

# PLEASE NOTE VENUE

## REGENERATION, LIVEABILITY AND HOUSING PORTFOLIO DECISION SCHEDULE



Friday 16<sup>th</sup> March 2007

at 10.00am

in Training Room 4, Municipal Buildings, Church Square

The Mayor Stuart Drummond responsible for Regeneration, Liveability and Housing will consider the following items.

1. **KEY DECISIONS**

No items

2. **OTHER ITEMS REQUIRING DECISION**

- 2.1 Vision for North Cemetery – *Director of Neighbourhood Services*
- 2.2 The Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001 – Process of Approval for New Areas – *Head of Community Safety and Prevention*
- 2.3 The Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001 – Consultation on New Areas for Designation – *Head of Community Safety and Prevention*
- 2.4 Amendment to NRF Health and Care Programme 2006/7 – *Head of Community Strategy*
- 2.5 Section 17 Policy Statement – *Head of Community Safety and Prevention*
- 2.6 European Liability Directive – *Assistant Director (Planning and Economic Development)*
- 2.7 ERDF Operational Programme Consultation – *Assistant Director (Planning and Economic Development)*
- 2.8 Advertising on Street Lighting Columns – *Head of Neighbourhood Management*

3. **ITEMS FOR INFORMATION**

No items

4. **REPORTS FROM OVERVIEW OF SCRUTINY FORUMS**

No items

## **REGENERATION, LIVEABILITY AND HOUSING**

Report To Portfolio Holder

16 March 2007



**Report of:** Director of Neighbourhood Services

**Subject:** VISION FOR NORTH CEMETERY

---

### SUMMARY

#### **1. PURPOSE OF REPORT**

To provide background and current information to the Portfolio Holder on North Cemetery, with a view to consider undertaking a feasibility study regarding the cemetery's future potential.

#### **2. SUMMARY OF CONTENTS**

The report provides the background to North Cemetery and current burial arrangements, and outlines a 'vision' for the future recreational use of the cemetery.

#### **3. RELEVANCE TO PORTFOLIO MEMBER**

Portfolio Holder is responsible for Environmental Initiatives.

#### **4. TYPE OF DECISION**

Non-key

#### **5. DECISION MAKING ROUTE**

Regeneration, Liveability and Housing Portfolio Holder meeting on 16 March 2007.

#### **6. DECISION(S) REQUIRED**

The Portfolio Holder is requested to agree to the proposal to undertake a feasibility study regarding the future 'vision' and use of the North Cemetery.

**Report of:** Director of Neighbourhood Services

**Subject:** VISION FOR NORTH CEMETERY

---

**1. PURPOSE OF REPORT**

- 1.1 To provide background and current information to the Portfolio Holder on North Cemetery, with a view to consider undertaking a feasibility study regarding the cemetery's future potential.

**2. BACKGROUND**

- 2.1 North Cemetery was opened in 1856 and is a site of approximately 30 acres in the Central area of the Borough. In 1912 the cemetery closed for new burials as the site at Stranton Grange was officially opened. Since that time however, a large number of graves have been purchased in order to erect memorials (some as late as 1965) and since 1960, 63 full burials have taken place and 19 interments of cremated remains. The last full burial took place in October 2000. The North Cemetery is situated within the Dyke House ward in Hartlepool, and is bounded by Raby Road, Chester Road, Jesmond Road and Hart Lane.
- 2.2 It is recognised that North Cemetery is presently a valuable resource for local people because it provides a large area of 'green space' relatively close to the town centre.
- 2.3 The site currently suffers from certain aspects of anti social behaviour, and has been highlighted as a problem 'hot spot' by local residents and the Neighbourhood Policing Team. It has also been raised as a priority through the North Joint Action Group (JAG). Over the years there has been an increase in disorder issues, including drug related litter, broken glass, rubbish, rowdy behaviour, vandalism and gangs drinking alcohol. During the last month there has been a significant amount of damage to existing headstones. Unfortunately, this has been a common occurrence over the years. There is however, a great deal of potential to improve what the site can offer the local community in terms of recreation and biodiversity, whilst respecting the site's status as a cemetery.
- 2.4 North Cemetery is currently within the boundaries of the Dyke House/Stranton/Grange Neighbourhood Action Plan (NAP) area, although it also falls within the New Deal for Communities (NDC) area. NDC have been approached with regard to future plans for development. Given their commitment to their housing programme it is

not likely that additional funding would be available to develop North Cemetery, and is therefore not deemed a priority in any NDC future work. NDC do however welcome any development for future use of this area.

### **3. COMMUNITY INVOLVEMENT**

- 3.1 During the last three years the Dyke House/Stranton/Grange NAP Resident Forum has committed funding, together with match funding from service providers, to improve many aspects of the North Cemetery including: -
- Installation of Victorian lighting columns
  - Target Hardening around electricity sub-station (which has given added benefits to those residents of Jesmond Mews)
  - Bulb planting
  - Litter bins
- 3.2 The Duke House/Stranton/Grange NAP group are keen to see that the North Cemetery is utilised as one of the major community assets in their area. The North Cemetery is included as an action within the Dyke House/Stranton/Grange Neighbourhood Action Plan. Work is currently being undertaken to develop a 'Friends of North Cemetery.' There are already a handful of dedicated residents who are keen to see the area improve and take shape as a facility for the wider community.
- 3.3 In 2006, and as part of the local Biodiversity Action Plan, Tees Forest, together with Hartlepool Borough Council and local schools, embarked on a tree planting project in the cemetery. Further tree planting will be required in future years to ensure that biodiversity is sustained.

### **4. NORTH CENTRAL HARTLEPOOL PARTNERSHIP**

- 4.1 Regeneration of the Dyke House ward is underway. The Wimpey housing regeneration site will start this year. The streets scheduled for redevelopment by George Wimpey are directly adjacent to the cemetery. The new houses along the Chester Road boundary will directly overlook the cemetery from their front elevations. The North Cemetery however, given its location and green space, could, if transformed, be an integral part of this areas regeneration potential.

### **5. CONCLUSION**

- 5.1 Given the background information, and the ongoing commitment from the community and other stakeholders, it is proposed that a feasibility study take place to consider the future 'vision' for the area. Other comparable studies can be found, namely Middlesbrough's Linthorpe

cemetery, where a cemetery of a similar age and size has now been successfully developed into a community facility. Middlesbrough officers have been approached regarding the development background, and clearly there is potential to share 'good practice' and ideas in relation to North Cemetery

- 5.2 In order to develop this 'visionary' concept further, it is considered that a feasibility study should be undertaken later this year. Such a study would provide a comprehensive assessment on the history, potential development, (including ways in which crime could be 'designed out'), plus community views and consultation. In addition the feasibility study will also need to identify funding requirements and potential sources. The Neighbourhood Manager for the North has already put together a small working group of officers, which involves Community Safety, Neighbourhood Policing, Regeneration and Planning, North Central Partnership and Public Protection. The group have identified a sum of £10K from Community Safety and Pride in Hartlepool, which will cover the cost of a feasibility study.

## **6. RECOMMENDATIONS**

- 6.1 The Portfolio Holder is requested to agree to the proposal to undertake a feasibility study regarding the future 'vision' and use of the North Cemetery.

## **REGENERATION, LIVEABILITY & HOUSING PORTFOLIO**

Report To Portfolio Holder  
16<sup>th</sup> March 2007



**Report of:** Head of Community Safety & Prevention

**Subject:** The Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001 – Process of Approval for New Areas

---

### **SUMMARY**

#### **1.0 PURPOSE OF REPORT**

To seek agreement to the process for consultation, representation and designating an area under the Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001.

#### **2.0 SUMMARY OF CONTENTS**

Outline of legal process to consult locally, publicise and make representation, before consideration by Licensing Committee to make the Designation order.

#### **3.0 RELEVANCE TO PORTFOLIO MEMBER**

Community safety issue.

#### **4.0 TYPE OF DECISION**

Non-key.

#### **5.0 DECISION MAKING ROUTE**

Portfolio meeting.

#### **6.0 DECISION(S) REQUIRED**

Agree the legal process to approve new areas under the Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001.

## **REGENERATION LIVEABILITY & HOUSING PORTFOLIO**

Report To Portfolio Holder  
16<sup>th</sup> March 2007



**Report of:** Head of Community Safety & Prevention

**Subject:** The Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001 – Process of Approval for New Areas

---

### **1. Purpose of Report**

- 1.1 To seek agreement to the process for consultation, representation and designating an area under the Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001.

### **2 Background**

- 2.1 The Home Office Action Plan on alcohol related crime, launched in August 2000 set out the key priorities for tackling alcohol related crime and disorder. The action plan contained several measures to address these problems including providing local authorities with adoptive legislation through the Police and Criminal Justice Act 2001.
- 2.2 Sections 12-16 of the Police and Criminal Justice Act 2001 allow local authorities to adopt powers to designate areas, which have known anti-social drinking, and nuisance associated with them.
- 2.3 At the Regeneration Liveability & Housing Portfolio meeting on 21<sup>st</sup> July 2006, the areas covered by now obsolete 'Consumption of intoxicating Liquor in Designated Places Byelaws' were considered for consultation under the Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001.
- 2.4 These Regulations specify that making an Order is a 'non-Executive' function. At Council on 14<sup>th</sup> December 2006, it was agreed future proposals for making an Order to designate areas would be delegated to Licensing Committee.

### **3. Designation Orders: Process & Procedures in Hartlepool**

#### **3.1 Stage 1 – Evidence/Assessment**

Proposals for an area to be designated should be submitted to the Crime and Disorder Co-ordinator. The Crime and Disorder Co-ordinator will then consult with the Police to make an initial assessment about the level of anti-social drinking and disorder in the area proposed for designation. Each proposed area will then be considered by a group of officers with local knowledge (Neighbourhood Police, ASBU, Neighbourhood Manager, Environmental Standards, Licensing) who will be able to provide some level of evidence or history about the extent of the disorder or nuisance in the area. The Joint Action Groups (JAGS) would be a suitable forum for this assessment to take place.

Once the local authority is satisfied that designation of an area should be considered, then the next phase of the process would be the consultation.

#### **3.2 Stage 2 – Consultation**

It is important to consult locally, as well as the prescribed consultees. There must be consultation with the chief officer of police, any parish or community councils, licensees, landowners and occupiers in the immediate area that will be affected by the designation order. A consultation letter, outlining the proposed area for designation, will be sent to each household in the immediate vicinity, together with the Ward Councillors.

It may be impractical to consult individually with all landowners and occupiers in the proposed area, therefore public consultation notices in the local press would be acceptable as part of the process.

The Portfolio Member for Community Safety will also be consulted as part of the process.

#### **3.3 Stage 3 – Publicity (Regulation 5)**

A request for designation of an area, together with supporting evidence and consultation results will be reported to Licensing Committee to consider. Prior to the making of a Designation Order, it is necessary to formally seek representations by publishing in a local newspaper a notice –

1. Identifying areas proposed for designation



2. setting out the effect of an order being made in relation to that place; and,
3. inviting representations as to whether or not an order should be made.

#### 3.4 Stage 4 – Making the Designation Order

At least 28 days after the notice was published in the local newspaper, the Licensing Committee will consider any representations that are received as a result of the public notice, and as a result of the consultation (Stage 2) and Licensing Committee will be asked to formally make the Designation Order.

Once the Order has been made, and before it takes effect, a further notice needs to be advertised in accordance with Regulation 7:

1. Identifying the place which has been identified in the order;
2. setting out the effect of the order in relation to that place; and
3. Indicating the date on which the order will take effect.

The order cannot come into effect until a sign notifying people that the area has been designated, is erected.

#### 3.5 Stage 5 – Enforcement

Enforcement of the order will be carried out by the Police. Within a designated area, the Police have powers to control the consumption of alcohol. If a Police Officer (or other authorised officer) believes someone is consuming alcohol or intends to consume alcohol they can require them to stop; and confiscate alcohol from people whether the drinking vessel is unopened or not. Chief Police Officers can delegate confiscation powers to Police Community Safety Officers (PCSOs) via extended powers introduced under the Police Reform Act 2002 (para.5 of Schedule 4 to the Police Reform Act 2002).

### 4. **Consideration of Displacement**

- 4.1 It can be the case that the creation of designated areas may well lead to anti-social drinking or nuisance being displaced into areas that have not been designated for this purpose. Therefore before designating an area, an assessment should be made of all of the areas where it is reasonable to believe that nuisance and disorder could be displaced to, ensuring that all those affected by the designation are appropriately consulted. This is to allow for consideration to be given to the consequences of the designation order on nearby areas. It might be appropriate to designate an area beyond that which is experiencing the

immediate problems caused by anti-social drinking if Police evidence suggests that the existing problem may be displaced once the order was in place. In which case the designated areas could include the area to which the existing problems might be displaced.

- 4.2 There are no Criminal Justice and Police Act 2001 powers specific to the issue of displacement, but it makes practical sense to take displacement into account before setting the designated area under the order.

## **5. Consideration of Blanket coverage for whole areas**

- 5.1 There are no provisions in the Criminal Justice and Police Act 2001, which allow for a blanket restriction or comprehensive ban on alcohol drinking in a public place. So any proposals for such a ban would be considered disproportionate to the intended purpose behind the provisions in the Act. The Act does allow local authorities to designate areas to restrict public drinking where there is **evidence** that nuisance behaviour is alcohol related. In such designated areas the police can then use their discretionary powers to confiscate all alcohol where they reasonably believe that continued drinking in that place will lead to further disorder or nuisance.

## **6. Recommendation**

- 6.1 The Portfolio Holder is recommended to agree the process for approval of new Designation Orders.

Contact Officer: Joe Hogan, Crime & Disorder Co-ordinator.

### Background Papers

None.

## **REGENERATION, LIVEABILITY & HOUSING PORTFOLIO**

Report To Portfolio Holder  
16<sup>th</sup> March 2007



**Report of:** Head of Community Safety & Prevention

**Subject:** The Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001 – Consultation on new areas for designation.

---

### **SUMMARY**

#### **1.0 PURPOSE OF REPORT**

To consult the Portfolio Holder on the proposed designation of new areas, under the Regulations.

#### **2.0 SUMMARY OF CONTENTS**

Background to identification of suitable areas. List of proposed areas for designation.

#### **3.0 RELEVANCE TO PORTFOLIO MEMBER**

Community safety issue.

#### **4.0 TYPE OF DECISION**

Non key, consultation only.

#### **5.0 DECISION MAKING ROUTE**

Licensing Committee.

#### **6.0 DECISION(S) REQUIRED**

Comments on the proposed designation of the specified areas.

## **REGENERATION LIVEABILITY & HOUSING PORTFOLIO**

Report To Portfolio Holder  
16<sup>th</sup> March 2007



**Report of:** Head of Community Safety & Prevention

**Subject:** The Local Authority (Alcohol Consumption in Designated Public Places) Regulations 2001 – Consultation on new areas for designation.

---

### **1. Purpose of Report**

To consult the Portfolio Holder on the proposed designation of new areas, under the Regulations.

### **2 Background**

- 2.1 At the Regeneration, Liveability and Housing Portfolio meeting held on 16<sup>th</sup> March 2007, the legal process to approve the designation of specific areas under the Local Authority (Alcohol consumption in designated public places) Regulations 2001, was outlined.
- 2.2 Consultation is required with a range of prescribed consultees. In addition, local consultees have been agreed, the Portfolio member being one such consultee.

### **3. Areas being considered for Designation**

- 3.1 During the process to replace the areas covered previously, by the now obsolete Consumption of Intoxicating Liquor in Designated Places Byelaws, with powers to confiscate alcohol under the Local Authority (Alcohol in Designated Public Places) Regulations 2001, new areas were identified, which could be suitable for designation.
- 3.2 Phase 1 of the new areas to be considered is the shopping parades across the town. A list of these parades is attached at **Appendix 1**.

- 3.3 In order to designate an area under the Regulations, the Licensing Committee will need to be satisfied that each area specified (i.e. each shopping parade) has anti-social drinking and nuisance associated with the area.

#### 4. Consultation

- 4.1 Consultation with the prescribed consultees, local residents, Ward Councillors and shopkeepers in the area will commence shortly.
- 4.2 The Portfolio Member is invited to comment on the proposal to make a Designation Order covering all shopping parades listed at **Appendix 1**.

Contact Officer: Joe, Hogan, Crime & Disorder Co-ordinator

#### Background Papers

Report to Regeneration, Liveability & Housing Portfolio on 16<sup>th</sup> March 2007 –  
The Local Authority (Alcohol Consumption in Designated Public Places)  
Regulations 2001 – Process of approval for new areas.

**APPENDIX 1**

**Shopping Arcades**

1. Raby Road Shops (Dyke House ward)
2. Wiltshire Way Shops (Throston ward)
3. King Oswy Drive Shops (Brus ward)
4. Owton Manor Lane Shops (Rossmere ward)
5. Owton Manor Lane Shops (St Patricks Shops) (Owton ward)
6. Wynyard Road Shops (Owton ward) \*
7. Catcote Road (Fens Shops) (Fens Ward)\*
8. Jutland Road Shops (Rossmere ward)
9. The Front Shops(Seaton Front) (Seaton ward)
- 10.Elizabeth Way Shops (Seaton ward)
- 11.York Road Shops
12. Middleton Grange Shopping Centre, including Queens Parade, all malls, squares, arcades, ramps, subways, approach roads, service roads, and  
all other service areas, amenities and adjacent landscaped areas.
- 13.Clavering Road Shops (Clavering Shops) (Hart ward)\*
- 14.Murray Street
- 15.Northgate (North)
- 16.Brus Corner
- 17.Davison Drive
- 18.Duke Street
- 19.Oxford Road
- 20.Northgate (South)
- 21.Warren Road
- 22.Miers Avenue
- 23.Elwick road
- 24.Challoner Road
- 25.Stockton Road (St. Aiden's Shops)
- 26.Brierton Shops (top Brierton Lane)

## **REGENERATION, LIVEABILITY & HOUSING PORTFOLIO**

Report To Portfolio Holder

**16<sup>th</sup> March 2007**



**Report of:** Head of Community Strategy

**Subject:** AMENDMENT TO NRF HEALTH & CARE  
PROGRAMME 2006/7

---

### **SUMMARY**

#### **1.0 PURPOSE OF REPORT**

The purpose of this report is to seek agreement to the proposed amendment of the NRF Health & Care Programme for 2006/7.

#### **2.0 SUMMARY OF CONTENTS**

The report puts forward an amendment to the Health & Care NRF programme for agreement.

#### **3.0 RELEVANCE TO PORTFOLIO MEMBER**

Neighbourhood Renewal and the Neighbourhood Renewal Fund are within the remit of the Regeneration, Liveability & Housing Portfolio.

#### **4.0 TYPE OF DECISION**

Non-Key.

#### **5.0 DECISION MAKING ROUTE**

Regeneration, Liveability & Housing Portfolio - 16<sup>th</sup> March 2007.  
Hartlepool Partnership – 23<sup>rd</sup> March 2007.

#### **6.0 DECISION REQUIRED**

To agree the proposed amendment of the Health & Care NRF programme for 2006/7.

**Report of:** Head of Community Strategy

**Subject:** AMENDMENT TO NRF HEALTH & CARE  
PROGRAMME 2006/7/8

---

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek agreement to the proposed amendment of the NRF Health & Care Programme for 2006/7.

**2. BACKGROUND**

- 2.1 The Portfolio Holder has agreed the 2006/07 Health & Care NRF programme at a number of meetings during 2005, 2006 and 2007. The Government has set a maximum carry over limit of 5% of the overall 2006/07 allocation of £4.830m. It is important that we seek to reduce the carry over to as close as possible to zero to demonstrate efficient programme management and prevent funding that has not been spent being returned to government.

**3. NRF HEALTH & CARE PROGRAMME**

- 3.1 A financial update from January 2007 highlighted that the Health & Care NRF spend was £598,143 of the £925,000 budget. While spend is generally progressing well there have been 3 projects which have identified that they will be underspent at the end of the year.
- 3.2 The Portfolio Holder has agreed a number of changes to the Health & Care NRF programme for 2006/7 at the Portfolio Holder meeting in February 2007. Since that meeting further underspends totalling £27,500 have been identified by the Connected Care/Health Trainer (£22,500) and the Healthy Schools (£5,000) projects.
- 3.3 The Connected Care/Health Trainers Project has confirmed a further underspend of £22,500 for 2006/7 which has resulted from a delay in recruitment and the need to reduce the number of Health Trainers employed through the project.
- 3.4 The Healthy Schools Project has confirmed that it will underspend by £5,000. This funding was to be used to resurface a playground at Brougham School but it has since emerged that this work is to be carried out through the Schools Maintenance Budget during 2007/8.



- 3.5 The Health & Care Strategy Group have been closely monitoring their NRF programme and have established a Sub Group to assess the progress of projects and prioritise alternative activities to utilise their full allocation for 2006/7. The Health & Care Strategy Group has agreed that where possible funding will remain within project areas and be spent on activities that will contribute towards the overall aim of the original project. Where this is not a viable option then the Health & Care Strategy Group have discussed and agreed a priority list of alternative interventions which were included within the previous report to the Portfolio Holder meeting in February.
- 3.6 In accordance with the agreed priority list of alternative interventions it is proposed that the £27,500 be allocated towards the provision of Disabled Facilities Grants.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 There will be no overall financial change but agreement is sought for revisions within the already approved NRF programme.

#### **5. RECOMMENDATIONS**

- 5.1 The Portfolio Holder is requested to agree the amendment to the NRF Health & Care Programme for 2006/7.

## **REGENERATION, LIVEABILITY & HOUSING PORTFOLIO**

Report To Portfolio Holder  
16<sup>th</sup> March 2007



**Report of:** Head of Community Safety & Prevention

**Subject:** SECTION 17 POLICY STATEMENT

---

### SUMMARY

#### **1. PURPOSE OF REPORT**

To seek approval of the Council's draft policy in relation to Section 17 of the Crime and Disorder Act 1998.

#### **2. SUMMARY OF CONTENTS**

Details of the legal duty under Section 17.  
draft policy statement for approval.

#### **3. RELEVANCE TO PORTFOLIO MEMBER**

Community Safety issue

#### **4. TYPE OF DECISION**

Non key

#### **5. DECISION MAKING ROUTE**

Portfolio meeting

#### **6. DECISION REQUIRED**

Approval of the Section 17 Policy statement

**Report of:**                    **Head of Community Safety & Prevention**

**Subject:**                    **Section 17 Policy Statement**

---

**1.     PURPOSE OF REPORT**

To seek approval of the Council's draft policy in relation to Section 17 of the Crime and Disorder Act 1998.

**2.     BACKGROUND**

- 2.1    Section 17 of the Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all of their duties, activities and decision making. This means that all policies, strategies and service delivery need to consider the likely impact on crime and disorder. This legal responsibility affects all employees of the Council as well as those agencies that are contracted by, or that legally contract to work in partnership with, the council in the provision of services.

The exact wording of the legislation is:

‘Without prejudice to any other obligation imposed upon it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area’.

- 2.2    Section 17 therefore affects every department and every member of staff. Authorities must ensure that departments within their organisation can show that crime and disorder issues have been fully considered.

Every day, responsible authorities (namely the Council, Police, Health and Fire authorities) are required to provide a range of services.

They each have a key statutory role in providing these services. Section 17 defines that their contribution must have embedded in it a focus on reducing crime, disorder and the fear of crime to improve the quality of life in their area.

**3.     CURRENT POSITION IN HARTLEPOOL BOROUGH COUNCIL**

- 3.1    A cross-departmental officer group has been set up and has met on four occasions since March 2006. The purpose of the group is to ensure that crime and disorder is embedded within the everyday service delivery from all departments.

- 3.2 Section 17 Self-Assessment exercise carried out by all departments. This resultant document serves as a reference guide to identify examples of work being carried out within the Council which has an impact on community safety outcome. Examples include, “a three-day response to remove fly-tipping”, “designing out crime in landscape design” and the inclusion of the principles of Section 17 in the council’s procurement guidance.
- 3.3 A Section 17 information file is available for staff to view to on the Council’s intranet.
- 3.4 Section 17 is now included in the Council’s Induction Course for new employees.

#### **4. DEVELOPMENT OF THE POLICY STATEMENT**

- 4.1 The Council’s Section 17 Cross Departmental Officer group has researched best practice from other Local Authorities in the Region and Nationally, in relation to policy statements.
- 4.2 The Council’s Corporate Management Group has been consulted.
- 4.3 All Departments have contributed to the self-assessment exercise, which demonstrates knowledge of crime and disorder issues across the Council.

#### **5. RECOMMENDATION**

- 5.1 The Portfolio Member is recommended to approve the draft Section 17 policy statement, which is attached at Appendix 1.

Contact Officer  
Prevention

Alison J Mawson, Head of Community Safety &

Background Papers

None

Appendix 1

Hartlepool Borough Council Section 17  
Policy Statement

Section 17 of the Crime and Disorder Act 1998 states:

'Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its functions with due regard to the likely effects of the exercise to those functions on, and the need to do all it reasonably can to prevent crime and disorder in its area'.

The Council has a significant role in making the town a safer place to live and work.

The Council is committed to reducing crime, disorder and anti social behaviour in the town. All Council Departments consider crime and disorder reduction and community safety in all types and levels of corporate and departmental plans, and in the exercise of all their duties and activities.

As a key member of the Safer Hartlepool Partnership, Hartlepool Borough Council recognises that working in partnership is a fundamental principle in delivering crime and anti social behaviour reduction.

Section 17 of the Crime and Disorder Act 1998 is incorporated in the Council Departments via:

- A Community Safety team that works across the Departments and external agencies
- Information gathering and analysis
- Council induction for new employees
- 'Secure by Design' principles incorporated in all planning applications
- A Section 17 Cross Departmental Officer Group
- Section 17 Information File on Council Intranet
- Section 17 included in the Council's Procurement process

A Self-Assessment exercise to look at current compliance across the Council

The Council will continually build on its commitment to Section 17. By further embedding crime, disorder and antisocial behaviour reduction throughout all Departments, the Council will continue to make Hartlepool a safer place to live and work.

The Council will implement the following over the coming year:

- A nominated Section 17 Officer in each Department
- Continued awareness raising and dissemination of information relating to Section 17 throughout the Council
- Include a consideration of crime and disorder issues in service planning guidance
- Continue a series of presentations to Elected Members and Senior Officers.

These measures will be taken forward as part of the Council's Cross Departmental Section 17 Officer Group's remit and action plan.

## **REGENERATION, LIVEABILITY AND HOUSING PORTFOLIO**

Report to Portfolio Holder  
16<sup>TH</sup> March 2007



**Report of:** Assistant Director (Planning and Economic Development)

**Subject:** EUROPEAN LIABILITY DIRECTIVE

---

### **SUMMARY**

#### **1. PURPOSE OF REPORT**

To obtain formal endorsement from the Portfolio Holder for the Council's response to the Government's consultation on the European Liability Directive.

#### **2. SUMMARY OF CONTENTS**

The Council has been consulted on the way in which the Government should implement the European Liability Directive (ELD). The ELD enforces the polluter pays principle with regards to European protected biodiversity, water and land contamination. The Council has commented on two points where it believes that the Government should go beyond the minimum level of application of the Directive.

#### **3. RELEVANCE TO PORTFOLIO MEMBER**

The ELD applies to issues that fall under the Regeneration, Liveability and Housing Portfolio

#### **4. TYPE OF DECISION**

Non-Key

**5. DECISION MAKING ROUTE**

Regeneration, Liveability and Housing Portfolio Holder, 16 March, 2007.

**6. DECISION(S) REQUIRED**

It is requested that the Portfolio Holder formally endorses the Council's response to the Government's consultation on the ELD

**Report of:** Assistant Director (Planning and Economic Development)

**Subject:** EUROPEAN LIABILITY DIRECTIVE

---

**1. PURPOSE OF REPORT**

- 1.1 To obtain formal endorsement from the Portfolio Holder for the Council's response to the Government's consultation on the European Liability Directive.

**2. BACKGROUND**

- 2.1 The ELD was adopted in April 2004 and is required to be implemented by Member States by 30 April 2007. It is intended to give effect to the "polluter pays" principle by imposing liability for the prevention and remediation of environmental damage. This is damage which has a significant adverse effect on the conservation status of European Union protected biodiversity, on waters subject to EU legislation or land contamination which poses a significant risk of adverse effect on human health.
- 2.2 The Directive contains a number of discretions for Member States as to how they wish to implement the provisions of the Directive. The Government therefore has a choice of whether to deliver the minimum level of application of the Directive or to go beyond the minimum requirements in the interests of better coherence with existing domestic environmental protection legislation. The Government's current policy is not to go beyond minimum requirements however it is consulting various bodies, including Local Authorities, as to whether it should extend the provisions of the Directive on a number of specific issues.

**3. COUNCIL RESPONSE**

- 3.1 There are two issues of concern. Firstly, it would be highly desirable for the provisions of the Directive to be extended to Sites of Special Scientific Interest rather than just European Protected Sites. In Hartlepool there are three SSSIs plus part of a fourth that are not European Protected Sites and would therefore not be protected under this legislation if the Government opted for minimum application of the Directive; of these Hart Warren Dunes and the Submerged Forest are owned by the Council or leased from the Crown Estate. Secondly, it would be appropriate for the Government to implement the Directive such that liability is triggered if a single site is damaged, regardless of



whether or not that damage has wider effects on the conservation status of protected species.

- 3.2 Following informal discussion with the Portfolio Holder, comments to this effect were submitted before the 28 February deadline (see **Appendix 1**).

#### **4. RECOMMENDATION**

- 4.1 It is requested that the Portfolio Holder formally endorses the Council's response to the Government's consultation on the ELD.

#### **BACKGROUND PAPERS**

The consultation document runs to 176 pages but is available on the Defra website (<http://www.defra.gov.uk/corporate/consult/env-liability/index.htm>)

## **Appendix 1.**

### **Hartlepool Borough Council response to the ELD consultation**

23<sup>rd</sup> February 2007

ELD Consultation  
Environmental Liability Branch  
Environmental Regulation Policy Division  
Zone 4/A1  
Ashdown House  
1 23 Victoria Street  
LONDON  
SW1E 6DE

Dear Sir or Madam:

#### **ELD consultation – response by Hartlepool Borough Council**

In response to the current consultation on the European Liability Directive, Hartlepool Borough Council would like to make the following responses to certain questions in the consultation document.

Question 3.1 Damage to protected species and habitats.

We would like to see the Government implement the second listed option, that is; “apply a test of significant adverse effect on reaching or maintaining FCS, such that any damage to a Natura 200 site which affects the integrity of that site would trigger liability under ELD.”

Question 7. Whether or not to bring SSSIs into the scope of the ELD.

We consider that the ELD be implemented to include species and habitats for which any SSSI is designated under national legislation.

Thank you for your consideration of our response. Please do not hesitate to contact me should you require any further information.

Ian Bond  
Ecologist  
Hartlepool Borough Council

## **REGENERATION, LIVEABILITY & HOUSING PORTFOLIO**

Report to Portfolio Holder  
16 March 2007



**Report of:** The Assistant Director (Planning and Economic Development)

**Subject:** ERDF OPERATIONAL PROGRAMME  
CONSULTATION

---

### **SUMMARY**

#### **1.0 PURPOSE OF REPORT**

The Portfolio Holder is requested to endorse the response to the Government Office North East (GONE) of the European Regional Development Fund consultation document by the Assistant Director of Planning and Economic Development.

#### **2.0 SUMMARY OF CONTENTS**

A report on the European Regional Development Fund Operational Programme consultation to date is being prepared by your officers and the Tees Valley European Partnership. A draft report will be available in time for your meeting. The ERDF Operational Programme will set out the procedures for the regulation of the European Regional Development Fund from 2007 to 2013 in the North East. This is similar to the ESF Consultation reported to you in January but for ERDF it only covers the North East Region rather than the whole of the UK.

#### **3.0 RELEVANCE TO PORTFOLIO MEMBER**

Economic Development Issue.

#### **4.0 TYPE OF DECISION**

Non-key.

#### **5.0 DECISION MAKING ROUTE**

Regeneration, Liveability & Housing Portfolio 16 March 2007

## **6.0 DECISION(S) REQUIRED**

The Portfolio Holder is advised to endorse the response to the European Social Fund Division by the Assistant Director of Planning and Economic Development.

**Report of:** The Assistant Director (Planning and Economic Development)

**Subject:** ERDF OPERATIONAL PROGRAMME  
CONSULTATION

---

**1. PURPOSE OF REPORT**

- 1.1 The Portfolio Holder is requested to endorse the response to the Government Office North East of the ERDF Operational Programme consultation by the Assistant Director of Planning and Economic Development on the Council's behalf.

**2. BACKGROUND**

- 2.1 The ERDF Operational Programme will set out the procedures for the regulation of European Regional Development Fund from 2007 to 2013.

**3. CONSULTATION**

- 3.1 The National Strategic Reference Framework has now been agreed and the North East Regional Operational Programme has been sent out for consultation. Responses are required by the 31 March 2007.
- 3.2 The Tees Valley European Partnership (TVEP) and European Sections are preparing a response to the consultation for the Tees Valley. This was discussed at their meeting on the 27<sup>th</sup> of February and the draft report will be completed by the 12<sup>th</sup> of March. The final document will not be completed until after your meeting on the 16<sup>th</sup> of March. Your officers will ensure that the final document reflects the views of Hartlepool.
- 3.3 The consultation document is a large document of 219 pages which provides the following information:
- Social-Economic Analysis for the North East.
  - Summary of the SWOT Analysis.
  - The Priorities under which applications can be made for project funding.
  - How the programme will be implemented.
  - Cross Cutting Themes – Equality and Diversity

#### **4. CONSULTATION REQUIREMENTS**

4.1 The major concerns to be addressed in the reply to the consultation are:

- The Sub-Regional analysis provided in the report.
- What type of projects will be funded?
- How the programme will be administered
- Allocation of funding
- Possible Sustainable Communities Priority

#### **5. RECOMMENDATIONS**

5.1 That the Portfolio Holder endorses the draft response to the European Regional Development Fund, with any final changes to be delegated to the Assistant Director (Planning and Economic Development) to meet the deadline of the 31<sup>st</sup> March 2007.

## **REGENERATION, LIVEABILITY & HOUSING**

Report to Portfolio Holder

16 March 2007



**Report of:** Head of Neighbourhood Management

**Subject:** ADVERTISING ON STREET LIGHTING  
COLUMNS

---

### SUMMARY

#### **1. PURPOSE OF REPORT**

- 1.1 To seek approval to enter into a contract with Streetbroadcast for the provision and erection of 15 No. advertising units on street lighting columns in York Road.

#### **2. SUMMARY OF CONTENTS**

- 2.1 This report gives details of the proposals and identifies locations possibly suitable (see attached photographs) for the scheme.

#### **3. RELEVANCE TO PORTFOLIO HOLDER**

- 3.1 The Portfolio Holder has responsibility for street lighting issues.

#### **4. TYPE OF DECISION**

- 4.1 This is a non-key decision.

#### **5. DECISION MAKING ROUTE**

- 5.1 Portfolio meeting on 16 March 2007.

#### **6. DECISION(S) REQUIRED**

- 6.1 That the Portfolio Holder approves these proposals.

**Report of:** Head of Neighbourhood Management

**Subject:** ADVERTISING ON STREET LIGHTING  
COLUMNS

---

**1. PURPOSE OF REPORT**

- 1.1 To seek approval to enter into a contract with Streetbroadcast for the provision and erection of 15 No. advertising units on street lighting columns in York Road.

**2. BACKGROUND**

- 2.1 We have been approached by Streetbroadcast to consider the installation of illuminated advertising units on street lighting columns.
- 2.2 Streetbroadcast are backed by one of Europe's largest media investment companies.
- 2.3 Streetbroadcast install a brand new column free of charge with each display unit. The columns have been specifically designed to safely withstand the extra windloading and fit into any streetscene.
- 2.4 The display units are internally illuminated which can be set to a timer to control display lighting times.
- 2.5 The display units will be used for all types of advertising including local events and businesses.
- 2.6 Several local authorities in the area have taken up Streetbroadcast's proposals and are benefiting from the income the units generate.
- 2.7 A trial scheme of these units has been operating in York road since January 2006, with only one negative feedback. (Appendix A, which shows examples, will be distributed at the meeting).
- 2.8 All new locations will have to have planning approval before installation is undertaken.
- 2.9 The length of the contract we are seeking approval for is 14 years.



### 3. FUTURE LED UNITS

- 3.1 Streetbroadcast have a new LED unit called the 'Communicator' which provides real time advertising and can either be mounted on street lighting columns or has street furniture incorporating seating. (See appendix B).
- 3.2 The Communicator is a state of the art community messaging system. Funded by advertising it allows Councils, Police and Highways departments' instant communication with local public on the street.  
  
The system can be used to stream news headlines, local weather, crime prevention messages, traffic and parking information, Borough events plus much more. It can also be used for emergency messages, accidents, missing persons, call for witnesses etc, through real time control. Messages are input via a secure internet portal from any authorised desk or laptop computer.
- 3.3 The council receive the equivalent of 10 minutes of advertising space per hour for their own messages.
- 3.4 The content is powered by the Sony 'Ziris' system. A company called Venue Solutions who carry a brand licence from Sony, on a secure server, hosts all software. Agreed members of council staff will have access to a website via user names / passwords. There will be different layers of access controlling exactly what an individual can do.
- 3.5 Streetbroadcast will provide training to council staff / designers and will hold a workshop to teach staff how to make content Communicator friendly.
- 3.6 There will also be a template system which will hold emergency messages – only one member of the council will have the password for this override system.

### 4. FINANCIAL IMPLICATIONS

- 4.1 For the provision and erection of 15 No. StreetLite advertising units a fixed amount of £350.00 per annum for each display unit will be paid to the authority together with 50% of the profits, but the expected income from the 'Communicator is far greater at 4K-7K per annum.

### 5. RECOMMENDATIONS

- 6.1 That the Portfolio Holder approves these proposals.

**STREETTV**  
www.streettv.tv

**The UK's Most Powerful Community Messaging Service  
that also generates an income**

Installed in Liverpool, Church Street



A revolution in community messaging

- UK and worldwide first
- Community messaging
- Emergency messaging
- 50% content / 50% advertising
- Live updates
- Broadcast in real-time
- Generate reliable income streams
- FREE installation
- FREE service management
- Income generation
- We train all staff using the system FREE
- State of the art revolutionary technology
- Both moving and static digital messages

Click the link at the bottom of  
this email to see live footage  
from Liverpool City Centre



0845 0900 150  
streetbroadcast.com  
www.streettv.tv

STREETBROADCAST