

4 October 2005

Ref: 10/05 Scrutiny
Contact: Ian Gourlay
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To: The Members of the Scrutiny Committee: Councillor Martin Stears (Chairman); Councillor M. Paterson, (Vice-Chairman); Councillors, J.F. Barry, David Billing, P.C.W. Burt, Geoff Hollands, D.J. Horrell, Sal Jarvis, David Kearns, Lorna Kercher, H.M. Marshall, M.R.M. Muir, R.L. Shakespeare-Smith and Michael Weeks.

You are invited to attend a

MEETING OF THE SCRUTINY COMMITTEE

to be held in

**COMMITTEE ROOM 1, COUNCIL OFFICES, GERONON
ROAD, LETCHWORTH**

on

TUESDAY, 11 OCTOBER 2005

at

7.30pm

Yours sincerely,



David Miley
Democratic Services Manager

AGENDA
PART I

ITEM	PAGE
1. APOLOGIES FOR ABSENCE	-
2. MINUTES To take as read and approve as a true record the Minutes of the Scrutiny Committee held on 13 September 2005.	-
3. NOTIFICATION OF OTHER BUSINESS Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of the business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chairman will decide whether the item(s) raised will be considered.	-
4. DECLARATIONS OF INTEREST (INCLUDING PARTY WHIP DIRECTIONS) To receive from Members of the Committee any declarations of interest in respect of any business set out in the agenda or any advice from a Member of this Committee concerning a party whip direction. Members should either declare a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared. Members declaring a prejudicial interest should leave the room and not seek to influence the decision during that particular item of business.	-
5. PUBLIC PARTICIPATION □ To receive petitions, comments and questions from members of the public. At the time of printing the agenda, no requests to speak had been received. Public participation requests received within the agreed time will be notified to Members as soon as practicable.	-
6. URGENT/GENERAL EXCEPTION ITEMS The Chairman to report on any urgent or general exception items which required his agreement.	1
7. CALLED-IN ITEMS To consider any matters referred to the Committee for a decision in relation to a call-in of a decision. At the time of printing the agenda, no items of business had been called-in.	-
8. CHAIRMAN'S ANNOUNCEMENTS	-

9. **QUESTIONS**
 To receive and respond to any questions either set out in the agenda or tabled at the meeting.
10. **NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT FORWARD PLAN: 1 NOVEMBER 2005 – 28 FEBRUARY 2006** 5
To note items on the Council's Draft Forward Plan and to give consideration to any items set out in the Plan prior to a decision being made.
11. **WORK PROGRAMME 2005/2006 – SCRUTINY COMMITTEE & SUB-GROUPS** 9
 REPORT OF THE SCRUTINY OFFICER
To consider the issues that the Scrutiny Committee plans to scrutinise at future meetings and the activities of its sub-groups.
12. **IVEL COURT, LETCHWORTH – THE COUNCIL'S ASSET MANAGEMENT & PLANNING AUTHORITY ROLES** TO FOLLOW
 REPORT OF THE STRATEGIC DIRECTOR OF FINANCIAL & REGULATORY SERVICES
To consider the Council's Asset Management and Planning Authority roles, with particular regard to the redevelopment of Ivel Court, Letchworth.
13. **ALCOHOL FREE ZONES** TO FOLLOW
 REPORT OF THE ACTING HEAD OF POLICY, PERFORMANCE & PARTNERSHIPS
To report on a proposal, pursuant to Cabinet's decision to progress with the determination of the need for an Alcohol Free Zone in Royston, to establish the need for Alcohol Free Zones in other areas of the District.
14. **PRESENTATION – HOUSING & ENVIRONMENTAL HEALTH PORTFOLIO HOLDER**

Future meetings of the Scrutiny Committee:

- 1 November 2005
- 6 December 2005
- 10 January 2006
- 21 February 2006
- 21 March 2006
- 11 April 2006

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**SCRUTINY COMMITTEE
11 OCTOBER 2005**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

6

TITLE OF REPORT: URGENT/GENERAL EXCEPTION ITEMS

See attached.

URGENT/GENERAL EXCEPTION ITEMS THAT THE CHAIRMAN (OR IN HIS ABSENCE, THE VICE-CHAIRMAN) OF SCRUTINY COMMITTEE GAVE PERMISSION TO BE CONSIDERED BY CABINET WHICH WERE NOT INDICATED ON THE FORWARD PLAN

CABINET – 20th SEPTEMBER 2005:

Title of Report	Purpose of Report	Reason for Urgency	Decision Made by Cabinet
Consideration of Implementation of 'Alcohol Free Zones'	<p>To present the policy background to evidencing the need for, and progressing, where deemed appropriate, the implementation of alcohol free zones across the District.</p> <p>To seek urgent approval to commence this process in Royston Town Centre given the recent increase in drinking related disorder there.</p>	<p>Due to increasing public and Member concern regarding an escalation in drink related disorder in Royston in particular, with an undertaking that this would be considered at the Cabinet meeting on 20 September 2005.</p>	<p>(1) That the application to progress with determination of need for an alcohol free zone in Royston be approved;</p> <p>(2) That the gathering of evidence regarding alcohol related disorder district wide be approved and a report be brought to a future meeting.</p>

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

9a

TITLE OF REPORT: QUESTION

The following question has been submitted by Councillor D. Billing:

"I am puzzled as to why little seems to have happened to the recommendations of the Scrutiny Task & Finish Group on Area Governance, since the Cabinet meeting on 17 May. That meeting set out a timetable (appendix B to the report to Cabinet), which included :

1. by end June : Area Chairs meet re. appendix A (sections A & B)
2. Early July : Area Committee workshop(s) re. appendix A (sections A & B)
3. August cycle onwards : Area Committee to implement re appendix A (sections A & B)
4. August 23 : Report to Cabinet re. Appendix A (section C) items requiring further work
5. Sept 20 : Progress report to Cabinet re. Appendix A (section C)
6. Early Sept : Area Chairs/Committee workshop re. Appendix A (section C)

Apart from the first of these, none of the above have happened, and I have seen no notes or outcomes from the first item.

What progress has been made, what are the reasons for the delays, and what is the definite revised timetable?"

[A response to this question will either be tabled or given orally at the meeting]

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

10

**TITLE OF REPORT: NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT
FORWARD PLAN: 1 NOVEMBER 2005 – 28 FEBRUARY 2006**

See Attached.

NORTH HERTFORDSHIRE DISTRICT COUNCIL FORWARD PLAN

DRAFT Forward Plan of Key Decisions 1 November 2005

The Forward Plan contains brief details of key decisions that the Council is likely to take over the next four-month period. You will also find details of contacts who can provide further information and hear your views.

Decision required and date first appearing on plan	Overview and Scrutiny	Decision maker	Date of decision	Main consultees	Method of consultation	Relevant documents	Costs or Savings	Portfolio Holder & Contact officer
Review of Council Tax Discounts for Long Term Empty Property 08/05	Scrutiny Finance Sub-Group	Cabinet	15 Nov	N/A	N/A	Previous report to Cabinet of 13 January 2004	TBA	Cllr Terry Hone Howard.crompton@north-herts.gov.uk 01462 474247
Local Development Framework Annual Monitoring Report 09/05		Cabinet	15 Nov	none	N/A	District Local Plan no 2		Cllr Richard Thake andy.beavan@north-herts.gov.uk 01462 474317
Revenue budget monitoring Quarterly	Scrutiny Committee Finance Sub Group	Cabinet	15 Nov	None	N/A	2004/05 Ledger	N/A	Cllr Terry Hone Clare.fletcher@north-herts.gov.uk 01462 474243
Selection of preferred developer for Ivel Court, Letchworth 08/05		Cabinet	15 Nov	Residents of Jackmans Estate and ward Councillors	Public exhibition in Sept.	Development proposals	TBA	Cllr Allison Ashely Patrick.odling-smee@north-herts.gov.uk 01462 476360

Decision required and date first appearing on plan	Overview and Scrutiny	Decision maker	Date of decision	Main consultees	Method of consultation	Relevant documents	Costs or Savings	Portfolio Holder & Contact officer
Capital budget monitoring quarterly	Scrutiny Finance Sub-Group	Cabinet	15 Nov		N/A	Interim Accounts		Cllr Terry Hone barrie.jones@north-herts.gov.uk 01462 474243
Revenue budget monitoring Quarterly	Scrutiny Committee Finance Sub Group	Cabinet	15 Nov	None	N/A	2004/05 Ledger	N/A	Cllr Terry Hone Clare.fletcher@north-herts.gov.uk 01462 474243
Alcohol Free Zones 11/05		Cabinet	20 Dec	NHDC Area Committees Residents	meetings public advert	draft schemes	N/A	Cllr T Gibbs liz.green@north-herts.gov.uk 01462 474230
Budget 2006/07 08/05	Scrutiny Committee Finance Sub Group	Cabinet	20 Dec	None	N/A	Budget Strategy	N/A	Cllr Terry Hone Norma.atlay@north-herts.gov.uk 01462 474297
Procurement Strategy Annual Review 08/05	Scrutiny Finance Sub-Group	Cabinet	20 Dec		N/A	N/A	N/A	Cllr Terry Hone barrie.jones@north-herts.gov.uk 01462 474243
Tendering for the Community Meals Service from 01/04/06 05/05		Cabinet	20 Dec	Cllrs, Specialist Suppliers, Users, Potential Partners - HCC and other Herts LAs	Tender responses	Tender Timetable, Service Specification	TBA	Cllr Allison Ashley Lynn.saville@north-herts.gov.uk 01462 474530
Policy for the management of cemeteries 04/05		Cabinet	17 Jan 2006	Local Groups	Discussion groups	Wilbury Hills Cemetery development proposals	None	Cllr Bill Davidson andrew.mills@north-herts.gov.uk 01462 474272

TITLE OF REPORT: WORK PROGRAMME 2005/06 - SCRUTINY COMMITTEE and SUB GROUPS

REPORT OF THE SCRUTINY OFFICER

1. SUMMARY

This report shows the issues that the Scrutiny Committee plans to scrutinise at future meetings. It also lists the Committee's sub-group activities and aims to help the Committee to plan its future work.

2. FORWARD PLAN

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

3. SCRUTINY COMMITTEE WORK PROGRAMME

1 November	<ul style="list-style-type: none">• Community Engagement portfolio holder• Draft scope of Engaging Young People task & finish group• Referral from Finance sub 13/10/05• Local Development Framework Annual Monitoring Report
6 December <i>(provisional date)</i>	<ul style="list-style-type: none">• Referral from Finance sub 10/11/05
10 Jan 06	<ul style="list-style-type: none">• Waste and Environment portfolio holder• Referral from Finance sub 15/12/05
21 Feb 06	<ul style="list-style-type: none">• Referral from Finance sub 26/01/06
21 March 06	<ul style="list-style-type: none">• Leisure & E-Government portfolio holder• Annual Review• Referral from Finance sub 23/02/06
11 April 06	<ul style="list-style-type: none">• Annual Report• Green Spaces Strategy

4. SUB GROUPSAnti-Social Behaviour Task and Finish Group

- 4.1 The Task and Finish Group amendments to the Anti Social Behaviour action plan were accepted by the Responsible Authorities Group (RAG) sub-group in August 2005 and the Anti-Social Behaviour Task and Finish Group is now closed.

Finance Sub Group

- 4.2 The ongoing Finance sub-group did not meet in September. It is due to meet next on 13 October 2005 and an update will be provided at the next Scrutiny Committee meeting on 1 November 2005.

Affordable Housing Task & Finish Group

- 4.3 The commencement of this Task and Finish Group has been postponed until early 2006 due to a lack of staff resources; this is pending the recruitment of a new Head of Housing and Environmental Health and Housing Strategy Manager.

Engaging Young People Task & Finish Group

- 4.4 The first meeting of this Task & Finish Group was postponed until the 17 October 2005. An update will be given at the next Scrutiny Committee meeting, this is likely to include a draft scoping document.

Residential Parking Task & Finish Group

- 4.5 The first meeting of this Task & Finish Group was held on 7 September 2005 with a subsequent meeting on 21 September 2005. Cllr Bloxham has been elected as Chair and the scope of information which will be required to progress the review has been determined. The next meeting will be held on the 19 October 2005.

Usage and Promotion of Markets Task & Finish Group

- 4.6 At the meeting held on 13 September 2005, the Scrutiny Committee approved the establishment of a Markets Task and Finish Group to be chaired by a Conservative Group Member. The composition of Task and Finish Groups has been agreed as:-
- 4 × Conservative Members
 - 2 × Labour Members
 - 1 × Liberal Democratic Member
 - + the relevant Cabinet Portfolio Holder (in this case, Cllr I.J. Knighton)
- 4.7 On 23 September 2005, a letter was sent to the Leaders of each of the Political Groups requesting nominations to fill these positions.

5. RECOMMENDATIONS

- 5.1 That Members note the progress made by past and existing sub groups.

6. REASON FOR RECOMMENDATIONS

- 6.1 To enable the Scrutiny Committee to plan and carry out its workload efficiently.

7. CONTACT OFFICER

- 7.1 Rebecca Fogarty
Scrutiny Officer
North Hertfordshire District Council
01462 474536
rebecca.fogarty@north-herts.gov.uk

TITLE OF REPORT: IVEL COURT, LETCHWORTH – THE COUNCIL’S ASSET MANAGEMENT & PLANNING AUTHORITY ROLES**1. SUMMARY**

- 1.1 To advise Members of the Scrutiny Committee about arrangements for Area Committees to be consulted on potential Council development schemes, with particular regard to the Ivel Court development on the Jackmans Estate in Letchworth Garden City.
- 1.2 The Members of the Area Committee will have a presentation on development proposals for the Ivel Court scheme prior to the selection process taking place. However, Members of the Area Committee will only be considering indicative proposals and the track record of any potential developers and will be advised at the presentation, not to comment in detail on specific development proposals. In this regard it is possible for Members of the Area Committee to consider any future planning applications.

2. FORWARD PLAN

- 2.1 This report does not contain a key decision and is therefore not listed on the forward plan.

3. BACKGROUND

- 3.1 Scrutiny Committee requested at their September meeting that a report be presented to this meeting regarding the Ivel Court development process.

4. ISSUES

- 4.1 The overall form, scale and character of the development at Ivel Court aims to provide a diversity of buildings and spaces that will create a focal point within Jackmans Estate. The development’s location at the entrance to Jackmans Estate necessitates a high quality development achieved through good design and high quality materials. The application for planning permission will be from the Council as landowner and it will therefore have to go to Committee for decision. In this circumstances it is necessary for considerable caution to be exercised to protect against any appearance of Members having a preferred scheme prior to the application being considered at the Committee hearing.
- 4.2 Following a process of design competition following extensive consultation with the community and key stakeholders it was agreed to award the project to the winning design following further amendment to the details of the scheme and subject to further consultation with the community and stakeholders. As part of the next consultation period, the scheme will be presented to Letchworth Area Committee, for information.

Cabinet approval will be sought at the conclusion of the consultation period for agreement of a development proposal for the project. The Cabinet Members will then be seen as the sponsor of the proposal and as such will have prejudicial interests in the matter, which will preclude them from being involved in the consideration of the application in any way.

- 4.3 Scrutiny Committee was keen to ensure that the relative roles of the Area Committees are clear and that consultation, in relation to the Council's asset management and other functions, do not prejudice the ability of the Area Committees to consider planning matters. The decision making on the asset management is made by officers or Cabinet.
- 4.4 Clearly, in the case of the Ivel Court scheme Members of the Area Committee are being presented with indicative submissions provided by prospective developers, as part of the consultation process. However, these submissions include illustrations of how potential development could be undertaken on the site rather than including specific development proposals. The schemes that they have produced to illustrate their submissions to the Council are purely that, illustrations. The schemes are not fully worked up nor have they been appraised from a planning prospective. The report that Members will receive will deal with a whole raft of issues relating to the potential content of the scheme, the general approach that the potential developers have taken and the track record of delivering similar schemes elsewhere.
- 4.5 Members will be able to ask questions in relation to the presentation and express provisional views on the potential developers based on the issues identified in the previous paragraph, but will be advised not to come to any conclusions. It will be important for Members to consider their future role as decision-makers in any future planning application, both in their comments on the schemes and any recommendations that they make. Members will need to be clear that they accord with the Members' Code of Conduct and the Planning Guidance of Best Practice.
- 4.6 In general terms, given the potentially conflicting role of Area Committee Members as decision-makers on planning applications and consultees on other Council business, it is important that the processes adopted by Officers minimise areas of potential conflict.

5. LEGAL IMPLICATIONS

- 6.5.1 Members are reminded to be guided by the Council's Planning Guidance and to be cautious of the need to ensure the integrity of the planning process is preserved and free from perceptions of bias.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 There are no financial implications directly arising from this report. The processes for advancing Council development need to consider risk minimisation.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 7.1 There are no direct H.R. or equalities implications arising from this report.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 8.1 As detailed above.

9. RECOMMENDATIONS

9.1 That the contents of the report be noted.

9.2 That the issues in relation to the Ivel Court scheme upon which Members of the Letchworth Area Committee will receive a presentation, as detailed in the report, be noted.

10. REASONS FOR RECOMMENDATIONS

10.1 To provide guidance to Officers and Members on the diverse roles of the Area Committee.

11. ALTERNATIVE OPTIONS CONSIDERED

11.1 Not relevant.

12. APPENDICES

12.1 None.

13. CONTACT OFFICERS

David Scholes
Barrie Jones
Frances Bogie
Kerry Shorrocks

13.14. BACKGROUND PAPERS

None.

TITLE OF REPORT: CONSIDERATION OF THE IMPLEMENTATION OF ALCOHOL FREE ZONES ACROSS NORTH HERTS

REPORT OF THE HEAD OF POLICY, PARTNERSHIPS AND PERFORMANCE

The attached report for Cabinet 18 October 2005 outlines the statistical evidence gathered to date in the consideration of implementation of alcohol free zones.

This follows an original report to Cabinet on 20 September regarding consideration of such implementation in Royston, which was a key decision not contained on the Forward Plan and therefore subject to the approval of the Chairman of the Scrutiny Committee for inclusion at that time.

Cabinet agreed on 20 September that the consultation on Royston should proceed and that the evidencing would continue for the remainder of the district.

Members of the Scrutiny Committee are requested to consider the contents of this report and comment accordingly.

CABINET
18 October 2005

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

CONSIDERATION OF THE IMPLEMENTATION OF 'ALCOHOL FREE' ZONES ACROSS NORTH HERTS

REPORT OF THE HEAD OF POLICY, PARTNERSHIPS AND PERFORMANCE

1. SUMMARY

- 1.1 To present the policy background to evidencing the need for, and progressing where deemed appropriate, the implementation of alcohol free zones across the district.
- 1.2 To inform the Cabinet of evidence gathered to date from the Police and other agencies regarding drinking both within the streets and park areas.

2. FORWARD PLAN

- 2.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on the 1st October 2005

3. BACKGROUND

- 3.1 NHDC currently have the ability to implement byelaws for parks and open spaces which state that a 'person shall not in the pleasure ground willfully obstruct, disturb, interrupt or annoy another person in the proper use and enjoyment....' which could include drunken behaviour. However, it is recommended that Councils adopt powers under section 13 of the Criminal Justice and Police Act 2001 to replace any such byelaw. By virtue of Section 15 of the said Act any byelaw which prohibits the consumption of alcohol in a public place by creating an offence or makes any incidental or supplementary provisions will cease to have effect.
- 3.2 Section 13 of the Criminal Justice and Police Act 2001 allows Local Authorities to designate public areas for the purposes of section 12 **where they are satisfied** that nuisance or annoyance has been caused to the public or a section of the public or that disorder has been associated with public drinking in that area. The offence in section 12 will not be consumption of alcohol in a designated public place, but drinking after being required by a constable not to do so, where constable has a reasonable ground for believing the person has been consuming alcohol in that designated place, or failing to surrender alcohol or an open container for the same. These powers do not, however, currently extend to Police Community Support Officers (PCSOs) although they do offer a visible presence within the given area and can remind those drinking of the possible implications of their actions.

- 3.2 Before an area is proposed for designation, the Local Authority must obtain sufficient evidence to be satisfied that the area has antisocial nuisance or disorder associated with it . Any proposals for a comprehensive ban on public drinking would be considered disproportionate to the intended purpose behind the measures contained in the Act.
- 3.3 The creation of designated areas may well lead to anti-social drinking or nuisance being displaced into areas that have not been designated for this purpose. Before making an area designated, guidance states that the Authority should make an assessment of all the areas to which they reasonably believe that nuisance or disorder would be displaced, and ensure that all those affected by the designation are appropriately consulted.
- 3.4 Whilst this proposal would not impact on public events (such as the annual Royston picnic where participants supply their own alcohol and imbibe it responsibly), under the Licensing Act 2003 where the *supply of alcohol or provision of entertainment* on public space occurs, there still needs to be a licence issued - this would be the case for Rhythms of the World in Hitchin for instance. It is recommended that the local authority needs to obtain this licence where they are the land owner.
- 3.4 The proposal to consider the policy and resource implications of reducing drinking in public was originally considered in Hitchin in early 2004, when there was insufficient evidence of need. However, in the light of increasing public concern regarding antisocial behaviour in Royston Town Centre and the decision to progress to public consultation endorsed by their Area Committee on 4th October, it was agreed by Cabinet on 20th September that an assessment of the whole district be made now, to be reported to Cabinet in October 2005.

4 ISSUES FOR HITCHIN, LETCHWORTH AND BALDOCK

4.1 Evidence of events - 03 March 2005 - 31 August 2005

	street drinking	drunkenness	alcohol related offences
Baldock	3	30	55
Hitchin	20	64	123
Letchworth	13	99	186
Rural	firm figures not yet available, but the Police report that there are 'no known areas of significance' within NH rural - further information has been requested		
<i>Royston (comparison)</i>	<i>30</i>	<i>113</i>	<i>168</i>

Street drinking, as the terms implies, relates to the person being stopped in the possession of an open alcohol container. Drunkenness is self explanatory but could equally relate to those persons having left an establishment or drunk alcohol in the street or local park, whereas alcohol related offences as defined by the police are general disorder believed to have been carried out under the influence of alcohol.

4.2 Timing

Considering the relatively low number of street drinking incidents in each of the towns

Baldock, there is no clear pattern established regarding time of events. This is not necessarily the case though for alcohol related offences, which tend to be in the period from 10.00 pm onwards through to the early hours.

4.3 **Days of week**

Unsurprisingly, street drinking incidents are more prevalent towards the weekend, with Friday evening being highest for recorded offences. This contrasts with drunkenness and alcohol related offences, which are evenly distributed across Fridays, Saturdays and Sundays. For Hitchin alone, there is a more clear pattern of incidents occurring on Fridays and Saturdays.

4.4 **Evidence of drinking in specific locations**

Evidence from police patrols and the street cleaning services highlight areas where most drinking takes place to be;

- | | | |
|------------|---|--|
| Letchworth | - | Broadway Gardens and Broadway Walk
Howard Gardens |
| Baldock | - | West Avenue Park and High Street |
| Hitchin | - | Market Place, Windmill Hill and Bancroft Gardens |

4.5 **Confiscations**

The largest number of confiscations takes place in Broadway Gardens, where the Police regularly take alcohol away from youngsters using the park of an evening. As in Royston, further investigation of the source of this alcohol is to take place, believed to have been purchased within the town centre.

5 **NEXT STEPS**

- 5.1.1 Subject to agreement by Cabinet, the figures for each town centre will be reported to the relevant Area Committee for their consideration of progressing to public consultation and ultimate implementation as deemed appropriate.
- 5.2 Determination of 'indicative maps' for each town will be agreed based on evidence of incidents by use of hotspots.
- 5.3 Consultation with the public and relevant ward councillors will take place, with the final decision regarding implementation taken by Cabinet in light of substantial evidence to support an Order being made.
- 5.3 Consultation with Herts Constabulary will be required in terms of final determination of alcohol free zones and their agreement to resource.

5. **LEGAL IMPLICATIONS**

- 5.1 The authority has power to consider implementation of sections 12 and 13 of the Criminal Justice and Police Act 2001 and, if satisfied that the grounds exist, to designate a public place in its area as one where alcohol cannot be consumed. Should these provisions be adopted Council will need to resolve that an Order be made and publicised.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 This proposal will require some expenditure in terms of signage and consultation outside existing budget allocations, but this will largely depend on the size and location of the prohibition areas as agreed. It is therefore recommended that the full financial implications and allocation of funding be considered by Corporate Management Team in due course.
- 6.2 It is important that the Council shows it has taken full account of the evidence in North Herts, in order to address public and police concerns regarding alcohol related disorder.

7 HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 7.1 There are resource implications for both the Community Safety and Legal teams in terms of sourcing more substantial evidence of need and progressing the legal establishment of the identified zones. This will, however, diminish as any implementation takes place and is therefore time limited.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 8.1 The consideration will require full public consultation over a 28 day period and assembly of findings arising.
- 8.2 Initial discussions have taken place with the Herts Constabulary regarding their evidence of need and ability to resource the order once in place. Further discussion will be required as any application progresses.
- 8.3 As public consultation progresses, it will be vital to liaise further with ward members in each location to determine the extent of the zone and their assistance in contributing to the collation of local evidence will be invaluable.

9. RECOMMENDATIONS

- 9.1 That Cabinet note the evidence gathered to date.
- 9.2 That Cabinet consider whether further work should progress to consideration of alcohol free zones in each individual area given the evidence presented.

10. REASONS FOR RECOMMENDATIONS

- 10.1 The figures included within the report show that there is a level of on street drinking taking place in each of our towns, including an element of antisocial behaviour which is drink related.

11. ALTERNATIVE OPTIONS CONSIDERED

- 11.1 The consideration of Section 30, Dispersal Orders was considered, but is not deemed appropriate given that the evidence clearly links to the imbibing of alcohol.

12. APPENDICES

None.

13. CONTACT OFFICERS

Liz Green
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Head of Legal and Democratic Services
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01462 474460

Barrie Jones
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01462 474243

Kerry Shorrocks
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14. BACKGROUND PAPERS

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

14

PRESENTATION BY THE PORTFOLIO HOLDER FOR HOUSING & ENVIRONMENTAL HEALTH

PRESENTATION BY COUNCILLOR MRS A.G. ASHLEY, PORTFOLIO HOLDER FOR HOUSING & ENVIRONMENTAL HEALTH