

PLEASE NOTE VENUE

ADULT AND PUBLIC HEALTH PORTFOLIO DECISION SCHEDULE



Monday 13th November 2006

at 9.00 am

**in Training Room 4, Municipal Building
Church Square, Hartlepool**

Councillor R Waller, Cabinet Member responsible for Adult and Public Health will consider the following items.

1. KEY DECISIONS

None

2. OTHER ITEMS REQUIRING DECISION

No items

3. ITEMS FOR INFORMATION

3.1 Adult and Community Service Departmental Plan 2006/07 – 2nd Quarter
Monitoring Report – *Director of Adult and Community Services*

3.2 Adult and Community Services Diversity Report – *Director of Adult and
Community Services*

3.3 Clean Neighbourhoods and Environment Act 2005 – *Head of Public
Protection and Housing*

3.4 Neighbourhood Services Departmental Plan 2006/07 – 2nd Quarter Monitoring
Report – *Director of Neighbourhood Services*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

None

ADULT AND PUBLIC HEALTH PORTFOLIO

Report To Portfolio Holder

13th November 2006



Report of: Director of Adult and Community Services

Subject: ADULT AND COMMUNITY SERVICES
DEPARTMENTAL PLAN 2006/07 – 2ND
QUARTER MONITORING REPORT

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the progress made against the Adult and Community Services Departmental Plan 2006/07 in the first half of the year.

2. SUMMARY OF CONTENTS

The progress against the actions contained in the Adult and Community Services Departmental Plan 2006/07, and the second quarter outturns of key performance indicators.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Member has responsibility for performance management issues in relation to Adult Services.

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Portfolio Holder meeting 13th November 2006.

6. DECISION REQUIRED

Achievement on actions and indicators be noted

Report of: Director of Adult and Community Services

Subject: ADULT AND COMMUNITY SERVICES
DEPARTMENTAL PLAN 2006/07 – 2ND
QUARTER MONITORING REPORT

1. PURPOSE OF REPORT

- 1.1 To inform the Portfolio Holder of the progress made against the key actions identified in the Adult and Community Services Departmental Plan 2006/07 and the progress of key performance indicators for the period up to 30 September 2006.

2. BACKGROUND

- 2.1 The Adult and Community Services Department includes Community Services, reporting to Culture, Leisure and Transportation Portfolio Holder, and Adult Services reporting to the Adult and Public Health Portfolio Holder.
- 2.2 The Adult and Community Services Departmental Plan 2006/07 sets out the key tasks and issues with an Action Plan to show what is to be achieved by the department in the coming year. The plan also describes how the department contributes to the Organisational Development Improvement Priorities as laid out in the 2006/07 Corporate Plan. It provides a framework for managing the competing priorities, communicating the purpose and challenges facing the department, and monitoring progress against overall Council aims.
- 2.3 The Council recently introduced an electronic Performance Management Database for collecting and analysing corporate performance. In 2006/07 the database will collect performance information detailed in the Corporate Plan and the five Departmental Plans. The aim is that the database will eventually collect performance information for all levels of the Council, including individual service/operational plans in each department.

3. HALF YEAR PERFORMANCE

- 3.1 This section looks in detail at how the Adults Services Division has performed in relation to the key actions and performance indicators that were included in the Adult and Community Services Departmental Plan 2006/07.

- 3.2 On a quarterly basis officers from across the department are asked, via the Performance Management database, to provide an update on progress against every action contained in the Departmental Plan and, where appropriate, every Performance Indicator.
- 3.3 Officers are asked to provide a short commentary explaining progress made to date, and asked to traffic light each action based on whether or not the action will be, or has been, completed by the target date set out in the Departmental Plan. The traffic light system has been slightly adjusted in 2006/07, following a review of the system used previously. The traffic light system is now: -

Red	- Action/PI not expected to meet target
Amber	- Action/PI expected to be meet target
Green	- Action/PI target achieved

- 3.4 Within the Adult Services there were a total of 104 actions and Performance Indicators identified in the 2006/07 Departmental Plan. Table 1, below, summarises the progress made, to the 30 September 2006, towards achieving these actions and PIs.

Table 1 – Adults Services progress summary

	Adults Services	
	Actions	PIs
Green	13	0
Amber	79	19
Red	4	2
Annual	3	7
Completed	5	0
Total	104	28

- 3.5 A total of 18 actions (17.3%) have already been completed or achieved, and a further 79 (76%) are on target to be completed by the target date. However, four actions have been highlighted as not being on target. More information on these actions can be found in the relevant sections below.
- 3.6 It can also be seen that 19 (68%) of the Performance Indicators have been highlighted as being expected to hit the target. There are no indicators currently being highlighted as having achieved the target, but many indicators have annual targets ending in March 2007, and will be unable to be signed off until then. It can be seen that 2 indicators have been highlighted as not being expected to hit the year end target, and an explanation for this is given in the relevant sections below. There are 10 indicators that are only collected on an annual basis and therefore no updates are available for those indicators.

Table2: Adults Services Actions not completed on target / not on target

Ref	Action	Milestone	Comment
ACS015	To use Assistive Technology (Telecare) to increase people supported at home to 1800 (120 new users)	30/09/06	Funds have been committed, with a start date of 1/09/06. Target should be achieved by 31/03/07
ACS062	Revise and resubmit POPP bid for next round	31/05/06	Bid submitted, but unsuccessful
ACS065	Appoint Link Support Worker for carers of people with dementia	31/09/06	POPP bid unsuccessful, so no funding available
ASC014	Work with RSL's to increase range of supported accommodation – Adults Placement Scheme for 10 people	31/03/07	Scheme established but unlikely to reach target numbers this year.

Table3: Adults Services PI's not on target

Ref	PI	Milestone	Comment
ACS PI6	Number of adult placement places	10 March 07	Recruitment of suitable carers ongoing via advertising campaign planned for Sep/Oct 2006.
ACS PI8	Number of sick days per employee	13 March 07	Sickness beginning to reduce, but unlikely to meet target

3.7 Within the second quarter Adult Services Division completed a number of actions, including: -

- Reported on introduction of Individual Budget and In Control
- Supporting People funding secured for vulnerable adults provisions
- Involving more users and carers in Commissioning and Development of Services, and in Staff Training.

4. RECOMMENDATIONS

- i) It is recommended that achievement of key actions and half year outturns of performance indicators are noted.

CONTACT OFFICER: Alan Dobby, Assistant Director (Support Services)

ADULT AND PUBLIC HEALTH PORTFOLIO

Report To Portfolio Holder
13 November 2006



Report of: Director of Adult and Community Services

Subject: Adult and Community Services Diversity Report

SUMMARY

1. PURPOSE OF REPORT

To report progress made in respect of the Adult and Community Services (A&CS) Diversity Action Plan, which forms part of the Corporate Race Equality Scheme.

2. SUMMARY OF CONTENTS

The report provides details of the Council's progress in respect of the actions planned to promote diversity.

3. RELEVANCE TO PORTFOLIO MEMBER

Departmental Performance.

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Portfolio Holder

6. DECISION REQUIRED

To endorse the report and note progress with the Action Plan.

Report of: Director of Adult and Community Services

Subject: ADULT AND COMMUNITY SERVICES DIVERSITY
REPORT

1. PURPOSE OF REPORT

- 1.1 To report to Portfolio Holder progress with the Action plan in respect of Diversity.

2. BACKGROUND

- 2.1 The Corporate Race and Diversity Scheme was published in May 2006. A Departmental Plan was drafted as part of this process. This includes:
- Identification and implementation of the actions required to achieve Level 3 of the standard.
 - Implementation of actions identified through the Impact Needs Requirement assessment process, which is undertaken each year to assess each function in terms of diversity.
 - Highlights the Diversity Impact Assessments to be undertaken during the year.
- 2.2 The Plan was developed by members of the Department's Diversity Steering Group which includes members from each service area in the Department. The Group reports to the Departmental Management Team (DMT) and the Corporate Diversity Group.
- 2.3 The Department aims to mainstream diversity activity and has been successful in driving this agenda. A number of briefings and workshops have been held for Directorate, DMT and Managers providing general training on diversity and specific topic based training to complement the Corporate training available.

3. ACTIVITY TO DATE

- 3.1 The Department has also attended the 'Talking With Communities' group to ensure we are undertaking effective consultation with the black, minority and ethnic (BME) community. Discussions to date have covered Disability, Direct Payments, Extra Care Housing and Adult Education issues. The next meeting will cover Community Services and consultation in proposed changes to eligibility criteria for adult social care 'Fair Access to Care'.

Talking With Communities, which has been led corporately has been a significant development and has made a real difference to the way we engage with the black, minority and ethnic community.

- 3.5 The established communication methods for consultation with people with a disability including the Planning Group 'Improving Life Chances' and All Ability Forum, and specific voluntary sector organisations in this area (including the Deaf Centre, Access Group) have been discussed at the Steering Group so that all parts of the Department are plugged into this network.
- 3.6 The Department has used the IDEA Work Book for recording evidence regarding the Equality Standard. It is currently being updated to include the 3 new Equality Standard Strands, age, sexual orientation, religion and belief. The update to Management Forum on 26th October 2006, covered amongst other topics, the new Age Discrimination Legislation, which came into effect on 1 October 2006.
- 3.7 Some key achievements include the appointment of a Disability Sports Officer on 5 June 2006, who has made significant steps in progressing this agenda. A number of cultural events have been arranged including 'Faces of Asia - Through The Eyes Of' exhibition at the Art Gallery and the Fireworks Display this year has a Bollywood theme.
- 3.8 The review of library vehicle services has been completed which included an assessment of how these services are delivered to those with special needs, who find visiting a library difficult. It should also be noted that ethnicity recording in all adult social care is now close to 100%. Adult and Community Services are by far the major users of the Tees Valley Communication Interpretation service.
- 3.9 A full progress report on actions identified is attached at **APPENDIX A.**

4. RECOMMENDATIONS

- 4.1 That the Portfolio Holder endorses this report.

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
<u>Adult Education</u>	Maggie Heaps		
• Increase type of support required		S	Additional in class support available from September 06.
• Annual review of delivery options		S	In progress as part of Self Assessment.
• Staff development programme		S	Staff Development programme in place.
• Provide increased services on line		S	Online enrolment now available. Learning platform now in place.
• Carry out an audit of available services (on information and advice to adults)		S	Process started as part of annual Self Assessment.
• DIAs to be undertaken			
Annual analysis of provision		S	In progress as part of annual Self Assessment Process.
Review impact of e-learning		S	Scheduled for Spring 07.
Analysis of availability of information and advice			Scheduled for November 06.
• <u>Sports and Recreation</u>	Pat Usher		
• Leisure Centre user survey will be undertaken May 2006		LP1CS2a LAA13	Survey conducted in May and awaiting breakdown of results in respect of attendance from NRF Wards.
• Review advertising literature		LAA29	Standardisation of production of advertising literature displayed in Leisure Centres ongoing. New advertising literature for the Community Centres being developed including large print versions.
• DIAs to be undertaken		LAA13	Ongoing process. Mini workshop session undertaken 6 th September. Further workshop for the team to be held 19 th October aim of which to complete DIA's on individual service areas
• Disability Sports Officer – impact of the work programme			See attached paperwork that gives update on progress made.
<u>Arts and Museums</u>	John Mennear		
• Improve accessibility of publicity information and interpretation of the museum collections		CL1.1	Tees Valley SPA project underway – Documentation Officer improving quality and depth of collections documentation. On production of brochures, leaflets, website and other publicity consider and comply to DDA recommendation re: font size, colours, readability and offer other formats

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
			Tour of Museum of Hartlepool initially being translated into 2 languages. Large print and other tours being developed
<ul style="list-style-type: none"> Undertake professional access audit/DDA plan and access improvements to Wingfield Castle 		HC18.1	Researching who and costs
<ul style="list-style-type: none"> Deliver a Diversity and Contemporary Collecting Project 		CL6.8	Completed, culminated in an exhibition at Hartlepool Art Gallery "Through the Eyes of" and objects and oral histories for the collection
<ul style="list-style-type: none"> Enhance and broaden interpretation, educational provision for diverse audiences (including young people, disabled and Black & Minority Ethnic people) at the Hartlepool's Maritime Experience and Hartlepool Art Gallery. 		CL6.8	Live Interpreter post now filled - to encourage diverse audiences through drama. Will be training front of house staff at Hartlepool's Maritime Experience. Also discussing developing a programme for Hartlepool Art Gallery. Web page project for school visitors to gallery "Changing Museums" gallery re-display project core funding now secured. bid to DCMS Wolfson fund in preparation Sept-Dec 06. Public consultation to start Jan 07
<ul style="list-style-type: none"> Create a new education suite for lifelong learning on PSS Wingfield Castle 		CL6.8	Awaiting results of Heritage Lottery Fund bid – November 2006
<ul style="list-style-type: none"> Launch the SPA website to provide on-line access to collections. 		CL1.1	Ongoing – Renaissance in the Regions project in partnership with Middlesbrough Museum Service, launching December 2006
<ul style="list-style-type: none"> Deliver a programme of arts and museums outreach projects with under-represented audiences 		CL6.8	Ongoing – photography project with BME women's group, people with mental health disabilities and young people. English speakers of other languages (ESOL) project with BME audiences Building of a round house at Summerhill with various under represented groups
<ul style="list-style-type: none"> Deliver 'Window on the World', a multi-cultural themed festival of exhibitions and events 		CL2.6	Maritime Festival a great success bring together diverse range of artists/performers Produce a range of publicity for Faces of Asia and Toys from India exhibitions and the Lantern Boat Parade. Consider and comply with DDA regulations and credit appropriate funders Photography exhibitions showing the work of various projects opens 23/09/06. School programme to accompany Steve McCurry exhibition "Faces of Asia"

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
<ul style="list-style-type: none"> Expand facilities at the Tramshead to enhance and widen provision for the community 		HC14.1	Ongoing – Adult Education assessing and promoting
<ul style="list-style-type: none"> Monitor and evaluate quality outcomes for service users using 'Inspiring Learning for All' framework 		CL6.8	Education and Cleveland Theatre Company Drama have been evaluated according to Inspiring Learning For All framework. Currently planning evaluation programmes for other areas
<ul style="list-style-type: none"> DIA's to be undertaken: 			
Access improvements on Wingfield Castle			Awaiting result of Heritage Lottery Fund bid – November 2006
Analysis of availability/accessibility of information			Awaiting result of Heritage Lottery Fund bid – November 2006
<u>Community Grants</u>	Sue Ryback		
<ul style="list-style-type: none"> Align Community Pool criteria with objectives of the Community Strategy 			Community Pool criteria reviewed and approved by Members 2004. New criteria implemented for the 2005/2006 financial year.
<u>Archaeology</u>	John Mennear		
<ul style="list-style-type: none"> Improve resources for public/education projects and accessibility using the Internet 			Schedule of events kept up to date
<u>Adult Social Care</u>			
<ul style="list-style-type: none"> Look at the Access Strategy and Contact Centre 	Ewen Weir		Work progressing. Further DMT discussion arranged.
<ul style="list-style-type: none"> Review commissioned services 	Phil Hornsby		
<ul style="list-style-type: none"> Look at the implications of the White Paper (Our Health, Our Care, Our Say) 	Nic Bailey/ Margaret Hunt	DEPT	Workshop held. Regional workshops attended. Work in progress to continue to assess & implement the White Paper.

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
<ul style="list-style-type: none"> Development of specific leaflets 	Marie Horsley		A variety of information has been produced in a range of formats – e.g easy read/large print/audio tape/Braille. Also all public information produced in Adult Care is available in these formats and also identified languages to meet diversity needs of the town A link to information on the Portal is also via hyperlink on internal and external order form/lists.
<ul style="list-style-type: none"> Review public information 	Marie Horsley		A bi-monthly bulletin is now produced to ensure available and planned information is publicised and also new developments are shared and promoted workforce guidance re production of good public information, including accessibility
<ul style="list-style-type: none"> Continue to increase the recording of ethnicity and monitor and try to improve the usage of services by the Black Minority Ethnic Communities 	Trevor Smith		Excellent recording of ethnicity. Now 99.99%
<ul style="list-style-type: none"> Continue to improve process and outcomes for users 	(linked to SAP)		
<ul style="list-style-type: none"> Implement electronic Single Assessment 	Steve Thomas		Paper based system implemented. Looking at electronic system across area.
<ul style="list-style-type: none"> Implement Health and Social Care Integrated Teams 	Ewen Weir		Work progressing. Project Manager in post.
<ul style="list-style-type: none"> Implement Direct Payments Action Plan and individual budgets 	Liz Bruce		Internal steering Group set up, action plan being implemented.
<ul style="list-style-type: none"> Expand choice of housing through Joseph Rowntree Extra Care and shared equity scheme 	Ray Turnbull	YES	Work progressing. Further consultation in progress. Visit to Talking With Communities.
<ul style="list-style-type: none"> Monitor and evaluate quality outcomes for services users 	Phil Hornsby		Work in progress.
<ul style="list-style-type: none"> Incorporate improvements from Commission for Social Care Improvement Learning Disability Inspection 	Liz Bruce		Report to Cabinet 6 November 2006 with Action Plan.
<ul style="list-style-type: none"> Implement mental health social 	Carl Bashford		All the Themed Partnerships have allocated LIT members who will work

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
indusion strategy			collaboratively to produce relevant action plans. Currently work is being developed with the Environment Themed Partnership to develop Horticultural Project to increase social/ vocational outcomes and there is work ongoing to develop Employment Initiatives to improve social indusion.
<ul style="list-style-type: none"> Implement new legislative guidance 	Carl Bashford	YES	<p>a) Independent Mental Capacity Act (a support event is planned for 8th September where a group from Hartlepool are attending to agree to planning, training and commissioning process) with the goal of having people in place for end March 07 and a training schedule put in place.</p> <p>b) The Amendment to the Mental Health Bill. The consultation process on how to implement planned amendments to the Bill ends on the 8th September, the MH LIT has been kept updated and had opportunity to comment.</p> <p>c) One of the PCT 'targets' is for Development Workers to improve services in relation to mental health and Black and Minority Ethnic communities, which we agreed to jointly across Tees (Hartlepool share is 1.14). the preferred provider has been identified and it is expected they will have people in post by the end of December.</p>
<ul style="list-style-type: none"> Review public information distribution 	Marie Horsley		Order Forms/Lists for internal and also external use have been reviewed to ensure that information is up to date from point of view of what is available and also regarding distribution to ensure all stakeholders are included. Further work will be done to monitor uptake and trends in requested information.
<ul style="list-style-type: none"> Extra Care Housing – further presentations and public information via Portal and other media, will widen opportunities for older people's participation through Diversity Forum and representation on the sub Design Group to help develop the housing and care support services, procedures and guidance 	Ray Turnbull		Project progressing. Talking With Communities Consultation held June. Further Consultations to be held.

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
<ul style="list-style-type: none"> Develop advocacy for people with a learning disability 	Liz Bruce		Work in progress.
<ul style="list-style-type: none"> Telecare Partnership Board to broaden the consultation of the Telecare strategy and develop awareness training for carers and users across all service user groups and help develop procedures and guidance through the Strategic Partnership arrangements. Produce an action plan that will lead to mainstreaming of the service and complement the preventative agenda. 	Ray Turnbull		Work Progressing on telecare strategy
<ul style="list-style-type: none"> Diversity Impact Assessments (DIAs) to be undertaken 			
Learning Disability Commissioning Strategy	Phil Hornsby/ Liz Bruce		In draft format
Extra Care Housing	Ray Turnbull		Complete
Direct Payments Equipment	Margaret Hunt		In progress
Telecare	Ray Turnbull		
Integrated Teams	Steve Thomas		Complete
Fair Access to Care	Margaret Hunt/ Alan Dobby		In progress
Carers	Janet Wistow		In Progress

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
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<u>Libraries</u>			
<ul style="list-style-type: none"> Reviewing library vehicle delivered services with the aim of making them more efficient and focus them more accurately. This will include how we deliver services to those with a special need who find visiting a library difficult for physical/mental reasons 	Graham Jarritt		Assessment of current services complete. Revised service plan to be completed by end Sept 06.
<ul style="list-style-type: none"> Launch a new database which will be a signposting tool to guide users onto other websites and/or source of information. It is aimed at anyone who regards themselves as socially excluded either on a permanent or a temporary basis. This will be available on the desktop of our people's network machines. 	Graham Jarritt		This database is now available online
<ul style="list-style-type: none"> Libraries will continue to actively promote services to groups who are traditionally poor library users 			Examples include: New collection 'Reading for mental wellbeing' – launch Sept 06, Reading group for people with mental health issues, ordering new requested materials in Bengali.
<ul style="list-style-type: none"> DIAs (Diversity Impact Assessment) Library Plan 			Submitted to Cabinet as part of Annual Library Plan report

DIVERSITY ACTION PLAN

17 October 2006

ACTION	LEAD	IN DEPT/SERVICE PLAN D/S/No	COMMENTS ON PROGRESS
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<u>Parks and Countryside</u>			
<ul style="list-style-type: none"> Include multi-language addition to information on events and on leaflets 	Tony Davison		Information to be received. Summerhill is part of the 'Language Line' initiative
<ul style="list-style-type: none"> Establish direct contact with the 'Talking with Communities' initiative considering issues in the local countryside. 	Richard Harland	LPI CS 9 CS EH1-4 LAA 30, 20&21	Parks and Countryside team programmed in for the 'Talking with Communities' meeting in November
<ul style="list-style-type: none"> Launch a café facility at Summerhill in conjunction with the Havelock Day Centre 	Tony Davison	LPI CS 9 CS EH1-4 LAA 30, 20&21	Café launched in April. Currently offering catering for 5 days per week during the summer holidays. Separate procedure developed. Café operating under the trading name of 'Summerhill Tea Shop'.
<ul style="list-style-type: none"> Work with the Havelock Day Centre to develop a social enterprise garden centre project 	Tony Davison		Some support given to the Havelock in relation to this project although the initial idea of setting something up at Summerhill is not feasible.
<ul style="list-style-type: none"> DIAs 			
<ul style="list-style-type: none"> Rights of Way (access for all) 	Richard Harland		The project is continuing within its time frame.
<ul style="list-style-type: none"> Grayfields Project 	Richard Harland	LAA 29,30	The project is nearing completion with only snagging to be done on the main pavilion consultation on its use with BME is still to be done.
<ul style="list-style-type: none"> Burn Valley Gardens 	Richard Harland	LAA 29,30	The project is approaching completion with the fitting of main gates and installation of multi language sign.

ADULT AND PUBLIC HEALTH PORTFOLIO

Report to Portfolio Holder

13 November 2006



Report of: Head of Public Protection and Housing

Subject: CLEAN NEIGHBOURHOODS AND ENVIRONMENT
ACT 2005

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the changes to noise legislation contained within the Clean Neighbourhoods and Environment Act 2005.

2. SUMMARY OF CONTENTS

The report summarises the changes to the noise legislation contained within the Clean Neighbourhoods and Environment Act 2005.

3. RELEVANCE TO PORTFOLIO MEMBER

Portfolio Holder is responsible for Environmental Health.

4. TYPE OF DECISION

For information only.

5. DECISION MAKING ROUTE

Adult and Public Health Portfolio.

6. DECISION(S) REQUIRED

To note the contents of the report.

Report of: Head of Public Protection and Housing

Subject: Clean Neighbourhoods and Environment Act 2005

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the changes with regards to noise legislation contained within the Clean Neighbourhoods and Environment Act 2005.

2. BACKGROUND

2.1 The provisions of The Clean Neighbourhoods and Environment Act 2005 relating to noise are contained within Part 7 of the Act and came into force in April 2006 (with the exception of Section 84 and the schedule 1 extension of the Noise Act relating to licensed premises which come into force in October 2006).

2.2 Sections 69 to 76

These sections introduce new powers for local authorities to deal with the annoyance caused by audible intruder alarms in their areas. The regime enables a local authority to designate its area (or part of it) as an alarm notification area. The effect of the designation is that the occupier or owner of any premises in the area must notify the authority of the details of a key holder for the premises. It is an offence to fail to nominate or notify the authority of the details of a key holder in a designated area.

2.3 Section 77 to 79

These sections provide the powers to local authorities in relation to alarms

Section 77 provides an authorised officer of the local authority with the power of entry (but not by force) in order to silence an intruder alarm in or on premises in the authority's area where he is satisfied that the conditions described in section 77(2) are met. These are that the alarm has been sounding for 20 minutes or more or intermittently for more than one hour and that the sounding of the alarm is likely to give persons living or working in the vicinity likely cause for annoyance. The use of this power is not limited to premises in an area that has been designated as an alarm notification area.

Section 78 provides that an authorised officer may enter premises using reasonable force if necessary to silence an alarm following the issue of a warrant by a justice of the peace.

Section 79 includes the provision allowing a local authority to recover expenses reasonably incurred by it in connection with entering premises and silencing the alarm under sections 77 and 78 and ensuring that any action taken in good faith by the authority under these powers does not subject it to any liability.

2.4 Sections 82 to 84

These sections of the Act relate to noise from premises.

Section 82 makes various amendments to the provisions of the Noise Act 1996 relating to fixed penalties. The Noise Act 1996 previously permitted a local authority to deal with noise exceeding permitted levels from only dwellings at nighttime. An authorised officer of a local authority can, under section 8 of the Act, give a person who he believes has committed an offence a fixed penalty notice, offering him the opportunity to discharge any liability to conviction for that offence by payment of a fixed penalty.

Section 82(3) introduces new sections 8A and 8B to the 1996 Act.

Section 8A(2)(a) enables a local authority to set the level of the fixed penalty in its area. The fixed penalty is set at £100 where no amount is specified by the local authority.

Section 8A(4) and (5) give powers to the Secretary of State to make regulations governing the power of local authorities to set local fixed penalty rates (by specifying a range within which the amount must fall).

Section 8B provides an authorised officer of a local authority with the power to require the name and address of a person if the officer proposes to give him a fixed penalty notice, and makes it an offence for that person to fail to give that information or to give false or inaccurate information.

Section 83 amends section 9 of the Noise Act 1996, which contains provisions dealing with the use by local authorities of receipts from fixed penalty notices given under section 8 of that Act.

The amendments include in the list of qualifying functions for which a local authority can use those receipts its new functions relating to intruder alarms and in relation to noise and statutory nuisance under the Environmental Protection Act 1990. It also makes similar provision to that made by Section 8 of the Noise Act 1996.

Section 84 and schedule 1 extend the powers under the Noise Act 1996 for a local authority to take action to deal with noise at night to premises (formerly restricted to noise from dwellings) in respect of which there is either a premises licence or a temporary event notice in effect under the Licensing Act 2003. The new regime for licensed premises to all intents and purposes mirrors the existing one for dwellings.

The schedule inserts a new section 4A into the Act, which provides that an offence is committed by the responsible person in respect of the licensed premises where, further to the service of a warning notice under section 3 (as amended), noise exceeding the permitted level is emitted from the premises in the period specified in the warning notice. The permitted level for noise from such premises will be determined by the Secretary of State.

The fixed penalty in respect of licensed premises is fixed at £500.

3 Out of Hours Service

- 3.1 The council does not currently provide an out of hours service to deal with noise complaints outside of normal office hours. There is a limited out of hours service which consists of pre arranged visits and/or monitoring as part of ongoing investigations of current noise complaints.
- 3.2 The number of noise complaints has risen substantially this year compared to the same period last year. Many of these complaints concern alleged noise nuisance out of normal office hours and particularly during the early hours of the morning.
- 3.3 Consideration is therefore being given to the possibility of an increased 'out of hours' noise service.

4 RECOMMENDATIONS

That Portfolio Holder notes the contents of the report.

ADULT & PUBLIC HEALTH SERVICES PORTFOLIO

Report to Portfolio Holder
13th November 2006



Report of: Director of Neighbourhood Services

Subject: NEIGHBOURHOOD SERVICES
DEPARTMENTAL PLAN 2006/07 – 2ND
QUARTER MONITORING REPORT

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the progress made against the Neighbourhood Services Departmental Plan 2006/07 up to the end of September 2006.

2. SUMMARY OF CONTENTS

The progress against the actions contained in the Neighbourhood Services Departmental Plan 2006/07 and the second quarter outturns of key performance indicators.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Member has responsibility for adult and public health services issues.

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Portfolio Holder meeting 13 November 2006.

6. DECISION REQUIRED

Achievement on actions and indicators be noted

Report of: Director of Neighbourhood Services

Subject: NEIGHBOURHOOD SERVICES
DEPARTMENTAL PLAN 2006/07 – 2ND
QUARTER MONITORING REPORT

PURPOSE OF REPORT

1. To inform the Portfolio Holder of the progress made against the key actions identified in the Neighbourhood Services Departmental Plan 2006/07 and the progress of key performance indicators for the period up to 30 September 2006.

BACKGROUND

2. The Adult and Public Health Services Portfolio Holder agreed the Neighbourhood Services Departmental Plan in July 2006.
3. The Portfolio Holder for Adult & Public Health Services has responsibility for part of the Neighbourhood Services Departmental Plan.
4. The Neighbourhood Services Departmental Plan 2006/07 sets out the key tasks and issues along with an Action Plan to show what is to be achieved by the department in the coming year.
5. The Council recently introduced an electronic performance management database for collecting and analysing performance. In 2006/07 the database will collect performance information detailed in the Corporate Plan, the five Departmental Plans and the Services Plans of the Neighbourhood Services Department.
6. Each section within the department produces a Service Plan, detailing the key tasks and issues facing them in the coming year. Each plan contains an actions, detailing how each individual section contributes to the key tasks and priorities contained within the Neighbourhood Services Departmental plan and ultimately those of the Corporate plan.

SECOND QUARTER PERFORMANCE

7. This section looks in detail at how the Neighbourhood Services Department have performed in relation to the key actions and performance indicators that were included in the Neighbourhood Services Departmental Plan 2006/07 and which the Portfolio Holder for Adult and Public Health Services has responsibility for.

8. On a quarterly basis officers from across the department are asked, via the Performance Management database, to provide an update on progress against every action contained in the performance plans and, where appropriate, every performance indicator.
9. Officers are asked to provide a short commentary explaining progress made to date, and asked to traffic light each action based on whether or not the action will be, or has been, completed by the target date set out in the plans. The traffic light system has been slightly adjusted in 2006/07, following a review of the system used previously. The traffic light system is now: -

Red	- Action/PI not expected to meet target
Amber	- Action/PI expected to be meet target
Green	- Action/PI target achieved

10. Within the Neighbourhood Services Departmental Plan there are a total of 95 actions and 117 Performance Indicators identified. The Portfolio Holder for Adult & Public Health Services has responsibility for 10 of these actions and 10 of these performance indicators. Table 1, below, summarises the progress made, to the 30 September 2006, towards achieving these actions and performance indicators.

Table1 – Neighbourhood Services progress summary

	Departmental Plan		Adult & Public Health Services Portfolio	
	Actions	PIs	Actions	PIs
Green	25	22	2	2
Amber	61	62	5	8
Red	5	4	-	-
Annual	4	29	3	-
Total	95	117	10	10

11. Two of the actions for which the Portfolio Holders has responsibility have already been completed, and a further eight are on target to be completed by the target date.

12. It can also be seen that five of the Performance Indicators have been highlighted as being expected to hit the target and a further two indicators currently being highlighted as having achieved the target. The remaining indicators are only collected on an annual basis and therefore no update is available for those at present.

RECOMMENDATIONS

13. It is recommended that achievement of key actions and first quarter outturns of performance indicators are noted.