

6 September 2005

Ref: 09/05 Scrutiny  
Contact: Pat Wilkings  
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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, M. Paterson, 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, GERNON  
ROAD, LETCHWORTH**

on

**TUESDAY 13 SEPTEMBER 2005**

at

**7.30pm**

Yours sincerely,



David Miley  
Democratic Services Manager

**AGENDA**  
**PART I**

<b>ITEM</b>	<b>PAGE</b>
<b>1. APOLOGIES FOR ABSENCE</b>	-
<b>2. MINUTES</b> To take as read and approve as a true record the Minutes of the Scrutiny Committee held on 19 July 2005.	-
<b>3. NOTIFICATION OF OTHER BUSINESS</b> 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.	-
<b>4. DECLARATIONS OF INTEREST (INCLUDING PARTY WHIP DIRECTIONS)</b> 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.	-
<b>5. PUBLIC PARTICIPATION</b> □ 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.	-
<b>6. URGENT/GENERAL EXCEPTION ITEMS</b> The Chairman to report on any urgent or general exception items which required his agreement. At the time of printing the agenda, the Chairman had not agreed any urgent or general exception items.	-
<b>7. CALLED-IN ITEMS</b> 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.	-
<b>8. CHAIRMAN'S ANNOUNCEMENTS</b>	-

<b>9.</b>	<b>QUESTIONS</b> To receive and respond to any questions either set out in the agenda or tabled at the meeting.  Question 9(a) Councillor P Mardell	<b>1</b>
<b>10.</b>	<b>NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE FORWARD PLAN AT 1 OCTOBER 2005</b> To note items on the Council’s Forward Plan and to give consideration to any items set out in the Plan prior to a decision being made.	<b>3</b>
<b>11.</b>	<b>WORK PROGRAMME 2005/2006 – SCRUTINY COMMITTEE &amp; SUB-GROUPS</b> REPORT OF THE SCRUTINY OFFICER	<b>5</b>
<b>12.</b>	<b>IMPACT OF FREEDOM OF INFORMATION ON PART II ITEMS</b> REPORT OF THE HEAD OF LEGAL & DEMOCRATIC SERVICES	<b>23</b>
<b>13.</b>	<b>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 AND ANTI-SOCIAL BEHAVIOUR ACT 2003</b> REPORT OF THE HEAD OF HOUSING & ENVIRONMENTAL HEALTH	<b>27</b>
<b>14.</b>	<b>ITEMS REFERRED FROM SCRUTINY COMMITTEE FINANCE SUB GROUP 21 JULY AND 18 AUGUST 2005</b> A. Final outturn 2004/05 and Statement of Accounts B. Revenue Budget Monitoring 1 <sup>st</sup> Quarter	<b>33</b>
<b>15.</b>	<b>SUPPORT FROM OFFICERS TO MEMBERS</b> REPORT OF THE STRATEGIC DIRECTOR (FINANCIAL AND REGULATORY SERVICES)	<b>35</b>
<b>16.</b>	<b>SCOPE OF RESIDENTIAL PARKING TASK &amp; FINISH GROUP</b> Oral update.	<b>45</b>
<b>17.</b>	<b>PLANNING AND TRANSPORT PORTFOLIO HOLDER PRESENTATION</b> Councillor Richard Thake, the Portfolio Holder for Planning and Transport, will be informing the committee of matters relating to his portfolio	<b>47</b>
<b>18.</b>	<b>SUGGESTED RESOLUTION</b> That under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph (9) of Part 1 of Schedule 12A of the said Act.	

## PART II

<b>19.</b>	<b>HITCHIN FRIDAY FRANCHISED BRIC A BRAC MARKET</b> REPORT OF THE HEAD OF LEISURE SERVICES	
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## **PART II**

Future meetings of the Scrutiny Committee:

11 October 2005

1 November 2005

6 december 2005

10 January 2006

21 February 2006

21 March 2006

11 April 2006

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**TITLE OF REPORT: QUESTION****The following question has been submitted by Councillor P Mardell:**

“The budget to provide railings on the upper floors of the multi-storey car park at Letchworth has been transferred away from this project, without the work being carried out. Therefore the danger of items being thrown onto people, cars etc. remains. What was the reasoning behind the decision not to install these railings?”

**The following response has been provided by the Properties Manager:**

The decision taken by officers not to proceed with the installation of security railings around the perimeter of the top decks at the Letchworth multi storey car park was based on the following considerations.

Any railings erected around the perimeter of the top decks of the car park would present a climbing opportunity for the groups of youths that regularly frequent the building in the evenings and at weekends. Because of this, the railings would need to be of particularly heavy duty construction with robust vertical sections fixed to the existing parapet walls at intervals of not more than 1.2 metres. Officers are of the view that the extent of fixings required to ensure rigidity and security of each vertical support and the process of drilling for these with percussion/hammer drills could adversely affect the long term integrity of the parapet walls. Officers are also mindful that external facing brickwork could also become impaired by the extensive drilling work required to install the railings.

On the basis of the foregoing considerations, the Council’s leasehold tenure of the building and existing parapet walls of sufficient height to prevent accidental injury it was concluded that it would not be in the Council’s best interests to proceed with the proposed works.

**PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**10**

**TITLE OF REPORT: NORTH HERTFORDSHIRE DISTRICT COUNCIL FORWARD PLAN  
AT 1 SEPTEMBER 2005**

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**TITLE OF REPORT: WORK PROGRAMME 2005/06 - SCRUTINY COMMITTEE & 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**

11 October	Housing & Environmental Health portfolio holder Draft scope of Engaging Young People task & finish group Outcome of the independent enquiry into local and parliamentary elections Report from Royston, Buntingford & Bishop's Stortford PCT joint scrutiny committee re Royston Hospital? see 2.1 below
1 November	Community Engagement portfolio holder Referral from Finance sub 13/10/05
6 December	provisional date Referral from Finance sub 10/11/05
10 Jan 06	Waste and Environment portfolio holder Referral from Finance sub 15/12/05
21 Feb 06	Referral from Finance sub 26/01/06
21 March 06	Leisure & E-Government portfolio holder Annual Review Referral from Finance sub 23/02/06
11 April 06	Annual Report Green Spaces Strategy

- 3.1 At the meeting of 19 July the Scrutiny Committee requested that Members be sent a copy of the report from the Royston Buntingford and Bishop's Stortford PCT Joint Scrutiny Committee meeting of 26 July regarding Royston Hospital. However, the promised report was not provided by the PCT and therefore East Herts Council have introduced new measures to ensure that minuted actions are delivered in future.

- 3.2 At the same meeting Members asked for reports on

- the general level of PCT debt – due October 2005

- GP recruitment – attached at Appendix 1
- the lack of GP/Health Centre services at Great Ashby and Breachwood Green – due later in 2005/06

These reports would be for information only, since this committee has agreed not to scrutinise matters being scrutinised by another body; in this case, the joint PCT scrutiny committees.

- 3.3 As resolved, the chair of this committee has written the chair of the County Council's Health Scrutiny Committee asking how to reinvigorate the district's joint health scrutiny committees and improve their effectiveness. An update will be given at the meeting.
- 3.4 Finally, this committee has been looking at the support given to Members by Officers regarding ward issues. A separate report will be made at this meeting.

#### **4. SUB GROUPS**

##### Anti Social Behaviour Task & Finish Group

- 4.1 This group has produced an Antisocial Behaviour Protocol that has now been accepted by the portfolio holder Community Engagement and the Responsible Authorities Group (RAG), a multi-agency group of which the Council is a member.
- 4.2 The second and final part of this group's work was to scrutinise the antisocial behaviour action plan developed by RAG. The group has suggested amendments which will be considered by a sub group of RAG during August. An updated action plan will then be considered by the task & finish group. If their suggested amendments have been adequately reflected in the changes made by RAG, then the task & finish group's work will be concluded. An oral update will be given at the meeting.

##### Joint Topic Group (Highways)

- 4.3 This group's recommendations were accepted by the Cabinet on 26 July 2005 and so this review is concluded. However, the Scrutiny Committee may wish to return to the issue later in 2005/06 to review progress on its 23<sup>rd</sup> recommendation:

*That NHDC and HCC review the existing Highways Partnership Agreement during 2005/06 and implement any changes from 2006/07.*

##### Finance sub group

- 4.4 This ongoing sub group met on 21 July and 18 August and their recommendations went to Cabinet on 26 July and 23 August. The recommendations are reported to this meeting in a separate report.

##### Affordable Housing

- 4.5 Members have now been nominated for this new task & finish group as follows:

Conservative: Cllrs Barry, Muir, Paterson and Shakespeare-Smith  
 Labour: Cllrs Lunn and David Billing  
 Lib Dem: Cllr Oliver  
 Portfolio holder: Cllr Ashley

4.6 At the Scrutiny Committee meeting of 19 July, Members agreed that this group should be chaired by one of the Labour group's nominees.

4.7 A lead officer has yet to be identified and therefore this group has not yet met.

#### Engaging Young People

4.8 Members have now been nominated for this new task & finish group as follows:

Conservative: Cllrs Wren, Miller and Marshall + 1 tba

Labour: Cllrs Hartley and Sheard

Lib Dem: Cllr Inwood

Portfolio holder: Cllr Gibbs

4.9 At the Scrutiny Committee meeting of 19 July, Members agreed that this group should be chaired by the Liberal Democrat group's nominee.

4.10 The first meeting of this group is on 15 September 2005 and an update will be given at the next meeting of this committee on 11 October. This is likely to include a draft scoping document.

#### Residential Parking

4.11 Members have now been nominated for this new task & finish group as follows:

Conservative: Cllrs Cunningham, Paterson and Bloxham + 1 tba

Labour: Cllrs Kercher and Sangha

Lib Dem: Cllr Kingman

Portfolio holder: Cllr Thake

4.12 At the Scrutiny Committee meeting of 19 July, Members agreed that this group should be chaired by one of the Conservative group's nominees.

4.13 The first meeting of this group is on 7 September 2005 at which Members will consider a draft scoping document. If Members agree a scoping document it will be circulated in advance of the Scrutiny Committee meeting. An oral update will be given at the meeting.

#### Usage & Promotion of Markets

4.14 Formation of this task & finish group has been delayed, pending a report to the Performance, Audit & Review Committee (PARC) on the usage and performance of the council's markets. That committee received the report on 28 July 2005 as at Appendix 2, and following discussion with the chair of the Scrutiny Committee, the chair of PARC informed that meeting that the Scrutiny Committee would now conduct a review.

4.15 Members are reminded that this committee agreed on 19 July that such a review would also consider the Friday bric-a-brac market. Minute 35 refers.

4.16 There are currently three task & finish groups, chaired by nominees from each of the three party groups. The committee might therefore consider that with regard to proportionality, this fourth task & finish group would be chaired by a Conservative group Member.

## 5. RECOMMENDATIONS

- 5.1 That Members note the progress made by past and existing sub groups.
- 5.2 That Members agree the scope for the new Residential Parking task & finish group, if presented at this meeting.
- 5.3 That Members note the report at Appendix 1 regarding GP recruitment.
- 5.4 That the party groups be invited to nominate Members for a new task & finish group to consider the usage and promotion of the council's markets, and that this be chaired by a Conservative group member.

## **6. REASON FOR RECOMMENDATIONS**

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

## **7. APPENDICES**

Appendix 1: North Herts & Stevenage Primary Care Trust – Recruitment and Retention of General Practitioners

Appendix 2: Market Utilisation and Performance report - Report to the Performance, Audit & Review Committee (PARC) on 28 July 2005.

## **8. CONTACT OFFICER**

- 8.1 Jackie Sayers, Scrutiny Officer  
01462 474536 [jackie.sayers@north-herts.gov.uk](mailto:jackie.sayers@north-herts.gov.uk)

## **RECRUITMENT & RETENTION OF GENERAL PRACTITIONERS**

### **Summary report of issues and progress.**

#### **1. Introduction**

This report has been prepared following a meeting of the North Herts and Stevenage Joint Primary Care Trust, Scrutiny Committee on 28<sup>th</sup> February 2005. The Scrutiny Committee requested a written report outlining the reasons for the difficulties in recruiting GP's; what efforts had been made by practices to address the difficulties and what else could be done to ensure the ongoing adequate supply of GP's to the local community and in particular Great Ashby.

#### **2. Background**

The PCT has undertaken some preliminary work for a health care facility on the Great Ashby site and is in the process of undertaking a health needs assessment in order to inform the potential accommodation requirements.

This work has recently been transferred to the PCT's Primary Care Team and following discussion with the developer, it has been agreed that a formal paper will be submitted to the PCT's Professional Executive Committee in July 2005. The outcome of this discussion will then be communicated to all appropriate parties.

It was also agreed that the PCT would outline the main points of this formal paper, with initial proposed options, to the Scrutiny Committee in June 2005.

Whilst individual GP practices are independent practitioners and therefore free to determine their own workforce / skill mix, the PCT recognises its role and responsibility in providing a supporting organisational framework for workforce planning and development in General Practice.

The Strategic Health Authority supports Primary Care Trusts and GP practices in developing innovative and workable solutions to the issues of recruitment and retention of Primary Care staff.

On October 1<sup>st</sup> 2004, the Workforce Development Confederation integrated fully with the Beds & Herts Strategic Health Authority and is now known as the Workforce Development Directorate (WDD).

The overall aim of the WDD is to work with local NHS and non-NHS member employers, to plan and develop the whole healthcare workforce to meet the healthcare needs of the local population effectively.

In recent years there have been growing concerns nationally regarding the shortage of GP's in the National Health Service.

However the number of practitioners (excluding GP registrars, GP retainers and locums) in England rose on average by 1.5% per year between 1994 and 2004. Of these 25 % are working part time compared to 13% in 1994.

The number of GP Registrars (trainees) has also increased by 77% since 1994 with the total number of female GP Registrars up by 94%. Currently 60% of GP Registrars are female. (Statistical Bulletin March 2005).

In accordance with the NHS Improvement Plan 2004 an increasing shift of secondary to primary care work is being seen, with a projected 80% of patient care eventually provided in primary care settings.

GP recruitment is undoubtedly a national problem, however there are regional and local factors influencing demand and supply together with turnover. This is greatest in communities, which are unattractive to GPs and for instance where property / re- location costs are high eg. Hertfordshire. This combined with increasing numbers of existing GPs nationally taking early retirement and a growing number of females entering the profession and choosing to work part-time, simultaneously presents a catalyst for change.

Successful recruitment and retention also depends upon workforce development having a high priority and integrating it more closely with service development and role re-design.

### **3. Current Position**

Although 2 years ago there were approximately 11 wte vacancies within North Herts and Stevenage PCT, with 7 of these being in Stevenage; at the current time there are no GP vacancies actively being recruited to practices.

This is due to a number of successful proactive initiatives and follows the successful recruiting of new GP's in Stevenage, Knebworth and Letchworth.

In line with skill mix reviews and role re - design alternative Health Care Professionals are also increasingly being employed to undertake Primary Care.

The implementation of the new Pharmacy contract in April 2005 will also support this shift, with Pharmacists playing a vital role.

However since 2003 there has been a 6% increase in GPs over 50 yrs in NHST PCT. ( 4% increase in the county overall ). Currently 32 % of all GP's in Hertfordshire are aged 50 yrs or over and therefore reaching the potential to retire.

The underlying issue therefore of GP's likely to retire within the PCT, combined with the potential for some to retire early, continues to present a challenge in maintaining an adequate workforce.

### **4. Premises**

The availability of suitable new/alternative premises for those practices currently constrained by their buildings and facilities is also of significance. Hence whilst keen to undertake more work and expand the services offered their current premises are operating to full capacity and this prohibits the potential to recruit to new posts even if they chose to do so.

The current discussions related to the development of an Enhanced Primary Care Centre in Stevenage gives the opportunity to explore role and service redesign and is likely to embrace the need for a Primary Health Care Team unlike that of the traditional model. This work is in the early stages and is being progressed in conjunction with other developments related to Investing In Your Health and the subsequent service re-configuration across Bedfordshire and Hertfordshire.

### **5. Initiatives To Date**

- **Recruitment & Retention Strategy**

In April 2004 a joint Beds & Herts Workforce Development Confederation Strategy was agreed to increase the recruitment and retention of GPs in Bedfordshire and Hertfordshire. This collaborative strategy provides close collaboration between PCTs, the Local Medical Committee, the WDD and GP Deanery in supporting an increase in the GP workforce across the health economy as a whole. NHST PCT adopted the principles of this document together with designating a PCT liaison lead to the WDD, working in conjunction with PCT's across the quadrant.

- **Recruitment & Retention Tool Kit**

A tool kit developed by the WDD in 2004 and adopted by the PCT has been designed to assist practices through the process of recruiting a GP or other practice staff member including administrative staff. It offers guidance from advertising, promotion material e.g. GP recruitment schemes, recruitment packs, interview and selection procedures and induction programmes.

The tool kit was circulated to all practices and has since been utilized by Practice Managers in recruiting practice staff.

- **Recruitment Bus**

Several times each year including 2004 the WDD has coordinated and supported this recruitment event to enable NHS health care providers in Beds/Herts to promote job opportunities for all health care professionals locally. This has included PCTs. The bus has toured the two counties and has been successful in making contact with local people and job seekers, whilst based in a variety of venues e.g. shopping centres, supermarket car parks etc. Enquiries for job opportunities are logged and individuals followed up. Whilst GP's have not been recruited via this route, it is an opportunity for Practices and the PCT to promote opportunities.

- **General Practice in the 21<sup>st</sup> Century Conference**

In November 2004 the WDD sponsored this event at Whipsnade Zoo in order to provide opportunities for PCT's and other agencies to promote their organisations and to advertise general practice vacancies.

NHST PCT was represented and manned a PCT stand.

The event was well evaluated and facilitated the dissemination of information and learning, relevant to local and national recruitment and retention issues. It also highlighted the need to have general practice recruitment and retention as a priority on all agendas.

## **6. Retention**

Existing initiatives have placed emphasis upon recruitment rather than retention.

Research however has concluded that many GPs male and female find key features of "traditional" general practice problematic including financial and administrative responsibilities, lack of geographical freedom and difficulty combining senior partner positions with other medical and personal special interests.

There is a clear need for measures to provide more flexible working hours and career paths, accommodating career breaks, within local strategies which address all issues across the whole local health economy.

## **7. The New GMS Contract**

The New General Medical Services Contract now agreed with all GPs, aims at improving the quality and range of services for patients. It also gives PCTs the ability to shape services,

increase primary care capacity to meet local needs and address wider issues across the NHS as a whole.

Implementation of the New Gms Contract in 2004 has also been an opportunity to revitalize General Practice and attempt to make it more attractive and improve the working lives of GPs, whilst utilizing the full skills of the Primary Care Team.

Whilst the time scale for delivery has been challenging it is a great opportunity for service and role re-design in providing innovative ways of delivering health care to the local population.

It also enables primary care teams including GPs to manage their workload more effectively in accordance with the income to which they aspire.

Work/life balance can also be improved through out of hour's changes, whereby GPs can opt in or out of service provision.

## **8. GP Career Scheme Opportunities**

In order to reflect changing life style choices and some of the problems connected with recruitment and retention the following schemes are available for practices to offer when recruiting to a vacancy, enabling GPs to work flexibly within a practice e.g.

- **Flexible Career Scheme**
  - part time working
  - taking time out whilst maintaining their skills
  - retired GPs who want to return at a different pace
  - working in another field e.g. as an academic or GP with special interest, whilst also retaining a regular post in general practice.

▪ <b>Retainer Scheme</b>
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This scheme is intended to ensure that doctors who can only undertake a small amount of paid professional work, can keep in touch with General Practice, retain their skills and progress their careers with a view to returning to General Practice in future. Thereby combining service commitment and continuing professional development.

- **Returner Scheme**

This provides GPs who have chosen to return to practice with a specially tailored programme of training and supervision.

- **Higher Professional Education**

This scheme is aimed at doctors who have completed their vocational training in the last 12 months. It is a national scheme to both support and nurture General Practitioners in the critical time after completing the GP Registrar year.

- **Salaried GP**

This is open to any qualified GP with negotiated salary structure and working hours, rights to NHS Pension, and possible support to medical defence organisation subscriptions. New GPs increasingly prefer this option with employment by either a GP practice or PCT.

- **Partnership**

Historically this has been the route into General Practice however this is currently changing due to the many different employment schemes, which are now available.

It is open to all qualified GPs whereby there is an option to buy into the practice on a self-employed basis.

- **Flexible Retirement Options**

This offers alternatives to retirement enabling a GP to reduce the number of hours worked or move into a role within the NHS, which has different demands e.g., no on-call commitment, or an advisory or mentoring role. Working only in school holidays or winter months, complimenting other GP preferences e.g. term time working.

- **Golden Hello Payment**

New or retired GPs may be eligible for this payment, which aims to encourage doctors into or to return to General Practice.

Payments range from £3k to £7k depending upon the individual commitment and whether or not the PCT is in an undoctored area.

## **9. International Recruitment**

The PCT continues to consider collaborative initiatives in recruiting health care professionals including GPs from other countries in order to support and sustain the workforce of the future. To date however it has not participated in international recruitment until both national and local initiatives have been fully explored/utilized and exhausted. Any such collaborative would be undertaken in accordance with Department of Health policy and guidelines.

## **10. Recruitment Websites**

In order to enable wider promotion of available GP vacancies in practices across the PCT and to identify career scheme opportunities as described above, the Local Medical Committee has developed a dedicated website, to support advertising of these details. This covers vacancies in Beds & Herts. Adverts remain on the website for three months or longer if necessary and can be accessed by applicants from the UK and internationally with a facility for completing an on-line application form.

GP applicants are then given information about the practice vacancy and also the opportunity to make contact with the individual practice. Hyperlinks to GP practice websites are also available on this site.

The Workforce Development Directorate also promotes NHS career opportunities with information available on its website across a variety of topics including a link to NHST PCT website which is a source of local information about the PCT. E recruitment is becoming increasingly popular by jobseekers and is an effective and swift means of receiving information about potential applicants and also subsequent applications. Details of informal enquiries are forwarded to the corresponding practice or to the PCT for follow up.

The Eastern Deanery website is also very informative covering a range of related topics and in particular modernising medical careers, education and training and career options.

## **11. Modernising Medical Careers**

New funding for the implementation of innovative new training programmes for junior doctors has recently been announced.

The new foundation programme will offer placements in general practice and will have a structured programme of managed education. This is just the first in a series of landmark changes to post graduate medical education and aims at reducing clinical attrition and therefore increasing the number of UK doctors to the health service. Pilots have shown that Primary Care placements have been very successful and this is indicative of the ongoing shift of patient care to Primary Care environments rather than hospitals.

An anticipated 55% of trainees are simultaneously predicted to be actively seeking a placement in General Practice in 2006/07.

## **12. The Changing Workforce and The Future**

The implementation of the New GMS Contract, the NHS Improvement Plan, and more staff working differently are instrumental in influencing plans for a radical shift in thinking, around workforce re-design in Primary Care.

The PCT recognises that recruiting GPs is always going to be challenging. By considering innovative ways of service/role re-design and shifting some of the work traditionally undertaken by GPs, to other Primary Care staff e.g. Practice Nurses, Pharmacists, Community based Nurses/Specialist Nurses and Therapists, and making significant changes to the way services are offered to patients, more diverse primary care teams will be created.

The appropriate delegation of GP tasks will enable GPs to undertake the more specialist and complex time-consuming work resulting from the New GMS Contract and Secondary to Primary Care Shift, whilst also ensuring that patients receive the right service at the right time from the most appropriate health care professional.

It remains explicitly clear that General Practice Recruitment and Retention must remain as a high priority on all agendas in order to ensure the provision of a workforce fit for purpose in the 21<sup>st</sup> century.

**Julie Goodwin**  
**Service Development Manager**  
**May 2005**

## APPENDIX 2

<b>*PART 1 – PUBLIC DOCUMENT</b>	<b>AGENDA ITEM No.</b>  <b>7</b>
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### **TITLE OF REPORT: MARKETS UTILISATION AND PERFORMANCE REPORT**

### **REPORT OF THE STRATEGIC DIRECTOR OF CUSTOMER SERVICES**

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

- 1.1 To inform PARC Members of the current Market utilisation and performance.

#### **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. BACKGROUND**

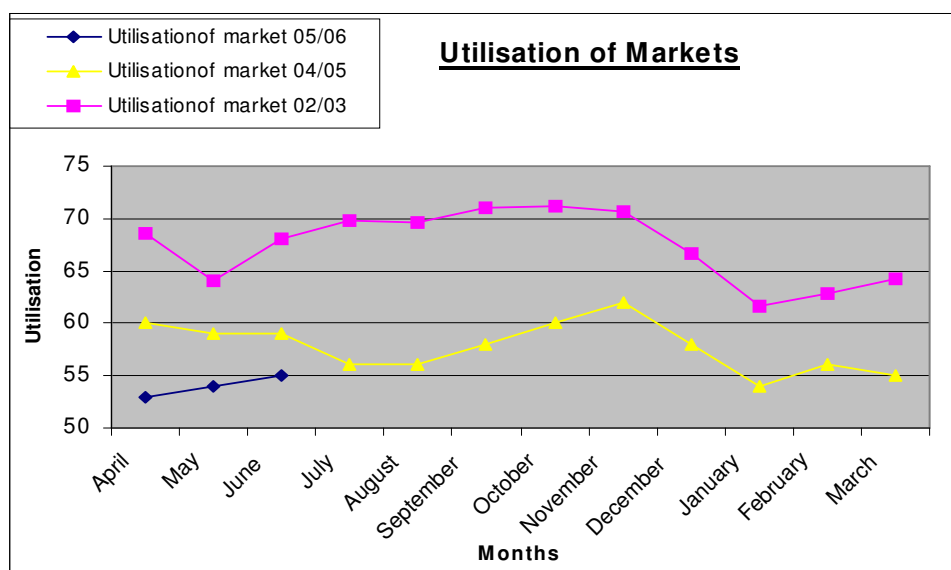
- 3.1 The Project Manager attended the February 2005 PARC meeting and presented the Market utilisation. The following was resolved:

- (1) That the performance management data for the period April 2004 to December 2004 be noted;
- (2) That the areas of under-achievement and good performance be noted;
- (3) That it be agreed that the performance target for LC4 ' The percentage of market halls hired as a percentage of stalls available' be changed from 70 per cent to 60 per cent, not the 57 per cent as recommended by officers;
- (4) That officers be requested to provide an update report to the July 2005 meeting of this Committee on the utilisation of Market Stalls throughout North Hertfordshire;

- 3.2 This report will identify the current utilisation and the marketing that has been undertaken in recent months.

## 4. MARKET UTILISATION

4.1 The following graph shows the market utilisation from 2003/04 to June 05.



4.2 Appendix A provides a detailed breakdown of utilisation for the month of June, for all of the Council's Markets, the table below shows a summary of this information.

Market	2003	2004	2005	Difference between 2003-2005
Baldock Wednesday	70%	52%	49%	21%
Royston Wednesday	67%	63%	59%	8%
Royston Saturday	57%	60%	57%	0%
Hitchin Tuesday	61%	53%	51%	10%
Hitchin Friday	60%	55%	46%	14%
Hitchin Saturday	80%	71%	66%	14%
	67%	59%	55%	12%

4.3 The above graph and table shows the utilisation has decreased by 4% percent against last year's figures. Recent studies by the National Market Traders Federation (NMTF) show there is a national decline in outdoor markets. Our utilisation figures indicate that the Royston Markets have not changed significantly against last year, however the Baldock and Hitchin markets have seen a higher decrease.

4.4 In April of this year a Traffic Regulation Order (TRO) was introduced on the Baldock market, since then five new traders have started trading. The TRO prevents people from parking in the market area, which in turn has created a better environment.

4.5 The Hitchin Market is the Councils biggest outdoor market with just over 200 stalls, this market is performing well on a Saturday, although it has seen a drop of 14% since 2003 were 80% of the stalls were occupied. The Tuesday and Friday Markets have declined by 10% and 14% respectively since 2003. A factor that is contributing to this is the Churchgate development. When looking at attracting new traders from other markets, traders from established pitches are unlikely to move to a market that is seen to have an uncertain future.

4.6 Other factors that have contributing to the reduction for the market utilisation are people shopping trends. There is now a greater range of shops that provide a similar

quality and price as that of goods purchased on the market, these shops are open seven days a week and are direct competition. Also, the growth and availability of the Internet has enabled people to purchase many goods from the comfort of their home. Due to these reasons, less people are visiting our markets and the knock on affect is, it is harder to attract and keep traders and customers.

- 4.7 The National Association of British Market Authorities (NABMA) has recently published a National Retail Market Survey, a summary of this will be provided at the committee meeting.
- 4.8 Although there are a number of factors that are making it difficult to attract traders, the Markets Manager meets with the Hitchin Traders Committee on a month basis to discuss operational issues, including marketing and promotion of all markets.
- 4.9 The following section of the report will focus on incentives and the marketing that the Market team has undertaken to try and improve the current utilisation.

## **5. INCENTIVES / MARKETING**

### **5.1 Marketing**

- 5.1.1 The Markets Manager has written a Marketing Plan for 2005/6. Appendix B provides a summary sheet that details the key areas for advertising and recruitment of traders.
- 5.1.2 This year the marketing budget is £22k, the total spent to the end of June is approximately £5k, this is on profile. Appendix B show the amount of money that has been spent on advertising over the last four years. In 2003/04 and 2002/03, the total included advertising for the Council's Halls and Markets, the Halls budget was approximately £4k each year. Last year the advertising exceeded the budget allocation, the main reason for this, there was a lot of negative press and the aim was to counteract this.
- 5.1.3 The team has also planned three main events to improve the utilisation, these are as follows: An Easter Eggstravaganza, a charity hat day for the NSPCC to be held in October and a Christmas Craft Fair to be held during November and December.

### **5.2 Farmers Market**

- 5.2.1 Officers have recently carried out a survey on the location/day of the Farmers Market, from the information gathered, the location and day had to be revisited. It was evidenced that the day was good for producers and remains the same 4<sup>th</sup> Tuesday of the month, the location was not ideal. Therefore, it was decided to move the Farmers Market to the Market Square.
- 5.2.2 The operational aspect and revenue of the Farmers Market will remain the responsibility of the Markets Office.
- 5.2.3 The re-launch of the Farmers Market will be on the 26<sup>th</sup> July 2005 at 8.30am. The Markets Office is currently working on the opening event.

## **6. LEGAL IMPLICATIONS**

6.1 No legal implications have been identified.

## **7. FINANCIAL AND HUMAN RESOURCE IMPLICATIONS**

7.1 The Marketing Plan has been developed and will be funded from the revenue budgets from the 2005/06 accounts.

7.2 There are no Human Resource Implications.

## **8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

8.1 Consultation has been undertaken with representatives from the Hitchin Market Traders Association, Spokesperson for Leisure, Senior Officers and a range of suppliers.

## **9. RECOMMENDATIONS**

9.1.1 For PARC Members to note the progress of the Markets current performance and utilisation.

## **10. REASONS FOR RECOMMENDATIONS**

10.1 To ensure PARC Members are informed of the current market performance.

## **11. APPENDICES**

11.1 Appendix A – Breakdown of June's Market Utilisation Figures from 2003 - 2005

11.2 Appendix B – Marketing Summary Sheet

## **12. CONTACT OFFICERS**

12.1 Vaughan Watson, Head of Leisure Services, Tel 01462 474641,  
email [vaughan.watson@north-herts.gov.uk](mailto:vaughan.watson@north-herts.gov.uk).

12.2 Steven Crowley, Project Manager, Tel 01462 474211,  
email [steve.crowley@north-herts.gov.uk](mailto:steve.crowley@north-herts.gov.uk).

12.3 Tara Page, Markets Manager, Tel 01462 456202,  
email [tara.page@north-herts.gov.uk](mailto:tara.page@north-herts.gov.uk)

## Markets report Appendix A

Date	Subject/Activity	Space Size	Cost Actual £	Committed Total £
26/03/05	Easter Egg Competition	Half Page		
5/4/05	Archant – Comet, NH area and Webb site	Feature	170.00	170.00
5/4/05	Archant- The News	fortnightly Banner Advert – cancelled	420.00	420.00
25/04/05	Market Trade News. Stall availability	½ Page Colour	400.00	400.00
03/05/05	Retired & Living Mag.	2 page advertising feature	500.00	500.00
04/05/05	Market Trader. Traders required. 8 repeats @ £274.5	¼ page	1372.50	2321.50
07/05/05	Archant – Baldock Crow	Baldock Festival	242.00	242.00
08/06/04+05	Atlas UK	Stevenage Map	450.00	450.00
30/07/05	Chiltern Radio	Year advertising		6750.00
<b>TOTAL</b>			<b>3554.50</b>	<b>4503.50</b>

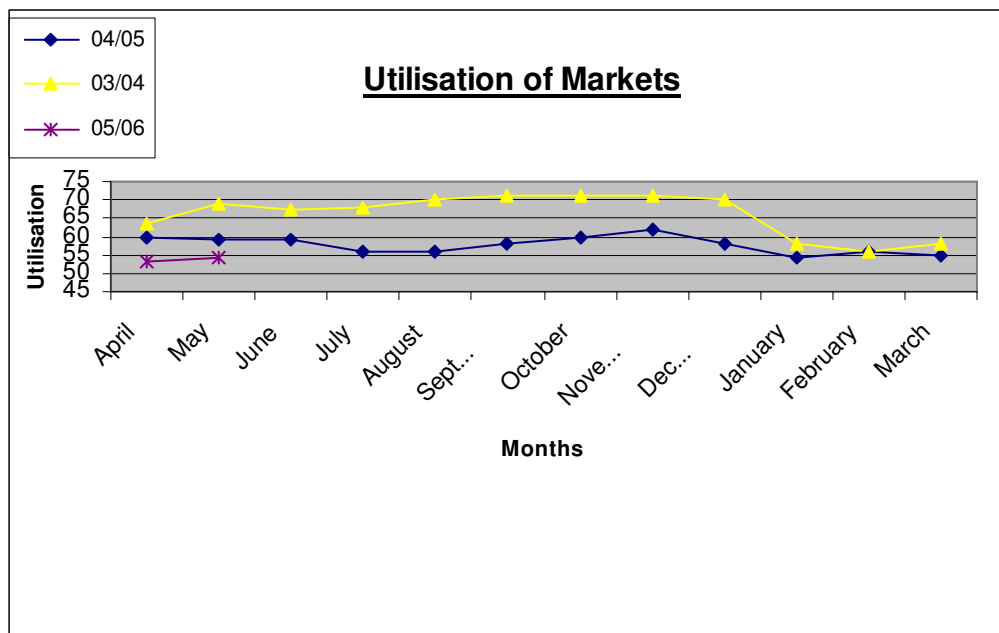
The table below shows the total amount of advertising that has been spent since 2002/03

	2005/06	2004/05	2003/04	2002/03
April	£ 1,537	£ 619	£ 3,003	£ 1,865
May	£ 1,356	£ 5,933	£ 697	£ 1,882
June	£ 2,099	£ 2,868	£ 5,247	£ 765
July	£ -	£ 4,232	£ 4,489	£ 640
August	£ -	£ 4,757	£ 1,225	£ 2,869
September	£ -	£ 5,460	£ 3,267	£ 959
October	£ -	£ 1,563	£ 1,849	£ 295
November	£ -	£ 720	£ 3,669	£ 795
December	£ -	£ 938	£ 125	£ 1,548
January	£ -	£ 3,301	£ 833	£ 864
February	£ -	£ 2,090	£ 568	£ 1,345
March	£ -	£ 2,315	£ 1,468	£ 655
<b>Total</b>	<b>£ 4,991</b>	<b>£34,796</b>	<b>£26,438</b>	<b>£14,482</b>

2003/04 & 2002/03 budget was shared between Markets and Halls

## Markets report Appendix B

	03/04	04/05	05/06
April	64	60	53
May	69	59	54
June	67	59	
July	68	56	
August	70	56	
September	71	58	
October	71	60	
November	71	62	
December	70	58	
January	58	54	
February	56	56	
March	58	55	
<b>Total</b>	<b>66</b>	<b>58</b>	



In July when we first reviewed our year end performance the market had shown a decline against the previous years figures.

It is noticeable that the Market performed better during Sept- December than expected

Last year there was a decline between December and January of 12%, we hope this year this will be reduced.

Taking the above into consideration the predicted finish is 57%

Markets report Appendix B cont.

**Breakdown of June's Market Utilisation Figures from 2003 - 2005**

	2003					2004					2005				
Market	Licensed	Casuals	Total	Max	%	Licensed	Casuals	Total	Max	%	Licensed	Casuals	Total	Max	%
Baldock	28	2	30	43	70%	17	5	22	43	52%	14	7	21	43	49%
Royston Wednesday	37	3	40	60	67%	35	3	38	60	63%	34	1	35	60	59%
Royston Saturday	29	5	34	60	57%	30	6	36	60	60%	31	3	34	60	57%
Hitchin Tuesday	123	6	129	210	61%	105	6	111	210	53%	91	17	108	210	51%
Hitchin Friday	42	84	126	210	60%	31	84	115	210	55%	27	70	97	210	46%
Hitchin Saturday	157	12	169	210	80%	140	8	148	210	71%	126	12	138	210	66%
	Total utilisation		528	793	67%	Total utilisation		470	793	59%	Total utilisation		433	793	55%

**Advertising**

	2005/06	2004/05	2003/04	2002/03
April	£ 1,537	£ 619	£ 3,003	£ 1,865
May	£ 1,356	£ 5,933	£ 697	£ 1,882
June	£ 2,099	£ 2,868	£ 5,247	£ 765
July	£ -	£ 4,232	£ 4,489	£ 640
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Total	£ 4,991	£ 34,796	£ 26,438	£ 14,482

2003/04 & 2002/03 budget was shared between Markets and Halls

**TITLE OF REPORT: IMPACT OF FREEDOM OF INFORMATION ON PART II ITEMS**

REPORT OF THE HEAD OF LEGAL &amp; DEMOCRATIC SERVICES

**1. SUMMARY**

To advise the Committee further to the request of the Chairman at Minute 36 of the Scrutiny Committee of 19 July 2005, that “a report be brought to the next meeting regarding the impact of the Freedom of Information Act 2000 on the Council's ability to withhold information as defined in Paragraph (9) of Part 1 of Schedule 12A of the Local Government Act 1972”

**2. FORWARD PLAN**

This item is not a key decision and has not been referred to in the Forward Plan.

**3. BACKGROUND**

- 3.1 Having considered reports in open session relating to Firthdene Market, the Committee then were asked to resolve “That under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph (9) of Part 1 of Schedule 12A of the said Act.”
- 3.2 The report considered the options available for the Council in respect of the market and referred to contract options and risks in an attached Appendix. A member of the Committee objected to the proposed resolution and raised the issue of rights of access to documents under the Freedom of Information Act 2000. The Committee requested that this advice come back to them for consideration.

**4. ISSUES**Schedule 12A of the Local Government Act 1972

- 4.1 The Local Government Act 1972 requires public access to reports to be considered at meetings to be held in public, unless s100B(2) applies, whereby the meeting is not likely to be open to the public, in the opinion of the Proper Officer. Where a report to be considered is not open to inspection it must be marked “Not for publication” and include the description under Schedule 12A, by virtue of which the public are likely to be excluded. The exclusion of the public from the meeting can be made where it is likely that exempt information is to be discussed. The decision on this is taken by the vote of the committee on the resolution.

- 4.2 The Item to resolve to go in to Part 11 on the Agenda for the 19 July meeting states the reason for this by reference to Schedule 12A, as being Paragraph 9. This provides for information to be exempt if it relates to “any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract ...”. The condition for this is that it is exempt only if and for so long as disclosure to the public would prejudice the authority in those negotiations, or any other concerning that property or service.

#### Freedom of Information Act 2000

- 4.3 The Freedom of Information Act 2000 creates a general right of access to information held by a local authority. This right is subject to defined exceptions, set out in Part 11 of that Act. The Act sets out the mechanisms for making and processing requests and for enforcement and appeal of such requests, where refused.
- 4.4 The Act requires the local authority to produce and maintain a Publication Scheme which specifies the classes of information which the authority publishes and how they do so. Information must then be published in accordance with this scheme. The NHDC Publication Scheme specifies that reports for decision making “open to the public” will be published.
- 4.5 Where an exemption under the Freedom of Information Act applies to information held by the authority, the duty to confirm or deny its existence or to provide it, does not arise, if the exception is absolute or the public interest in not confirming or denying outweighs the public interest in doing so.
- 4.6 There are 24 exemptions, set out in Part 11 of the Freedom of Information Act. Of relevance in relation to a report exempt from publication under paragraph 9 of Schedule 12A of the Local Government Act 1972, would be the exception in relation to commercial interests. s.43 of that Act provides that information is exempt if:-
- 1) it constitutes a trade secret
  - 2) If its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the authority)

The exemption relates to the duty to confirm or deny the existence of information, to the extent that doing so would, or would be likely to, prejudice the commercial interests of any person.

Where this test is satisfied, there would be no duty on the authority to notify of the existence of this information and hence none to supply it.

- 4.7 In conclusion, the Freedom of Information Act creates obligations on the authority to identify and disclose information, but this does not necessarily include Part 11 reports. Such reports would however, need to fall within one of the Freedom of Information Act exemptions and Part 11 status alone cannot necessarily be relied on.
- 4.8 The degree of complexity in this area, and the related areas of the Data Protection Act 1998 and the law of confidence, led to the Office of the Deputy Prime Minister consulting on regulations to amend Schedule 12A, in 2004. The consultation paper contains a recommendation from the Access to Information Review Group, established by the Government in 2003, that the current four commercial interest categories in the Schedule, are reduced to one namely “Information which, if disclosed to the public

would, or would be likely to, prejudice the commercial interests of any person (including the authority holding it)." So far these regulations have not been made.

**5. LEGAL IMPLICATIONS**

None other than those contained in the body of the report.

**6. FINANCIAL AND RISK IMPLICATIONS**

Officers should be aware of the need to be clear about the grounds on which reports can be considered in Part 11 and ensure that the appropriate risks to the authority are considered.

**7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

None.

**8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

None.

**9. RECOMMENDATION**

That Members note the content of the report.

**10. REASON FOR RECOMMENDATION**

To respond to the query raised at the last meeting of Scrutiny.

**11. CONTACT OFFICERS**

Frances Bogie, Head of Legal and Democratic Services, ext 4460.

**12. BACKGROUND PAPERS**

Local Government Act 1972.  
Freedom of Information Act 2000  
ODPM Consultation on Local Authority Access to Information.

**SCRUTINY COMMITTEE**  
13th September 2005

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**REVISED REPORT**

**13**

**TITLE OF REPORT**

**Clean Neighbourhoods and Environment Act 2005 and Anti-social Behaviour Act 2003.**

**1. SUMMARY**

- 1.1 To agree the adoption of powers contained within the Clean Neighbourhoods and Environment Act 2005 (CNEA) the Anti-social Behaviour Act 2003 (ASBA) relating to the services provided by the Housing & Environmental Health Service.

**2. FORWARD PLAN**

- 2.1 This report does contain a recommendation on a key decision that has been referred to in the Forward Plan since July 2005.

**3. BACKGROUND**

- 3.1 The ASBA received Royal assent on 20<sup>th</sup> November 2003 with its new powers scheduled for implementation in the following 2 year period. The Act contains a considerable number of powers aimed at dealing with anti-social behaviour, in its broadest sense, including the discretionary power of a local authority to temporarily close a licensed premises if it causes a public nuisance due to excessive noise.
- 3.2 On the request of an occupant of a domestic property, local authorities are given powers to take action to serve a remedial notice on a neighbour of the complainant where they are satisfied that the complainant has taken all reasonable steps to mediate the problem and the hedge is affecting the reasonable enjoyment of the complainant's property. Cabinet considered a paper on these provisions at its meeting of 26 July and noted the requirements of the Act and set a fee level.
- 3.3 The CNEA received Royal assent on 7<sup>th</sup> April 2005. This was earlier than had been anticipated as the final stages of the bill were rushed through Parliament prior to the election.
- 3.4 The CNEA is wide ranging and covers a numbers of Council services and is planned to be enacted over the next eighteen months. This report sets out the principle changes introduced by the Act but concentrates on those clauses that are to be enacted in June 2005.
- 3.5 In 2002 a review of the legislative framework for providing and maintaining a clean and safe local environment was carried out by Defra to accompany the cross-Government report *Living Places - Cleaner, Safer, Greener*. The review found that the powers, duties and guidance for dealing with problems associated with local environmental quality were not working as effectively as they should be, and produced options for delivering changes. These options were contained in the consultation paper *Living Places - Powers, Rights, Responsibilities* launched at the Urban Summit on 31 October 2002. Some were introduced into legislation in Part 6

of the Anti-social Behaviour Act 2003. The majority of the options were developed further and included as proposals for legislative action within the Clean Neighbourhoods consultation launched on 25 July 2004.

3.6 The following paragraphs summarise the contents of the Act.

#### **Part 1: Crime and Disorder**

This Part amends the law relating to crime and disorder reduction partnerships to require them to take into account anti-social and other behaviour adversely affecting the local environment; and makes provision for the gating of minor highways that attract anti-social behaviour under certain conditions.

#### **Part 2: Vehicles**

This Part introduces two new offences relating to the selling of vehicles and the repairs of vehicles on the highway. Authorities now have the power to issue fixed penalty notices of up to £100.00.

This Part also amends the law relating to abandoned vehicles. This allows authorities to issue fixed penalty notices of £200.00 to offenders and require them to provide their name and address. It enables local authorities to immediately remove any vehicle if they think it has been abandoned without waiting 24 hours as previously and allows the removal of vehicles from private roads without having to serve notice on the owner. These provisions come into force on the 7<sup>th</sup> June 2005.

#### **Part 3: Litter and Refuse**

This Part extends the statutory offence of dropping litter to cover any open space regardless of ownership. Local authorities are able to issue fixed penalties and set the level but where they do not then the level is £75.00. The Act also enables parish councils to issue fixed penalty notices under conditions yet to be issued. Local authorities are also empowered to issue litter clearance notices and issue fixed penalty notices for failure to comply of £100.00.

Section 27 clarifies the meaning of "litter" for the purposes of Part 4 of the 1990 Act, by specifically including cigarettes, cigars and like products and discarded chewing gum (including bubble gum). These provisions come into force on the 7<sup>th</sup> June 2005.

The Act also enables the local authority to designate areas where the distribution of free literature has to be licensed and controlled.

#### **Part 4: Graffiti and Other Defacement**

This Part amends the law relating to graffiti, fly posting and the illegal display of advertisements.

Section 43 of the Anti-social Behaviour Act 2003 allows authorised officers to issue fixed penalty notices for the offences of graffiti and fly-posting, and previously sets the amount payable for a graffiti or fly-posting fixed penalty notice at £50.

Section 28 of this Act enables a local authority to vary the fixed penalty amount for a graffiti or fly-posting offence in its area and extends the power to parish councils. Where no amount is specified by a local authority, this section also raises the base amount from £50 to £75. The definition of an "authorised officer" is extended to allow local authorities to authorise individuals other than their own employees for the purpose of giving notices for graffiti and fly-posting offences.

The Act also extends the powers to issue graffiti removal notices to fly posters and changes their name to 'defacement removal notices'.

#### **Part 5: Waste**

This Part makes miscellaneous provision about waste.

Chapter 1 makes provision about the registration of carriers of particular kinds of waste.

Chapter 2 makes provision about the illegal deposit of waste ("fly-tipping"). It enables local authorities to issue fixed penalty notices. Where the authority does not set a limit it is £100.00.

Chapter 3 makes provision to deal with waste generated at construction sites – requiring developers on sites over a certain value to have a plan for the removal and disposal of the waste.

**Part 6: Dogs**

Chapter 1 allows local authorities and parish and community councils to create offences relating to the control of dogs. This power is intended as a more convenient alternative to existing powers to create byelaws. In particular, the new offences do not need to be approved by the Secretary of State. The new system replaces the Dogs (Fouling of Land) Act 1996.

Chapter 2 relieves the police of most of their statutory responsibilities for stray dogs – which remains with the local authority.

**Part 7: Noise**

Local authorities are given new powers to deal with noise from intruder alarms – the ability to designate ‘Alarm Notification Areas’ and require every householder and business to notify the authority of keyholders for alarms. Also a warrant for entry is no longer required so long as force is not required to abate a noise nuisance arising from a defective alarm. The discretionary powers for dealing with night-time noise disturbances provided within the Noise Act 1996 are extended from domestic premises to cover also licensed premises, issuing of fixed penalty notices. This Part also allows local authorities to employ alternative means to resolve complaints about noise qualifying as a statutory nuisance prior to issuing an abatement notice.

**Part 9: Miscellaneous provisions**

The Act extends the definition of statutory nuisance to insects on trade premises and light pollution. The Act also alters the appeal mechanism for remediation measures for contaminated land by transferring it from the Magistrates Court to the Secretary of State.

3.7 The enactment date for the other provisions have yet to be announced and will not take place until the regulations and guidance have been issued. This is not likely before April 2006. There are a number of areas where the authority has been given powers already. The majority of those are being considered as part of the Street Scene Fundamental Service Review and the recommendations of that FSR will advise the Authority on the most appropriate way of implementing those provisions. There are a number of clauses within the legislation that require an urgent response and therefore this report sets out the recommendations to adopt those powers. The recommendation is for the powers to be delegated to the Chief Executive and Director of Finance and Regulatory Services, this being in conjunction with the Head of Legal and Democratic Services, if there is consideration of a prosecution. These have been summarised in the table below.

<b>ASBA</b>	<b>Implications for NHDC</b>	<b>Recommendation</b>
Power to close noisy licensed premises.	This provision may assist the Authority in dealing with noise problems associated with the longer opening hours occasioned by the implementation of the Licensing Act 2003. It will enable an Environmental Health Officer to issue a notice to cease a noise nuisance immediately and provides an alternative to action under the Licensing Act which would take some time to come into affect.	This provision should be adopted. Delegated to the Director of Finance & Regulatory Services.
Power to take action against high hedges.	The Council has the power to enforce conditions by use of remedial notice on high hedges where the owner has been through mediation unsuccessfully.	This provision should be adopted. Delegated to the Chief Executive.

<b>CNEA</b>	<b>Implications for NHDC</b>	<b>Recommendation</b>
Abandoned vehicles	This will improve the Council's enforcement action against abandoned vehicles and improve the speed of the response. There should be a reduction in legal costs through more efficient procedures.	These provisions should be implemented as soon as they are enacted. Delegated to the Director of Finance & Regulatory Services.
Crime and disorder reduction	The Crime Reduction Partnership will be required to take into account the impact of environmental anti-social behaviour in producing its Crime Reduction Strategy.	To be taken into account by the Crime Reduction Partnership.
Duty of care for waste carriers	This will enable more effective prosecution of illegal waste disposal.	To implement as part of fly-tipping enforcement action. Delegated to the Director of Finance & Regulatory Services.
Extension of statutory nuisance to insects and light pollution.	This is a statutory requirement and will be implemented by the Env. Protection Team. There will be a training implication due to the new knowledge required for insects and light pollution.	Implement with adequate training for EHO's. Delegated to the Director of Finance & Regulatory Services.
Changes to the fly-posting removal notices.	This extends the ability to issue notices for graffiti to fly posting.	To be adopted as part of fly-posting enforcement action. Delegated to the Director of Finance & Regulatory Services.
Fly-tipping responsibility for owner	This extends the responsibility for fly-tipping to the owner of private land where there is evidence that the owner has permitted the offence to take place.	To adopted as part of fly-tipping enforcement action. Delegated to the Director of Finance & Regulatory Services.
Power to issue litter clearing notices.	This power can be used in conjunction with Health and Safety and Food Hygiene action in business premises.  Other premises and land will require action and a decision will have to be made on the most appropriate officers to carry out the role.	To be adopted for EHO's to be given the power to issue notices from the date of enactment. Delegated to the Director of Finance & Regulatory Services.  Implementation on a wider basis to await the outcome of the Street Scene FSR.

#### **4. LEGAL IMPLICATIONS**

5.14.1 The Council has the power to adopt legislation and to delegate this power to officers.

#### **6.5. FINANCIAL AND RISK IMPLICATIONS**

6.15.1 There are no budget implications of this report. Additional training will be required for officers adopting the powers recommended in this report however this will be contained within existing budgets.

6.25.2 The Act imposes conditions on the use to which the proceeds from fixed penalty fines can be used. If adopted the use of these measures should be closely monitored as prosecution action may not be resourced within existing structures/budgets.

## **7.6. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

6.1 There are no human resource implications to this report.

## **7. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

8.17.1 Internal stakeholders have been consulted on the recommendations of this report. The Street Scene FSR will carryout widescale consultation on the broader powers contained within the Acts and the Council's response.

## **9.8. RECOMMENDATIONS**

8.1 That Cabinet recommends to Council that the powers contained in the table in paragraph 3.6 are adopted and delegated to the Director of Finance and Regulatory Services.

## **9. REASONS FOR RECOMMENDATIONS**

9.1 The power to temporarily close noisy licensed premises contained within the ASBA is likely to be a valuable aspect of the Authority's approach to the new licensing regime. Whilst it may not be exercised regularly it will nevertheless provide a deterrent to licensed premises that are causing an acute problem.

10.19.2 This CNEA provides NHDC with a significant number of powers to control pollution however the majority of those powers are discretionary and the authority will have to decided which of these they will adopt. Any enforcement will have to show to be cost neutral and therefore decisions over the procedures and resources required to implement these powers needs to be carefully considered. The Street Scene FSR will have to consider how much of a role the authority wants to play in enforcing environment controls and needs to consider the impact on support services as well as the enforcement services.

## **11.10. ALTERNATIVE OPTIONS CONSIDERED**

11.110.1 Alternative options that have been considered are the implementation of the whole raft of powers contained within these Acts. This would potentially have large resource implications for the Authority that would affect our ability to provide other services.

11.210.2 The costs of implementing a system for recording keyholders and maintaining the records for intruder alarms would not be justified by the scale of the problem in North Herts and the adoption of this power is not recommended.

## **11. APPENDICES**

11.1 None

## **12.12. CONTACT OFFICERS**

12.1 Patrick Odling-Smee, Head of Housing & Environmental Health.  
[Patrick.odling-smee@north-herts.gov.uk](mailto:Patrick.odling-smee@north-herts.gov.uk)

12.2 Barrie Jones, Head of Financial Services, Tel 474243,  
Pete Marshall, Chief Engineer

Liz Green, Head of Policy, Performance & Partnerships    Ext 4230  
Patrick Candler, Head of Community Development  
Andy Godman, PEHO Environmental Protection  
Alan Sills, PEHO Commercial Team  
Giovanna Silverio, Licensing & Enforcement Manager

**13.    BACKGROUND PAPERS**

- 13.1    Living Places - Cleaner, Safer, Greener, HMSO, 2002
- 13.2    Clean Neighbourhoods and Environments Act 2005, HMSO
- 13.3    Anti-Social Behaviour Act 2003, HMSO.

**A. REFERRED FROM SCRUTINY COMMITTEE FINANCE SUB GROUP 21 July 2005**

Members of the Finance sub group made the following Recommendations to Cabinet on 26 July 2005:

Final outturn 2004/05 and Statement of Accounts

1. That, in relation to the year-end position on the trading accounts, Cabinet endorses the importance of completing the refurbishment of public conveniences as rapidly as possible to achieve efficiencies in running costs.
2. That Cabinet acknowledges the concerns of the Scrutiny Finance Sub Group regarding the pensions deficit, whilst recognising that there is no alternative to the current strategy of seeking early repayments as the opportunity arises.
3. That Cabinet monitors both the costs and savings associated with the organisational restructure.

Financial Management Strategy 2006-2011

4. That Cabinet considers the Financial Management Strategy report (a) alongside the report, also of 26 July, entitled "Review of Criteria for Financial Assistance to Voluntary and Community Organisations" (b); specifically that Cabinet considers the financial implications contained within (b) when making any recommendation to Council on the future of Special Expenses.

**B. REFERRED FROM SCRUTINY COMMITTEE FINANCE SUB GROUP 18 AUGUST 2005**

Members of the Finance sub group made the following recommendations to the Cabinet on 23 August 2005:

Revenue Budget Monitoring 1<sup>st</sup> Quarter

1. That with regard to the information on rat control, the report should quantify savings and by how much the use of this service has reduced.
2. That such non-financial information be provided where possible for all savings and growth items in future reports.

Members of the Finance sub group made the following recommendation to the Scrutiny Committee of 13 September 2005:

That a report on the current officer review into council tax and summons cost debtor provision be scrutinised by the Finance Scrutiny Sub Group when it is published later in 2005/06.

**TITLE OF REPORT: SUPPORT FROM OFFICERS TO MEMBERS****REPORT OF THE STRATEGIC DIRECTOR FINANCIAL AND REGULATORY SERVICES****1. SUMMARY**

- 1.1 This is a cover report to accompany a draft change to the Council's constitution, setting out the way in which Members can expect officers to support them on matters arising in their ward. The committee will debate the draft and agree a version to be recommended to the Cabinet.

**2. FORWARD PLAN**

- 2.1 This matter is not a key decision and has not been referred to in the Forward Plan.

**3. BACKGROUND**

- 3.1 The Scrutiny Committee received a question at its meeting of 5 April 2005 regarding the support that Members should expect when they contact officers about ward issues.
- 3.2 Responses to a questionnaire to Members in June revealed a general satisfaction with many aspects of the support they receive but some areas for improvement.
- 3.3 At a meeting of the Scrutiny Committee of 19 July Members recommended:
- (1) That Head of Legal Services be asked to redraft and circulate to members of the committee the Officer/Member protocol section of the constitution using the wording of the Norwich City Council constitution, amended to reflect local circumstances and adding a requirement to identify one officer to take responsibility for resolving cross-service or cross-agency issues;
  - (2) That the Corporate Management Team investigate ways to improve mechanisms for members to be kept more generally well informed about ward issues as they arise.
  - (3) That Members' suggestions for improving other aspects of the support they receive from officers be referred to the Corporate Management Team for action as appropriate;
  - (4) That, once the revised protocol has been in place for twelve months, Members be surveyed again to measure any improvement in the support they receive in respect of constituents' enquiries and ward issues.

**4. CONSIDERATIONS**

- 4.1 The above recommendations will be referred to Cabinet on 20 September; therefore recommendation (1) could be accompanied by a recommended wording, such as at Appendix 1.

4.2 Recommendations (2), (3) and (4) if endorsed by Cabinet, will be referred to the council's Corporate Management Team and this committee will wish to receive a progress report in due course.

## **5. LEGAL IMPLICATIONS**

5.1 The Officer/Member protocol is not a formal part of the Constitution. The Council can agree any changes to the protocol.

## **6. FINANCIAL AND HUMAN RESOURCE IMPLICATIONS**

6.1 The specific actions recommended within this report would be met within existing resources. However the Corporate Management Team will need to quantify any resource implications arising from recommendations (2), (3) and (4).

## **7. RECOMMENDATION**

7.1 That Members approve the redrafted Officer/Member protocol section of the constitution as at Appendix 1 for referral to Cabinet alongside the earlier recommendations on this matter.

## **8. REASON FOR RECOMMENDATION**

8.1 To improve the support received by Members in respect of constituents' enquiries and ward issues.

## **9. CONTACT OFFICERS**

9.1 Jackie Sayers, Scrutiny Officer.  
Tel: 01462 474536.  
jackie.sayers@north-herts.gov.uk

9.2 Frances Bogie, Head of Legal Services  
Tel: 01462 474460  
frances.bogie@north-herts.gov.uk

## **10. APPENDICES**

10.1 Appendix 1 – draft change to the Council's constitution.

## **APPENDIX 1**

### **PROTOCOL FOR MEMBER / OFFICER WORKING ARRANGEMENTS**

#### **1. Introduction**

1.1 This protocol reflects the provisions of the Local Government Act 2000 and Regulations made in respect of the Act. A Model Code of Conduct for all members has been adopted by the Council which reflects the Model Code of Local Government Conduct.

1.2 This protocol should be read and applied in conjunction with those Codes of Conduct. The principles and procedures set out in this protocol are already, to a large extent, established and form the basis of the Council's working arrangements. The purpose of this protocol is to provide guidance on Member/Officer working arrangements particularly in the case of doubt or difficulty.

1.3 In particular, this protocol aims to support the enhancement of local democracy by -

- facilitating the participation of Members and officers in the Council's policy development and decision making processes;
- assisting members and those officers who support them in their role as representatives of the community within the Council and externally; and
- clarifying arrangements for the provision of the information and support for Members and their party groups.

1.4 This protocol is intended to assist Members and officers in maintaining the highest standards of integrity and propriety and ensuring that everything they do is seen by others to be done properly, fairly and where possible openly.

1.5 It is important therefore that any dealings with Members and officers should observe reasonable standards of mutual courtesy and respect, and that neither should seek to take unfair advantage of their position in any circumstances.

#### **2. Member/Officer Communication**

2.1 Members should communicate with officers at the appropriate level. Routine service related enquiries should be initiated through normal departmental enquiry/contact points. Other matters will normally involve the appropriate Director or other senior manager.

2.2 In communicating with Members, officers should have regard to the Council's Code of Conduct for employees, the requirements of this protocol and any instructions issued by their departmental management.

#### **3. Officer Advice to Party Groups**

3.1 There is no statutory recognition for party groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the Council or the relevant Committees. Officers may properly be called upon to support and contribute to such deliberations by party groups.

3.2 The support provided by officers can take many forms ranging from a brief meeting with a Portfolio Holder, Chair or spokesperson prior to a Council meeting, to a presentation to a full party group meeting. Whilst in practice such officer support is likely to be in most demand from whichever party group is in control of the Council, such support is available to all party groups.

3.3 Certain points must however be clearly understood by all those participating in this type of process, Members and officers alike. In particular -

(a) Officer support in these circumstances must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if officers are not expected to be present at meetings or parts of meetings when matters of party business are to be discussed.

(b) Party group meetings, whilst they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not communicated (inside or outside the organisation), interpreted or acted upon as though they have that official status.

(c) Similarly, where officers provide information and advice to a party group meeting in relation to a matter of Council business this cannot act as a substitute for providing all necessary information and advice to the Cabinet or relevant Committee when the matter in question is considered.

3.4 Special care needs to be exercised whenever officers are involved in providing information and advice to a party group meeting which includes persons who are not members of the Council. Such persons will not be bound by the Model Code of Conduct, in particular the provisions concerning the declaration of interest and confidentiality, and for this and other reasons officers may not be able to provide the same level of information and advice as they would to a meeting of Members only.

3.5 Officers must respect the confidentiality of any party group discussions at which they are present and should not, in particular, relay the content of any such discussion to another party group.

3.6 Any request for an officer to attend a meeting arranged by a party or party group, for the purpose of presenting information to the meeting (in relation to an issue or proposal affecting or involving the Council) must be made to the Chief Executive or to the relevant Director, who will consult with the Chief Executive. Where it is agreed that an officer will attend for this purpose the same facility will be offered or made available to the other party groups. Any officer who so attends will do so in his/her official capacity, will be politically neutral, and attendance will not signify support for any particular political view, proposal or response.

3.7 Attendance at any public meeting will generally be avoided during the period between the announcement and conclusion of any local or parliamentary election affecting the area involved, and will only occur during such a period if representatives of all parties supporting candidates in the election have been invited to take part in the meeting.

3.8 At any public meeting organised by any party group, or by any individual Member (rather than by the Council) officers will attend only to provide information which is publicly available. No such officer attendance will take place during the 'pre-election' period referred to in paragraph 3.7.

3.9 Any particular difficulty or uncertainty concerning officer advice to party groups should be raised with the Chief Executive who will where appropriate discuss with the relevant group leaders.

#### **4. Officer/Member/Chair Relationships**

4.1 It is clearly important that there should be a close working relationship between the Leader of the Council, Portfolio Holder and Chair of a Committee and the Director and other senior

officers of any department which reports to that member or committee. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the officers' ability to deal impartially with other members and other party groups, or with any other individual or organisation.

4.2 The Leader of the Council, Portfolio Holder or Chair will routinely be consulted as part of the process of drawing up an agenda for a forthcoming meeting. It must, however, be recognised that in some circumstances the proper conduct of business may require a particular matter to be included on the agenda and that the Leader/Member/Chair is not entitled to require the removal of such an item from the agenda. Directors/Heads of Service will always be fully responsible for the content of any reports submitted in their name. Any issue concerning the inclusion of any item on an agenda and the submission of any particular report that cannot be agreed between the Leader, Portfolio Holder or Chair and a Director should be referred to the Chief Executive as Head of Paid Service, the Head of Legal Services or the Director of Finance and Regulatory Services as Statutory Finance Officer.

4.3 In relation to any action under delegated powers, it is important to remember that the law allows for decisions relating to the discharge of any of the Council's functions which are not specifically reserved to the Council to be taken by the Cabinet. Normally, wherever the authority to make a decision is delegated to an officer it is on the basis that the officer will exercise that authority in consultation with the Cabinet member and/or other nominated members.

4.4 It must be remembered that officers within a department are accountable to their Director and that whilst officers should also seek to assist a Cabinet Member or Chair (or indeed any Member), they must not in so doing go beyond the bounds of whatever authority they have been given by their Director. It should also be noted that the Chief Executive has a statutory responsibility as Head of Paid Service for ensuring the proper organisation and management of the Council's staff, and has therefore an overall responsibility for the direction and management of all officers.

## **5. Correspondence**

5.1 Correspondence between an individual Member and an officer should not normally be copied (by the officer) to any other Member except at the discretion of the Chief Executive or Director where necessary for the proper conduct of business. Where exceptionally it is necessary to copy the correspondence to another Member, this should be made clear to the original Member. In other words, 'blind' copies of such correspondence should not be circulated.

5.2 Official letters on behalf of the Council should normally be sent out in the name of the appropriate officer rather than in the name of a Member. It may be appropriate in certain exceptional circumstances, for example representations to a Government Minister or correspondence with a Leader of another local authority, for a letter to be issued in the name of the Leader of the Council. Letters which for example create obligations, confirm or deny the acceptance of any liability, or give instructions on behalf of the Council, should always be sent out by the Chief Executive or the appropriate Director or other senior officer.

## **6. Publicity and the Media**

6.1 Contact with the media on issues related to the Council or to Council business is handled through, or with advice/support from, the Communications Unit.

6.2 Any Member who approaches the media on any item involving or affecting the Council without first approaching or consulting the Council (through the relevant Cabinet member/Chair, department or Communications Unit) will be responsible for such action. Any Member who does

so should make it clear that he/she is speaking on his/her own behalf and not representing or speaking for the Council.

6.3 Members and officers should be mindful of the prohibition on the publication by the Council of any information intending to promote or canvass support for any political party or candidate for elections. In case of doubt, advice should first be obtained from the Head of Legal Services.

## **7. Personal Relationships**

7.1 No member or officer should allow any personal connection or relationship with any other member or officer to affect the performance of his or her official responsibilities or the taking of any action or decision by or on behalf of the Council. This includes, for example, any family relationship, membership of the same household or any business connection. Members and officers should always consider how such a relationship or connection would be likely to be regarded by anyone outside the Council, or by any other member or officer, and avoid creating any impression of bias or unfairness.

7.2 An officer who is personally connected or related to any Member should notify his or her Director in writing.

7.3 Members should take into account any personal relationship or connection with any other Member or officer, in considering the need to register or declare a personal or personal and prejudicial interest whenever appropriate.

## **8. Involvement of Area Committee/Ward Councillors**

8.1 Whenever a public meeting is organised by the Council to consider a local issue affecting a particular area, all the Members of the relevant Area Committee or (if only affecting a particular Ward or Wards), those Members representing the Ward or Wards affected should, as a matter of course, be invited to attend the meeting. Similarly, wherever the Council undertakes any form of consultative exercise on a local issue, the Area Committee/Ward members should be notified at the outset of the exercise.

8.2 Officers will endeavour to keep members informed about significant issues in their ward where possible.

8.3 When a Member raises a ward issue with an Officer, they will be kept informed of progress if they wish to be.

## **9. Members Access to Information and to Council Documents**

9.1 Members are free to request from the Council such information as they may reasonably need in order to assist them in discharging their role as Members of the Council, having regard to any special responsibility, for example as Cabinet member or Committee Chair. Such request should normally be directed to the Director.

9.2 The legal rights of Members to inspect Council documents arise partly from statute and partly from the common law (judicial decisions).

9.3 Members have a statutory right to inspect any document which contains material relating to any business which is to be transacted at a Council meeting or Sub-Committee meeting. This right applies in respect of whether the Member is a Member of the Cabinet, or of the committee or sub-committee concerned, and it extends not only to reports that are to be submitted to the meeting but also to any relevant background papers. This right does not however apply to documents which are exempt from publication, unless the member is a Member of the relevant Committee.

9.4 The common law right of Members is much broader and based on the principle that any member has a prima facie right to inspect Council documents, so far as his/her access to the document is reasonably necessary to enable the Member properly to perform his/her duties as a Member of the Council. This principle is common and referred to as the 'Need to Know' principle.

9.5 Whether a Member is in any particular case entitled to exercise this common law right depends therefore upon the Member's ability to demonstrate that he/she has the necessary 'Need to Know'. In this respect a Member has no right to a 'roving commission' to examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the 'Need to Know' for a purpose necessary to enable the Member to carry out his or her public duties. In any case of doubt or difficulty, the members should refer to the Chief Executive and Head of Legal Services.

10.6 In some circumstances, for example (a committee Member wishing to inspect documents relating to the functions of that committee) a Member's 'Need to Know' will normally be presumed. In other circumstances, for example (Member wishing to inspect documents which contain personal information about third parties) a Member will normally be expected to justify the request in specific terms.

10.7 The term "Council document" is very broad and includes for example any document produced by whatever means with Council resources. It is accepted by convention that a Member of one party group will not have any 'Need to Know' and therefore no right to inspect a document which forms part of the internal working of another party group.

10.8 Further and more detailed advice regarding Members' right to inspect Council documents may be obtained from the Head of Legal Services.

10.9 Any Council information provided to a Member must only be used by the Member for the purpose for which it was provided; that is, only to enable the proper performance of the functions of the Council. The point is emphasised in the new Model Code of Local Government Conduct in the following terms. A Member –

- (a) must not disclose information given to him in confidence by anyone, without the consent of a person authorised to give it unless he is required by law to do so;
- (b) must not prevent another person from gaining access to information to which that person is entitled by law.

10.10 Members are reminded of the duty to handle information obtained in the course of their duties in accordance with the Data Protection Act and law of confidence.

## **11. Further Guidance**

11.1 Any Member of the Council who needs further guidance on any of the matters referred to in the Code or on any similar or related issue is advised to contact the Chief Executive and Head of Legal Services. Any officer needing such guidance should refer initially to their manager who will consult senior management and obtain advice as necessary.

## **Protocol for Member / Employee Working Arrangements Additional Information & Guidance**

The Protocol for Member / Employee Working Arrangements is not part of the Council's Constitution.

The Constitution states that: Members should communicate with employees at the appropriate level. Routine service related enquiries should be initiated through normal departmental enquiry / contact points. Other matters will normally involve the appropriate Director or other Senior Manager.'

This note provides additional information and guidance to Members about what is the '*appropriate level*' in different circumstances. This additional guidance exists so that:

- senior managers can ensure that Members are provided with correct, comprehensive information and advice;
- employees are guided and supported through the appropriate management channels;
- the Council can be confident that it is properly discharging its health and safety responsibilities as an employer.

Contact and communication includes telephone, e-mail, letters and in person. Councillors should always identify themselves as being Councillors when contacting employees.

### **1. 'First time' service requests or reports of a service failure.**

When a Councillor is assisting a constituent or reporting matters for the first time, for example dumped rubbish, missed bins, public toilets in need of cleaning, graffiti etc. the point of contact set out in the A-Z of Council Services on the web-site / telephone list should be used.

### **2. Planning Applications**

When dealing with specific applications as ward issues Councillors should contact the development control case officer at the contact number set out on material produced by the Planning Service.

### **3. Electoral Registration**

For electoral registration issues, including postal voting, contact should be made with the Elections Team.

### **4. Requests for work to be undertaken**

When a Councillor wants an employee to undertake new or additional work (other than routine request described above) contact should be made with the Director or Head of Service. This is important as all employees have clear work programmes and understanding as to what they need to achieve. Being asked directly by Councillors to take on additional work could undermine an employee's performance and lead them into difficulties, as well as creating stress in juggling competing workloads and priorities.

### **5. Discussion of the development or application of policy**

When a Councillor wishes to discuss policy, contact should be made with the Director or Head of Service. Councillors must have the fullest possible information about a policy area. Although many employees are highly knowledgeable about their subject matter, they cannot be expected to know all of the wider contexts such as finance, external relations, impacts on other service areas etc.

## **6. Complaints**

If a Councillor needs to make a complaint about the conduct of a Council employee or a contractor to the Council, or to complain that a service has not been delivered in accordance with service standards or established expectations, contact should be made with the Director or Head of service. Good management and discipline are important and it is essential for Directors and Heads of Service to be made aware of Councillors' perceptions and experiences so that proper steps can be taken to resolve difficulties and support employees.

Although it is most unlikely that this will ever occur, for the sake of completeness and absolute clarity, a Councillor should never, in any circumstance, seek to intervene in an employee's or contractor's work or to give instruction to an employee or contractor. If a Councillor has cause for concern about the way that an employee or contractor is undertaking work, the Director or Head of Service should be contacted.

## **7. Response times**

When a Councillor makes contact with any officer, a response will be made as quickly as possible in line with the Council's published customer care standards. Officers will:

- answer telephone calls within four rings;
- reply to e-mails within two working days, and letters within four;
- explain why a full response cannot be given within this time,
- aim to supply a substantive response within 10 working days;

Additionally, telephone calls will be returned as quickly as possible and in no more than 5 working days (unless absence makes this impossible).

It is not possible for Directors and Heads of Service to meet personally with individual Councillors about routine matters. Requests for appointments with directors and heads of service will be responded to within 5 working days.

Where necessary a Director or Head of Service will identify one officer to take responsibility for resolving a cross-service or cross-agency issue raised by a Member.

**PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**16**

**TITLE OF REPORT: SCOPE OF RESIDENTIAL PARKING TASK & FINISH GROUP**

This will be in the format of an oral report.

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## SCRUTINY COMMITTEE TASK AND FINISH GROUP

### RESIDENTIAL PARKING

Notes of the meeting held 7<sup>th</sup> September 2005

Present: Cllr. Stears (for start of meeting), Cllr Thake, Cllr D. Billing, Cllr Kingman, Cllr Bloxham, Cllr Paterson, Cllr Cunningham.

#### 1. Election of Group Chairperson.

Councillor S. Bloxham was elected as chairman of the group.

#### 2. Scope of Group work.

- Examination of provision of parking facilities for town centre residents.
- Examination of zonal strategy for parking standards for new development.  
How will it work?  
Consultants to present on progress of zonal identification.
- Prioritisation of areas for CPZ implementation.
- Effectiveness of existing CPZ schemes
- Invitation to residents groups to comment on CPZ provision and implementation.
- Examination of responses to initial residents consultation on new CPZ proposals.
- Examination of proposals from North Herts. Homes for residential areas parking provision.
- Review of Parking strategy for future strategy development.
- Consultation with all ward members on views for residential parking options.

#### 3. Date of next meeting.

September 21<sup>st</sup> 18:00hrs. Council Offices.

Meeting finished at 19:20hrs

PGM  
9 Sept 05

**PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**17**

**PRESENTATION BY THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORT**

PRESENTATION BY COUNCILLOR RICHARD THAKE, THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORT

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**SUGGESTED RESOLUTION**

That under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph (9) of Part 1 of Schedule 12A of the said Act.

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