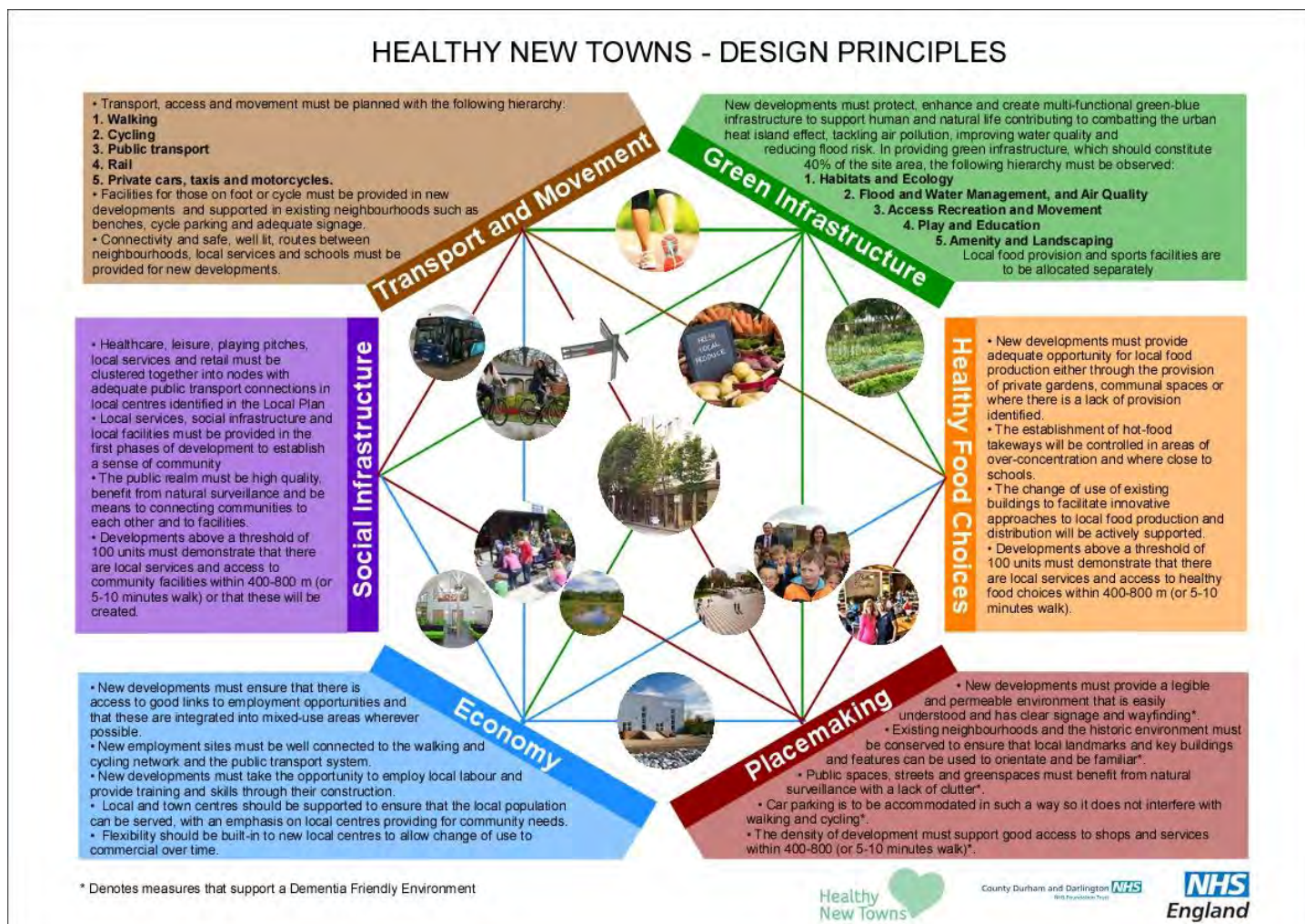
- 10.1 GI can be incorporated in a way that is not always seemingly obvious. Although provisions for parks and large green spaces are very important, it is possible to be innovative regarding small pockets of space within the borough.
- 10.2 Successful ideas are ones which make the most of space which may currently be run down, lacking attention or may be unsuitable for alternative uses. There are potential opportunities to develop areas like these to make them an asset to the community, and to improve the overall aesthetic and visual amenity of the area.
- 10.3 Areas with pockets of green are considered as being more desirable, and pockets of green can be developed and enhanced in easy ways such as tree planting, creation of community gardens, multisensory gardens, green roofs, green walls etc. An example of a 'pocket park' in the borough is at Thornton Street, where a small area has been transformed through using trees, grass and pathways. This acts as a welcome burst of green within a predominantly residential area.
- 10.4 Some ways in which GI can be incorporated into specific areas include:
- Urban areas: boulevards, green roofs and walls, street trees
 - Community centres/hubs: sustainable buildings with green roofs, rainwater collection, community gardens, green provision for relaxation and socialising
 - Green wedges: trees, green spaces, waterways, pedestrian and cycle routes
 - Small holdings: allotments, shared gardens, learning zones
 - Parks: accessible habitats and green spaces, activity zones, tree, shrub and flower planting
 - Housing developments: spaces for relaxation and healthy living, neighbourhood gardens, on-site fruit/vegetable patches, tree lined streets and garden space
- 10.5 There are many different opportunities for the provision of GI in the borough, and developers are encouraged to use their initiative to enable the creation of places which are healthy, attractive and desirable to users.

11 Green Infrastructure within Future Developments

- 11.1 There are several large and mid-sized up and coming housing developments that are factored into the Local Plan. It is of key importance that these contribute where necessary towards the borough's GI and factor it into their design when necessary.
- Urban Local Plan sites: GI within these sites will aid in reducing the appearance of crowded urban areas through the provision of street trees, hedges etc.
 - South West extension: approx. 48.22 ha of multifunctional GI will be provided within a strategic wedge within the development.
 - High Tunstall: 12.00 of multifunctional GI will be provided within a strategic green wedge within the development.
 - Quarry Farm: 3.00 ha of multifunctional GI will be provided on this site.
 - Wynyard developments: The Wynyard Masterplan sets out a green network within the area which will be delivered by developments as they come forward.
 - Elwick village: 0.40 ha of GI, informal open space and recreational and leisure land is required to be provided.
 - Hart village: the remainder of undeveloped land at both Nine Acres and Glebe Farm developments will be used for GI.
- 11.2 This provision for GI has been factored in to provide visual, social and environmental benefits, ensuring that the communities who live in these new developments can boost their quality of life and benefit from easily accessible greenspace close to their homes. It will also avoid overdevelopment within these areas, eliminating the potential for undesirable and overcrowded estates.
- 11.3 It is of key importance that all these developments deliver these GI requirements. Further information on this can be found in Chapter 10 of the Local Plan, with each housing site having its own relevant policy.
- 11.4 It is expected that GI is factored in at the earliest design stage of all developments, which will encourage it to be incorporated organically into designs.
- 11.5 Developers should be aware of the benefits that come from taking initiative in relation to making provisions for GI on-site. Successful developments are considered as those which are aesthetically pleasing, with plenty of amenity green space built into the development and adequate paths alongside provision of cycle lanes. These small enhancements to a site, if factored in from the earliest stage, will in turn lead to the site becoming a much more

APPENDIX 3

desirable place to live, and will improve the physical and mental health of the residents, as well as contributing to the sustainability of the site.



(Figure 5. Source: NHS England)

11.6 This diagram was produced by the Healthy New Towns pioneering project, which aims to work with the NHS and local authorities to shape the health of communities. It provides a clear vision of how GI links into other factors which contribute towards healthy and thriving places which include healthy food choices, place making, economy, social infrastructure and transport and movement. It is evident that GI plays a crucial role in mitigating environmental impacts but also its provision can lead to many multi-functional benefits such as opportunities for local food production, an increased pride of place, sustainable links to employment and improved health of residents.

11.7 Although these design principles were engineered for the Healthy New Towns project, they provide a good basis for things which developers can factor into schemes in order to make them a better place in general for residents and visitors.

12 Planning Obligations and Green Infrastructure

- 12.1 Related council documents which developers are encouraged to read regarding planning obligations are:
- 2018 Local Plan
 - Emerging Public Rights of Way & other Access SPD
 - Planning Obligations SPD
- 12.2 Paragraph 56 of the NPPF highlights that any obligations sought by the council are required to be:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development
- 12.3 The council will seek to ensure that any GI contributions that are requested of the developer meet these criteria.
- 12.4 Residential development of 5 units minimum are expected to contribute £250 per dwelling towards the provision of green infrastructure.
- 12.5 Developments falling within an A1 use class in planning terms are expected to contribute £20,000 for the initial 500sqm of A1 retail space, and an increase of £1,000 per additional 100sqm of A1 floor space. This applies for new build and change of use.
- 12.6 Developments falling within a B1 use class in planning terms are expected to contribute £5,000 for the initial 1000sqm of B1 floor space and an increase of £1,000 per additional 100sqm of floor space. This applies for new build and change of use.
- 12.7 Any other developments are assessed on a case by case basis, and an officer will determine whether GI contributions are considered necessary to mitigate the impacts of the development, or to make the development sustainable.
- 12.8 Advice on proposed development can be obtained from the council for a small charge through its One Stop Shop pre-application advice service.

APPENDIX 3

13 Investment in and Management of Green Infrastructure

- 13.1 Ongoing investment is critical to GI to ensure that all forms are provided to the best possible standard. The council continues to work with a wide range of stakeholders in order to access various sources of funding, alongside council funding, in order to aid in the provision, enhancement and maintenance of GI.
- 13.2 The information and records held by the council help to identify areas of greatest need and are used to help inform the Action Plan for investment in GI.
- 13.3 Contributions which can be secured as part of the planning process on applications for development, particularly housing, can be used, within the vicinity of those developments, to seek improvements to GI which are considered necessary as a result of those developments and to ensure their sustainability.
- 13.4 For most forms of publicly accessible GI in the borough, the council is the main organisation with the responsibility for the maintenance and management of these spaces including parks and gardens, play areas, the beaches and coastal margins and the green wedges. The delivery of new GI must be considered against the long term maintenance liabilities it will bring. Less intensive management regimes, such as wildflower meadows or woodland planting can deliver cost savings as well as being of great benefit to biodiversity and should be considered where appropriate. Sometimes in new development the land owner may put in place a management organisation which maintains areas of green infrastructure within developments and residents pay an annual fee towards the running of the management company. The long term management of GI in a development where appropriate will be secured through a relevant planning obligation.

APPENDIX 3

14 Monitoring and Review

14.1 It is important to the success of this Strategy that measures are put in place to:

- Evaluate the impact the Strategy is having;
- Monitor delivery of the Action Plan; and
- Use this information to review both the Strategy and Action Plan in the medium and long term.

14.2 This SPD contains a number of priorities and actions which will contribute to the achievement of this SPD's vision and objectives. The success of GI projects will be based on if they can meet any/all of the objectives in the document, and if the benefits of such schemes can be openly recognised.

APPENDIX 3

Appendix 1 Glossary of Key Terms

Accessible greenspace: space for the public to use free of charge and without time restrictions; some spaces may be closed overnight.

Ancient woodland: woodland that has existed continuously since 1600 or before.

Biodiversity: variety of life including different plants, animals and micro-organisms, and the ecosystems which they are part of.

Climate change: effect of global warming on weather conditions and unpredictable variations in temperatures.

Conservation area: area of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance

Ecosystem: interactions between living organisms and their physical environment.

Green corridor: linear green space connecting different types of greenspace, can incorporate walking and cycling routes. Most are also wildlife corridors.

Green infrastructure: strategically planned and delivered interconnecting, visually linked network of public and private multifunctional green spaces, landscapes and natural environments in the urban and rural area used for recreation, biodiversity and food production, which supports natural, cultural and ecological processes, with benefits for people, wildlife and place.

Green wedge: open area between neighbourhoods which helps to maintain their separate distinctive qualities.

Heritage asset: a building, monument, site, place or area of landscape positively identified as having a degree of significance meriting consideration in planning decisions.

Landscape: consistent, distinct pattern of geology, landform, soils, vegetation, land use and settlements.

Local Nature Reserve (LNR): designated by the council and Natural England for its special local wildlife or geological value and which provide people with opportunities to learn about nature or enjoy it.

Multifunctionality: the ability of a space to perform more than one greenspace function at the same time.

Priority habitats and species: protected by national legislation because of their vulnerable status.

APPENDIX 3

Public Rights of Way: includes public footpaths, bridleways and byways where the public have a right to use them at any time.

Registered Historic Parks and Gardens: protected by English Heritage as being of special historic interest.

Suitable Alternative Natural Greenspace (SANGs): this is green space that is of a quality and type suitable to be used as mitigation for development likely to affect special protection areas.

Site of Special Scientific Interest (SSSI): protected by the Government it is of national importance for wildlife, geology or geomorphology.

Special Protection Area (SPA): internationally designated wildlife site.

Surface water run-off: excess rainwater, or from drains that flow over land.

Sustainable Drainage Systems (SuDS): reduce and slow the quantity and rate of surface water run-off from new development, dealing with it as close to the source as possible.

Wildlife corridor: linear greenspace that provides links for wildlife dispersal and movement, can have wider amenity benefits.

Wildlife friendly greenspace: space where naturalness dominates.

APPENDIX 3

Appendix 2 Green Infrastructure as a result of Planning Obligations

Below is a list of some GI projects that have been secured or implemented across the borough as a result of money pooled from Section 106 planning obligations, or conditions that have been imposed on developers.

- Surface track, woodlands planting within Golden Flatts Green Wedge
- Contributions toward Ward Jackson Park
- Provision of GI at various small sites in the borough adjacent to development
- Greatham Village allotment improvements
- Two new footpaths near Quarry Farm
- Croft Gardens improvements
- Coastal footpath improvements between Newburn Bridge and Marina
- Chester Road Thornhill Gardens Allotments
- Development of public footpath between South Valley Drive and Summerhill

APPENDIX 3**Appendix 3 Designated statutory and non-statutory wildlife sites in Hartlepool**

Hartlepool Local Authority: Designated Sites		
Statutory designated sites (National)	Site Name	Reason for Designation
Special Protection Area (SPA)	Teesmouth and Cleveland Coast	Non-breeding populations of knot, redshank and sandwich tern and a breeding population of little tern. Also designated for waterbird assemblage of 20,000 birds.
National Nature Reserve (NNR)	Teesmouth	Covers two areas: North Gare, an area of dunes and grazing marsh north of the power station and Seal Sands, one of the largest areas of intertidal mudflats on England's north-east coast.
Ramsar site (Wetland of international importance)	Teesmouth and Cleveland Coast	Populations of redshank and knot occurring at levels of international importance; assemblages of waterfowl of international importance with peak counts in winter.
Site of Special Scientific Interest (SSSI)	Teesmouth and Cleveland Coast SSSI	This site was notified in 2019 and amalgamated 7 existing SSSIs in the borough and the wider Tees Valley.
Local non-statutory designated sites	Site Name	Reason for Designation
Local Wildlife Site (LWS)	Hartlepool Power Station Grassland and Wetland	Common Lizard
LWS	Black Wood Marsh	Fens, Flushes
LWS	Hart Warren Railway Embankment Grassland	Neutral Grasslands; Coastal Grasslands
LWS	Hart-Haswell Walkway	Butterflies; Common Lizard; Neutral Grasslands; Calcareous Grasslands
LWS	Crimdon Road Verge	Calcareous Grasslands; Common Lizard
LWS	Pawton Hill Gill Grassland	Neutral Grasslands, Fens, Flushes
LWS	Beacon Hill Flush	Fens, Flushes
LWS	Crookfoot Reservoir	Water Body

APPENDIX 3

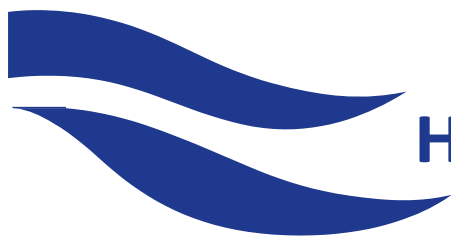
LWS	Amerston Gill Woodland	Broad-leaved Woodland and Replanted Ancient Woodland
LWS	Thorpe Bulmer and West Crimdon Denes	Ancient Woodland
LWS	Greenabella Marsh	Water Vole; Common Lizard
LWS	Close Wood Complex	Ancient Woodland; Broad-leaved Woodland and Replanted Ancient Woodland; Breeding/Wintering Birds; Important Butterflies
LWS	North Burn Marsh	Fens, Flushes
LWS	The Howls Woodland	Ancient Woodland
LWS	Carr House Sands and West Harbour	Wintering population of birds
LWS	West Carr Plantation	Wet Woodland
LWS	Greatham Creek North Bank Saltmarsh	Saltmarsh
LWS	Crimdon Road Verge	Neutral Grasslands
LWS	Tilery Gill Grassland	Fens, Flushes; Neutral Grasslands
LWS	Phillips Tank Farm Grassland	Urban Grassland; Great Crested Newt; Important Butterflies; Water Vole
LWS	The Slake Saltmarsh	Saltmarsh
LWS	Bellows Burn Marsh	Fens, Flushes
LWS	Greatham Beck	Water Vole
LWS	Elwick Hall Grassland	Neutral Grasslands
LWS	Hart Quarry	Breeding/Wintering Birds
LWS	Brierton Quarry Grassland	Neutral Grassland
LWS	Saltern Saltmarsh	Saltmarsh
LWS	Gunnersvale Marsh	Fens, Flushes
LWS	Tot Fenny's Meadow	Neutral Grasslands; Fens, Flushes
LWS	Queen's Meadow Wetland	Amphibians
LWS	Rossmere Park Island Heronry	Breeding/Wintering Birds

APPENDIX 3

LWS	Brenda Road Brownfield	Great Crested Newt; Urban Grassland
LWS	Zinc Works Bird Field	Wintering Population of Birds; Breeding/Wintering Birds
LWS	Spion Kop Cemetery Grassland	Coastal Grasslands
LWS	Hart Cutting Grassland	Calcareous Grasslands
LWS	Hartville Meadow	Neutral Grasslands
LWS	Craddon Bank Grassland	Neutral Grasslands; Fens/Flushes
LWS	High Stofold Meadow	Neutral Grasslands
LWS	North Hartlepool Dunes	Coastal Grasslands
LWS	Char Beck Grassland	Neutral Grasslands
LWS	Butts Lane Field Margins	Harvest Mouse
LWS	Summerhill Country Park	Urban mosaic of hay meadows, hedgerows, ponds and planted trees
LWS	Central Park Grassland	Urban Grassland
LWS & Local Geological Site (LGS)	Naisberry Quarry Grassland	Neutral Grassland; disused quarry
LWS & LGS	Whelly Hill Quarry Grassland	Neutral Grassland; disused quarry
LGS	Long Scar & Little Scar	Two exposures of wave-washed scars consisting of Sherwood sandstone, from the Triassic period.
LGS	Hartlepool Headland	A wave washed platform, revealing exposures of Magnesian Limestone in a coastal zone environment.
LGS	Dalton Batts	A large river-cliff that reveals an excellent exposure of glacial sands, gravels and clay from the last glaciation.
LGS	West Crimdon Dene	Exposure of Magnesian Limestone in a river gorge environment.
Local Nature Reserve (LNR)	Hart to Haswell Walkway	Former railway line with a rich mix of magnesian limestone grassland, ponds, semi-mature and mature woodland.
LNR	Hart Warren	The only magnesium limestone dune system of any significance in the British Isles; supports a rich variety of both flora and fauna.

APPENDIX 3

LNR	Spion Kop Cemetery	A mix of coastal, limestone and industrial heritage habitats that produces rich dune grassland unique in Hartlepool and rare within the Tees Valley.
LNR	Summerhill	This site combines recreation and conservation. The site has hay meadows, hedgerows, ponds and over 65,000 trees.
LNR	Greatham Beck	A small site providing a haven and wildlife corridor for many species including the Water Vole.
LNR	Seaton Dunes and Common	Seaton Common is a wet grassland which attracts large numbers of passage migrants over winter and is a breeding ground for birds in the summer months. Seaton Dunes is the largest sand dune system between Lindisfarne to the north and Humber to the south.
Other non-statutory designated sites	Site Name	Reason for Designation
Country Park	Summerhill Country Park	Managed Country Park and visitor centre (also a LWS)
RSPB Reserve	Saltholme	Managed reserve and visitor centre (in Stockton but links intrinsically with sites within Hartlepool)
Heritage Coast	Durham Heritage Coast	Extends down to the Headland. Landscape, biodiversity, heritage and public enjoyment.



Hartlepool Borough Council

Green Infrastructure Action Plan

Supplementary Planning Document

Final Version



APPENDIX 3

Contents

1	Introduction	3
2	Vision and Objectives	4
3	Green Infrastructure Project Areas	5
4	Area 1: The Coast and its Margins	8
5	Area 2: Rural Hartlepool	10
6	Area 3: North Hartlepool	16
7	Area 4: Central Hartlepool	24
8	Area 5: South Hartlepool	31
9	Linkages and Movement.....	36
10	How Green Infrastructure Objectives are to be met.....	37

1 Introduction

What is the purpose of this document?

- 1.1 This document builds upon the information found in the main SPD regarding Green Infrastructure (GI) in the borough, and will set out areas of investment and improvement that are needed in the coming years to develop and grow the GI network in the borough. The improvements and schemes within this document will allow funding to be sought towards their implementation and will also be useful in directing developer contributions, which are acquired through planning applications, to schemes relevant to the application.
- 1.2 It should be noted that the schemes within this document are not the only schemes where contributions may be sought towards their implementation, they are simply the schemes which are most advanced. There are wider, more strategic aspirations which are equally as important in terms of the future delivery of GI in Hartlepool.
- 1.3 Where costs of schemes are available, these have been included.
- 1.4 It will be important that, where necessary, proposals for development or enhancement of GI will be developed in a way which will safeguard, enhance or even re-establish the assets. The involvement of key stakeholders in the development of GI will help to ensure that the proposals in this Action Plan are delivered in a sustainable manner, helping to ensure a better future for Hartlepool and its residents.
- 1.5 This Action Plan forms an integral part of the Green Infrastructure SPD and, once adopted, will form part of the Local Development Framework, linking with the Hartlepool Local Plan to drive forward the development of GI within the borough. It will enable the council to seek funding to help implement distinct elements of the Action Plan.

APPENDIX 3**2 Vision and Objectives**

Vision of SPD: *By 2029 Hartlepool will have a high quality, multifunctional, accessible green infrastructure network which enhances the community's quality of life and protects wildlife.*

- 2.1 The following objectives link the vision to the rest of this Strategy. The projects identified in this Action Plan should achieve one or more of these objectives, to help deliver the vision.

Objective	Objective Description
1	Protect a high quality visual landscape and townscape, and enhance the unique character, heritage, function, intrinsic quality and sense of place of Hartlepool's GI network to contribute positively to its distinctiveness.
2	Provide a network of interconnected GI and spaces rich in habitat and home to a diverse range of wildlife which also play a critical role in improving the health of residents through providing attractive opportunities for recreation and sustainable travel.
3	Minimise the impact of, and adapt to, the effects of climate change, by reducing greenhouse gas emissions, the use of resources, the risk of flooding and pollution and provide for species adaptation by maximising the protection and creation of GI.
4	Promote the preservation, restoration and re-creation of priority habitats, ecological networks and expanding and linking habitats together, including working across council boundaries where appropriate, to assist in restoring biodiversity and allowing species to respond to climate change. SANGs will be used where necessary to take pressures off sensitive protected areas.
5	Ensure trees and hedges are protected throughout the borough and integrate planting schemes within all new developments and, on larger housing schemes, deliver new areas of woodland. The conservation of ancient woodland and veteran trees which are irreplaceable is imperative.
6	Protect and enhance a wide range of high quality opportunities for safe and accessible formal and informal sport, recreation and leisure facilities to encourage the community and visitors to undertake a variety of healthy exercise within attractive settings.
7	Involve users, including "friends of" groups, and neighbours in the design of GI, ensuring usability and helping to create a sense of ownership and pride.
8	Support economic growth, attract inward investment and support redevelopment of brownfield land by improving the setting of industrial and commercial areas through the delivery and enhancement of quality, distinctive and attractive GI.

APPENDIX 3

9	Create a quality, distinctive and productive GI network to support local food production, rural diversification and tourism to meet the needs of local businesses, landowners and to provide a diverse employment base.
10	Ensure key green hubs, such as parks, place spaces and woodlands, are linked by means of safe and easily accessible green networks and rights of way that together form a high quality GI grid across the whole of the borough.



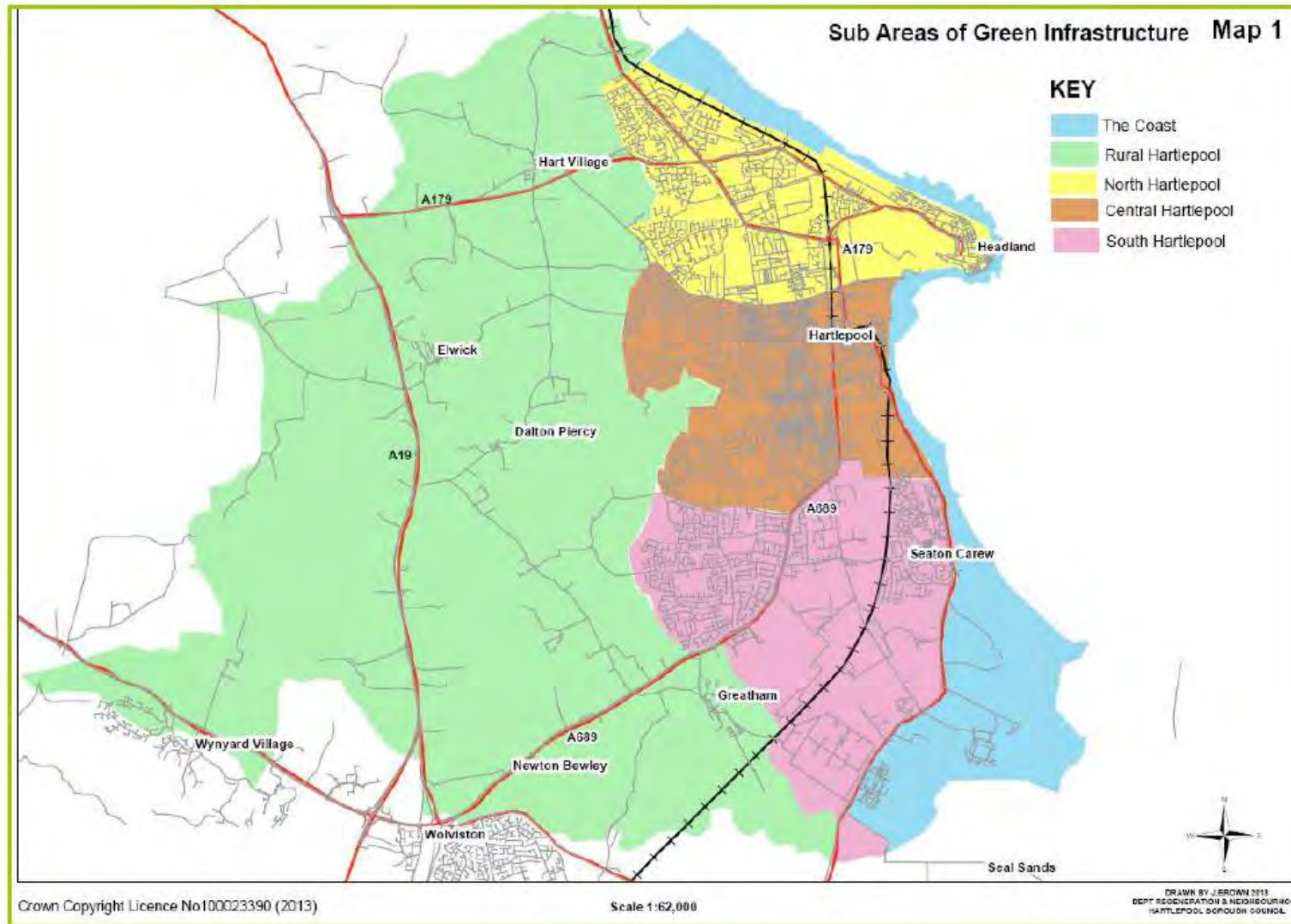
Image 1: Ward Jackson Park

APPENDIX 3

3 Green Infrastructure Project Areas

- 3.1 This section splits the borough into main areas, and looks at project ideas and costs/resources (where available) which are needed over the coming years to develop the GI network within Hartlepool. In some cases, project designs are included to help aid visualisation of the potential improvements. Maps of corridors are also included to show the wider impact for areas of the town that certain projects could have in the future. Importantly, costs of improvements will be included, where known, to help secure funding packages which will be vital to the future development of GI. It must be acknowledged that these costs are estimated and could be subject to change.
- 3.2 Due to the large scale of a lot of the project areas in this document, the majority of works completed may be split down into phases or separate projects to ensure that work can be completed as and when funding is provided, to ensure the continual development of GI in Hartlepool.
- 3.3 The town has been split into sub areas to assess the GI within these areas, but will also consider how the sub areas are linked together by GI. The sub areas are:
1. The Coast and its Margins
 2. Rural Hartlepool
 3. North Hartlepool
 4. Central Hartlepool
 5. South Hartlepool
- 3.4 These areas are shown on Map 1 on the following page and the individual sub areas have their own detailed maps which show more localised GI, and help to inform a view on gaps in the GI provision in certain areas of the borough and demonstrate how movement between these areas is possible.

Map 1: Sub Areas of Green Infrastructure



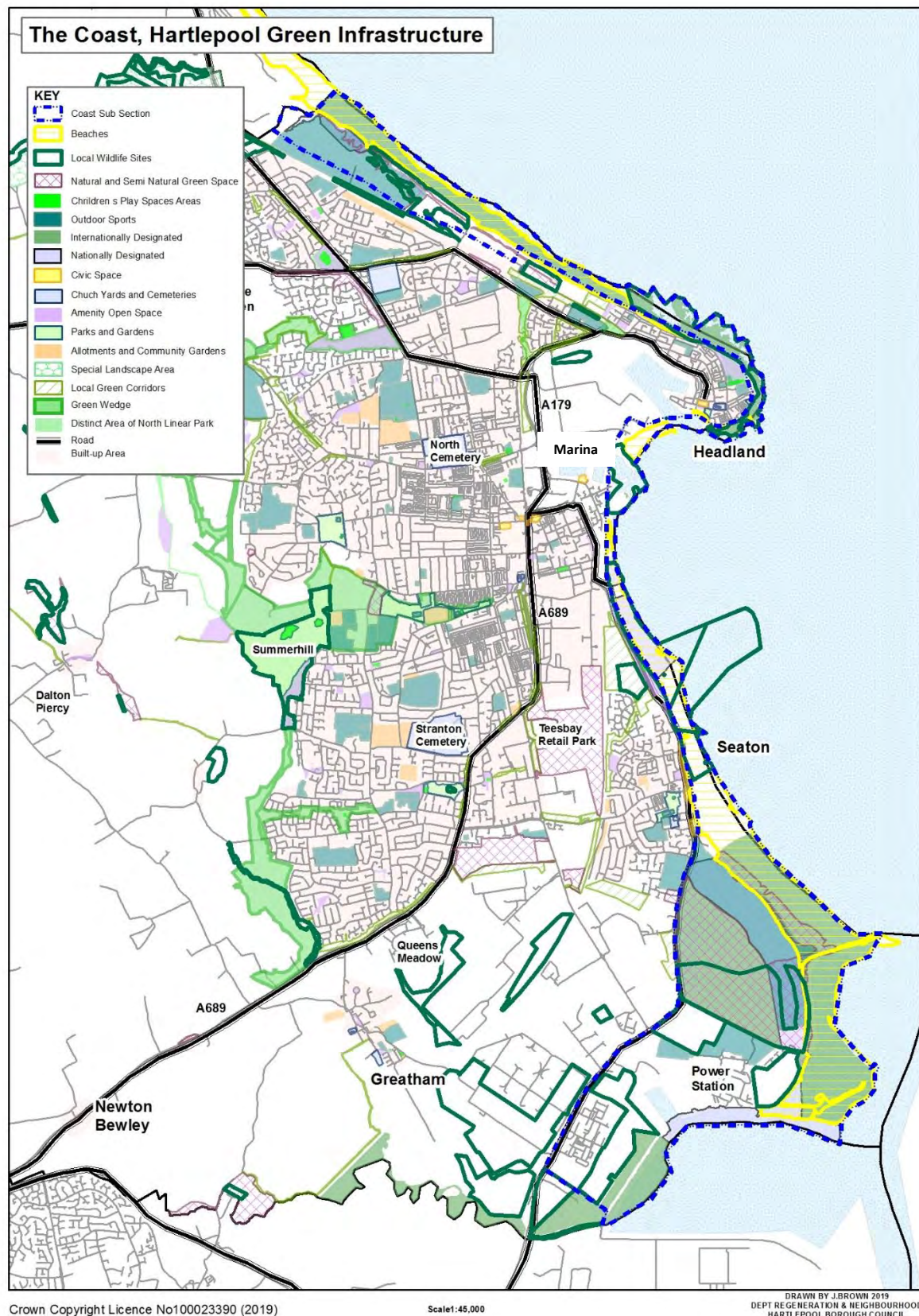
APPENDIX 3**4 Area 1: The Coast and its Margins**

- 4.1 Hartlepool's coastline continues to act as an attraction for both local residents, and visitors to the area, due to the opportunity to explore the pathways and scenery that are characteristic of the borough. There are a number of rights of way that are located on or close to the coastline, ranging from public footpaths to public bridleways. The coastline is an urban environment for the majority of its length, and so the majority of the paths and promenades are formally surfaced and maintained at public expense.
- 4.2 The Marine and Coastal Access Act 2009 placed a duty for a coastal path to be created along the whole of the English coastline, and the government aims for its completion in 2022. When approved and adopted by the Secretary of State (DEFRA) the route will have legal status and the title of English Coastal Path Trail, being recognised as a national trail.
- 4.3 One of the biggest challenges which the coastal area faces is to ensure that users can continue to enjoy the beauty and variety of these areas whilst at the same time, protecting the natural environment from harm. The Council will continue to work with key organisations to identify funding sources for enhancement schemes along the coast. Potential enhancement schemes along the coast may need to be subject to a Habitat Regulations Assessment, and contributions will be sought to ensure that these delicate habitats continue to be protected and enhanced where necessary and possible.

Future Developments within this area

- 4.4 The Council has adopted Local Plan policy LT2 which stipulates that developments at The Marina should incorporate and encourage sustainable transport links through provision and enhancement of pedestrian and cycle routes, public realm and green infrastructure. The implementation of this policy, will ensure that the area is developed in a way which makes it easily accessible by all, and encourages tourism in this area.
- 4.5 The coastal fringe is a priority stretch of the ecological network (policy NE4), this means that thorough consideration will be given to the impact of any developments in this area, to mitigate any negative impacts on the natural environment and priority will be given to this area for enhancing ecological networks at a landscape scale. There is protection in this area due to Local Plan policy NE1, which covers a large stretch of the coastal area, and this ensures the protection of highlighted nature conservation areas. This protection will ensure that the GI within this area is maintained and enhanced and the coast stays attractive and accessible to all.

Map 2: The Coast Green Infrastructure Map



APPENDIX 3

Table 1 – Coastal Area GI Projects

Item	Details	Ward	Funding	2019 Status
Marina pedestrian link	Coastal footpath improvements between Newburn Bridge and the Marina.	Headland & Harbour	Funding still required.	Ongoing
England Coast Path National Trail	Way marking and promotion of trail.	Headland & Harbour/Seaton/De Bruce	Funding still required.	Ongoing
Premier Inn Marina	Footpath improvements adjacent to the site.	Headland & Harbour	Funding still required.	Ongoing
Seaton Dunes	Removal of invasive plants including sea buckthorn and Japanese rose.	Seaton	Funding still required.	Ongoing



Image 2: Recently installed play area and beach huts in Seaton Carew

APPENDIX 3**5. Area 2: Rural Hartlepool**

- 5.1 Hartlepool benefits from a large rural area, which covers over 50% of the borough. There are six villages within this area, but the majority of land is undulating farm land. The rural area can be accessed via a number of footpaths, bridleways, links and access routes.
- 5.2 The south of the rural area has seen growth and development due to the development at Wynyard Park. In order to ensure the development's sustainability and mitigation of any negative impacts on the rural area, developments at Wynyard have and will be expected to contribute towards the provision of walking and cycle links in the borough, in order to improve connectivity, enabling the local residents to travel around the borough in a sustainable way, reducing the reliance on vehicular travel.
- 5.3 A diverse range of attractive sites and places of importance for wildlife are located within this rural area and improving access to and enjoyment of these areas is a key aspiration of the Council. These improvements need to be developed in a sensitive manner which won't impact on the quality or ecological value of these natural areas. Information and signposting will be an important element of any improvements to ensure that walks provide educational as well as physical benefits. Where appropriate, developer contributions from developments nearby these areas (in particular Local Nature Reserves) will be sought to implement these improvements.
- 5.4 Improvements and new developments within this area will contribute towards the achievement of objectives **1, 2, 3, 4, 5, 6, 7, 9, 10**.

Future Developments within this area

- 5.5 It is crucial that any developments in the rural area provide the designated areas of green infrastructure to ensure that the residents and visitors can reap the benefits associated with it, and guarantee the sustainability of the developments. More information regarding this can be found in chapter 10 of the Local Plan.
- 5.6 The rural area also contains a priority section of the ecological network; rural west from Wynyard to Thorpe Bulmer and Crimdon Dene (policy NE4), this means that thorough consideration will be given to the impact of any developments in this area, to mitigate any negative impacts on the natural environment, where possible priority will be given to this area for enhancing ecological networks at a landscape scale.

Map 3: Rural Green Infrastructure Map



APPENDIX 3Summerhill Country Park

- 5.7 Summerhill lies in the rural area, immediately to the west of the Burn Valley Green Wedge, acting as a gateway into the countryside. This park is owned and operated by the Council and provides opportunities for users to partake in a wide variety of activities. Key elements of the management of Summerhill are shown in table 2 below.

Table 2: Summerhill GI Projects

Item	Details	Funding	2019 Status
Existing coppicing of selected areas	5 locations identified within Summerhill, two of which are cut in rotation	Supported under the Woodland Grant scheme 5 year programme	Ongoing
Future coppicing	Further possible locations have been identified	Funding would be required to support implementation	Ongoing
Existing thinning of woodland areas	4 locations have been identified within Summerhill	Supported under the Woodland Grant scheme 5 year programme	Ongoing
Future woodland thinning	Other areas throughout the developing woodland of Summerhill	Funding would be required to support implementation	Ongoing
Gap planting	Small amount of planting to attend to gaps within existing hedgerows. 3 areas identified	Supported under the Woodland Grant scheme 5 year programme	Ongoing
Hedge Laying	Annual programme of hedge laying for hedges around Summerhill including those planted during the sites' early development	Funding required to support implementation	Ongoing
Management of existing wetlands	At present 9 wetland sites have been identified including areas recently excavated	Funding required to support implementation	Ongoing
Watercourse management	Management of 2 streams that run through Summerhill	Funding required to support implementation	Ongoing
Ditching work	Excavation and management of ditches in and around Summerhill. This includes new ditches and re-excavating existing ditches	Funding required for larger excavations involving bringing in heavy plant. Est £2,000-5,000.	Ongoing
Countryside routes vegetation control	Vegetation control of tracks and paths throughout Summerhill. In total there are about 6.8km of tracks and paths	Work part supported under the 5 year Woodland Grant Scheme. Resources will continue to be required to support cut back by utilising works teams of staff/volunteers	Ongoing
Resurfacing of main site route	Shared walkers/cyclists section of the main route that travels around Summerhill. Route is 2km	The full route requires re-surfacing. Costs depend on specifications and designs and	So far approximately 800m has been re-laid.

APPENDIX 3

	long x 2.5km wide with two sections of non-slip tarmac	could range from £80,000 to £250,000	
Stile and gate works	Upgrading of stile, gates and access points throughout the site.	Most of the works are being funded under the existing 5 year Woodland Grant Scheme programme. Additional works would need in the region of £2,000.	Ongoing
Bridleway improvements	Improvements to the bridleways at Summerhill.	Funding still required, costs not available.	Ongoing
Surfacing improvements to Brierton Lane.	Surfacing improvements to the permissive path from Brierton Lane to Summerhill.	Funding still required, costs not available.	Ongoing

- 5.8 Summerhill has been identified in the Local Plan as a site which will be developed in order to provide local residents and visitors to the borough with access to the countryside, and act as a green link between the rural and urban areas. Through the works highlighted in the table above, Summerhill's position as a Country park of strategic importance within the borough will be reinforced.

APPENDIX 3Other Rural Key Projects

- 5.9 Alongside the projects within Summerhill, there are several other isolated projects that have been identified for development or improvement within the rural area.

Table 3: Other Rural Projects

Item	Details	Funding	2019 Status
Greatham Village Allotments	Recognised as a potential development within the Rural Plan.	Funding still required.	Ongoing
Quarry Farm Footpath	A footpath near Quarry Farm to provide increased pedestrian connectivity.	Potential funding identified in planning applications.	Ongoing
Elwick Footpath 1	Improvements to the footpath e.g. resurfacing	Funding still required.	Ongoing
Hart and Clavering footpath	Improvements to the footpath connecting the areas.	Funding still required.	Ongoing
Footpaths south of the A689	Improvements or additions to the network of footpaths south of the A689	Funding still required.	Ongoing
Sappers Corner to Wolviston Footpath and Cycleway.	This will link to the Wynyard developments to provide sustainable transport links.	Funding identified through applications at Wynyard.	Ongoing.
Hart to Haswell Walkway	Countryside management of the Hart to Haswell Walkway Local Nature Reserve and Local Wildlife Site	Funding still required.	Ongoing

APPENDIX 3

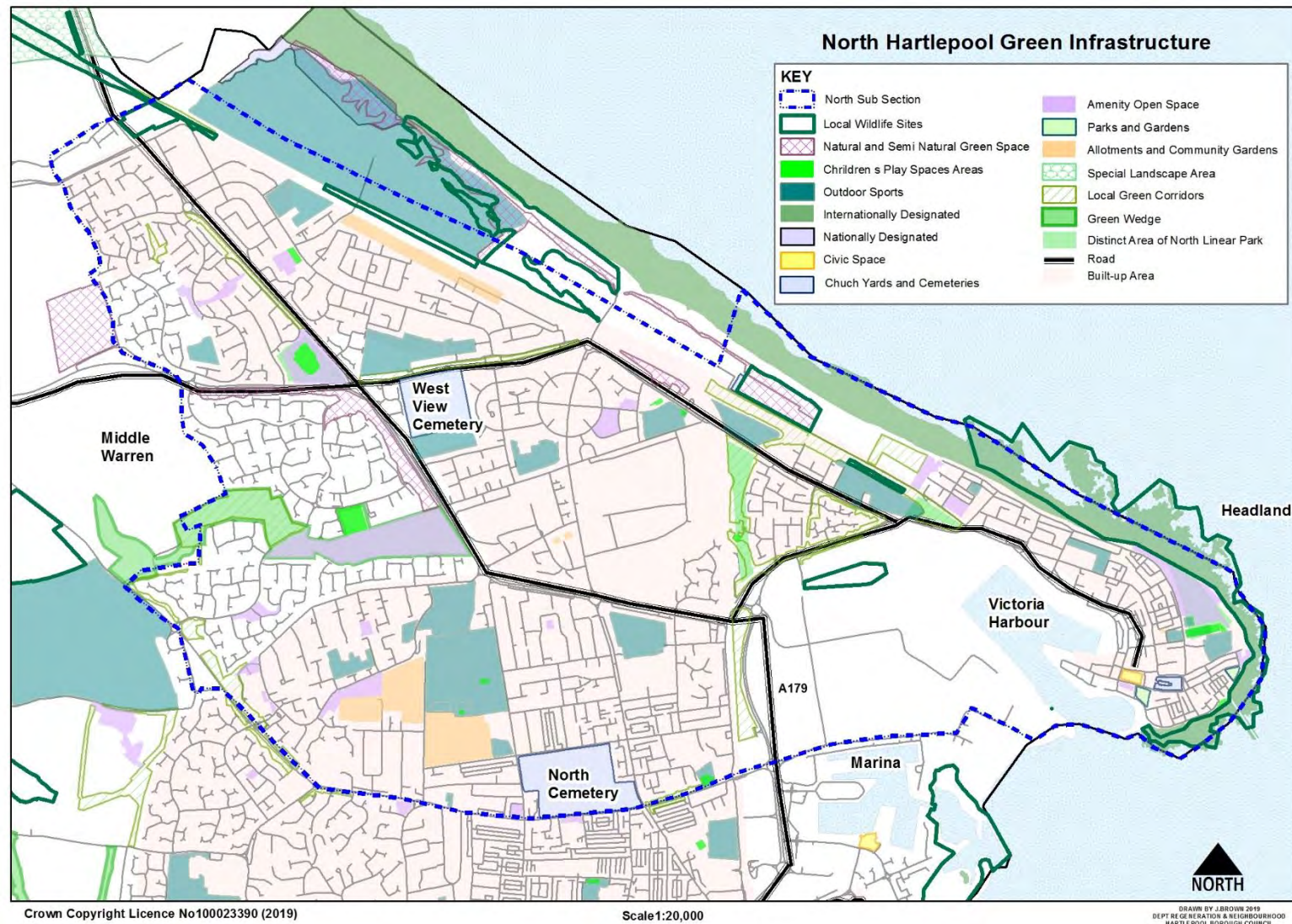
6 Area 3: North Hartlepool

- 6.1 There are a wide variety of elements of GI in this part of Hartlepool. It is crucial to ensure that these are enhanced whilst simultaneously considering the movement to and between these areas.
- 6.2 Middle Warren Green Wedge is considered a key element of the North Linear Park concept. This wedge cuts through the Middle Warren housing development and is a major aesthetic and recreational resource for the area.
- 6.3 Improvements and new developments within this area will contribute towards the achievement of objectives **1, 2, 3, 4, 5, 6, 7, 8, 9, 10**.

Future Developments within this area

- 6.4 It is of key importance that future developments to the north of Hartlepool facilitate access to the small pockets of GI in the area alongside the more substantial green wedge at Middle Warren, which is protected under policy NE3. Developments within this sub-area may be expected to contribute towards enhancing the parks in the area, the cemetery, or other links and green areas within the north of the town. Development of sustainable links such as public rights of way or cycle links will look to be improved where necessary to enable easy movement.

Map 4: Northern Green Infrastructure Map



APPENDIX 3Clavering Park

- 6.5 Clavering Park is a critical element of the North Linear Park. Works to provide a modern play space in recent years have helped to dramatically improve the quality of this green space and formed the first element of a masterplan for the area. There are still improvements to be made within this area, and the Council will work with partner organisations and developers to secure the funds needed to implement all the works in the area.

Table 4: Clavering Park GI Projects

Item	Details	Funding	2019 Status
Boundary Fence	Provision of new railings and gates.	Funding required – could be a phased project, total estimated cost £55,000	Awaiting on funding to be secured.
New Pathways	Includes works such as block paving, drop kerb works etc.	Funding required – could be a phased project, total estimated cost £38,000	Awaiting on funding to be secured.
Planting Works	Hedge planting.	Funding required – could be a phased project, total estimated cost £2,500	Awaiting on funding to be secured.



Image 4: Clavering Park

APPENDIX 3Central Park

- 6.6 Central Park forms a critical link between the Headland and West Hartlepool. Within the North Linear Park Steering Group, this area was considered as one of the two main priorities for improvement due to its neglect and lack of investment over the years. Previously, funding obtained by the “Big Tree Plant” enabled an early phase of tree planting in the area. This was beneficial to the GI in the area and will provide habitat for a range of species.

Table 5: Central Park (including Local Wildlife Site at Spion Kop) GI Projects

Item	Details	Funding	2019 Status
Drainage Works	Drainage works to refurbished car park, including excavation, new manhole, drainage runs and connections.	Funding required – could be a phased project, total estimated cost £25,000.	Awaiting funding to be secured.
Car park surfacing.	New bitmac surfacing.	Funding required – could be a phased project, total estimated cost £150,000.	Awaiting funding to be secured.
Footpath Surfacing	New bitmac surfacing.	Funding required – could be a phased project, total estimated cost £15,000.	Awaiting funding to be secured.
Fencing and Railings	Inc. timber fencing, entrance feature, car park barrier etc.	Funding required – could be a phased project, total estimated cost £1,500.	Awaiting funding to be secured.
Provision of Timber Steps	Timber steps with bound gravel treads and landings.	Funding required – could be a phased project, total estimated cost £10,000.	Awaiting funding to be secured.
Tree Planting	Extra heavy standards trees, and transplant tree and shrub planting to embankment.	Funding required – could be a phased project, total estimated cost £5,000.	Awaiting funding to be secured.
Grass Seeding	Reinstatement to grass areas.	Funding required – could be a phased project, total estimated cost £22,500.	Awaiting funding to be secured.
Summer Mowing	Annual summer mow of the Local Wildlife Site in Central Park.	Pedestrian fail mower £8,000	Awaiting funding to be secured.

APPENDIX 3North Cemetery

- 6.7 North Cemetery is located to the north of the town centre and is a large green space owned by the Council. The cemetery provides a welcome change from the dense terraced housing which surrounds the cemetery, and is of particular value to the local community as an attractive open space. The key improvements needed within the site are the provision of a more accessible, enhanced green space for the existing community, including the residents of the new housing developments. The issues of crime and anti-social behaviour might be mitigated through safe access, boundary treatment and visual surveillance in and out of the site.

Table 6: North Cemetery GI Projects

Item	Details	Funding	2019 Status
Green Space Enhancement	Mixed spring bulb planting.	Funding required – could be a phased project, total estimated cost £4,000	Awaiting funding to be secured.
Green Space Enhancement	Woodland areas planted initially with whips rather than standards.	Funding required – could be a phased project, total estimated cost £3,000	Awaiting funding to be secured.
Access Improvements	Footpath surfacing improvement works (network totals circa 1,050 linear meters, approximately 2,100m ²)	Funding required – could be a phased project, total estimated cost £105,000	Awaiting funding to be secured.
Security Improvements	Automated vehicle gates to prevent motorcycles and cars accessing site but allowing maintenance vehicles daily access.	Funding required – could be a project in three phases (£8,000 each), total estimated cost £24,000.	Awaiting funding to be secured.

APPENDIX 3West View Cemetery

- 6.8 West View Cemetery is a very important green open space providing a vital service to the community and an area for nature within an ever increasing urban area. The cemetery is in need of some road way improvements to offset the growth of large trees, boundary and internal road side planting to enhance biodiversity and increase the variety and quantity of trees and shrubs.

Table 7: West View Cemetery

Item	Details	Funding	2019 Status
West View Cemetery, West View Road	Internal refurbishment of West View Cemetery welfare facility circa £30,000 including public toilets circa £35,000.	Funding required total estimated cost £65,000	Awaiting funding to be secured.
Management of large tree roots in relation to road ways.	The large trees that are growing next to path ways in the cemetery are lifting the Macadam road surface, making it hazardous to access the cemetery.	Funding is required for this, approx. £10,500.	Awaiting funding to be secured.
Increase internal road way and boundary tree and shrub planting	It is wished to improve the biodiversity and aesthetics of the cemetery by increasing the planting around the boundaries of the cemetery and along the internal road sides	Funding is required for this, £8,000 to £9,000.	Awaiting funding to be secured.
New Macadam areas	As the cemetery expands there is need to increase the road ways to allow access.	Funding is required for this, £51,000.	Awaiting funding to be secured.

APPENDIX 3Grayfields Recreation Ground

- 6.9 Grayfields is one of the largest recreation grounds in Hartlepool offering a large area of green space in the Thornhill Gardens, Chester and Jesmond road area of the town, for many this is the nearest green space.

Table 9: Grayfields Recreation Ground

Item	Details	Funding	2019 Status
Boundary enhancement	There is 1400 m of boundary that if planted with trees and shrubs would improve biodiversity and the quality of the grounds.	Funding is required for this, £40,000 to £50,000.	Awaiting funding to be secured.
Lowering of Poplar trees	There is a large stand of Poplar trees within the site that are now very tall and in danger of being blown over in high winds given the shallow root base of this type of tree, to mitigate this and to encourage lower growth on the trees it is proposed to reduce their height by half	Funding is required for this, £2,500 to £3,500	Awaiting funding to be secured.
Access Improvements	Footpath surfacing improvement works (network totals circa 119 linear meters, approximately 742m ²)	Funding required – could be a phased project, total estimated cost £37,100	Awaiting funding to be secured.

APPENDIX 3Other Northern Hartlepool Key Projects

6.10 Alongside the identified projects, there are several other isolated projects that have been identified for development or improvement within the Northern area.

Table 10: Other North Projects

Item	Details	Funding	2019 Status
Chester Road Allotments	Maintenance of allotments.	Estimated costs not provided.	Ongoing.
King George 5 th Recreation Ground	Boundary enhancement - there is 262 m of boundary that if planted with trees and shrubs would improve biodiversity and the quality of the grounds.	Funding is required for this, £10,000 to £12,000.	Awaiting funding to be secured.
Linear park area to rear of Phoenix Centre	Care of young trees planted previously by volunteers, children and local community, grassland area and pond. Machinery/tools for HBC volunteers 'tool library' to enable volunteers to undertake works.	Strimmer, brushcutter, pole saws, pruning saws, hand tools for pond maintenance circa £2,000.	Awaiting funding to be secured.
Improve existing informal path – Merlin Way to Hart Lane	Improve surfacing to accommodate pedestrian and cycle users	Funding required – total estimated cost £30,000	Awaiting funding to be secured.
Improve existing informal path – Bishop Cuthbert	Improve surfacing to accommodate pedestrian and cycle users	Funding required – total estimated cost £7,000	Awaiting funding to be secured.
Create new pathways – Green Wedge west of Merlin Way	Create new paths to link various housing developments	Funding required – total estimated cost £11,500	Awaiting funding to be secured.

APPENDIX 3

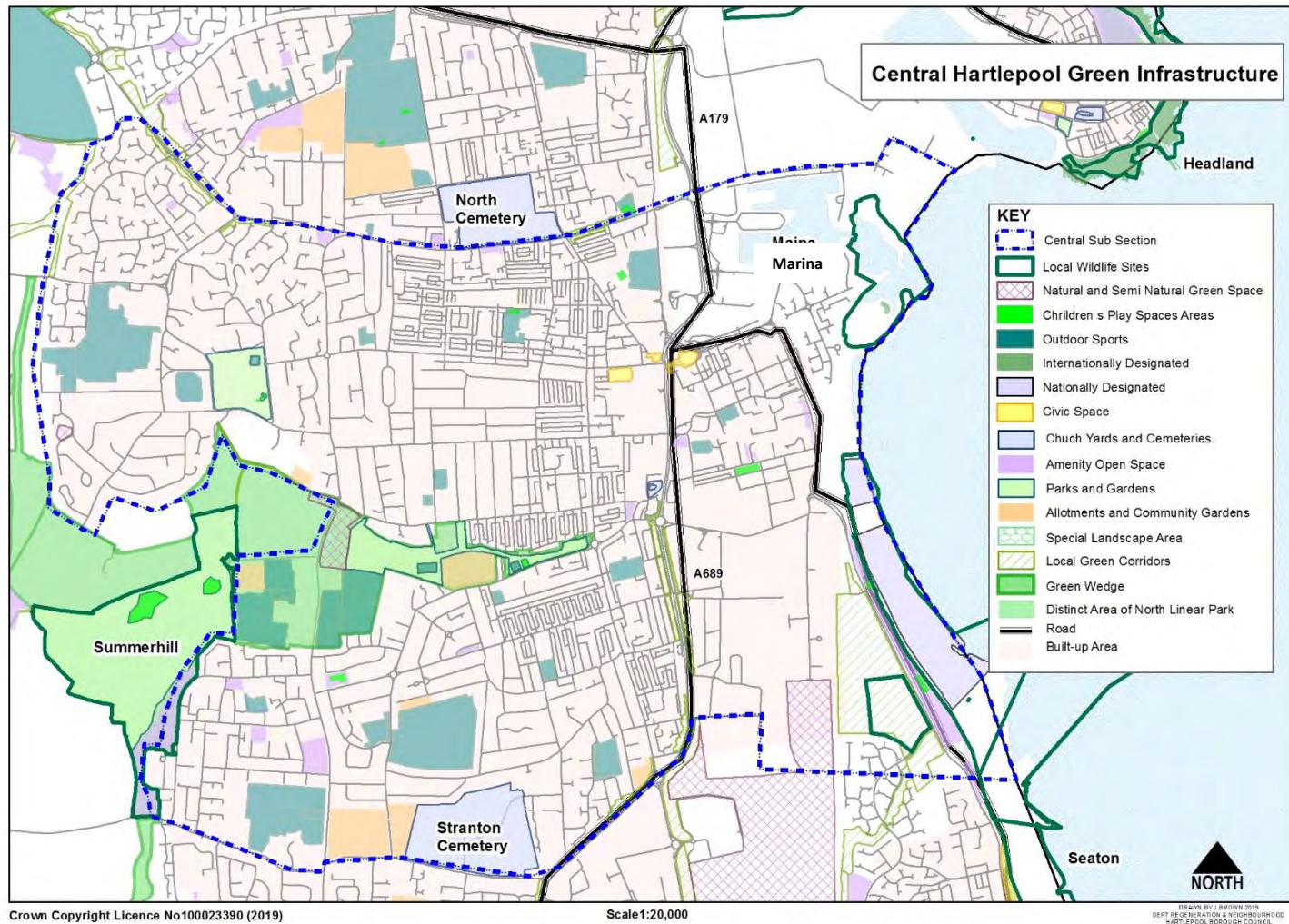
7 Area 4: Central Hartlepool

- 7.1 Hartlepool's central area is considered to be suffering from a deficiency of quality GI – something which is particularly noticeable in the town centre and the northern element of this sub area. However, it is in an ideal location to be well served by the quality GI within the southern and western parts of this sub-area, including Burn Valley Gardens and Ward Jackson Park. The area also houses the two largest sports pitch locations; Brierton School and the Rift House Recreational Ground. As well as this, the allotment sites and major cemetery within this area all help to contribute significantly to the GI not only in this sub-area, but borough wide.
- 7.2 As can be seen in the following map of the central sub-area, it can be noted where the shortfalls of GI can be found specifically. It is of key importance to protect the small pockets of GI as well as exploring ways in which elements of GI can be added in urban areas.
- 7.3 In areas where general green infrastructure is lacking, grass verges and planting can be very beneficial in terms of aesthetics and also providing much needed habitat for wildlife in the area.
- 7.4 Updates and new developments within this area will contribute towards the achievement of objectives **1, 2, 3, 4, 5, 6, 7, 8, 9, 10**.

Future Developments within this area

- 7.5 Emphasis will be placed on enhancements of existing and development of new GI within this area. Burn Valley Green Wedge is protected under policy NE3 to ensure it is maintained as an open and attractive green space in the centre of the borough. Developments within this area may be expected to contribute not only to the larger, more obvious pockets of green infrastructure, but also to the smaller pockets of GI. This contribution could be, for example, through the introduction of street trees – which will help to improve and enhance the feel of the urban space.

Map 5: Central Green Infrastructure Map



APPENDIX 3Burn Valley

- 7.6 The Burn Valley Green Wedge is one of the Central sub-area's greatest GI assets. This wedge previously benefitted from extensive investment through Natural England and the Environment Agency in order to improve a number of aspects of the area. This has enabled enhancements to biodiversity alongside providing safe pedestrian and cycle routes.
- 7.7 The Burn Valley is crucial in creating green linkages between a number of areas of the borough, including the town centre and various residential estates in the central part of the borough. The Upper Burn Valley is a heavily tree planted area with a formal surfaced path running through it from Elwick Road to Catcote Road. Other informal and unsurfaced paths run through the community wood and are used exclusively by pedestrians. The Council will continue to ensure that these routes are well maintained and upgraded where necessary to help promote the use of sustainable travel.

Table 8: Burn Valley GI Projects

Item	Details	Funding	2019 Status
Wildlife improvements	Timber decking for mini-beasts to return to watercourse after seasonal clearance of timber and debris from York Road culvert entrance. Estimate 40m2.	Funding required, total estimated cost £1,500.	Awaiting funding to be secured.
Wildlife improvements	Soft landscaping enhancements to watercourse areas to be undertaken with support from volunteers. Circa 60m2.	Funding required, total estimated cost £1,500.	Awaiting funding to be secured.
Wildlife improvements	Wildlife meadow creation (1000m2) circa £1,250 and bulb planting (100m2) circa £4,000.	Funding required, total estimated cost £5,250.	Awaiting funding to be secured.
Enhancement of public routes	Phase 1 Colwyn Road bridge footpath access point to play area up to Brinkburn Road surfacing improvement works (circa 130 linear meters, approximately 260m2)	Funding required, total estimated cost £13,000.	Awaiting funding to be secured.
Enhancement of public routes	Phase 2 Colwyn Road access point footpath Brinkburn Road towards link footpath to Elwick Road surfacing improvement works (circa 170 linear meters approximately 340m2)	Funding required, total estimated cost £17,000.	Awaiting funding to be secured.

APPENDIX 3

Enhancement of public routes	Phase 3 vehicle and pedestrian bridge area up to upper play picnic area and back to south side path which joins steps and path to Sixth Form college surfacing improvement works (circa 120 linear meters approximately 240m ²)	Funding required, total estimated cost £12,000.	Awaiting funding to be secured.
Enhancement of public routes	Phase 4 steps and path to Sixth Form College surfacing improvement works (circa 165 linear meters approximately 330m ²)	Funding required, total estimated cost £16,500.	Awaiting funding to be secured.
Enhancement of public routes	Phase 5 snake path from Elwick Road to the burn. Replacement of revetments with rock armour	Funding required, total estimated cost £10,500.	Awaiting funding to be secured.



Image 6: Burn Valley

APPENDIX 3Ward Jackson Park

- 7.8 Ward Jackson Park was built in 1883 and boasts a collection of Victorian and Edwardian features and an impressive lake, which have contributed towards its listing in the National Register of Historic Parks and Gardens. The park makes a significant contribution to the currently 'at risk' Park Conservation area and so enhancement and maintenance is essential. The Friends of Ward Jackson Park work in partnership with the Council's Parks and Countryside team in order to keep the park in excellent condition and provide improvements where necessary.
- 7.9 Due to the high level of maintenance which is necessary within the park, contributions from developments within the vicinity that are likely to have an impact on footfall within the park may be required towards particular areas for the financial year.

Table 9: Ward Jackson Park GI Projects

Item	Details	Funding	2019 Status
Enhancement of public access	Internal refurbishment of historic public toilet facilities estimated budget £35,000	Funding required – total estimated cost £35,000	Awaiting on funding to be secured
Dahlia Garden	Soft landscaping improvements to rejuvenate circa 200m2 and provision of benches.	Funding required – total estimated cost £8,800	Awaiting on funding to be secured
Island Erosion Repairs	Remedial work on the island in the lake.	Funding required – total estimated cost £6-7,000.	Awaiting on funding to be secured
Fencing & Railings	Provision of additional security fencing circa 180 linear meters £20,700 and new metal railings circa 200 linear meters £23,000	Funding required - total estimated cost £43,700.	Awaiting on funding to be secured
Invigoration of park boundary planting	To bring more colour and interest, along the inside boundary of the park to Park Ave. This would involve thinning of existing planting and the introduction of new plants of a colourful shrub that fruit.	Funding still required £10,000 to £12,000.	Awaiting on funding to be secured
Ward Jackson Car park surfacing	Ward Jackson Park car park is designed to protect the tree roots underneath and is made of a loose material that has now moved owing to usage and needs releveling and the addition of some new surfacing.	Funding still required £6,000 to £7,000.	Awaiting on funding to be secured

APPENDIX 3Stranton Cemetery

- 7.10 Stranton Cemetery and Crematorium was opened in 1912 and provided a large green space within an urban setting containing a large number of mature trees and shrubs, with a thriving community of rabbits and squirrels amongst other wildlife.

Table 10: Stranton Cemetery

Item	Details	Funding	2019 Status
Tree planting	Small growing decorative trees planted along road sides to enhance the appearance of the cemetery.	Funding still required £50,000 to £57,000.	Awaiting on funding to be secured
Hedge planting	In 2 areas A, Rc 17 & 23 and Con 36 & 34 in area B rear of a car park next to crematorium	Funding still required £3,000 to £4,000.	Awaiting on funding to be secured

APPENDIX 3Other Central Hartlepool Key Projects

- 7.11 Alongside the identified projects, there are several other isolated projects that have been identified for development or improvement within the Central area.

Table 11: Other Central Projects

Item	Details	Funding	2019 Status
Thornton Street linear park	Green space enhancement, provision of standard trees with protective cages	Funding required – total estimated cost £1,800	Awaiting on funding to be secured.
Burbank Street community garden	Green space enhancement, provision of standard trees with protective cages	Funding required – total estimated cost £1,800	Awaiting on funding to be secured.



Image 8: Ward Jackson Park

8 Area 5: South Hartlepool

- 8.1 This area is served by a variety of major GI elements, some of which benefit from established green corridors which aid in linking to other areas of the borough and into the countryside. Investment is needed over the coming years to develop and rejuvenate areas of GI.
- 8.2 The provision of leisure routes within the southern industrial area is necessary to facilitate sustainable travel to work and to significantly improve the linkages south. It is critical that these routes are planned correctly to offer users the opportunity to enjoy a wide range of attractive GI, whilst avoiding any detrimental impact on the environmental designations in the south of the borough.

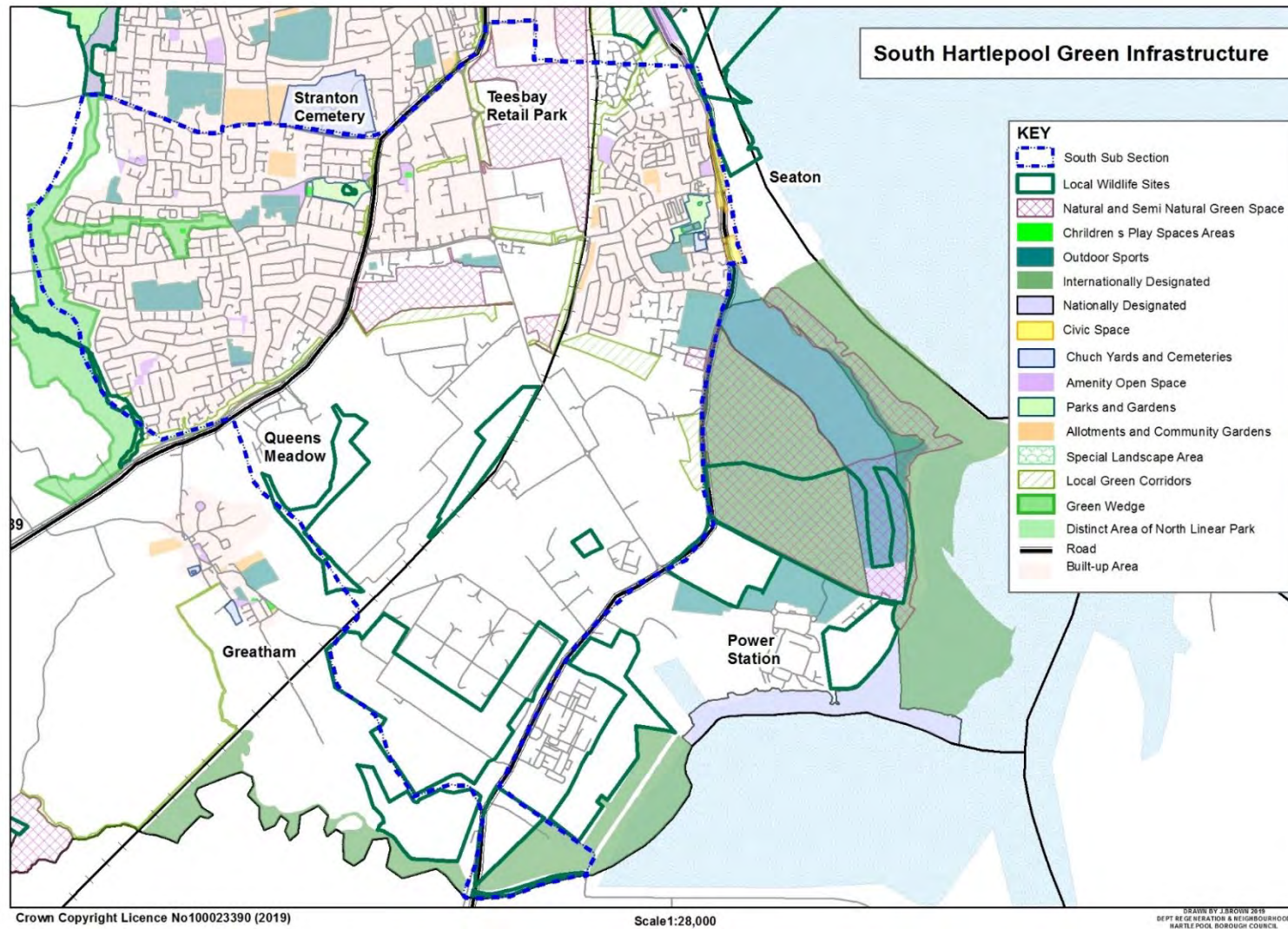
Future Developments within this area

- 8.3 Developments within this area will be expected to contribute towards enhancement of green infrastructure in this area, including the parks, leisure routes and the green wedges. Small scale GI will also be encouraged to improve the links from the south to other parts of the borough. Local Plan policy NE4 protects the ecological network of Dalton Beck/Greatham Beck and prioritises it for enhancement and improvement.



Image 9: Seaton Park

Map 6: Southern Green Infrastructure Map



APPENDIX 3Seaton Park

- 8.4 Some changes have previously been made to the park in accordance with a Masterplan created in 2011 by The Friends of Seaton Park. The final designs for the Masterplan proposes an ambitious redevelopment of the park which will compliment improvements to the sea front whilst also maintaining the traditional features of a neighbourhood park. There are individual projects which will go together to complete the aspirational vision for the park on completion.

Table 10: Seaton Park GI Projects

Item	Details	Funding	2019 Status
Development of new park pavilion	Pavilion includes changing rooms estimated at £1.5m.	Funding required – total estimated cost £1.5m.	Awaiting on funding to be secured.
Footpath network	Improvements and extension to footpath network circa 250lm (500m ²)	Funding required, could be phased, project total estimated cost £25,000.	Awaiting on funding to be secured.
Creation of fitness trail and wildlife margin	Fitness trail and associated landscape improvements.	Funding required – total estimated cost £30,000.	Awaiting on funding to be secured.
Canopy/open pavilion	Introduction of canopy/open pavilion for outdoor activities. Canopy circa £30,000, surfacing circa £20,000, contingency sum and fees circa £10,000	Funding required – total estimated cost £60,000	Awaiting on funding to be secured.
Planting of boundary hedge and tree planting	Provision of boundary hedge 200lm £2,000 including protective 1.2m high post/rail and stock mesh fence £2,400. Tree planting £3,600.	Funding required – total estimated cost £8,000.	Awaiting on funding to be secured.
Boundary treatment	Provision of new metal railing fence along Allendale Road boundary circa 200lm.	Funding required – total estimated cost £23,000	Awaiting on funding to be secured.
Enhancements to main park entrance	To include re-surfacing works, 'gateway feature' and associated landscaping.	Funding required – total estimated cost £30,000	Awaiting on funding to be secured.
Creation of events space and overflow parking.	Creation of event space circa £150,000 to include overflow car parking using SUDS type system. Circa £60,000	Funding required – total estimated cost £210,000	Awaiting on funding to be secured.
Wildlife improvements	Wildflower meadow creation (1000m ²) circa £1,250 and bulb planting (240m ²) circa £9,600	Funding required total estimated cost £10,850	Awaiting on funding to be secured.
Invigoration of park boundary planting to bring	Along Allendale St, Station Ln and to the rear of the Marine Hotel. This would	Funding still required £8,000 to £10,000.	Awaiting on funding to be secured.

APPENDIX 3

more colour and interest	involve thinning of existing planting and the introduction of new plants of colourful shrubs that fruit.		
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Image 10: Seaton Park

APPENDIX 3Other South Hartlepool Key Projects

- 8.5 Alongside the identified projects, there are several other isolated projects that have been identified for development or improvement within the Southern area.

Table 10: Other South Projects

Item	Details	Funding	2019 Status
Rossmere Park	GI improvements.	Various funding required – no details submitted.	Ongoing.
Golden Flatts Green Wedge	Surfaced tracks, woodlands planting, trim trail, play area and pond creation.	Some s106 already secured however further funding required.	Awaiting on funding to be secured.
Brierton Lane and Kingsley Avenue	Footpath improvement between the two.	No details submitted.	Awaiting on funding to be secured.
Brenda Road Brownfield Local Wildlife Site	Countryside management and creation of new ponds.	No details submitted.	Awaiting on funding to be secured.
Belle Vue Way and Brenda Road Roundabout	Landscape improvement works	Funding required – total estimated cost £25,000	Awaiting on funding to be secured.
Creation of new public footpath	Create a new footpath between Longhill Industrial Estate and Station Lane, Seaton Carew	Funding required – total estimated cost £46,500	Awaiting on funding to be secured.

9 Linkages and Movement

- 9.1 The creation and enhancement of green, sustainable links and corridors between areas of GI will be a key priority of the Council and will be of vital importance to the implementation of the Action Plan.
- 9.2 Planting trees, plants and shrubbery to create attractive, multi-functional corridors will ensure that residents and visitors will be able to move freely and safely in a sustainable manner along green corridors between residential, employment and more natural areas. The delivery of these will also contribute towards vital habitats and new wildlife corridors.
- 9.3 It is also important to ensure that as part of new developments, thought is given to how open space, tree planting and walkways are integrated into the plans from the outset so they link into the existing GI network.
- 9.4 These improvements will go hand in hand with the improvements highlighted within this document, alongside any further GI development in the borough. Hartlepool's GI network will develop and grow in the future and develop the multi-functional benefits widely associated with successful GI.

APPENDIX 3**10 How Green Infrastructure Objectives are to be met**

10.1 In order to ensure that the Council is successfully working towards the 10 objectives that are set out in the main document, and at the beginning of this action plan, this table has been created to inform all users and summarise what actions are taking place and need to take place to achieve these.

Objective	Objective Description	Actions to meet Objective
1	Protect a high quality visual landscape and townscape, and enhance the unique character, heritage, function, intrinsic quality and sense of place of Hartlepool's GI network to contribute positively to its distinctiveness.	The Council will continue to work within the sub-areas identified in this document to seek to ensure that the GI components are of a high quality. Developments within the borough will be required to positively reflect the character of the local area.
2	Provide a network of interconnected GI and spaces rich in habitat and home to a diverse range of wildlife which also play a critical role in improving the health of residents through providing attractive opportunities for recreation and sustainable travel.	Policy NE4 specifies that all developments within the borough must take consideration of any ecological importance within the area. Disturbance of ecological networks will be restricted and particular attention will be paid to the priority sections of the network.
3	Minimise the impact of, and adapt to, the effects of climate change, by reducing greenhouse gas emissions, the use of resources, the risk of flooding and pollution and provide for species adaptation by maximising the protection and creation of GI.	All new developments are required to be designed in a way which minimise their impact on the environment. Developments will be encouraged to contribute towards the protection and creation of GI in the area, through design, conditions and planning obligations.
4	Promote the preservation, restoration and re-creation of priority habitats, ecological networks and expanding and linking habitats together, including working across council boundaries where appropriate, to assist in restoring biodiversity and allowing species to respond to climate change.	Policy NE4 recognises priority sections of the ecological network, however the network as a whole is of importance and needs protecting. Developments must consider the natural environment as a whole, and it is encouraged that applicants consult with the Council's ecologist to understand any risks their development pose to ecological networks, the natural environment and any mitigation required to address this.

APPENDIX 3

5	Ensure trees and hedges are protected throughout the borough and integrate planting schemes within all new developments and, on larger housing schemes, deliver new areas of woodland. The conservation of ancient woodland and veteran trees which are irreplaceable is imperative.	Development within the major parks in the borough (Summerhill, Clavering Park etc.) will include new planting schemes, and maintenance of existing trees and hedges. Development which impacts on ancient woodland and veteran trees will be restricted.
6	Protect and enhance a wide range of high quality opportunities for safe and accessible formal and informal sport, recreation and leisure facilities to encourage the community and visitors to undertake a variety of healthy exercise within attractive settings.	Policy NE5 ensures that the Council will protect existing playing fields, tennis courts and bowling greens. Developer contributions towards playing pitches and built sports facilities will be required on a range of developments, to enhance existing or develop new facilities.
7	Involve users, including “friends of” groups, and neighbours of GI in its design, ensuring usability and helping to create a sense of ownership and pride.	Those proposing improvements in areas where “friends of” groups are present e.g. Ward Jackson Park, will be encouraged to consult with these groups to ensure that works completed will be beneficial for the local community.
8	Support economic growth, attract inward investment and support redevelopment of brownfield land by improving the setting of industrial and commercial areas through the delivery and enhancement of quality, distinctive and attractive GI.	The 2018 Local Plan dedicates a chapter to strengthening the local economy. This includes requirements for developments at Queen’s Meadow Business Park to provide high quality landscaping, woodland planting, wildlife habitat enhancement etc. The Council will encourage re-development within brownfield sites.
9	Create a quality, distinctive and productive GI network to support local food production, rural diversification and tourism to meet the needs of local businesses, landowners and to provide a diverse employment base.	GI developments and improvements which are highlighted in this document, alongside any future schemes that may materialise, will where appropriate contribute towards achieving an effective GI network which all residents can reap the benefits of.
10	Ensure key green hubs, such as parks, play spaces and woodlands, are linked by means	New developments may be required make GI contributions where appropriate. Where

APPENDIX 3

	of safe and easily accessible green networks and rights of way that together form a high quality GI grid across the whole of the borough.	necessary, these may go towards enhancing GI links within the local area to ensure access to green hubs is made easier.
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- 10.2 As highlighted in this document, the Council has explored how the proposed developments and enhancement of GI in the sub-areas will contribute towards the achievement of the 10 key objectives. Completing the actions needed to meet these 10 objectives will lead to the Council achieving its vision regarding Green Infrastructure.
- 10.3 It is important to consider that this does not represent an exhaustive list of main GI improvements that are needed within the town, and depending on the type of future developments, alongside their location, the Council may identify a requirement for contributions to other elements of GI including towards smaller, less obvious areas of GI and this will be considered on a case by case basis. Developers must consider that the Council consider improvements in GI as necessary to render a development sustainable. Creation of or enhancements to GI will improve the conditions in which people work and live, encourage sustainable transport and improve the appearance of the borough as a whole, leading to increased visitors, more investment in the borough and overall a better quality of life for residents.

APPENDIX 4

**Green Infrastructure Supplementary Planning Document
Consultation Statement
May 2020**

1. Introduction

- 1.1 The Green Infrastructure Supplementary Planning Document (SPD) has been prepared by Hartlepool Borough Council. The Draft SPD was published for public consultation over a ten week period from 7 February 2020 until 17 April 2020. The consultation period was extended to provide further time to comment in light of the Covid-19 pandemic.
- 1.2 This Consultation Statement addresses the requirements of Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 that requires Local Planning Authorities to prepare a statement setting out:
- the persons the Local Planning Authority consulted when preparing the supplementary planning document;
 - a summary of the main issues raised by those persons; and
 - how those issues have been addressed in the supplementary planning document.
- 1.3 Section 2 of this Statement outlines the consultation processes and provides details of those people and organisations that were consulted.
- 1.4 Section 3 gives an overview of the representations made within the consultation period. Appendix 1 provides a full schedule of the representations made and the Council's response to each. Where a representation has informed a revision to the SPD, this is set out.
- 1.5 Section 4 gives a brief overview of the next steps in the process of adopting the SPD.

2. Consultation Process

- 2.1 A public consultation on the Draft SPD was approved at the Regeneration Services Committee meeting of 5 February 2020.
- 2.2 The public consultation began on the 7 February 2020 until 17 April 2020.
- 2.3 External and internal consultees were contacted via email or letter. This included housebuilders, residents' associations, Parish Councils and adjacent Local Authorities. The statutory consultees Sport England, Historic England, the Environment Agency and Natural England were consulted.
- 2.4 Consultees were informed that a copy of the Draft SPD was available to view at the Civic Centre, Victoria Road, Hartlepool, and online on the Council's Planning Policy webpage. Hard copies were available on request.

3. Representations Made and Officer Responses

- 3.1 A total of 6 consultees made representations on the Draft SPD. The consultees that made representations were: HBC Heritage and Countryside, Historic England, Sport England, Wynyard Park, Natural England & HBC Regeneration Team.
- 3.2 Appendix 1 includes a full schedule of representations, along with an officer response and suggested SPD amendments to reflect the representation is provided at Appendix 1.

4. Next Steps – Adoption

- 4.1 The representations received during the consultation period have, where appropriate, been reflected in the finalised version of the SPD prior to being presented to Regeneration Services for final endorsement and then reported to full Council in **X** for adoption.
- 4.2 It will be important following the adoption that the SPD is kept up to date and modified to reflect any changes in government regulations and emerging opportunities across the Borough.

APPENDIX 4**Appendix 1: Schedule of Representations and Officer Responses**

Respondent	Consultation Feedback	HBC Response/Proposed Action
Heritage and Countryside (Sarah Scarr)	<p>Just a couple of points/queries that I noted in the GI SPD.</p> <p><u>Seaton Park</u> ‘The park is a valuable asset to Seaton Carew, but some restoration is needed.’</p> <p>Is there any information on what restoration is needed?</p> <p><u>Burn Valley Green Wedge Inc. Summerhill Country Park</u> The impression is given that Summerhill is locally listed – it isn’t only Burn Valley Gardens is recognised.</p> <p><u>Cemeteries</u> You may wish to make the distinction between the active cemeteries of Stranton and West View and those which are predominantly full, save for the occasional burial, such as North Cemetery; Richard Harlanderson can provide further information on this.</p> <p><u>Historic Environment</u> I’m not entirely sure what you mean by this example,</p> <p>‘the formal space of Ward Jackson Park provided an opportunity to improve a park but in doing this much wider benefits were fulfilled in regenerating an area and providing a wider offer for visitors to the park.’</p> <p><u>Innovative Ideas</u> The example of the park on Thornton Street is a good example of trying to enhance a difficult area which you could cite.</p>	<p>Noted, amendment at paragraph 6.9 of the Main Document.</p> <p>Noted, amendment at paragraph 6.13 of the Main Document.</p> <p>Noted, addition at paragraph 6.23 of the Main Document.</p> <p>Noted, amendment at paragraph 8.1 of the Main Document.</p> <p>Noted, please see inclusion at 10.3 of the Main Document.</p>
Historic England	<p>We are encouraged by your inclusion of the historic environment within the SPD, for example at paragraph 8.1 the recognition of the interrelationship between the historic environment and GI.</p> <p>The glossary contains terms relating to the historic environment, we would encourage you to refer to Historic England’s Heritage Definitions, and Annex 2 of the National Planning Policy Framework in order to ensure consistency between SPD and these national definitions.</p> <p>For further clarity we recommend that you seek advice from the local authority conservation officer and from the appropriate archaeological staff. They are best placed to provide information on the historic environment, advise on local historic environment issues and priorities, indicate how heritage assets may be affected and identify opportunities for</p>	<p>Noted, it is confirmed that the definitions in the SPD are accurate and in keeping with those of the NPPF and Historic England.</p> <p>The relevant Council officers were consulted on this document and the manager of the section made comments</p>

APPENDIX 4

	securing wider benefits through the conservation and enhancement of the historic environment.	which have been incorporated into the final version, no further action required.
Sport England	<p>There are aspects of both SPDs which have synergy with Sport England's work around Active Design / Active Environments / Active Travel. Modern-day life can make us inactive, and about a third of adults in England don't do the recommended amount of weekly exercise, but the design of where we live and work can play a vital role in keeping us active.</p> <p>We know sport isn't for everyone, but embracing a lifestyle change to be more active can have real benefits including:</p> <ul style="list-style-type: none"> · Improving physical health · Increasing mental wellbeing · Building stronger communities. <p>As part of our drive to create an active environment, Active Design wraps together the planning and considerations that should be made when designing the places and spaces we live in. It's about designing and adapting where we live to encourage activity in our everyday lives, making the active choice the easy choice.</p> <p>Active Design is based around ten principles, and it is considered that the detail of the respective SPDs supports the following principles;</p> <ul style="list-style-type: none"> - 'Activity for all' neighbourhoods - Walkable communities - Connected walking and cycling routes - Network of multifunctional open space - High quality streets and spaces <p>Active Design also recognises that for green infrastructure and the public rights of way network to work well and provide their full worth to the public they need to be supported by;</p> <ul style="list-style-type: none"> - Appropriate infrastructure - Management, maintenance, monitoring and evaluation - Activity promotion and local champions. <p>We've developed a range of support guidance to help Local Authorities in this area.</p> <p>The full Active Design guidance can be found at the following location on our website; https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/spe003-active-design-published-october-2015-high-quality-for-web-2.pdf?uCz_r6UyApzAZlaiEVaNt69DAaOCmkIQ</p> <p>Subsidiary guidance on designing for physical activity - outdoor spaces, and designing for physical activity – routes and wayfinding, both of which I think will be of use, can be found at the following location on our website; https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/designing-for-physical-activity-outdoor-spaces.pdf?oeqbnn6m9d3vmZ7Xh_fldeqWnCpdmFG https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/designing-for-physical-</p>	<p>Noted. It is noted that within this document, the benefit of GI in that it can allow for the provision of exercise has been acknowledged in the document. This document is more so to influence inclusion in the built environment, as opposed to acting as a public document highlighting the benefits of activity.</p> <p>Paragraph 2.1 of the Main Document has been amended to include reference to the Sport England guidance.</p>

	<p>activity-routes-and-wayfinding.pdf?eX2Y6b3P_xuFhf5ESTG0vgHkeNgdcLWz</p> <p>In summary, we wish to express our support for both SPDs. We do however consider that both have a wider public health importance than their focus suggests, and would suggest that perhaps Active Design might provide that bridge to related Local Authority agendas.</p>	
Wynyard Park	<p>Section 2 (Page 6)</p> <p>Paragraph 2.13 sets out the importance of factoring in Green Infrastructure (GI) elements into schemes. Paragraph 2.13 goes on to state that “Where this is not possible or on-site provisions are not considered sufficient, financial contributions towards GI provision within the borough will be sought”.</p> <p>Whilst our client does not oppose this, it is important to ensure that the Council does not seek financial contributions in instances where a development is able to incorporate sufficient provision of GI.</p> <p>As is clear from the adopted Wynyard Masterplan (November 2019), development is being delivered in an attractive setting with an extensive area of existing GI. The Masterplan also details the GI requirements for new development at Wynyard. It is important to note that the Wynyard Masterplan is only an indicative and the quantum and location of the GI is not fixed. That said, our client does not anticipate that there will be justification for the Council to seek financial contributions on top of the GI being delivered by development.</p> <p>Map 1 (Page 16)</p> <p>We have reviewed the GI and Green Wedges shown in the map on page 16 (Map 1) which appears to be consistent with the areas shown on other plans such as the Wynyard Park Indicative Masterplan Framework (ref. AI09 Rev B).</p> <p>Section 10 (Page 27)</p> <p>Section 10 relates to GI within future developments and goes on to list (in paragraph 10.1) a number of housing developments / sites and the requirements relating to GI. The fifth bullet point refers to Wynyard and states: Wynyard developments: The Wynyard Masterplan sets out a green network within the area which will be delivered by developments as they come forward. We recognise and support that the paragraph essentially ‘signposts’ to the approved Wynyard Masterplan which contains further detail on the GI requirements for Wynyard Park and other developments at Wynyard.</p> <p>Green Infrastructure Action Plan</p> <p>As set out on pages 11-15, Wynyard Park is located in “Area 2: Rural Hartlepool”. Paragraph 5.2 refers to the growth and development at Wynyard and that contributions will be expected towards the provision of walking and cycle links in the Borough in order to improve connectivity and enable sustainable methods of travel.</p>	<p>Noted, no change necessary.</p> <p>Noted, no change necessary.</p> <p>Noted, no change necessary.</p>

APPENDIX 4

	<p>Our client does not object to this in principle but wishes to reiterate the provisions of NFFP (2019) paragraph 56 and that planning obligations must only be sought where they meet all of the following tests:</p> <ul style="list-style-type: none"> a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. <p>We also note the projects listed in Table 2 (Summerhill GI Projects) and Table 3 (Other Rural Projects). The majority of the projects in Table 3 are included with funding still required. As stated above, if contributions are sought from development(s) at Wynyard Park, these should meet the tests set out in NPPF paragraph 56.</p>	Noted, no change necessary.
Natural England	<p>The SPD is a very useful document, referring to updated National, Regional and Local Policy Guidance, including the adopted Hartlepool Local Plan (2018), The National Planning Policy Framework (2019) and Tees Valley Green Infrastructure Strategy. The content of the SPD is effective in setting out the objectives and overall vision for the delivery of GI in Hartlepool, highlighting the strengths, weaknesses and functionality of GI within distinct areas of the borough.</p> <ul style="list-style-type: none"> □ The SPD recognises and promotes the realisation of synergies for ecosystem services and climate-change resilience through multi-functional GI, for example by creating and linking ecological networks; by protecting and enhancing biodiversity; through innovative habitat creation in urban and green wedges, and by providing and improving access to sustainable travel networks, helping reduce greenhouse gas emissions. □ A considerable focus of the SPD is also to provide attractive, functional green spaces for exercise and enjoyment by people and supporting business and community adaptation to climate change through the provision of blue/green infrastructure, which is positive. Greener neighbourhoods and improved access to nature may improve public health and quality of life and reduce environmental inequalities. Urban green spaces will also help provide varied ecosystem services and will contribute to coherent and resilient ecological networks. □ As a measure to help realise the vision for Hartlepool, we support the proposed requirement for on-site GI elements to be factored into development schemes through the planning system, understanding that (as stated in the SPD), “where this is not possible or on-site provisions are not considered sufficient, financial contributions towards GI provision within the borough will be sought.” □ The SPD makes reference to protecting, restoring and enhancing biodiversity, with particular references made within Objective 4. Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However your authority should consider the requirements of the NPPF (paragraph 72, 102, 118 and 170) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by 	

APPENDIX 4

	<p>considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space of biodiversity strategies. The Chartered Institute of Ecology and Environmental Management, along with partners, has developed ‘good practice principles’ for biodiversity net gain, which can assist plan-making authorities in gathering evidence and developing policy. The guidance also explores opportunities for the wider environment and developing approaches at the strategic scale, across boundaries.</p> <p>Our specific comments as follows should also be taken in to account in developing the SPD:</p> <p>The draft SPD illustrates and refers to a number of designated sites in Hartlepool, summarised by Appendix 3 of the document. Revision of the draft is recommended, taking account of the following information regarding designated sites in the area:</p> <ul style="list-style-type: none"> □ Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI) was notified in 2019 and amalgamated 7 existing SSSIs, including ‘Seal Sands SSSI’, ‘Seaton Dunes and Common SSSI’, ‘Hartlepool Submerged Forest SSSI’ and the ‘Tees and Hartlepool Foreshore and Wetlands SSSI’. These SSSIs therefore no longer exist. □ (Other SSSIs which were amalgamated include Redcar Rocks SSSI, South Gare and Coatham Sands SSSI; and Cowpen Marsh SSSI). □ Teesmouth European Marine Site (EMS) is the same as the Teesmouth and Cleveland Coast SPA (therefore it is not necessary to list the EMS separately). □ Teesmouth and Cleveland Coast potential Special Protection Area (pSPA) and Teesmouth and Cleveland Coast potential Ramsar (pRamsar) no longer exist; these are now referred to as the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Teesmouth and Cleveland Coast Ramsar. <p>To help clarify how the above influences the details of Appendix 3 (and where corresponding changes may need to be made in the content of the SPD) please see our suggested edits to Appendix 3.</p>	<p>Noted, please see amendment at Appendix 3 of the main document.</p> <p>Noted, reference has been removed in Appendix 3.</p> <p>Noted.</p>
HBC Regeneration Team	<p>Below is an outline of forthcoming project managed by the Regeneration Team which will be influenced by the GI SPD or can contribute to the delivery of the GI SPD ambitions.</p> <p>Town Centre Masterplanning</p> <p>The regeneration team have begun the process of developing a town centre masterplan. The objectives is to renew and reshape Hartlepool Town Centre in a way that improves experience, drives growth and ensures future sustainability. The process of developing these plans will involve working with stakeholders and the community to analyse the current</p>	<p>Please see addition at paragraph 9 of the GI main document – “Regeneration and Green Infrastructure”</p>

APPENDIX 4

	<p>issues for the town centre. There are a number of themes around the future of the town centre that the masterplanning process will consider: How we experience our town; how our town offers convenience; how well serviced the town is and the towns sense of community. Green infrastructure will play a role in improving peoples experience of the town centre through interventions or improvements in small-scale green spaces, urban trees and green public spaces as well as contributing to ‘experience lines’ that will reinforcing connectivity and movement through the town. We see this as valuable in increasing economic activity and investment in the town. Through these improvements we expect GI to also support the development of people’s sense of community through extending dwell times and providing spaces for community congregation for events and activities.</p> <p>Industrial Estate Improvements: Brenda Road Corridor</p> <p>A forthcoming project to enhance the Brenda Road corridor aims to improve the area’s identity as an active business zone using landmark features, treatment of external estate boundaries (particularly frontages) and improved wayfinding into the numerous industrial estates is an opportunity to develop green infrastructure in this area. Addressing the quality of green infrastructure would be aimed at retaining and attracting businesses, encourage private sector investment and improve the sense of place between estates and throughout this area.</p>	<p>this document details the overall importance of the two, and cites the Brenda Road estate as a particular example.</p>
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Report of: Regeneration Services Committee

**Subject: PUBLIC RIGHTS OF WAY AND OTHER ACCESS
SUPPLEMENTARY PLANNING DOCUMENT**

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Part of the Budget and Policy Framework.

2. PURPOSE OF REPORT

2.1 The updated Public Rights of Way and Other Access Supplementary Planning Document (SPD) has been forwarded from Regeneration Services Committee (see **Appendix 3**) following a public consultation on the SPD and amendments being made to the SPD. This report seeks the Council's approval to adopt the SPD.

3. BACKGROUND

3.1 This is a new document within the existing suite of SPDs. The aim of this document is to allow the Council to define relevant standards and provide guidance regarding Public Rights of Way (PRoW) within the borough. This is to ensure that the planning and development process complements the network through sufficiently considering PRoW at early stages and throughout the process.

4. PROPOSALS

4.1 No options submitted for consideration other than the recommendation.

5. LEGAL CONSIDERATIONS

5.1 The SPD has been composed in accordance with the Planning and Compulsory Purchase Act (2004) (as amended) and the Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended).

6. CONSULTATION

- 6.1 The SPD was consulted upon from Friday 7th February until Friday 17rd April 2020. This 10 week period goes above the 6 week statutory consultation period for SPDs, and an additional 2 weeks was allowed for in light of the Coronavirus pandemic. Correspondence was sent to the statutory consultees, and other organisations and interested parties whose details are stored on our consultation database. Representations, an officer response and the resultant amendment to the SPD is included within the Consultation Statement.
- 6.2 The document was available on the Council's website, and a paper copy was made accessible at the Civic Centre.
- 6.3 All comments received were considered, fed into the SPD where appropriate. On 23rd July 2020, the Regeneration Services Committee agreed the contents of the revised SPD and approved it to be considered for adoption at Council.

7. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Financial Considerations	No relevant issues
Child/Family Poverty Considerations	See Appendix 1
Equality and Diversity Considerations	See Appendix 2
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

8. RECOMMENDATIONS

- 8.1 It is recommended that the Council formally adopt the SPD.

9. REASONS FOR RECOMMENDATIONS

- 9.1 The SPD, when adopted, will form part of the Hartlepool Local Development Framework. It will be a material consideration in the determination of planning applications. Following the SPD's recommendations will allow for greater consideration of the role that PRoW plays in the development process.

10. BACKGROUND PAPERS

- 10.1 There are no background papers in relation to this report.

11. CONTACT OFFICER

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POVERTY IMPACT ASSESSMENT FORM

1. Is this decision a Budget & Policy Framework or Key Decision? <u>YES</u> / NO If YES please answer question 2 below				
2. Will there be an impact of the decision requested in respect of Child and Family Poverty? YES / <u>NO</u> 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				
Poverty is measured in different ways. Will the policy / decision have an impact on child and family poverty and in what way?				
Poverty Measure (examples of poverty measures appended overleaf)	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE

POVERTY IMPACT ASSESSMENT FORM

Overall impact of Policy / Decision			
NO IMPACT / NO CHANGE		ADJUST / CHANGE POLICY / SERVICE	
ADVERSE IMPACT BUT CONTINUE		STOP / REMOVE POLICY / SERVICE	
Examples of Indicators that impact of Child and Family Poverty.			
Economic			
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			
Education			
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)			
Housing			
Average time taken to process Housing Benefit / Council tax benefit claims			
Number of affordable homes built			
Health			
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			

APPENDIX 2

EQUALITY AND DIVERSITY IMPACT ASSESSMENT FORM

Department	Division	Section	Owner/Officer
Regeneration & Neighbourhoods	Economic Growth & Regeneration	Planning & Development	Rebecca Cockburn
Service, policy, practice being reviewed/changed or planned	Public Rights of Way and Other Access SPD		
Why are you making the change?	To add this SPD to the existing suite of documents to provide topic-specific guidance.		
How might this impact (positively/negatively) on people who share protected characteristics?			
Please tick			
			POSITIVELY
			NEGATIVELY
Age			
N/A			
Disability			
N/A			
Gender Re-assignment			
N/A			
Race			
N/A			
Religion			
N/A			
Gender			
N/A			
Sexual Orientation			
N/A			
Marriage & Civil Partnership			
N/A			
Pregnancy & Maternity			
N/A			
Has there been consultation /is consultation planned with people who will be affected by this policy? How has this affected your decision making?	A 10 week consultation period was undertaken, which is in accordance with the Council's adopted SCI, and meets the statutory 6 week requirement.		
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good relationships?	The SPD encourages the creation, protection and enhancement of the PRow and access network within the borough.		
Describe how you will address and monitor the impact	1. No Impact - No Major Change There is not considered to be an impact.		
	2. Adjust/Change Policy N/A		
	3. Adverse Impact but Continue as is N/A		
	4. Stop/Remove Policy/Proposal N/A		
Initial Assessment	00/00/00	Reviewed	00/00/00
Completed	00/00/00	Published	00/00/00

REGENERATION SERVICES COMMITTEE

23rd July 2020



Report of: Assistant Director (Environment and Neighbourhood Services)

Subject: PUBLIC RIGHTS OF WAY AND OTHER ACCESS
SUPPLEMENTARY PLANNING DOCUMENT

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Part of the Budget and Policy Framework.

2. PURPOSE OF REPORT

2.1 The purpose of this report is to inform the Regeneration Services Committee of the results from the targeted consultation on the Draft Public Rights of Way and Other Access Supplementary Planning Document (PRoW SPD) that was consulted on between Friday 7th February 2020 and Friday 17th April 2020 and to seek approval for the amended SPD (**Appendix 3**) to be reported to full Council for adoption.

3. BACKGROUND

3.1 This is a new document within the existing suite of SPDs. The aim of this document is to allow the Council to define relevant standards and provide guidance regarding Public Rights of Way (PRoW) within the borough. This is to ensure that the planning and development process complements the network through sufficiently considering PRoW at early stages and throughout the process.

4. PROPOSALS

4.1 No options submitted for consideration other than the recommendation.

5. LEGAL CONSIDERATIONS

5.1 The SPD has been composed in accordance with the Planning and Compulsory Purchase Act (2004) (as amended) and the Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended).

6. CONSULTATION

- 6.1 The SPD was consulted upon from Friday 7th February until Friday 17rd April 2020. This 10 week period goes above the 6 week statutory consultation period for SPDs, and an additional 2 weeks was allowed for in light of the Coronavirus pandemic. Correspondence was sent to the statutory consultees, and other organisations and interested parties whose details are stored on our consultation database. Representations, an officer response and the resultant amendment to the SPD is included within the Consultation Statement (**Appendix 4**).
- 6.2 The document was available on the Council's website, and a paper copy was made accessible at the Civic Centre.
- 6.3 All comments received were considered, fed into the SPD where appropriate, and the attached document is the draft final iteration for Regeneration Services to endorse and forward to full Council for adoption.

7. OTHER CONSIDERATIONS

Risk Implications	No relevant issues
Financial Considerations	No relevant issues
Child/Family Poverty Considerations	See Appendix 1
Equality and Diversity Considerations	See Appendix 2
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

8. RECOMMENDATIONS

- 8.1 Note and agree the content of the revised Public Rights of Way and Other Access SPD following the public consultation and submit the revised SPD to full Council for adoption.

9. REASONS FOR RECOMMENDATIONS

- 9.1 Once adopted, this SPD will form part of the Hartlepool Local Development Framework.

10. BACKGROUND PAPERS

- 10.1 There are no background papers in relation to this report

11. CONTACT OFFICER

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APPENDIX 1**POVERTY IMPACT ASSESSMENT FORM**

1. Is this decision a Budget & Policy Framework or Key Decision? <u>YES</u> / NO If YES please answer question 2 below				
2. Will there be an impact of the decision requested in respect of Child and Family Poverty? YES / <u>NO</u> 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				
Poverty is measured in different ways. Will the policy / decision have an impact on child and family poverty and in what way?				
Poverty Measure (examples of poverty measures appended overleaf)	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE
Overall impact of Policy / Decision				

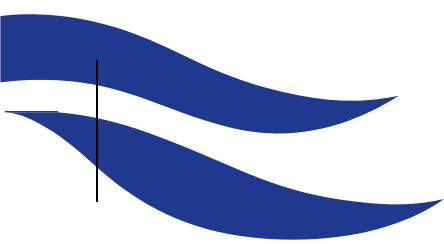
APPENDIX 1**POVERTY IMPACT ASSESSMENT FORM**

NO IMPACT / NO CHANGE		ADJUST / CHANGE POLICY / SERVICE	
ADVERSE IMPACT BUT CONTINUE		STOP / REMOVE POLICY / SERVICE	
Examples of Indicators that impact of Child and Family Poverty.			
Economic			
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			
Education			
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)			
Housing			
Average time taken to process Housing Benefit / Council tax benefit claims			
Number of affordable homes built			
Health			
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			

APPENDIX 2

EQUALITY AND DIVERSITY IMPACT ASSESSMENT FORM

Department	Division	Section	Owner/Officer	
Regeneration & Neighbourhoods	Economic Growth & Regeneration	Planning & Development	Rebecca Cockburn	
Service, policy, practice being reviewed/changed or planned	Public Rights of Way and Other Access SPD			
Why are you making the change?	To add this SPD to the existing suite of documents to provide topic-specific guidance.			
How might this impact (positively/negatively) on people who share protected characteristics?				
		Please tick	POSITIVELY	NEGATIVELY
Age				
N/A				
Disability				
N/A				
Gender Re-assignment				
N/A				
Race				
N/A				
Religion				
N/A				
Gender				
N/A				
Sexual Orientation				
N/A				
Marriage & Civil Partnership				
N/A				
Pregnancy & Maternity				
N/A				
Has there been consultation /is consultation planned with people who will be affected by this policy? How has this affected your decision making?	A 10 week consultation period was undertaken, which is in accordance with the Council's adopted SCI, and meets the statutory 6 week requirement.			
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good relationships?	The SPD encourages the creation, protection and enhancement of the PRow and access network within the borough.			
Describe how you will address and monitor the impact	1. No Impact - No Major Change There is not considered to be an impact.			
	2. Adjust/Change Policy N/A			
	3. Adverse Impact but Continue as is N/A			
	4. Stop/Remove Policy/Proposal N/A			
Initial Assessment	00/00/00	Reviewed	00/00/00	
Completed	00/00/00	Published	00/00/00	



Hartlepool Borough Council

Standards and Guidance for Public Rights of Way

Supplementary Planning Document

Final Version



Contents

1	Introduction	3
2	National and Local Planning Guidance	5
3	The Role of the Council	6
4	The Role of Developers	9
5	The Importance of Design	11
	Appendix 1 -Relevant Local Plan Policies	19

APPENDIX 3**1 Introduction**What is a Public Right of Way (PRoW)?

- 1.1 A public right of way is a way that anyone can legally use 'as of right'. There are a number of differing statuses that allow different levels of use. Footpaths are for pedestrian use only, bridleways allow pedestrians, cyclists and horse riders to access the path and byways add vehicular access to the pedestrians, cyclists and equestrian users. Legally, PRoW forms part of the highway network and is subject to the same protection in law as all other highways.
- 1.2 The aim of this guidance is for Hartlepool Borough Council (the council) to define standards and give relevant advice so that all involved in the planning and development process consider PRoW at an early stage; designing it into a development proposal to deliver the most sustainable and viable scheme.

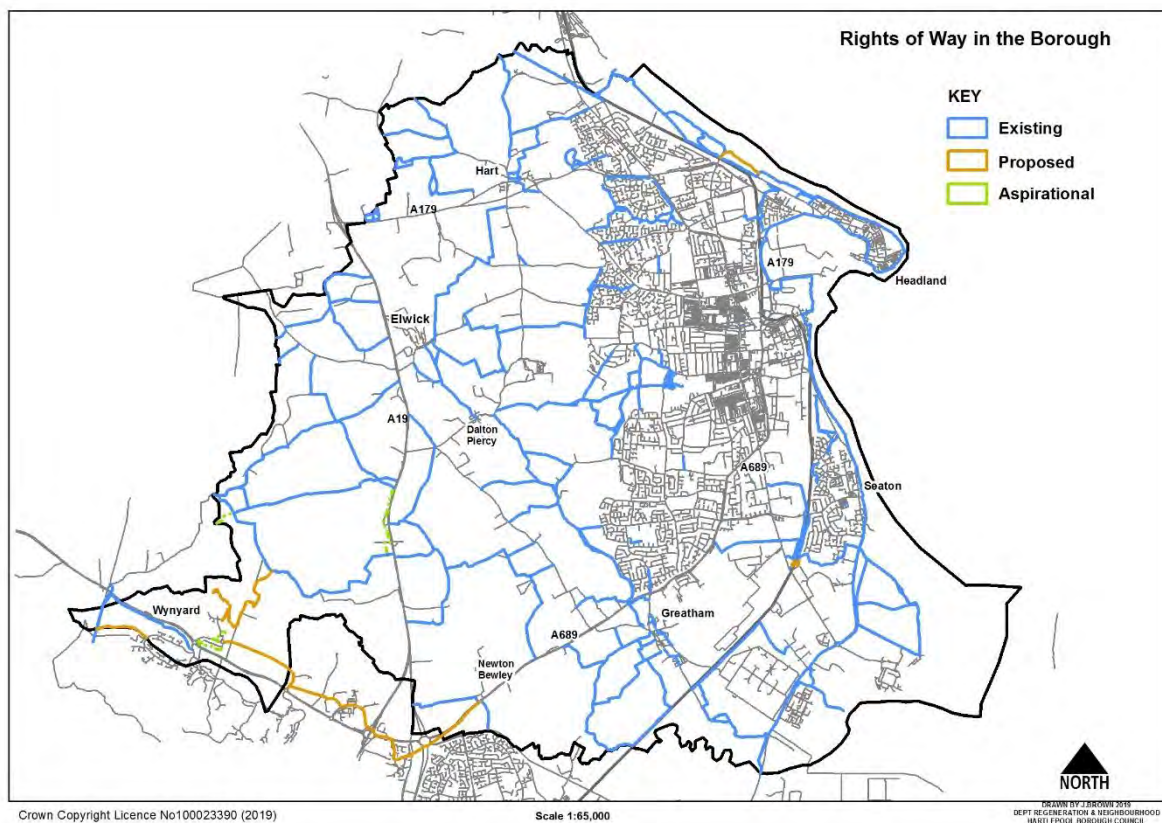
The Importance of Protecting PRoW

- 1.3 PRoW can positively contribute to open space provision and the access network, for a development site.
- 1.4
- 1.4 PRoW run through all types of development areas: residential, commercial, leisure and recreation, agricultural (including horticultural and equine) developments and minerals and waste schemes.
- 1.5 All types of development will have to consider PRoW at the earliest opportunity. The production of an accepted rights of way scheme early on will ensure that the planning process runs smoothly and public access is properly designed into the development proposals.
- 1.6 PRoW and access to the countryside are important elements of Green Infrastructure. The council will ensure that PRoW are protected, enhanced and promoted. Through doing so, it is hoped that it will encourage a healthier lifestyle through making walking routes more accessible.
- 1.7 The PRoW network offers people access to countryside and heritage and this can have a positive effect on quality of life and health. It forms a practical part of our transport network, providing valuable access on foot, bicycle and other modes of transport to the wider countryside, employment, schools, shops and other local amenities.
- 1.8 There may be a need for improvements to the PRoW network linked to development proposals in terms of accessibility, surfacing and connectivity. Where the scale and location of development requires connections and/or leads to increased use, the council will secure these works through appropriate developer contributions and/or planning conditions. Particular consideration will be given to achieving offsite local pedestrian/cycleway routes which connect development sites with employment, services, open spaces, leisure/community uses and strategic access routes.
- 1.9 The grant of Planning Permission in itself does not legally authorise this diversion, extinguishment or other legal change to a PRoW. Anyone undertaking a development that affects a PRoW should be aware that there are legal obligations and procedures, which lie

APPENDIX 3

outside of any grant of planning permission that need to be addressed. Although not all development will impact on PRoW, it is the responsibility of the developer to find out if their development will have an impact or not and the legal obligations of this. This can be done by getting in touch with the Countryside Access Team at **01429 523524** or at rightsofway@hartlepool.gov.uk

Map 1: Rights of Way in the Borough



2. National and Local Planning Guidance

National Planning Policy Framework

- 2.1 Paragraph 98 of the NPPF states that planning policies should protect and enhance PRoW and access and that local authorities should seek opportunities to provide better facilities for users.

Rights of Way Circular (1/09) (2011)

- 2.2 Section 7 of the circular sets out the importance of PRoW when granting planning permission. Section 7.1 states that proposals for the development of land affecting PRoW give rise to the adequate consideration of the rights of way before the decision on the application is taken and the need for the right of way to be kept open and unobstructed once permission has been granted. Section 7.2 highlights that the effect of development on a PRoW is a material consideration in the determination of planning applications.

Hartlepool Local Plan (2018)

- 2.3 Hartlepool Council's Local Plan includes specific policies to protect, enhance and promote the enjoyment of PRoW and countryside access. These policies can be read in Appendix 1.



APPENDIX 3**3. The Role of the Council**

3.1 The council will protect, enhance and promote the enjoyment of the PRow network. This will be achieved by:

- Requiring applicants to record the route of any PRow affected by development, and develop a scheme for their improvement, accommodation or diversion in accordance with the council's legislative PRow standards. For more information on this, please contact the Countryside Access Officer using the contact details in section 1.9.
- Requiring contributions, through planning obligations, towards the PRow network including the delivery of routes both on site and off site as appropriate.
- Not permitting planning applications that contain proposals that would adversely affect the existing PRow network.

Planning Conditions and Planning Obligations

3.2 Development that affects PRow and access to the wider countryside should clearly identify existing PRow and proposed changes to the PRow, and other access links, on the proposed layout plan(s) and supporting information. This will ensure that applicants and developers both consider, at the earliest opportunity, how to plan and incorporate PRow and access into the development. Where appropriate planning conditions or obligations may be imposed requiring the appropriate changes to any PRow or access affected or required by a development. For example detailing

3.3 Prior to the commencement of a development, a scheme for the provision of PRow shall be submitted to and approved in writing by the council to include:

- The design of access and PRow routes (to include landscaping, widths, surfacing and, where necessary, appropriate countryside furniture)
- Proposals for diversion of PRow (where necessary)
- The temporary closure and alternative route provision (where necessary) of an existing right of way

3.4 Any scheme submitted should be in accordance with the approved PRow Standards and Guidance. This is in the interests of the amenity of pedestrians and other non-motorised users and to ensure the safety of users is not compromised by the traffic associated with the development. Developers considering or undertaking works that might affect a PRow are advised to ensure that the definitive legal line of any PRow is mapped at the earliest opportunity and that no development should take place on or near a PRow unless the statutory legal process (where necessary) has been completed in accordance with:

1. An order made, confirmed and certifies under the provisions of Section 257 of the Town and Country Planning Act 1990 (The 1990 Act), or
2. An order made, confirmed and certified under the provisions of sections 25, 26, 116, 118 or 119 of the Highways Act 1980 (The 1980 Act), or
3. An order made under any other relevant legislation concerning the modification, creation, diversion or extinguishment of a right of way.

APPENDIX 3

- 3.5 There may be a requirement to consider an application to temporarily close and/or divert an existing PRow as part of the formal diversion process within the development. This allows a developer to legally either temporarily close, or close and divert the PRow so that the Health and Safety of the public is not compromised and also so that the developer can continue to construct the housing/development without the issues of the public entering a construction site. These Traffic Regulation Orders last, initially, for six months but can be extended for longer periods of time, dependant on the development of the site. It must be noted that this is outside of the control of the planning system and is subject to separate legislation.
- 3.6 The requirement to improve accessibility, surfacing and linkages to existing and proposed rights of way networks will still have to be provided by individual development proposals and this will have to be included, where appropriate, in S106 agreements. Where the scale and location of development will require linkage and/or lead to increased use this Council will secure appropriate planning obligations.

Types of Contribution

- 3.7 New routes or improvements to existing routes and important off-site links (including footpaths, cycleways and bridleways as appropriate) will be sought. These improvements will include surface upgrades appropriate for the use of the end user, erection of structures and countryside furniture, which are access friendly (such as bridges and gates rather than stiles), signage, lighting, dog bins and other works, where appropriate and necessary, to make routes accessible. Contributions will be sought to provide improved links to community infrastructure.
- 3.8 Contributions may include commuted sums to cover establishment, management and maintenance where new routes are required.

Steps of the Process

- 3.9 Table 1 below highlights the process of a planning application, from the initial site allocation to the commencement of planning permission, and it highlights the duties of the council's Countryside Access Officer, alongside the considerations that the applicant/developer must factor in themselves. It is strongly encouraged that applicants factor in PRow at the earliest stage in the process to mitigate against unnecessary delays.

APPENDIX 3**Table 1 - PRow throughout the development/application process**

Stage of the Development/Application Process	Considerations for the Applicant/Developer	Duty of the council's Countryside Access Officer
Site Allocation	The site allocation may highlight access and PRow proposals that should be incorporated into a scheme.	Check site allocation
Master plan/development Proposal	The Definitive Map should be checked and the team contacted to discuss PRow. Consideration given to need for diversion, design and submit RoW scheme.	Check Definitive Map and contact Countryside Access Officer (CAO).
Pre Application	The Heads of Terms for a RoW scheme (including diversion proposals) should be drawn up with Countryside Access Team.	Consider submitted Rights of Way Scheme
Planning Application Submission	A worked up RoW scheme should be submitted. This should be submitted as part of the planning application – together with any diversion application.	Process diversion application
S106	The Section 106 agreement should include contributions towards the maintenance of on-site routes and the enhancement and maintenance of the adjoining network.	Confirm S106 contributions.
Application Process Determination	All design matters regarding the Rights of Way and access routes will have been conducted and detailed in the 'Rights of Way Scheme' document. Conditions may be imposed on the scheme.	Rights of Way scheme approved (with conditions)
Commencement of Planning Permission	Any diversion applications will be processed and there should be continual dialogue with the CAO to ensure that the access is being provided in line with the submitted 'Rights of Way Scheme'.	Rights of way Scheme approved (with conditions)

4. The Role of Developers

Submission of a Rights of Way Scheme

- 4.1 Any development that would affect or include PRow should submit a PRow scheme. Ideally the scheme should be submitted at outline application stage and discussed in pre-application discussions.
- 4.2 It should detail what is proposed for existing routes, including whether the paths are to be incorporated into the design or diverted, landscape proposals for the paths and details regarding new routes and connections to the rights of way and access network.
- 4.3 It must include details regarding how any rights of way are to be dealt with during construction.
- 4.4 The submission of a Rights of Way Scheme will allow for early consideration and aid the effective delivery of development proposals.

A Rights of Way Scheme should include:

- Detail drawings showing the current legal route of the PRow
- An indication of whether a diversion order is required
- Design drawings showing the proposed new routes through the final development
- Details on how the routes are to be dealt with during the layout of the development – i.e. routes for temporary diversions
- Design, surfacing, management and maintenance details

Diversion Schemes

- 4.5 The best route for the right of way may be away from the original line of the path, which means a diversion order would be required. The council will work with developers to divert rights of way as quickly as possible ensuring minimal impact on the development. In order to prevent unnecessary splits from a right of way it may be necessary to extend the diversion beyond the limits of the development and to involve other landowners. For more information on the 1990 Act and 1980 Act Orders, costs and associated timescales please contact the Countryside Access Team on 01429 523524 or email them at rightsofway@hartlepool.gov.uk

Applying for a change to the Rights of Way

- 4.6 The council can consider applications to alter the PRow network ahead of granting planning consent. In order to do this, applicants need to ensure that they have produced and had their Rights of Way Scheme approved by the council.
- 4.7 Applications based on an approved Rights of Way Scheme and submitted with the planning application will be fast tracked and determined at the same time as the application for development consent.

APPENDIX 3

- 4.8 Where a Rights of Way Scheme is either not approved or not submitted, any application to alter a right of way will not be processed until after planning consent has been granted. Additionally, the council may refuse to approve the application and/or oppose the planning proposal if it does not give due consideration to the PRoW network.
- 4.9 Once an application to alter the PRoW network is approved a legal order has to be made and advertised. A charge will be made for Council administration and the cost of advertising the orders. Such orders are subject to public scrutiny and may receive objections. The council can only confirm an order if it is unopposed. If objections are received and not withdrawn, the order can only be confirmed by the Secretary of State for Environment, Food and Rural Affairs after having considered the objections – a process that can take around nine months. No development affecting the legal line of a public right of way can take place until an order has been confirmed and if necessary, certified. A further charge will be made for advertising any confirmed orders and associated certificates.

Construction Phase

- 4.10 It is imperative that the route of any PRoW should be delineated through any development site throughout its construction phase. If a path is to be left on its original line – the route (including the width) will have to be accurately surveyed and pegged before any works takes place. The Countryside Access Team can assist in this process.
- 4.11 Developers may need to apply for temporary diversions and will be expected to provide an alternative route through or around the site (wherever practical). A charge will be made for this process.
- 4.12 Any diverted routes should be provided at the earliest opportunity along an agreed route and should be surfaced to the standard agreed by the council.

5. The Importance of Design

Development and Path Design

- 5.1 A development site which is affected by PRoW requires careful planning. It is not always practical to keep a PRoW on its original legal line and a diversion under the 1990 Act may be required.
- 5.2 Ideally, the Council would not encourage the incorporation of PRoW directly alongside estate roads, permanent extinguishments, or unofficial diversions/encroachments. However, proposals on landscaped areas which follow the route of the road might be deemed acceptable if there is sufficient separation between the route and the road. Proposals should give due consideration to the existing rights of way and their links with nearby communities.

Links to Community Facilities

- 5.3 PRoW often provide valuable links between communities/villages and to local facilities such as schools, shops and pubs. New developments may place pressure on these paths but provide an opportunity for localised enhancement by better design or contributions towards off-site mitigation or improvements.

Design

- 5.4 The relationship between a proposed development and the established landscape as well as the standards within the design guide are key principles that should be considered when looking at how PRoW and the countryside access network are to be incorporated into a development. Local character and distinctiveness should be factored into the design on new access routes.
- 5.5 The council looks for PRoW to run in green corridors which connect to other rights of way and to nearby facilities and amenities. The priority is to create an enjoyable, easy accessible, direct network.
- 5.6 Sport England's Active Design guidance is a recommended resource for developers to use. This guidance recognises the importance of the PRoW network and provides information regarding how their full worth to the public can be unlocked.

Poorly designed paths

- 5.7 The following picture examples show routes which are narrow and enclosed, badly designed, are poorly incorporated into public open space and infringe unduly on private space.



- 5.8 Poorly designed paths can be unattractive, alter people’s perception of route safety, and have a potential to deter public usage. Poor design may also lead to criminal activity and anti-social behaviour.

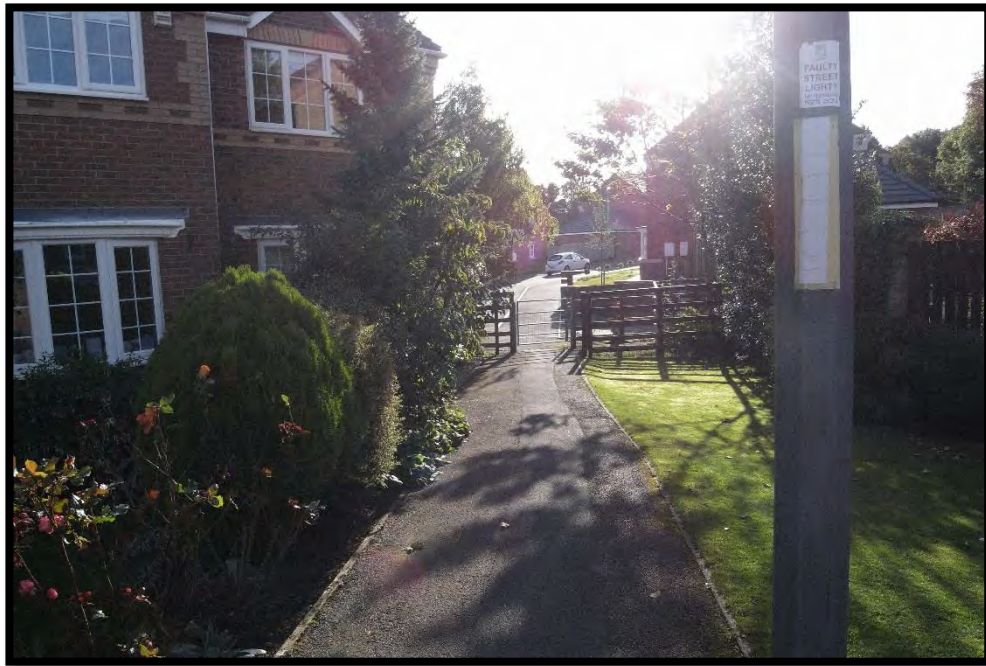
Well Designed Paths

- 5.9 The following images show examples of well-designed paths. These paths are attractive, open and overlooked, and this is likely to be safer and less likely to give rise to crime and anti-social behaviour.



Path Standards

- 5.10 Paths should run through open landscaped areas away from roads. They should form part of the open space provision and, where possible, should be overlooked and free from sharp bends, in order to prevent areas where crime is easier to commit.
- 5.11 In general terms, the relevant design and engineering standards should be taken from the standards below. *(Supported by Department for Transport, CBC Design Code, Sustrans, and The Fieldfare Trust’s Accessibility Standards and guidance).*



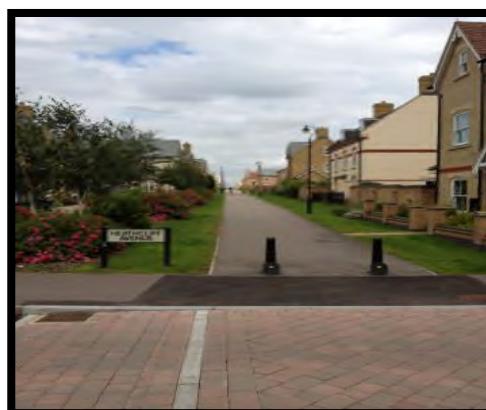
Accessibility

- 5.12 All paths should adhere to the Access 4 All Principle in order to ensure they are accessible to all users. Any countryside furniture to be installed should be mobility friendly. The following countryside furniture is recommended:
- Self-closing pedestrian and equestrian gates; these gates range from 1.0 metres to 1.2 metres in width (actual opening width). They are robust galvanised steel construction with a 15 to 20 year life.
 - Kissing gates; these gates incorporate a system that allows pushchairs and wheelchairs through but also prevent egress for agricultural stock. They have been used in fields of sheep and cattle and are effective.
 - Motorbike Inhibitors (A Frames); these structures allow pushchairs and wheelchairs as well as some makes of mobility scooters through. Cyclists can also use these effectively.
- 5.13 Purchasing furniture that complies with British Standard BS5709:2018 for Gaps, Gates and Stiles will ensure that mobility friendly furniture is installed where possible.

APPENDIX 3Urban Paths

- 5.14 An urban path should connect with other nearby communities, facilities and amenities. It should be direct and easily accessible to all nearby residents. The path should have a sealed surface and be incorporated within a green corridor, with an appropriate width, with raised tables, dropped kerbs and appropriate markings/signage at road junctions. If necessary, the path should utilise barriers, bollards, soft furniture etc. to prevent vehicular access.

Table 2 – Urban Path Requirements



Minimum Width	Landscaping considerations	Other matters
2m surfaced footpath 3m surfaced cycle route	Tarmac surface Min 1m green space on either side	No high fences or planting Not to be along estate roads or private roads



APPENDIX 3Urban Edge Paths

- 5.15 These paths should provide users with a gateway into the nearby countryside. They will typically have a surface dressing to ensure they are useable throughout the year, yet the surface should use materials which will easily blend the paths into their rural surroundings. These paths need to be clearly waymarked and signposted; with map boards used at all main exits of the existing rights of way network.



Table 3 – Urban Edge Path Requirements

Minimum Width	Landscaping considerations	Other matters
2m surfaced footpath 3m surfaced cycle route	Bound surface Located in green corridor	Located in open space



APPENDIX 3Rural Paths

- 5.16 Rural paths will have a natural surface that is level and well drained. These paths need to be waymarked and should be at least 2m wide. They need to have good connections with other rights of way and not be enclosed by high fences or shrubs.

Table 4 – Rural Path Requirements

Minimum Width	Landscaping considerations	Other matters
2m footpath 4m bridleway	Min. 1m greenspace either side Min. 1m greenspace either side	No high fences or planting Not along estate roads or private roads



APPENDIX 3Minerals and Waste

- 5.17 Paths provided through quarry restoration schemes should be provided to a high standard in order to encourage use by a variety of legal users. They should have a surface dressing to ensure they are useable throughout the year, yet the surface should use materials which will easily blend the paths into their rural surroundings. Materials should be ideally sourced from the quarry itself. Paths need to be clearly waymarked and signposted; with map boards used at all main exits of the existing rights of way network.



Table 5 – Quarry Restoration Path Requirements

Minimum width	Landscaping considerations	Other matters
2m surfaced footpath 3m surfaced cycle/bridleway route	Min. 1m greenspace either side Min. 1m greenspace either side	No high fences or planting

APPENDIX 3Commercial/Industrial Development

- 5.18 Paths through these areas should have a sealed surface and be incorporated within a green corridor or the public realm, with a width of at least 2 metres, with drop kerbs and appropriate markings/signage at road junctions.
- 5.19 It is acknowledged that these sites may have particular security arrangements; however, security measures should not be put in place to the detriment of access and rights of way.



Table 6 – Commercial/Industrial Path Requirements

Minimum Width	Landscaping considerations	Other matters
2m surfaced footpath 3m surfaced cycle route	Min. 1m greenspace either side Min. 1m greenspace either side	No high fences or planting Not to be along estate roads or private roads

Appendix 1 – Relevant Local Plan Policies

INF1: Sustainable Transport Network

In Hartlepool, a key priority of a sustainable transport network is to provide a comprehensive, safe and well-managed network of footpaths and cycle routes throughout the borough linking residential areas with employment sites, shopping and community facilities, and leisure/recreation sites.

INF2: Improving Connectivity in Hartlepool

The council will aim to maximise the level of sustainable access to areas of development, which includes ensuring safe, attractive and well-lit pedestrian and cycle routes.

QP1: Planning Obligations

Planning obligations will be sought where viable and deemed to be required to address the impacts arising from a development. Green infrastructure (including PRow) is an area towards which obligations may be sought.

HSG4: The South West Extension Strategic Housing Site

Within the South West Extension appropriate vehicular, pedestrian and cycle linkages to the adjoining urban and rural area must be provided with each phase of the development.

HSG5: High Tunstall Strategic Housing Site

Within the High Tunstall site appropriate vehicular, pedestrian and cycle linkages to the adjoining urban and rural area must be provided with each phase of the development.

HSG5a: Quarry Farm Strategic Housing Site

Within the Quarry Farm site appropriate vehicular, pedestrian and cycle linkages to the adjoining urban and rural area must be provided as part of the development.

HSG6: Wynyard Housing Development

Within the Wynyard Developments appropriate pedestrian and cycle linkages to the adjoining areas at Wynyard and linking to Hartlepool along the A689 must be provided by the development.

HSG7: Elwick Village Housing Development

Within the site at Elwick, appropriate pedestrian and cycle linkages to the adjoining areas of countryside and linking to Hartlepool along Elwick Road will be required as part of the residential development.

HSG8: Hart Village Housing Development

At the Hart Village sites, appropriate pedestrian and cycle linkages to the adjoining areas of countryside and linking to Hartlepool along the footpath adjacent to the A179 will be required.

RUR1: Development in Rural Areas

Developments in the rural area has the responsibility to, where possible, create and improve sustainable connectivity.

RUR4: Equestrian Development

Equestrian development will be supported as an appropriate use in the rural area where they are located close to existing bridleways or other routes suitable for trekking or hacking out where this forms part of the business; where this is not the case, provision of safe equine routes should be provided.

APPENDIX 3

RC2: Town Centre

Where appropriate, all developments should provide improvements to connectivity from the Town Centre to Edge of Town Centre areas and the Retail and Leisure Parks including improved pedestrian and cycle provision.

RC5: The Brewery and Stranton Edge of Town Centre Area

Development should facilitate, where appropriate, improvements to connectivity to the Burn Valley Green Wedge through environmental improvement works and improved pedestrian and cycle provision.

RC6: East of Stranton Edge of Town Centre Area

All development should facilitate, where appropriate, improvements to connectivity to the Town Centre by improving crossing points and cycling facilities.

RC7: Lynn Street Edge of Town Centre Area

All development should facilitate, where appropriate, improvements to connectivity to the Town Centre and Retail and Leisure Parks to the north of the railway through improved pedestrian and cycle provision.

RC8: Mill House Edge of Town Centre Area

All development should facilitate, where appropriate, improvements to connectivity to the Town Centre through environmental enhancement works and improved pedestrian and cycle provision.

RC12: The Marina Retail and Leisure Park

Development should facilitate, where appropriate, improvements to connectivity to the Town Centre and the Retail and Leisure Parks through improved pedestrian and cycle links.

RC13: West of Marina Way Retail and Leisure Park

All development should facilitate, where appropriate, improvements to connectivity to the Town Centre and the adjacent Retail and Leisure Parks through improved pedestrian and cycle links and cycling facilities.

RC14: Trincomalee Wharf Retail and Leisure Park

All development should facilitate, where appropriate, improvements to connectivity to the Town Centre and the Retail and Leisure Parks through improved pedestrian and cycle links.

RC15: Tees Bay Retail and Leisure Park

All development should facilitate, where appropriate, improvements to connectivity to the surrounding area, especially to the Town Centre and Seaton Carew train station through improved public transport provision and facilities and pedestrian and cycleway provision and facilities.

RC16: The Local Centres

All development in the local centres should facilitate, where appropriate, improvements to connectivity to the surrounding area through improved pedestrian and cycle provision.

LT1: Leisure and Tourism

Summerhill will continue to be developed as a focus for access to the countryside, nature conservation and informal recreational and leisure activities such as walking, cycling and climbing.

LT2: Tourism Development – Marina

Developments should link to each other and to leisure and tourism attractions across the borough by incorporating and encouraging sustainable transport links through the provision and enhancement of pedestrian and cycle routes.

NE2: Green Infrastructure

The council will investigate the potential for improving access to open spaces and the countryside and will seek opportunities to expand and improve the Rights of Way network, making it accessible to sections and groups in the community in accordance with policy QP3.

**Standards and Guidance for Public Rights of Way Supplementary
Planning Document
Consultation Statement
May 2020**

1. Introduction

- 1.1 The Standards and Guidance for Public Rights of Way Supplementary Planning Document (SPD) has been prepared by Hartlepool Borough Council. The Draft SPD was published for public consultation over a ten week period from 7 February 2020 until 17 April 2020. The consultation period was extended to provide further time to comment in light of the Covid-19 pandemic.
- 1.2 This Consultation Statement addresses the requirements of Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 that requires Local Planning Authorities to prepare a statement setting out:-
- the persons the Local Planning Authority consulted when preparing the supplementary planning document;
 - a summary of the main issues raised by those persons; and
 - how those issues have been addressed in the supplementary planning document.
- 1.3 Section 2 of this Statement outlines the consultation processes and provides details of those people and organisations that were consulted.
- 1.4 Section 3 gives an overview of the representations made within the consultation period. Appendix 1 provides a full schedule of the representations made and the Council's response to each. Where a representation has informed a revision to the SPD, this is set out.
- 1.5 Section 4 gives a brief overview of the next steps in the process of adopting the SPD.

2. Consultation Process

- 2.1 A public consultation on the Draft SPD was approved at the Regeneration Services Committee meeting of 5 February 2020.
- 2.2 The public consultation began on the 7 February 2020 until 17 April 2020.
- 2.3 External and internal consultees were contacted via email or letter. This included housebuilders, residents' associations, Parish Councils and adjacent Local Authorities. The statutory consultees Historic England, the Environment Agency and Natural England were consulted.
- 2.4 Consultees were informed that a copy of the Draft SPD was available to view at the Civic Centre, Victoria Road, Hartlepool, and online on the Council's Planning Policy webpage. Hard copies were available on request.

APPENDIX 4

3. Representations Made and Officer Responses

- 3.1 A total of 5 consultees made representations on the Draft SPD. The consultees that made representations were: HBC Development Control, HBC Countryside Access Officer, Historic England, Sport England and Wynyrd Park.
- 3.2 Appendix 1 includes a full schedule of representations, along with an officer response and suggested SPD amendments to reflect the representation is provided at Appendix 1.

4. Next Steps – Adoption

- 4.1 The representations received during the consultation period have, where appropriate, been reflected in the finalised version of the SPD prior to being presented at full Council in **X** for adoption.
- 4.2 It will be important following the adoption that the SPD is kept up to date and modified to reflect any changes in government regulations and emerging opportunities across the Borough.

Appendix 1: Schedule of Representations and Officer Responses

Respondent	Representation Feedback	HBC Response/Proposed Action
HBC Development Control (Daniel James)	<p>I would suggest merging the title at 3.2 to 'Planning Conditions and Planning Obligations' (as both are correctly referenced in that section). You could then probably merge the 3.6 para (planning obs) into that main section. As an example, works to create or extend a PRoW (beyond the site boundary) would be through a planning obligation as you correctly note in para 3.6. Where a PRoW runs through an actual site (for example High Tunstall), we would apply a condition such as:</p> <p>"No part of the development of Parcel A shall be occupied until details for the works to Public Right of Way (Public Footpath No 7, Hartlepool) located in parcel A have been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include details of surfacing, countryside furniture and dropped kerbs, and a timetable for the implementation of the agreed works. Thereafter, the scheme shall be carried in accordance with the agreed details and timetable, to the satisfaction of the Local Planning Authority. In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area."</p> <p>In that instance, Chris discussed the PRoW matter direct with the applicant through the process (their plans reflected that there was a PRoW) with final details left to condition (as above). We also usually put an informative on directing them to contact Chris Scaife at the earliest stage.</p> <p>It may be worth clarifying a para 3.5 (temp stopping up etc) would be outside of planning control/subject to appropriate legislation?</p> <p>Just in terms of the processes list/table which looks good, as I previously indicated (see attached email), some developers may not have engaged at pre-app and may not be aware of PRoW and therefore it would not be reflected in initial submission – usually throughout the application process they will have to amend the plans to incorporate the PRoW with final details subject to condition. Again, I appreciate the list is likely to be an ideal scenario (OSS, submitted at validation stage etc) as I think it would be difficult to make it a formal requirement for the provision of PRoW details (that run through at site) at validation stage – they may not have that info and we as DC officers don't.</p>	<p>Noted, changes have been made to the title at 3.2 and paragraph 3.6 has been merged into this section.</p> <p>Noted, additional sentence added to paragraph 3.5 to clarify this matter.</p> <p>Noted, no further change required.</p>
Countryside Access Officer (Chris Scaife)	<p>Many thanks for the email and I hope the following information helps to clear up this concern of access and those with mobility issues. It is not just a question of disability but it covers a range of many users: old, young, infirm, mothers or fathers with pushchairs, wheelchair and mobility scooter users and those with short terms as well as long term or permanent disability. This list is not comprehensive but shows the range of people we cater for.</p>	<p>Noted, additional information added at paragraph 5.11 and 5.12.</p>

APPENDIX 4

	<p>I adhere to the Access 4 All Principle and so the countryside furniture I install is mobility friendly and does take into account those with mobility issues.</p> <p>We use the following furniture when replacing old stiles or old wooden pedestrian gates.</p> <ul style="list-style-type: none"> - Self-closing pedestrian and equestrian gates; these gates range from 1.0 metres to 1.2 metres in width (actual opening width). They are robust galvanised steel construction with a 15 to 20 year life. - Kissing gates; these gates incorporate a system that allows pushchairs and wheelchairs through but also prevent egress for agricultural stock. They have been used in fields of sheep and cattle and are effective. - Motorbike Inhibitors (A Frames); these structures allow pushchairs and wheelchairs as well as some makes of mobility scooters through. Cyclists can also use these effectively/ <p>Other gates/barriers are used in relation to equestrian use, disallowing the passage of mechanically propelled vehicles. We use these in conjunction with A Frames as a way to prevent illegal vehicular use. The barriers allow the safe passage of horses but are prevention against most determined quads and motorbikes and the A Frame, similarly allows pedestrian/cyclist access, as well as those with mobility issues.</p> <p>Where possible we will do our best to provide the best access for as many users as we can. This is on a normal basis of replacement and repair as well as new, in relation to planning applications and development.</p> <p>We do try to purchase furniture that complies with British Standard BS5709:2018 for Gaps, Gates and Stiles. This means that we will install mobility friendly furniture wherever we can.</p> <p>Ultimately we do try to have open access where the development can allow but realise that we need to protect regular and legal users against illegal users.</p> <p>The Council as a Highway Authority, has a legal statutory duty to protect all public rights of way and protect all legal users of these rights of way.</p>	
Historic England	<p>We would encourage you to consider the historic environment in the production of your SPD. We recommend that you seek advice from the local authority conservation officer and from the appropriate archaeological staff. They are best placed to provide information on the historic environment, advise on local historic environment issues and priorities, indicate how heritage assets may be affected and identify opportunities for securing wider benefits through the conservation and enhancement of the historic environment.</p>	<p>The relevant Council officers were consulted on this document, no further action required.</p>
Sport England	<p>There are aspects of both SPDs which have synergy with Sport England's work around Active Design / Active Environments / Active Travel. Modern-day life can make us inactive, and about a third of adults in England don't do the</p>	<p>Noted. 1.7 does acknowledge a link between the PRow network and health but</p>

APPENDIX 4

	<p>recommended amount of weekly exercise, but the design of where we live and work can play a vital role in keeping us active.</p> <p>We know sport isn't for everyone, but embracing a lifestyle change to be more active can have real benefits including:</p> <ul style="list-style-type: none"> . Improving physical health . Increasing mental wellbeing . Building stronger communities. <p>As part of our drive to create an active environment, Active Design wraps together the planning and considerations that should be made when designing the places and spaces we live in. It's about designing and adapting where we live to encourage activity in our everyday lives, making the active choice the easy choice.</p> <p>Active Design is based around ten principles, and it is considered that the detail of the respective SPDs supports the following principles;</p> <ul style="list-style-type: none"> 'Activity for all' neighbourhoods Walkable communities Connected walking and cycling routes Network of multifunctional open space High quality streets and spaces <p>Active Design also recognises that for green infrastructure and the public rights of way network to work well and provide their full worth to the public they need to be supported by;</p> <ul style="list-style-type: none"> Appropriate infrastructure Management, maintenance, monitoring and evaluation Activity promotion and local champions. <p>We've developed a range of support guidance to help Local Authorities in this area.</p> <p>The full Active Design guidance can be found at the following location on our website; https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/spe003-active-design-published-october-2015-high-quality-for-web-2.pdf?uCz_r6UyApzAZlaiEVaNt69DAaOCmkIQ</p> <p>Subsidiary guidance on designing for physical activity - outdoor spaces, and designing for physical activity – routes and wayfinding, both of which I think will be of use, can be found at the following location on our website; https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/designing-for-physical-activity-outdoor-spaces.pdf?oeqbnn6m9d3vmZ7Xh_fldeqWnCpdmFG https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/designing-for-physical-activity-routes-and-wayfinding.pdf?eX2Y6b3P_xuFhf5ESTG0vgHkeNgdcLWz</p> <p>In summary, we wish to express our support for both SPDs. We do however consider that both have a wider public health importance than their focus suggests, and would suggest that perhaps Active Design might provide that bridge to related Local Authority agendas.</p>	<p>this can be expanded upon. Please see addition to paragraph 1.6 which details this further. Paragraph 5.6 signposts developers to the Sport England guidance as a useful resource.</p>
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APPENDIX 4

Wynyrd Park	<p>Map 1 (Page 4)</p> <p>The SPD includes a map (Map 1) on page 4 which shows the ‘Existing’, ‘Proposed’ and ‘Aspirational’ Rights of Way in the Borough. We have compared this map with Figure 9 in the adopted Wynyrd Masterplan (November 2019) and the Wynyrd Park Indicative Masterplan Framework.</p> <p>The Rights of Way (RoW) shown in Map 1 in the SPD which fall within Wynyrd Park, and on land within our client’s control, are generally consistent with those shown in the Wynyrd Masterplan (Figure 9). The SPD also includes a ‘Proposed’ RoW along the route of the east-west link road through Wynyrd Park and an ‘Aspirational’ RoW towards the south west area of Wynyrd Park which would provide a connection to the ‘Existing’ RoW south of the A689.</p> <p>As shown on the Wynyrd Park Indicative Masterplan Framework (ref. AI09 Rev B), the ‘Potential Footpath Network’ (identified on the plan by the yellow dashed lines) is extensive. Whilst all routes will not officially be Public Rights of Way, Wynyrd Park will deliver a wide range of recreational footpaths, cycleways and connections which will facilitate access to open and green areas.</p> <p>Section 3 (Page 6)</p> <p>This section of the draft SPD sets out ‘The Role of the Council’ and also the requirements during the various stages – planning application, conditions, statutory process – should a development affect a Public Right of Way (PRoW).</p> <p>In instances where a PRoW would be affected by development, the bullet points in paragraph 3.1 indicate that the Council will require a scheme for their improvement and diversion arrangements at the planning application stage. In Section 4 (The Role of the Developers), paragraph 4.1 also refers to schemes being submitted at the outline application / pre-application stages. This is onerous to provide at this stage in the process and this requirement should be deleted. Section 3 goes on to include an example planning condition (paragraph 3.3) to secure the submission and approval of a scheme. The post-planning application stage is considered to be a more appropriate time to submit this information. As such, we suggest that the section is amended to avoid ambiguity.</p> <p>Section 5 (Pages 11-13)</p> <p>Section 5 of the draft SPD provides detail relating to the Council’s expectations of the design of PRoW. Following our review, there are some instances where it would be helpful for the SPD to be amended to provide clarity and avoid ambiguity.</p> <p>For instance, paragraph 5.2 states that, among other points, “The council does not encourage or support the incorporation of rights of way along estate roads”. At paragraphs 5.5 and 5.9, the draft SPD goes on to outline the Council’s preference for PRoW to be located in “green corridors” and in “open landscaped areas away from roads”.</p>	<p>Noted, no change required.</p> <p>Noted, however the Council deem it as an aspirational requirement and there are some instances where developers are able to submit this information at pre-application stage. The wording at 4.1 clearly states that this is an ideal situation and so it is not deemed necessary to make further changes.</p>
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APPENDIX 4

	<p>We suspect that paragraph 5.2 seeks to avoid scenarios where a PRow immediately adjoins a road with a hard surface. However, it is unclear whether the Council would be willing to support a PRow which is routed through an attractive landscaped area which provides separation from the road but generally follows its alignment.</p> <p>To put this into context, on the first page of this letter, we referred to Map 1 on page 4 of the SPD and highlighted a proposed RoW at Wynyard Park and its alignment with the east-west link road through the development. This PRow is likely to be located through an attractive landscaped area (as per the above paragraph) but, to all intents and purposes, its route will follow a road. It should also be noted for context that, whilst this section of the PRow follows the road, it does ultimately connect with routes which allow access to the more rural surroundings.</p> <p>To provide further clarity we suggest that the text in Section 5 is amended to allow for such instances.</p>	<p>Noted, amendments have been made to paragraph 5.2</p>
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COUNCIL

17 September 2020



Report of: Neighbourhood Services Committee

Subject: ALLOTMENTS SERVICE REVIEW AND DISPUTE
RESOLUTION PROCESS

1. PURPOSE OF REPORT

- 1.1 At Full Council on 20th February 2020 it was agreed by Members that a report would be submitted to the Neighbourhood Services Committee before the end of the municipal year and the issue in relation to the location of allotments in the departmental structure would be considered at the next meeting of the Finance and Policy Committee. Furthermore it was confirmed that a report would be submitted back to Full Council before the end of the Municipal year.
- 1.2 Unfortunately it was not possible to take this report to the Full Council meetings on 19th March 2020 (due to suspension) or 30th July 2020 (due to matters arising that required further consideration by the Neighbourhood Services Committee).

2. BACKGROUND

- 2.1 On the 20th February 2020 a motion was presented to Full Council regarding the allotment service as follows:

“Given the recent interest in the application of policies and procedures for allotments, can Council resolve that Neighbourhood Services review the dispute resolution process in respect of allotments to specifically allow for a review stage outside of the department and such process must be completed before any eviction action is taken.”

“Can it also be requested that the Head of Paid Service review the location of allotments in the departmental structure and consider designation of allotments to Adult and Community Based Services taking into consideration the impact allotment use has on individuals, community groups and associations in tackling isolation, family poverty and promoting wellbeing.”

- 2.2 Members approved the motion unanimously and it was agreed that a report would be submitted to Neighbourhood Services Committee and that the issue in relation to location of allotments within the departmental structure would be considered at the next meeting of the Finance and Policy Committee. Furthermore it was confirmed that a report would be submitted back to Full Council before the end of the Municipal year, which unfortunately was delayed due to the impact of COVID-19.
- 2.3 At its meetings on the 13th March 2020 and 31st July 2020, the Neighbourhood Services Committee considered the reports attached at **Appendix A** and **Appendix B**.
- 2.4 The report to members (Appendix A) sets out the proposed changes to the Allotment Rules and Regulations of Tenancy.
- 2.5 The report to members (Appendix B) sets out the legal requirement for a dispute resolution process to be efficient in order to be responsive to the needs of tenants and also avoid maladministration. This report also highlights the established arrangements within the corporate complaints procedure for the reporting of complaints to the Finance and Policy Committee for monitoring and also the arrangements that are in place for investigations to be undertaken by a manager from outside of the department.
- 2.6 Therefore the revised and amended proposal to address complaints in accordance with the corporate complaints procedure was approved with the inclusion of an investigation by an officer from a different department
- 2.7 Consequently Members of the Committee have now approved the following:
1. *That the proposed changes to the Allotment Rules and Regulations of Tenancy as outlined in the report be approved.*
 2. *That the proposal to address complaints in accordance with the corporate complaints procedure be approved, therefore the revised procedure is now as follows:*
 - i) *Informal dialogue and negotiation with tenant*
 - ii) *1st warning letter*
 - iii) *2nd warning letter*
 - iv) *Notice to Quit issued by Officer*
 - v) *Submit a complaint in accordance with the corporate complaints procedure. This procedure will include an investigation by an officer from a different department (who has received suitable training) and will also result in the monitoring and oversight of Finance and Policy Committee.*
 - vi) *Local Government and Social Care Ombudsman (LGSCO).*
 3. *That the proposal to move the service to Adults and Community Based Services department, that had been considered in a separate report to the Finance and Policy Committee and referred to full Council, be noted.*

- 2.8 The 13th March 2020 report also noted that the proposal to move the service to Adult and Community Based Services be considered separately in a restructure report being considered at Finance and Policy Committee on 9th March 2020. That report was subsequently presented to that Committee and was approved by Members, and the Heritage and Countryside Section has now moved across from the Environment and Neighbourhood Department to Preventative and Community Based Services.

3. PROPOSALS

- 3.1 By presenting these reports to Neighbourhood Services Committee and Finance and Policy Committee the unanimous decision made by Members at Full Council on 20th February is appropriately actioned.

4. RECOMMENDATIONS

- 4.1 It is recommended that Members note the reports and the amended recommendations approved by Members of Neighbourhood Services Committee.

5. BACKGROUND PAPERS

- 5.1 Finance and Policy Committee Report – 9th March 2020.
- 5.2 Neighbourhood Services Committee – 13th March 2020 – attached as **Appendix A.**
- 5.3 Neighbourhood Services Committee – 31st July 2020 – attached as **Appendix B.**

6. CONTACT OFFICER

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NEIGHBOURHOOD SERVICES COMMITTEE

13th March 2020



Report of: Assistant Director (Environment and Neighbourhood Services)
Subject: **ALLOTMENT SERVICE REVIEW AND DISPUTE RESOLUTION PROCESS**

1. TYPE OF DECISION/APPLICABLE CATEGORY

- 1.1 Key Decision – Test (ii) – General Exception applies.

2. PURPOSE OF REPORT

- 2.1 To consider the referral from Full Council on the 12th September 2019 for this Committee to carry out a review of the Authority's Allotment Service and consider the opportunities available to bring forward proposals for the development of a sustainable funding structure to support the Allotment Service, and more recently a referral from Full Council 20th February 2020 it was agreed by Members that a report would be submitted to the Neighbourhood Services Committee before the end of the municipal year and the issue in relation to the location of allotments in the departmental structure would be considered at the next meeting of the Finance and Policy Committee.

3. BACKGROUND

- 3.1 On the 12th September 2019 it was agreed at the meeting of Full Council:

“That the Neighbourhood Services Committee will bring forward proposals for the sustainable development of allotments to Finance and Policy Committee as part of the 2020/21 MTFS process which assumes the ongoing allocation of public health grant in order to ensure that allotment rents do not increase at a rate greater than inflation.”

- 3.2 Funding for the Allotment Service comes from the rental income generated by the plots. The current rent structure was introduced in April 2016. This is based on a formula whereby tenants pay rent based on the size of the plot, along with a standard service charge of £25. As part of the MTFS Full Council agreed to mainstream £50k of funding using the General Fund saving arising from the Public Health grant, with rent increasing by inflation only for the foreseeable future.

- 3.3 On the 20th February 2020 a further motion was presented to Full Council regarding the allotment service as follows:

“Given the recent interest in the application of policies and procedures for allotments, can Council resolve that Neighbourhood Services review the dispute resolution process in respect of allotments to specifically allow for a review stage outside of the department and such process must be completed before any eviction action is taken.”

Can it also be requested that the Head of Paid Service review the location of allotments in the departmental structure and consider designation of allotments to Adult and Community Based Services taking into consideration the impact allotment use has on individuals, community groups and associations in tackling isolation, family poverty and promoting wellbeing.”

Members approved the motion unanimously and it was agreed that a report would be submitted to Neighbourhood Services Committee and that the issue in relation to location of allotments within the departmental structure would be considered at the next meeting of the Finance and Policy Committee. Furthermore it was confirmed that a report would be submitted back to Full Council before the end of the Municipal year.

4. CHANGES TO ALLOTMENT RULES AND REGULATIONS AND SITE MANAGEMENT

- 4.1 In response to a number of questions raised with regards to the allotment rules and regulation handbook, a full review was undertaken with the purpose of removing any ambiguity. Furthermore this review also ensured that the proposed changes would reflect both the requirements of the service and the tenants.
- 4.2 Therefore a number of amends were identified and the proposed changes were presented for consideration to the Allotment Focus Group at the meeting held with them on 10th December 2019, and also to a Members Seminar held on 29th January 2020.

Changes to Current Tenancy Rules and Regulations 2018

- 4.3 Following recent issues of multiple illegal subletting of allotment land by individual tenants, which is contrary to Section 27(4) Small Holdings and Allotments Act 1908, the following rule is proposed,
- ‘Rule 1.5.10 – Once a person becomes a registered partner on a plot, they may not become a partner on any further plots.’*

Further to this it is proposed that Rule 1.2.7 is amended to read,
‘Plot allocation is restricted to one plot per person.’

- 4.4 It is considered that these rule changes, along with previous amendments to direct correspondence only to tenants and not third parties, will assist officers dealing with subletting.

- 4.5 A number of allotment sites have associations however to date, the Council has not required these groups to provide any evidence of their status. In order to understand the representations that groups have on sites it is proposed that a new rule will be introduced,

‘All named Associations on Allotment Sites must provide the Council with the following information at the beginning of the Financial Year i.e. April 1st,

- a) Copy of the Minutes of the most recent Annual General Meeting*
- b) Copy of the most recent Accounts*
- c) Details of their Chair, Vice Chair, Treasurer and Secretary*
- d) List of members who are tenants and partners on allotment sites.*

- 4.6 This information will ensure Officers have an understanding of the Associations and their sites.

- 4.7 The rules will not be retrospectively applied but will be introduced and implemented on 1st April 2020.

Introduction of Self-Managed Sites within the Allotment Service

- 4.8 There are currently no allotment sites in Hartlepool that are self-managed. Historically, only Woodcroft has taken on this delegated responsibility. This was done for a period of ten years between 2003 and 2013, at which point following a request from Woodcroft, the lease was brought to an end and the management of the site was returned to the Council.

- 4.9 There is no legislation directly governing self-management of allotments, but there is best practice guidance which is based around a five level process of involvement. This ranges from stage one ‘dependence’ to stage five ‘autonomy’. It is generally accepted that stage five autonomy involves the Authority selling the land to the association.

- 4.10 The advantages of devolved management of an allotment site generally include the associations having greater control and therefore tenants taking care of the sites. Further to that, it allows the associations to make funding applications that are not open to Authorities. This allows the sites to benefit from grants that would not be available if it were managed by the Allotment Team directly.

- 4.11 Officers are in discussion with two allotment associations to see if devolved management is viable and could be maintained in the current circumstances. It is generally accepted that having sites with delegated responsibility reduces both the financial and officer burden, and therefore the Service will support Associations who wish to progress with this solution.

Access to Plots

- 4.12 It is the intention to clarify the right of the tenant on their plot and the role of the Authority within the introduction of the rulebook, this would include stating,

‘The Council will grant the tenant(s) the quiet use and enjoyment of their allotment garden provided that the tenant adheres to their obligation under the tenancy agreement. An officer or agent of the Council may inspect your allotment and any shed, greenhouse or polytunnel on it. You must allow that officer or agent access at any reasonable time.’

- 4.13 The inclusion of this text indicates that the tenant would have a right to quiet enjoyment but they must understand that the land is not theirs and the Council are liable for anything which happens on it. Therefore for reasons such as; animal welfare, chemical storage, Health and Fire safety, tenancy/land management the Council must be able to inspect it when appropriate.

Right to Appeal

- 4.14 At the moment should a tenant wish to appeal a decision regarding a Notice to Quit that request is made to the Heritage and Countryside Manager. If the decision is not upheld, and the tenant wishes to take the matter further, they are advised to go through the Corporate Complaints Procedure and following the outcome of this, if they are still dissatisfied, the Local Government and Social Care Ombudsman (LGSCO).
- 4.15 To address the issue raised in the motion to Full Council on the 20th February 2020, it is proposed that an additional step be included in the process set out at 4.13 as a means of ‘dispute resolution’ whereby when a tenant remains dissatisfied with the decision of the Heritage and Countryside Manager’s response to their appeal, they may request that the matter be ‘reviewed.’ This ‘review’ would be carried out by a Chief Officer from another department. Where a tenant remains dissatisfied with the outcome of the aforementioned review, the next stage of the process would be for the tenant to be referred to the Corporate Complaints procedure where they can query the process followed. Should they remain unhappy with the outcome, then they may go to the Local Government and Social Care Ombudsman.
- 4.16 A copy of the existing Allotment Rules and Regulations Handbook can be found in the Members Library.

5. CONSULTATION

- 5.1 The review of the Allotment Rules and Regulations Handbook were discussed at the Allotment Focus Group Meetings in December 2018, June 2019, and most recently on the 10th December 2019.
- 5.2 Furthermore the Council offered to meet representatives at their sites to discuss the proposed changes and two sites took advantage of this opportunity
- 5.3 A Members Seminar was also held on 29th January 2020 to give Elected Members the opportunity to feedback comments and views on the proposed changes.

6. LEGAL CONSIDERATIONS

- 6.1 The proposed changes would be implemented on 1st April 2020 and a revised Allotment Rules and Regulations Handbook would be issued to Allotment Holders.

7. FINANCIAL CONSIDERATIONS

- 7.1 There are no financial implications with this report.

8. RISK IMPLICATIONS

- 8.1 The proposed changes to the rulebook will make it easier for tenants of the Council's allotment plots to understand the rules and regulations governing allotments in Hartlepool.

9. STAFFING

- 9.1 The Allotment Team currently sits in the Heritage and Countryside Service within the Regeneration and Neighbourhoods Division. At a meeting of Council in February it was proposed that the team should be moved to Adult and Community Based Services.
- 9.2 Although it may be considered that there are parallels between the leisure services provided by Adult and Community Based Services, this proposal will be considered separately in a restructure report being considered at Finance and Policy Committee on 9th March 2020.

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

- 10.1 Historically, allotments have suffered from crime and anti social behaviour including vandalism, arson, theft and fly tipping. Efforts to improve site security and to make allotments a less attractive target have made some headway in recent years, and these works continue although it is acknowledged that there are still issues on some sites.

11. ASSET MANAGEMENT CONSIDERATIONS

- 11.1 Allotments are an important Council asset comprising 38 hectares (94 acres) of public land within the Borough. The service continues to manage the land in the most appropriate, cost effective way.

12. CHILD AND FAMILY POVERTY

- 12.1 Allotments provide benefits through increasing access to a healthy diet (fresh fruit and vegetables), exercise, fresh air and social interaction, all of which have proven benefits to health and mental well-being.

13. EQUALITY AND DIVERSITY CONSIDERATIONS

- 13.1 There are no equality and diversity considerations.

14. RECOMMENDATIONS

- 14.1 It is recommended that the Committee:
- i. Approves the proposed changes to the Allotment Rules and Regulations of Tenancy as outlined in paragraphs 4.3, 4.5 and 4.12 of the report;
 - ii. Approves the proposal to introduce a dispute resolution process involving a Chief Officer as detailed in paragraph 4.14 of the report; and
 - iii. Notes that the proposal to move the service to Adult and Community Based Services be considered separately in a restructure report being considered at Finance and Policy Committee on 9th March 2020.

15. REASONS FOR RECOMMENDATIONS

- 15.1 It was agreed at Council on 12th September 2019 that proposals would be brought forward for the sustainable development of allotments which assumes the ongoing allocation of grant funding in order to ensure that allotment rents do not increase at a rate greater than inflation.
- 15.2 The additional rules are necessary for the orderly management of the allotment sites and to prevent subletting of plots.

16. BACKGROUND PAPERS

Neighbourhood Services Committee Report 26th July 2016 Allotment Review

Neighbourhood Services Committee Report 19th February 2018 – Phase two Allotment Strategy and Review

Council Minutes – 12th September 2019

Council Minutes – 20th February 2020

17. CONTACT OFFICER

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Neighbourhood Services Committee

31st July 2020



Report of: Assistant Chief Solicitor (Deputy Monitoring Officer)

Subject: ALLOTMENTS SERVICE REVIEW AND DISPUTE RESOLUTION PROCESS – RISKS AND LEGAL IMPLICATIONS

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non key decision.

2. PURPOSE OF REPORT

2.1 To advise Members of the Committee of the risks and legal implications of their decision regarding the Allotment Services – Dispute Resolution Process made on the 13 March 2020.

3. BACKGROUND

3.1 On the 20th February 2020 a motion was presented to Full Council regarding the allotment service as follows:

“Given the recent interest in the application of policies and procedures for allotments, can Council resolve that Neighbourhood Services review the dispute resolution process in respect of allotments to specifically allow for a review stage outside of the department and such process must be completed before any eviction action is taken”

“Can it also be requested that the Head of Paid Service review the location of allotments in the departmental structure and consider designation of allotments to Adult and Community Based Services taking into consideration the impact allotment use has on individuals, community groups and associations in tackling isolation, family poverty and promoting wellbeing.”

3.2 Members approved the motion unanimously and it was agreed that a report would be submitted to Neighbourhood Services Committee and that the issue in relation to location of allotments within the departmental structure would be considered at the next meeting of the Finance and Policy

Committee. Furthermore it was confirmed that a report would be submitted back to Full Council before the end of the Municipal year, which unfortunately was delayed due to the impact of COVID-19.

- 3.3 At its meeting on the 13th March, 2020, the Neighbourhood Services Committee considered the report attached at **Appendix A**.
- 3.4 The report to Members set out the proposed changes to the Allotment Rules and Regulations of Tenancy, the proposal to introduce a dispute resolution process involving a Chief Officer.
- 3.5 At this meeting, Members of the Committee proposed amendments to the recommendations, and as such the following were approved:
 4. *That the proposed changes to the Allotment Rules and Regulations of Tenancy as outlined in the report be approved.*
 5. *That the proposal to introduce a dispute resolution process involving a Chief Officer as detailed in the report be approved with the addition of a referral to the Audit and Governance Committee for the final consideration of a complaint/dispute by a Member Sub Committee.*
 6. *That the proposal to move the service to Adults and Community Based Services department, that had been considered in a separate report to the Finance and Policy Committee and referred to full Council, be noted.*
- 3.6 The report also noted the proposal to move the service to Adult and Community Based Services be considered separately in a restructure report being considered at Finance and Policy Committee on 9th March 2020. That report was subsequently presented to that Committee and was approved by Members, and the Heritage and Countryside Section has now moved across from the Environment and Neighbourhood Department to Preventative and Community Based Services.

4. RISK / LEGAL CONSIDERATIONS

- 4.1 Before the recommendations regarding the dispute resolution process are referred back to Full Council, it is important that Members of the Committee are fully apprised of the risks and legal implications of the decision.
- 4.2 The revised/proposed process recommended by the Committee is as follows:
 - 1) Informal dialogue and negotiation with tenant
 - 2) 1st warning letter
 - 3) 2nd warning letter
 - 4) Notice to Quit issued by Officer
 - 5) Allotment holder has opportunity to apply to county court for injunctive relief
 - 6) A request to review the decision by a Manager.
 - 7) Review of decision by a Chief Officer from another department.

- 8) Corporate Complaints Procedure (where appropriate grounds apply, a corporate complaint can run alongside):
 - a. STAGE 1
 - b. STAGE 2
 - c. STAGE 3
 - 9) A referral to the Audit and Governance Committee
 - 10) Member sub committee
 - 11) Local Government and Social Care Ombudsman (LGSCO).
 - 12) Judicial review
- 4.3 This process is likely to take a significant period of time to conclude in the event that a tenant were to challenge a decision at every stage. This process will offer the tenant the maximum level of protection but it will undoubtedly inhibit the authority in responding appropriately to breaches and protecting others that are affected by those breaches.
- 4.4 The Authority has a duty to discharge its duties efficiently and this duty is enshrined within the Constitution. A failure to discharge duties efficiently is maladministration and is in itself subject to challenge by way of both the Ombudsman and Judicial Review.
- 4.5 The Ombudsman considers that the usual three stage complaint procedure is appropriate and in most cases expects complaints to be dealt with within 12 weeks. The proposed process does not allow for this.
- 4.6 The proposed process does not enable the local authority to respond appropriately and efficiently to complaints received regarding a tenant's breach of the rules. This inability to respond in a timely manner will leave the Authority susceptible to both an Ombudsman investigation and/or a judicial review. The process will likely contribute towards service failure and amount to maladministration.

5. OTHER CONSIDERATIONS

Financial Considerations	No relevant issues
Consultation	No relevant issues
Child/Family Poverty Considerations	No relevant issues
Equality and Diversity Considerations	No relevant issues
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

6. RECOMMENDATIONS

- 5.1 It is recommended that Members note the content of this report and reconsider the recommendations taking into account the risks associated before the matter is referred back to Full Council.

7. REASONS FOR RECOMMENDATIONS

- 7.1 To ensure Members of the Committee are fully appraised of the risks and legal implications of the decision before the matter is referred back to Full Council.

8. BACKGROUND PAPERS

- 8.1 Finance and Policy Committee Report – 9th March 2020.

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COUNCIL

17 September 2020



Report of: Finance and Policy Committee

Subject: MEDIUM TERM FINANCIAL STRATEGY (MTFS)
2020/21 TO 2023/24

1. PURPOSE OF REPORT

1.1 The purposes of this report are:

- (i) to provide an update on the General Fund budget position for 2020/21 to 2023/24, including the financial impact of Covid-19;
- (ii) to enable Members to consider the 2021/22 Local Council Tax Support (LCTS) scheme recommended by Finance and Policy Committee;
- (iii) to enable Members to consider the 2021/22 Housing Revenue Account (HRA) rent level and prudential borrowing limit recommended by the Finance and Policy Committee.

2. BACKGROUND

2.1 In accordance with the Constitution the Finance and Policy Committee is required to develop the General Fund budget, LCTS scheme and HRA proposals for the forthcoming financial year (2021/22) for consideration by Council.

2.2 A comprehensive report was considered by Finance and Policy Committee on 13th August 2020 and is attached at **Appendix 1** and the key issues are summarised in the following paragraphs.

3. GENERAL FUND BUDGET 2020/21 TO 2023/14 (sections 4 to 6 of Appendix 1)

3.1 The report to Finance and Policy Committee advised Members that decisions in relation to the 2021/22 General Fund Budget cannot be made until later in the year when the Government issues the 2021/22 Local Government Finance Settlement.

3.2 The Government is now undertaking a Spending Review and the deadline for submitting submissions is 24th September. This means the 2021/22

funding announcement is likely to be made in late December, which makes financial planning difficult.

3.3 The key General Fund budget issues reported to Finance and Policy Committee were:

- **2020/21 forecast outturn**

It is anticipated that increased service costs can be funded from lower borrowing costs. However, this position is predicated on the level of Covid-19 funding provided by the Government, which will not be finalised until later in the year;

- **Covid-19 Financial Impact**

The Government has so far provided additional grant funding of £3.7 billion and Hartlepool has been allocated £6.976 million. The Government has also made a commitment to support councils' income losses. The Local Government Association has estimated the impact of these issues is £9.2 billion. It is not yet clear how much national funding the Government will provide for income losses, or how this will be allocated to individual councils.

Based on current forecasts Government grant funding will cover additional costs incurred by the Council responding to the pandemic.

The position in relation to income losses is less favourable as the Government's support system is based on an 'income loss' sharing model and the ability to spread collection fund deficits over three financial years, rather than one year.

At the time the Finance and Policy Committee report was prepared the Government had not issued details of the arrangements for supporting income losses. Based on an assessment of information available at the time a shortfall of £2.154m was forecast, although the actual figure will depend on the final support scheme for income losses. It was recommended that the shortfall should be capitalised to avoid the funding shortfall impacting on the 2020/21 and 2021/22 budgets. This will involve a funding swap;

- **2021/22 Budget and future years outlook**

The Covid-19 pandemic will also impact on the 2021/22 budget as councils will face recurring income reductions and increased budget pressures. The Local Government Association continues to lobby the Government in relation to these issues. Additionally, the April 2020 national cost of living pay award exceeds the provision included in the base budget and this increases recurring costs.

The forecast deficit for 2021/22 has increased from £1.3m to between £2.886m and £5.086m. The forecast of £2.886m assumes the Government will provide additional national funding for Social Care, to address the further delay in reform of the national funding system. For planning purposes Hartlepool should then be allocated £2.2m, based on existing funding allocations – although this cannot be guaranteed. In view of the uncertainty regarding future funding it was recommended to Finance and Policy Committee that the deficit should be funded from reserves, whilst recognising this defers a deficit to 2022/23.

The financial outlook for 2022/23 will depend on the outcome of reforms to the national funding system that the Government has delayed to come into effect in April 2022.

4. LCTS Scheme 2021/22 (section 7 of Appendix 1)

- 4.1 To provide financial certainty the report to Finance and Policy Committee sought Members views on whether they wish to consult on alternative LCTS options, or retain the existing 12% scheme (for the eighth year) and the Local Welfare Support budget.
- 4.2 Finance and Policy Committee recommend retaining the existing 12% scheme and Local Welfare budget for 2021/22.

5. HRA 2021/22 (section 8 of Appendix 1)

- 5.1 The report to Finance and Policy Committee sought Members views on the 2021/22 rent level and resulting forecast capital investment.
- 5.2 Finance and Policy Committee recommended a rent freeze for 2021/22, which it is estimated will provide capital investment of £3.138m (inclusive of forecast Homes England capital grant of £1.064m).

6. RECOMMENDATIONS

- 6.1 Finance and Policy committee approved the following recommendations for referral to Council:
 - i) The retention of the existing LCTS scheme at 12% and the Local Welfare Support budget of £200,000 for 2021/22;
 - ii) A 2021/22 HRA rent freeze and to note it is estimated this will provide capital investment of £3.138m (inclusive of forecast Homes England capital grant of £1.064m).

7. REASON FOR RECOMMENDATIONS

- 7.1 To provide financial certainty and stability in relation to the level of LCTS support and HRA rents for 2021/22.

8. BACKGROUND PAPERS

Medium Term Financial Strategy 2020/21 to 2023/24 Report to Finance and Policy Committee 13th August 2020.

9. CONTACT OFFICER

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Sign Off:-

Chief Executive	<input checked="" type="checkbox"/>
Director of Policy and Finance	<input checked="" type="checkbox"/>
Chief Solicitor	<input checked="" type="checkbox"/>

FINANCE AND POLICY COMMITTEE

13th August 2020



Report of: Director of Finance and Policy

Subject: FINANCIAL POSITION UPDATE 2020/21 TO 2023/24

1. TYPE OF DECISION/APPLICABLE CATEGORY

Budget and Policy Framework.

2. PURPOSE OF REPORT

2.1 The purpose of this report is to provide updates on:

- i) the forecast 2020/21 General Fund outturn;
- ii) the financial impact of Covid-19;
- iii) General Fund budget 2021/22 and futures years outlook;
- iv) the Local Council Tax Support Scheme 2021/22;
- v) the Housing Revenue Account 2021/22 and future years.

3. BACKGROUND

3.1 The main focus of this report is the General Fund budget position – which covers all services provided by the Council other than the direct provision of housing, which by law is accounted for within a separate Housing Revenue Account (HRA). As previously requested by Council this report also enables Members to consider the linkages between the General Fund, Local Council Tax Support scheme and the impact of HRA rent decisions on households.

3.2 The General Fund budget had faced nine consecutive years of cuts in Government funding up to 2019/20. Consequently, significant efficiencies and cuts have been made, including reducing the workforce by **20% (500 posts)**.

3.3 Since 2013/14, when the current funding system was introduced, Government core funding reduced from **£62.3m** in 2013/14 to **£36.6m** in 2019/20 – this is a cash reduction of **£25.7m**, a **41%** cut. This highlights the significant reduction in funding for local services and the increasing challenge of balancing the annual budget.

- 3.4 Additional Government funding was provided in 2020/21 for Social Care. However, these services, particularly Looked after Children, have experienced significant annual increases in demand and the Council has had to manage this position within a reduced overall annual budget.
- 3.5 Previous budget strategies enabled the Council to manage the impact of Government funding cuts and the budget for 2020/21 was set using a reduced level of reserves of £0.547m. A net 2021/22 budget deficit of £1.3m was forecast in February.
- 3.6 As outlined later in the report the Covid pandemic will have an adverse impact on the financial position and future financial resilience of all councils. The scale of the impact in 2020/21 and 2021/22 and the measures that will need to be adopted to address these financial challenges will depend on the financial support measures provided by the Government, which continue to evolve and will not be finalised until later in the year.

4. 2020/21 FORECAST GENERAL FUND OUTTURN

- 4.1 Forecasting the outturn at this early stage of the financial year is always challenging as significant elements of the budget are seasonal and expenditure can vary significantly over the winter period. The position for 2020/21 is significantly more challenging owing to the impact of Covid on costs and income streams.
- 4.2 To enable the forecast General Fund outturn to be assessed the financial impact of Covid has been separated out and is covered in the next section. In relation to the adjusted General Fund forecast outturn it is currently anticipated that the Council will face increased demand in relation to Looked after Children and this trend is likely to continue into 2021/22, as detailed later in the report. It is anticipated that current year overspend can be offset from managed underspends on other service budgets and the achievement of lower borrowing costs from actions taken to secure long term borrowing for the approved capital programme.
- 4.3 The Corporate Management Team will continue to monitor the General Fund budget and updated forecasts will be reported to a future meeting.
- 4.4 Collection levels in relation to Council Tax and Business Rates will also continue to be monitored closely. At the end of June 2020:
- 26.2% of Council Tax had been collected, this compares to 27.6% at the end June 2019; and
 - 22.7% of Business Rates had been collected, this compares to 28.8% at the end June 2019.

5. FINANCIAL IMPACT OF COVID-19

- 5.1 The pandemic has had a profound impact on the daily lives of people. While the economic and social impacts of the pandemic are significant, the

principal impacts are on the health and well-being of those directly and indirectly affected. The Covid pandemic has also had an unprecedented financial impact on councils and this is driven by five key factors:

- **Increased expenditure** - this has been incurred across a range of services and predominantly relates to increased financial support of the care sector, PPE and support for vulnerable households;
- **Reduced service income** – the closure of services and the lock down has reduced income for a range of council services in exactly the same way as businesses have lost income;
- **Increased cost of Local Council Tax Support (LCTS)** – as household income has reduced and unemployed increased the number of households eligible for LCTS has increased. At the end of June 2020 LCTS eligible households had increased by **8%** from the pre-Covid level, which underlines the speed of the initial economic downturn.

Further increases in eligible households are expected when the furloughing schemes ends and businesses make decision regarding redundancies and / or the hours they will require people to work. The position is being monitored closely.

- **Reduced Business Rates income** – not all businesses will survive the economic impact of the pandemic and this will reduce business rates income;
- **Reduced Council Tax income from housing growth** – housing growth will be lower than forecast for 2020/21 and 2021/22.

5.2 The Local Government Association (LGA) has estimated that councils will need additional funding of £9.2 billion to address the financial impact of Covid. The Council has worked with the other North East councils to lobby the Government for additional funding and to provide evidence of the financial issues facing councils. Additionally, Hartlepool has been one of fifteen LGA 'case study councils' used to provide more detailed evidence of the impact of the pandemic for submission to the Government.

5.3 On the 16th March the Local Government Secretary, Robert Jenrick MP stated - "the Government stands ready to do whatever is necessary to support councils in their response to coronavirus". On the 31st March the Minister for Regional Growth and Local Government, Simon Clark MP stated - "Whatever you worry about it should not be costs as you will be compensated". The Government has so far provided three tranches of financial support to help councils meet the financial impact of Covid totalling £3.7 billion, plus additional funding for income losses, which is still to be determined.

Summary of £3.7 billion

- **Tranche 1** (announced 16.03.20) – national un-ringfenced grant funding of **£1.6 billion**. Hartlepool was allocated **£3.404m**;
- **Tranche 2** (announced 18.04.20) – national un-ringfenced grant funding of a further **£1.6 billion**. Hartlepool was allocated **£2.559m**;
- **Tranche 3** (announced 02.07.20) – national un-ringfenced grant funding of **£500 million**. Hartlepool was allocated **£1.013m**. The initial national funding announcement was made on 2nd July 2020 and detailed allocations for individual councils, and initial arrangements for income losses and Collection Fund deficits were issued on 17th July 2020. Further details are provided in **Appendix A** - letter from Minister for Regional Growth and Local Government and **Appendix B** - assessment of impact on the Council.

5.4 On the basis of the funding announcements made by the Government it is anticipated the Council faces a Covid funding deficit of **£2.154m**. This forecast is predicated on the Government approving the claim for funding for income losses. However, this position is not guaranteed as councils face risks in relation to:

- The detailed technical arrangements for providing grant funding to offset income losses, including which income streams are eligible for support.
- The revised deficit is based on current forecast costs and income losses for the remainder of 2020/21, which may increase if there is a local outbreak, or a further national lockdown.

Summary of Financial Impact of Covid

	Covid Costs	Irrecoverable Sales, Fees and Charges income	Collection Fund Deficit	Total
	£'m	£'m	£'m	£'m
Cost / Income loss ##	4.658	4.587	3.000	12.245
Less – Tranche 1, 2 and 3 Government Grant	(4.658)	(1.472)	(0.846)	(6.976)
Less Forecast Government Grant (71% eligible income loss)	0.000	(3.115)	0.000	(3.115)
Funding Shortfall / (Surplus)	0.000	0.000	2.154	2.154

The Covid costs include approved 2020/21 budget savings of £0.287m which will be deferred until 2021/22 owing to the impact of Covid. All other elements of the approved 2020/21 budget savings, total value £1.802m, will

be delivered in the current years as implementation has not been affected by Covid.

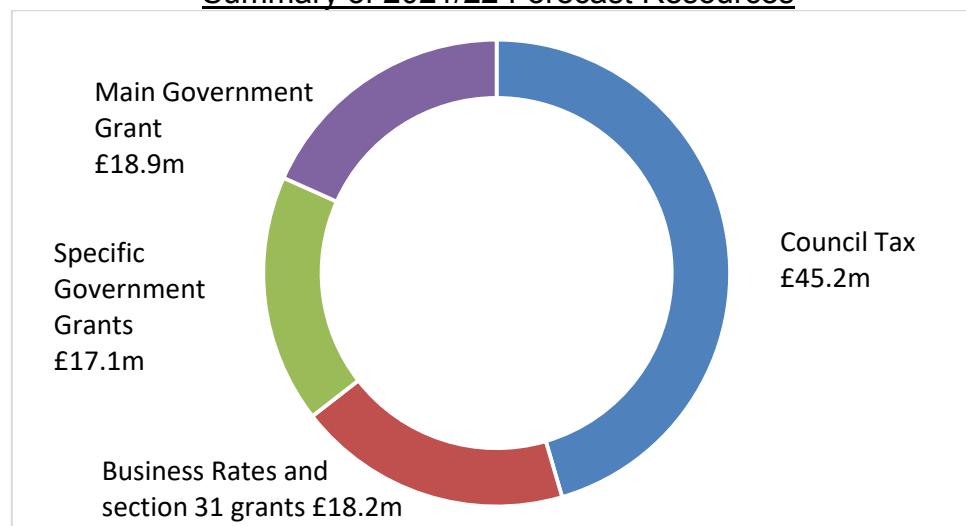
- 5.5 This position will continue to be monitored closely and updated as the Government provides greater certainty in relation to the financial support package.
- 5.6 To address the forecast Covid funding shortfall and avoid this position impacting on the 2020/21 and 2021/22 budgets it is recommended that the shortfall is capitalised. This will enable the cost to be spread over a number of years. The resulting loan repayment costs will be funded from the senior management structure recurring saving (£46,000) and the net uncommitted saving in borrowing costs achieved in relation to the approved capital programme (£54,000). In total the recurring revenue saving is £100,000.
- 5.7 As the Covid shortfall is a revenue cost this proposals will need to be implemented through a funding swap where prudential borrowing will be used to meet approved capital expenditure commitments, which it was planned to fund from the Capital Funding Reserves. This strategy releases the Capital Funding Reserve which is revenue funding and can therefore be reallocated to address the Covid funding shortfall.
- 5.9 If the pandemic had not occurred this financial flexibility would have been available to support the General Fund budget position for 2021/22 and future years. The loss of this flexibility makes managing the 2021/22 budget position more challenging and highlights the detrimental impact the pandemic is having on the Council's financial position and resilience.

6. GENERAL FUND BUDGET 2021/22 AND FUTURE YEAR OUTLOOK

6.1 Context

- 6.2 To provide context to the 2021/22 budget the following table summarises the key forecast resources available to fund services.

Summary of 2021/22 Forecast Resources



- 6.3 Details of Government funding for 2021/22 will be determined by the planned 2020 Spending Review and 2021/22 Local Government Finance Settlement. It is unlikely that detailed 2021/22 Government grant allocations for individual councils will be known until December 2020 – this makes financial planning challenging.
- 6.4 On the basis of decisions made by Government in relation to 2020/21 funding it is not unreasonable to assume that 2021/22 funding will be maintained at this level. However, this cannot be guaranteed and on 21st July 2020 when launching the 2020 Spending Review the Chancellor said:
- ‘it is clear there will be “tough choices” in other areas of spending at the review, and departments have been asked to identify opportunities to reprioritise and deliver savings”.

In view of the large amounts already promised for priority areas like the NHS, schools and police, the Chancellor’s emphasis on the need for ‘tough choices’ means another round of budget cuts for other lower priority departments is a potential possibility. The deadline for submitting representation to the Spending Review is 24th September, which means that funding announcements for council are likely to be made in late December 2020.

The Chancellor also indicated that after one-off above inflation pay awards for 2020/21 for many public sector workers that “we must exercise restraint in future public sector pay awards”.

- 6.5 The other key context is the Government’s recent Council Tax Policy covering the period 2016/17 to 2020/21, which has shift the burden of funding local services from Government grant on to Council Tax. Over this period this has resulted in:
- An increase in core Council Tax income (excluding the Adult Social Care precept) from £34.3m in 2016/17 to £39.8m in 2020/21;
 - The introduction in 2016/17 of the Adult Social Care precept, which in 2020/21 raises £3.8m – this equates to 11p of every £1 spent on Adult Social Care.

In 2013/14 the Adult Social Care Council Tax precept did not exist, which underlines the reliance now placed on the precept for funding these services, rather than Government grant funding.

6.6 Forecast of 2021/22 Budget Deficit

- 6.7 The following table summarises the deficit agreed by Council in February 2020 and assumed that 2020/21 Government Funding, with the exception of the phasing out of New Homes Bonus, will continue in 2021/22.

	£'m
Deficit deferred from 2020/21	0.547
Add - 2% Provision for pay award and inflation	1.625
Add – Reduction in New Homes Bonus income	0.749
Less – Forecast housing growth	(0.760)
Less – Forecast 2% Council Tax increase	(0.860)
Forecast Deficit	1.301

- 6.8 The initial forecasts for 2021/22 have been updated to reflect the following changes:

- **National Pay Award** - The additional recurring cost of the April 2020 national pay award being settled at the current employers offer of 2.75%, which is higher than the 2% provision included in the base budget. The additional 0.75% equates to £0.4m. A 2% provision has been included for the April 2021 national pay award on the basis of continued low inflation and the downward pressure higher unemployment will have on cost of living wage increases;
- **Council Tax base** - Over the period 2014/15 to 2019/20 the Council Tax base increased by 2,510 Band D equivalent properties. 38% of this increase reflected a reduction in the number of households eligible for LCTS owing to improving economic conditions and 62% from new house building.

The previous forecasts for 2020/21 and 2021/22 expected these trends to continue and by April 2021 another 871 Band D equivalent properties were expected to be added to the Council Tax base. By 2021/22 the forecast housing growth equates to additional forecast recurring Council Tax income of £1.556m.

The economic impact of the pandemic means that the downward trend in LCTS eligibility is being reversed and housing growth will be lower. Therefore, for planning purposes it would be prudent to expect half of this increase. There is a risk that the actual reduction may be higher if more households than forecast become eligible for LCTS.

The position will be reviewed when the 2021/22 Council Tax statutory calculation is presented to this Committee. At that time we will know the actual level of new LCTS eligible households, have details of housing

completions for the first 7/8 months and details of measures included in the Spending Review for Council Tax losses.

- **Budget Pressures** – the following additional budget pressures have been identified:
 - **Increase in Looked after Children** - Covid 19 has impacted upon the number of children in care and there has been a net increase as children have continued to become looked after where they are assessed as being at risk of significant harm, however fewer children have left care during this period. The reasons for this are multiple, including the closure of the Family Court leading to delays and a backlog of cases and the need for young people ready to leave care to remain in their placements. In 2020/21 part of these cost (£0.7m) can be funded from the Covid grant and the remaining cost (£0.4m) managed within the overall General fund budget.

Further work needs to be completed to determine the extent to which this caseload is permanent or temporary, including the time it will then take for the Family Court to clear the backlog of cases for Hartlepool and other councils. At this stage it would be prudent to make provision of £1.35m for these costs continuing in 2021/22, whilst noting further work needs to be completed and will be reported to a future meeting.

 - **National Living Wage (NLW)** - this will continue to impact on the cost of commissioned Adult Care and provision of £0.375m has previously been made in the budget forecast for 2021/22. Based on the Government's commitment to phase increases in the NLW and increasing focus on low pay, particularly in the care sector an additional pressures of £0.125m is forecast.
- **Continuing Income shortfalls** – it is anticipated that 2020/21 Covid income shortfalls will continue into 2021/22 as a result of actively not returning to pre Covid levels. As we are only slowly coming out of lock down and beginning to reopen services it is too early to assess the impact in 2021/22. For many service areas there will be a prolonged period of reduced operational capacity owing to the continued need for social distancing.

As detailed earlier in the report an overall 2020/21 income shortfall of £4.6m is forecast. A detailed assessment of how quickly this income will recover will need to be completed. For planning purposes an average recovery of 75% is a reasonable planning assumption for 2021/22 at this stage. This will still leave an income shortfall of £1.150m. There is a risk that this shortfall may be higher and this position will be reviewed latter in the year when services have reopened.

- **Potential Additional Social Care funding** – the Government has announced a further delay to the Fair Funding Review and introduction of 75% Business Rates Retention until 2022/23. Additionally, proposals for a long term solution of Social Care funding are still to be issued by the Government, after many years of delay. Over the last two years the Government provided additional Social Care funding to partly mitigate these issues and the continued financial pressures facing both Adult and Children's social care. The announcement for 2020/21 was extremely late and allocated £2.3m to Hartlepool. The 2021/22 forecasts assume this funding will be sustained.

No provision has been included in the current forecast for a potential additional new social care grant allocation in 2021/22. It is hoped that the pandemic has highlight the critical importance of the Adult Social care and the financial pressures facing these services and a new additional funding allocation may be provided. However, this cannot be guaranteed and will depend on the outcome of the 2020 Spending Review.

- 6.9 The following table summarises the above factors and shows a total forecast 2021/22 funding shortfall of between **£2.886m** and **£5.086m**. The lower figure will only be achieved if the Government provide additional funding for Social care.

Update 2021/22 Forecast Deficit – Based on 2% Council Tax increase

	Deficit with additional 2021/22 Social Care Government Funding £'m	Deficit without additional 2021/22 Social Care Government Funding £'m
Forecast Deficit Reported February	1.301	1.301
Add - Recurring impact of April 2020 National Pay Award	0.400	0.400
Add- Reduction in Forecast Housing Growth	0.760	0.760
Add- Budget Pressures	1.475	1.475
Forecast 2021/22 Income Shortfalls	1.150	1.150
Less – Potential 2021/22 New Social Care Government Grant	(2.200)	0.000
Revised Forecast Deficit	2.886	5.086

6.10 Strategy for Managing Forecast Deficit

- 6.11 In normal circumstances it would be recommended that a savings strategy is developed to address the recurring budget deficit and identify the services cuts which need to be implemented from 1st April 2021. However, the deficit includes forecast income shortfalls which may be temporary for 2021/22 if

activity returns to normal levels over the next 18 months, although this will depend how peoples' behaviours may have changed as a result of the pandemic and whether there are further outbreaks.

- 6.12 Achieving permanent savings of this magnitude would undermine capacity of the Council to support the town recover from the pandemic and consume a significant amount of management capacity. In addition, the delayed implementation of major reform of the Local Government until 2022/23 means there is significant uncertainty regarding funding levels beyond 2021/22 – particularly in relation to Social Care.
- 6.13 Therefore, against this background, it would not be inappropriate to fund the above shortfall from one off resources. **However, in adopting this strategy the Council needs to recognise that this is not a permanent solution. If reforms of the Local Government funding system do not result in a significant increase in funding in 2022/23, the strategy simply defers the budget deficit and resulting budget cuts until 2022/23.**
- 6.14 To support the adoption of this strategy the Council would need to commit the majority of the remaining uncommitted reserves (i.e. Budget Support Fund and Strategic One off costs reserve). This would significantly reduce one off resources available to support the 2022/23 budget and manage financial risks, as summarised below:

Actual Balance 31.03.20 £'m		Forecast Balance 31.03.21 with additional 2021/22 Social Care Government Funding £'m	Forecast Balance 31.03.21 without additional 2021/22 Social Care Government Funding £'m
4.513	Budget Support Fund	3.029	3.029
2.692	Strategic One off costs reserve	2.599	2.599
7.205	Total	5.628	5.628
	Less Best / Worst care 2021/22 Funding Shortfall	(2.886)	(5.086)
	Forecast uncommitted one of resources available to support 2022/23 budget & financial risks	2.742	0.542

6.15 Council Tax 2021/22

- 6.16 As reported in February the 2021/22 budget forecast are based on a 2% Council Tax increase, which equates to additional recurring resources of **£0.860m**. This increase reflected the previous Government Spending Review which anticipates increasing annual Council Tax revenue from annual

increases being part of the Government's funding strategy for council services.

- 6.17 If Council Tax is frozen this income is lost permanently as the Council Tax referendum regime sets annual limits and it is unlikely that this system will change. This means freezing Council Tax in one year cannot be caught up with a higher increase in a future years as referendum limits do not operate on a cumulative basis.
- 6.18 Since 2016/17 the Government's funding system, including the introduction of the Adult Social Care Council Tax precept, has effectively "nationalised" annual Council Tax increases as this increased income has been built into national spending plans. As a result of previous Government funding cuts and the Government's Council Tax regime the majority of authorities have increased Council Tax in line with Government Council Tax referendum limits to partly mitigate cuts in services.
- 6.19 Legally the responsibility for Council Tax increases remains with individual authorities. However, the Government's recent Council Tax policy has meant that councils have faced the choice of either:
- Increasing Council Tax to protect recurring income and protect services;
 - OR
 - Freeze Council Tax and accept that the resulting permanent income loss has to be replaced by making service cuts.
- 6.20 The shift in the percentage of local services now funded from Council Tax means that the above 'choice' is now a continuing annual issues for councils. This position will not change until the Government provides additional recurring grant income to meet inflation pressures / increased service demand, as they do for the NHS.
- 6.21 Members have expressed a desire to explore freezing Council Tax owing to the increasing impact this tax has on household budgets. In practice the recurring income foregone from freezing Council Tax needs to be replaced and the only effective option for achieving this is to lobby the Government to implement a fully funded Council Tax freeze for 2021/22.
- 6.22 The previous Government funded Council Tax regime only provided funding for 50% of the income foregone from freezing Council Tax. At the time this was a less significant issue as the Council Tax referendum limit was set at 2% and Council Tax income made up a lower share of overall funding. The Council Tax freeze grant was provided as a specific grant for one year and then rolled into the main Revenue Support Grant in future years.

Given service pressures a 2021/22 nationally funded Council Tax freeze regime would need to be supported with a specific grant equal to the income that would have been raised from a 2% increase. This grant would then need

to be provided separately in future years to ensure transparency around the sustainability of this funding on a permanent basis.

- 6.23 Over recent years the Government's Council Tax policy has shifted the funding burden for local services from grant on to Council Tax. This has reflected annual cuts in Government grants and national Council Tax referendum limits set by the Government. As a result of these changes the previous alternatives to increasing Council Tax i.e. identifying services cuts and / or increasing other income streams are no longer viable options, for the following reasons:

- **Identify additional service cuts.**

As detailed in the previous section the Council will have to make further budget cuts even with a Council Tax increase of 2%. A Council Tax freeze would reduce recurring income and therefore exacerbate the budget cuts required, which would be extremely challenging in view of the cuts implemented over the last nine years.

- **Increase other income streams**

The 2020/21 budget forecast already assume that income from existing fees and charges will increase by 2% and provide recurring additional income of **£0.896m**.

The base budget forecast also assume that activity in 2021/22 will return to the pre Covid level. This will not happen in all areas and an initial assessment of the forecast shortfall is detailed earlier in the report.

It would therefore be unrealistic to anticipate any further additional income in 2021/22 from existing charges.

As reported last year scope for new charges is extremely limited and introducing new charges in a recovery period would be more challenging than in normal circumstances.

- 6.24 In summary the level of Council Tax increase for 2021/22 cannot be determined until the Government set the proposed Council Tax referendum limits. As detailed in the next section a Government funded 2021/22 Council Tax freeze may be an issue that Members wish to include in a submission to the 2020 Spending Review and the Minister for Regional Growth and Local Government.

6.25 **Issues for Spending Review Submission and Letter to Simon Clark MP – Minister for Regional Growth and Local Government**

- 6.26 Members views on the following suggested submission are requested:

- The Council has increasing concerns on the ability of residents in deprived areas to pay increasing council tax bills. This position has been

exacerbated by the introduction of the Adult Social Care precept, which for Hartlepool residents now accounts for nearly 9 pence of every £1 of Council Tax paid for Council services.

- Additionally, the funding raised from council tax is inequitable across the country – with the same percentage increases in wealthier areas raising significantly more than increases in lower tax-base areas like the north east and Hartlepool.
- To address these issues the Council would ask the Government to fully fund a Council Tax freeze for 2021/22 with a specific grant equal to the amount a 2% Council Tax increase would generate and continue to pay this grant in future years to permanently back councils freezing Council Tax to support residents during the recovery period.
- Request that the Government provides a two year financial settlement for 2021/22 and 2022/23 to provide financial certainty during the recovery period. This needs as a minimum to guarantee all 2020/21 funding streams for two years and provide additional funding for adult and children's social care pressures based on need.
- Commit to developing a sustainable funding system for 2022/23 onwards, which allocates funding on the basis of need and ability to raise resources locally. The suggested lead time will provide time for full consultation and implementation of a fairer funding regime. The Adult Care green paper remains unpublished and there also needs to be full recognition of the significant cost pressures arising from increases in demand in providing children's social care services in the north east.
- Abandon plans to increase Business Rates retention and commit to review the Business Rates system which, the current pandemic and need for significant reliefs has demonstrated, is not a robust basis for funding local services – particularly adult and children's social care, or taxing high street businesses and online businesses fairly.

6.27 Other Lobbying arrangements

- 6.28 The LGA has successfully lobbied the Government for Covid financial support. The pandemic has identified that there is not a special interest group for unitary councils within the LGA to provide a forum for sharing experiences and promoting the financial issues facing unitary councils. A number of councils have expressed an interest in establishing a special interest group for unitary councils and Members views on whether Hartlepool should join this group are requested.

6.29 Future Years Outlook – 2022/23 and 2023/24

- 6.30 It is widely recognised that the national funding system is effectively ‘broken’ and significant planned national reforms have been put back to 2022/23. A new system for funding local services needs to recognise that for many councils, including Hartlepool, that Government funding will continue to be critical as Council Tax income is not sufficient to fund local services without there becoming a post code lottery for service provision.
- 6.31 For Hartlepool Government funding and Business Rates income currently account for **55%** of resources and Council Tax the remaining **45%**. If future Government funding is not increased in line with inflation each year the Council will face annual deficits in 2022/23 and 2023/24 of **£2m** per year. This is the amount needed just to stand still and provides no additional resources for service pressures.
- 6.32 To address a deficit of £2m the Council would either:
- Need to achieve trend housing growth of £0.7m and a 2.9% Council Tax increase (£1.3m); or
 - Need to achieve trend housing growth of £0.7m and a 2% Council Tax increase (£0.9m) and make service cuts of £0.4m; or
 - Need to achieve trend housing growth of £0.7m and make service cuts of £1.3m to have a Council Tax freeze.
- 6.33 Decisions regarding the budgets for 2022/23 and 2023/24 will be subject to future reports and reflect decisions the Government makes regarding future level of funding for councils and future national Council Tax referendum limits.

7. LOCAL COUNCIL TAX SUPPORT (LCTS) SCHEME 2021/22

- 7.1 As reported to Finance and Policy Committee on 9 December 2019 the Council had consulted on the options of retaining a 12% scheme, or introducing 14%, 16%, 18% or 20% schemes.
- 7.2 The consultation undertaken last year received 333 responses and 66% (220) of responses were from individual who had never been in receipt of LCTS. In response to the first consultation question over two thirds of respondents thought the Council should maintain the existing 12% scheme. In response to the second consultation question – ‘if you feel the Council should increase the minimum contribution that working age households make, what do you think should be the minimum contribution in the 2020/21 scheme’ – responses were:
- 49% said a 14% contribution;
 - 17% said a 16% contribution;
 - 10% said a 18% contribution;
 - 24% said a 20% contribution
- 7.3 Based on the outcome of the consultation members determined to retain a 12% scheme for 2020/21.

- 7.4 In response to a proposal from a Member it was also agreed by Finance and Policy Committee on 9 December 2019 that:
- consultation on the Local Council Tax Support for 2021/22 include the potential option of a 10% scheme and the potential use of the Local Welfare Support budget to fund the additional 2%.
- 7.5 As outlined earlier in the report the Covid pandemic has increased the number of working age households eligible for LCTS in 2020/21, owing to the impact of higher unemployment and / or reduced contracted hours of work.
- 7.6 The increase in households eligible for LCTS is expected to continue into 2021/22 and the reduction in eligibility will be driven by the strength of the economic recovery.
- 7.7 In view of the financial challenges facing the Council and residents Members need to adopt one of following options:
- **Option 1** - recommended to Council to maintain the existing LCTS scheme at 12% and the Local Welfare Support budget for 2021/22 to provides financial certainty and stability;
 - **Option 2** - to consult on alternative options, including the options detailed in paragraph 7.2, over the summer with a view to bring a further report back to Finance and Policy Committee to determine the LCTS and Local Welfare Support budget to be recommended to Council in December.

8. HOUSING REVENUE ACCOUNT (HRA)

- 8.1 The HRA is separate ring fenced account and there can be no subsidy from General Fund and vice versa. Notwithstanding this legal distinction Members previously requested that HRA rent proposals be brought forward as part of the budget process.
- 8.2 The key issue in relation to the HRA is the level of rent as this determines the level of prudential borrowing to match fund Homes England capital grant funding. The Government has set a maximum annual rent increase level for the HRA of the annual September CPI plus 1% for the period 2020/21 to 2024/25.
- 8.3 Members are requested to determine which of the following options they wish to recommend to full Council. In considering these options Members are advised that both options increase the number of HRA properties which helps address housing need and make the HRA financially more resilient. If option 2 is adopted the increase in additional properties may be phased over two financial years and a detailed delivery plan will be submitted to a future meeting is this option is adopted.

	Rent Increase 2021/22	Prudential Borrowing £'m	Forecast Home England Grant £'m	Forecast Total Capital Investment £'m	Additional Properties
Option 1	Rent freeze	2.074	1.064	3.138	28
Option 2	1.8% #	3.925	2.014	5.939	53

Estimate based on June CPI of 0.8% plus 1%. Actual increase will be September CPI plus 1%.

9. BUDGET TIMETABLE

- 9.1 In view of the significant uncertainty regarding the timing of national funding announcements the following draft budget timetable is designed to keep Members updated during the remainder of the year. Member briefings will also be scheduled within this timetable.

Committee	Issues to be considered
Finance and Policy Committee September to November 2020	Regular updates will be provide as national funding announcements are made and work on local forecasts is completed.
Finance and Policy Committee December 2020 #	MTFS update to reflect provisional 2020/21 Local Government Finance Settlement announcement and determine budget proposals to be referred to full Council. If Members adopt option 2 to consult on alternative 2021/22 LCTS options details of the consultation outcome will be reported in December to enable Finance and Policy committee to approve the proposed to be referred to Council.
Council December 2020 #	Consider detailed budget proposals referred by Finance and Policy Committee.
Finance and Policy Committee January 2020 ##	Approval statutory Council Tax calculations, including precepts set by other bodies, to be referred to full Council.
Council February 2020 ##	Consider statutory Council Tax calculations, including precepts set by other bodies, referred from Finance and Policy Committee

These reports are scheduled in line with the timetable adopted in previous years. However, there is a significant risk around the impact and timing of the provisional Local Government Finance Settlement announcement by the Government, which may not be made until very late in December.

These reports will be subject to the timing of the final Local Government Finance Settlement announcement by the Government and if this is delayed an additional Finance and Policy Committee and Council meeting may be

required to set the budget and council tax before the 11th March statutory deadline.

10. COMMUNITY POT

- 10.1 To support the recovery process Members may wish to establish a Community Pot and the following one off resources have been identified:

	£'000
New Burdens funding	130
Release of Family Poverty Reserve #	48
Ward Member Budget underspend at 31.03.2020	25
Local Authority Emergency Assistance Grant for food and essential suppliers	22
Total One-off funding	225

Current balance is reserve is £90k and releasing £48k will leave £42k to support ongoing Family Poverty initiatives, including potential Christmas 2020 holiday hunger initiatives.

- 10.2 If Members support this proposal it is suggested that £25,000 is allocated to support a programme of activities for Young People and authority delegated to the Chief Executive in consultation with the Chair of Finance and Policy Committee to approve the use of this funding.
- 10.3 Proposal for allocating the remaining £200,000 would be made by Finance and Policy Committee.

11. CONSULTATION AND OTHER CONSIDERATIONS

- 11.1 Section 9 details the formal budget timetable, including arrangements for Member briefings. Details for public consultation will be developed as the budget process progresses and this will be aligned with consultation on the Recovery Plan.
- 11.2 The following areas will be addressed in future MTFS reports and will reflect the development of detailed budget proposals:
- Risk Implications
 - Legal Considerations
 - Child and Family Poverty Considerations
 - Staff Consideration
 - Asset Management Considerations
 - Robustness advice from the Director of Finance and Policy - Local Government Act 2003 requirements
 - Equality and Diversity Considerations

12. CONCLUSIONS

- 12.1 Prior to the outbreak of the Covid-19 pandemic the Council had successfully managed the impact of nine years of austerity and a significant cut in Government funding, which in 2020/21 was **£25.7m (41%)** less than in 2013/14 (the year the current funding system was introduced). The Council set a balanced budget for 2020/21 which minimised the use of reserves to approximately £0.5m and therefore provided a robust financial base for 2021/22.
- 12.2 The pandemic has had a profound impact on the daily lives of people. While the economic and social impacts of the pandemic are significant, the principal impacts are on the health and well-being of those directly and indirectly affected.
- 12.3 From a financial perspective the pandemic has had a significant negative impact on the financial position of all councils in the current year (2020/21). In response the Government has provided additional un-ringfenced grant of £3.7 billion in the current year to meet additional costs incurred by councils responding to the pandemic. The Council has been allocated £6.976m. The Government will be providing financial support to mitigate losses in sales, fees and charges income suffered by councils, which covers 71% of these losses. Additionally, councils will be able to repay 2020/21 Collection Fund deficits over three years, rather than one year. It is currently forecast that the Council will face a net shortfall in funding in relation to the Collection Fund deficit arising from the economic impact of Covid of **£2.154m**. This will need to be funded from the Council's own resources.
- 12.4 The pandemic will continue to impact on the Council's financial position in 2021/22 as housing growth will be lower than previously forecast, which will reduce forecast Council Tax income. The April 2020 national pay award is expected to exceed the forecast increase and this will increase recurring costs. The Council will also face increased budget pressures in relation to Looked after Children. In total these factors increase the 2020/21 deficit to between **£2.886m and £5.086m**. The lower figures assume a further additional Government grant allocation for Social Care costs, although this cannot be guaranteed and will depend on the outcome of the Spending Review. It is also hoped that the deficit will be reduced once a detailed assessment of the current increase in Looked after Children caseloads has been completed.
- 12.5 The Government has also announced a further delay in the planned implementation of the Fair Funding Review and increase in Business Rates Retention from 50% to 75% until 2022/23. Proposals for a long term reform of Adult Social Care have also been delayed. The Office for Budget Responsibility (OBR) published a Fiscal Sustainability report on 14th July 2020 and highlighted:
- Adult social care represents a source of fiscal risk, with demographic and other cost pressures raising demands for spending and governments

announcing periodic top-ups to strained budgets. The funding system itself is a source of fiscal uncertainty as governments have recognised that reform is necessary but have been unwilling to decide how.

- Local Authorities' finance could come under greater pressure than we have assumed, leaving them unable to meet statutory obligations without additional funding from central government.

12.6 The Government is also undertaking a Spending Review which will need to address how the unprecedented peace time increase in Government debt arising from the pandemic is managed. The Chancellor has indicated that “tough choices” will need to be made, which given the large amounts already promised for Government priorities (NHS, schools and police), may mean further cuts for other lower priority Government spending.

12.7 The pandemic has highlighted that:

- the funding system for councils is no longer fit for purpose;
- magnified the impact of delaying reforms to the national funding system and highlighted the fragility of the funding system for social care, particularly Adult Social Care;
- highlighted that after many years of austerity the sector is not financially sustainable and has relied on emergency one off Government funding to deal with the impact of Covid and avoid high numbers of councils having to issue section 114 notices.

12.8 In summary, the pandemic has increased financial uncertainty for councils. The Government has provided significant additional grant funding and financial flexibility to support councils. However, the pandemic means that councils, including Hartlepool, will be in a significantly weaker financial position than before the pandemic. Decisions the Government makes in relation to future funding arrangements for councils, particularly in relation to social care, will be critical to the financial viability of councils and the range of services that can be provided.

12.9 In the short-term of 2021/22 the financial position of councils will depend on the level of Government grant funding and the Government's national Council Tax policy. The recommendations propose lobbying the Government to address these issues in advance of the planned Spending Review.

13. RECOMMENDATIONS

13.1 It is recommended that Members:

2020/21 General Fund Forecast Outturn

- Note that it is anticipated that increase Looked after Children costs can be funded from underspend in other budgets.

Financial Impact of Covid-19

- ii) Note that it is currently anticipated that Government grant funding should cover forecast Covid costs and irrecoverable sales, fees and charges income, although the position may change if there is a local lock down or second wave outbreak.
- iii) Note that the forecast Collection Fund deficit will not be funded from Government grant and based on current forecasts Council resources of £2.154m will need to be allocated to address this funding shortfall, as detailed in paragraph 5.6.

General Fund Budget 2021/22 and future years

- iv) Note the pandemic has had an adverse impact on the Council's financial position and the forecast funding shortfall for 2021/22 is between £2.886m and £5.086m, including a forecast recurring income shortfall of £1.150m arising from the continued impact of Covid 19 in 2021/22.
- v) Endorse the proposed strategy to fund this shortfall from reserves, whilst noting this is not a permanent strategy and defers a deficit until 2022/23 to provide a longer lead time to identify budget cuts and clarity over recurring national funding.
- vi) Approve the suggested submission to the Spending Review Submission and Letter to Simon Clark MP – Minister for Regional Growth and Local Government detailed in paragraph 6.25, including lobbying for a fully funded 2021/22 Council Tax freeze grant and noting that if this is not provided Council Tax will need to increase in line with Government set referendum limit to protect services.
- vii) Determine if the Council should support the establishment of a special interest group for unitary councils within the LGA to provide a forum for sharing experiences and promoting the financial issues facing unitary councils.

Local Council Tax Support scheme 2021/22

- viii) Note the increase in households eligible for LCTS in 2020/21 and 2021/22;
- ix) Determine which of the following 2021/22 LCTS scheme options should be recommended for referral to Council:
 - **Option 1** - recommended to Council to maintain the existing LCTS scheme at 12% and the Local Welfare Support budget for 2021/22 to provides financial certainty and stability;
 - **Option 2** - to consult on alternative options over the summer with a view to bring a further report back to Finance and Policy Committee to

determine the LCTS and Local Welfare Support budget to be recommended to Council in December.

Housing Revenue Account

- x) Determine whether to freeze HRA rents for 2021/22, or increase up to the Government limit should be recommended to Council and note the additional forecast capital investment for each of these options detailed in paragraph 8.3.

Community Pot

- xi) Recommend to Council the establishment of a Community Pot of £225,000 to be funded from the one off resources detailed in paragraph 10 and:
- Earmark £25,000 to support a programme of activities for Young People and delegated authority to the Chief Executive in consultation with the Chair of Finance and Policy Committee to approve the use of this fund;
 - Note that proposal for allocating the remaining £200,000 would be made by Finance and Policy Committee.

14. REASON FOR RECOMMENDATIONS

- 14.1 To update the Finance and Policy Committee on the financial challenges facing the Council and enable Members to make an early Policy decision in relation to the 2021/22 LCTS scheme and HRA rents to be referred to full Council.

15. BACKGROUND PAPERS

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

Council - Medium Term Financial Strategy (MTFS) 2019/20 to 2021/22 – 19th December 2019

Council - MTFS 2019/20 to 2021/22 – 20th February 2020

16. CONTACT OFFICER

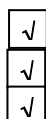
Chris Little
Director of Finance and Policy
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Sign Off:-

Chief Executive

Director of Finance and Policy

Chief Solicitor





Ministry of Housing,
Communities &
Local Government

To all Leaders and Chief Executives in England

Simon Clarke MP

Minister for Regional Growth and Local Government

**Ministry of Housing, Communities and Local
Government**

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London
SW1P 4DF

Tel: 0303 444 3440

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17 July 2020

Dear Colleague,

SUPPORT PACKAGE FOR LOCAL AUTHORITIES – COVID-19

The Government has committed to helping councils face the continuing pressures of the pandemic. We therefore provided £3.8 billion of grant funding, including a £600m Infection Control Fund, and over £5 billion of cashflow support. On 2 July, the Secretary of State announced a new set of support measures, including:

- A new scheme to reimburse councils for lost income from sales, fees, and charges;
- Changes enabling local authorities to spread their tax deficits over three years rather than the usual one;
- A further £500m of un-ringfenced funding to respond to spending pressures.

We have now set out more detail about these measures and have confirmed the distribution for the £500 million of new funding, including individual local authority allocations. The Director of Local Government Finance, Alex Skinner, will also be writing to Finance Directors shortly with further technical details.

Recognising the impact the pandemic has had on income from sales, fees and charges, we have introduced a co-payment scheme to compensate councils for relevant unforeseen losses that are irrecoverable. Councils will absorb the first 5% of all relevant irrecoverable losses compared to their original plans, with the Government compensating councils for 75 pence in every pound of loss thereafter. By introducing a 5% deductible, the Government is accounting for an acceptable level of volatility, whilst shielding councils from significant losses.

We have also confirmed that we will extend the period over which councils must manage shortfalls in local tax income relating to 2020-21, from 1 to 3 years. This will ease immediate pressures on councils when budget setting for 2021-22, protecting their ability to deliver essential local services. The details of this will be set out in regulations which we expect to lay later this year.

The additional funding of £500 million for expenditure demonstrates Government's continued commitment to make sure councils have the resources they need. This award follows two previous rounds of grant allocations, the first primarily focused on getting emergency support into Adult Social Care and the second on addressing both expenditure pressures and income shortfalls. Our scheme to compensate for income losses means that the original £3.2bn grant funding, and this new £500m, can now predominantly be used to cover the majority of your expenditure pressures.

The department has been asking local authorities to complete another monthly financial monitoring exercise and we have received an excellent response from councils so far. We are extremely grateful for your collaboration and this has enabled us to understand pressures at a national and local level.

The first tranche of funding was primarily focussed on getting emergency support into Adult Social Care. The second round, distributed on a per capita basis, addressed both expenditure pressures and income shortfalls across all councils. Our income guarantee scheme will compensate councils for relevant irrecoverable losses over and above what they could have reasonably planned for, and so with the benefit of data from our monitoring returns, we have now created a new formula to distribute the additional funding to meet expenditure pressures. This formula reflects the factors which the data returns have told us correlate most closely with front-line expenditure - population, deprivation and the way that service costs vary across the country - and ensures funding is targeted to where it's most needed.

Individual allocations can now be found online. We have also published a technical note on the methodology for allocating the additional £500m, as well as further details on the income guarantee scheme and collection fund deficit repayments. These can be found at <https://www.gov.uk/government/publications/covid-19-emergency-funding-for-local-government>

In recognition of the acute cost pressures that a small number of local authorities are facing with regard to Unaccompanied Asylum Seeking Children, DfE will use £6 million of the £500 million to provide targeted support to a small number of councils. Further details will follow in due course.

These new allocations, combined with the income scheme and cashflow support, show how this Government will continue to stand shoulder to shoulder with councils and communities as we recover from this pandemic and renew our commitment to unite and level up the country.

I recognise this is a fast-evolving landscape and as we progress through the next phase of recovery I look forward to continuing to work with you to support our communities.

Yours ever,

A handwritten signature in dark ink, reading 'Simon Clarke'. The signature is written in a cursive style with a long horizontal stroke underneath.

SIMON CLARKE MP

APPENDIX B**Tranche 3 – Government Support for income losses
and Collection Fund deficits – Impact on Hartlepool**

<u>Government Proposal</u>	<u>Impact on Hartlepool</u>
<p>Co-payment mechanism for irrecoverable Sales, Fees and Charges income, with the Government covering 75% of losses beyond 5% of planned income. The scheme is based on three principles:</p> <ol style="list-style-type: none"> 1. Transactional income from customer and client receipts (excluding rents and investment income) which is generated from the delivery of services which was budgeted for in 20/21. 2. As a result of COVID-19, and consequent reductions in economic activity, these income sources have been unavoidably lost and won't be recovered in this financial year. 3. Compensation should be based on net losses, where a local authority has been able to reduce expenditure, or has received over compensation, only the residual loss would be compensated for. 	<p>At the time this report was prepared final details of how this scheme will operate and arrangements for submitting claims had not been issued.</p> <p>The scheme effectively means the Government will cover 71% of income losses (i.e. 75% of 95%) and Councils 29%.</p> <p>If expenditure commitments are less than the grant funding allocated under tranches 1 to 3 it is my current understanding that any uncommitted grant can be used toward the 29% income shortfalls.</p>
<p>Phased repayment of Collection Fund deficits over the next 3 years</p>	<p>Collection Fund deficits will arise as a result of Council Tax income and Business Rates income in 2020/21 being less than forecast.</p> <p>As report previously a £2 million Council Tax deficit is forecast for 2020/21 and a £1m deficit forecast for 2021/22. These deficits reflect the forecast impact of an increase in households eligible for LCTS owing to an increase in unemployment, or reduced hours of work. At the end of June 2020</p>

	<p>LCTS claimant numbers were 8% higher than the pre-Covid level. A further increase is anticipated as the furloughing scheme ends.</p> <p>The position in relation to Business Rates is more difficult to assess as Government Business Rates Relief Initiatives for 2020/21 have been provided. This has removed the 2020/21 Business Rates liability for 70% of Hartlepool businesses. A Government grant of £11.134m has been provided to fully cover this lost income. It is not yet clear if this initiative will continue in 2021/22 and if it does not the impact withdrawal of this support will have on the viability of businesses (particularly retail premises) and the collectability of 2021/22 Business Rates income.</p> <p>In normal circumstances 2020/21 Collection Fund deficits would have to be repaid in 2021/22, either from the 2021/22 revenue budget (i.e. by making budget cuts) or one off resources if these are available.</p> <p>The Government's proposal to spread the 2020/21 Collection Fund deficit over three years is helpful from a cash flow perspective. However, the deficit still has to be repaid and this will impact on funding available for services.</p> <p>Based on information issued by the Government a co-payment mechanism will not apply to Collection Fund deficits. Therefore, the whole of this loss will fall on individual councils and the only support is the concession to spread deficits over three financial years.</p>
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<p>A commitment to determine what support is needed to help councils meet the pressures of irrecoverable tax income at the Spending Review.</p>	<p>As reported previously the economic impact of the pandemic is unlikely to reverse quickly and this will result in a higher level of households eligible for LCTS, which will reduce Council Tax income, in 2020/21, 2021/22 and potentially into 2022/23.</p> <p>To put this into context LCTS claimants numbers are already 8% higher than pre-Covid. A further increase to 15% later in the year when furlough ends would mean that eligible households would increase to the same level as 2013/14. This would mean that seven years of reducing LCTS eligible households would have been reversed in around six months – which underlines the severity of the economic impact of the pandemic.</p> <p>If additional Government funding is not provided in the Spending Review this will adversely impact on the Council's budget position for 2021/22.</p>
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Report of: Managing Director

Subject: BUSINESS REPORT

1. RESIGNATION OF COUNCILLOR

Council is aware of the resignation of James Black as a Borough Councillor for the Seaton Ward. An email notifying of his resignation was received on 2 August 2020?

The vacancy arising through this resignation will be held until the day of the ordinary election in 2021 in accordance with Regulation 5 of the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, unless new legislation is laid in relation to by-elections. The Council now has three vacant seats.

As a result of the resignation, there are the following vacancies:-

Audit and Governance Committee
Appointments Panel

2. SPECIAL URGENCY QUARTERLY REPORT

In accordance with the requirements of the Access to Information Procedure Rules included in the Council's Constitution, Full Council is informed that no special urgency decisions were taken in the periods set out below:-

May – July 2020

Council is requested to note the report.

3. APPOINTMENTS TO COMMITTEES

Full Council is requested to note the following change to Committee appointments:-

- Following the appointment made at the July meeting of Full Council, notification has been received that Councillor Stokell will replace Councillor Ward on the Licensing Committee

Member questions for Council

Meeting: 17 September 2020

1.	From: Councillor Stokell
	To: Councillor Tennant Chair of Neighbourhood Services Committee
	Question: “Given the public frustration at the amount of fly tipping and a recent reference to the high costs for HBC to remove it, what can be done in hot spot areas by way of covert CCTV or other methods to reduce this issue?”