



## Notice of a public meeting of

### Decision Session - Executive Member for Environment

**To:** Councillor Waller (Executive Member)

**Date:** Monday, 28 November 2016

**Time:** 5.30 pm

**Venue:** The Thornton Room - Ground Floor, West Offices (G039)

### AGENDA

#### Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item\* on this agenda, notice must be given to Democratic Services by **4:00pm on Wednesday 30 November 2016**.

\*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Policy and Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by at **5.00 pm on Thursday 24 November 2016**.

#### **1. Declarations of Interest**

At this point in the meeting, the Executive Member is asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which he might have in respect of business on this agenda.

- 2. Minutes** (Pages 1 - 6)  
To approve and sign the minutes of the Decision Session held on Monday 5 September 2016.

- 3. Public Participation**  
At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is at **5.00pm on Friday 25 November 2016**.

Members of the public may register to speak on an item on the agenda or an issue within the Executive Member's remit.

#### **Filming, Recording or Webcasting Meetings**

Please note this meeting may be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officers (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at: [http://www.york.gov.uk/download/downloads/id/11406/protocol\\_f\\_or\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf)

- 4. Steps Towards a Single Health & Safety (Pages 7 - 14) (H&S) Organisation Update**  
This report provides the Executive Member with an update on the current position of the City of York Council (CYC) Health and Safety (H&S) Service following the secondment of the current five staff members from CYC H&S Team to North Yorkshire County Council (NYCC).

## 5. Urgent Business

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officers:

Catherine Clarke and Louise Cook (job share)

Telephone No- 01904 551031

Email- catherine.clarke@york.gov.uk/louise.cook@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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City of York Council

Committee Minutes

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Meeting Decision Session - Executive Member for Environment

Date 5 September 2016

Present Councillor Waller (Executive Member)

## **5. Declarations of Interest**

At this point in the meeting, the Executive Member was asked to declare any personal, prejudicial or pecuniary interests not included in the Register of Interests that he had the business on the agenda.

No additional interests were declared.

## **6. Minutes**

Resolved: That the minutes of the last Environment Decision Session held on 1 August 2016 be approved as a correct record and then signed by the Executive Member.

## **7. Public Participation**

It was reported that there were no registrations to speak at the meeting under the Council's Public Participation Scheme.

## **8. Air Quality Update and Annual Status Report**

The Executive Member received a report on air quality in York, following submission of the first Annual Status Report to DEFRA in June 2016.

Officers outlined that 10% of the city's taxi fleet was now low emission and that York had the country's first low emission taxi licensing policy.

A number of written representations, which had been received, since the publication of the agenda, were read out by the Executive Member;

The first was from a member of the public who raised comments about the level of emissions from buses within the city centre and idling freight trains in the Holgate area. She was also concerned about noise pollution from particular bus engines, and requested that silencers be fitted to them.

The second was a response from First York which related to the anti idling measures that they had implemented.

The third written representation was from Councillor D'Agorne who commented on the absence of anti idling measures and the progress on the introduction of the Clean Air Zone and the Park and Ride contract.

The Executive Member considered the Officer's report and the comments raised by the written representations received. He welcomed the improvements that had been made and that some areas in the city could be removed from the Air Quality Management Areas (AQMAs) if they continued to operate at current levels but recognised that significant work still remained. In regards to lowering emissions from buses, during a recent meeting with Transdev, an agreement had been reached for a number of Coastliner tour buses to be converted to electric engines. Ten of the Coastliner buses would also move from Euro III to Euro IV engines from October.

In response to the written representation from Councillor D'Agorne, Officers reported that the Council needed to work with all operators in respect of the introduction of the Clean Air Zone. It was noted that a report on the procurement of the new Park and Ride contract would be considered at Executive in October.

The Executive Member was informed that:

- The refuse fleet would be renewed in three years time and when determining the contract, Ultra Low Emission Vehicles would have to be considered as part of EU regulations.
- Procurement of the school bus contract
- The presentation of information about Air Quality on the Council's website was under investigation.
- The promotion of electrical charging points was included within the Council Plan.

Resolved: (i) That the report be noted.

- (ii) That the progress which had been made on a switch to low emission vehicles in the bus and taxi fleet and the positive impact that this will have in further improvements to the air quality in the city be noted.
- (iii) That Officers review proposals to ensure that the Council fully utilises all available legislation to exclude highly polluting vehicles regularly in the Air Quality Management Areas (AQMAs).

Reason: To ensure that York's air quality is improved.

## **9. Review of June 2016 Surface Water Flood Event**

Consideration was given to a report on the Council's response to the surface water flooding that occurred in June 2016.

A written representation had been received from Councillor Richardson. He commented on the report's findings and commended the cleaning programme and asset register but felt further future investment may be needed in priority areas.

The Executive Member wished to record his thanks to council teams who responded to requests for assistance from residents in the floods and subsequent rainfall events. He stated that it was important for the public to use social media to publicise the event, but it was more preferable for the incident to be reported to the Council before arriving at a critical stage.

Officers reported that:

- It was important to remind Yorkshire Water of critical pipes.
- A new customer relationship management system was in development which would allow for people to raise a query against a particular gully that was blocked.

The Executive Member stated that it was important for people to report to the Council when building materials blocked drains and gulleys.

Resolved: (i) That the actions carried out by the Council in response to the surface water flood event in June 2016 as set out in paragraphs 6-15 of the Officer's be noted.

- (ii) That the future actions at Paragraphs 16-18 of the Officer's report be agreed.
- (iii) That Officers prepare the business case for a major capital investment project to the Executive for the delivery of significant improvements to the council operated drainage systems to form part of the Budget Process for the 2017/18 budget.
- (iv) That Officers review the enforcement process for building materials which end up blocking gulleys, and that there is a clear reporting system publicised to help prevent this from happening.

Reason: To improve the management of York's gulley assets and reduce the risk of future flooding.

## **10. York Community Recycling Fund**

Consideration was given to a report which set out a proposal to establish a York Community Recycling Fund.

A written representation which had been received by the Executive Member, following publication of the agenda was read out. It related to recycling for community centre users.

The Executive Member asked about the maximum size of the fund that would be made available for applicants. Officers confirmed that this was £5k. He felt that there needed to be clear monitoring on the use of public funds and that the criteria should include how the community projects had made an impact.

Resolved:

- (i) That the fund criteria as set out in Paragraphs 8-15 of of the Officer's report be agreed.
- (ii) That the application process as set out at Paragraphs 17 to 18 in the Officer's report be agreed.
- (iii) That Officers review support for Community Centres to improve the recycling from their centres, and how they can be fully engaged with the citywide messages to promote recycling.



- (iv) That the application process will require a demonstration of outcomes to support recycling in the city, and no grant given would be more than £5k. In the case of over subscription, the Council would reserve the right to reduce the maximum given out pro rata.

Reason: To improve waste prevention and recycling in York.

Councillor A Waller, Executive Member

[The meeting started at 5.32 pm and finished at 6.15 pm].

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**Decision Session - Executive Member for Environment**

28 November 2016

Report of Assistant Director, Customer Services &amp; Digital Services

**Steps Towards a Single Health & Safety (H&S) Organisation Update****Summary**

- 1 This report provides the Executive Member with an update on the current position of the City of York Council (CYC) Health and Safety (H&S) Service following the secondment of the current five staff members from CYC H&S Team to North Yorkshire County Council (NYCC).
- 2 The report confirms that the current arrangements are in place until April 2017 and the Executive Member is asked to endorse the continued working arrangements for the short term whilst an options paper and business case is developed for submission to the Executive for a more long term arrangement.

**Recommendations**

- 3 The Executive Member is asked to:
  - note the progress of closer working between NYCC and CYC H&S Teams operating under a single Head of H&S.
  - endorse the continued working arrangements for the short term whilst an options paper and business case is developed for submission to the Executive for a more long term arrangement.

Reason: To ensure the Executive Member and residents are informed of the CYC/NYCC approach to ensuring the H&S services are resilient and are better able to support the two organisations.

**Background**

- 4 In May 2016 a report was submitted to the Executive Member for Environment to update on the current position of the CYC H&S Service and in addition to seek endorsement of the recommendation to second the current five staff members from CYC H&S Team to NYCC.

- 5 The report also informed the Executive Member that an options paper and business case was to be developed for Executive to consider. This report will seek to establish a formally constituted shared organisation and outline the options around the various service delivery models available to do so consistent with the council's Future Shape and Size work. At the meeting the proposals were agreed subject to an interim report regarding how the current arrangements are performing being provided at a future Executive Member for Environment Decision Session. This report is to provide that update.
- 6 Following the Decision Session and after consultation with both staff and the relevant trade union representatives the CYC team were formerly seconded to NYCC whilst ensuring staff current terms and conditions were protected. This has allowed for closer working, collaboration and has built capacity to develop more long term projects for supporting each council. The arrangement is supported by a Service Level Agreement (SLA) which is monitored by the Assistant Director acting as client to the informal shared service arrangement.
- 7 This SLA has robust service requirements and performance is monitored against these requirements. Table 1 contains a summary of some of the key expected standards and an update of current performance.

<b>Performance Standard</b>	<b>Current Position</b>
Promotion of a Health and Safety Culture in CYC	Ongoing including planned leadership sessions and attendance at Corporate Management Team.
Assistance and support in accident and incident investigations including RIDDOR reporting and liaison with regulators and other agencies (including HSE, Fire and Rescue Services and Police)	Achieved in 100% of reported cases.
Advice on local policy and procedure development	All significant changes have continued to be reported through the CYC Joint H&S Committee.
Health and safety advice and guidance	No reported reduction in service or complaints.
Assistance to managers in the conduct of risk assessments Assistance in completion of Fire risk assessments	Members of the Health and Safety Service provide assistance or undertake fire risk assessments across the city. The risk assessment template

	developed by CYC is now used across NYCC and beyond. Independent checks by the North Yorkshire Fire and Rescue Service at some locations has confirmed the assessments are satisfactory.
Asbestos Management Reviews	On track
Assistance with training identification and delivery through WDU	On track
Audit and monitoring of services	On track
Assistance with measuring and reviewing H&S performance	The CYC H&S Team recently awarded Team of the Month.
Oversight of the Occupation Health, Osteopath and Employment Assistance Programme Agreements	Ongoing, including a review of the service to feed into the Exec Report in January.
Developing a traded service with schools and others	Currently delivering services to over 70 schools, academies and other organisations.
Educational Visits Authorisation and support	69 trips approved since the new arrangements introduced.
Advice to the CYC Safety Advisory Group (SAG) regarding Event Safety	Yorfest 2016, World Ploughing Championship, York Food Festival, Its a knockout
Water contract management	Ongoing
Presence at DJCCs quarterly	Achieved to date
Working with Public Health on Wellbeing	Working on Wellbeing Charter and single Wellbeing Portal.
<b>Line Management of SHSS which includes</b>	
Having a rigorous appraisal, mentoring and monitoring arrangements for all staff within the SHSS in CYC	All staff have had Performance and Development Review's (PDRs)
Agreeing development plans which includes ensuring all staff participate in Continuous Professional Development	As above
Ensuring the promotion of good attendance at work, including the reporting of sickness absence	Ongoing

Good Budget Management	Achieved to date and ongoing with oversight from client AD.
Holding regular meetings with staff, both 1to1s and monthly team meetings, cascading information to staff as appropriate about changes in the organisations	Achieved to date
<b>In addition to the above the SHSS will do the following</b>	
Contribute to CYCs business planning	Occurring now
Attend Departmental Management Team and Council Team Meetings as required	Ongoing
Attend Joint Health and Safety Committee meetings	Achieved and ongoing
Contribute as a Member of the From Service to City cohort	Achieved and ongoing
NYCC will provide a minimum of 2 days a working week of the SHHS time to CYC. Such times will be decided on a periodic basis by the Authorised Officer and the Nominated Officer. The parties recognise that in the interests of efficient service delivery these times will be adhered to where possible but can be averaged over a number of weeks, such as the SHHS working one day for CYC during one week and three days the following week	Achieved to date and ongoing
NYCC will provide 6512 hours of HSA Time per annum (pro rata) and 814 hours of HSSO which reflects the total seconded hours from CYC	Achieved to date and ongoing
Additional Chargeable Services	None

The staff delivering the service will work flexibly across both local authorities in terms of organising his/her time and commitments within the timeframe	Ongoing and working well
NYCC will sufficiently cover minimum duties to meet legislative responsibilities and respond to emergencies in accordance with agreed protocols	None to date
No charge will be made by NYCC for use of office space or equipment	As stated

8 There have been a number of examples where each organisation has supported each other in relation to H&S under these arrangements:

- following the resignation of a member of CYC staff, a member of NYCC staff was seconded into CYC on a two month basis to fill the gap to allow for a recruitment exercise to be undertaken;
- CYC/NYCC are working on sharing policies and procedures – some examples relate to fire risk assessment, asbestos management, safety of construction projects, personal safety and security and management of contractors;
- there have been joint training initiatives on issues such as fire risk assessment, safety of water systems, safety of play equipment, statutory inspections;
- Joint workshops on consistency of advice on topics such as fire safety and, working at height;
- CYC staff have undertaken joint visits with NYCC staff to provide development opportunities and improve skills e.g. large civil engineering and building projects relating to highways, bridges and flood defences;
- CYC staff undertaken accompanied visits with NYCC in a staff development and mentoring role to ensure consistency of advice e.g. on fire risk assessment;
- CYC is currently working on an online accident reporting system which NYCC is supporting and proposing to invest in the system for their adoption;
- NYCC staff have supported CYC during periods of demand peaks;
- mutual aid and support on educational visits;

- joint Continuing Professional Development (CPD being a mandatory requirement for the senior officers) sessions;
- Sharing resources such as professional literature etc.

9 In addition to the above, work is ongoing to standardise quality and performance measures and consistency of service delivery including removal of duplication. This is to ensure the service to clients continues to improve.

### **Consultation**

10 Council Management Team continues to support the changes recommended in this report.

11 The staff have also been consulted and are aware of the contents of this report.

### **Options**

12 There are no alternative options for consideration at this time that could achieve the same outcome and achieve the benefits outlined in paragraph 9 above.

### **Analysis**

13 All information is contained in the body of the report.

### **Council Plan**

14 Outcomes achieved by the activities covered in this report help to deliver priorities in the Council Plan 2015-19 in support of 'A prosperous city for all', ensuring that as an employer the council sets a positive example of supporting employees to achieve their full potential.

### **Implications:**

16 a. **Financial:** None

b. **Human Resources (HR):** None

c. **Equalities:** None

d. **Legal:** Legal Services at both councils have been consulted on the proposals and provided assistance in drawing up the secondment agreements and Service Level Agreements



- e. **Crime and Disorder:** There are no crime and disorder implications to this report.
- f. **Information Technology (ICT):** There are no IT implications for CYC arising from this report. Work is ongoing to develop appropriate H&S management systems so it will be necessary to make arrangements to enable NYCC/CYC staff to use the systems applicable to each Council. This arrangement is already in place for the Shared Head of H&S.
- g. **Property:** There are no property implications to this report. It is proposed that the Council would provide fully serviced accommodation to the staff of the interim shared service, keeping with the provision currently made available to NYCC/CYC H&S staff.
- h. **Other:** No known implications.

### **Risk Management**

- 17 The proposed collaboration offers an opportunity to deliver efficiencies and economies of scale. The risks of the project due to the limited scope are minimal at this time as the staff will remain with each of their employer councils. Should the arrangement not be approved then the benefits of joint working will not be realised and the resilience of the service will be affected.

#### **Contact Details Author:**

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#### **Chief Officer Responsible for the report:**

Pauline Stuchfield  
Assistant Director (AD) Customer Services & Digital  
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Ian Floyd  
Director Customer and Corporate Services  
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**Report Approved** **Date****Specialist Implications Officer(s)**

Financial: Ian Floyd, Director Customer and Corporate Services

Legal: Andrew Docherty, AD for Legal &amp; Governance

**Wards Affected:** List wards or tick box to indicate all**All** **Background Papers:**Report and decision record from Executive Member for Environment Decision Session on 9<sup>th</sup> May 2016. The record is [here](#)**List of abbreviations used in this report:**

AD	Assistant Director
CPD	Continuing Professional Development
CYC	City of York Council
DJCC	Department Joint Consultative committee
HR	Human Resources
HSA	Health and Safety Adviser
HSE	Health & Safety Executive
H&S	Health & Safety
HSSO	Health and Safety Systems Officer
ICT	Information and Communication Technology
PDR	Performance and Development Review
NYCC	North Yorkshire County Council
RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
SAG	Safety Advisory Group
SHSS	Shared Health and Safety Service
SLA	Service Level Agreement
WDU	Workforce Development Unit