

**EXECUTIVE MEMBER FOR REGENERATION**

A meeting of the Executive Member for Regeneration was held on Tuesday 13 July 2021.

**PRESENT:** Councillors E Polano (Chair),

**OFFICERS:** S Blood, R Horniman and A Hoy

21/1 **WITHDRAWAL OF THE DEVELOPMENT BRIEF FOR HEMLINGTON NORTH.**

The Director of Regeneration and Culture submitted a report to withdraw the Development Brief for Hemlington North. The decision requires decision as this was seeking to reverse a decision made by the Executive at its meeting of 18<sup>th</sup> October 2020.

The report outlined that the Executive approved a Development Brief for the development of land at Hemlington North in October 2020. The site forms part of the wider Hemlington Grange mixed-use development site that was allocated in the Housing Local Plan (2014), and already has the benefit of an extant outline planning permission. The brief was intended to act as guidance for when the Council marketed the site, and to assist in assessing the suitability of any subsequent schemes.

Following adoption of the Development Brief the Council received representation from an interested member of the public questioning the validity of the document, its role as a Supplementary planning Document and whether it could actually be used in the planning process owing to a conflict with the Local Plan. This conflict arose because the brief allowed apartments in the north east corner of the site if their inclusion would support good design and place making. This conflict was recognised and hence why the brief was not adopted as a Supplementary Planning Document. Whilst the brief would be a material consideration in the planning process the weight attached to it would be limited, particular with regards to the inclusion of the apartments. The provisions of the Local Plan would be the prime consideration unless material considerations dictate otherwise. Such material considerations could include design and place making, but these would need to be weighed in the balance in assessing any application.

As this matter has clearly caused some confusion it is felt more appropriate that to avoid any doubt or misunderstanding to withdraw the Development Brief. Instead the design criteria will be included within the marketing particulars issued by the Council in the disposal of the site. This will then form part of the assessment of bids in choosing the successful scheme. In doing so the Council can still ensure that a high quality design can be achieved when the site comes forward.

**OPTIONS****Other potential decisions and why these have not been recommended**

**Not to withdraw the Development Briefs for Hemlington North.** It was clear that the continued adoption of the Brief creates a level of confusion which if not addressed could lead to a challenge to any subsequent planning scheme/permission. Whilst the success of such a challenge is considered to be an extremely low risk it has the potential to delay the ability to bring the site forward quickly.

**ORDERED**

That Executive withdraws the Development Brief for Hemlington North.

**REASON**

To provide greater clarity on the planning framework for the site, and to strengthen the marketing particulars to ensure that an appropriate scheme is delivered.

21/2

**2021/22 TRANSPORT AND INFRASTRUCTURE CAPITAL PROGRAMME**

The Director of Regeneration and Culture submitted a report, the purpose of this was to gain approval to allocate funding to develop and deliver transport and infrastructure improvements contained within the report.

The report required a decision as the proposals would impact upon the whole Borough, and utilise a cocktail of funding allocations secured by the Council. Approval would ensure that the proposals are aligned with the Councils ambitions and objectives.

Middlesbrough Council is pass ported Local Transport Plan (LTP) funding from the Department for Transport (DfT) via Tees Valley Combined Authority (TVCA) to undertake maintenance and improvement works on the Councils transport network.

The final allocation is yet be provided by the DfT. However, the indicative allocation is £1.057m Integrated Transport (new works) and £1.473m Highway Maintenance (£2.53m total) as per the last three years of allocation. This forms the basis of the proposed allocations.

Similarly, the Council has identified funding allocations linked to Housing developer transport impact mitigation in the form of S106 and calls on the capital receipt (where Council land is disposed). These figures are indicatively included within the programme)

Several schemes from 2020/21 have been identified at this point to require being undertaken in 2021/22 due to delays associated with COVID19. The values associated with them are indicative, and may fluctuate dependent upon progress and expenditure within the 2020/21 financial year.

The projects within the proposed programme have been identified from the Councils "Future Year scheme" list. This was a compiled table of all known requirements and suggestions received, which are ranked for their suitability against a set criteria. This then forms the priority basis. This is however dependent upon external funding criteria, statutory obligations and other implications.

The maintenance schemes are based on asset condition rating systems, and allocation of resources work to address a "worst first" is used. This is rationalised on the basis of public safety and asset longevity priorities (such as ensuring that structures are safe). This ensures that the Council is addressing the areas of the network in most need of resolving.

The Council also received specific allocations through competitive grant programmes and awards that are to deliver prescribed pieces of work, depending upon national / regional criteria. Any awards for such projects by-

pass the scoring criteria (although this may be used to identify the most suitable candidates), and can be awarded / is accessible throughout the year. The proposals within this report include all known awarded allocations at time of approval, but can be subject to change. If so, approvals will be sought through the formal decision making process.

Full funding allocations used to identify the projects / programme were at appendix 2 of the report.

## **OPTIONS**

### **Other potential decisions and why these have not been recommended**

- a) Do nothing - this is not recommended as it will not allow the Council to allocate funding and make the necessary arrangements in advance of receipt of the allocations. The delivery of infrastructure improvements require prudent planning, and co-ordination, so approvals in a timely manner are pivotal to ensuring a successful delivery programme.
- b) Re-assessing the project proposals – this is not recommended, as they have been identified using a scoring matrix to ensure best allocation of resources. Any changes would deviate from this process, and add delays to progressing.
- c) Approve the proposals and deliver as programmed (Preferred Option). This will enable the Council sufficient time to plan and prepare the programme for 2021/22, and provide the best chances of successful delivery.

## **ORDERED**

**That Executive approves the allocation of funding to develop and deliver infrastructure improvements as outlined within the report.**

## **REASONS**

**The decision was supported for the following reasons:**

- 1) This was being recommended as it will allow prudent allocation of funding to ensure that the Council is not only working toward its ambitions and objectives, but is allocating resources to ensure statutory requirements placed upon the Council as the Highway Authority, “to ensure the safe and expeditious movement of people and goods on its network”.**
- 2) The allocations that are being proposed are based on ensuring a balance between maintaining existing asset, and making improvements to the accessibility of the current network/alternate modes of transport enhancements. This balance is crucial in order to ensure the safety of the infrastructure, and to assist in encouraging sustainability of the network.**

**The decision(s) will come into force after five working days following the day the decision(s) was published unless the decision becomes subject to the call in procedures**