



**MEETING** : COMMUNITY SCRUTINY COMMITTEE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : TUESDAY 28 MARCH 2017  
**TIME** : 7.00 PM

**PLEASE NOTE TIME AND VENUE**

**MEMBERS OF THE COMMITTEE**

Councillor P Moore (Chairman)  
Councillors I Devonshire (Vice-Chairman), H Drake, J Goodeve,  
D Oldridge, P Phillips, M Pope, P Ruffles, C Snowdon and N Symonds

**Substitutes**

Conservative Group: Councillors D Andrews, R Henson, R Standley  
and C Woodward

*(Note: Substitution arrangements must be notified by the absent Member  
to Democratic Services 24 hours before the meeting)*

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## DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
  - must not participate in any discussion of the matter at the meeting;
  - must not participate in any vote taken on the matter at the meeting;
  - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
  - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
  - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
  - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
  - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
  - participate in any discussion or vote on a matter in which a Member has a DPI;
  - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

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If you think a meeting you plan to attend could be very busy, you can check if the extra space will be available by emailing [committee.services@eastherts.gov.uk](mailto:committee.services@eastherts.gov.uk) or calling the Council on 01279 655261 and asking to speak to Democratic Services.

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## AGENDA

1. Apologies

To receive apologies for absence

2. Minutes (Pages 5 - 12)

To confirm the Minutes of the meeting held on 27 September 2016

3. Chairman's Announcements

4. Declarations of Interest

To receive any Member's Declaration of Interest and Party Whip arrangements.

5. Emerging Crime Trends Associated with the Night Time Economy (Pages 13 - 30)

6. Markets - Options Appraisal (Pages 31 - 48)

7. Draft Physical Activity Strategy (Pages 49 - 58)

8. Community Scrutiny Work Programme (Pages 59 - 66)

9. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE  
COMMUNITY SCRUTINY COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON TUESDAY  
27 SEPTEMBER 2016, AT 7.00 PM

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PRESENT: Councillor P Moore (Chairman)  
Councillors I Devonshire, J Goodeve,  
H Drake, D Oldridge, M Pope, P Ruffles,  
C Snowdon and N Symonds

ALSO PRESENT:

Councillors A Alder, E Buckmaster, L Haysey  
and G Jones

OFFICERS IN ATTENDANCE:

Claire Bennett	- Manager of Housing Services
Lorraine Blackburn	- Democratic Services Officer
Ben Cannell	- Front of House Manager
Jonathan Geall	- Head of Housing and Health
Jess Khanom	- Head of Operations
Emma Parlow	- Marketing and Audience Development Manager
Claire Pullen	- Engagement and Partnerships Officer (Grants)
Rhys Thomas	- Arts and Entertainment Programme Director

372 APOLOGY

An apology for absence was submitted from Councillor P Phillips.

373 MINUTES

RESOLVED - that the Minutes of the meeting held on 26 June 2016 be confirmed as a correct record and signed by the Chairman.

374 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that she had attended an excellent course on scrutiny recently and had heard a number of different ideas. She thanked the Leader for putting her name forward for the course. She said that the course highlighted how forward looking East Herts was and how fortunate the Council was to have its dedicated Officers. The Chairman stated that East Herts was the only Council to offer a Membership Development programme. She urged Members to contact the Leader on any course they were interested in.

The Chairman referred to the World Mental Health Event on 9 October 2016 which was being held at Hertford Theatre and encouraged her colleagues to attend.

The Chairman welcomed two new Heads of Service, Jess Khanom and Jonathan Geall to the meeting. She also welcomed Ben Cannell, Emma Parlow and Rhys Thomas from Hertford Theatre.

375 HERTFORD THEATRE - ANNUAL REPORT FOR FINANCIAL YEAR 2015/16

The Head of Operations submitted the sixth annual report for Hertford Theatre.

The Arts and Entertainment Programme Director introduced the report and drew Members' attention to a number of key events which had occurred during the year which had brought in large audiences. These included a Charity Comedy Gala

for Breast Cancer which, after costs had been paid, enabled a £6,000 donation to be made to the charity. He also referred to the event “an interview with Michael Morporgo” which had attracted large audiences.

The Programme Director personally thanked the cohort of volunteers and referred to an email he had just received from one individual who had expressed thanks for the experience gained in volunteering at the theatre and the positive impact it was having on her life. The Programme Director referred to training offered to young people and “Carousel Placements”, whereby young people were moved from department to department over the course of a week, to learn how the theatre worked. He summarised other courses aimed at providing work experience which culminated in a “worthy credit” on an applicant’s Curriculum Vitae. The Programme Director said that other programmes were being developed including a focus on access, equality and diversity. He personally thanked his team for working so hard to deliver a strong and dynamic theatre.

The Front of House Manager explained the strong community role of the theatre and the important role played by the volunteers.

The Marketing and Audience Development Manager referred to events which had drawn in the public and how the theatre’s Christmas decorations provided a strong draw, especially to schools. She referred to the ongoing positive feedback from schools and of work progressing in relation to “relaxed” screenings.

Councillor N Symonds thanked the Officers for the success of the theatre. In response to a question, the Programme Director confirmed that carers were given a concessionary ticket at a reduced price. He explained the arrangements for the use of interpreters on stage.

In response to a query from Councillor P Ruffles regarding extending the catchment area and maintaining the morale of volunteers. The Programme Director explained the principles around growing the audience locally before it could be

extended. He stated that the theatre was currently looking at increasing the catchment area along the A10 and in Bishop's Stortford. He referred to the work being developed which would appeal to a number of age groups, including first showings in relation to the cinema and using local buildings as satellite art galleries. Councillor M Pope suggested the Southern Maltings in Ware as a possible venue for an art gallery.

In response to a query from Councillor I Devonshire regarding future costs which the theatre might incur, the Programme Director referred to roof problems which had been given an interim remedy.

Councillor C Snowdon referred to a drop in the figures for the hire of the studios. The Programme Director explained that Hertford Regional College now had their own building and had moved their courses, but that they still maintained a close working relationship. The Programme Director stated that in response to a query regarding suppliers, the theatre always tried to find local suppliers.

Councillor D Oldridge congratulated Officers on the success story. In response to a question, the Programme Director explained that the team was trying to increase the geography and demographics of the age range using various approaches. Councillor H Drake referred to the success of the Shoreditch Picture House which offered patrons a chance to enjoy a drink while watching a movie and the steps it had taken to encourage family attendance.

Councillor J Goodeve referred to the older demographics of the patrons and the need to ensure social inclusion by offering reduced tickets to lower income families. Councillor M Pope sought and was provided with clarification on the final net annual expenditure position in terms of the high variance.

Councillor A Alder referred to the absence of disabled parking spaces. The Programme Director explained the link with Wetherspoons and frequent deliveries by heavy vehicles. He stated that the theatre did offer a "meet and greet" arrangement whereby a team member could meet an



individual, show them to a seat to await a carer parking the car.

The Chairman, on behalf of Members, thanked the theatre team for their excellent report.

The Committee received the report, as now submitted.

RESOLVED – that (A) the annual report for Hertford Theatre for the year 2015/16 be reviewed; and

(B) the cohort of volunteers be congratulated and thanked for their contribution to the success of the venue.

376 ANNUAL PERFORMANCE REPORT FOR NETWORK HOMES AND CIRCLE HOUSING SOUTH ANGLIA HOUSING ASSOCIATIONS: HOUSING STOCK TRANSFER - RESIDUAL UNDERTAKINGS

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The Executive Member for Health and Wellbeing submitted a report on the progress made by the two housing associations on the three undertakings that remained following the end of the Delivery of Promises Programme in 2007 and following the large scale voluntary transfer in 2002. The report also reviewed the performance of both associations' repairs services. The Housing Services Manager provided a summary of the report drawing Members' attention to the percentage of repairs completed by each and the progress made with regard to aids and adaptations.

Councillor P Ruffles expressed concern that the performance target figures provided for Network Homes were not as transparent as those submitted by Circle Housing South Anglia and that these should have been extracted to provide local data statistics. The Housing Services Manager stated that they had asked for local figures but had been advised that they were only able to monitor corporately. It was suggested that Network Homes be asked to provide meaningful local repair figures and that their targets be amended to mirror those of the targets set by Circle Housing South Anglia. This was supported.

Councillor Ruffles referred to the difficulties in acting on behalf of residents because of the Data Protection Act. A number of options to address this were discussed.

In response to a query by Councillor C Snowden regarding housing benefit, the Housing Services Manager explained why housing benefit was paid to the tenant and when it could be paid to the landlord directly.

In response to a query by the Executive Member for Health, Housing and Community Support regarding interaction with the Home Improvement Agency (HIA), the Head of Housing and Health explained the role of the HIA with regard to adaptations and funding and how tenants would benefit from the new service.

In response to a query from Councillor M Pope regarding the underspends in aids and adaptations, the Housing Services Manager explained the lack of demand, the referral service for jobs under £500 and the reduced demand for Disabled Facilities Grants. The Head of Housing and Health explained the Council's resources had not been used but that last year it had helped Circle Housing South Anglia with a particularly large adaptation.

In response to a query regarding preserved Right to Buy, the Housing Services Manager explained the low figures and that the reducing number of tenants eligible and the high costs of housing in the District still meant that many people could not afford to buy these properties despite the discount.

The Executive Member for Health and Wellbeing referred to the phased move by Circle Housing South Anglia from Charringtons House in Bishop's Stortford.

The Committee received the report, as now detailed.

RESOLVED – that (A) performance by both Network Homes and Circle Housing South Anglia Housing Association in 2015/16 on the three remaining stock transfer undertakings be noted; and

(B) Network Homes be asked to provide meaningful local repair figures and that their targets be amended to mirror those of the targets set by Circle Housing South Anglia.

377 COMMUNITY SCRUTINY COMMITTEE - WORK PROGRAMME

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The Chairman submitted a report seeking agreement to the draft work programme for 2016/17 as detailed within Essential Reference Paper 'B' of the report submitted.

The Scrutiny Officer referred to the report on the "Markets" function which had been transferred to the new Head of Operations following the restructure. It was noted that this report would be presented for Members' consideration in June 2017. It was suggested that, as this left only one report, an update on a Leisure Facilities Strategy, which it was felt, could be circulated on the Members' Information Bulletin, the meeting on 22 November 2016 be cancelled. This was supported.

The Chairman referred to the suggested Crime and Disorder topic (Town Centre Night Time Economy) for the meeting on 28 March 2017. This was supported.

Members received the report, as now amended.

RESOLVED – that (A) the work programme as now amended, be approved; and

(B) the Community Scrutiny Committee meeting on 22 November 2016 be cancelled.

The meeting closed at 8.28 pm

Chairman .....
Date .....

## EAST HERTS COUNCIL

COMMUNITY SCRUTINY COMMITTEE – 28 MARCH 2017

### REPORT BY HEAD OF HOUSING AND HEALTH

#### EMERGING CRIME TRENDS ASSOCIATED WITH EAST HERTS' NIGHT TIME ECONOMY

WARD(S) AFFECTED: ALL (WITH PARTICULAR FOCUS ON THE MARKET TOWNS)

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#### **Purpose/Summary of Report**

- This report aims to give members an understanding of the changing nature of crime associated with the night time economy in East Herts.
- The report goes on to examine the current services available that support the minimisation of crime associated with the night time economy and seeks to demonstrate how partners work together to make East Herts a safe place by addressing night time economy issues as they relate to businesses, residents and visitors.
- The report identifies issues requiring more investigation and/or different ways of working and makes recommendations for future actions.

#### **RECOMMENDATIONS FOR COMMUNITY SCRUTINY COMMITTEE:**

**That:**

<b>(A)</b>	<b>themes and issues related to crime associated with the night time economy identified at this meeting be forwarded to the Executive Member for Environment and Public Space and the Head of Housing and Health;</b>
<b>(B)</b>	<b>the actions listed in section 5 be endorsed; and</b>
<b>(C)</b>	<b>additional proposed actions to tackle crime associated with the night time economy identified at this meeting be forwarded to the Executive Member for Environment and Public Space and the Head of Housing and Health.</b>

## **1.0 Background**

- 1.1 The term night time economy (NTE) refers to the economic activity taking place in the evening, such as eating and drinking, entertainment and nightlife. For the purposes of this report NTE hours are between 9pm and 5am, seven days a week.
  - 1.2 The NTE can bring many positive benefits to the district, from creating jobs and providing a diverse range of activities, such as providing entertainment, restaurants, pubs and clubs for both residents and visitors.
  - 1.3 There are 13,215 businesses listed on the East Herts business data base of which 527 are licensed to carry out the sale of alcohol, late night refreshment and/or regulated entertainment. These licensed premises are dispersed across the district with unsurprising accumulations around the town centres. It must be noted that not all the licensed premises will be open during night time economy hours stated.
  - 1.4 The NTE impacts on many services provided by both the district and county council from:
    - licensing
    - environmental health
    - community safety
    - trading standards – *County Council function*
    - transport – *shared responsibilities*
    - street cleaning – this is a management element of the NTE which would invariably take place outside of the NTE hours, but will not be discussed in this report.
  - 1.5 Services provided by partners include that of Policing and Health and it is the work of partners providing both immediate and long term preventative responses to NTE issues which help make East Herts a safe place.
  - 1.6 This report will provide insight into the issues affecting the NTE in East Herts, highlighting trends, victims, and the responses in place.
  - 1.7 When referring to ‘town centres’ in this report, we have used the roads classed as being in a town centre within the East Herts District Plan.
- ## **2.0 Crime related to the night time economy in East Herts – the facts and figures**

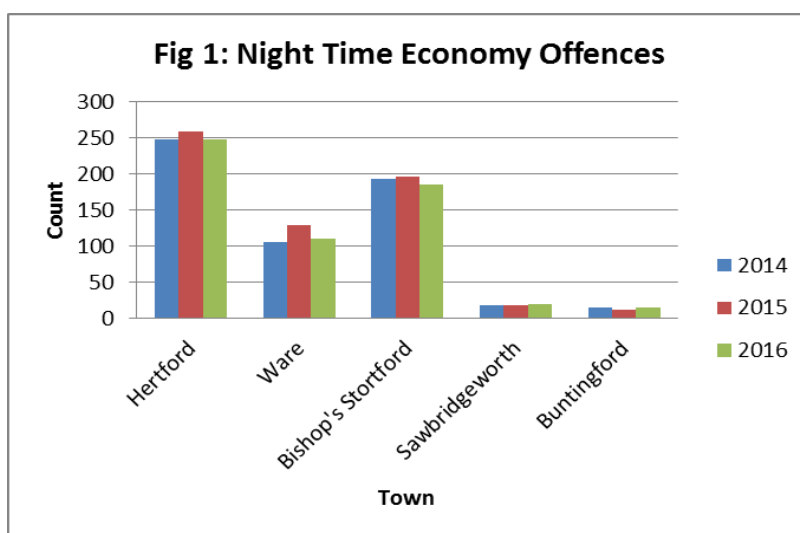
## Night time economy emerging crime trends

2.1 For the purposes of this report, NTE crime is defined as crimes in the following Police-defined categories occurring between the hours of 9pm and 5am, seven days a week. This report has used the following crime categories during the calendar years of 2014, 2015 & 2016:

- NTE offences
- Night time alcohol related offences
- Night time ASB
- NTE alcohol related ASB

2.2 Over the three calendar years there were a total of 6,755 NTE related crimes across the district. Of this total, 1,777 offences were committed within the five town centres of East Herts. Of the town centre NTE crimes, some 901 (50.7%) were recorded as having an aggravating factor of alcohol.

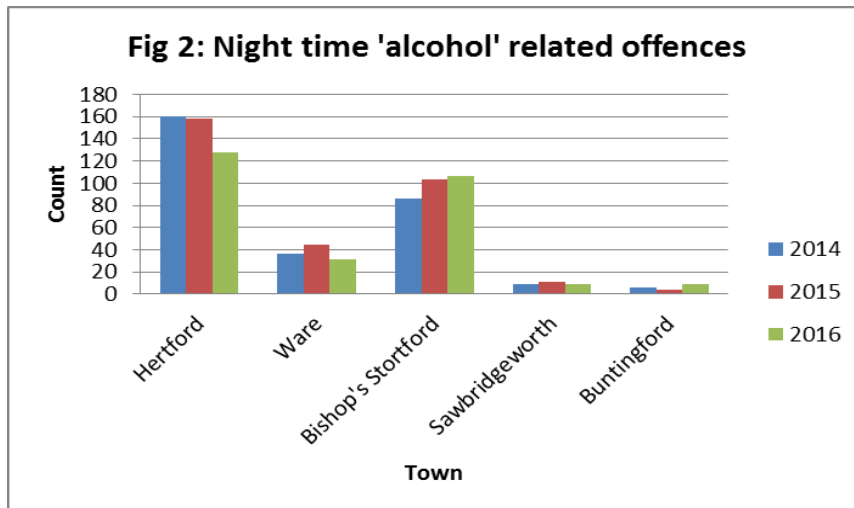
2.3 The graph below shows the split of all NTE offences across the towns over the three calendar years.



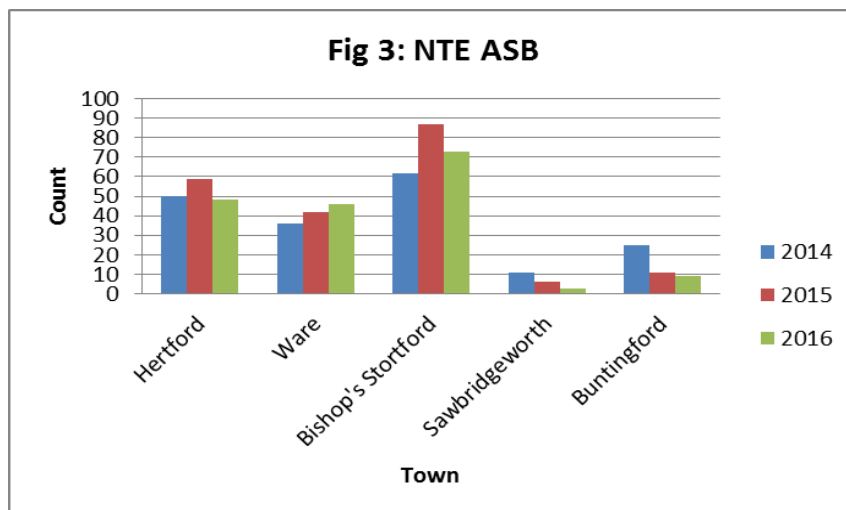
2.4 As would be expected due to size, NTE related crime is most frequent in Bishop's Stortford and Hertford.

2.5 This trend is also reflected in night time 'alcohol' and ASB offences.

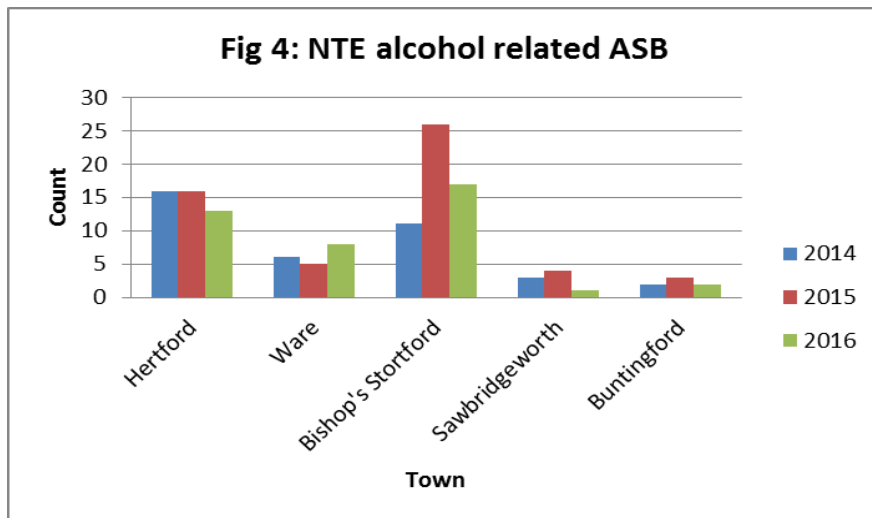
2.6 Night time 'alcohol' related offences were most frequent in Hertford (446 offences over 3 years) and Bishop's Stortford (295 over 3 years).



2.7 There were a total of 568 ASB incidents recorded within the five main towns of East Herts. Of these 133 (23.4%) were recorded as NTE alcohol related:







- 2.8 Although the statistics indicate relatively low levels of NTE crime in Buntingford, the Police have indicated their concerns that this may increase in future years given the growth in the town.
- 2.9 Every year the Community Safety Partnership (CSP) compiles a strategic assessment showing the community safety and crime trends over a 12 month period. The CSP is in the process of compiling the 2017 assessment and initial evidence suggests East Herts should consider alcohol related crime as a priority.
- 2.10 Whilst a direct comparison for NTE crime types has not been made for this report with other districts/boroughs across the county, it is possible to suggest where East Herts features with our neighbours for NTE related crimes. East Herts CSP receives annual comparisons of crime levels across the county and the most recent risk matrix supplied for the forthcoming community safety strategic assessment gave East Herts the lowest risk score of 1 for night time violent crime and a risk score of 5 out of 10 for alcohol related crime.

### ***Night time economy crime victims***

- 2.11 It has not been possible to obtain a full breakdown of victim data from the Police for this report, however, police intelligence suggests the main victims of the NTE are those in the early to mid-twenties.
- 2.12 In addition, the Hertford and Ware Street Pastor Coordinator has commented that they often see the following:

*“We find people in a vulnerable state, usually but not exclusively female. Often they are drunk and have been put out of a club by door staff – or they leave to get a breath of fresh air and will not be let back in as they have had too much to drink.*”

*Our role then becomes one of caring for the person, trying to find friends or family to collect them. Care offered could be simply keeping them company or going so far as to call an ambulance.”*

### **NTE crime linked to festivals and events**

- 2.13 There are many annual festivals and events which take place across East Herts. The majority of these events are known to partners, mainly through the Safety Advisory Group, and early conversations with event organisers helps facilitate a safe and well managed event. It is worth noting that a number of these events are licensed to carry out activities, and the majority of them take place with no major repercussions.
- 2.14 Whilst the majority of these events take place during the day, the events taking place in the town centres often result in a continuation of activity into the licensed premises once the event has finished. If known in advance additional resources can be deployed to help respond to the unusual influx of people visiting the town centres after an event has finished.
- 2.15 In addition, an extension of the traditional NTE are the festivals that take place in rural East Herts. Issues stemming from them can include noise levels, drug offences, theft from tents and vehicles and safety issues with people getting to and from the events.

### **3.0 Actions to minimise the amount and/or impact of NTE crime**

- 3.1 There are a number of statutory, formal and informal services and intervention measures in place to respond to the effects of the NTE, to enhance the NTE and to make East Herts a safe place to visit.
- 3.2 The Community Safety Partnership (CSP) and its partners often target NTE customers with crime prevention advice usually at peak times of the year, such as Christmas, with messages about getting home safely for example. In addition, the CSP has funded the presence of the St John’s Ambulance to help respond to issues at peak NTE times of the year.
- 3.3 The following sections of this report describe the structures and responses in place.

### **Licensing Enforcement**

- 3.4 The collective capacity of the 52 main licensed premises in Hertford, Bishop's Stortford and Ware is estimated by the Police at 10,891 persons.
- 3.5 The co-location of the council's licensing enforcement team and Herts police officers dedicated to enforcement activity is unique in Hertfordshire. The officers share an office at Hertford Police Station. This enables council and police officers to work closely and establish and maintain relationships with licensed premises through inspections, applications, notices and attendance at Pub Watch meetings. Premises are visited with varying frequencies depending on need, scale of an issue, if changes have been made to a license, or through a request for a new application. Enforcement operations take place four times a year carrying out unannounced checks, with additional reactive operations taking place in response to issues when they arise.

### ***Pub Watch***

- 3.6 Pub Watch covers four out of the five towns in East Herts with a total of 62 members. Bishop's Stortford has the highest membership with 21 venues signed up, Hertford with 19, Ware with 17, and Sawbridgeworth 5. Currently, there is no Pub Watch coverage in Buntingford.
- 3.7 Pub Watch has been running for approximately ten years, and those involved in the scheme meeting monthly with the Police and the Council, to share intelligence with the aim to reduce crime related to the night time economy. In addition, Pub Watch allows those signed up to communicate between venues through the use of radios and private Whatsapp conversations.
- 3.8 The Behave or Be Banned (BOBB) Scheme is an example of a successful Pub Watch initiative where individuals are banned from premises if they commit anti-social behaviour. On average there are between 100 – 120 individuals on the BOBB scheme at any one time, banned from one or all licensed premises in a town centre.

### ***NTE management tools***

- 3.9 There are a number of tools used by licensed premises and encouraged by community safety partners. These include the use of radios to communicate with the CCTV control room for example. The application of new community safety equipment in response to managing an evolving NTE is seen in the application and use of at Scannet, or ID scanners. Scannet is a piece of equipment which, when installed on the doors of late night

entertainment establishments, can assist security staff identify fake ID and flag up those banned from the establishment and/or other venues. The police are very supportive of exploring this further and have organised meetings with managers of the larger venues in Bishop's Stortford, Hertford and Ware. East Herts Council officers are fully involved.

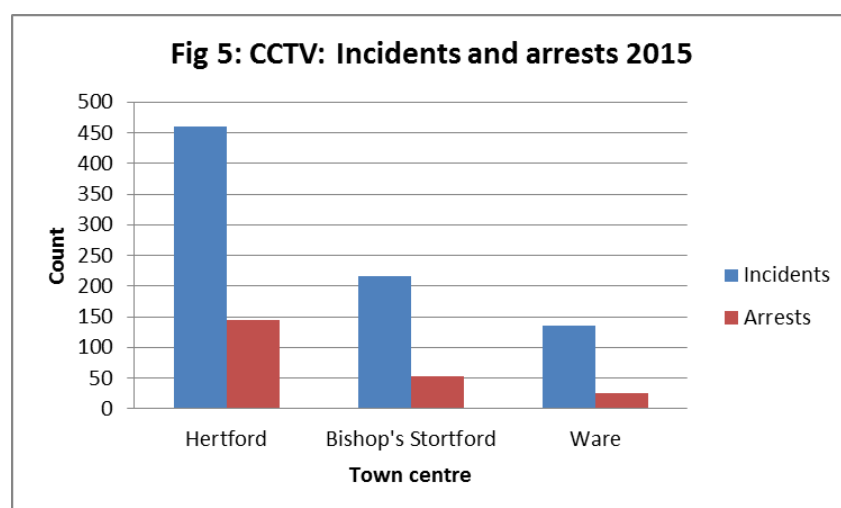
### ***Transport and the NTE***

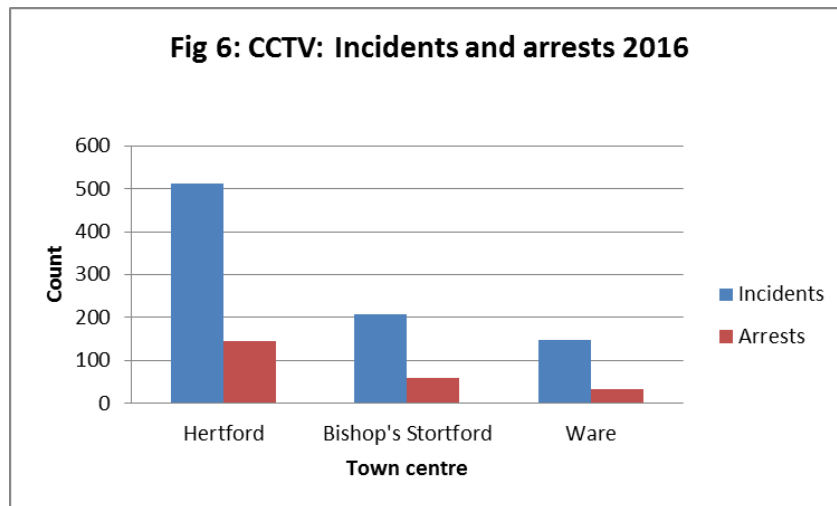
- 3.10 Getting people home safely and quickly after visiting the town centres and more rural NTE premises is essential for a well-managed night time economy across the district.
- 3.11 The council has a responsibility to provide taxi ranks. There are nine taxi ranks located in East Herts with four in Bishop's Stortford three in Hertford and two in Ware. To help facilitate the use of the taxi ranks, there are two taxi marshal schemes operating in Hertford and one currently under trial in Bishop's Stortford. Both operate on Friday and Saturday evenings.
- 3.12 New and existing drivers are being put through mandatory training that covers rules and regulations, driver safety, customer service, reporting safeguarding concerns (adult and child) and disability awareness training. This combined with robust policies particularly around convictions means that taxi drivers as a whole are becoming more professional and are offering a better, safer service to those living or visiting East Herts and ensuring these businesses thrive and grow.
- 3.13 East Herts Council has seven licensed vehicles with CCTV surveillance installed inside the cab. However, licensed vehicles can purchase their own CCTV cameras and as such the exact number of licensed taxis with CCTV is unknown.
- 3.14 Informal consultation was carried out with East Herts taxi drivers in preparation for this report. Four taxi drivers responded providing anecdotal evidence to their views on what the NTE issues were for East Herts.
- 3.15 One taxi driver said they had seen an increase in the evening trade over the last seven years, particularly with larger groups being vocal and loud. Despite this, the taxi driver spoke positively about the Police and marshalled taxi ranks stating that the visible presence makes for a safe environment.
- 3.16 The three other taxi drivers were less positive, suggesting assaults on taxi drivers and the public, vandalism of premises and

taxi, and card fraud were issues affecting the NTE in East Herts. In addition, one taxi driver suggested safety within taxis was an issue with the public verbally and physically abusing taxi drivers over maximum capacities and unpaid fares for example.

## **CCTV**

- 3.17 Public CCTV provision covers Hertford, Bishop's Stortford, Ware and Stanstead Abbots where 18 cameras cover Hertford, 11 Bishop's Stortford, 6 Ware and one on Stanstead Abbots High Street.
- 3.18 The cameras are currently in traditional hotspot areas. There are also five mobile cameras available.
- 3.19 The CCTV control room in Stevenage has direct contact to the police and is monitored 24 hours a day. Businesses registered through Shop Watch and Pub Watch can log into the control system to report problems and communicate with other staff and businesses.
- 3.20 Control room statistics are shown below for one calendar year relating to all incidents and arrests 24/7.





3.21 In 2015 there were a total of 814 incidents recorded by the control room, with a total of 223 arrests. In 2016 there were 870 recorded incidents with a total of 239 arrests. Both years saw 36% of the incidents recorded resulting in an arrest. Whilst the nature of the incident and the time of the incident have not been defined, it suggests the current CCTV provision (which predominately covers the town centres) is detecting incidents. Further investigation is required to establish the proportion detecting NTE related crime.

### ***Street Pastors***

3.22 In East Herts there are two Street Pastor Schemes covering Hertford and Ware, and Bishop's Stortford.

3.23 The Hertford and Ware Street Pastors started in October 2009 and currently have 19 active volunteers aiming to patrol weekly, either on a Friday or Saturday night often starting the evening in Ware and moving to Hertford between 11pm and midnight. The Street Pastor Coordinator has noticed changes to the NTE issues affecting the two towns particularly in correlation to the easier access with premises being able to obtain late licenses.

3.24 The Street Pastors carry a radio when patrolling both towns and have good relations with the police, councils and councillors. The coordinator reports that in Ware the issues have never escalated to a level to warrant radio use to link up to the Police or the CCTV control room.

3.25 Both the Street Pastor schemes rely on donations and other support to function and year on year obtaining funds is a risk to the continuation of the schemes. Current funding streams include donations from the churches, fundraising, and a substantial grant from the Police Crime Commissioner.

## ***Purple Flag accreditation***

- 3.26 Given the commitment of East Herts Council and its many partners to maximising the safe enjoyment of the district's thriving night time economy, it may prove appropriate to consider the case for assessing current partnership working against the Purple Flag criteria.
- 3.27 The Purple Flag is an accreditation process similar to the Green Flag award for parks and the Blue Flag for beaches. It is operated by the Association of Town and City Centre Management.
- 3.28 A comprehensive set of standards, management processes and good practice examples designed to help transform with a research, training and development programme, improving a town and city centres' NTE. Accreditation leads to Purple Flag status for town and city centres that meet or surpass the standards of excellence in managing the evening and night time economy.
- 3.29 Around 50 town and city centre have Purple Flag accreditation across the country, with one, Watford, in Hertfordshire. It may prove useful to consider the situation in East Herts' main towns against this standard.

## **4.0 Conclusions**

- 4.1 Researching the area of NTE in readiness for this scrutiny report has been a useful exercise to identify the characteristics of crime related to the current NTE situation in East Herts and the potential issues and risks affecting the district.
- 4.2 Evidence suggests NTE activity is most prevalent in Bishop's Stortford and Hertford and there are many responses in place to address NTE related issues. It is worth noting that as crime evolves, partner responses and initiatives will too.
- 4.3 The victims of NTE-related crime are suggested to be both men and women, mainly in their twenties.
- 4.4 An extension of the NTE is suggested to be the organised events and festivals which are increasingly taking place in the town centres. These events are often known to the East Herts Safety Advisory Group, but it is worth noting that with their increase in prevalence, an increase in advance planning is required in addition to ensuring immediate responses are in place.
- 4.5 The evidence shows that there is a great deal of good practice in East Herts with close partnership working allowing CSP partners

to prepare and respond to the NTE issues in the district. Whilst East Herts regularly experiences overall low crime levels and partners are quick to maintain it, NTE issues have had their peaks over the years, and the recent strategic assessment evidence suggests alcohol related crime could be a priority.

4.6 Community safety partners will ensure the annual community safety action plan reflects emerging trends in the NTE.

## **5.0 Suggested actions for consideration by the Community Scrutiny Committee arising from this report**

5.1 Based on the information presented in this report, officers would suggest the following actions for consideration. Community scrutiny members are invited to propose amendments and/or additional actions for officer consideration.

- Flag up NTE-related crime issues in the Community Safety Assessment drafted by East Herts Council on behalf of the multi-agency East Herts Community Safety Partnership. This helps ensure that the issues remain on the agenda for all partners and the Police and Crime Commissioner.
- Carry out a review of East Herts CCTV to include camera locations and equipment to ensure it is fit-for-purpose with regard to maximising safety during evenings and the night time.
- Ensure all town and parish councils are aware of the East Herts Safety Advisory Group (SAG) and the supportive role of partners can play when town and parish council and organised and running events.
- Consider new and innovative ways to support the NTE, such as the role of Scannet / Live ID.
- Assess the benefits of seeking Purple Flag accreditation.

## **6.0 Implications/Consultations**

6.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

## Background Papers



Scannet (ID scanners)

Contact Member: Councillor Graham McAndrew  
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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate)</i> :	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	<i>Informal consultation was carried out – The Street Pastor co-coordinators and district taxi drivers were asked to comment on perception of changing crime trends</i>
Legal:	<i>None</i>
Financial:	<i>None</i>
Human Resource:	<i>None</i>
Risk Management:	<i>None</i>
Health and wellbeing – issues and impacts:	<i>None</i>

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## Background Paper: Scannet (ID scanners)

The night time economy (NTE) within East Herts is an area of growing concern and risk. Hertford, Ware and Bishop’s Stortford NTE has grown over the past few years and is continuing to expand. Assaults and thefts are reported by people attempting to enjoy the night time economy in these towns. ID Scanners have been proven to have significant impacts on public safety, crime reduction and crime detection when used within licensed premises.

### What can Scannet do?

- The scanners are able to scan and recognise over 3650 different documents and identify fake or altered documents.
- The system captures a photo of the person presenting the ID, stores an image of the ID itself and produces a picture on the screen to compare with the image of person presenting the ID, making comparison easy.
- The scanner keeps a list of customer entry times.
- It is able to assimilate and store information from the documents scanned – ie names and addresses.
- The scanner assesses the information against a national database, which contains details of people who are for example known to the police. It then alerts the operator to the information so a decision can be made as to whether to allow entry. Those banned through pubwatch can be inputted into the system to ensure they are recognised if they attempt to enter.

### Benefits

- This system will greatly assist in reducing and detecting crime. By adopting this system, people know they are more likely to be identified if they cause problems and can be banned from entering premises. This means they are less likely to cause an issue in the first place. Offenders are less likely to enter a venue to steal if they know their ID has been scanned in order for them to get in. The risk of being caught as a result of this system is higher.
- It can assist in identifying those known for possession of drugs, who then subsequently be searched reducing the likelihood of drugs getting into venues. Those who are underage are less likely to get into premises operating an ID Scanner as fake and altered ID’s are highlighted. The scanner will also alert the operator if the same ID is used twice.
- As photos are taken on entry identification of offenders is made easy (clothes being worn are shown) and names and addresses can be supplied to police if a crime occurs.
- Details of those who have entered into a venue can be supplied to police in order to track potential witnesses. The list will also show who entered with whom. Those who offend in the street having been in a venue are also more likely to be identified as they can be tracked back to a venue where their identification was scanned.

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## EAST HERTS COUNCIL

### COMMUNITY SCRUTINY COMMITTEE – 28 MARCH 2017

#### REPORT BY EXECUTIVE MEMBER FOR ECONOMIC DEVELOPMENT

#### MARKETS OPTIONS - APPRAISAL

WARD(S) AFFECTED:     *All*

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#### **Purpose/Summary of Report**

- **To outline the options for the future management of the market service**

#### **RECOMMENDATIONS FOR COMMUNITY SCRUTINY COMMITTEE:**

**That:**

- |            |   |
|------------|---|
| <b>(A)</b> | <b>Town Councils be approached to negotiate a way forward to manage the markets in Bishops Stortford, Hertford and Ware as detailed in paragraph 2.8, and</b> |
| <b>(B)</b> | <b>The feasibility of transferring the rights to licence other markets in the District to Town Councils be investigated.</b>                                  |

#### 1.0 Background

1.1 Markets in East Hertfordshire have been in existence since a Royal Charter was granted in the town of Ware in the year 1199.

1.2 East Herts Council has run the markets for a number of years and owns the Market Charter rights. East Herts Council utilises the provisions of the Food Act 1984 to license other markets that would otherwise contravene existing charters.

1.3 Currently, the markets in the District are operated as follows:

Table 1 – Markets in East Herts

<b>Market</b>	<b>Frequency</b>	<b>Managed by</b>
Hertford Retail Market	Every Saturday	East Herts Council
Hertford Farmers Market	Second Saturday of each month	East Herts Council
Ware Retail Market	Every Tuesday	East Herts Council
Bishops Stortford Retail Market	Every Thursday and Saturday  Farmers and craft market first Saturday of each month	Owned by East Herts Council but contracted to Bishops Stortford Town Council to 31 <sup>st</sup> May 2019
Buntingford Market	Every Monday	Owned and run by Buntingford Town Council

1.4 East Herts Councils markets service is currently responsible for managing and developing Hertford and Ware retail markets and Hertford Farmers Market. Additionally as the holder of the Market Rights, the Council licences a number of other village farmers markets, commercial markets and car boots. Street trading is managed by the Councils licensing team in Health and Housing. Overall the direct costs of East Herts markets service runs at a deficit of approximately £42,000.

1.5 For many years Bishops Stortford Market was owned and managed by East Herts Council. Through the “Community Right to Challenge” within the Localism Act 2011, Bishops Stortford Town Council was successful in the tender process and took over the management of the market under a 4 year contract to EHC in June 2015. As the contractor Bishop’s Stortford Town Council (BSTC) have responsibility for the day to day management of the market and provide regular performance and finance reports to EHC as the client.

1.6 The Thursday market (in Bishop’s Stortford) currently has 15 regular traders while the Saturday market has an average 7 regular traders, plus an additional 24 producers for the monthly



farmers market. Lessons have been learnt from the contract and at the contract review in June 2016 some changes were put in place to allow them to improve efficiency, flexibility and empower BSTC to be more innovative.

- 1.7 Hertford and Ware Retail Markets are run by East Herts Council and trader numbers have stabilised over the last few years with Hertford having 20 regular traders while Ware Retail market has 6 regular traders.
- 1.8 Hertford Farmers market is still popular with 16 regular traders, 85% occupancy, but just about breaks even due to the cost of setting up / taking down the market for the stallholders.
- 1.9 Recent events and specialist markets such as street food markets have proved popular bringing people into the towns and have brought in an additional income stream.
- 1.10 Buntingford Town Council manage their Monday market at Market Hill, Buntingford. Pitches are free, traders take their own waste away and casual traders are more than welcome although there is limited space so is restricted to 6-7 traders. Currently there are six regular traders, and one experienced trader manages this on behalf of the Town Council to ensure new stalls are suitable and reporting problems, therefore creating a sustainable market for the local community, with little management input.

## 2.0 Report

- 2.1 The retail environment and role of town centres has changed considerably over the last 10 years. With Bishops Stortford Town Council now managing their own market, it is felt an appropriate time to review how the markets operate in the District and explore options available.
- 2.2 The overall strategic vision as set out in the current markets policy is to support and direct the growth and development of markets in order to meet its economic, social and environmental development objectives. These include regenerating town centres, encouraging tourism and trade, supporting village based markets and supporting local producers in bringing their produce to the customer, especially where this helps farmers to diversify their business.

2.3 This can be summarised by three priorities:

- Realising the Economic Development Vision for East Herts
- Operational Sustainability
- Financial Sustainability

These priorities can be broken down into 10 broad objectives:

- Be a business friendly Council
- Enabling entrepreneurs
- Supporting rural economy
- Encourage vibrant town centres
- Supporting visitor economy
- Ensure market operator is competent and experienced
- Ensure legislative compliance
- Reduce risk/responsibility to East Herts
- Potential to reduce operational costs to the council
- Ensure economic viability of the markets

2.4 An options appraisal using CIPFA (Chartered Institute of Public Finance & Accountancy) guidance has been carried out and options assessed against these objectives and this is attached in **Essential Reference Paper 'B'**.

2.6 Markets are a valuable addition to the town centres, but the change in consumer shopping habits and the role markets play in the vibrancy of the towns present a considerable dilemma.

2.7 The options appraisal presents a case that the Town Councils could be best placed to deliver this service in the future. The National Association British Market Authorities (NABMA) state that Town and Parish Councils running markets is one of the biggest growth areas in their membership.

## 2.8 Conclusion

After having considered the various implications involved in a wide range of potential options, this report recommends that the Town Councils are formally approached to consider formal transfer of the markets rights (appraisal option 6).

2.9 For East Herts this option presents the least risk in terms of sustaining a service to the community and for the Town Councils it gives them freedom to run the markets according to local needs.

2.10 To ensure smooth transfer of the service it would be recommended that that any arrangement is undertaken with support and guidance of the current Market Manager to assist Town Councils with new roles.

## 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

## Background Papers

East Herts Markets Policy

<http://www.eastherts.gov.uk/article/29346/East-Herts-Markets>

Economic Vision for East Herts

<http://www.eastherts.gov.uk/article/27662/Business-and-Economy>

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives	Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	<p><i>Bishops Stortford, Hertford and Ware Town Clerks have been consulted on the options and subject to more detailed information on costs, income and their member's views and are interested in discussing this further.</i></p> <p><i>Advice has been sought by National Association British Market Authorities (NABMA) on transfer of market rights and initial ideas have been included in the report.</i></p>
Legal:	<p>East Herts Council, as the owner of market rights in the district has the ability to hold markets and control markets within six and two third miles from any market licensed by the Council.</p> <p>In addition to Charters, Town and Parish Councils are entitled to use the powers contained in Part 111 of the Food Act 1984 to establish markets. These powers are the same powers used by Unitary and District Councils to operate Markets. This means that the Town and Parish Councils could decide to establish markets of their own without reference to the District Council on the issue of market rights although they would need planning permission, for a regular market, and might need other approvals such as highway or road closures.</p> <p>To transfer market rights further legal advice may be sought from NABMA.</p>
Financial:	<p><i>Overall the direct costs of the markets service operates on a deficit to the Council of approximately £42,000 a year.</i></p> <p><i>If options 5, 6 or 7 is agreed a transitional financial arrangement is likely to be requested by the Town Councils to take over the market management leading to</i></p>

	<p><i>no subsidy after an agreed period of time.</i></p> <p><i>A transfer of Market Rights would lead to a loss of income of £14,500 from the licensing of other markets but this is likely to be outweighed by losing all other associated costs of running the markets.</i></p>
Human Resource:	<p><i>The member of staff affected by the options has been consulted regarding this report. TUPE implications or redundancy may exist subject to further legal and HR advice. A staff consultation process would be applicable in these circumstances.</i></p>
Risk Management:	<p><i>A transfer of Market Rights to Town Councils is the option that most reduces risk to the District Council. There is a risk of Town Councils not having experience in this field but the contract with Bishops Stortford has shown that with support and transfer of experience this is a sustainable and realistic option. Not approving proposals or choosing an alternative option could potentially increase risk, as well as costs to the council in the future.</i></p>
Health and wellbeing – issues and impacts:	<p><i>Local markets provide a vital resource for local communities in terms of supporting the local economy as well as providing an enjoyable leisure activity. Fresh local produce also encourages healthy eating.</i></p>

## Markets Options Appraisal

The purpose of this Options Appraisal is to explore the advantages and disadvantages of the different types of market management arrangements that could be employed in East Herts. Through an appraisal of the options, the report aims to recommend the best option for the future operation of East Herts markets

There are also a number of other considerations that affect the markets service:

### Legislation to be able to operate a market

The general rule is the owner of market rights has the ability to hold markets and control and license other markets within a six and two thirds miles area of the location where the markets are held. That area of control has now been extended, by virtue of a court decision in 2004 involving Leeds Council, to cover an area of six and two thirds miles from any market licensed by the owner of the market rights.

Town and Parish Councils are also entitled to operate markets in their own right. In addition to any charter all Town and Parish Councils are entitled to use the powers contained in Part 111 of the Food Act 1984 to establish markets. These powers are the same powers used by Unitary and District Councils to operate Markets. This means that the Town and Parish Councils could decide to establish markets of their own without reference to the District Council on the issue of market rights although they would need planning permission, for a regular market, and might need other approvals such as highway or road closures.

### Town centre regeneration and location of markets

To ensure the markets are sustainable for the foreseeable future, it is essential that they look and feel like a traditional town market and ideally should be centralised in one place in each of the towns. In Bishops Stortford in particular the current market offer is not in the ideal location as is spread out along an area of relatively low footfall.

Customer experience is improved by ensuring the market is the optimum size, clearly signposted and in the right location. The town centre strategies and regeneration of Hertford and Bishops Stortford may or may not have an effect on the location of the markets in the

future. In Ware the re-landscaping of Tudor Square may also affect the look and feel of the market in the future.

### Investment in the markets

Retail market performance is not dissimilar to the rest of the high street, in that trading conditions are still challenging. Outside of London, generally speaking specialist markets such as farmers markets are doing better than traditional retail markets.

Therefore to ensure sustainability and viability of markets continued investment in marketing and promotion should continue so residents and visitors know what the market has to offer. There should also be a commitment to improve overall offer on the market in terms of the range and quality of goods and services sold.

### Waste management and Environment

It can be argued that markets provide a positive impact on their environment. NABMA indicates, via a study conducted recently by the Local Government Association, that markets can be rated much higher than supermarkets in terms of eliminating excessive packaging waste.

At present all East Herts Markets (including Bishops Stortford) have market waste removed as part of the Councils waste management contract. This is in the process of being retendered and from May 2018 will be a joint contract with North Herts District Council. In the new contract there is a market waste option which the market operator could choose whether or not to take this up or investigate other options for market traders' waste management/disposal.

### Staff resource

Options should consider the level of staffing required by the Council. In-house management will require a higher direct staffing requirement. Some resource would also be required if the markets were contracted out. Any option should not be onerous, should reduce EHC management resource and responsibility and enable decision making at a local level. They should also allow sustainability of the markets.

Options to fully transfer the ownership of the markets, with or without the market rights could result in a possible TUPE transfer or redundancy of a current EHC employee.

### Local community and local economy



Well operated markets will have a positive impact on the local community. They act to provide social cohesion, visitor traffic into town centres is increased and the net effect is a more vibrant economy, which translates to high street retailers also. Local people have a wider retail choice at their disposal. Either the District or Town Councils are best placed to increase both local community and economic growth because they are working at the local level, have a clear commitment to act in the best interests of the towns as a whole, and therefore will be more committed to successful future of markets.

### Health and safety

East Herts markets are temporary, demountable market stall structures. They could pose a health and safety risk in the high streets in which they are erected, especially if they encroach beyond permitted boundaries. There is also the possibility that trip hazards could increase if packaging and other items are left in walkways by market traders. These negative impacts can be mitigated by ensuring a markets officer strictly 'risk assesses' the working environment of the market, such that stalls are erected only within permitted boundaries and packaging is stored away from hazardous areas. This would continue either through in-house provision, contract specifications or new providers.

### **Strategic aims and identifying objectives**

Two main documents have been considered to identify the strategic priorities and the objectives: The Economic Development Vision and Action Plan for East Herts 2016/17 – 2019/20 and the current East Herts Markets Policy 2016.

Three clear priorities have been identified in relation to market provision:

- Realising the Economic Development Vision for East Herts
- Operational Sustainability
- Financial Sustainability

These priorities can be broken down into 10 broad objectives which have been used to assess each of the options:

## Realising the Economic Development Vision for East Herts

1. **Be a Business Friendly Council** – to ensure traders, community and business involvement in the management of the markets. The market operator is interested in engaging communities in local issues and markets fit the local need of the area.
2. **Enabling Entrepreneurs – start-ups/support for small businesses** – to increase opportunities for local producers to sell to a broader range of customers.
3. **Supporting Rural Economy** – supporting village based and farmers markets and supporting local producers in bringing their produce to the customer, especially where this helps protect rural environment through supporting farmers to diversify their business.
4. **Encourage Vibrant Town Centres** – work with Town Councils to deliver special events and specialist markets to increase footfall in town centres regenerating town centres.
5. **Supporting Visitor Economy** – encouraging tourism and trade; encourage new customers to the market; increase frequency and duration of customers' visits; attract visitors who want specialist produce and a traditional and historic atmosphere to shop in.

### Operational Sustainability

6. **Ensure Market Operator is competent and experienced** –to minimise the risk of non-delivery of the service. Be able and committed to enforcing standards and managing market traders effectively and fairly.
7. **Ensure legislative compliance** – to regulate markets in a fair way and plan provision of markets; maintaining the quality of the markets offer; ensuring that relevant standards are applied; maintaining consumer confidence; protecting Public Safety.
8. **Reduce responsibility to East Herts** – transfer day to day control away from East Herts Council. Minimise time, resources and costs to set up and administer.

## **Financial Sustainability**

- 9. *Potential to reduce operational costs to the council*** – reduce management and staff overheads, make operational cost savings by exploring new ways of service delivery.
- 10. *Economic Viability of the markets*** – operator sustains market offer and invests surpluses back into the markets.

A number of options for managing the service have been identified and assessed in terms of meeting the objectives.

### **Option 1 is to no longer operate markets.**

The council would save revenue, but customers' retail choice and value would be reduced. East Herts Markets are popular shopping experiences and their closure would result in widespread dissatisfaction amongst residents and cause negative publicity and feeling, with subsequent adverse political consequences.

### **Option 2 is to let contracts to a number of contractors covering different towns**

Bishops Stortford Market is already contracted out and there could be an option to contract out Hertford and Ware markets either to the Town Councils or to private sector market operators. Ultimately it is not considered to be a workable option because there are a very limited number of private sector market operators working on a nationwide basis that would be able to answer a number of separate tenders. If contracted out to it would cause confusion, unnecessary administration and bureaucracy in terms of tender evaluation and ongoing service provision for the size of the markets, and would generally result in an unnecessary over complication of the operation of markets.

### **Option 3 is to let a single new contract following a procurement exercise.**

This option is more appropriate for Councils with larger markets, particularly where there is a dedicated market space. It is an opportunity to start a robust tender competition, which will ask entrants to look to provide best value within their submissions. There is a limited number of providers and due to the size of East Herts markets it is highly likely that tender competition quality and number of submissions would be very low, leaving the council with few options in terms of selecting a preferred operator. This arrangement couldn't commence until the BSTC contract

ends in May 2019. There may also be TUPE implications with this option.

#### **Option 4 is to take back the operation of all the markets in-house**

In-house operation of the markets would involve a return to the management arrangement before June 2015, when BSTC were contracted to manage the market. This arrangement couldn't commence until the contract ends in May 2019. The contract would have to be retendered before that date and East Herts Councils Markets team would have to put in place an in house bid if BSTC expressed an interest in tendering for the market. Given that Bishops Stortford town council has already shown they are able to operate the markets and manage stallholders effectively and are likely to wish to continue this, this is not a preferred option.

#### **Option 5 is to licence Town Councils to run markets but EHC to keep the market rights**

There are clear synergies between the market activity and town centre 'events' which are typically the responsibility of the Town Councils. A transfer to management of markets at a more local level ensures closer trader and community involvement.

The Council could transfer responsibly to Town Councils to run the markets in a number of different ways. Often it is covered by a licensing agreement where the District Council provide a framework for how the arrangements will work. In certain instances the arrangements go into great detail. In other cases it is very simple document. Alternatively, given that the Town and Parish Councils have the same powers where the Market is operated under Part 111 of the Food Act 1984, the arrangements have sometimes only covered the transfer of assets. TUPE arrangements with regard to staff are unlikely to apply as the service would be split up.

As the owner of the market rights in the District, the Council recognises that it holds a monopoly. The current policy enables it to manage that monopoly responsibly and fairly and any future change should ensure this continues. By keeping the market rights EHC can continue to influence and keep control of markets that set up illegally in the District. Alternatively EHC can retain the licensing role but consult the Town and Parish Councils in respect of any Market falling within their area.

If Town Councils were granted rights to hold specific markets and EHC retained the market rights to administer licensing arrangements for other

markets this could be a simpler option to administer and enforce than giving full market rights.

Keeping market rights and the licensing role would result in a continued income stream of approximately £14,500 per annum to the District Council (based 2016/17 estimates) however some Council resource would be needed to administer this. It would be recommended that some of this income is given back to the town councils as a transitional subsidy to help with set up and administration costs. Therefore there is a risk that there could still be a financial burden and staff cost to the council with this option.

### **Option 6 is to hand over market rights to Town Councils**

As in option 5 the Council could licence the town councils run the market but also lay down the licensing arrangements that Town and Parish Councils are able to implement. The District council would have no direct responsibility for running markets or licensing other markets in the District. All responsibility, risk, income and control for markets are handed to Town Councils. The income from licencing other markets such as specialist food markets and car boots could help support the running costs of the town council markets.

Another important issue is enforcement of non-licensed markets. District Councils have much better enforcement arrangements than Town and Parish Councils, although in theory, Town Councils could buy in EHC legal support if and when needed.

This option could be a problem if you gave the powers to both Hertford and Ware Councils as they are close to each other. Strictly both Councils could have separate licensing arrangements that an applicant would have to follow and this could lead to problems and confusion. Any agreements would need to be carefully worded to ensure ease of administering and enforcement.

Initial conversations with Town Clerks convey the understanding that subject to a decision by their members and a more detailed analysis of the costs / funding this may be an option.

### **Option 7 is if one or two Town Councils take up the option of running Markets, leaving East Herts with the remainder and the licensing.**

In the event that only one or two Town Councils take over the direct running of their markets this could leave EHC with the remainder and the

licensing of other markets. This is not an ideal option as would still leave EHC with overheads in running the service. Therefore in order to satisfy the financial objectives EHC would need to reduce staff costs by changing role or hours of market manager.

**Option 8 continue the current arrangement where Bishops Stortford Market is contracted out and East Herts runs Hertford and Ware**

The Current market manager has a wealth of experience and knowledge of the role and the markets continue to attract a stable number of traders but due to BSTC taking over the market there this has potentially reduced the role by 35%.

The contract with BSTC is now working well and Bishops Stortford Town Clerk has informally expressed an interest to continue running the BS market after the current contract ends. As with option 7, current costs to the Council will continue and although the economic objectives are satisfied this option does not resolve the ongoing cost of the markets service to the Council.

**An Options Appraisal is attached in Appendix 'A'**

The resulting proposal is subject to scrutiny by the Council and stakeholders through the consultation process. This options appraisal scores each option against the identified key objectives. The objectives are weighted according to their importance to the Council in delivering a balanced solution. Therefore objectives such as reducing operational costs are weighted more than the experience of market operator. There are also more objectives relating to Economic Development than there is to Economic sustainability reflecting the council's commitment to ensuring viability of the town centres.

# Markets Options Appraisal

Appendix 'A'

SCORE	Level	SCORE	Level	SCORE	Level
0	does not meet criteria	5	some reservations	10	meets criteria
2.5	major reservations	7.5	mostly meets criteria		

		Option 1		Option 2		Option 3		Option 4		Option 5		Option 6		Option 7		Option 8		
<b>Quality Evaluation Criteria</b>		Cease provision		Let contracts to a number of contractors covering different towns		Let a single new contract following a procurement exercise		Take back the operation of all markets in-house		Licence Town Councils to run markets but EHC keep Market Rights		Hand over Market Rights to Town Councils (includes licensing of other markets)		One or two Town Councils take up option of running markets leaving EHC with remainder and licensing		Keep current arrangements in place. Continue BSTC Market contract and EHC run Hertford and Ware		
	Weighting Factor (5)	Score (10)	Weighted Score	Score (10)	Weighted Score	Score (10)	Weighted Score	Score (10)	Weighted Score	Score (10)	Weighted Score	Score (10)	Weighted Score	Score (10)	Weighted Score	Score (10)	Weighted Score	
<b>Economic Development Objectives</b>																		
Objective 1:	Business Friendly Council (traders / community involvement)	5	0	0	5	25	5	25	7.5	37.5	10	50	10	50	10	50	7.5	37.5
Objective 2:	Enabling Entrepreneurs (start ups / support for small businesses)	5	0	0	5	25	5	25	10	50	10	50	10	50	10	50	10	50
Objective 3:	Supporting Rural Economy (farmers markets, sustainability etc)	5	0	0	5	25	5	25	10	50	10	50	10	50	10	50	10	50
Objective 4:	Encourage Vibrant Town Centres (footfall)	5	0	0	5	25	5	25	10	50	10	50	10	50	10	50	10	50
Objective 5:	Supporting Visitor Economy	5	0	0	5	25	5	25	10	50	10	50	10	50	10	50	10	50
<b>Operational Sustainability</b>																		
Objective 6:	Experience of Market Operator	3	0	0	7.5	22.5	7.5	22.5	10	30	5	15	5	15	7.5	22.5	7.5	22.5
Objective 7:	Ensure legislative compliance	4	0	0	5	20	5	20	10	40	7.5	30	7.5	30	7.5	30	10	40
Objective 8:	Reduce responsibility to EHC	5	10	50	5	25	7.5	37.5	0	0	5	25	7.5	37.5	5	25	2.5	12.5
<b>Financial Sustainability</b>																		
Objective 9:	Reduce Operational Costs	5	10	50	5	25	7.5	37.5	2.5	12.5	7.5	37.5	10	50	5	25	0	0
Objective 10:	Sustainable Economic Viability of Markets	5	0	0	5	25	5	25	5	25	7.5	37.5	7.5	37.5	5	25	5	25
Totals		47		100		242.5		267.5		345		395		420		377.5		337.5

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EAST HERTS COUNCIL

COMMUNITY SCRUTYING COMMITTEE : 28 MARCH 2017

REPORT BY HEAD OF OPERATIONS

DRAFT PHYSICAL ACTIVITY STRATEGY

WARD(S) AFFECTED: All

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## **Purpose/Summary of Report**

- To provide an overview of the draft Physical Activity Strategy for East Herts included in Essential Reference Paper B.
- To propose that, subject to consultation feedback being adopted (where appropriate), the strategy is taken forward to an Executive meeting in Summer 2017 for approval.

## **RECOMMENDATIONS FOR COMMUNITY SCRUTINY COMMITTEE:**

**That:**

<b>(A)</b>	<b>Members' comments on the draft Physical Activity Strategy in Essential Reference Paper B be incorporated prior to public consultation; and</b>
<b>(B)</b>	<b>the strategy be submitted to the Executive in Summer 2017 for approval.</b>

### 1.0 Background

- 1.1 In July 2016 the Executive agreed to explore the future direction of travel for its leisure facilities and the joint use pools in preparation for the contract renewal for the operational management of the sites.
- 1.2 During this exploration for future options it was identified by the Leisure Task and Finish group that there is a need to adopt a physical activity strategy for East Herts that would provide a set of principles that could underpin future leisure provision development.

The strategy aims to demonstrate our strategic vision and commitment to shaping future physical activity opportunities. This allows us to be clear about our overarching objectives and approach to ensure future provision is appropriate and accessible to all sectors of our community . The physical activity strategy provides a further contribution to our health and well-being aspirations. There is no current physical activity strategy adopted by East Herts Council.

## 2.0 Report

- 2.1 A physical activity strategy provides an understanding of local need, how and where physical activity/resources are best delivered to meet those needs and the partnerships required to achieve this. Promoting a physical activity strategy demonstrates to residents and stakeholders our commitment to increasing physical activity levels in our District and opens the door for collaboration in this field. To this end a draft Physical Activity Strategy is appended as **Essential Reference Paper “B”**.
- 2.2 This strategy is about East Herts Council being committed to improving the health and well-being of its community and enhancing the quality of people’s lives. It recognises that sport and physical activity is key to achieving this. We want every member of our community to have the opportunity to participate in physical activity in the way they wish. Whether that is, walking in our parks and open spaces, cycling to work, playing sport with friends and family or simply going to the gym.
- 2.3 Physical activity is essential for overall health and well-being. It benefits both mental and physical health directly and indirectly. It is associated with a reduction in mortality, and long term conditions and diseases such as diabetes and heart disease. It also positively impacts mental health, stress, excess weight and community cohesion.
- 2.4 In order to engage with key partners and local communities it is proposed that a consultation process is conducted to both engage and enable people to shape our plans and priorities. The consultation will include formal discussions with key stakeholders such as Active East Herts, County Sports Partnership and colleagues within the County Council. It will also seek the views of Town, Parish Councils and local sports and voluntary organisations and residents. Members are also be invited to comment. The consultation will take place over 30days.

- 2.6 It is proposed that the responses will be collected and collated into a penultimate Physical Activity Strategy and that these will be reported back to the Leisure Task and Finish Group. A final draft of the strategy will be presented to the Executive for approval and recommended for adoption by Council. A copy of the strategy will be made available to elected members through the Members Information Bulletin.
- 2.7 The risk of not having a strategy in place could indicate to potential funders and partners that the Council does not recognise the importance that leisure and physical activity provides to the life of our community.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

Draft East Herts Sport and Physical Activity Framework Plan 2017 – 2021

Contact Member: Mr E. Buckmaster – Executive Member for health and Wellbeing  
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Contact Officer: Jess Khanom – Head of Operations  
Contact Tel No 1693  
[jess.khanom@eastherts.gov.uk](mailto:jess.khanom@eastherts.gov.uk)

Report Author: Joe Liggett – Leisure Services Development Manager  
[joe.liggett@eastherts.gov.uk](mailto:joe.liggett@eastherts.gov.uk)

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives	Priority 1 – Improve health and well-being of our communities  Priority 2 – Enhance the quality of people's lives
Consultation:	<i>Leisure Task and Finish group. Public consultation required.</i>
Legal:	<i>Under the National Health Service Act 2006, each local authority has a duty to 'take such steps as it considers appropriate for improving the health of the people in its area'. Further subsections set out the wide-ranging steps which may be taken to fulfil this duty, including providing information and advice, and making available the services of any person or any facilities.</i>
Financial:	N/A
Human Resource:	N/A
Risk Management:	N/A
Health and wellbeing – issues and impacts:	<i>Paper seeks to contribute to health and well-being directly.</i>

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### **East Herts Physical Activity Strategy 2017 -2022**

#### **Introduction**

East Herts Council is committed to improving the health and well-being of its community and enhancing the quality of people’s lives. We recognise that sport and physical activity is key to achieving this. We want every member of our community to have the opportunity to participate in physical activity in the way they wish. Whether that is, walking in open spaces, cycling to work, playing sport with friends or in a gym.

We introduce this Sport and Physical Activity Strategy to demonstrate our aspirations and commitment to this vision.

#### **Background: Our District**

The population of East Herts is approximately 145,000. Approximately, 20.5% people are currently physically inactive. People who are inactive have a much higher risk of long term conditions including cardiovascular disease, diabetes, osteoporosis and some cancers. In addition they are more likely to suffer from depression loneliness and dementia.

The average age of East Herts residents is marginally over 40, which is slightly above the average age of England at 39.6 but lower than that of East England. Its demographic is predominantly 'White British' with over 95% which is far higher than both the East of England and England as a whole.

The ageing population in East Herts very much mirrors patterns found across England. The rural nature of the District coupled with an aging population may cause bigger problems than that are found in other, more urban, Districts with social isolation likely to be an issue. Car usage is very high in the District.

The key health statistics for East Herts are as follows:

- Excess weight in children (reception) 18.4%
- Excess weight in children (Year 6) 23.9%
- Excess weight in adults 63.6%
- Physically active adults 64.5%
- Physically inactive adults 20.5%
- 4.9% of recorded cases of diabetes (17yrs +)
- 3433 (per 100,000) injuries due to falls for 80yrs+ (males)
- 5981 (per 100,000) injuries due to falls for 80yrs+ (females)

Physical activity is essential for overall health and well-being. It benefits both mental and physical health directly and indirectly. It is associated with a reduction in mortality, long term conditions and diseases such as diabetes, heart disease and bones disease. It also positively impacts mental health, stress, depression, excess weight, community cohesion and promotes a positive outlook on life.

Adults in England should aim to take part in at least 150 minutes of moderate intensity physical activity each week, in bouts of 10 minutes or more, according to physical activity guidelines for adults from the UK Chief Medical Officers.

Physical Activity can include some or all of the following activities.

<b>Physical Activity</b>			
<b>Active Living</b>	<b>Active Travel</b>	<b>Active Recreation</b>	<b>Active Sport</b>
Housework	Walking	Exercise	Organised Participation
Gardening	Cycling	Dance	Structured Competitive Activity
Walking	Jogging	Gym	Informal Sport
Chair based activities		Swimming	Swimming
		Active Play	

### Our Vision

Everyone in East Herts will have the opportunity to be physically active through work, travel or participation in sport and leisure.

### Our objectives:

To work with partners to ensure appropriate and accessible physical activity provision and information is available for:

- a) children and young people to support the reduction in excess weight and promote physical activity as part of a healthy lifestyle
- b) adults and older people to achieve a year-on-year increase in adult participation in physical activity 2017 – 2022\*
- c) adults and older people to achieve a year-on-year reduction in the number of adults who are inactive 2017 – 2022\*

*\*measured via Sport England Active Lives Survey*

### Our Journey:



Local research in East Herts (2016) is encouraging. 51% of people surveyed about physical activity indicated that they would like to be more physically active. However, they also identified key barriers with not enough time being the most significant factor at 47%.

In order to support our residents in becoming more active and receiving the vast benefits of becoming physically active we need to take a whole system approach to physical activity which requires working in partnership with key stakeholders. The development of leisure centres alone will not create an environment that all sectors of our community wish to participate in. A whole system approach recognises that it is everybody's responsibility to encourage physical activity not just those who work within the industry of leisure and sport.

The key strategic themes that will drive the Council's approach to increasing physical activity are outlined below:

- **Active Living**, encouraging our residents to build physical activity into their everyday lives
- **Active Travel**, influence infrastructure plans to make active travel an easy and convenient option for our residents
- **Active Recreation**, investing in leisure facilities, parks and open spaces to provide our residents with a range of affordable leisure opportunities across the district
- **Active Sport**, provide a facilitation role to local sports clubs and voluntary organisations to support their Health and Well-being offer to the community.

The Council recognises that there are a number of organisations, facilities and committed volunteers delivering a vast range of sport and physical activity schemes and interventions and intends to build upon those successes in collaboration with stakeholders to ensure the health and well-being of all members of our community is improved.

In developing its action plan the Council will complement the work of national, regional and local organisations including:

- Public Health England – Everybody Active Every Day
- Department of Culture Media and Sport – Sporting Future: A New Strategy for an Active Nation
- Sport England – Towards an Active Nation
- Hertfordshire County Council – Physical Activity and Sports Framework

A detailed action plan will be produced following consultation and contributions from partners and this will be reviewed annually. A summary of the key actions are highlighted below

Theme	Key Actions
Active Living	<ul style="list-style-type: none"> <li>- Supporting national and regional campaigns promoting physical activity</li> <li>- Exploring social prescribing for physical activity</li> <li>- Member champions for physical activity/health and well being</li> </ul>
Active Travel	<ul style="list-style-type: none"> <li>- TBC Actions to be agreed through sustainable travel work</li> <li>- Actively influence partners and developers to think creatively about opportunities to encourage physical activity in terms of travel i.e. footpaths, cycle lanes</li> <li>- Development of a cycle hub</li> </ul>
Active Recreation	<ul style="list-style-type: none"> <li>- Delivery of new leisure contract, reflecting health and well-being needs of the community.</li> <li>- Develop circular walks in our parks and open spaces</li> <li>- Enhance our parks offer to improve our children's play areas, teen action zones and trim trails</li> <li>- Explore opportunities to sustain successes of the Forever Active programme</li> </ul>
Active Sport	<ul style="list-style-type: none"> <li>- Commit investment where funds are available (e.g Section 106) to develop the infrastructure of sports facilities and open spaces to meet the needs of a growing population as identified in the indoor and outdoor sports spaces assessment.</li> <li>- Work with partners across the County to seek external funding via Sport England / Herts Sports Partnership</li> </ul>

This is not an exhaustive list, the action plan will be a working document evolving to reflect local needs.

## EAST HERTS COUNCIL

COMMUNITY SCRUTINY COMMITTEE: 28 MARCH 2017

REPORT BY CHAIRMAN OF COMMUNITY SCRUTINY

SCRUTINY WORK PROGRAMME

WARD(S) AFFECTED: none

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### **Purpose/Summary of Report**

- To consider the items on the work programme for the existing Community Scrutiny Committee, in the context of changes to the scrutiny committee system.

<b><u>RECOMMENDATION COMMUNITY SCRUTINY COMMITTEE:</u></b>	
<b>That:</b>	
<b>(A)</b>	items from the work programme for Community Scrutiny Committee be included in the Scrutiny Committee Work plans under the new scrutiny system .

### 1.0 Background

- 1.1 Items previously required, identified or suggested for the Community Scrutiny work programme are set out in **Essential Reference Paper “B”**.
- 1.2 A report on the changes to scrutiny was considered at the Joint Scrutiny Committee meeting on 14 February 2017 and changes to the way in which the Council undertakes scrutiny were recommended. ([140217 Joint Scrutiny Report on Proposed Changes to Scrutiny](#)) These recommendations were agreed by Council on 1 March 2017, with the changes to be implemented from 1 May 2017.
- 1.3 When the proposed changes to the Scrutiny system are implemented, Members of each scrutiny committee will work together to devise their own Workplan.

- 1.4 All Members are invited to attend training on 'Designing a Scrutiny Programme' on 30 March 2017 at 7pm.
- 2.0 Report
- 2.1 The existing draft work programme for meetings of Community Scrutiny Committee is shown in **Essential Reference Paper B**. Members are asked to consider the outstanding topics drafted for 2017/18 and whether they recommend their inclusion in the Scrutiny Committee Workplans under the proposed new system.
- 2.2 Members are asked whether there is any additional topic they wish to put forward for future scrutiny. The scrutiny topic suggestion form is attached as **Essential Reference Paper C**.
- 2.3 Members are asked whether they have any training needs relevant to scrutiny.
- 2.4 Member comments and feedback have been included in the Scrutiny Review process, which has informed the changes to scrutiny arrangements. Members are also invited to submit any specific feedback on scrutiny work and outcomes in 2016/17, which will feed into the annual scrutiny report.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers: none

Contact Member: Cllr Patricia Moore – Chairman Community Scrutiny Committee

Contact Officer: Alison Stuart: Head of Democratic and Legal Support Services  
[alison.stuart@eastherts.gov.uk](mailto:alison.stuart@eastherts.gov.uk)

Report Author: Scrutiny Officer  
[fiona.corcoran@eastherts.gov.uk](mailto:fiona.corcoran@eastherts.gov.uk)

## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

<p>Contribution to the Council's Corporate Priorities/ Objectives:</p> <p>2016/17 wording</p>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p> <p>Effective use of the scrutiny process contributes to the Council's ability to meet one or more of its corporate objectives.</p>
<p>Consultation:</p>	<p>Potential topics for scrutiny are always invited from the Executive and all Members and the public are asked through an annual item in the 'council tax' edition of LINK magazine which is delivered to every household. Members of each scrutiny committee are consulted at every meeting as their work programme is a standing item on the agenda.</p>
<p>Legal:</p>	<p>According to the Council's constitution, the scrutiny committees are responsible for the setting of their own work programme in consultation with the Executive and in doing so they shall take into account wishes of members on that committee who are not members of the largest political group on the Council.</p>
<p>Financial:</p>	<p>Any additional meetings and every task and finish group has resource needs linked to officer support activity and time for officers from the services to make the required input.</p>
<p>Human Resource:</p>	<p>None</p>
<p>Risk Management:</p>	<p>Matters which may benefit from scrutiny may be overlooked. The selection of inappropriate topics for review would risk inefficient use of resources. Where this involved partners, it could risk damaging the reputation of the council and relations with partners.</p>
<p>Health and wellbeing – issues and impacts:</p>	<p>The broad remit of scrutiny is to review topics which are of concern to the public, many of which have an indirect impact on the general wellbeing of residents of East Herts.</p> <p>The Health and Wellbeing Scrutiny Committee is set up to specifically focus in on issues and topics which have a direct and immediate impact on the health and wellbeing of all those who live, work or study in the district.</p>

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**Community Scrutiny Committee work programme DRAFT  
COMMUNITY SCRUTINY**

***NB:** These are the items remaining on the Community Scrutiny Committee work programme. When changes to scrutiny (agreed by Council on 1 March 2017) are implemented, items may be considered by either, the Performance, Audit and Governance Committee or the Overview and Scrutiny Committee.*

2017/18	<b>Delivery of Housing and Health Strategy</b> – Year 1 Review	Housing Development and Strategy Manager	Item for Performance, Audit & Governance Committee (possibly 4 July 2017) under the proposed new scrutiny system.
	<b>Leisure Contract</b> – year 8 (NOTE: include finer breakdown of satisfaction data to show very/fairly etc – requested by members at their 15/03/16 meeting)	Head of Service and Lead Officer (+ invite SLM)	Item for Performance, Audit & Governance Committee on 23 May 2017 under the proposed new scrutiny system.
	<b>Leisure Strategy</b> – Outline Business case	Joe Liggett and Head of Service (Jess Khanom)	Items for Overview & Scrutiny Committee on 13 June 2017 under the proposed new scrutiny system.

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# ESSENTIAL REFERENCE PAPER C

## Scrutiny Proposal form

**Name of proposer:**

**What would you like to suggest for investigation / review by scrutiny?**

**Why would you like this to be reviewed? (Include the main issues / concerns to be considered)**

Please continue on a separate sheet if necessary

**What would be the likely benefits and outcomes of carrying out this investigation / review?**

**Estimated resource implications on staff and councillors (e.g. research group, one-off report, dedicated meeting etc) to achieve the likely outcome. The outcome must be proportionate to the cost of carrying out the review.**

**Suggested witnesses, documentation and consultation required**

**Will this investigation / review contribute to one or more of the Council's Strategic Priorities? If so, which (please tick)?**

Improve the health and wellbeing of our communities

Enhance the quality of people's lives

Enable a flourishing local economy

**Will this investigation / review meet one of the criteria below? If so, which (please tick)?**

**Public Interest:** The issue has been identified as a concern by local people

**Impact (Value):** The issue will make a significant difference to the social, economic and environmental wellbeing of residents, and has the potential for outcomes that could lead to real improvements.

**Relevance:** The issue is relevant and does not duplicate existing work being undertaken elsewhere

**Partnership working or external scrutiny:** The issue involves moving towards collective action and community leadership

**Would you like to be involved in the investigation / review?**

**Yes**

**No**

**Date of request:**

**Signed:**

Please return this form to the: Scrutiny Officer, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ Email: [fiona.corcoran@eastherts.gov.uk](mailto:fiona.corcoran@eastherts.gov.uk)