



Hartlepool  
Development  
Corporation

# Hartlepool Development Corporation Board

**Date:** 28 April 2026 at 3:00pm

**Venue:** Hartlepool Civic Centre

## **Membership:**

Pamela Hargreaves (Independent Chair)

Brenda Harrison (Independent member)

Alison Gwynn (Independent member)

Lisa Molloy (Independent member)

Shane Moore (Independent member)

Martin Raby (Independent member)

Matt Storey (Independent member)

## **Associate Members:**

Matt Wilton (Chief Executive, Hartlepool Borough Council)

Tom Bryant (Chief Executive, TVCA)



Anything is possible

AGENDA	
1.	<b>Apologies for Absence</b> To receive any apologies for absence.
2.	<b>Declarations of Interest</b> To receive any declarations of interest.
3.	<b>Minutes of the previous meeting</b> To approve as a correct record the minutes of the meeting held on 30 March 2026.
4.	<b>Governance and Appointments</b> To receive a report from the Interim Monitoring Officer to confirm appointments to the Hartlepool Development Corporation.
5.	<b>Planning Update</b> To receive a report from the Head of Planning providing an update on the position of planning service delivery and the status of planning applications.
6.	<b>Urgent and Delegated Decisions</b>  The appendices to this report are not for publication under the terms of paragraph 3 (information relating to the financial or business affairs of any particularly person (including the authority holding that information); of schedule 12a Local Government Act 1972 )  To receive a report from the Interim Monitoring Officer providing an update on urgent and delegated decisions made since the last Board meeting.

7.	<b>Strategic Priorities</b>  To receive a verbal update from the Director of Infrastructure regarding the strategic priorities of the Hartlepool Development Corporation.
8.	<b>Middleton Grange Shopping Centre update</b>  The appendices to this report are not for publication under the terms of paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information); of schedule 12a Local Government Act 1972.)  To receive a report from the Director of Infrastructure providing an update on the operations of Middleton Grange Shopping Centre.
9.	<b>Risk Register</b>  To receive a report from the Head of Performance Risk and Assurance providing an overview of the principal strategic risks facing Hartlepool Development Corporation.
10.	<b>Dates of Future Meetings for 2026</b> <ul style="list-style-type: none"><li>• Tuesday 9 June 2026</li><li>• Tuesday 14 July 2026 (AGM)</li><li>• Tuesday 8 September 2026</li><li>• Tuesday 13 October 2026</li><li>• Tuesday 10 November 2026</li><li>• Tuesday 8 December 2026</li></ul> All of the above meetings are to commence at 4pm

**Members of the Public - Rights to Attend Meeting**

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 Section 100A(4), members of the public are entitled to attend this meeting and/or have access to the agenda papers.

Persons wishing to obtain any further information on this meeting or for details of access to the meeting for disabled people, please contact: [tvca.govance@teesvalley-ca.gov.uk](mailto:tvca.govance@teesvalley-ca.gov.uk)

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## Hartlepool Development Corporation Declaration of Interests Procedure

1. The purpose of this note is to provide advice and guidance to all members of the Development Corporation Board and Audit and Risk Committee on the procedure for declaring interests. The procedure is set out in full in the Development Corporation's Constitution under the "Code of Conduct for Members" (Appendix 2).

### Personal Interests

2. The Code of Conduct sets out in full, the principles on the general conduct of members in their capacity at the Development Corporation. As a general principle, members should act impartially and should not use their position at the Development Corporation to further their personal or private interests.
3. There are two types of personal interests covered by the Constitution:
  - a. **"disclosable pecuniary interests"**. In general, a disclosable pecuniary interest will involve any financial interests, such as paid employment or membership of a body, interests in contracts, or ownership of land or shares. Members have a pecuniary interest in a matter where there is a reasonable likelihood or expectation that the business to be considered will affect your well-being or financial position, or the well-being or financial position of the following persons:
    - i. a member of your family;
    - ii. any person with whom you have a close association;
    - iii. in relation to a) and b) above, their employer, any firm in which they are a partner, or a company of which they are a director;
    - iv. any person or body in whom persons described in a) and b) above have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
    - v. any body as described in paragraph 3 b) i) and ii) below.
  - b. **Any other personal interests.** You have a personal interest in any business of the Development Corporation where it relates to or is likely to affect:
    - i. any body of which you are a member (or in a position of general control or management) and to which you are appointed or nominated by the Development Corporation;
    - ii. any body which:
      - exercises functions of a public nature;
      - is directed to charitable purposes;
      - one of whose principle purposes includes influencing public opinion or policy (including any political party or trade union) of

which you are a member (or in a position of general control or management).

### **Declarations of interest relating to the Councils' commercial role**

4. Financial relationships between the Development Corporation and individual councils do not in themselves create a conflict of interest for Council Leaders who are also Development Corporation Board members. Nor is it a conflict of interest if the Development Corporation supports activities within a council boundary. Nevertheless, there are specific circumstances where the Board may consider entering into direct contractual arrangements with a council, for example in relation to a particular commercial investment project, or in which that council is a co-funder. In these circumstances a non-pecuniary declaration of interest should be made by the Council Leader or their substitute.

### **Procedures for Declaring Interests**

5. In line with the Code of Conduct, members are required to adhere to the following procedures for declaring interests:

### **Register of Interests**

6. Each member is required to complete a register of interests form with their personal interests, within 28 days of their appointment to the Development Corporation. If no declaration is received from elected members within 28 days the matter may be referred to the Head of Paid Service of your local authority and Leader of the political group you represent on your council for action. If a Declaration is not submitted within an appropriate timescale you may be prevented from attending committee meetings. Details of any personal interests registered will be published on the Development Corporation's website, with the full register available at the Development Corporation's offices for public inspection. The form will be updated on an annual basis but it is the responsibility of each member to notify the Monitoring Officer of any changes to the register throughout the year. Notification of a change must be made to the Monitoring Officer within 28 days of becoming aware of that change.

### **Declaration of Interests at Meetings**

7. The Development Corporation will include a standing item at the start of each statutory meeting for declaration of interests. Where members are aware that any of their personal interests are relevant to an item of business being considered at a meeting they are attending, they must declare that interest either during the standing item on the agenda, at the start of the consideration of the item of business, or when the interest becomes apparent, if later.

8. Where members consider that their interest could be considered by the public as so significant that it is likely to prejudice the members' judgement then they may not participate in any discussion and voting on the matter at the meeting, but may attend the meeting to make representations, answer questions or give evidence relating to the business, before it is discussed and voted upon.
9. If the interest is a disclosable pecuniary interest (as summarised in paragraph 3a) then the member must leave the meeting room during discussion and voting on the item of business, but may make representations, give evidence and answer questions before leaving the meeting room. Failure to comply with the requirements in relation to disclosable pecuniary interests is a criminal offence.

### **Sensitive Information**

10. Members can seek the advice of the monitoring officer if they consider that the disclosure of their personal interests contains sensitive information.

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HARTLEPOOL DEVELOPMENT CORPORATION BOARD  
MINUTES

Monday 30 March 2026 at 1pm

Meeting held at Hartlepool Civic Centre

*(These minutes are in draft form until approved at the next Board meeting and are therefore subject to amendments.)*

<b><u>ATTENDEES</u></b>	
<b>Members</b>	
Pamela Hargreaves	Independent Chair
Brenda Harrison	Independent Member
Martin Raby	Independent Member
Alison Gwynn	Independent Member
Shane Moore	Independent Member
<b>Associate Member</b>	
Tom Bryant	Chief Executive Officer, TVCA
<b>Officers and other representatives</b>	
Jo Moore (via Teams)	Interim Group Director of Finance and Resources, TVCA
Jeanette McGarry (Via Teams)	Interim Monitoring Officer, TVCA
Sarah Paxton	Financial Modelling Manager, TVCA
Kate Smith	Governance Officer, TVCA
<b>Apologies</b>	
Lisa Molloy	Independent Member
Matt Storey	Police and Crime Commissioner, Cleveland Police
Denise McGuckin	Chief Executive, Hartlepool Borough Council

HDC 01/26 Agenda item 1	<b>APOLOGIES FOR ABSENCE</b>  The Chair welcomed everyone to the meeting.  Apologies were noted in the Attendees list.
HDC 02/26 Agenda item 2	<b>DECLARATIONS OF INTEREST</b>  Martin Raby declared a non-pecuniary interest as Director of the Northern Studios & Chief Executive of Northern School of Art.
HDC 03/26 Agenda item 3	<b>MINUTES OF THE PREVIOUS MEETING AND MATTERS ARISING</b>  Members were invited to raise any concerns or amendments regarding the minutes of the Board meeting held on 2 December 2025. <ul style="list-style-type: none"><li>• Martin Raby proposed the minutes be accepted, this was seconded by Pamela Hargreaves.</li></ul> <b>RESOLVED</b> – The Hartlepool Development Corporation Board <b>APPROVED</b> the minutes of the meetings held on 2 December 2025 as a correct record.
HDC 04/26 Agenda item 4	<b>GOVERNANCE AND APPOINTMENTS</b>  Members received a report from the Interim Monitoring Officer detailing the appointment of Pamela Hargreaves as Chair of HDC Board and seeking appointment of the Vice Chair.  Comments and questions were invited, and these are summarized below: <ul style="list-style-type: none"><li>• The Chair noted that in terms of the Constitution, the Vice-Chair is required to be a Board member who is an elected member of Hartlepool Borough Council (HBC), and currently eligible members would therefore be Shane Moore and Brenda Harrison. Shane Moore advised the Board that he was not standing for re-election as a Councillor on 7 May 2026.</li><li>• Shane Moore raised concerns that, when the original constitution was set out, it was on the basis that the Tees Valley Mayor was the Chair of HDC, and the Leader of HBC was appointed Vice-Chair to give balance. Members were reminded that the Mayor subsequently stepped down from the Board, and the new Chair is currently also leader of HBC. It was suggested that if the Vice-Chair is also an elected member, it could be perceived that HBC have too much weight on the Board.</li></ul>

	<ul style="list-style-type: none"> <li>• Brenda Harrison supported this view and highlighted that members of the Board should be appointed as individuals, and on the basis of what they can offer in terms of experience and expertise, rather than as representatives of the Council.</li> <li>• The Chair thanked members for the points raised and acknowledged that at the time when the Board was established, the appointment of an HBC member to the Vice-Chair position was to ensure check and balance. It was suggested that, following resignations of some Board members, a review of the membership and constitution should be carried out as part of a wider reset of HDC, and the decision to appoint Vice-Chair should be deferred.</li> <li>• Tom Bryant, Chief Executive of TVCA advised the Board that a full review of the TVCA and HDC Constitution is underway, and the membership of the Board can therefore be considered as part of this.</li> <li>• The Chair added that engagement below Board level is extremely important to see what is being done with projects such as Queens Meadow, Oaksway, Production village, the town centre etc, to ensure broader involvement. To succeed as agents of change for Hartlepool, more momentum and engagement is required.</li> </ul> <p><b>RESOLVED</b> – The Hartlepool Development Corporation Board</p> <ol style="list-style-type: none"> <li><b>NOTED</b> the appointment by the Tees Valley Mayor of Pamela Hargreaves as Independent Chair of the Hartlepool Development Corporation Board.</li> <li><b>DEFERRED</b> the appointment of the new Vice Chair to the HDC Board, to be brought back to the Board following review of the HDC Constitution.</li> </ol>
<p>HDC 05/26</p> <p>Agenda item 5</p>	<p><b>Q3 BUDGET REPORT AND MTFP UPDATE</b></p> <p>The Board received a report from the Interim Group Director of Finance and Resources presenting details of the 2025/26 revenue and capital forecast outturn for the Hartlepool Development Corporation.</p> <p>The following points were highlighted as an overview:</p> <ul style="list-style-type: none"> <li>• Q3 shows a slightly improved position from Q2 but still a deficit of over £1m.</li> <li>• The report shows how the overspend is proposed to be dealt with, and permission is being sought from the Board to repurpose the £500k originally set aside in capital for use for revenue purposes.</li> <li>• The Board were reminded that TVCA approved £10m grant to HDC but did not specify if this was to be spent on revenue or capital, and this is a matter reserved for the HDC Board.</li> <li>• Part of the reason the budget could be balanced is that HDC has been successful in receiving some Investment Zone funding through grant, and funding originally set aside in the £10m grant to pay for film studios capital expenditure will now be repurposed for revenue. This funding will then replace the original element of the £10m to be used for these purposes..</li> </ul>

This will require an adjustment to the 24/25 accounts but those have not been signed so are able to make that adjustment.

Comments and questions were invited from the Board, and these are noted below:

- Martin Raby noted paragraph 25 of the report, which stated a significant deterioration in year from the approved budget, and commented that the Middleton Grange Shopping Centre (MGSC) costs were higher. It was also highlighted that the books are only balanced due to the transfer from capital to revenue, which raises questions for next year (26/27).
- Martin Raby also sought clarification from the Monitoring Officer whether it was appropriate for him to vote on item v, (reallocation of underspend on the Film Studios capital budget to the MGSC capital budget) given the previously declared interest as Director. After discussion it was confirmed that there was not a conflict, as the interest is non-pecuniary, and the decision has already been made that the Production Village will benefit. Martin Raby stated that, as the Board would be still quorate without his vote, he would abstain from voting on that specific item, in the interest of absolute transparency.
- Brenda Harrison commented it has been stated that the budget is in a 'better situation' and asked whether this trajectory looks promising for the future and is going in the right direction. Chief Executive, Tom Bryant advised that 25/26 is now on track to balance for the end of the year, and discussion about the 26/27 budget will be had in the next item on the agenda.
- The Chair summarised that in terms of the Q3 Budget, the position is slightly better and the budget is balanced. There are still some questions in terms of longer term, however the Board are happy to proceed.

**RESOLVED** – The Hartlepool Development Corporation Board:

- I. **NOTED** the Q3 forecast revenue outturn of £1.285m overspend for 2025/26.
- II. **NOTED** that if Board approves the re-purpose of capital funding to revenue the Q3 forecast revenue outturn will become a net surplus of £0.48m;
- III. **APPROVED** the re-purpose of £0.833m of TVCA grant funding, approved for capital purposes to revenue, arising from successfully securing additional grant funding from Investment Zone grant allocations through TVCA.
- IV. **APPROVED** the re-purpose of the approved capital funding for asset transfer to revenue;
- V. **APPROVED** the reallocation of the £0.098m underspend on the Film Studios capital budget to the Middleton Grange Shopping Centre capital budget; and
- VI. **APPROVED** the reprofiling of £1.505m (including the £0.098m ask above), from 2025/26 to 2026/27 for the Middleton Grange Shopping Centre capital budget.

<p>HDC 06/26</p> <p>Agenda item 6</p>	<p><b>APPROVAL OF BUDGET 2026/27 AND MEDIUM-TERM FINANCIAL PLAN</b></p> <p>The Board received a report from the Interim Group Director of Finance and Resources to approve the Budget for 2026/27 and the Medium-Term Financial Plan.</p> <p><b>The appendix to this report is not for publication under the terms of paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)); of schedule 12a Local Government Act 1972.</b></p> <p><i>The Chair advised the Board and members of the public that the confidential appendix holds commercial information which could not be public, so if members wished to discuss this, then the session would have to be closed for those specific conversations. Later items on the agenda were discussed ahead of Item 6, which was the last item covered in the meeting.</i></p> <p>The Interim Group Director of Finance and Resources, Jo Moore advised the Board that the budget is balanced, and residual funding from Middlesbrough Development Corporation (MDC) has been approved by Cabinet.</p> <p>Financial Positioning Manager Sarah Paxton outlined that the initial position deficit of £1.38m was covered by £1m TVCA and proposed funding from MDC, due to the performance of MDSC. There is still a budget of £1.5m from MGSC.</p> <p>The Chair introduced the Board to Tim Cornford from Black Cat, the new asset managers of the shopping centre and invited him to address the Board regarding MGSC.</p> <p>Tim Cornford thanked the Chair for the opportunity to speak, and outlined:</p> <ul style="list-style-type: none"> <li>• MGSC is a town centre asset with significant challenges, which are reflected in the retail sector throughout the UK.</li> <li>• There are glimmers of hope and has been good interest from operators. Black Cat are trying to identify good deals to proceed.</li> <li>• It was acknowledged that the site is oversized and there are opportunities to make cost savings. This will include the removal of some retail space and drive more commercial deals to take space in the remaining building.</li> <li>• The removal of mall space also removes costs which will make significant savings in net operating income.</li> <li>• There are exciting opportunities with the demolition of the Market Hall, which may suit some operators to come from edge of town. National brands and good quality retailers may be interested in town centre sites if there are the right size units at the right costs.</li> </ul>
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- There is an excellent team on site who are pushing hard to deliver for the community.

The Chair added that there have been positive meetings and conversations and welcomed the opportunities for the shopping centre. It was highlighted that the Valour Centre has been approved, which will take an empty unit, renovate and put service charges back.

The Board were advised that Black Cat will report back to the meetings, so Members will have more involvement, oversight and understanding than may have had previously.

The Chief Executive of TVCA, Tom Bryant, stated there was recognition that there has been ambiguity over the position in the last year. Members were advised that Grant Thornton have been commissioned to oversee the budget and have adopted a prudent approach. It was acknowledged that whilst there will be a challenge beyond this financial year, there is the potential to improve the budget based on this robust footing.

The Chair invited comments and questions from the Board, and these are summarized below:

- Martin Raby noted the budget is reliant on money from the Combined Authority, but also on the transfer from Middlesbrough Development Corporation (MDC). In response, Tom Bryant advised that £1m has been approved by TVCA Cabinet subject to a business case, and that he had delegated authority in relation to residual funds following the review of MDC. There has been commitment that this review will be complete by the end of June 2026.
- It was noted by the Chief Executive that the recommendation in the report for this meeting is incorrect and should be reworded to acknowledge that the transfer of residual funding is not subject to approval by MDC Board but delegated to the Chief Executive of the Development Corporation.
- The Board confirmed this would give more reassurance that the funding was not dependent on a decision by MDC.
- The Chair highlighted that the allocation of the money is for 12 months, but the reality is that the DC owns an asset – the shopping centre – and it is the role of the Board to make sure the asset works.
- Shane Moore commented that, in relation to the ongoing costs for unused space, the sooner that the demolition proceeds, the better in order to cut down on some of these costs.

*Shane Moore apologised to the Chair, and the Board and explained that he had to leave the meeting unexpectedly. He offered his support for the remaining item and left the meeting at 13:40.*

	<ul style="list-style-type: none"> <li>Tom Bryant reminded members that TVCA Cabinet were clear that this is £1m allocation funding and are not looking to fund beyond this. Whilst the Board can put forward business cases for future funding, HDC has to work towards financial sustainability and must be financially viable. The Chair agreed that the money has not been allocated just for the sake of keeping the DC going, and HDC must come up with a vision and a plan to have value.</li> </ul> <p>Members indicated that their further comments would pertain to confidential information, and the Chair advised that the Board should move into closed session. The remainder of items from the agenda were covered, and Members of the public then left the meeting at 13:45. The public meeting was resumed at 14:05 for members to confirm below:</p> <p><b>RESOLVED</b> – The Hartlepool Development Corporation Board:</p> <ol style="list-style-type: none"> <li><b>APPROVED</b> the proposed balanced revenue budget for 2026/27;</li> <li><b>NOTED</b> that the revenue contribution of up to £1m from TVCA was approved by TVCA Cabinet on 20 March 2026;</li> <li><b>NOTED</b> that consideration of the projected residual funding from MDC of £0.525m was delegated to the Chief Executive of the Development Corporation by the Middlesbrough Development Corporation Board at its meeting on 26 March 2026;</li> <li><b>APPROVED</b> the proposed capital budget for 2026/27 of £1.505m; and</li> <li><b>APPROVED</b> the service charge budget for Middleton Grange Shopping Centre for 2026/27 at Appendix 1</li> </ol>
<p>HDC 07/26</p> <p>Agenda item 7</p>	<p><b>TREASURY MANAGEMENT STRATEGY 2026/27</b></p> <p>The Board received an update from the Interim Group Director of Finance and Resources with an update of the mid-year performance against the treasury management and prudential indicators set in the Treasury Management Strategy.</p> <p>The Interim Group Director of Finance and Resources, Jo Moore, advised the Board that a query has been raised with CIPFA over whether there is a need to prepare a Treasury Management Strategy. Whilst HDC does have a bank account, it does not operate that account as currently it draws down grant as and when needed from TVCA.</p> <p>It was suggested that there may be an argument for Development Corporations not requiring a Treasury Management Strategy, however with some DCs there have been aspects which have not been fully considered in terms of the application. The decision has been taken to present the Treasury Management Strategy for completeness; however, it may not be relevant for the DC.</p> <p>Comments and questions were invited from the Board, none were received.</p>

	<p><b>RESOLVED</b> – The Hartlepool Development Corporation Board:</p> <ul style="list-style-type: none"> <li>i. <b>APPROVED</b> the Treasury Management Strategy for 2026/27</li> <li>ii. <b>NOTED</b> the S73 Officer is discussing with CIPFA the ongoing requirement for HDC to prepare formal treasury management reports given its financial position.</li> </ul>
<p>HDC 08/26</p>	<p><b>CHAIR'S UPDATE</b></p> <p>The Chair of the Board gave a verbal update on matters pertaining to Hartlepool Development Corporation.</p> <p>The Chair outlined that there are significant challenges ahead. The budget for this year has been balanced, however there is the need to look at the Development Corporation, how it is shaped, and what the priorities are so can proceed with creating a robust vision and business plan. The Chair told members that she has met with the TVCA Director of Infrastructure and attended meetings about MGSC with new asset managers Black Cat to get under the skin of issues. Members were assured that there are positive developments, however there is a pressing need to get on with purpose and create the plan.</p> <p>The Chair stated that April is an opportunity for resetting of the Development Corporation, and work has already begun to look at the Planning Committee, Board membership and think around how to engage with different parties. Conversations with MGSC and the Borough Council have started in terms of developing a joint strategy and roles, as well as big picture vision. It is hoped that there will be opportunity for collaboration and conversations with Board Members to return with a plan and options for the way forward.</p> <p>Questions and comments were invited, and are summarized below:</p> <ul style="list-style-type: none"> <li>• Shane Moore welcomed the Chair's comments regarding moving forward and requested that options are brought to the Board for decisions to be made. He expressed frustration that previously decisions have been made which have not been firstly brought to the Board. The Chair noted these concerns and acknowledged that in the case of the particular issue being referred to, there were more conversations involved than were understood in the public domain. It was agreed that going forward, HDC Board should be leading the work, rather than responding to it, and should therefore have the plan and meet more regularly.</li> <li>• Brenda Harrison expressed the opinion that once certain projects begin to happen, residents will be able to see the scale of restructure and change and appreciate the impact this will have on their lives. This will be more positive going forward.</li> </ul>

	<ul style="list-style-type: none"><li>The Chair confirmed that in the coming months there will be visible progress which will show residents what is happening.</li></ul> <p>RESOLVED: The Hartlepool Development Corporation Board <u>NOTED</u> the update.</p>
HDC 09/26	<p>DATE AND TIME OF NEXT MEETING</p> <ul style="list-style-type: none"><li>Tuesday 28 April 2026 at 2:30pm</li></ul>
<p>The Chair requested that the Board go into closed session at 13:45 and members of the press and public left the venue. The public meeting was resumed at 14:05 for members to conclude Item 6</p> <p>The meeting formally closed at 14:10</p>	

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## GOVERNANCE AND APPOINTMENTS

### SUMMARY

The purpose of this report is firstly to seek confirmation of the appointment of the Head of Planning to Hartlepool Development Corporation (HDC).

Secondly to note the resignation of 3 independent members of the Hartlepool Development Corporation (HDC)

### RECOMMENDATIONS

It is recommended that the HDC Board:

- i. **CONFIRMS** the appointment of Jonathan Spruce as the Head of Planning for Hartlepool Development Corporation; and
- ii. **NOTES:** Simon Corbett, an independent member of Hartlepool Development Corporation has resigned.
- iii. **NOTES:** Sarah Bedford, an independent member of Hartlepool Development Corporation has resigned.
- iv. **NOTES:** Brenda McLeish, an independent member of Hartlepool Development Corporation has resigned.

### DETAIL

1. Pursuant to the Hartlepool Development Corporation (Functions) Order 2023, HDC is responsible for determining planning applications within the redline boundary of the Development Corporation area. In line with statutory requirements, HDC is required to

confirm the appointment of a Head of Planning who will be responsible for the provision of its planning function. The Head of Planning will discharge this responsibility by outsourcing the day-to-day planning function for services to Nathaniel Lichfield and Partners ('Lichfields').

2. The Head of Planning for HDC is responsible for:
  1. Ensuring the provision of an adequate planning function.
  2. Signing off decisions in accordance with the Scheme of Delegation (appendix 1), having sought appropriate advice.
  3. Advising and reporting to the HDC Board, having sought appropriate advice.
  4. Dealing with complaints regarding the planning service delivered by HDC.
  5. Authorising the taking of Enforcement Action where it is expedient and in the public interest to do so.
3. At its meeting on 19 June 2025, the Board appointed Julie Hurley, Interim Director of Infrastructure at Tees Valley Combined Authority (TVCA), as Head of Planning for Hartlepool Development Corporation.
4. Julie Hurley has left her employment with TVCA.
5. As the role of Head of Planning has become vacant, the Development Corporation will need to make a new appointment to the role.
6. It is proposed that:

Jonathan Spruce, Director of Infrastructure at TVCA, be appointed Head of Planning for Hartlepool Development Corporation. Jonathan is an experienced director with a sound understanding of the planning system and significant experience of planning across his career.
7. HDC will seek to replace the independent members who have resigned to ensure that the Board can be effective in ensuring that HDC can deliver on its priorities.

## FINANCIAL IMPLICATIONS

8. Group support service agreements will encompass an appropriate recharge for the costs associated with TVCA Group staff that perform services for the Hartlepool Development Corporation.
9. The recharge will be on a time-spent basis and funded from the revenue grant funding received from TVCA as part of the investment plan allocation.

## LEGAL IMPLICATIONS

10. Planning powers were conferred to HDC on 1 June 2023, giving HDC the power to determine planning applications within the redline boundary. To ensure compliance with statutory requirements, HDC must appoint a Head of Planning to oversee and be responsible for the planning function.
11. In addition to the above, Lichfields have been procured to provide day to day planning services for HDC.
12. It is proposed that a mandatory comprehensive induction programme be made available to the appointee, with appropriate training on appointment and with review throughout the term of their appointment.
13. The Localism Act 2011 ('the Act'), Schedule 21, provides the legal framework for the membership and remuneration for Mayoral Development Corporations. This legislation needs to be read in conjunction with The Tees Valley Combined Authority (Functions) Order 2017 ('the Order'), Schedule 1, which amends the wording of the Act. Schedule 21 of the Act is attached as **Appendix 1** and the Order is attached as **Appendix 2**.
14. The Act as amended by the Order states:
  1. A Mayoral Development Corporation ("MDC") is to consist of such number of members (being not less than six) as the Combined Authority may from time to time appoint.
  2. The Combined Authority must appoint at least one elected member from the Local Authority area the MDC sits in.
  3. The Combined Authority must appoint one of the members of an MDC to Chair the MDC.
  4. When appointing a member of an MDC, including a Chair, the Combined Authority must have regard to the desirability of appointing a person who has experience of, and has shown some capacity in, a matter relevant to the carrying out of the MDC's functions, and must be satisfied that the person will have no financial or other interest likely to affect prejudicially the exercise of the person's functions as a member.
  5. The Combined Authority may require any person whom they propose to appoint as a member to provide information to ensure they do not have any prejudicial financial interest.
15. In respect of remuneration the Act as modified by the Order states:
  1. An MDC may pay remuneration, travelling expenses and other allowances, and sums in respect of pensions and gratuities. Remuneration and/or pension payments cannot be

made to any elected member of the Tees Valley area, unless they act as the Chair in which case they can be remunerated for that role.

2. The Combined Authority determines rates and eligibility criteria in respect of the above.
16. S.107D(2) Local Democracy, Economic Development and Construction Act 2009 and s.5(1) states that the functions above conferred to the Combined Authority are general functions exercisable by the Mayor. (attached as **Appendix 3**).
17. The recent Ministry of Housing, Communities and Local Government 'Mayoral Development Corporations in combined authorities and combined county authorities: Guidance on legislation and scrutiny is attached as **Appendix 4**.
18. Therefore, the appointment of Board Members to the Development Corporations, the appointment of the Development Corporations Chairs, and the ability to determine rates and eligibility criteria for remuneration are functions that only the Mayor can exercise. The Mayor can exercise these functions personally or delegate them to the Deputy Mayor or an Officer of the Combined Authority. They may not be delegated to an individual Member, nor to a Committee unless provided for in an Order by the Secretary of State.

## RISK ASSESSMENT

19. HDC has procured Lichfields to run the day-to-day planning services for the Development Corporation. The planning function will be overseen by the Head of Planning. Therefore, the subject matter of this report is categorised as low risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## CONSULTATION AND COMMUNICATION

20. The subject of this report is a matter for HDC Board approval therefore no additional consultation and communication has been undertaken.

## EQUALITY & DIVERSITY

21. This report does not impact on groups of people with protected characteristics.

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**Changes to legislation:** Localism Act 2011, SCHEDULE 21 is up to date with all changes known to be in force on or before 22 May 2025. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 21

Section 198

#### MAYORAL DEVELOPMENT CORPORATIONS

##### *Membership*

- 1 (1) A Mayoral development corporation (“MDC”) is to consist of such number of members (being not less than six) as the Mayor of London (“the Mayor”) may from time to time appoint.
- (2) The Mayor must, subject to sub-paragraph (5), exercise the Mayor's power under sub-paragraph (1) so as to secure that the members of an MDC include at least one elected member of each relevant London council.
- (3) For the purposes of this Schedule—
- (a) “London council” means a London borough council or the Common Council of the City of London, and
  - (b) a London council is “relevant” in relation to an MDC if any part of the MDC's area is within the council's area.
- (4) The Mayor must appoint one of the members of an MDC to chair the MDC.
- (5) In appointing a person to be a member of an MDC, the Mayor—
- (a) must have regard to the desirability of appointing a person who has experience of, and has shown some capacity in, a matter relevant to the carrying-out of the MDC's functions, and
  - (b) must be satisfied that the person will have no financial or other interest likely to affect prejudicially the exercise of the person's functions as member.
- (6) The Mayor may require any person whom the Mayor proposes to appoint as a member to provide such information as the Mayor considers necessary for the purposes of sub-paragraph (5)(b).

##### **Modifications etc. (not altering text)**

- C1** Sch. 21 para. 1 corresponding functions conferred (3.3.2017) by [The Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](#), arts. 1(2), **3(1)(m)** (with arts. 5(1), 9(1))
- C2** Sch. 21 para. 1: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**
- C3** Sch. 21 paras. 1-4: functions made exercisable (7.5.2024) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(3), **27(1)-(3)**

##### *Terms of appointment of members*

- 2 (1) Subject as follows, a member of an MDC holds and vacates office in accordance with the member's terms of appointment.

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- (2) A member may resign by serving notice on the Mayor.
- (3) A person appointed to chair an MDC—
  - (a) may resign that appointment, whether or not the person also resigns from membership of the MDC, by serving notice on the Mayor;
  - (b) ceases to hold that appointment if the person ceases to be a member of the MDC.
- (4) A person who—
  - (a) ceases to be a member of an MDC, or
  - (b) ceases to be the person appointed to chair an MDC,
 is eligible for reappointment.
- (5) The Mayor may remove a member of an MDC if—
  - (a) the member has been absent from meetings of the MDC for more than 3 months without the permission of the MDC,
  - (b) the member has become bankrupt or has made an arrangement with the member's creditors,
  - (c) a debt relief order is made in respect of the member (see Part 7A of the Insolvency Act 1986) or the member is a person in respect of whom a debt relief restrictions order has effect (see Schedule 4ZB to that Act),
  - (d) the member has since being appointed ceased to be an elected member of a relevant London council and the Mayor wishes to appoint an elected member of that council to be a member of the MDC in the member's place, or
  - (e) in the opinion of the Mayor, the member has failed to comply with the member's terms of appointment or is otherwise unable, unfit or unsuitable to exercise the member's functions as a member of the MDC.

**Modifications etc. (not altering text)**

- C3** Sch. 21 paras. 1-4: functions made exercisable (7.5.2024) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(3), **27(1)-(3)**
- C4** Sch. 21 para. 2 corresponding functions conferred (3.3.2017) by [The Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](#), arts. 1(2), **3(1)(n)** (with arts. 5(1), 9(1))
- C5** Sch. 21 para. 2: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**

*Staff*

- 3 (1) Before an MDC appoints staff it must obtain the Mayor's agreement to the terms and conditions on which the appointments are to be made.
- (2) An MDC's power to appoint a chief executive may, in the case of the MDC's first chief executive, be exercised by the Mayor.
- (3) An MDC's chief executive is a member of its staff.

**Modifications etc. (not altering text)**

- C3** Sch. 21 paras. 1-4: functions made exercisable (7.5.2024) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(3), **27(1)-(3)**

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- C6** Sch. 21 para. 3 corresponding functions conferred (3.3.2017) by [The Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](#), arts. 1(2), **3(1)(o)** (with arts. 5(1), 9(1))
- C7** Sch. 21 para. 3: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**

*Remuneration etc: members and staff*

- 4 (1) An MDC may pay to or in respect of its members—
- (a) remuneration,
  - (b) travelling and other allowances, and
  - (c) sums by way of, or in respect of, pensions and gratuities.
- (2) The Mayor is to determine rates and eligibility criteria for payments under sub-paragraph (1).
- (3) If the Mayor thinks that there are special circumstances that make it right to compensate a person on ceasing to be a member of an MDC, the MDC may pay compensation determined by the Mayor.
- (4) Payments under sub-paragraph (1) or (3), other than travelling and subsistence allowances, are not to be made to a member of an MDC who is also a member of the London Assembly, but this does not prevent payment of an allowance under sub-paragraph (1) to the person appointed to chair an MDC in respect of that office.
- (5) An MDC may pay to or in respect of its staff—
- (a) remuneration,
  - (b) travelling and other allowances, and
  - (c) sums by way of, or in respect of, pensions and gratuities.
- (6) Rates and eligibility criteria for payments made by an MDC under sub-paragraph (5) are to be determined by the MDC with the agreement of the Mayor.
- (7) In this paragraph “member” includes former member and “staff” includes former staff.

**Modifications etc. (not altering text)**

- C3** Sch. 21 paras. 1-4: functions made exercisable (7.5.2024) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(3), **27(1)-(3)**
- C8** Sch. 21 para. 4 corresponding functions conferred (3.3.2017) by [The Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](#), arts. 1(2), **3(1)(p)** (with arts. 5(1), 9(1))
- C9** Sch. 21 para. 4: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**

*Status*

- 5 (1) An MDC (and any member of an MDC or of an MDC's staff)—
- (a) is not the servant or agent of the Crown, and
  - (b) does not share any immunity or privilege of the Crown.
- (2) An MDC's property is not to be regarded as property of, or property held on behalf of, the Crown.

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### *Committees*

- 6 (1) An MDC may establish committees.
- (2) A committee may establish sub-committees.
- (3) A committee or sub-committee may, with the agreement of the Mayor, include persons who are not members of the MDC.

#### **Modifications etc. (not altering text)**

- C10** Sch. 21 para. 6 corresponding functions conferred (3.3.2017) by [The Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](#), arts. 1(2), **3(1)(q)** (with arts. 5(1), 9(1))
- C11** Sch. 21 para. 6: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**
- C12** Sch. 21 para. 6: functions made exercisable (7.5.2024) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(3), **27(1)-(3)**

### *Delegation*

- 7 (1) An MDC may delegate any of its functions to any of its members, committees or staff.
- (2) A committee of an MDC may delegate any function conferred on it to—
- (a) any member of the MDC,
  - (b) any sub-committee of the committee, or
  - (c) any of the MDC's staff.
- (3) A sub-committee of a committee of an MDC may delegate any function conferred on it to—
- (a) any member of the MDC, or
  - (b) any of the MDC's staff.

### *Proceedings and meetings*

- 8 (1) An MDC may, subject to any directions given by the Mayor, decide—
- (a) its own procedure,
  - (b) the procedure of any of its committees, and
  - (c) the procedure of any sub-committee of any of its committees.
- (2) Subject to sub-paragraph (1), a committee may decide the procedure of any of its sub-committees.
- (3) Subject to sub-paragraphs (1) and (2), a committee or sub-committee may decide its own procedure.
- (4) In this paragraph “procedure” includes quorum.

#### **Modifications etc. (not altering text)**

- C13** Sch. 21 para. 8 corresponding functions conferred (3.3.2017) by [The Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](#), arts. 1(2), **3(1)(r)** (with arts. 5(1), 9(1))

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- C14** Sch. 21 para. 8: functions made exercisable (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **10**
- C15** Sch. 21 para. 8: functions made exercisable (7.5.2024) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(3), **27(1)-(3)**

- 9 The validity of any proceeding of an MDC is not affected by—
- (a) its having fewer than six members,
  - (b) there being no person appointed to chair it,
  - (c) its members not including at least one elected member of each relevant London council, or
  - (d) any defect in the appointment of any of its members or of the person appointed to chair it.

*Annual report (and “financial year”)*

- 10 (1) As soon as reasonably practicable after the end of each financial year, an MDC must—
- (a) prepare an annual report on how it has exercised its functions during the year,
  - (b) include in the report a copy of its audited statement of accounts for the year, and
  - (c) send a copy of the report to the Mayor and to the London Assembly.
- (2) “Financial year”, in relation to an MDC, means a period of 12 months ending with 31 March.

*Seal etc*

- 11 (1) The application of an MDC's seal is to be authenticated by—
- (a) the person appointed to chair the MDC, or
  - (b) another member of the MDC, or some other person, authorised (generally or specially) for that purpose.
- (2) A document purporting to be duly executed under the seal of an MDC or signed on its behalf—
- (a) is to be received in evidence, and
  - (b) is to be treated as so executed or signed unless the contrary is shown.

*House of Commons Disqualification Act 1975 (c. 24)*

- 12 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies all of whose members are disqualified) at the appropriate place insert— “  
A Mayoral development corporation (see section 198 of the Localism Act 2011).”

**Changes to legislation:**

Localism Act 2011, SCHEDULE 21 is up to date with all changes known to be in force on or before 22 May 2025. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)

*Draft Order laid before Parliament under section 117(2) of the Local Democracy, Economic Development and Construction Act 2009, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2017 No.**

**LOCAL GOVERNMENT, ENGLAND**

**The Tees Valley Combined Authority (Functions) Order 2017**

*Made - - - -*

*Coming into force in accordance with article 1*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 105(3), 105A(1)(b) and (2)(a), 107D(1), 114(1) and (3) and 117(5) of the Local Democracy, Economic Development and Construction Act 2009(1) (“the 2009 Act”).

In accordance with section 105B(1)(b) of the 2009 Act(2)—

- (a) the councils whose local government areas are comprised in the area of the Tees Valley Combined Authority and the Tees Valley Combined Authority have consented to the making of this Order(3), and
- (b) the Secretary of State considers that the making of this Order is likely to improve the exercise of statutory functions in the area to which this Order relates.

The Secretary of State, having had regard to a scheme prepared and published under section 112 of the 2009 Act(4), considers that—

- (a) the making of this Order is likely to improve the exercise of statutory functions in the area to which this Order relates, and
- (b) any consultation required by section 113(2) of the 2009 Act(5) has been carried out.

In accordance with section 113(3) of the 2009 Act, in making this Order, the Secretary of State has had regard to the need to reflect the identities and interests of local communities, and the need to secure effective and convenient local government.

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 117(2) of the 2009 Act.

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- (1) 2009 c. 20. Section 105A was inserted by section 7 of the Cities and Local Government Devolution Act 2016 (c. 1) (“the 2016 Act”). Section 114 was amended by section 23 of, and paragraphs 17 and 26 to, the 2016 Act. Section 107D was inserted by section 4 of the 2016 Act. Section 117 was amended by section 13 of the Localism Act 2011 and Schedule 5 to the 2016 Act.
  - (2) Section 105B was inserted by section 7 of the 2016 Act.
  - (3) This Order relates to the area of the Tees Valley Combined Authority, which was established by the Tees Valley Combined Authority Order 2016 (S.I. 2016/449). Article 2 of S.I. 2016/449 defines the “combined area” as the area consisting of the areas of the constituent councils, who are the local government areas of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees.
  - (4) Section 112 was amended by sections 6 and 23 of, and paragraphs 17 and 23 of Schedule 5 to, the 2016 Act.
  - (5) Section 113 was amended by sections 12, 14 and 23 of, and paragraph 24 of Schedule 5 to, the 2016 Act.

In accordance with section 105B(9) of the 2009 Act the Secretary of State has laid before Parliament a report explaining the effect of this Order and why the Secretary of State considers it appropriate to make this Order.

Accordingly the Secretary of State makes the following Order:

### **Citation and commencement**

1.—(1) This Order may be cited as the Tees Valley Combined Authority (Functions) Order 2017.

(2) Save as provided in paragraph (3) this Order comes into force on the day after the day on which it is made.

(3) Article 5(1) comes into force on 8th May 2017.

### **Interpretation**

2. In this Order—

“the 1989 Act” means the Local Government and Housing Act 1989(6);

“the 1999 Act” means the Greater London Authority Act 1999(7);

“the 2003 Act” means the Local Government Act 2003(8);

“the 2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;

“the 2011 Act” means the Localism Act 2011(9);

“combined area” means the area of the Combined Authority;

“Combined Authority” means the Tees Valley Combined Authority;

“constituent council” means the councils for the local government areas of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-On-Tees.

“Corporation” means a corporation established by the Secretary of State in accordance with the provisions in section 198 of the 2011 Act following the designation of an area of land by the Combined Authority; and

“Mayor” means the mayor for the combined area(10) except in the term “the Mayor of London”.

### **Conferral of functions on the Combined Authority**

3.—(1) The Combined Authority shall have in relation to the combined area functions corresponding to the following functions contained in the provisions in the 2011 Act, that the Mayor of London has in relation to Greater London—

(a) section 197 (designation of Mayoral development areas);

(b) section 199 (exclusion of land from Mayoral development areas);

(c) section 200 (transfers of property etc to a Mayoral development corporation);

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(6) 1989 c 42.

(7) 1999 c. 29.

(8) 2003 c. 26.

(9) 2011 c. 20.

(10) Article 3 of the Tees Valley Combined Authority (Election of Mayor) Order 2016 (S.I. 2016/783) provides for there to be a mayor for the combined area.

- (d) section 202 (functions in relation to town and country planning);
- (e) section 204 (removal or restriction of planning functions);
- (f) section 214 (powers in relation to discretionary relief from non-domestic rates);
- (g) section 215 (reviews);
- (h) section 216 (transfers of property, rights and liabilities);
- (i) section 217 (dissolution: final steps);
- (j) section 219 (guidance by the Mayor);
- (k) section 220 (directions by the Mayor);
- (l) section 221 (consents);
- (m) paragraph 1 of Schedule 21 (membership);
- (n) paragraph 2 of Schedule 21 (terms of appointment of members);
- (o) paragraph 3 of Schedule 21 (staff);
- (p) paragraph 4 of Schedule 21 (remuneration etc: members and staff);
- (q) paragraph 6 of Schedule 21 (committees); and
- (r) paragraph 8 of Schedule 21 (proceedings and meetings).

(2) The exercise by the Combined Authority of the functions corresponding to the functions contained in section 197 (designation of Mayoral development areas) of the 2011 Act requires the consent of all members of the Combined Authority appointed by the constituent councils, or substitute members acting in place of those members, whose local government area contains any part of the area to be designated as a Mayoral development area.

(3) The exercise by the Combined Authority of the functions corresponding to the functions contained in section 199 (exclusion of land from Mayoral development areas) of the 2011 Act in respect of any Mayoral development area requires the consent of all members of the Combined Authority appointed by the constituent councils, or substitute members acting in place of those members, whose local government area contains any part of the area to be excluded from a Mayoral development area.

(4) The exercise by the Combined Authority of the functions corresponding to the functions contained in section 202(2) to (4) of the 2011 Act (functions in relation to town and country planning) in respect of any Mayoral development area requires the consent of—

- (a) the North York Moors National Park Authority, if the Combined Authority proposes to exercise the functions in respect of the whole or any part of the area of the North York Moors National Park Authority<sup>(11)</sup>;
- (b) each member of the Combined Authority appointed by a constituent council, or a substitute member acting in place of that member, whose local government area contains the whole or any part of the area in respect of which the Combined Authority proposes to exercise the functions.

(5) For the purposes of paragraphs (2), (3) and (4)(b), the consent must be given at a meeting of the Combined Authority.

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<sup>(11)</sup> The North York Moors National Park Authority was established by article 3 of the National Park Authorities (England) Order 1996 (S.I. 1996/1243), as amended by S.I. 1996/2546, 1997/633, 1999/416, 2006/3165, 2009/557, 2009/837, 2010/490 and 2014/571. Article 3 of S.I. 1996/1243 was restated in article 3 of the National Park Authorities (England) Order 2015 (S.I. 2015/770).

### Application of provisions in the 2011 Act

4.—(1) Chapter 2 of Part 8 of the 2011 Act (Mayoral development corporations) applies to the Combined Authority as it applies in relation to the Mayor of London, with the modifications made by the Schedule.

(2) Chapter 2 of Part 8 of the 2011 Act applies to a Corporation as it applies in relation to a Mayoral development corporation, with the modifications made by the Schedule.

(3) Subject to paragraph (7), in any enactment passed or made on or before the date on which article 1(2) comes into force—

- (a) any reference to a Mayoral development corporation; or
- (b) any reference which falls to be read as a reference to a Mayoral development corporation,

is to be treated as including a reference to a Corporation.

(4) For the purposes of any transfer scheme under any provisions of the 2011 Act applied with modifications by this Order, paragraph 9 of Schedule 24 to the 2011 Act (transfers under scheme under section 200(1) or (4) or 216(1)) applies in relation to—

- (a) any property, rights or liabilities transferred to or from a Corporation in accordance with a transfer scheme; or
- (b) anything done for the purposes of, or in relation to, or in consequence of, the transfer of any property, rights or liabilities to or from a Corporation in accordance with such a transfer scheme,

as it applies in relation to a Mayoral development corporation.

(5) For the purposes of establishing a Corporation, giving the Corporation a name, giving effect to any decisions notified to the Secretary of State under sections 199(4) (exclusion of land from Mayoral development areas), 202(8) (decisions about planning functions) or 214(6) (powers in relation to discretionary relief from non-domestic rates) of the 2011 Act or in relation to the transfer of land to or from a Corporation under any provision of the 2011 Act, applied with modifications by this Order, the provisions in section 235 of the 2011 Act (orders and regulations) apply in relation to—

- (a) the power of a Minister of the Crown to make an order under sections 198(2) (mayoral development corporations: establishment) and 200(6) (transfers of property etc to a Mayoral development corporation) of that Act; and
- (b) the power of the Treasury to make regulations under paragraph 9(2) of Schedule 24 to that Act,

as they apply in relation to the establishment of a Mayoral development corporation, giving the corporation a name, giving effect to any decisions notified to the Secretary of State under sections 199(4), 202(8) or 214(6) of the 2011 Act or in relation to the transfer of land to or from a Mayoral development corporation.

(6) In this article “transfer scheme” means a transfer scheme under section 200(1) or (4) or 216(1) of the 2011 Act.

(7) Paragraph (3) does not apply to—

- (a) paragraph 9(8)(a) of Schedule 2 to the Channel Tunnel Rail Link Act 1996 (works: further and supplementary provisions)(**12**);
- (b) section 31(1A) of the 1999 Act (limits of the general power)(**13**);

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(12) 1996 c 61. Paragraph 9(8) of Schedule 2 was amended by paragraph 43 of Schedule 22 to the 2011 Act.

(13) Section 31 was amended by section 186 of, and paragraphs 44 and 45 of Schedule 22 and Parts 31 and 32 of Schedule 25 to, the 2011 Act, section 33 of the Infrastructure Act 2015 (c. 7) and article 2 of S.I. 2012/1530.

- (c) section 38 of the 1999 Act (delegation)(14);
- (d) section 60A(3) of the 1999 Act (confirmation hearings etc for certain appointments by the Mayor)(15);
- (e) section 68(6) of the 1999 Act (disqualification and political restriction)(16);
- (f) section 73 of the 1999 Act (monitoring officer)(17);
- (g) section 424 of the 1999 Act (interpretation)(18);
- (h) section 24(4) of the Planning and Compulsory Purchase Act 2004 (conformity with spatial development strategy)(19); and
- (i) paragraph 8(8)(a) of Schedule 2 to the Crossrail Act 2008 (works: further and supplementary provisions)(20).

### Functions exercisable only by the Mayor

5.—(1) The functions conferred by article 3(1) shall be general functions exercisable only by the Mayor(21).

(2) Anything which, immediately before 8th May 2017, is in the process of being done by or in relation to the Combined Authority or by or in relation to a constituent council for the purposes of or in connection with the functions mentioned in article 3(1) is to be treated as having been done by or in relation to the Mayor.

### Incidental provisions

6. The following provisions of the 1989 Act(22) shall apply in relation to a Corporation as if it were a local authority—

- (a) section 1 (disqualification and political restriction of certain officers and staff)(23); and
- (b) sections 2 and 3A (politically restricted posts and exemptions from restriction) (24) so far as they have effect for the purposes of that section.

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- (14) Section 38 was amended by paragraphs 36 and 37 of Schedule 19, paragraphs 4 and 5 of Schedule 20, paragraphs 44 and 46 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act, section 28 of the Growth and Infrastructure Act 2013 (c. 27) and article 2 of S.I. 2012/1530.
  - (15) Section 60A was inserted by section 4 of the Greater London Authority Act 2007 (c. 24) and amended by section 224 of the Planning Act 2008 (c. 29), section 20 of the Police Reform and Social Responsibility Act 2011 (c. 13), paragraphs 44 and 47 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act and articles 1, 2 and 36 of S.I. 2008/2038.
  - (16) Section 68 was amended by paragraphs 44 and 48 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act.
  - (17) Section 73 was amended by sections 7 and 9 of, and Schedule 2 to, the Greater London Authority Act 2007 (c. 24), paragraph 16 of Part 2 of Schedule 12 to the Local Government and Public Involvement in Health Act 2007 (c. 28), paragraphs 36 and 38 of Schedule 19, paragraphs 44 and 49 of Schedule 22, Part 32 of Schedule 25 to the 2009 Act and paragraphs 1 and 5 of Part 1 of the Schedule to S.I. 2000/1435.
  - (18) Section 424 was amended by section 1159 of the Companies Act 2006 (c. 46), sections 11, 12, 21, 22 of the Greater London Authority Act 2007 (c. 24), section 3 of the Police Reform and Social Responsibility Act 2011 and paragraphs 44 and 52 of Schedule 22 and Part 32 of Schedule 25 to the 2011 Act.
  - (19) 2004 c. 5. Section 24 was amended by paragraphs 54 and 55 of Schedule 22 to the 2011 Act.
  - (20) 2008 c. 18. Paragraph 8 of Schedule 2 to the Crossrail Act 2008 was amended by paragraph 58 of Schedule 22 to the 2011 Act.
  - (21) Section 107D(2) of the 2009 Act provides that in Part 6 of that Act references to “general functions”, in relation to a mayor for the area of a combined authority, are to any functions exercisable by the mayor other than police and crime commissioner functions.
  - (22) 1989 c 42.
  - (23) Section 1 was amended by section 80 of the Local Government Act 1972 (c. 70), Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (c. 24) and paragraphs 199 and 200 of Part 2 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13).
  - (24) Section 3A was inserted by section 202(2) of the Local Government and Public Involvement in Health Act 2007 (c. 28) and amended by Part 1 of Schedule 7 to the 2009 Act and paragraph 4 of Part 1 of Schedule 25 to the Localism Act 2011.

7. Section 5(25) of the 1989 Act (designation and reports of monitoring officer) shall apply in relation to the Combined Authority as if a Corporation were a committee of the Authority.

8. Section 32 of the 2003 Act shall apply in relation to expenditure of a Corporation but as if—
- (a) each reference to a functional body were a reference to a Corporation;
  - (b) each reference to the Greater London Authority were a reference to the Combined Authority;
  - (c) each reference to the Mayor of London were a reference to the Mayor; and
  - (d) subsection (7) were omitted.

### Transitional provisions

9.—(1) Until 8th May 2017 the functions conferred by article 3(1) shall be exercised only by the chairman of the Combined Authority(26).

(2) Anything which, immediately before the day on which article 3(1) comes into force is in the process of being done by or in relation to the Combined Authority or by or in relation to a constituent council for the purposes of or in connection with the functions mentioned in article 3(1) is to be treated as having been done by or in relation to the chairman of the Combined Authority.

(3) Before the chairman of the Combined Authority designates an area of land, under functions corresponding to the functions contained in section 197 of the 2011 Act, the chairman must refer the proposal to one of the Combined Authority’s overview and scrutiny committees(27) for consideration.

(4) Before an area of land is designated as a Mayoral development area the chairman of the Combined Authority must have regard to any report or recommendation made by any of the Combined Authority’s overview and scrutiny committees.

### Funding

10.—(1) The constituent councils must ensure that the costs of the Combined Authority reasonably attributable to the exercise of the functions mentioned in article 3 are met.

(2) Subject to paragraph (4), the constituent councils must meet the costs of the expenditure reasonably incurred by the Mayor in, or in connection with, the exercise of the functions specified in article 3, to the extent that the Mayor has not decided to meet these costs from other resources available to the Combined Authority.

(3) Any amount payable by each of the constituent councils to ensure that the costs of the Combined Authority referred to in paragraphs (1) and (2) are met is to be determined by apportioning the costs of the Combined Authority referred to in paragraph (1) between the constituent councils in

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(25) Section 5 was amended by Part 1 of Schedule 4 to the Police and Magistrates Courts Act 1994 (c. 29), paragraph 1 of Schedule 7 to the Police Act 1996 (c. 16), section 132 of the 1999 Act, paragraph 24 of Schedule 5 to the Local Government Act 2000 (c. 22), paragraph 14 of Part 2 to Schedule 12 and Part 14 of Schedule 18 to the Local Government and Public Involvement in Health Act 2007 (c. 28), paragraphs 12 and 13 of Schedule 14 and Part 4 of Schedule 22 to the Marine and Coastal Access Act 2009 (c. 23), paragraphs 199 and 202 of Part 3 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13) and articles 1(2), 2(1) and 23(1)(a) to (f) of S.I. 2001/2237.

(26) Paragraph 2(1) of Schedule 1 to S.I 2016/449 provides that the Combined Authority must in each year appoint a chairman from among its members, at the first meeting of the Combined Authority, and in subsequent years at the annual meeting of the Combined Authority.

(27) Paragraph 1 of Schedule 5A to the 2009 Act provides that a combined authority must arrange for the appointment by the authority of one or more committees of the authority to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the authority. Paragraph 1(2)(c) of Schedule 5A provides that the combined authority’s arrangements must ensure that the combined authority’s overview and scrutiny committee has power (or its overview and scrutiny committees) have power between them to make reports or recommendations to the authority on matters that affect the authority’s area or the inhabitants of the area.

such proportions as they may agree or, in default of such agreement, in the following shares between the constituent councils—

Darlington 15.80%

Hartlepool 14.67%

Middlesbrough 20.89%

Redcar and Cleveland 20.97%

Stockton-on-Tees 27.67%.

(4) In relation to the expenditure mentioned in paragraph (2)—

(a) to the extent to which such expenditure is met by amounts payable under arrangements made under paragraph (3)—

(i) the Mayor must agree with the Combined Authority the total expenditure mentioned in paragraph (2) in advance of incurring this expenditure; and

(ii) in the absence of the agreement specified in paragraph (i), no such expenditure may be incurred;

(b) any precept issued in relation to such expenditure under section 40 of the Local Government Finance Act 1992 (issue of precepts by major precepting authorities)**(28)** is to be disregarded from any calculation of the costs of the expenditure.

(5) For the purposes of this article the relevant date in relation to a payment for a financial year is 30th June in the financial year which commenced two years prior to the financial year in which such payment is made.

Signed by authority of the Secretary of State for Communities and Local Government

Date

*Name*  
Parliamentary Under Secretary of State  
Department for Communities and Local  
Government

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**(28)** c. 14. Section 40 was amended by section 83 of the 1999 Act, section 79 of, and paragraph 7 of Schedule 17 to, the Localism Act 2011 and section 5 of the 2016 Act.

## SCHEDULE

Article 4(1) and (2)

### Modification of the 2011 Act

1.—(1) Part 8 of the 2011 Act (Mayoral development corporations) is modified in accordance with the following provisions.

(2) Section 196 of the 2011 Act (interpretation of Chapter) is to be read as if—

(a) ““the Mayor” means the Mayor of London” is omitted; and

(b) at the appropriate places there were inserted—

““the combined area” means the area of the Combined Authority;”;

““Combined Authority” means the Tees Valley Combined Authority established by the Tees Valley Combined Authority Order 2016 (29);”;

““Corporation” means a corporation established by the Secretary of State in accordance with the provisions in section 198 following the designation of an area of land by the Combined Authority;”;

““National Park” means a National Park mentioned in column 1 of Part 1 of Schedule 1 to the National Park Authorities (England) Order 2015(30);”;

““National Park authority” means a National Park authority for a National Park. ”.

(3) Sections 196 to 222 of the 2011 Act shall have effect as if for every reference to—

(a) “the Greater London Authority” there were substituted “the Combined Authority”;

(b) “the Mayor” there were substituted “the Combined Authority”, except for the two occurrences in section 197(3)(e); and

(c) “MDC” there were substituted “Corporation”.

(4) Section 197 of the 2011 Act (designation of Mayoral development areas) shall have effect as if—

(a) in subsection (1) for “Greater London” there were substituted “the combined area”;

(b) in subsection (3)—

(i) in paragraph (a) for “any one or more of the Greater London Authority’s principal purposes” there were substituted “economic development and regeneration in the combined area(31)”,

(ii) in paragraph (d) for “the London Assembly” there were substituted “the Combined Authority” and for “subsection (4)(d), (e), (f) or (g)” there were substituted “subsection 4(d) and (e)”, and

(iii) in subsection (f) for “the London Assembly” there were substituted “the Combined Authority”;

(c) in subsection (4)—

(i) in paragraph (a) for “the London Assembly” there were substituted “the Combined Authority”,

(ii) paragraph (b) were omitted,

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(29) S.I. 2016/449.

(30) S.I. 2015/770.

(31) Article 7 of, and Schedule 2 to, the Tees Valley Combined Authority Order 2016 confer on the Combined Authority functions exercisable for the purpose of economic development and regeneration.

- (iii) in paragraph (d) for “each London borough council whose borough” there were substituted a reference to “each district council or county council whose local government area”,
- (iv) in paragraph (e) for “the Common Council of the City of London if any part of the area is within the City” there were substituted “a National Park authority if any part of the area is within the National Park”,
- (v) paragraphs (f) and (g) were omitted;
- (d) in subsection (5)—
  - (i) in paragraph (a) for “the London Assembly” there were substituted “the Combined Authority”,
  - (ii) in paragraph (b)(i) for “the Assembly” there were substituted “the Combined Authority”,
  - (iii) in paragraph (b)(ii) for “the Assembly members voting” there were substituted “all members of the Combined Authority who are appointed by the constituent councils (including substitute members, acting in place of those members) present and voting on that motion”;
- (e) in subsection (6)(c) for “Mayoral development corporation” there were substituted “Corporation”; and
- (f) subsection (7) were omitted.
- (5) Section 198 of the 2011 Act (Mayoral development corporations: establishment) shall have effect as if—
  - (a) in the heading for “Mayoral development corporation” there were substituted “Corporation”; and
  - (b) for every other reference to “Mayoral development corporation” there were substituted “Corporation”.
- (6) Section 199 of the 2011 Act (exclusion of land from Mayoral development areas) shall have effect as if in subsection (2) for “the London Assembly” there were substituted “the Combined Authority”.
- (7) Section 200 of the 2011 Act (transfers of property etc to a Mayoral development corporation) shall have effect as if—
  - (a) in subsection (3)—
    - (i) in paragraph (a), for “a London borough council” there were substituted a reference to “a district council or county council wholly or partly in the combined area”,
    - (ii) paragraph (b) were omitted,
    - (iii) in paragraphs (d) and (e), for “in Greater London” there were substituted a reference to “in the combined area”,
    - (iv) paragraphs (f) to (h) were omitted, and
    - (v) paragraph (k) were omitted;
  - (b) in subsection (4) paragraph (b) were omitted;
  - (c) subsection (7) were omitted;
  - (d) subsection (8) were omitted; and
  - (e) in subsection (10) the definitions of a “functional body” and “public authority” were omitted.

(8) Section 201 of the 2011 Act (object and powers) shall have effect as if subsection (8)(b) were omitted.

(9) Section 202 of the 2011 Act (functions in relation to town and country planning) shall have effect as if—

(a) in subsection (7)(c) for “the London Assembly” there were substituted “the Combined Authority”, and

(b) in the definition of “affected authority” there were omitted “, (f) or (g)”.

(10) Section 203 of the 2011 Act (arrangements for discharge of, or assistance with, planning functions) shall have effect as if for each reference to “a London borough council or the Common Council of the City of London” there were substituted a reference to “a district council, county council or a National Park Authority”.

(11) Section 207 of the 2011 Act (acquisition of land) shall have effect as if—

(a) in subsection (2) for “in Greater London” there were substituted a reference to “in the combined area”; and

(b) in subsection (3) for the words “the Mayor of London” there were substituted “the Combined Authority”.

(12) Section 214 of the 2011 Act (powers in relation to discretionary relief from non-domestic rates) shall have effect as if—

(a) in subsection (4)(c) for “the London Assembly or an affected local authority” there were substituted “the Combined Authority or a district council or county council wholly or partly in the combined area”; and

(b) in subsection (4) the definition of “an affected local authority” were omitted.

(13) Section 216 of the 2011 Act (transfers of property, rights and liabilities) shall have effect as if—

(a) in subsection (2) “, (e)” were omitted; and

(b) in subsection (4)—

(i) the definition of “functional body” were omitted; and

(ii) in the definition of “permitted recipient”—

(aa) paragraph (b) were omitted,

(bb) in paragraph (d) for “a London borough council” there were substituted “a district council or county council wholly or partly within the combined area”, and

(cc) paragraph (e) were omitted.

(14) Schedule 21 of the 2011 Act (Mayoral development corporations) shall have effect as if—

(a) for each reference to “the Mayor” there were substituted “the Combined Authority”, except for the reference in paragraph 1(1);

(b) for each reference to “MDC” there were substituted “Corporation”;

(c) in paragraph 1(1)—

(i) for the reference to “Mayoral development corporation (“MDC”)” there were substituted “Corporation”;

(ii) for the reference to the Mayor of London (“the Mayor”) there were substituted “the Combined Authority”;

(d) in paragraph 1(2) for the reference to “each relevant London council” there were substituted a reference to “each relevant district council or county council”;

- (e) in paragraph 1(3)—
  - (i) sub-paragraph (a) were omitted, and
  - (ii) in sub-paragraph (b) for “a London council” there were substituted “a district council or county council”;
- (f) in paragraph 2(5)(d) for “a relevant London council” there were substituted “a relevant district council or county council”;
- (g) in paragraph 4(4) for the reference to “the London Assembly” there were substituted a reference to “the Combined Authority”;
- (h) in paragraph (9)(c) for “each relevant London council” there were substituted “each relevant district council or county council”; and
- (i) in paragraph 10(1)(c) the reference to “and to the London Assembly” were omitted.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for the Tees Valley Combined Authority (“the Combined Authority”) to have in relation to its area functions corresponding to the functions that the Mayor of London has in relation to Greater London to designate Mayoral development areas.

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise specified functions in their area.

Section 105A of the 2009 Act enables the Secretary of State by order to make provision for a function of a public authority that is exercisable in relation to a combined authority’s area to be exercisable by the combined authority; or confer on a combined authority, in relation to its area, a function which corresponds to a function which another public authority has in relation to another area.

Article 3 of the Order provides that the Combined Authority is to have in relation to its area functions corresponding to the functions that the Mayor of London has in relation to Mayoral development areas and Mayoral development corporations. It also provides that the exercise of some of those functions by the Combined Authority requires the consent of a member of the Combined Authority who is an elected member of a constituent council whose council area contains any part of the area to be designated as a mayoral development area. The article also provides that the North York Moors National Park Authority must consent before the Combined Authority exercises certain functions in respect of any part of the North York National Park.

Article 4 of, and the Schedule to, the Order applies Chapter 2 of Part 8 (Mayoral development corporations) and section 235 (orders and regulations) of, and paragraph 9 of Schedule 24 (transfers under scheme under section 200(1) or (4) or 216(1)) to, the Localism Act 2011 in relation to areas designated by the Combined Authority and corporations established as a consequence of such designation.

Article 5 provides for the functions conferred by article 3(1) to be exercisable by the Mayor of the Combined Authority only (as a consequence of article 1(3) the Mayor will exercise this function from 8th May 2017).

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Tees Valley Combined Authority (Functions) Order 2017 No. 250

Articles 6 and 7 apply sections 1 (disqualification and political restriction of certain officers and staff), 2 and 3A (politically restricted posts and exemptions from restriction) of the Local Government, Housing and Land Act 1989 in relation to a Mayoral development corporation established as a consequence of this Order and also section 5 of that Act (designation and reports of monitoring officer) as if a mayoral development corporation established as a consequence of this Order were a committee of the Combined Authority.

Article 8 applies section 32 of the Local Government Act 2003 to ensure that a Minister of the Crown has the power to pay a grant under section 31(1) of the Local Government Act 2003 towards expenditure incurred or to be incurred by a Corporation.

Article 9 provides transitional arrangements for the functions to be exercised by the chairman of the Combined Authority until the Mayor takes office on 8th May 2017.

Article 10 provides for the funding of the functions.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.



# Local Democracy, Economic Development and Construction Act 2009

## 2009 CHAPTER 20

### PART 6

#### ECONOMIC PROSPERITY BOARDS AND COMBINED AUTHORITIES

#### *[<sup>F1</sup>Mayors for combined authority areas]*

#### **[<sup>F1</sup>107D Functions of mayors: general**

- (1) The Secretary of State may by order make provision for any function of a mayoral combined authority to be a function exercisable only by the mayor.
- (2) In this Part references to “general functions”, in relation to a mayor for the area of a combined authority, are to any functions exercisable by the mayor other than PCC functions.
- (3) The mayor may arrange—
  - (a) for the deputy mayor to exercise any general function of the mayor,
  - (b) for another member or officer of the combined authority to exercise any such function, or
  - (c) so far as authorised by an order made by the Secretary of State—
    - (i) for a person appointed as the deputy mayor for policing and crime by virtue of an order under paragraph 3(1) of Schedule 5C, or
    - (ii) for a committee of the combined authority, consisting of members appointed by the mayor (whether or not members of the authority), to exercise any such function.

[ The reference in subsection (3)(b) to a member of a combined authority does not <sup>F2</sup>(3A) include a non-constituent or associate member.]

- (4) An order under subsection (3)(c)(ii) may include provision—

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*Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 107D. (See end of Document for details)*

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- (a) about the membership of the committee;
- (b) about the member of the committee who is to be its chair;
- (c) about the appointment of members;
- (d) about the voting powers of members (including provision for different weight to be given to the vote of different descriptions of member);
- (e) about information held by the combined authority that must, or must not, be disclosed to the committee for purposes connected to the exercise of the committee's functions;
- (f) applying (with or without modifications) sections 15 to 17 of, and Schedule 1 to, the Local Government and Housing Act 1989 (political balance on local authority committees etc).

[ An order under subsection (3)(c) must provide that the committee must not consist<sup>F3</sup>(4A) solely of non-constituent or associate members.]

- (5) Provision in an order under subsection (1) for a function to be exercisable only by the mayor is subject to subsection (3); but the Secretary of State may by order provide that arrangements under subsection (3)—
  - (a) may authorise the exercise of general functions only of a description specified in the order, or
  - (b) may not authorise the exercise of general functions of a description so specified.
- (6) Any general function exercisable by the mayor for the area of a combined authority by virtue of this Act is to be taken to be a function of the combined authority exercisable—
  - (a) by the mayor individually, or
  - (b) in accordance with arrangements made by virtue of this section or section 107E [<sup>F4</sup>or 107EA].
- (7) An order under this section may—
  - (a) include provision for general functions to be exercisable by the mayor subject to conditions or limitations specified in the order (including, for example, a condition for general functions to be exercisable only with the consent of the appropriate authorities (as defined by section 107B (5)));
  - (b) provide for members or officers of a mayoral combined authority to assist the mayor in the exercise of general functions;
  - (c) confer ancillary powers on the mayor for the purposes of the exercise of general functions;
  - (d) authorise the mayor to appoint one person as the mayor's political adviser;
  - (e) provide for the terms and conditions of any such appointment;
  - (f) provide that functions that the mayoral combined authority discharges in accordance with arrangements under section 101(1)(b) of the Local Government Act 1972 (discharge of local authority functions by another authority) are to be treated as general functions exercisable by the mayor (so far as authorised by the arrangements).
- (8) Provision under subsection (7)(c) may include provision conferring power on the mayor that is similar to any power exercisable by the mayoral combined authority—
  - (a) under section 113A, or
  - (b) under an order made under section 113D,
 but the power conferred on the mayor may not include a power to borrow money.

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*Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 107D. (See end of Document for details)*

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- (9) [<sup>F5</sup>Except as provided for by [section 107ZA\(7\)](#), an] order under this section may be made only with the consent of—
- (a) the appropriate authorities (as defined by [section 107B\(5\)](#)), and
  - (b) in the case of an order made in relation to an existing mayoral combined authority, the mayor of the authority.
- (10) Where an order under this section is contained in the same instrument as an order made by virtue of [section 107B\(3\)\(b\)](#), a non-consenting constituent council is not to be treated as an appropriate authority for the purposes of subsection (9) above.
- [ The requirement in subsection (9) does not apply where the order is made under <sup>F6</sup>(11) [section 105A](#) and this section in relation to an existing mayoral combined authority and provides for a function—
- (a) to be a function of the combined authority, and
  - (b) to be a function exercisable only by the mayor.

See [section 107DA](#) in relation to an order of this kind.]]

#### Textual Amendments

- F1** Ss. 107D-107F inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), [ss. 4\(1\)](#), 25(2)
- F2** [S. 107D\(3A\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 64\(11\)\(a\)](#), 255(2)(h) (with [s. 247](#))
- F3** [S. 107D\(4A\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 64\(11\)\(b\)](#), 255(2)(h) (with [s. 247](#))
- F4** Words in [s. 107D\(6\)\(b\)](#) inserted (31.1.2017 for specified purposes, 17.7.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 8\(3\)](#), 183(1)(5)(e); S.I. 2017/726, reg. 2(a)
- F5** Words in [s. 107D\(9\)](#) substituted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 63\(3\)](#), 255(2)(h) (with [s. 247](#))
- F6** [S. 107D\(11\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 61\(4\)](#), 255(2)(f) (with [s. 247](#))

#### Modifications etc. (not altering text)

- C1** [S. 107D\(3\)](#) applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Fire and Rescue Functions\) Order 2017 \(S.I. 2017/469\)](#), arts. 1(3), [5\(2\)](#)
- C2** [S. 107D\(3\)](#) restricted (7.5.2024) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(3), [43](#) (with arts. 45, 50-53)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 107D.



Ministry of Housing,  
Communities &  
Local Government

Guidance

# Mayoral Development Corporations in combined authorities and combined county authorities: Guidance on legislation and scrutiny

Published 3 April 2025

**Applies to England**

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# 1. Background

This guidance from the Ministry of Housing, Communities and Local Government (MHCLG) is designed for officers and members of combined authorities (CA) and combined county authorities (CCA). The term C(C)A will be used for the remainder of this guidance to refer to a CA or CCA.

It seeks to address the recommendation from the [Tees Valley Review Report \(https://www.gov.uk/government/collections/independent-review-teesworks-joint-venture\)](https://www.gov.uk/government/collections/independent-review-teesworks-joint-venture), published 29 January 2024, that government “should clarify the regulations in respect of Tees Valley Combined Authority (TVCA) and South Tees Development Corporation (STDC) (and if necessary other combined authorities and development corporations), including oversight, reserve matters, and consent as well as stranded liabilities.”

This guidance seeks to:

- clarify the legislation that enables a mayor of a C(C)A to establish a mayoral development corporation (MDC)
- explain how legislation relates to relevant provisions on overview and scrutiny
- set out how the various pieces of legislation work together, setting out the mayor’s responsibilities and what the carrying out of those responsibilities means for governance arrangements

## 2. The legislation

Mayoral development corporations (MDCs) are covered by multiple pieces of legislation. This section sign-posts where the relevant legislation on MDCs can be found.

The organisations which can establish an MDC are defined in the following primary legislation:

- the [Local Democracy, Economic Development and Construction Act 2009 \(https://www.legislation.gov.uk/ukpga/2009/20/contents\)](https://www.legislation.gov.uk/ukpga/2009/20/contents) (“2009 Act”) for combined authorities
- the [Levelling-up and Regeneration Act 2023 \(https://www.legislation.gov.uk/ukpga/2023/55/contents\)](https://www.legislation.gov.uk/ukpga/2023/55/contents) (“2023 Act”) for combined county authorities

The powers and functions of an MDC are also established in primary legislation:

- the [Localism Act 2011](https://www.legislation.gov.uk/ukpga/2011/20/contents) (<https://www.legislation.gov.uk/ukpga/2011/20/contents>) (“2011 Act”).

The scrutiny and oversight of an MDC is defined in both primary and secondary legislation via the following Act and Order:

- the [Local Government and Housing Act 1989](https://www.legislation.gov.uk/ukpga/1989/42/contents) (<https://www.legislation.gov.uk/ukpga/1989/42/contents>) (“1989 Act”)
- the [Combined Authorities \(Overview and Scrutiny Committee, Access to information and audit committees\) Order 2017 \(S.I. 2017/68\)](https://www.legislation.gov.uk/ukxi/2017/68/contents/made) (<https://www.legislation.gov.uk/ukxi/2017/68/contents/made>) (“2017 O&S Order”)

Secondary legislation (statutory instruments) sets out the specific provisions which apply locally for an individual C(C)A. This guidance uses the [Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](https://www.legislation.gov.uk/ukxi/2017/250/contents/made) (<https://www.legislation.gov.uk/ukxi/2017/250/contents/made>) (“2017 TVCA Functions Order”) to illustrate how the secondary legislation works. A list of statutory instruments conferring the powers on other C(C)As is at [Annex A](#).

All C(C)As where MDC powers have been conferred have similar provisions to Tees Valley Combined Authority regarding the mayor’s role in respect of MDCs, except for the West Midlands Combined Authority where the functions are exercised by the combined authority, not the mayor.

## 3. Guidance

### Overview

There are currently 10 mayoral combined authorities and 1 mayoral combined county authority. They are body corporates, established through secondary legislation, with an elected mayor. The secondary legislation confers public authority and local authority functions (including functions related to MDCs) on the C(C)As. These functions are exercised either solely by the mayor or collectively by the members of the C(C)A.

An MDC is a body corporate, established by secondary legislation following the mayor designating a mayoral development area with the object of securing regeneration for that area. The mayor may identify a mayoral development area having consulted with, and gaining the consent of, the appropriate bodies and persons. The Orders conferring MDC functions on the C(C)A detail the specific institutions and individuals which are required

to provide consent by amending section 197 of the 2011 Act. Taking the 2017 TVCA Functions Order as an example, for the TVCA the relevant bodies and institutions to be consulted are:

- the Combined Authority
- the local MPs, whose constituencies are covered by any part of the development area
- the district and county councils whose areas are covered by any part of the development area
- a National Park authority if any part of the area is within a National Park
- any other person whom the Combined Authority considers it appropriate to consult

Following consultation and consent of the C(C)A, the mayor is able to notify the Secretary of State of their desire to establish an MDC. The Secretary of State on receiving a notification from an elected mayor must establish via secondary legislation an MDC for the mayoral development area, giving it the name notified by the mayor and any planning functions identified by the mayor. The mayor appoints the board members to the MDC and can provide guidance and directions on the operation of the MDC.

The legislation sets out a process for the transfer of property, rights and liabilities to an MDC. For this to occur, the Secretary of State must consult with the individuals or institutions whose property, right or liabilities would be transferred, as well as the mayor who oversees the relevant MDC. Once the Secretary of State has undertaken the necessary consultation, they may make a scheme which enables the transfers to occur. In the case of acquiring land, the MDC must obtain consent of the C(C)A and / or mayor, depending on the C(C)A's Order before submitting a compulsory purchase order for the Secretary of State's authorisation.

The mayor is able to decide whether an MDC should have planning functions for some or all of the mayoral development area it covers. To do so, consent from the affected local planning authorities is required; the consent requirements are set out in the Orders conferring MDC powers to the relevant C(C)A (see [Annex A](#)); for C(C)As, they are not set out in the Localism Act 2011. With consent given, the conferral of planning functions upon an MDC can be made via secondary legislation.

Where a mayor of a C(C)A is exercising functions in relation to an MDC, oversight of the MDC is provided through:

- the ability of the mayor to give directions and guidance to support an MDC in the carrying out of its activities and functions
- the provision that some decisions - such as the dissolution of an MDC, the transfer of property to an MDC, or the restriction of planning function

to an MDC - require the consent of the mayor

- the ability of the overview and scrutiny committee of the C(C)A to scrutinise the mayor's decisions regarding the MDC (the committee has a right to see all documents relating to mayor's decisions and can require the mayor, C(C)A members and officers, MDC members to attend meetings to answer questions regarding decisions on the MDC)
- the duty of the mayor to periodically review the continuing existence of the MDC
- the requirement that the C(C)A monitoring officer is also the monitoring officer for any MDCs in the authority's area

As set out in paragraph fifteen, the role of the mayor of a C(C)A is to establish an MDC, make appointments to the MDC board, and provide oversight through the provision of guidance and directions on the exercise of the functions of the MDC and the provision of consent to decisions, such as compulsory purchase and disposal of land below value. Whilst legislation does not prevent a mayor from being the chair of an MDC, their oversight role is not compatible with them also taking the role of chair. The oversight function should be clearly separate from decision making to avoid conflicts of interest. As the Mayor provides oversight of the MDC, and has powers in relation to the issuing of guidance and direction to an MDC, the mayor should not be the chair of an MDC.

The principle of the separation of the role of oversight from those involved in the decision making, in order to avoid conflict of interest, should also apply to officer roles within the C(C)A, MDC, and any other body corporate established by the MDC. Where individuals hold roles in multiple organisations throughout a group structure, for example in a constituent council and in an MDC or a corporate body established by an MDC, there should be no circumstances where one individual has a key role in one organisation that provides oversight to another organisation while also having decision-making responsibilities. The avoidance of conflicts of interest also means that individuals need to recuse themselves from decisions in which they have a stake.

Where the relevant functions are exercised by the C(C)A, rather than the mayor - currently only in the West Midlands Combined Authority - there is less risk of a conflict of interest if the mayor is the chair of an MDC but the C(C)A should carefully consider local circumstances when appointing the chair and apply the principle of separation of the oversight and decision making.

## The Localism Act 2011

When seeking to understand how MDC functions and powers are applied to C(C)As, it is important to have consideration and understanding of Part 8 of the 2011 Act. The 2011 Act is the primary legislation for MDCs and describes the powers, functions and duties of an MDC; secondary legislation then confers MDC powers onto individual C(C)As and their mayors and appropriately amends the 2011 Act as required.

Part 8 of the Localism Act 2011 confers functions on the Mayor of London which enables the mayor to designate a mayoral development area and set up an MDC with the object of securing regeneration for that area. The statutory instruments that establish and confer functions on a C(C)A apply these same provisions to the mayor for the area of a C(C)A (or in the case of West Midlands Combined Authority, the WMCA).

This guidance uses the example of the 2017 TVCA Functions Order to illustrate the application of the 2011 Act, which applies in the same way to provisions set out in the statutory instruments for other C(C)As that confer the same functions on a mayor. See [Annex A](#) for a list of the relevant statutory instruments.

Although these functions are based on the 2011 Act, it is not possible to confer equivalent functions in respect of MDCs that the Localism Act 2011 confers on the Mayor of London directly onto e.g. the Mayor of Tees Valley Combined Authority, as the mayor of a C(C)A is not a body corporate. The legislative route used in the 2017 TVCA Functions Order is to first confer the functions on the institution of the C(C)A, of which the mayor is a member, through article 3 of that Order, and then to specify in article 5 that the functions conferred on the C(C)A in article 3 may only be exercised by the mayor. The effect is to make these functions mayoral; the C(C)A 'board' (the cabinet of the C(C)A) does not have a role in exercising any functions that article 5 states are to be exercised only by the mayor.

Schedule 1 to the 2017 TVCA Functions Order sets out the modifications made to the 2011 Act in order to confer the functions onto the combined authority. In this Schedule, there is a general modification to substitute references to 'the mayor' with references to 'the combined authority'. This Schedule is to be read in conjunction with article 5 of the 2017 TVCA Functions Order to identify which functions are then to be exercised by the mayor.

All other mayoral C(C)As have similar provisions conferring functions in respect of MDCs onto the mayor, with the exception of the West Midlands Combined Authority. (The relevant statutory instruments, see [Annex A](#), provide that these functions are the responsibility of the West Midlands Combined Authority.)

## Consents

In order for an MDC to make use of some of its functions and powers, the securing of consent from certain parties first needs to have taken place. The consent requirements for an MDC are outlined in the 2011 Act; these consent requirements are applicable to C(C)A mayors via their establishing secondary legislation. Using the 2017 TVCA Order by way of illustration:

- Part 8 of the 2011 Act provides that, in London, an MDC may: carry out the compulsory purchase of land; disposal of land below value by an MDC; form or acquire interests in bodies corporate; and provide financial assistance (sections 207, 209, 212 and 213 of the 2011 Act) but requires the consent of the Mayor of London to do so.
- Schedule 1 to the 2017 TVCA Functions Order (paragraphs 3 and 11) covers all the functions under Part 8 but modifies the requirements in sections 207, 209, 212 and 213 of the 2011 Act so that it is the consent of the combined authority in the TVCA area that is required.
- Section 221 of the 2011 Act makes provision about the giving of consent; this section is conferred on TVCA by article 3 of the 2017 TVCA Functions Order and then article 5 of the 2017 Order provides that the function is exercisable only by the mayor. The Mayor of TVCA, like the Mayor of London, must consent for an MDC to: carry out the compulsory purchase of land; disposal of land below value by an MDC; form or acquire interests in bodies corporate; and provide financial assistance.

## Directions

A similar approach is taken to the conferral of functions regarding the issuing of guidance and directions to an MDC; the statutory instruments conferring these functions on other mayoral C(C)As contain the same provisions:

- Sections 219 and 220 of the 2011 Act provides for the Mayor of London to issue guidance and directions regarding the exercise of an MDC's functions.
- Schedule 1 to the 2017 TVCA Functions Order (paragraphs 3 and 11) modifies the requirements in sections 219 and 220 of the 2011 Act so that it is for the combined authority to issue guidance and directions.
- Article 3 of the 2017 TVCA Functions Order confers 2011 Act functions on TVCA and article 5 of the 2017 TVCA Functions Order provides that these functions of the TVCA are exercisable only by the mayor. The

Mayor of TVCA, like the Mayor of London, is able to issue guidance and directions regarding the exercise of an MDC's functions.

## Membership of the MDC board

A mayor is able to appoint the members of an MDC's board. Schedule 21 of the 2011 Act, which is applied to C(C)As by the secondary legislation, is outlined in [Annex A](#). Schedule 21 outlines the various requirements a mayor must undertake when making an appointment.

In order for the mayor to appoint members to an MDC board, the mayor must have considered the desirability of appointing a person who has experience in matters relating to the functions of an MDC. The mayor also needs to be satisfied the person they are appointing does not have any financial or other interest which may prevent them from exercising their functions as a member.

To ensure that the mayor is satisfied that the person being appointed does not have any financial interest or interests which may prevent them from being a member, the mayor may require the person to provide information which they consider necessary in order for the mayor to make their decision.

## Monitoring officer

Article 7 of the 2017 TVCA Functions Order provides that section 5 of the Local Government and Housing Act 1989 applies to the combined authority as if a Corporation were a committee of the authority. This means that the monitoring officer of TVCA is automatically the monitoring officer of any MDC in the area. The same provision is made for MDCs in other C(C)A areas.

## Overview and scrutiny

Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009 sets out the remit of the Overview and Scrutiny Committee(s) of a combined authority, with equivalent requirements for combined county authorities in Schedule 1 to the Levelling-up and Regeneration Act 2023.

Paragraph 1(3) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009 provides that the overview and scrutiny committee of a mayoral combined authority may scrutinise decisions made, or actions taken, to discharge the mayor's general functions; make reports or recommendations to the mayor in the respect of the discharge of those functions; and make reports or recommendations to the mayor on matters that affect the authority's area or inhabitants of the area. The equivalent requirement for mayoral combined county authorities is set out at paragraph 1(3) of Schedule 1 to the Levelling-up and Regeneration Act 2023.

Paragraph 2(6) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009 provides that the overview and scrutiny committee of a combined authority may require the members or officers of the authority to attend before it to answer questions (including, in the case of a mayoral combined authority, the mayor for the authority's area and deputy mayor) and may invite other persons to attend meetings of the committee. The equivalent requirement for mayoral combined county authorities is set out at paragraph 2(6) of Schedule 1 to the Levelling-up and Regeneration Act 2023.

The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 sets out further provisions for combined authority and combined county authority overview and scrutiny committees. Article 10 provides that a member of the overview and scrutiny committee is entitled to a copy of documents in the possession of the mayor that contains any material relating to business that has been transacted at a decision-making body of that authority, or any decision made by an individual member of that authority. Following a request, such documentation must be provided as soon as practicable or no later than 10 days following the request.

Exempt or confidential information is excluded from this provision unless it is relevant to an action or decision being scrutinised by the committee or is relevant to a review in an overview and scrutiny committee work programme. Advice from political advisers is also excluded from this provision.

The [Scrutiny Protocol for English institutions with devolved powers](https://www.gov.uk/government/publications/scrutiny-protocol-for-english-institutions-with-devolved-powers) (<https://www.gov.uk/government/publications/scrutiny-protocol-for-english-institutions-with-devolved-powers>) provides further guidance on effective overview and scrutiny in C(C)As. It sets out 18 key principles for good scrutiny, including expectations of co-operation from mayors and combined authority members.

Taken together, these provisions mean that the scrutiny committee of a C(C)A:

- may scrutinise the decisions of a mayor or C(C)A that relate to MDCs

- have a right to see documentation relating to mayoral and C(C)A decisions on an MDC
- may require the mayor to attend a meeting to answer questions in relation to mayoral decisions relating to an MDC; the Scrutiny Protocol makes it clear that the mayor should commit to engage regularly with the committee both informally and formally and must attend the committee when requested
- may require C(C)A members who are on the board of an MDC to attend a meeting to answer questions about their role on the MDC. The Scrutiny Protocol set out that Members who are portfolio-leads (or equivalent) should also commit to engaging regularly with the committee and attend when requested. Even if members of the institution have assigned or delegated areas of responsibility to others, it should be standard practice for them to attend to present any reports within their portfolio alongside the appropriate officers
- have a right to see documentation relating to the monitoring officer's role in respect of an MDC
- may require the monitoring officer to attend a meeting to answer questions about their role in respect of an MDC
- may invite officers and board members of an MDC to a meeting of the overview and scrutiny committee to discuss the MDC

The overview and scrutiny committee of a C(C)A should engage in all these activities and the mayor, C(C)A members and officers, and MDC board members and officers should facilitate such scrutiny, in order for local residents to be confident that public assets and money are being used for public benefit.

## Annex A: List of statutory instruments conferring Mayoral Development Corporation functions on a C(C)A as of January 2025

Area	Statutory Instrument (S.I.)	S.I. number	Date
West of England	<a href="#">The West of England Combined Authority Order 2017</a>	2017/126	2017

Area	Statutory Instrument (S.I.)	S.I. number	Date
Tees Valley	<a href="#">The Tees Valley Combined Authority (Functions) Order 2017</a>	2017/250	2017
Liverpool	<a href="#">The Liverpool City Region Combined Authority (Functions and Amendment) Order 2017</a>	2017/430	2017
West Midlands	<a href="#">The West Midlands Combined Authority (Functions and Amendment) Order 2017</a>	2017/510	2017
Greater Manchester	<a href="#">The Greater Manchester Combined Authority (Functions and Amendment) Order 2017</a>	2017/612	2017
South Yorkshire	<a href="#">The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020</a>	2020/806	2020
West Yorkshire	<a href="#">The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021</a>	2021/112	2021
North Yorkshire	<a href="#">The York and North Yorkshire Combined Authority Order 2023</a>	2023/1432	2023
East Midlands	<a href="#">The East Midlands Combined County Authority Regulations 2024</a>	2024/232	2024
North East of England	<a href="#">The North East Mayoral Combined Authority (Establishment and Functions) Order 2024</a>	2024/402	2024

## Annex B: Mayoral Development Corporations in England as of January 2025

<b>Area</b>	<b>Mayoral Development Corporation</b>	<b>Established</b>
Greater London Authority	London Legacy Development Corporation	9 March 2012
Greater London Authority	Old Oak and Park Royal Development Corporation	1 April 2015
Tees Valley Combined Authority	South Tees Development Corporation	1 August 2017
Tees Valley Combined Authority	Hartlepool Development Corporation	27 February 2023
Tees Valley Combined Authority	Middlesbrough Development Corporation	27 February 2023
Greater Manchester Combined Authority	Stockport Town Centre West Mayoral Development Corporation	2 September 2019

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## PLANNING UPDATE

### SUMMARY

Responsibility for the determination of planning applications within the Hartlepool Mayoral Development Corporation boundary lies with the Hartlepool Development Corporation (HDC).

In accordance with the approved Scheme of Delegation, 17 applications have been approved under delegated powers since the last Planning Update Report was prepared on 17 November 2025.

There are now 14 valid planning applications currently being considered by HDC.

### RECOMMENDATIONS

It is recommended that the Hartlepool Development Corporation Board **NOTE** the updated position of planning service delivery and the status of planning applications submitted for consideration.

### DETAIL

1. Delivery of planning service functions relating to town and country planning and development control within the Hartlepool Mayoral Development Corporation area is now overseen by the Head of Planning with operational services delivered through Lichfields (re-appointed in April 2025 following a competitive tender process).
2. Since the last Planning Update Report was prepared on 17 November 2025, 16 new planning applications have been submitted<sup>1</sup>. There are 14 valid planning applications currently being considered by HDC and there are no applications which have been submitted but are currently invalid.

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<sup>1</sup> As of 13th April 2026 when this report was prepared.

3. 17 applications have been determined under delegated powers since the last Planning Update Report was prepared. Details are provided in the accompanying schedule.
4. There are two applications, submitted in December 2023, which are still under consideration by Officers.
5. Local planning authorities in England are required to submit quarterly returns to central government to provide summary information relating to the number and status of planning and related applications in each quarter. The last submission was made by the Hartlepool Mayoral Development Corporation on 31 January 2026 and future quarterly returns will be submitted as required.
6. There are no new enforcement case to report.
7. When the HDC development management function came into existence in 2023, a temporary website and data sharing facility was established and hosted by Lichfields. TVCA subsequently sought to commission a permanent replacement system and Idox was appointed to deliver this. Over the last 12 months Lichfields and TVCA Officers have worked alongside Idox to implement this new application portal.
8. The new Idox portal, which went live at the end of September 2025, continues to provide a significantly improved user experience. Members desiring any bespoke training in the use of the system are invited to contact the Lichfields team directly.
9. On 24 September 2025, HDC published notice of its intention to make a Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2105 as amended, to remove permitted development rights for the change of use of a building from a use falling within Class C3 (dwellinghouse) to a use falling within Class C4 (house in multiple occupation). If the Direction is confirmed then it will come into effect on 25<sup>th</sup> September 2026. No responses have been received to this consultation.

## FINANCIAL IMPLICATIONS

10. There are no financial implications.

## LEGAL IMPLICATIONS

11. Planning Powers were conferred on to the Hartlepool Mayoral Development Corporation on 1 June 2023 giving HDC the power to determine planning applications within the redline boundary.

## RISK ASSESSMENT

12. This subject matter of this report is categorised as low risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## CONSULTATION & COMMUNICATION

13. The subject of this report is a matter for HDC Board information only therefore no additional consultation and communication has been undertaken

## EQUALITY & DIVERSITY

14. This report does not impact on groups of people with protected characteristics.

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Email Address: [Jonathan.spruce@teesvalley-ca.gov.uk](mailto:Jonathan.spruce@teesvalley-ca.gov.uk)

**Delegated Planning Decisions<sup>1</sup> since Last Planning Update Report on 17.11.25**

Application Reference	Address	Description of Development	Decision and Decision Date
HMDC/2025/0009	47 Church Street Hartlepool TS24 7EB	Discharge of conditions 1, 2, 3, 4, 5, 7, and 8 on HMDC/2024/0031 for Change of use to 13- bed HMO (Sui Generis)	Approved 25.11.2025
HMDC/2025/0051	48 Church Street Hartlepool TS24 7EH	Change of use of the first, second and third floors from residential (Class C3) to spa and wellness centre (Class E)	Approved 19.12.2025
HMDC/2025/0055	24 Church Street Hartlepool TS24 7DH	Discharge of conditions 4 and 7 on HMDC/2023/0018 (Change of use of basement (part), ground (part), first and second floors from Class E to 6-bed HMO (Use Class C4) including internal and external alterations (amended description)	Approved 25.11.2025
HMDC/2025/0060	Footpath Outside 53 Church Street Hartlepool TS24 7DX	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Refused 01.12.2025
HMDC/2025/0061	Footpath Outside 53 Church Street Hartlepool TS24 7DX	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Refused 01.12.2025
HMDC/2025/0062	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Refused 01.12.2025
HMDC/2025/0063	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Refused 01.12.2025
HMDC/2025/0064	27 Scarborough Street Hartlepool TS24 7DA	Removal of existing concrete tile roof and replacement with slate effect tile roof to match the existing adjacent roofs of 21-25 Scarborough Street	Approved 25.11.2025

<sup>1</sup> As of 13th April 2026 when report was prepared.

Application Reference	Address	Description of Development	Decision and Decision Date
HMDC/2025/0065	Roadway Adjacent To Slipway Into Jacksons Dock Maritime Avenue Hartlepool	Reconfiguration of existing slipway including removal of two existing accesses and creation of new singular access	Approved 02.03.2026
HMDC/2025/0067	Little Black Book 18 Whitby Street Hartlepool TS24 7AD	Discharge of conditions 4, 5 and 8 on HMDC/2024/0036 (Change of use to 15 student apartments)	Approved 07.01.2026
HMDC/2025/0068	Saica Pack Oakesway Hartlepool TS24 ORE	Proposed Canopy to the Existing Warehouse Building	Approved 25.11.2025
HMDC/2025/0069	Vodafone Communication Station 3619 Clarence Road Hartlepool	Notification of intention to utilise permitted development rights	No Response Required 18.11.2025
HMDC/2025/0070	Mainsforth Terrace Hartlepool	The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	No Response Required 01.12.2025
HMDC/2025/0074	British Telecommunicati ons Plc Amithesh Reddy 9M Light Pole OS 35 Oakesway Hartlepool	Telecomms Notification - The Electronic Communications Code (Conditions and restrictions) (Amendment) Regulations 2017 - Regulation 3 notice of intention to install fixed line broadband electronic communications apparatus	No Response Required 10.12.2025
HMDC/2025/0075	Carlton Bingo Club York Road Hartlepool TS26 8AA	Telecomms Notification - Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended) - Regulation 5 notice of intention to install electronic communications apparatus	No Response Required 10.12.2025
HMDC/2026/0001	24 Church Street Hartlepool TS24 7DH	Discharge of condition 5 on HMDC/2023/0018 (Change of use of basement (part), ground (part), first and second floors from Class E to 7-bed HMO (Use Class C4) including internal and external alterations (amended description)	Approved 12.02.2026
HMDC/2026/0005	Wesley Chapel Wesley Square	Discharge of conditions 8, 11, 12, 13 and 14 on HMDC/2023/0028 (Change of use to an events venue that includes a drinking establishment on	Approved 06.03.2026

Application Reference	Address	Description of Development	Decision and Decision Date
	Hartlepool TS24 8AA	the upper ground floor of the main building and 36-bedrooms on the upper floors of the main building and annex building (Sui Generis). 5no. flexible commercial units operating as retail, financial and professional service units, cafes and drinking establishments on the lower ground floor of main building (Use Class E(a), E(b), E9(c), and Suit Generis for the purposes of the drinking establishments). External alterations including repairs to external brickwork, replacement windows, re-roofing of building with installation of conservation style roof lights and works to facilitate a new lift shaft. Other external alterations include creation of terrace/external areas, proposed ramped access, cycle parking and bin store; internal alterations to include new roof trusses and amendments to floor levels)	

## Current Live Applications

Application Reference	Address	Description of Development	Status
HMDC/2025/0031	Land east of Queens Meadow Business Park Hartlepool	Outline planning application (with all matters reserved apart from access) for the erection of up to 210 dwellings (Use Class C3) with associated infrastructure, access and landscaping	Validated: 12.05.2024 Pending Consideration
HMDC/2025/0032	Land at Queens Meadow Business Park	Hybrid application for 1) Outline planning permission (with all matters reserved) for the erection of up to 451,000sqft of employment floorspace (Use Class B2/B8) with associated infrastructure, access and landscaping; and 2) full planning permission for the erection of 14no. employment buildings (Use Class B2/B8) with associated infrastructure, access and landscaping	Validated: 12.05.2024 Pending Consideration
HMDC/2025/0022	Land at entrance to Queens Meadow Business Park	Erection of drive-thru restaurant (Use Class E), Petrol Filling Station (Sui Generis) and Electric Vehicle charging stations, with associated car parking, landscaping, and other works	Validated: 18.06.2025 Pending Consideration
HMDC/2025/0051	48 Church Street	Change of use of the first, second and third floors from residential (Class C3) to spa and wellness centre (Class E)	Validated: 30.10.2025 Pending Consideration
HMDC/2025/0034	Land Adjacent To Slipway Into Jacksons Dock	Change of use and external alterations to create multi-functional Public Events Space	Validated: 12.02.2026 Pending Consideration

Application Reference	Address	Description of Development	Status
	Maritime Avenue Hartlepool		
HMDC/2025/0071	Land At Maritime Avenue, Fleet Avenue And Mainsforth Terrace, Hartlepool	Section 73 application to vary conditions 1, 11 and 23 of planning permission HMDC/2024/0037 for the construction of apartments, houses, offices, food takeaway unit, retail outlet, business units, nursing home, nursery school/creche together with associated parking and external works units, nursing home, nursery school/creche together with associated parking and external works	Validated: 19.12.2025 Pending Decision
HMDC/2025/0076	Land At Fleet Avenue Hartlepool	Construction of a dwelling, substation and associated infrastructure	Validated: 18.12.2025 Pending Consideration
HMDC/2026/0006	Land At Oakesway Industrial Estate Oakesway Hartlepool	Erection of 3no. industrial buildings, consisting of 10no. units, with associated landscaping, hardscaping and car parking	Validated: 04.02.2026 Pending Consideration
HMDC/2026/0007	7A Church Square Hartlepool TS24 7EY	Display of 1no. fascia sign comprising individual internally illuminated lettering and display of branded cafe post and banner barrier signage	Validated: 11.02.2026 Pending Consideration
HMDC/2026/0008	7A Church Square Hartlepool, TS24 7EY	Installation of 4no LED uplights on front elevation and change of use of public highway to pavement cafe	Validated: 13.02.2026 Pending Consideration
HMDC/2026/0009	12 Whitby Street Hartlepool TS24 7AD	Discharge of condition 5 (soundproofing) and partial discharge of condition 11 (detailed drawings), in relation to the Ground floor shopfront; First floor door to roof terrace; Timber canopy over roof terrace; Wrought Iron Balustrade to rear alley; and Fencing to accessible area of roof terrace, on HMDC/2024/0010 (Change of use to bar, alterations from front and rear elevations including the formation of a roof terrace)	Validated: 24.02.2026 Pending Consideration
HMDC/2026/0011	14 - 18 Scarborough Street Hartlepool TS24 7DA	Discharge of conditions 5, 6, 7, 8, 9, 10, 11, 14, 16 on HMDC/2025/0048 (Change of use from offices (Class E) to mixed use pop up restaurant, drinking and gaming venue (Sui Generis), and external alterations including part demolition of existing ground and first floor extensions and erection of single and two storey rear extensions and external terrace, reinstatement of front basement bay window/doorway and other minor alternations)	Validated: 09.03.2026 Pending Consideration

Application Reference	Address	Description of Development	Status
HMDC/2026/0014	Footpath Outside Northern School Of Art, 1 Church St Hartlepool TS24 7DJ	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Validated: 23.03.2026 Pending Consideration
HMDC/2026/0015	Footpath Outside Northern School Of Art, 1 Church St Hartlepool TS24 7DJ	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Validated: 23.03.2026 Pending Consideration
HMDC/2026/0016	Advanced House Wesley Square Hartlepool TS24 8BX	Recladding of existing rear extension roof and elevations	Validated: 26.03.2026 Pending Consideration

## Enforcement Cases

Case Reference	Address	Unauthorised Works and date reported	Requirement of Enforcement Notice	Status
HMDC/2023/0026	37 Church Street	Installation of white UPVC window frames 6 <sup>th</sup> November 2023	Remove and replace with timber frames	Case Closed
HMDC/2024/0065	9 Upper Church Street	Removal of front dormer window 12 <sup>th</sup> January 2024	Reinstate timber dormer	Case Closed
HMDC/2025/0016	Engineers Social Club 28 Raby Road TS24 8AE	Unauthorised felling of 4 TPO'd trees. 26 <sup>th</sup> March 2025	N/A	Discussions underway with new owner regarding re-planting and wider plans for the site.

## Appeals

Application Reference	Address	Description of Development	Status
HMDC/2025/0062	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Full Application: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Appeal In Progress

HMDC/2025/0063	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Advertisement Consent: Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Appeal In Progress
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## LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

### PURPOSE OF REPORT

To list those applications which have been determined under officer powers since the last report. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

### DETAILS OF DELEGATED DECISIONS

APPLICATION REF	APPLICANT / AGENT	ADDRESS	DESCRIPTION	OFFICER	DATE VALIDATED	STATUS / DECISION DATE
HMDC/2025/0009	Borthwick Properties Mr Jonathan Loughrey	47 Church Street Hartlepool TS24 7EB	Discharge of conditions 1, 2, 3, 4, 5, 7, and 8 on HMDC/2024/0031 for Change of use to 13-bed HMO (Sui Generis)	Josh Woollard	07.03.2025	Approved 25.11.2025
HMDC/2025/0051	Ms Amy Blohm	48 Church Street Hartlepool TS24 7EH	Change of use of the first, second and third floors from residential (Class C3) to spa and wellness centre (Class E)	Andrew McMeiken	30.10.2025	Approved 19.12.2025
HMDC/2025/0055	Mr Sewell Ms Naomi Collett	24 Church Street Hartlepool TS24 7DH	Discharge of conditions 4 and 7 on HMDC/2023/0018 (Change of use of basement (part), ground (part), first and second floors from Class E to 6-bed HMO (Use Class C4) including internal and external alterations (amended description)	Josh Woollard	15.09.2025	Approved 25.11.2025
HMDC/2025/0060	Verity Cheyne Mr Martin Brown	Footpath Outside 53 Church Street Hartlepool TS24 7DX	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Sydney Whiteside	07.10.2025	Refused 01.12.2025

HMDC/2025/0061	Verity Cheyne Mr Martin Brown	Footpath Outside 53 Church Street Hartlepool TS24 7DX	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Sydney Whiteside	07.10.2025	Refused 01.12.2025
HMDC/2025/0062	Verity Cheyne Mr Martin Brown	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Sydney Whiteside	07.10.2025	Refused 01.12.2025
HMDC/2025/0063	Verity Cheyne Mr Martin Brown	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Sydney Whiteside	07.10.2025	Refused 01.12.2025
HMDC/2025/0064	Mr Ashley Jones Mr Mick Kent	27 Scarborough Street Hartlepool TS24 7DA	Removal of existing concrete tile roof and replacement with slate effect tile roof to match the existing adjacent roofs of 21-25 Scarborough Street	Andrew McMeiken	10.10.2025	Approved 25.11.2025
HMDC/2025/0065	Mr Brendon Colarossi	Roadway Adjacent To Slipway Into Jacksons Dock Maritime Avenue Hartlepool	Reconfiguration of existing slipway including removal of two existing accesses and creation of new singular access	Lucy Blakemore	04.12.2025	Approved 02.03.2026
HMDC/2025/0067	Mr A Sewell Ms Naomi Collett	Little Black Book 18 Whitby Street Hartlepool TS24 7AD	Discharge of conditions 4, 5 and 8 on HMDC/2024/0036 (Change of use to 15 student apartments)	Josh Woollard	23.10.2025	Approved 07.01.2026
HMDC/2025/0068	Mr Rob Morley Mr John Bell	Saica Pack Oakesway Hartlepool TS24 0RE	Proposed Canopy to the Existing Warehouse Building	Josh Woollard	24.10.2025	Approved 25.11.2025
HMDC/2025/0069	Cornerstone Michael Ntori	Vodafone Communication Station 3619 Clarence Road Hartlepool	Notification of intention to utilise permitted development rights	Justine Matchett	18.11.2025	No Response Required 18.11.2025
HMDC/2025/0070	British Telecommunications Plc	Mainsforth Terrace Hartlepool	The Electronic Communications Code (Conditions and restrictions) Regulations 2003 (as amended) Regulation 5 Notice of Intention to Install Fixed Line Broadband Apparatus.	Justine Matchett	24.11.2025	No Response Required 01.12.2025

HMDC/2025/0074	British Telecommunications Plc  Amithesh Reddy	9M Light Pole OS 35 Oakesway Hartlepool	Telecomms Notification - The Electronic Communications Code (Conditions and restrictions) (Amendment) Regulations 2017 - Regulation 3 notice of intention to install fixed line broadband electronic communications apparatus	Justine Matchett	09.12.2025	No Response Required 10.12.2025
HMDC/2025/0075	Cornerstone  Michael Ntori	Carlton Bingo Club York Road Hartlepool TS26 8AA	Telecomms Notification - Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (as amended) - Regulation 5 notice of intention to install electronic communications apparatus	Justine Matchett	10.12.2025	No Response Required 10.12.2025
HMDC/2026/0001	Mr Sewell  Ms Naomi Collett	24 Church Street Hartlepool TS24 7DH	Discharge of condition 5 on HMDC/2023/0018 (Change of use of basement (part), ground (part), first and second floors from Class E to 7-bed HMO (Use Class C4) including internal and external alterations (amended description))	Josh Woollard	12.01.2026	Approved 12.02.2026
HMDC/2026/0005	Mr Ian Scott	Wesley Chapel Wesley Square Hartlepool TS24 8AA	Discharge of conditions 8, 11, 12, 13 and 14 on HMDC/2023/0028 (Change of use to an events venue that includes a drinking establishment on the upper ground floor of the main building and 36-bedrooms on the upper floors of the main building and annex building (Sui Generis). 5no. flexible commercial units operating as retail, financial and professional service units, cafes and drinking establishments on the lower ground floor of main building (Use Class E(a), E(b), E9(c), and Suit Generis for the purposes of the drinking establishments). External alterations including repairs to external brickwork, replacement windows, re-roofing of building with installation of conservation style roof lights and works to facilitate a new lift shaft. Other external alterations include creation of terrace/external areas, proposed ramped access, cycle parking and bin store; internal alterations to include new roof trusses and amendments to floor levels)	Josh Woollard	20.01.2026	Approved 06.03.2026



## PLANNING REGISTER

### PURPOSE OF PLANNING REGISTER

A summarised register of current validated applications and current appeals received by the Development Corporation.

Details of applications and appeals can be found online at <https://tvcaplaning.co.uk/online-applications/>.

Any persons wishing to make representations about any of these applications may do so in writing to the Head of Planning by contacting the Hartlepool Development Corporation at [hdcplanning@teesvalley-ca.gov.uk](mailto:hdcplanning@teesvalley-ca.gov.uk).

### CURRENT APPLICATIONS

APPLICATION REF	APPLICANT / AGENT	ADDRESS	DESCRIPTION	OFFICER	DATE VALIDATED	STATUS
HMDC/2023/0031	Katie Rumble	Land East Of Queens Meadow Business Park Queens Meadow Hartlepool	Outline planning application (with all matters reserved apart from access) for the erection of up to 210 dwellings (Use Class C3) with associated infrastructure, access and landscaping	Josh Woollard	12.05.2024	Pending Consideration
HMDC/2023/0032	Katie Rumble	Land At Queens Meadow Business Park Queens Meadow Hartlepool	Hybrid application for 1) Outline planning permission (with all matters reserved) for the erection of up to 677,250sqft. of employment floorspace (Use Class B2/B8) with associated infrastructure, access and landscaping; and 2) full planning permission for the erection of 14no. employment buildings (Use Class B2/B8) with associated infrastructure, access and landscaping (amended description 21.11.25)	Josh Woollard	12.05.2024	Pending Consideration

HMDC/2025/0022	EG On The Move Limited Mr Bruce Risk	Land At Entrance To Queens Meadow Business Park Hartlepool	Erection of drive-thru restaurant (Use Class E), Petrol Filling Station (Sui Generis) and Electric Vehicle charging stations, with associated car parking, landscaping, and other works (Additional information received 20.10.25, 10.11.25)	Josh Woollard	18.06.2025	Pending Decision
HMDC/2025/0034	Mr Lawrence Kerrigan	Land Adjacent To Slipway Into Jacksons Dock Maritime Avenue Hartlepool	Change of use and external alterations to create multi-functional Public Events Space	Lucy Blakemore	12.02.2026	Pending Consideration
HMDC/2025/0071	Mr Adam Hearld Mr Jonathan Saddington	Land At Maritime Avenue, Fleet Avenue And Mainsforth Terrace Hartlepool	Section 73 application to vary conditions 1, 11 and 23 of planning permission HMDC/2024/0037 for the construction of apartments, houses, offices, food takeaway unit, retail outlet, business units, nursing home, nursery school/creche together with associated parking and external works units, nursing home, nursery school/creche together with associated parking and external works	Justine Matchett	19.12.2025	Pending Decision
HMDC/2025/0076	Mr Adam Hearld Mr Jonathan Saddington	Land At Fleet Avenue Hartlepool	Construction of a dwelling, substation and associated infrastructure	Justine Matchett	18.12.2025	Pending Consideration
HMDC/2026/0006	Mr Steve Alday Elle-May Simmonds	Land At Oakesway Industrial Estate Oakesway Hartlepool	Erection of 3no. industrial buildings, consisting of 10no. units, with associated landscaping, hardscaping and car parking	Josh Woollard	04.02.2026	Pending Consideration
HMDC/2026/0007	Mr Liam Lewis Mr Christopher Sutton	7A Church Square Hartlepool TS24 7EY	Display of 1no. fascia sign comprising individual internally illuminated lettering and display of branded cafe post and banner barrier signage	Daniel Baines	11.02.2026	Pending Consideration
HMDC/2026/0008	Mr Liam Lewis Mr Christopher Sutton	7A Church Square Hartlepool TS24 7EY	Installation of 4no LED uplights on front elevation and change of use of public highway to pavement cafe	Daniel Baines	13.02.2026	Pending Consideration

HMDC/2026/0009	Mr Darren Robson  Joseph Johnson	12 Whitby Street Hartlepool TS24 7AD	Discharge of condition 5 (soundproofing) and partial discharge of condition 11 (detailed drawings), in relation to the Ground floor shopfront; First floor door to roof terrace; Timber canopy over roof terrace; Wrought Iron Balustrade to rear alley; and Fencing to accessible area of roof terrace, on HMDC/2024/0010 (Change of use to bar, alterations from front and rear elevations including the formation of a roof terrace)	Justine Matchett	24.02.2026	Pending Consideration
HMDC/2026/0011	Sheraton Group  Mr Jonathan Loughrey	14 - 18 Scarborough Street Hartlepool TS24 7DA	Discharge of conditions 5, 6, 7, 8, 9, 10, 11, 14, 16 on HMDC/2025/0048 (Change of use from offices (Class E) to mixed use pop up restaurant, drinking and gaming venue (Sui Generis), and external alterations including part demolition of existing ground and first floor extensions and erection of single and two storey rear extensions and external terrace, reinstatement of front basement bay window/doorway and other minor alternations)	Andrew McMeiken	09.03.2026	Pending Consideration
HMDC/2026/0014	Safia Rana-Jaswal  Mr Martin Brown	Footpath Outside Northern School Of Art 1 Church St Hartlepool TS24 7DJ	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Sydney Whiteside	23.03.2026	Pending Consideration
HMDC/2026/0015	Safia Rana-Jaswal  Mr Martin Brown	Footpath Outside Northern School Of Art 1 Church St Hartlepool TS24 7DJ	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Sydney Whiteside	23.03.2026	Pending Consideration
HMDC/2026/0016	Store First Self Storage Ltd  Mr Luke Greenhalgh	Advanced House Wesley Square Hartlepool TS24 8BX	Recladding of existing rear extension roof and elevations	Andrew McMeiken	26.03.2026	Pending Consideration

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**CURRENT APPEALS**

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<b>APPLICATION REF</b>	<b>APPLICANT / AGENT</b>	<b>ADDRESS</b>	<b>DESCRIPTION</b>	<b>OFFICER</b>	<b>DATE VALIDATED</b>	<b>STATUS</b>
HMDC/2025/0062	Verity Cheyne Mr Martin Brown	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit	Sydney Whiteside	07.10.2025	Appeal In Progress
HMDC/2025/0063	Verity Cheyne Mr Martin Brown	Footpath Outside 1 Victoria Road Hartlepool TS24 7SE	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit	Sydney Whiteside	07.10.2025	Appeal In Progress

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The appendices to this report are not for publication under the terms of paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information); of schedule 12a Local Government Act 1972.)

Agenda Item 6

Report to the Hartlepool Development Corporation Board

28 April 2026

Report of Interim Group Monitoring Officer

## URGENT AND DELEGATED DECISIONS

### SUMMARY

This report provides an update for the Hartlepool Development Corporation (HDC) Board of Delegated and Urgent Decisions taken since the last update to the Development Corporation Board on 2 December 2025.

### RECOMMENDATIONS

It is recommended that the Hartlepool Development Corporation Board:

- i. **NOTES** the Delegated Decision detailed in paragraph 3 and confidential **Appendix 1**.
- ii. **NOTES** the Delegated Decision detailed in paragraph 4 and confidential **Appendix 2**.
- iii. **NOTES** the Delegated Decision detailed in paragraph 5 and confidential **Appendix 3**.
- iv. **NOTES** the Delegated Decision detailed in paragraph 6 and confidential **Appendix 4**.
- v. **NOTES** the Delegated Decision detailed in paragraph 7 and confidential **Appendix 5**.
- vi. **NOTES** the Delegated Decision detailed in paragraph 8 and confidential **Appendix 6**.
- vii. **NOTES** the Urgent Decision detailed in paragraph 9 and confidential **Appendix 7**.
- viii. **NOTES** the Urgent Decision detailed in paragraph 10 and confidential **Appendix 8**.

### DETAIL

1. Attached to this report are six Delegated Decision Records and two Urgent Decision Records.

2. The records contain commercially sensitive information pertaining to tenants of Middleton Grange Shopping Centre. The details of the delegated and urgent decisions are therefore not for publication under paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Schedule of 12A of the Local Government Act 1972.

### Delegated Decisions

3. The Delegated Decision below has been taken in line with the Middleton Grange Shopping Centre Scheme of Delegation (June 2024) as agreed by the board on 11 July 2024 under item 10.3:
  - a. A decision was made to agree new lease terms and grant a new lease to a prospective tenant of a unit within Middleton Grange Shopping Centre. The lease terms were negotiated by external property retail consultants engaged on behalf of Hartlepool Development Corporation. The Board delegated authority to Hartlepool Development Corporation Statutory Officers to enter into any letting with a rent value up to £150,000pa
  - b. A copy of the Delegated Decision form, recording the action taken by those officers to whom delegated authority was given, is attached at confidential **Appendix 1**.
4. The Delegated Decision below has been taken in line with the General Delegations set out in the HDC Constitution:
  - a. Following a compliant procurement process, a decision has been made pursuant to General Delegation 3 (GD3) of the Hartlepool Development Corporation Constitution to award a contract to Barker Proudlove Ltd to provide letting agent services for Middleton Grange Shopping Centre.
  - b. A copy of the Delegated Decision form, recording the action taken by those officers to whom delegated authority was given, is attached at confidential **Appendix 2**.
5. The Delegated Decision below has been taken in line with the General Delegations set out in the HDC Constitution:
  - a. Following a compliant procurement process, a decision has been made pursuant to General Delegation 3 (GD3) of the Hartlepool Development Corporation Constitution to award a contract to Black Cat Building Consultancy Ltd to provide asset management services for Middleton Grange Shopping Centre.

- b. A copy of the Delegated Decision form, recording the action taken by those officers to whom delegated authority was given, is attached at confidential **Appendix 3**.
6. The Delegated Decision below has been taken in line with the General Delegations set out in the HDC Constitution:
  - c. Following a compliant procurement process, a decision has been made pursuant to General Delegation 3 (GD3) of the Hartlepool Development Corporation Constitution to award a contract to Jones Lang LaSalle to provide asset management services for Middleton Grange Shopping Centre.
  - d. A copy of the Delegated Decision form, recording the action taken by those officers to whom delegated authority was given, is attached at confidential **Appendix 4**.
7. The Delegated Decision below has been taken in line with the Monitoring Officer Delegations set out in the HDC Constitution:
  - e. Following a review of the arrears schedule for Middleton Grange Shopping Centre, a decision has been made pursuant to Monitoring Officer Delegation MO1(a) of the Hartlepool Development Corporation Constitution to issue pre-action letters to a number of tenants.
  - f. A copy of the Delegated Decision form, recording the action taken by those officers to whom delegated authority was given, is attached at confidential **Appendix 5**.
8. The Delegated Decision below has been taken in line with the Middleton Grange Shopping Centre Scheme of Delegation (June 2024) as agreed by the board on 11 July 2024 under item 10.3:
  - c. A decision was made to agree new lease terms and grant a lease renewal to an existing tenant of a unit within Middleton Grange Shopping Centre. The lease terms were negotiated by external property retail consultants engaged on behalf of Hartlepool Development Corporation. The Board delegated authority to Hartlepool Development Corporation Statutory Officers to enter into any letting with a rent value up to £150,000pa
  - d. A copy of the Delegated Decision form, recording the action taken by those officers to whom delegated authority was given, is attached at confidential **Appendix 6**.

### Urgent Decisions

9. The Urgent Decision below was taken in respect of Middleton Grange Shopping Centre by the Chief Executive exercising his delegated power in accordance with Procedure Rule 20, Hartlepool Development Corporation Constitution:
  - a. A decision was made to issue a wayleave agreement to a telecommunications operator to install cables and terminating equipment at a unit within the Middleton Grange Shopping Centre. The equipment is required by the tenant to upgrade the telecommunication accessibility in the unit in order to facilitate technology upgrades. As the cables and equipment are being installed outside of the tenant's unit, HDC consent was required.
  - b. A copy of the Urgent Decision recording the action taken by those officers who exercised their delegated authority in accordance with the HDC Constitution is attached at confidential **Appendix 7**.
  
10. The Urgent Decision below was taken in respect of Middleton Grange Shopping Centre by the Chief Executive exercising his delegated power in accordance with Procedure Rule 20, Hartlepool Development Corporation Constitution:
  - a. A decision was made to delegate HDC's planning function to Hartlepool Borough Council (HBC) in order for HBC's planning committee to determine the application for planning permission for public realm improvement works at Hartlepool Marina to allow one planning application to be submitted rather than two, simplifying the planning process.
  - b. A copy of the Urgent Decision recording the action taken by those officers who exercised their delegated authority in accordance with the HDC Constitution is attached at confidential **Appendix 8**.

### FINANCIAL IMPLICATIONS

11. The financial implications in relation to each Delegated and Urgent Decision are identified within each decision form.

## LEGAL IMPLICATIONS

12. The decisions referred to in this report have been taken in accordance with the Hartlepool Development Corporation Constitution and Middleton Grange Shopping Centre Scheme of Delegation (June 2024).
13. The Middleton Grange Shopping Centre Scheme of Delegation (June 2024) was agreed by the board on 11 July 2024 under item 10.3. The main body of the report identifies the specific delegations exercised by the Statutory Officers in accordance with the Scheme of Delegation and Constitution.

## RISK ASSESSMENT

14. This report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## CONSULTATION & COMMUNICATION

15. Save for where provided in the Urgent or Delegated Decision Record, no consultation is required in relation to reporting to the Board.

## EQUALITY & DIVERSITY

16. It is not expected that the content of this report will have an adverse effect on any individual with protected characteristics.

Name of Contact Officer:  
Post Title:  
Email Address:

Louise Holroyd  
**Locum Solicitor**  
[louise.holroyd@teesvalley-ca.gov.uk](mailto:louise.holroyd@teesvalley-ca.gov.uk)



## RECORD OF THE EXERCISE OF DELEGATIONS TO CHIEF OFFICERS AS DETAILED IN THE MIDDLETON GRANGE SHOPPING CENTRE SCHEME OF DELEGATION JUNE 2024

This form should be used to record decisions taken in accordance with the delegations provided in the Hartlepool Development Corporation Constitution to one or more Chief Officers (as relevant) – Chief Executive, Section 73 Officer and Monitoring Officer.

<b>OFFICER:</b> Chief Executive, Interim Group Director of Finance and Resources and Group Legal Manager	<b>DATE DECISION TAKEN:</b> 4 November 2025
<b>DECISION NO:</b> HDC AF20-2025	
<b>REFERENCE – TYPE OF DELEGATION</b> Delegation to HDC Statutory Officers - Middleton Grange Shopping Centre Scheme of Delegation (June 2024)	<b>DELEGATION POWER</b> Delegation to HDC Statutory Officers – Any letting with rent level up to £150,000 pa.

## DETAILS OF DECISION:

### Background

Hartlepool Development Corporation ("HDC"), as landlord of Middleton Grange Shopping Centre, is negotiating terms with a new prospective tenant, the details of which are set out in confidential appendix A ("the Prospective Tenant"), to agree a new lease of a unit in the Centre.

The Prospective Tenant has indicated their wish to occupy a unit at the Centre and has provisionally agreed the terms upon which the Prospective Tenant is willing to enter into a lease with HDC.

Terms of the new lease have been negotiated by Barker Proudlove, HDC's external retail property consultants, and a provisional agreement with the Prospective Tenant has now been reached. The proposed Heads of Terms are summarised in the attached confidential Appendix B and are set out in full in JLL's recommendation at confidential Appendix C.

### Decision

A decision has been made to agree the terms of the new lease to the Prospective Tenant as set out in the attached recommendation at confidential Appendix C and completion of the new lease on those terms.

Appendices A, B and C to this Record of Decision are not for publication under the terms of paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Schedule 12A of the Local Government Act 1972.

## FINANCIAL IMPLICATIONS:

The proposed terms of the lease will result in a reduction in liabilities such as business rates and utility costs for HDC by circa £60,000 per annum.

The fees associated with the transaction are as follows:

Anthony Collins Solicitors:	£1,950 plus VAT
JLL:	£1,500 plus VAT
Barker Proudlove:	£1,500 plus VAT
<u>Total:</u>	<u>£4,950 plus VAT</u>

## PROCESS OF PARTNER CONSULTATION:

There has been no partner consultation prior to making this decision.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

Not to agree to the recommended lease terms – this may result in the Tenant no longer wishing to operate their business from the Centre and vacating the unit. This would consequently mean that HDC would need to continue to cover the void costs for the unit as the unit would remain vacant.

## ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:

The Chief Executive of Hartlepool Development Corporation is also the Chief Executive of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Chief Executive has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Group Director of Finance & Resources of Hartlepool Development Corporation is also the Interim Group Director of Finance & Resources of Tees Valley Combined Authority. This creates a perceived conflict of interest. By

exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Group Director of Finance & Resources has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Monitoring Officer of Hartlepool Development Corporation is also the Interim Monitoring Officer of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Monitoring Officer has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**ANY OTHER INFORMATION TO BE INCLUDED AS PART OF THE DECISION RECORD:**

None

**SIGNATURE:**



**CHIEF EXECUTIVE**

**DATE:** 15/1/26

**SIGNATURE:**



**GROUP LEGAL MANAGER**  
(with delegated authority from the Interim Monitoring Officer)

**DATE:** 4 November 2025

**SIGNATURE:**



**INTERIM GROUP DIRECTOR OF FINANCE & RESOURCES**

**DATE:** 8/1/26

**Date Reported to HDC Board**



## RECORD OF THE EXERCISE OF DELEGATIONS TO CHIEF OFFICERS AS DETAILED IN THE HARTLEPOOL DEVELOPMENT CORPORATION CONSTITUTION

This form should be used to record decisions taken in accordance with the delegations provided in the Hartlepool Development Corporation Constitution to one or more Chief Officers (as relevant) – Chief Executive, Section 73 Officer and Monitoring Officer.

<b>OFFICER:</b> Chief Executive, Interim Group Director of Finance and Resources and Interim Monitoring Officer	<b>DATE DECISION TAKEN:</b> 18/12/25
<b>DECISION NO:</b> AF03-2026	
<b>REFERENCE – TYPE OF DELEGATION</b> HDC Constitution - GD3	<b>DELEGATION POWER</b> a. The acceptance of the best value tender or quotation (Chief Executive Officer and Group Director of Finance and Resources) for the supply of goods, materials or services for which financial provision has been made in the Development Corporation's Budget and that do not exceed £1,000,000

## DETAILS OF DECISION:

### Background

In December 2023, Hartlepool Development Corporation (“HDC”) acquired the long leasehold of the Middleton Grange Shopping Centre. The HDC board resolved to appoint a property manager, asset manager, and a letting agent on its behalf. This was to ensure that the centre is effectively managed, and HDC’s landlord obligations are complied with.

HDC’s contract with Barker Proudlove Ltd (“Barker Proudlove”) to provide letting agent services for Middleton Grange Shopping Centre (“the Centre”) will shortly expire on 18 December 2025.

On 30 October 2025, HDC published a request for quote which invited four agencies to submit a response to provide letting agent services for a term of one year (December 2025- December 2026) with optional extension up to an additional year.

The request for quote closed on 18 November 2025. One submission in total was received and subsequently evaluated by officers in accordance with the evaluation criteria set out in the specification which covered experience and track record, resourcing, social value and fees.

Following the evaluation process, Barker Proudlove have been selected as the successful bidder.

### Decision

Following the procurement process outlined above, a decision has been made pursuant to General Delegation 3 (GD3) of the Hartlepool Development Corporation Constitution to award the contract to Barker Proudlove Ltd to provide letting agent services for Middleton Grange Shopping Centre.

## FINANCIAL IMPLICATIONS:

Barker Proudlove have been selected as the successful bidder following a request for quote procurement route. One application was received on time and considered by officers in line with evaluation criteria which included an assessment of the costs for the procured service.

Confidential Appendix A to this report provides further detail about the price cap for this contract.

The cost of the services under the contract will be met from the existing professional services fees budget.

## PROCESS OF PARTNER CONSULTATION:

There has been no partner consultation prior to making this decision.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

Not to award the contract to Barker Proudlove- this has been rejected on the basis that a compliant procurement route has been carried out in which Barker Proudlove have been selected as the successful bidder in accordance with the evaluation criteria. There is also not a suitable alternative as the Centre requires letting agent services, and the award of this contract ensures that the Centre continues to operate effectively.

## ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:

The Chief Executive of Hartlepool Development Corporation is also the Chief Executive of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Chief Executive has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Group Director of Finance & Resources of Hartlepool Development Corporation is also the Interim Group Director of Finance & Resources of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Group Director of Finance & Resources has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Monitoring Officer of Hartlepool Development Corporation is also the Interim Monitoring Officer of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Monitoring Officer has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**ANY OTHER INFORMATION TO BE INCLUDED AS PART OF THE DECISION RECORD:**

None

**SIGNATURE:**



**CHIEF EXECUTIVE**

**DATE: 16/12/25**

**SIGNATURE:**



**INTERIM MONITORING OFFICER**

**DATE: 16/12/25**

**SIGNATURE:**



**INTERIM GROUP DIRECTOR OF FINANCE & RESOURCES**

**DATE: 18/12/2025**

**Date Reported to HDC Board**



## RECORD OF THE EXERCISE OF DELEGATIONS TO CHIEF OFFICERS AS DETAILED IN THE HARTLEPOOL DEVELOPMENT CORPORATION CONSTITUTION

This form should be used to record decisions taken in accordance with the delegations provided in the Hartlepool Development Corporation Constitution to one or more Chief Officers (as relevant) – Chief Executive, Section 73 Officer and Monitoring Officer.

<b>OFFICER:</b> Chief Executive, Interim Group Director of Finance and Resources and Interim Monitoring Officer	<b>DATE DECISION TAKEN:</b> 18 <sup>th</sup> December 2025
<b>DECISION NO:</b> AF01-2026	
<b>REFERENCE – TYPE OF DELEGATION</b> HDC Constitution - GD3	<b>DELEGATION POWER</b> The acceptance of the best value tender or quotation (Chief Executive Officer and Group Director of Finance and Resources) for the supply of goods, materials or services for which financial provision has been made in the Development Corporation's Budget and that do not exceed £1,000,000.

## DETAILS OF DECISION:

### Background

In December 2023, Hartlepool Development Corporation (“HDC”) acquired the long leasehold of the Middleton Grange Shopping Centre. The HDC board resolved to appoint a property manager, asset manager, and a letting agent on its behalf. This was to ensure that the centre is effectively managed, and HDC’s landlord obligations are complied with.

HDC’s contract with Jones Lang LaSalle (“JLL”) to provide asset management services for Middleton Grange Shopping Centre (“the Centre”) will shortly expire on 18 December 2025.

HDC Board was advised at the meeting on 2 September 2025 that a procurement process was being undertaken to appoint an asset manager for the centre for 19 December 2025.

On 24 October 2025, HDC published an Open Tender which invited submissions to provide asset management services for the Centre from December 2025 for a term of 2 years with optional extension for up to an additional year.

The Tender notice closed on 24 November 2025. A total of 5 tenders were received and were subsequently evaluated by officers in accordance with the evaluation criteria set out in the invitation to tender which covered track record, compliance and risk management, strategic approach, resourcing, fees and social value.

Following the evaluation process, Black Cat Building Consultancy (“Black Cat”) have been selected as the successful bidder with the tender that scored highest.

### Decision

Following the procurement process outlined above, a decision has been made pursuant to General Delegation 3 (GD3) of the Hartlepool Development Corporation Constitution to award the contract to Black Cat Building Consultancy to provide asset management services for Middleton Grange Shopping Centre.

## FINANCIAL IMPLICATIONS:

Black Cat were selected as the successful bidder following an open tender exercise inviting bids from asset management companies nationally. A total of 5 tenders were received and considered by officers in line with evaluation criteria which included an assessment of the costs for the procured service.

Black Cat’s fees quoted in their tender submission were the best value received. Confidential Appendix A to this decision record provides more detail on the fees quoted.

The cost of the services under the contract will be met from the existing professional services fees budget.

## PROCESS OF PARTNER CONSULTATION:

There has been no partner consultation prior to making this decision.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

Not to award the contract to Black Cat- this has been rejected on the basis that an open procurement has been undertaken in which Black Cat have been selected as the successful bidder in accordance with the evaluation criteria.

## ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:

The Chief Executive of Hartlepool Development Corporation is also the Chief Executive of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Chief Executive has considered whether this creates an actual conflict of interest. This

decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Group Director of Finance & Resources of Hartlepool Development Corporation is also the Interim Group Director of Finance & Resources of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Group Director of Finance & Resources has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Monitoring Officer of Hartlepool Development Corporation is also the Interim Monitoring Officer of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Monitoring Officer has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**ANY OTHER INFORMATION TO BE INCLUDED AS PART OF THE DECISION RECORD:**

None

**SIGNATURE:**



**CHIEF EXECUTIVE**

**DATE: 16/12/25**

**SIGNATURE:**



**INTERIM MONITORING OFFICER**

**DATE: 16/12/25**

**SIGNATURE:**



**INTERIM GROUP DIRECTOR OF FINANCE & RESOURCES**

**DATE: 18/12/2025**

**Date Reported to HDC Board**



## RECORD OF THE EXERCISE OF DELEGATIONS TO CHIEF OFFICERS AS DETAILED IN THE HARTLEPOOL DEVELOPMENT CORPORATION CONSTITUTION

This form should be used to record decisions taken in accordance with the delegations provided in the Hartlepool Development Corporation Constitution to one or more Chief Officers (as relevant) – Chief Executive, Section 73 Officer and Monitoring Officer.

<b>OFFICER:</b> Chief Executive, Interim Group Director of Finance and Resources and Interim Monitoring Officer	<b>DATE DECISION TAKEN:</b> 16 <sup>th</sup> December 2025
<b>DECISION NO:</b> AF02-2026	
<b>REFERENCE – TYPE OF DELEGATION</b> HDC Constitution - GD3	<b>DELEGATION POWER</b> The acceptance of the best value tender or quotation (Chief Executive Officer and Group Director of Finance and Resources) for the supply of goods, materials or services for which financial provision has been made in the Development Corporation's Budget and that do not exceed £1,000,000

## DETAILS OF DECISION:

### Background

In December 2023, Hartlepool Development Corporation (“HDC”) acquired the long leasehold of the Middleton Grange Shopping Centre. The HDC board resolved to appoint a property manager, asset manager, and a letting agent on its behalf. This was to ensure that the centre is effectively managed, and HDC’s landlord obligations are complied with.

Hartlepool Development Corporation’s (“HDC”) contract with Jones Lang LaSalle (“JLL”) to provide property management services for Middleton Grange Shopping Centre (“the Centre”) will shortly expire on 18 December 2025.

HDC Board was advised at the meeting on 2 September 2025 that a procurement process was being undertaken to appoint property managers for the centre for 19 December 2025.

On 18 September 2025, HDC published an Open Tender which invited submissions to provide property management services for the Centre from December 2025 for a term of 1 year with optional extension for up to an additional year.

The Tender notice closed on 20 October 2025. A total of 8 tenders were received and were subsequently evaluated by officers in accordance with the evaluation criteria set out in the invitation to tender which covered experience and track record, resourcing and communication, regeneration experience, fees and social value.

Following the evaluation process, Jones Lang LaSalle (“JLL”) have been selected as the successful bidder with the tender that scored highest.

### Decision

Following the procurement process outlined above, a decision has been made pursuant to General Delegation 3 (GD3) of the Hartlepool Development Corporation Constitution to award the contract to Jones Lang LaSalle (“JLL”) to provide property management services for Middleton Grange Shopping Centre.

## FINANCIAL IMPLICATIONS:

JLL were selected as the successful bidder following an open tender exercise inviting bids from property management companies nationally. A total of 8 tenders were received and considered by officers in line with evaluation criteria which included an assessment of the costs for the procured service.

JLL’s fees quoted in their tender submission were the second highest received but included a reduction on their existing fees. Confidential Appendix A to this decision record provides a summary of the fees quoted by JLL under their current property management contract and their reduced fees quoted in their new submission.

The cost of the services under the contract will be met from the existing professional services fees budget and the Centre service charge budget. An additional amount will be included within the contract budget to facilitate anticipated structural remediation works at the centre throughout the contract duration. This element will be funded by the budget ringfenced for remediation works, taken from the reduction of the centre purchase price.

## PROCESS OF PARTNER CONSULTATION:

There has been no partner consultation prior to making this decision.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

Not to award the contract to JLL- this has been rejected on the basis that an open procurement has been undertaken in which JLL have been selected as the successful bidder in accordance with the evaluation criteria. This is also not a suitable alternative as the Centre requires management and the award of this contract ensures that the Centre continues to operate effectively.

**ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:**

The Chief Executive of Hartlepool Development Corporation is also the Chief Executive of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Chief Executive has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Group Director of Finance & Resources of Hartlepool Development Corporation is also the Interim Group Director of Finance & Resources of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Group Director of Finance & Resources has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Monitoring Officer of Hartlepool Development Corporation is also the Interim Monitoring Officer of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Monitoring Officer has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**ANY OTHER INFORMATION TO BE INCLUDED AS PART OF THE DECISION RECORD:**

None

SIGNATURE:



CHIEF EXECUTIVE

DATE: 16/12/25

SIGNATURE:



INTERIM MONITORING OFFICER

DATE: 16/12/25

SIGNATURE:



INTERIM GROUP DIRECTOR OF FINANCE & RESOURCES

DATE: 16/12/2025

Date Reported to HDC Board



## RECORD OF THE EXERCISE OF DELEGATIONS TO CHIEF OFFICERS AS DETAILED IN THE HDC CONSTITUTION

This form should be used to record decisions taken in accordance with the delegations provided in the Hartlepool Development Corporation Constitution to one or more Chief Officers (as relevant) – Monitoring Officer.

<b>OFFICER:</b>  INTERIM MONITORING OFFICER	<b>DATE DECISION TAKEN:</b>  15 January 2026
<b>DECISION NO:</b>  HDC AF05-2025	
<b>REFERENCE – TYPE OF DELEGATION</b>  MO1(a) – Delegation to Monitoring Officer	<b>DELEGATION POWER AND PAGE OF CONSITUTION</b>  To withdraw, conduct, settle or appeal any administrative action and/or any legal proceedings on behalf of the Development Corporation – page 70 of HDC Constitution
<b>DETAILS OF DECISION:</b>  <u>Background:</u>  A number of tenants of Middleton Grange Shopping Centre (“the Tenants”) have failed to pay rent and/or service charge in connection with their occupation of parts of the Centre. The details of the Tenants and the sum of arrears are set out in confidential Appendix A to this record.  It is recommended that Hartlepool Development Corporation (“HDC”) issues pre-action letters to the Tenants to seek to recover the amounts owed. These letters will formally demand the sums owed to HDC and will warn the Tenants that non-compliance with the letter will result in legal action being taken by HDC to recover the sums owed.  HDC’s property managers, JLL, have continuously chased for the debt and have threatened the Tenant with legal action however the rent and service charge arrears remain outstanding. It is considered that issuing pre-action letters to the Tenants is the next step and will be an effective way of pursuing the debt owed to HDC.  <u>Decision:</u>  A decision has been made to issue pre-action letters to the Tenants listed within confidential Appendix A to this record to recover the rent and service charge arrears owed to HDC.  Appendix A to this record is not for publication on the basis that it contains information relating to the financial or business affairs of a particular person (Paragraph 3 of Schedule 12a Local Government Act 1972) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (Paragraph 5 of Schedule 12a Local Government Act 1972).	
<b>FINANCIAL IMPLICATIONS:</b>	



The pre-action letters will be issued by TVCA's in-house legal team on behalf of HDC so this will be at nil cost to HDC.

**PROCESS OF PARTNER CONSULTATION:**

The Chair of HDC Board and the HDC's Chief Operating Officer were consulted prior to making this decision.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

1. Not to issue a pre-action letters to Tenants – this is not considered an option on the basis that the arrears have been accruing for some time and action is required to recover the debt owed to HDC.
2. Commence court proceedings against the Tenants to recover the debt – there is an overriding duty for any claimant in civil court proceedings to exhaust all other options before court proceedings are commenced.

**ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:**

The Interim Monitoring Officer for Hartlepool Development Corporation is also the Interim Monitoring Officer for Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Monitoring Officer has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**ANY OTHER INFORMATION TO BE INCLUDED AS PART OF THE DECISION RECORD:**

None

**SIGNATURE:**



DEPUTY MONITORING OFFICER

DATE: 15 January 2026

*NB only include Chief Officer(s) required for the specific delegation*

Date Reported to HDC Board

*Once fully complete and signed off please return to the Governance Team.*



## RECORD OF THE EXERCISE OF DELEGATIONS TO CHIEF OFFICERS AS DETAILED IN THE MIDDLETON GRANGE SHOPPING CENTRE SCHEME OF DELEGATION JUNE 2024

This form should be used to record decisions taken in accordance with the delegations provided in the Hartlepool Development Corporation Constitution to one or more Chief Officers (as relevant) – Chief Executive, Section 73 Officer and Monitoring Officer.

<b>OFFICER:</b> Chief Executive, Interim Group Director of Finance and Resources and Group Legal Manager	<b>DATE DECISION TAKEN:</b> 8 January 2026
<b>DECISION NO:</b> HDC AF-04-2026	
<b>REFERENCE – TYPE OF DELEGATION</b> Delegation to HDC Statutory Officers - Middleton Grange Shopping Centre Scheme of Delegation (June 2024)	<b>DELEGATION POWER</b> Delegation to HDC Statutory Officers – Any letting with rent level up to £150,000 pa.
<b>DETAILS OF DECISION:</b> <u>Background</u> Hartlepool Development Corporation (“HDC”), as landlord of Middleton Grange Shopping Centre, is negotiating terms with an existing tenant, the details of which are set out in confidential appendix A (“the Tenant”), to agree a renewal lease of a unit in the Centre.  The Tenant has indicated their wish to enter into a renewal lease for a term of 5 years to remain in their existing unit at the Centre and has provisionally agreed the terms of the renewal lease.  Terms of the renewal lease have been negotiated by Barker Proudlove, HDC’s external retail property consultants. The proposed Heads of Terms are summarised in the attached confidential Appendix B and are set out in full in JLL’s recommendation at confidential Appendix C.  <u>Decision</u> A decision has been made to agree the terms of the renewal lease to the Tenant as set out in the attached recommendation at confidential Appendix C and completion of the renewal lease on those terms.	
<b>FINANCIAL IMPLICATIONS:</b> Appendix A to this record sets out the financial implications of agreeing the renewal lease terms.	

The fees associated with the transaction are as follows:

Anthony Collins Solicitors:	£650.00 plus VAT
Barker Proudlove:	£2,520 plus VAT
JLL:	£2,000 plus VAT
<u>Total:</u>	<u>£5,170.00 plus VAT</u>

**PROCESS OF PARTNER CONSULTATION:**

There has been no partner consultation prior to making this decision.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

Not to agree to the recommended lease terms – this may result in the Tenant no longer wishing to operate their business from the Centre and vacating the unit. This would consequently mean that HDC would need to cover the void costs for the unit as the unit would become vacant.

**ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:**




The Chief Executive of Hartlepool Development Corporation is also the Chief Executive of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Chief Executive has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Group Director of Finance & Resources of Hartlepool Development Corporation is also the Interim Group Director of Finance & Resources of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Group Director of Finance & Resources has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Group Legal Manager of Hartlepool Development Corporation is also the Group Legal Manager of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Group Legal Manager has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**ANY OTHER INFORMATION TO BE INCLUDED AS PART OF THE DECISION RECORD:**

None

<p><b>SIGNATURE:</b></p>  <p><b>CHIEF EXECUTIVE</b></p> <p><b>DATE:</b> 02/01/2026</p>	<p><b>SIGNATURE:</b></p>  <p><b>GROUP LEGAL MANAGER</b> (with delegations from the Interim Monitoring Officer)</p> <p><b>DATE:</b> 18/12/2025</p>	<p><b>SIGNATURE:</b></p>  <p><b>INTERIM GROUP DIRECTOR OF FINANCE &amp; RESOURCES</b></p> <p><b>DATE:</b> 08/01/2026</p>
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Date Reported to HDC Board



## DELEGATED DECISION IN CASE OF URGENCY (PROCEDURE RULE 20 – HARTLEPOOL DEVELOPMENT CORPORATION CONSTITUTION)

This form should be used to record decisions taken under urgent decision arrangements by the Chief Executive in consultation with the Chair of the Hartlepool Development Corporation Board, Group Director of Finance & Resources and Monitoring Officer, where the decision needs to be taken urgently and it is not practicable to form a quorate meeting of the board.

A record of this decision must be submitted to the next HDC Board. An annual record is also maintained by the Monitoring Officer.

<b>OFFICER:</b> CHIEF EXECUTIVE	<b>DATE DECISION TAKEN:</b> 17 August 2025
<b>DECISION NO:</b> HDC UD 14-2025	<b>DELEGATION POWER AND PAGE OF CONSTITUTION:</b> Procedure Rule 20, Hartlepool Development Corporation Constitution
<b>DETAILS OF DECISION:</b>  <u>Background</u>  Hartlepool Development Corporation (“HDC”), as landlord, has been approached by a telecommunications operator with a request for a wayleave agreement for the installation of electronic communication apparatus at a unit within Middleton Grange Shopping Centre.  The wayleave agreement will provide a telecommunications operator with consent to install cables and terminating equipment shown on the plans attached to this request at Appendix A (confidential appendix). The equipment is required by the tenant to upgrade the telecommunication accessibility in the unit in order to facilitate technology upgrades. For example, tills and stock control equipment. HDC’s asset managers, JLL, have advised that, due to the nature of Middleton Grange Shopping Centre’s construction, it is not possible for a tenant to connect directly into this equipment without some cables/equipment being either located or running through the common parts of the Centre. As the cables and equipment are being installed outside of the tenant’s unit, HDC consent is required.  The wayleave agreement will be drafted by HDC’s external solicitors in accordance with the other wayleave agreements at Middleton Grange Shopping Centre. A summary of the wayleave agreement terms is attached to this request at Appendix B (confidential appendix).  Appendix C sets out the details of the parties to the agreement (confidential appendix).  It is not feasible to wait until the next HDC Board meeting on the basis that the Tenant requires the new connection to be completed as soon as possible.  <u>Decision</u>  The following decisions have been made:  <ol style="list-style-type: none"><li>(1) Approve the terms of the wayleave agreement attached to this request at Appendix B; and</li><li>(2) Agree authority for the Interim Group Chief Legal Officer and Monitoring Officer to sign, seal and complete a wayleave agreement.</li></ol> Appendices A, C and B to this Record of Decision are not for publication under the terms of paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of schedule 12a Local Government Act 1972.	

**FINANCIAL IMPLICATIONS:**

There are no financial implications arising from this decision.

**EXISTING BOARD DECISION WHICH ASSIGNED THE NECESSARY FUNDING:**

There is no board decision and no funding has been assigned.

**PROCESS OF PARTNER CONSULTATION:**

The Chair of HDC Board, Interim Group Director of Finance & Resources and Interim Chief Legal Officer and Monitoring Officer were consulted prior to this decision.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

Not to grant the wayleave – this could have potential repercussions on the viability of the tenant operating from the unit which could potentially lead to them not to renew their lease and to vacate the Centre. This would have a detrimental effect as would result in the loss of a national retailer at the Centre.

**ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:**

The Chief Executive of Hartlepool Development Corporation is also the Chief Executive of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Chief Executive has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**SIGNATURE:**


**CHIEF EXECUTIVE**

**DATE: 8th December  
2025**

**SIGNATURE:**


**CHAIR OF HDC BOARD**

**DATE: 29 September  
2025**

**SIGNATURE:**


**INTERIM MONITORING  
OFFICER**

**DATE: 8th December 2025**

**SIGNATURE:**


**INTERIM GROUP DIRECTOR  
OF FINANCE & RESOURCES**

**DATE: 8th December 2025**

*All sections below are for Governance Team use only*

**DATE REPORTED TO MANAGEMENT GROUP:**

*Once fully complete and signed off please return to the Governance Team.*



## DELEGATED DECISION IN CASE OF URGENCY (PROCEDURE RULE 20 – HARTLEPOOL DEVELOPMENT CORPORATION CONSTITUTION)

This form should be used to record decisions taken under urgent decision arrangements by the Chief Executive in consultation with the Chair of the Hartlepool Development Corporation Board, Group Director of Finance & Resources and Monitoring Officer, where the decision needs to be taken urgently and it is not practicable to form a quorate meeting of the board.

A record of this decision must be submitted to the next HDC Board. An annual record is also maintained by the Monitoring Officer.

<b>OFFICER:</b> CHIEF EXECUTIVE	<b>DATE DECISION TAKEN:</b> 30 July 2025
<b>DECISION NO:</b> HDC UD 13-2025	<b>DELEGATION POWER AND PAGE OF CONSTITUTION:</b> Procedure Rule 20, Hartlepool Development Corporation Constitution Paragraph 27, Hartlepool Development Corporation Constitution
<b>DETAILS OF DECISION:</b> <u>Background</u> Hartlepool Borough Council (“HBC”) intend to submit a planning application to carry out a scheme of public realm improvement works at Hartlepool Marina. The works will include the construction of a board walk along the Marina.  The majority of the site for which planning permission is sought falls within HBC’s planning boundary however there is a small strip of land which falls within Hartlepool Development Corporation’s (“HDC”) planning boundary. The land falling with HDC’s boundary is shown circled in green on the plan attached at Appendix A.  It is proposed that HDC delegates its planning powers to HBC to allow for HBC to determine the full planning application, rather than just the application for the land within its planning boundary. This would allow the submission of just one application which would simplify the planning process.  Section 101 of the Local Government Act 1972 allows for authorities to arrange for the discharge of its functions by another authority. This is reflected in Paragraph 27 of the HDC constitution which provides that “ <i>The Corporation can request at any time that the powers it holds in respect of Planning be exercised by Hartlepool Borough Council and may at any time require that any powers so passed be returned to it with immediate effect</i> ”.  It is not feasible to wait until the next HDC Board on the basis that HBC intend to submit its planning application imminently and require HDC’s consent to determine.  <u>Decision</u> A decision has been made for HDC to delegate its planning function to HBC in order for HBC’s planning committee to determine the application for planning permission for public realm improvement works at Hartlepool Marina as shown circled in green on the plan attached at Appendix A.	
<b>FINANCIAL IMPLICATIONS:</b> There are no financial implications arising directly from this decision.	
<b>EXISTING BOARD DECISION WHICH ASSIGNED THE NECESSARY FUNDING:</b> Not applicable	

**PROCESS OF PARTNER CONSULTATION:**

HBC are in support of the decision. The following individuals were consulted prior to this decision: HDC's Deputy Head of Planning, HDC Chief Operating Officer, HDC Chair, the Interim Group Director of Finance & Resources and the Group Legal Manager.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

To refuse the delegation of HDC's planning function in respect of this proposed planning application. This would result in HBC being required to submit two separate planning applications, one to HBC local planning authority and the other to HDC.

**ACTUAL OR PERCEIVED CONFLICT OF INTEREST BY ANY OF THE DECISION-MAKERS:**

The Chief Executive of Hartlepool Development Corporation is also the Chief Executive of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Chief Executive has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Interim Group Director of Finance & Resources of Hartlepool Development Corporation is also the Interim Group Director of Finance & Resources of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Interim Group Director of Finance & Resources has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

The Group Legal Manager of Hartlepool Development Corporation is also the Group Legal Manager of Tees Valley Combined Authority. This creates a perceived conflict of interest. By exercising this delegation, under the Hartlepool Development Corporation Constitution, the Group Legal Manager has considered whether this creates an actual conflict of interest. This decision will not adversely affect the Tees Valley Combined Authority, and as such, the decision maker is content that no actual conflict arises, such that the decision can be made free from such conflict.

**SIGNATURE:**



**CHIEF EXECUTIVE**

**DATE: 26 November 2025**

**SIGNATURE:**



**CHAIR OF HDC BOARD**

**DATE: 28 August 2025**

**SIGNATURE:**



**GROUP LEGAL MANAGER**  
(with the necessary delegations  
for the Monitoring Officer)

**DATE: 28 August 2025**

**SIGNATURE:**



**INTERIM GROUP DIRECTOR  
OF FINANCE & RESOURCES**

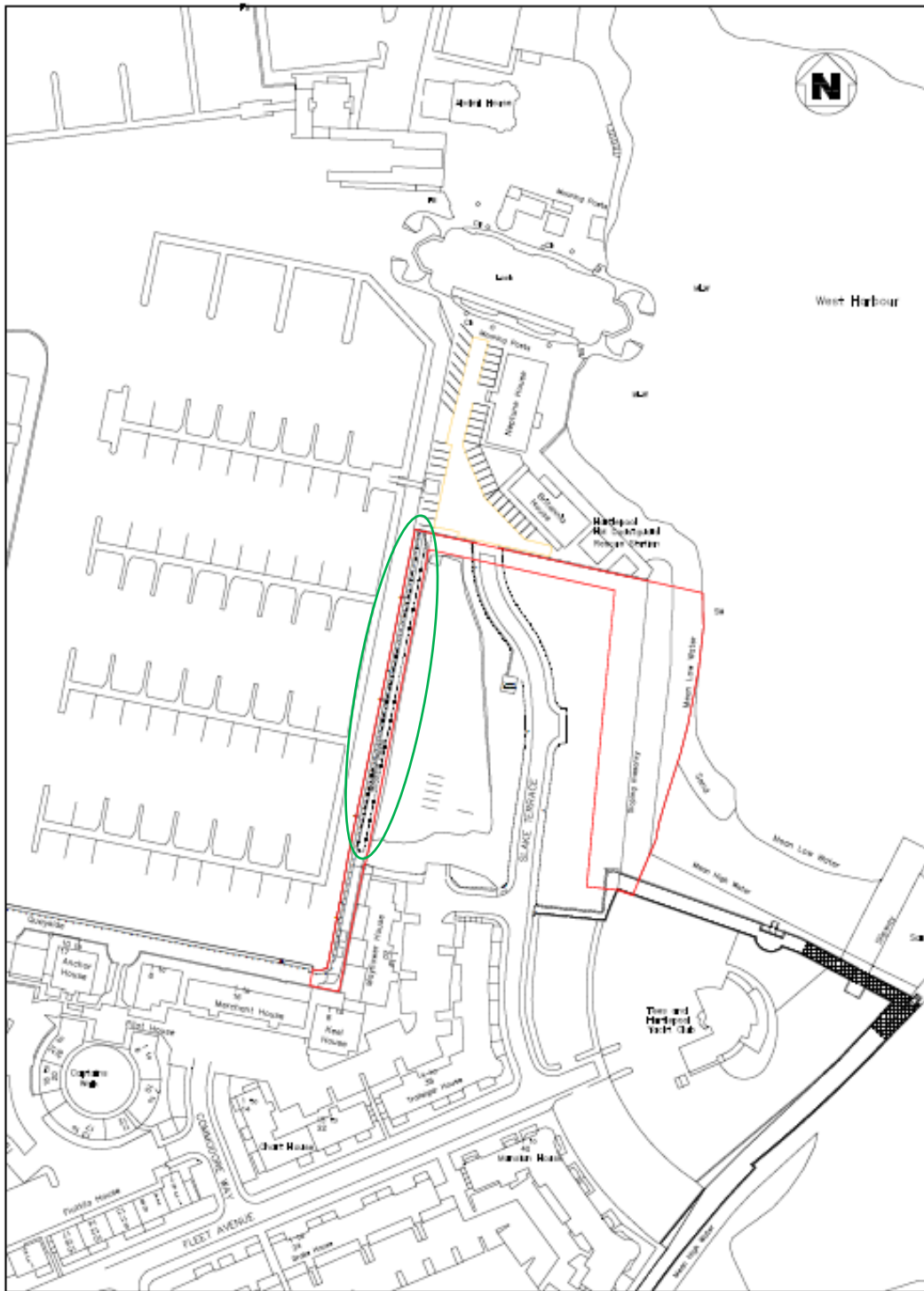
**DATE: 26 November 2025**

*All sections below are for Governance Team use only*

**DATE REPORTED TO BOARD**

*Once fully complete and signed off please return to the Governance Team.*

**APPENDIX A - Plan of land within HDC planning boundary**



Application site boundary for Waterfront Connectivity Project



Approximate area of application site which falls within Hartlepool Development Corporation

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The appendices to this report are not for publication under the terms of paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)); of schedule 12a Local Government Act 1972.

Agenda Item 8  
Report to the Hartlepool Development Corporation Board  
28 April 2026  
Report of TVCA Director of Infrastructure

## MIDDLETON GRANGE SHOPPING CENTRE

### SUMMARY

The acquisition of the Middleton Grange Shopping Centre long leasehold completed on 19 December 2023. This report provides Board Members with an update on the operations of the shopping centre since the last update in December 2025.

### RECOMMENDATIONS

It is recommended that the Hartlepool Development Corporation Board **NOTES** the updates provided in this report and in confidential appendices 1 and 2.

### DETAIL

#### Finance

1. Since completion of the purchase of the shopping centre, HDC officers have worked with JLL, the appointed property management company, to obtain comprehensive financial information. This information covers, for example, tenant schedules, current contract terms, operating costs and arrears reports.
2. The information provided has allowed officers to review the current rent roll, current debtors and identify any irrecoverable costs – and to review the potential impact certain scenarios would have on financial results for the year. From this information officers have prepared a forecast position and compared to actuals and this is included in confidential **appendix 1** to this report.

3. A monthly review of actuals to forecasts is undertaken and any variances will be considered by management and discussed with JLL. Both the financial information and the forecasts are updated for any new lease agreements entered, costs which have arisen and tenants who may have vacated their premises in the period. Provisions are reviewed and updated as necessary.
4. The debtor's position is analysed monthly, and potential high-risk tenants identified. Tenants are considered high risk if they have not made payments for a significant period or if their payments are turnover-based and there has been a significant fall in turnover, reducing the amount receivable.
5. A quarterly finance update of performance against forecast will be presented to the Board as part of the overall shopping centre update. For the year ended 31 March 26 there is a negative net operating position. Details are included in confidential **appendix 1**.
6. The purchase of the shopping centre was approved by the board in November 2023. The total cost was funded from the Hartlepool MDC £10m allocation received from TVCA Investment Plan. A programme plan and phased profile of remediation works identified as part of the purchase is now being managed and monitored post-transaction.
7. In advance of the acquisition and during the acquisition costs had been incurred on professional fees. The costs were funded via the project development allocation, under the delegation approved on the 19 February 2024.

### Capital Expenditure

8. Short-term risk mitigation works to vital areas of the closed market hall required for services and crucial repairs to other key operational areas of the centre are underway and are due to be complete by the end of April.
9. Assessment of the potential longer-term options for the future of the market hall and the closed vehicle ramp continue. These options are being considered in conjunction with the options for the regeneration of the wider Middleton Grange focus area.

### Marketing

10. Over the last quarter of 2025 contracted marketing provider, Cool Blue, has continued to deliver against Middleton Grange's strategic marketing objectives through a mix of seasonal campaigns, targeted digital activity, PR and event delivery. All activity was

designed to strengthen community engagement, increase footfall and elevate the Centre's overall brand visibility.

11. Digital presence: Continuing to implement a proactive content plan to maintain steady online engagement and reach. From October - December 2025, social media achieved an organic reach of 925,370 across all platforms, up 29% on the previous quarter. Total organic engagements in the quarter was 9,107, up 60% on the previous quarter. Engagement spikes were driven by the Boyes launch, support for local Strictly star, Lewis Cope and the opening of Christmas World. The centre's email subscriber database has grown to 1,594 recipients, up 52% from the previous quarter, supporting ongoing communication and campaign visibility. Campaigns this quarter included Halloween and Christmas events, Dedicated Boyes newsletter, Black Friday campaigns and promotions and Christmas shopping.
12. The cumulative footfall for events over the October – December period was 58,932.
13. Digital advertising: Paid social activity (funded via the agreed disbursements pot) was used to boost key campaigns, enhancing overall reach and engagement. Halloween achieved 5,880 views and 210 engagements. The two Santa's arrival events achieved 28,035 views and 924 engagements in total.
14. Digital audio: Ahead of Middleton Grange's Halloween Event, a digital audio campaign was launched with Bauer Media, reaching 10,618 people and generating 66,673 impressions. It targeted smart shoppers and parents across Bauer Media stations, including Magic, Kiss, Greatest Hits and Absolute Radio.
15. Website: The Middleton Grange website continues to perform well with steady visitor numbers and regular content updates. In the last quarter, the website has had 22,505 visitor sessions (up 70%), with 11,249 of those coming through to the site directly. 10,051 came through organic search and 816 from organic social media.
16. Giving Tree: Marketing activity across digital platforms supported the annual Giving Tree campaign, aimed at collecting donations for Christmas gifts. The total number of gifts donated by the generous people of Hartlepool and beyond reached 6,226 gifts. This represents an increase of 2,039 gifts from last year - a remarkable 49% growth.
17. Tenant Engagement: Strong communication with tenants has been maintained through regular bi-weekly updates, ensuring cross-promotion of in-store offers and events. Proactive support was provided to amplify tenant-led activity across digital channels.

## Footfall

18. Counters are installed at various entrances around the Centre.
19. For the 2025 year, January 2025 – December 2025 (the month of December actually ran until 4<sup>th</sup> January 2026), the total number of visitors to the Centre was 4,404,154 which is 1.5% down on the 2024 year (compared to the UK average of +0.5% and a North/Yorkshire average of 0%). A fault was discovered on one of the cameras in December that means an accurate number is not available for that month.
20. November 2025 saw 356,300 visitors to the Centre (-1.9%, or -6,771 visitors on 2024). This compares to a UK average of -1.3% and a North/Yorkshire average of -1.9%.
21. October 2025 saw 353,111 visitors to the Centre (-0.8%, or -2,918 on 2024). This compares to a UK average of -0.2% and a North/Yorkshire average of -0.2%.

## Business Plan

22. At its meeting in July 2024, the HDC Board approved a strategic asset business plan which set out at a high level the actions required over a 12-18 month period to ensure that the underlying investment is preserved while the longer-term aspirations and viability is tested. Confidential **appendix 2** provides an update on progress against that plan for the period October 2025- December 2025.
23. A new business plan is currently being produced and will be brought to the Board for consideration at a future meeting.
24. At its meeting in July 2024, HDC Board also approved a scheme of delegation defining the decision-making functions of the HDC Board and HDC Statutory Officers with the aim of streamlining operations, ensuring time critical decisions can be made between quarterly board meetings and reducing the volume of board decisions on standard items. Details of the decisions taken by officers under this scheme of delegation since its approval can be found at agenda item 9 of this meeting.

## Operational Contracts

25. Since the last board meeting HDC has undertaken procurement exercises for various operational contracts at Middleton Grange Shopping Centre. Please see updates on each procurement below.

26. Property Management: HDC's contract with Jones Lang LaSalle (JLL) to provide property management services at Middleton Grange Shopping Centre expired on 18 December 2025. HDC has undertaken a procurement process to appoint a property manager for the centre from 19 December 2025. Following the evaluation process, the successful supplier was Jones Lang LaSalle (JLL).
27. Letting Agent: HDC's contract with Barker Proudlove Ltd for letting agent services at Middleton Grange Shopping Centre expired on 18 December 2025. HDC undertook a request for quote exercise for this service. Following evaluation, the successful agency was Barker Proudlove Ltd.
28. Asset Management: HDC's contract with Jones Lang LaSalle (JLL) to provide asset management services at Middleton Grange Shopping Centre expired on 18 December 2025. HDC undertook a procurement process to appoint an asset manager for the current period. The successful supplier was Black Cat Building Consultancy Ltd.

## FINANCIAL IMPLICATIONS

29. The shopping centre generates income from rents. There are a range of lease agreements, for example, some agreements are rates only. Where properties are vacant, HDC as landlord is liable for service charge fees and business rates.
30. After landlord liabilities for void service charges and business rates, and non-recoverable operating fees, are deducted there is an operating deficit due to the transition costs this financial year to be in the region of £1.2m. Officers are working closely with JLL to manage these pressures through tighter control of maintenance and operational budgets, as well as proactive asset management aimed at improving income to offset rising costs. Should these measures prove insufficient, the Corporation will need to seek additional financial support from the TVCA Cabinet.
31. No financial implications from the capital expenditure on current repair or investigation activity, as the purchase price was reduced to cover these as part of the negotiations.

## LEGAL IMPLICATIONS

32. Once HDC has entered into a Lease for a particular unit it will be bound by its terms. HDC has instructed a number of industry experts to ensure that all legal documentation is based on accurate industry advice.

33. External solicitors are instructed by HDC to complete all legal documentation and provide ongoing advice as required. This is managed by the TVCA in-house legal function.
34. Consideration will be given to, and an assessment produced to manage any risk under the Subsidy Control Act 2022, whereby a public authority provides resources to give one entity a commercial advantage over another. This will be considered, and an assessment made in respect of any letting, before it is agreed.

## RISK ASSESSMENT

35. Property Management: HDC does not have the internal expertise to proactively manage the MGSC and ensure continuity of rent collection, service charge management and general property management. This is mitigated with the appointment of JLL as property managers.
36. Asset Management: HDC does not have the internal expertise to strategically manage the MGSC asset. This is mitigated by the appointment of JLL as asset manager for the reporting period, alongside experienced letting agents and legal advisors.
37. Financial Risk: Declining income: Micro and macro-economic conditions may deteriorate leading to additional tenants vacating units or entering liquidation. This may reduce net income to a deficit level. This risk will continue and is inherent to the retail asset type. This is partly mitigated with increasing marketing activity to attract footfall, a proactive asset management and reletting strategy to stabilise and grow income, pending ongoing review of the asset as part of the forthcoming wider plans.
38. Financial Risk: Operational cost liability: There is a risk income voids from vacant premises means service charge is not covered and must be paid by HDC as owner. This is partly mitigated by income from rents which could be used to offset void service charge and rates costs. The delivery of the asset management business plan aims to stabilise and grow tenancies, whilst rationalising retail space, will seek to increase demand and reduce costs to reduce the long term risk of income and service charge void.
39. Abortive Costs: Works are required in the short term to ensure health and safety requirements are met and the shopping centre can continue to operate. The vision for the area will indicate places where rationalisation will take place. Spending in these areas would not incur costs unless necessary for H&S reasons.
40. The risks are categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.



Hartlepool  
Development  
Corporation

## CONSULTATION AND COMMUNICATION

41. The contents of this require do not require further consultation.

## EQUALITY AND DIVERSITY

42. It is not expected that the subject of the report will have an effect on groups of people with protected characteristics.

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Agenda Item 9

Report to the Hartlepool Development Corporation Board

28 April 2026

Report of Head of Performance Risk and Assurance

# BOARD RISK MANAGEMENT REPORT

## SUMMARY

This report provides the Board with a clear and focused overview of the principal strategic risks facing Hartlepool Development Corporation (HDC), including current exposure and key management actions.

## RECOMMENDATIONS

It is recommended that the Hartlepool Development Corporation Board Committee:

- i. **Note** the current strategic risk position.
- ii. **Provide challenge and feedback** where appropriate on the risks and planned mitigations.
- iii. **Endorse the direction of travel** for key mitigation plans and governance improvements.

## OVERALL RISK POSITION

1. The Strategic Risk Register sets out the most significant risks affecting HDC's ability to:
  - meet its statutory responsibilities
  - maintain effective governance
  - deliver agreed priorities

2. A number of risks remain above target at this stage, particularly in relation to strategic alignment, organisational capacity and financial sustainability, including the position of Middleton Grange Shopping Centre.

This reflects the current period of transition, including ongoing strategic review activity and the evolving operating model for the Development Corporation.

These risks are recognised and are being actively managed through a programme of structured review, governance strengthening and alignment of priorities and resources. The register provides a clear view of those areas requiring continued focus and oversight as this work progresses.

3. This report presents the Hartlepool Development Corporation's Risk Register as of April 2026.

#### **KEY THEMES FOR BOARD ATTENTION:**

4. Strategic Risk Summary:

##### **Strategic alignment and prioritisation**

A programme of work is underway to review and refine strategic direction, delivery priorities and governance arrangements to ensure a clear and deliverable forward position.

##### **Financial and commercial resilience**

Medium-term financial sustainability, including the performance and position of Middleton Grange Shopping Centre, remains a key area of focus. Work is underway to align financial planning, asset strategy and delivery priorities.

##### **Capacity and operating model**

The current operating model, including the balance of internal capacity, shared services and external support, is under review to ensure it is appropriate and sustainable for future delivery.

##### **Governance and oversight**

Actions are in progress to strengthen governance arrangements, clarify decision-making responsibilities and support effective Board and committee oversight.



Risk ID	Risk Summary	Residual Risk Score	Risk Target	RAG Status	Treatment Action Plan / Updates	Treatment Action Plan Delivery Date / Control Frequency
RISK-00003219	Financial Sustainability – There is a risk that financial pressures and funding constraints may impact HDC’s ability to maintain a sustainable medium-term financial position aligned to its priorities.	25	4	● Red	A structured financial and strategic review is underway to align resources with delivery priorities and the emerging operating model. This includes ongoing financial monitoring, review of funding requirements and integration of financial planning with wider strategic decision-making. This work will inform a sustainable medium-term position.	Monthly financial monitoring and quarterly reporting; ongoing review - June 2026 milestone
RISK-00003220	Middleton Grange Shopping Centre Commercial Viability – There is a risk that changes in market conditions and operating costs may affect the commercial performance of Middleton Grange Shopping Centre.	25	12	● Red	Active asset management arrangements are in place, supported by regular financial and operational monitoring. An Asset Manager has been appointed to strengthen oversight and performance management. Ongoing review work is being undertaken to inform the future commercial approach and ensure alignment with wider financial and strategic considerations.	Monthly financial monitoring and quarterly reporting; ongoing review - June 2026 milestone








RISK-00003254	Committee Constitution and Effectiveness – There is a risk that the Audit and Governance Committee may not consistently maintain the appropriate mix of membership, independence and skills required to operate effectively.	25	5	Red	A governance review is underway to strengthen committee effectiveness, including development of a skills matrix, recruitment and appointment arrangements, and enhanced induction and refresher training. This will support a more consistent and effective approach to governance and oversight.	Ongoing governance review with regular reporting
RISK-00002562	Strategic Direction and Masterplan Deliverability – There is a risk that strategic direction and the masterplan may not be sufficiently clear, prioritised or aligned to current constraints, impacting deliverability.	20	5	Red	A structured strategic reset is underway in collaboration with TVCA to refine priorities, align the masterplan with the delivery pipeline and investment strategy, and confirm a clear forward position. Regular reporting to the Board has been established to support oversight and decision-making.	June 2026 milestone; quarterly reporting
RISK-00003288	Middleton Grange Shopping Centre Property Management Oversight – There is a risk that property management and contract oversight arrangements may not consistently deliver expected performance and compliance.	16	12	Amber	A review of governance, reporting and contractual oversight arrangements is underway to strengthen performance management and compliance. This will support clearer accountability and more consistent delivery of expected standards.	Review to be completed March 2026 with ongoing oversight





RISK-00002581	Delivery Capacity and Operating Model – There is a risk that HDC does not have sufficient capacity and support arrangements to deliver its programme effectively.	16	12	 Amber	An operating model review is underway to assess core resource requirements and the balance between internal capacity, shared services and external support. This work will inform a sustainable delivery model aligned to future priorities.	September 2026 milestone; ongoing monitoring
RISK-00002565	Asset Transfer, Stewardship and Liability Management – There is a risk that asset transfers and management arrangements are not supported by sufficient clarity on liabilities and stewardship.	15	5	 Amber	Asset due diligence processes are in place, supported by asset risk registers and ongoing engagement with insurance advisors. The asset management approach is under review to strengthen clarity of responsibilities and long-term stewardship arrangements.	Monthly review and ongoing controls
RISK-00003015	Planning Function – There is a risk that planning arrangements may not consistently operate with the required efficiency or clarity.	15	4	 Amber	Outsourced planning support is in place, supported by established governance arrangements, ongoing training and regular monitoring. These arrangements are being kept under review to ensure they remain effective and aligned to delivery requirements.	Ongoing with regular monitoring



## ROLE OF THE BOARD IN RISK OVERSIGHT

5. The Strategic Risk Register supports the Board in discharging its governance responsibilities.

The Board's role is to:

- Review the overall risk profile
- Provide challenge and assurance on risk exposure and mitigation
- Focus on risks above target
- Ensure alignment between risk, strategy and key decisions

Management remains responsible for owning and mitigating risks. The Board provides oversight, challenge and assurance.

## BACKGROUND

6. The Strategic Risk Register is the Corporation's primary tool for identifying and monitoring risks at a corporate level.
7. A recent review has refined the register to:
  - strengthen alignment with strategic priorities and governance arrangements
  - reflect the current operating environment, including recent Cabinet decisions and the ongoing review of HDC and MDC
8. The register distinguishes between:
  - Residual risk – current level of exposure
  - Target risk – intended position once actions are embedded

## PARTNERSHIP & ENGAGEMENT

9. The Strategic Risk Register has been developed and maintained through ongoing engagement with internal stakeholders and relevant partner functions.

Internal engagement has included:

- Leadership Team members
- Statutory officers and senior managers
- Finance, Governance, Performance, Risk and Assurance teams

10. This engagement supports:

- consistent identification and ownership of risks
- alignment between strategic risks and operational management arrangements
- appropriate escalation of cross-cutting issues

11. This engagement now supports effective reporting to the Board, ensuring that the Strategic Risk Register provides a clear and consistent basis for oversight, challenge and assurance.

## FINANCIAL IMPLICATIONS

12. This report does not seek approval for expenditure, does not request additional funding, and does not amend existing budgetary provision.

13. The recommendations relate solely to the presentation, review and oversight of the Strategic Risk Register, including risks relating to financial sustainability which are already subject to separate governance and decision-making processes.

## LEGAL IMPLICATIONS

14. This report has no direct legal implications and does not propose changes to HDC's statutory functions, governance structures, constitutional arrangements, or decision-making powers.

15. The risks referenced include consideration of governance, compliance and asset-related matters, which are being managed within existing legal and regulatory frameworks.

## RISK ASSESSMENT

16. This report provides oversight of the existing Strategic Risk Register and summarises the current position of the principal strategic risks facing Hartlepool Development Corporation.
17. The report reflects the current risk environment, including the implications of ongoing strategic review activity and the evolving delivery and governance context.
18. The risks referenced are subject to ongoing management, review and escalation through established governance arrangements. While a number of risks remain above target, this is consistent with the current stage of organisational development and the programme of improvement activity underway.

## EQUALITY & DIVERSITY

19. The subject of this report relates to internal governance, risk management and organisational oversight arrangements.
20. There are no direct equality or diversity implications arising from the recommendations. Equality considerations are addressed, where relevant, through individual programmes, projects and decision-making processes.

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