

# NEIGHBOURHOOD SERVICES COMMITTEE

## AGENDA



**Monday 30 June 2025**

**at 5.00 pm**

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

MEMBERS: NEIGHBOURHOOD SERVICES COMMITTEE

Councillors Cook, Little, Male, Oliver (C), Riddle (VC), C Wallace and Young.

Parish Council Co-opted Members:

S Smith (Greatham Parish Council)

L Noble (Dalton Piercy Parish Council)

**1. APOLOGIES FOR ABSENCE**

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

**3. MINUTES**

- 3.1 To receive the Minutes and Decision Record of the meeting held on 24 March 2025 (*previously published and circulated*)

**4. BUDGET AND POLICY FRAMEWORK ITEMS**

No items.

**5. KEY DECISIONS**

None.

**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.

**6. OTHER ITEMS REQUIRING DECISION**

6.1 Station Lane Bus Shelter – *Assistant Director, Neighbourhood Services*

**7. ITEMS FOR INFORMATION**

7.1 Energy Efficiency Schemes Delivery 2017-2025 – *Assistant Director (Regulatory Services)*

7.2 Controlling Houses in Multiple Occupation Article 4 Consultation – *Assistant Director (Neighbourhood Services)*

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

**FOR INFORMATION**

Date of next meeting – Monday 15 September 2025 at 10.00 am in the Civic Centre, Hartlepool.



# NEIGHBOURHOOD SERVICES COMMITTEE

30 June 2025



**Subject:** Station Lane Bus Shelter

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

**Decision Type:** Non-Key

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## 1. COUNCIL PLAN PRIORITY

<b>Hartlepool will be a place:</b>
- where people are enabled to live healthy, independent and prosperous lives.
- where those who are vulnerable will be safe and protected from harm.

## 2. PURPOSE OF REPORT

- 2.1 To identify a preferred way forward on whether to reinstate a bus shelter on Station Lane, at Byland Grove.

## 3. BACKGROUND

- 3.1 Station Lane in Seaton Carew is served by the Stagecoach No. 1 service, linking Seaton with the town centre and also the Throston and High Tunstall areas of town. Certain services also facilitate onward travel to and from Middlesbrough.
- 3.2 The bus shelter at Byland Grove had for a number of years suffered from anti-social behaviour and vandalism, leaving it at the point where it was beyond repair.
- 3.3 As a result, the shelter was removed around 12-18 months ago, to the satisfaction of residents in the immediate vicinity.

- 3.4 However, following this requests were received for the shelter to be reinstated, and earlier this year a public consultation was undertaken to determine the views of local residents along with bus users.
- 3.5 To facilitate this, in addition to letters being sent to residents in the area, notices were placed at the bus stop and also on Stagecoach buses serving the route. Details of the consultation results are shown at section 5 of this report

#### 4. PROPOSALS/OPTIONS FOR CONSIDERATION

- 4.1 This is an issue where there is no middle ground and the shelter is either in place or it isn't, and these were the options put to people as part of the consultation process.

#### 5. OTHER CONSIDERATIONS/IMPLICATIONS

<b>RISK IMPLICATIONS</b>	No relevant issues.
<b>FINANCIAL CONSIDERATIONS</b>	A bus shelter is estimated to cost £3,000-£4,000, and would be funded from the Council's Local Transport Plan if approved.
<b>SUBSIDY CONTROL</b>	No relevant issues
<b>LEGAL CONSIDERATIONS</b>	No relevant issues.
<b>CHILD AND FAMILY POVERTY</b>	No relevant issues.
<b>EQUALITY AND DIVERSITY CONSIDERATIONS</b>	No relevant issues.
<b>STAFF CONSIDERATIONS</b>	No relevant issues.
<b>ASSET MANAGEMENT CONSIDERATIONS</b>	The shelter would be added to the Council's asset register, if approved.
<b>ENVIRONMENT, SUSTAINABILITY AND CLIMATE</b>	No relevant issues.

CHANGE CONSIDERATIONS	
<b>CONSULTATION</b>	<p>As outlined at 3.5, both residents and bus users were consulted as part of the process, and the results were as follows:-</p> <p>Votes in favour of a new shelter - <b>44</b>          Votes against a new shelter – <b>71</b> *</p> <p><i>*This total includes 12 votes from properties which had already voted, but still leaves a total of individual properties against the shelter of <b>59</b>.</i></p> <p>The great majority of those against the shelter live in the immediate area, and voiced concerns of anti-social behaviour, vandalism, and feeling unsafe due to gangs of youths congregating.</p> <p>A significant majority of those in favour of the bus shelter did not leave an address, and given the responses from those against can be assumed not to live in the immediate vicinity, however if they are bus users then this is to be expected. They may also have friends or family they visit who live nearby, or may work close to the bus stop, which makes their views valuable in terms of building up a full picture.</p> <p>However, increased weight should be given to the people who live close to the bus stop and have experienced problems associated with a shelter on a daily basis.</p> <p>Numerous examples are given from multiple respondents of vandalism, anti-social behaviour and a general theme of feeling unsafe as a result of youths gathering. They also reported things being vastly improved with the shelter having been removed.</p> <p>While the views of bus users can most certainly be appreciated, and in an ideal world it would be preferable to be able to provide a facility for passengers to wait out of the rain, given the numerous issues reported over a significant period of time the reinstalling of a shelter cannot be supported in this instance.</p> <p>The results of the consultation also support this recommendation, with 62% of respondents being against a shelter, compared to 38% in favour.</p>

	Even removing the 12 responses from households which had already voted shows 57% against a shelter as opposed to 43% in favour.
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## 6. RECOMMENDATIONS

- 6.1 That in view of the consultation responses received, the installation of a bus shelter on Station Lane does not go ahead.

## 7. REASONS FOR RECOMMENDATIONS

- 7.1 The consultation results do not support a shelter being installed. In addition, while the views of bus users can be appreciated and also sympathised with in relation to waiting in inclement weather, the majority view of residents who have previously lived with the associated problems should carry greater weight.

## 8. BACKGROUND PAPERS

- 8.1 None.

## 9. CONTACT OFFICERS

- 9.1 Kieran Bostock  
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## AUTHOR OF REPORT

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Sign Off:-

Managing Director	Date: 10 June 25
Director of Finance, IT and Digital	Date: 10 June 25
Director of Legal, Governance and HR	Date: 10 June 25

# NEIGHBOURHOOD SERVICES COMMITTEE

30 JUNE 2025



**Subject:** ENERGY EFFICIENCY SCHEMES DELIVERY 2017-2025

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

**Decision Type:** For information

## 1. COUNCIL PLAN PRIORITY

<b>Hartlepool will be a place:</b>
- where people live healthier, safe and independent lives. (People)
- that is connected, sustainable, clean and green. (Place)

## 2. PURPOSE OF REPORT

2.1 The purpose of the report is to provide an update on the delivery of energy efficiency schemes since 2017 and to update on delivery of future schemes.

## 3. BACKGROUND

3.1 Following on from the successful regional Warm Up North partnership with British Gas, which was reported in 2016, the Council has participated in a number of schemes which have brought in considerable funding to improve the energy efficiency of homes and reducing energy consumption for a significant number of households.

3.2 The report sets out a summary of each of the schemes and a breakdown of the number of households assisted, the number of energy efficiency measures installed and the funding which has been secured.

3.3 The report also provides an update on the most recent funding which has been awarded and our expected delivery plan.

#### 4. PROPOSALS/OPTIONS FOR CONSIDERATION

- 4.1 Since 2017, there have been a number of funding regimes which have been aimed at lifting people out of fuel poverty, reducing energy consumption and reducing carbon emissions. As an Authority, we have successfully applied for funding on a number of occasions either in partnership with other agencies, as part of a consortium and as a single applicant.
- 4.2 This report sets out the different funding streams, the funding utilised and the outputs of the delivery.
- 4.3 The measures delivered as part of each scheme have varied depending on the requirements of the funder and each have had their own eligibility routes. Generally, the grants are available for homes with an Energy Performance rating of D or below.
- 4.4 Since 2017, 3,672 measures have been delivered through these schemes resulting in improvements to 2,435 homes.
- 4.5 Table 1 sets out the measures installed under each scheme.

**Table 1 – Measures Delivered 2017 to 2025**

MEASURES	WHF 1	WHF 2	ECO	LAD2	LAD3	HUG1	HUG2	SHDF2.1	Total
First Time Central Heating	11	16	9						36
Replacement Boiler			1452						1452
Party Wall Insulation			128						128
Underfloor Insulation			142						142
Room in Roof			7		3				10
Flat Roof Insulation								1	1
Loft Insulation			83	6	49	5	8	22	173
Cavity Wall Insulation			1018	5	7	1		8	1039
External Wall Insulation				9	3				12
Internal Wall Insulation					8				8
Air Source Heat Pump	1	28		4		5	5		43
Hybrid Air Source Heat Pump					55				55
High Retention Storage Heaters						12	14		26
Heating Controls			222	4	55	5	5	5	296
Solar Panels				58	131	3	5	28	225
Double Glazing				2	23	1			26



## 4.6 Completed Funding Schemes

### 4.6.1 Warm Homes Funds Rounds 1 and 4 (WHF)

We participated in a Northumberland-led regional scheme, along with six other Northeast councils and two social housing providers during 2018/19. The consortium was awarded £1.4m funding from the Warm Homes Fund to install free central heating systems to homes which did not previously have any. This was aimed at households who couldn't afford to heat their home to the temperature needed to stay warm and healthy.

This resulted in 11 homes receiving full gas central heating and one received an Air-Source Heat Pump.

In 2019, the Tees Valley Councils, led by Stockton-on-Tees Borough Council secured over £6m from a national fund established by national Grid and administered by Affordable Warmth Solutions to help households who do not have central heating and may be struggling to stay warm.

This partnership resulted in 16 private homes receiving first-time gas central heating and 28 receiving an air-source heat pump in Hartlepool.

### 4.6.2 Energy Company Obligation and Flexible Eligibility (ECO/ECO Flex)

Partnership working was established in 2018 initially with two ECO approved installers, later expanding to four, to deliver energy efficiency measures including insulation and provision of energy efficient boilers/heating systems. This draws in funding from a number of sources and maximises ECO flexible eligibility.

Energy Companies have been obligated for a number of years to deliver energy savings, more recently through the Energy Company Obligation (ECO). Generally, Local Authorities would work with a third-party installer who would in turn access funding from an obligated energy company.

Many households will qualify through the 'Benefits Route' but Local Authorities have the discretion to introduce flexible eligibility reasons to widen the scope of delivery.

In order to benefit from the flexibility, we were required to publish a Statement of Intent to set out methodology and criteria to be used to identify households for. Once a household is identified, the third-party installer would submit an application to us and once assessed, we would issue a signed unique declaration of eligibility for each property referred to a scheme.

There have been a number of phases of ECO and this report details delivery up to ECO3. Between August 2018 to June 2022, we processed 2304 flexible eligibility applications and issued declarations enabling residents to access this funding.

This funding has required no financial resources from us but has required considerable officer time.

#### 4.6.3 Green Homes Local Authority Delivery Phase 2 (LAD2)

We were successful in obtaining £684,430 of BEIS (Department for Business, Energy and Industrial Strategy) funding through the Tees Valley Combined Authority to fund green energy efficiency improvements in the Borough during 2021/22. We entered into a partnership with eon to deliver this scheme on our behalf. This delivered 88 measures to 81 homes, including 20 of our own stock.

Measure Type	
ASHP	4
Cavity Wall Insulation	5
Loft Insulation (1 HBC)	6
External Wall Insulation	9
Windows	2
Solar Panels (20 HBC)	58
Heating controls	4
	88

#### 4.6.4 Sustainable Warmth Local Authority Delivery Phase 3 (LAD3)

The BEIS Sustainable Warmth Competition awarded funding to allow us to offer grants to upgrade energy inefficient homes of low-income households.

This funding was specifically available to homes which were on the gas network and the funds aimed was to upgrade the worst insulated owner occupier and private rented homes and was part of the Governments Net Zero Strategy to reduce emissions from domestic dwellings and importantly, prioritises those households with the lowest incomes and supported vulnerable households at a time when energy prices were rising and pushing more Hartlepool households into fuel poverty.

We were initially awarded £1.25m and following early delivery success, we were able to secure extra funding bringing our total allocation to £1.97m.

The project was delivered between December 2021 and September 2023 and resulted in 334 measures being delivered in 218 homes.

#### 4.6.5 Sustainable Warmth Home Upgrade Grant Phase 1 (HUG1)

This part of the Sustainable Warmth funding was specifically ring-fenced to homes which were not currently heated by gas. We were awarded £610,995 for this element. Unfortunately, we were unable to complete delivery on this scheme which was initially due to a low uptake. We applied to extend the scheme but were unable to do so as we were about to join a HUG2 consortium, and the schemes were not permitted to overlap. Despite the

challenges, we were able to deliver 32 measures to 20 homes between April 2022 and March 2023. The total grant budget was £223,000.

#### **4.6.6 Home Upgrade Grant Phase 2 (HUG2)**

We joined a Darlington Borough Council-led consortium along with Redcar & Cleveland and Stockton Borough Councils. This was similar to the HUG1 scheme but it was expected due to a change in eligibility, that we may be able to include properties and households that previously didn't qualify.

We hosted the application system and project managed this scheme on behalf of Darlington. This delivered 37 measures to 24 homes in Hartlepool between April 2023 and April 2025. The value of these measures was £275,972 and we also received £135,985 for project management, support, system development and marketing.

#### **4.6.7 Social Housing Decarbonisation Wave 2.1 (SHDF 2.1)**

We were part of a Tees Valley Combined Authority consortium for an initiative which was aimed at cutting carbon emissions, combating fuel poverty, and creating green jobs by enhancing the energy efficiency of socially rented homes.

This project required us to match-fund the measures using the Housing Revenue Account (HRA). Due to the limited funding available, we prioritised the properties with the worst energy performance and where there were concerns about damp and mould.

We delivered 64 energy efficiency measures to 30 homes under this scheme in 2024/25. 23 of those homes also benefitted from improvements to ventilation. All of these homes were improved to an EPC rating of C or above.

The cost of the scheme was £273,540.82; £136,770.40 of which was from grant funding.

### **4.7 CURRENT SCHEMES**

#### **4.7.1 Warm Homes: Local Grant (WH:LG)**

We submitted an expression of interest for this fund to deliver improvements in the private sector, in December 2024. The Department for Energy Security and Net Zero (DESNZ) advised to request an allocation which was based on our best previous six months delivery of similar projects. On this basis, we requested nearly £9m in funding, which we were confident we would be able to deliver.

Unfortunately, the scheme was over-subscribed so our allocation was much lower than we asked for, however, there may be opportunity to request more funding at a later date from DESNZ, if we are able to demonstrate strong

delivery against our allocation. There is also a possibility that the funding may be extended for a further two years.

This scheme will run until 2028 (unless extended) and our allocation is split into three years, with delivery expected within year. This will mean that delivery and spend will need to be well planned.

We have been allocated a total of £2,391,408 over three years, and table 2 sets out the available funding per year. This is split into 85% for capital works and 15% for administration and ancillaries. The capital will cover the cost of the measures and retrofit services and other costs including staffing will be funded through the administration and ancillary allocation.

Each property will be assessed and a report provided which will set out the potential measures which could be installed and the indicative EPC improvement. The aim would be to improve them to a C rating where possible. The applicants will be involved throughout the process and will be advised of the measures to be approved.

**Table 2 - WH:LG Funding Allocation**

	Capital Allocation	Administration & Ancillary Allocation	Total Allocation
<b>Total across whole Funding Period</b>	£2,032,696.80	£358,711.20	£2,391,408
<b>FY 25/26</b>	£218,523.95	£38,563.05	£257,087
<b>FY 26/27</b>	£916,358.65	£161,710.35	£1,078,069
<b>FY 27/28</b>	£897,814.20	£158,437.80	£1,056,252

We are restricted by average cost caps for individual measures, which is set out in a Non-Disclosure Agreement as well as average cost caps per property but we are not restricted to targets of properties or measures. Table 3 sets out the indicative range of homes we would deliver and the central estimate, based on an average cost of £18,000.00, we could treat each year.

**Table 3 - Number of Homes to be Delivered**

Financial Year	Central estimate of homes to be delivered in FY	Indicative range of homes to be delivered in FY
2025/26	12	13-26
2026/27	51	56-110
2027/28	50	54-108

Within the team we have two officers dedicated to the delivery of the programmes: a Project Manager, who will be responsible for the overall delivery of the programme; and an Engagement Officer who will be responsible for processing applications, engaging with residents and agencies to promote the scheme and assist with applications. Both officers

will advise residents and assist them with any queries relating to energy saving and getting the best use out of any new measures.

The eligibility for these grants includes a post code qualification which includes all post codes in the 25% most deprived according to the Index of Multiple Deprivation (IMD). This means that over half of the post codes in Hartlepool could qualify regardless of income.

In other cases, the applicant may qualify as a result of receiving means-tested benefits or if their household income is below £36,000 per annum.

Only properties with an EPC rating of D or below can be considered.

As part of the engagement role, we will be carrying out some targeted work in the most deprived areas and we will also be undertaking more general communications to reach the whole borough.

Due to the broad eligibility criteria, we are expecting a high demand; we have 20 people on waiting list already, potentially means this year's allocation has already been committed.

We have started the procurement process for retrofit services with a view to starting delivery in the Autumn.

#### **4.8 Warm Homes: Social Housing Fund (WH:SHF)**

This DESNZ funding is specifically for the improvement of social housing. We applied again as part of a Tees Valley Combined Authority consortium which includes 22 registered Housing Providers.

The funding aim is to improve properties to an EPC C rating to be delivered over the next three years.

There is a 50% match funding element which will be funded through the HRA.

We have been allocated £264,706.00 which we intend to match fund and deliver in 2025/26 and 2026/2027. This is expected to deliver 60 measures in 30 homes.

#### **4.9 Energy Company Obligation and Flexible Eligibility Phase 4 & Great British Insulation Scheme (GBIS)**

Our latest Statement of Intent for Flexible Eligibility was published on 3 June 2024. This statement sets out our criteria for the Energy Company Obligation (ECO4) and Great British Insulation schemes which run until March 2026.

The ECO4 scheme focuses on supporting low income and vulnerable households. The scheme will improve the least energy efficient homes helping to meet the Government's fuel poverty and net zero commitments.

The Great British Insulation Scheme will support the ECO4 scheme in the delivery of predominantly single measures targeted at a wider range of households.

This will be delivered by third-party installers and our role will be to approve the flexible eligibility applications and to notify Ofgem of these. We have improved the application process which will reduce officer time and we have introduced a fee for processing applications which is paid by the installer.

Since the new statement of intent has been published, we have issued 41 declarations.

## 5. OTHER CONSIDERATIONS/IMPLICATIONS

<b>RISK IMPLICATIONS</b>	Not Applicable
<b>FINANCIAL CONSIDERATIONS</b>	Not Applicable
<b>SUBSIDY CONTROL</b>	Not Applicable
<b>LEGAL CONSIDERATIONS</b>	Not Applicable
<b>CHILD AND FAMILY POVERTY</b>	The delivery of energy efficiency schemes has a positive impact on poverty by reducing energy consumption.
<b>EQUALITY AND DIVERSITY CONSIDERATIONS</b>	Not Applicable
<b>STAFF CONSIDERATIONS</b>	Not Applicable
<b>ASSET MANAGEMENT CONSIDERATIONS</b>	Not Applicable
<b>ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS</b>	The delivery of energy efficiency schemes has a positive impact by reducing energy demand and carbon emissions from fossil fuels.
<b>CONSULTATION</b>	Not Applicable

## 6. RECOMMENDATIONS

- 6.1 It is recommended that Members note the content of this report relating to the delivery of the various energy efficiency schemes.

**7. REASONS FOR RECOMMENDATIONS**

- 7.1 The report is to ensure that Committee Members are informed about progress.

**8. BACKGROUND PAPERS**

- 8.1 There are no background papers relating to this report.

**9. CONTACT OFFICERS**

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Sign Off:-

Managing Director	Date: 10 June 25
Director of Finance, IT and Digital	Date: 10 June 25
Director of Legal, Governance and HR	Date: 10 June 25

# NEIGHBOURHOOD SERVICES COMMITTEE

30<sup>TH</sup> JUNE 2025



**Subject:** CONTROLLING HOUSES IN MULTIPLE  
OCCUPATION ARTICLE 4 CONSULTATION

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

**Decision Type:** For Information

## 1. COUNCIL PLAN

Hartlepool will be a place:
<ul style="list-style-type: none"> <li>• where people live healthier, safe and independent lives. (People)</li> </ul>
<ul style="list-style-type: none"> <li>• that is connected, sustainable, clean and green. (Place)</li> </ul>
<ul style="list-style-type: none"> <li>• that is welcoming with an inclusive and growing economy providing opportunities for all. (Potential)</li> </ul>
<ul style="list-style-type: none"> <li>• with a Council that is ambitious, fit for purpose and reflects the diversity of its community. (Organisation)</li> </ul>

## 2. PURPOSE OF REPORT

- 2.1 This report is to inform Members of a proposed consultation on potentially introducing an Article 4 Direction within Hartlepool following concerns raised by members of the public and elected members in relation to Houses in Multiple Occupancy (HMO) across the Borough.

## 3. BACKGROUND

- 3.1 A HMO is a property occupied by at least three people who are not related (distinct from a family) but share facilities such as a bathroom and kitchen. This differs from a traditional dwellinghouse where occupants live together as a single household, e.g. a family. A traditional dwellinghouse falls under Use Class C3 of the Town and Country Planning (Use Classes) Order 1987.



- 3.2 The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) distinguishes between a small and a large HMO. A small HMO accommodates not more than 6 unrelated people and falls under Use Class C4. A large HMO accommodates more than 6 unrelated people and falls outside the limits of Use Class C4 and is considered as Sui Generis.
- 3.3 The change of use from a dwellinghouse (Use Class C3) to a large HMO (Sui Generis) will always require a planning application. However, Class L, Part 3, Schedule 2, Article 3 of the GPDO sets out that the change of use from a dwellinghouse (Use Class C3) to a small HMO (Use Class C4) falls within the remit of permitted development and therefore does not require planning permission.
- 3.4 There is a separate licensing regime for HMOs to that of Planning. Only those HMOs that have five occupants or more require licensing and need to be registered. Below this number they are exempt.
- 3.5 An Article 4 Direction if implemented, would withdraw the permitted development right to change the use of a dwellinghouse to a small HMO without the need for a planning application. Any application which was brought forward thereafter would need to be considered on its own merits
- 3.6 Article 4 Directions have been utilised by a number of Local Planning Authorities to control the proliferation of small HMOs, including Newcastle City Council, Manchester City Council and more recently in Middlesbrough Council.
- 3.7 The Hartlepool Development Corporation (HDC) recently opted to undertake a similar consultation process with a view to removing permitted development rights for HMOs in the parts of Hartlepool under their control.
- 3.8 It is acknowledged that such dwellings form part of the housing mix and there will be a need for such accommodation from groups for which because of costs, lifestyle or convenience the traditional housing options are not preferable.
- 3.9 Government advice is that where Article 4 directions are applied, they should be based on robust evidence and limited to situations where it is necessary to protect local amenities, or the well-being of the area, that the Article 4 is intended to address. It also advises that a particularly strong justification for the withdrawal of permitted development rights across a wide area. These matters will need to be addressed in detailed proposals set out in a future report should the Council decide to proceed with an Article 4(s) following this consultation.

#### 4. PROPOSALS/OPTIONS FOR CONSIDERATION

- 4.1 Option 1 Do nothing; this would maintain the status quo and undertake no consultation on the possibility of removing permitted development rights for small HMOs.
- 4.2 Option 2 is to undertake the Article 4 Consultation. The GDPO permits the Secretary of State or Local Planning Authority to make a Direction which withdraws certain types of development within an area where it is satisfied that it is expedient to make such a Direction.
- 4.3 The Secretary of State should be notified of all Article 4 Directions made by Local Planning Authorities as soon as practicable after confirmation. The Secretary of State can intervene where there are clear reasons to do so.
- 4.4 There are two types of Article 4 Directions, immediate and non-immediate. Immediate Article 4 Directions will apply immediately as the name suggests, however the Local Planning Authority must confirm the Direction within 6 months following a public consultation. Non-immediate Article 4 Directions do not take effect until local consultation and subsequent confirmation by the Local Planning Authority has been undertaken.
- 4.5 Compensation is payable in certain circumstances following the making of an Article 4 Direction. This would be payable where planning permission is applied for and refused for development which would have been permitted development but for the Article 4 Direction, or where such planning permission is granted but subject to more restrictive conditions than those imposed.
- 4.6 To avoid compensation payments a Local Planning Authority can consult, confirm and publish its intention to make the Direction at least 12 months, and not more than 2 years, ahead of the Article 4 taking effect. This is the proposal that is recommend whereby the Article 4, if supported would take effect after a minimum of 12 months consultation.

#### 5. OTHER CONSIDERATIONS/IMPLICATIONS

<b>RISK IMPLICATIONS</b>	<p>There is a risk that HMO developers seeking to acquire premises may move their search for new properties outside of areas with an Article 4 Direction in place into areas where they will not require planning permission for converting a dwellinghouse into a small HMO. The proposed boundary of Article 4 will be explored through the consultation process.</p> <p>There is a risk of compensation claims should an Article 4 immediate order be made.</p>
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	<p>A non-immediate Article 4 is considered more appropriate, in line with national policy guidance. It aims to help Councils manage the growth of small HMOs and direct them to the most appropriate areas.</p> <p>Article 4 will ensure that future conversions are subject to planning control, allowing proper consideration and an assessment of the potential impacts.</p> <p>Article 4 removes permitted development rights from the date it is implemented; it can not seek to retrospectively apply this to existing HMOs.</p>
<b>FINANCIAL CONSIDERATIONS</b>	There are no direct financial implications for undertaking the consultation process beyond the costs of the consultation process itself. A non-immediate Direction is recommended (meaning no entitlement to compensation) and the preparation of the Article 4 Direction will be carried out in conjunction with the HDC.
<b>LEGAL CONSIDERATIONS</b>	The consultation will be authorised under delegation EDDNRS3. Should the Article 4 be implemented following the consultation process then a further report will be brought back to the Neighborhood Services Committee for approval to commence.
<b>CHILD AND FAMILY POVERTY</b>	Considerations will be explored through the consultation process.
<b>EQUALITY AND DIVERSITY CONSIDERATIONS</b>	Considerations will be explored through the consultation process.
<b>STAFF CONSIDERATIONS</b>	HBC staff will be required to commence the consultation process. This work is in addition to the ongoing work appraising the suitability of Selective Landlord Licensing. It is anticipated that HBC and HDC will progress the consultation jointly and so will share resources where possible.
<b>ASSET MANAGEMENT CONSIDERATIONS</b>	None
<b>ENVIRONMENT, SUSTAINABILITY</b>	None

<b>AND CLIMATE CHANGE CONSIDERATIONS</b>	
<b>CONSULTATION</b>	Subject to Member approval, consultation will commence for a period of 12 months to remove any potential claims for compensation.

## 6. RECOMMENDATIONS

- 6.1 It is recommended that Members note HBC's intention to undertake a 12-month (non-immediate) Article 4 consultation with a view to removing Permitted Development rights for the change of use of a dwellinghouse (Use Class C3) to a small HMO (Use Class C4)

## 7. REASONS FOR RECOMMENDATIONS

- 7.1 The reason for the recommendation is to make Members aware of HBC's intention undertake the necessary consultation to prevent any future compensation claims against the Council whilst also providing greater control over the conversion of dwellinghouses to a HMO.

## 8. BACKGROUND PAPERS

- 8.1 None.

## 9. CONTACT OFFICER

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Sign Off:-

Managing Director	Date: 12 June 25
Director of Finance, IT and Digital	Date: 12 June 25
Director of Legal, Governance and HR	Date: 12 June 25