



Notice of meeting of

Executive Member For Neighbourhood Services and Advisory Panel

To: Councillors Bowgett (Chair), Holvey (Vice-Chair), Orrell, Potter, Taylor, Waller (Executive Member), Watt and B Watson

Date: Wednesday, 17 October 2007

Time: 5.00 pm

Venue: Guildhall

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10:00 am on Tuesday 16 October 2007, if an item is called in *before* a decision is taken, *or*

4:00 pm on Friday 19 October 2007, if an item is called in *after* a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

1. **Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes (Pages 3 - 8)

To approve and sign the minutes of the meeting held on 6 September 2007.

3. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Panel's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Tuesday 16 September 2008 at 5:00pm.

4. Update on Street Cleaning within the City Walls (Pages 9 - 20)

This report updates Members on street cleaning within the City Walls following the City wide review of the street cleansing service.

5. Yorkshire in Bloom (Pages 21 - 30)

This report informs Members of the outcome of our entry into the Yorkshire in Bloom competition 2007 and the work undertaken in relation to the entry.

6. Neighbourhood Services Directorate Plan (Pages 31 - 56)

This report asks Members to approve a draft Neighbourhood Services directorate plan for 2007-2011.

7. Air Quality Update (Pages 57 - 68)

This report updates Members on the outcome of the recent Air Quality Support Grant (AQSG) applications made to the Department for Environment, Food and Rural Affairs (DEFRA).

8. Noise Complaints Update (Pages 69 - 74)

This report updates Members on the out of hours noise enforcement service.

9. Development of Community Engagement, Problem Solving and Feedback for Community Safety (Pages 75 - 86)

This report updates Members on The Crime and Reduction Partnership (CDRP) for York.

10. National Service Planning Requirements for Environmental Health and Trading Standards Services (Pages 87 - 140)

This report advises Members of the 2007/08 service plans for food law enforcement, health & safety law enforcement and animal health enforcement that have been produced in response to national requirements.

11. Update on Refuse Collection in Alley Gated Areas (Pages 141 - 174)

This report updates members on the progress of 'alleygating' and advises on the impact on refuse collections, street cleansing and enforcement activities

12. Forward Plan (Pages 175 - 176)

To review the forward plan for the Executive Member for Neighbourhood Services and Advisory Panel for the 2007/08 municipal year.

13. Any other business which the Chair considers urgent under the Local Government Act 1972

Contact Details DS

Democracy Officer:

Name: Simon Copley

Contact details:

- Telephone – (01904) 551078
- E-mail – simon.copley@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Minutes

MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	6 SEPTEMBER 2007
PRESENT	COUNCILLORS BOWGETT (CHAIR), HOLVEY (VICE-CHAIR), ORRELL, POTTER, TAYLOR, WALLER (EXECUTIVE MEMBER), WATT AND B WATSON

20. Declarations of Interest

Members were invited to declare at this point in the meeting any personal or prejudicial interest they might have in the business on the agenda.

Cllr Potter declared a personal non-prejudicial interest in agenda item 8 (Sales of Age Restricted Products) as her daughter worked with Trading Standards as a test purchaser.

21. Exclusion of Press and Public

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex 2 to Agenda Item 5 on the grounds that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006

22. Minutes

RESOLVED: That the minutes of the last meeting of the Panel held on 25 July 2007 be approved and signed by the Chair and Executive Member as a correct record.

23. Public Participation

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

24. 2007/08 First Monitoring Report – Finance & Performance

Members consider a report that represented two sets of data:

- i. The latest projections for revenue and capital expenditure for the Neighbourhood Services portfolio and traded accounts
- ii. Quarter 1 (07/08) performance against target for a number of the directorate's key performance indicators.

Members were informed that the Quarter 1 Health and Safety: RIDDOR accidents reported figures located in the first table of paragraph 64 (staff related performance) had changed from 9 to 12 in Quarter 1 07/08 and the Health and Safety: RIDDOR accidents reported figures located in the second table had changed from 2 to 3 in April 07, 3 to 4 in May 07 and 4 to 5 in June 07.

Members discussed the financial position for each service area and were informed that the key reason for the overspend in Licensing and Bereavement Services was due to an overspend on staff costs of £19k. Overall the trading accounts were forecasting a surplus of £345K against an approved budget of £520K, the significant variances related to Building Maintenance and School Cleaning. Members were informed that officers would meet in September to review the school cleaning rates and service provision. Building Maintenance had achieved savings of up to 50% from re-structuring.

Members were informed that as part of an ongoing review of the client and customer relationship sides of the directorate, it was recommended that all the waste budgets, including the operations budgets for domestic collection would be classed as a general fund. Commercial Waste budgets would remain within the trading portfolio. The effect of this would increase the general fund cost by £152K, which would be financed by an increase in the surplus made by the trading portfolio.

Members discussed the performance overview position for each service area and were informed that staff sickness continued to be a problem. Officers were looking at creative ways to reduce sickness and would be planning appraisals for all staff highlighting health and safety issues, training issues, achievements and support.

Members raised concerns that the missed bin collection figures were not on target. Members were informed that a computer system failure and staff issues affected the August figures. Officers had found that a high number of missed bin calls came through when a full refuse vehicle left an area to be emptied. This problem would be solved from October when all refuse vehicles would be fitted with a tracker system allowing officers to track them at all times. Officers would be monitoring the miss bin calls by day and by round to identify the peaks.

Members thanked officers for the report and for maintaining the high levels of performance.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member:

- i. to approve the financial and performance position of the portfolio
- ii. to approve an application to the Executive for the virement of domestic refuse collection and recycling budgets from the trading account portfolio to the General Fund portfolio as set out in paragraphs 22 to 25.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: In accordance with budgetary and performance monitoring procedures.

25. Waste Management CPA Inspection June 2007 – Final Report

Members considered a report that updated them on the Audit Commissions inspection of Waste Management in York during June 2007.

Members were informed that the main conclusions of the inspection noted that:

- i. The waste management service had made significant improvements in performance in all areas.
- ii. Customer contact had improved for consultation about proposed projects and for customer enquiries, which were now dealt with by the customer contact centre.
- iii. There is clear cross-party commitment for the improvements in the waste management service.
- iv. The service had made effective improvements to its performance management arrangements
- v. The Council, with its partners, were making good progress and taking appropriate advice towards the future provision of waste disposal facilities.

Members thanked officers for their hard work in delivering significant improvements to the Waste Management Service.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the contents of the report and annex 1 and to thank officers for their hard work in delivering significant improvements to the Waste Management Service.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To update Members on the Audit Commissions inspection of Waste Management in York during June 2007

26. Neighbourhoods & Community Safety Group Legal Actions

Members considered a report that informed them of the results of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhoods Services (Environmental Health, Trading Standards, Licensing) for the period 1st April 2007 to 30th June 2007.

Members thanked officers for their hard work in delivering a successful service.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the contents of the report and to thank Officers for their hard work in delivering a successful service.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: So that the Executive Member is updated on formal enforcement activity undertaken by the Neighbourhoods and Community Safety Group.

27. Sales of Age Restricted Products

Members considered a report, which informed them of the work undertaken by the Council's Trading Standards service to prevent the sales of age-restricted products.

Members were informed that alcohol sales had dropped and that the age limit to purchase cigarettes would be rising to 18. Officers would follow with an intensive campaign with 15 and 16 year olds to make sure retailers complied with the new regulations.

Members discussed the report and were concerned that replica guns were not monitored. Members were informed that the Council at present did not monitor the sale of replica guns but had been approached by the Police and officers were considering the options. Members agreed to add this item to the forward plan.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the contents of the report and to implement Option 1 to allow the council to continue with the programme of education and enforcement action set out in paragraph 4 for the period to 30th September 2008.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: So that the Council can meet its legal obligations.

28. Forward Plan

Members were given an update on Cold Calling. The implementation provisional launch date would be 31st October 2007. Officers would be writing to invite EMAP Members and Ward Councillors affected by the following 5 pilot zones:

- Huntington
- Acomb
- Fulford
- Dunnington
- Acomb Road

Officers would be writing to residents in early October and the Police and Community Officers had started training in September.

Members agreed to add Home Improvements Packs (HIPs) to the forward plan.

Members considered a forward plan for 2007/08 and it was agreed that the forward plan would become a permanent agenda item. The updated version is attached to these minutes.

CLLR WALLER
EXECUTIVE MEMBER

CLLR BOWGETT
CHAIR OF ADVISORY PANEL

The meeting started at 5.00 pm and finished at 6.03 pm.

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Executive Member For Neighbourhood Services and Advisory Panel

17 October 2007

Report of the Director of Neighbourhood Services

Update on Street Cleaning within the City Walls**Summary**

1. To update members on progress being made for street cleaning within the City Walls following the City wide review of the street cleansing service.

Background

2. The Streetscene review took place in Summer 2006 involving a cross section of staff from the service. Key findings were presented to members in a report to Executive on 21st November 2006, at which Members agreed to how the findings of the review would be implemented.
3. Findings included the trial of new street cleansing practices to be tested in a pilot area of the city over a three month period. The new working practices introduced barrow operatives, cleansing by barrows and brushes, working to a defined beat, in addition to a mobile cleansing team to address other service needs.
4. The pilot also introduced new working arrangements between the Street Cleansing team and the Street Environment Officer (SEO), who were able to deploy resources where necessary. Finally the pilot introduced a dedicated enforcement officer to the zone to address environmental crime.

Objectives of the Pilot

5. The outcomes from the Street Scene Review provided five key objectives for service improvement, which was incorporated into the project planning and management of the roll-out across the City. The five objectives are:
 - To move to zone working, in recognition of different areas of the city requiring different cleaning arrangements
 - Improve performance monitoring, staff communication and morale
 - Develop environmental initiatives to support the new service

- Improve customer focus and a continual review of what we do
- Increase education and enforcement

Area within the City walls

6. Due to the unique characteristics of the area within the City walls, members at the Neighbourhood Services EMAP on 21st March 2007, agreed that this area would be reviewed separately to the main roll-out.
7. By the end of April 2007, the revised methods of street cleaning had been successfully rolled out to all areas of the city except the area within the City Walls. Officers then began a series of trials in order to identify the changes needed to create a step change in standards similar to those achieved elsewhere in the City.
8. A trial of the use of a small mechanical sweeper has been completed with very favourable results. In the areas in which it was used there was an increase in standards and a much improved reaction time to clearing of spillages etc. Budget within the existing resources has been identified to allow this type of machine to become a permanent part of the fleet.
9. A trial with the mechanical sweeper operating on a split shift arrangement of 5.00am to 9.00am and then 5.00pm to 9.00pm Monday to Friday, is currently underway. Early indications are favourable as sweeping can continue into the early evening and again first thing in the morning, before the period of heavy foot traffic. We intend to continue with this trial during the autumn and winter months to assess the need during the times of lower visitor numbers. A report of the findings of this trial will be presented to the Neighbourhood Services EMAP on completion.
10. The early morning street washing process is being closely monitored to ensure this process is still giving value for money. Some re-scheduling and changes in working patterns will be introduced next year to fully assess the effectiveness of this work. (Street washing is suspended from October to March as there is a risk of frost) The outcome of these tests will be a subject of a further report.
11. A barrow with a vacuum type attachment has been purchased and is currently undergoing trials in the city centre. It is designed to collect cigarette ends and other small items of litter from wall lines, tree grills, etc. The machine appears to be effective, but there are two issues which need closely monitoring. Firstly, it is noisy and may require limited use in narrow street with high foot traffic, and secondly the impact on the sand bedding of some of the block paving will need assessing in the longer term. However, the machine has shown to be successful in quickly clearing smoking related litter that further machines are to be acquired to focus on hotspots outside the city centre.

12. The cleansing of the market area is proving to require a high level of resources between the hours of 5.00pm and 7.00pm resulting in staff not being out in the city at these times. A review of the cleansing of the market area and the collection and disposal of waste from the stalls is to be carried out. This review will include the market traders and the city centre management team.
13. A barrowman has been introduced to the key residential areas within the city walls which mirrors the weekly service delivered outside the walls. A map, annex 1 and tabled at the meeting show weekly barrow rounds in the areas of Bishophill, the Walmgate area and Navigation Road.
14. Subject to planning approval, it is intended to trial an integrated bin system in the City Centre. Not only is it an opportunity to introduce litter recycling, it also has a top mounted ashtray which could reduce the amount of cigarette related litter. See annex 2. The top of the litter bin section has a cigarette stubber/ashtray integrated into it, allowing the storage of up to 50 stubs before being released with a key operation into the bin, see annex 3. It should remove the unsightly mounds of butts being left on top of the bins. The emptying operation will be part of the bin emptying process and will reduce the risk of bin fires. A recent consultation paper issued by The Department for Environment, Food and Rural Affairs (DEFRA) is making recommendations that recycling bins for litter should be installed anywhere from high streets to shopping centres. The proposals have been developed together with the national campaign Recycle Now and Environmental Campaigns (ENCAMS). The use of dedicated ashtrays on top of the bins are also supported by ENCAMS, who's recent research into smoking related litter identified that 75% of smokers were reluctant to dispose of their stubs into normal litter bins as they were concerned as to the fire risk. Suggestions are that they are located in St Helen's Square, St Sampson's Square, Parliament Street and King's Square.
15. A standard uniform used by the rest of the service has been introduced into the City Centre area.
16. Slight changes to the zone covered by the City Centre SEO has been made. The zone now covers all areas within the city walls plus the railway station. This has improved the routine monitoring of public toilets, graffiti and ensures the city centre is free of commercial waste before the restricted traffic times.

Corporate Priorities

17. The new working practices have been developed in direct response to the Council's Corporate Strategy and in particular to the Corporate Priority, ***'Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces'***.

Implications

18. The following implications have been noted:

Financial

19. There are no financial implications associated with this decision. The costs associated with re-branding of uniform have been taken from current revenue budgets. Five new recycling bins can be funded from the bin replacement programme and the vacuums will be funded from the equipment replacement budget.

Human Resources (HR)

20. Street Scene employees and the Street Environment Officers have been continually kept abreast of developments. There will be on-going consultation with employees and their representatives about the proposed operational changes. Any operational, contractual changes will be implemented following Council policies and procedures and will be subject to full consultation with Trade Union officers and individual employees.

Equalities

21. Customers will be updated on the implementation city wide by a variety of communication channels including the provision of written information in alternative formats.

Legal

22. It has been established that the new working practices are compliant with the council's duties under Environmental Protection Act 1990 regarding responsibility to maintain cleanliness of the public highway.

Crime and Disorder

23. The introduction of the proposed enforcement team city wide, in addition to the work carried out by SEOs will enable greater impact on environmental crime, which leads to cleaner neighbourhoods, tackles anti-social behaviour and improves perceptions of crime. A clear enforcement policy and strategy for tackling environmental crime, gathering information to identify and combat hot spots, and using education and promotion to raise awareness amongst stakeholders will contribute to the council's duties towards crime and disorder, working closely with Safer York Partnership and North Yorkshire Police.

Information Technology (IT)

24. There are no IT implications.

Risk Management

25. Risks associated with the planning approval for the proposed new bins and the use of the vacuum cleaner have been measured in terms of impact and likelihood and a risk score has been assessed at 9 or less.

Recommendations

26. Members are requested to:-

- (i) Note the content of the report and the progress being made on the various trials.
- (ii) To request further reports as the trials are concluded.

Reasons

- (i) To provide an improved Street Cleaning service in the City

Contact Details

Author:
John Goodyear
Assistant Director
Environmental Services
Neighbourhood Services
Tel No.553204

Chief Officer Responsible for the report:
Terry Collins
Director
Neighbourhood Services

Report Approved **Date** 18th Sept 2007

Report Approved **Date** 18th Sept 2007

Wards Affected: Hull Road, Guildhall and Micklegate

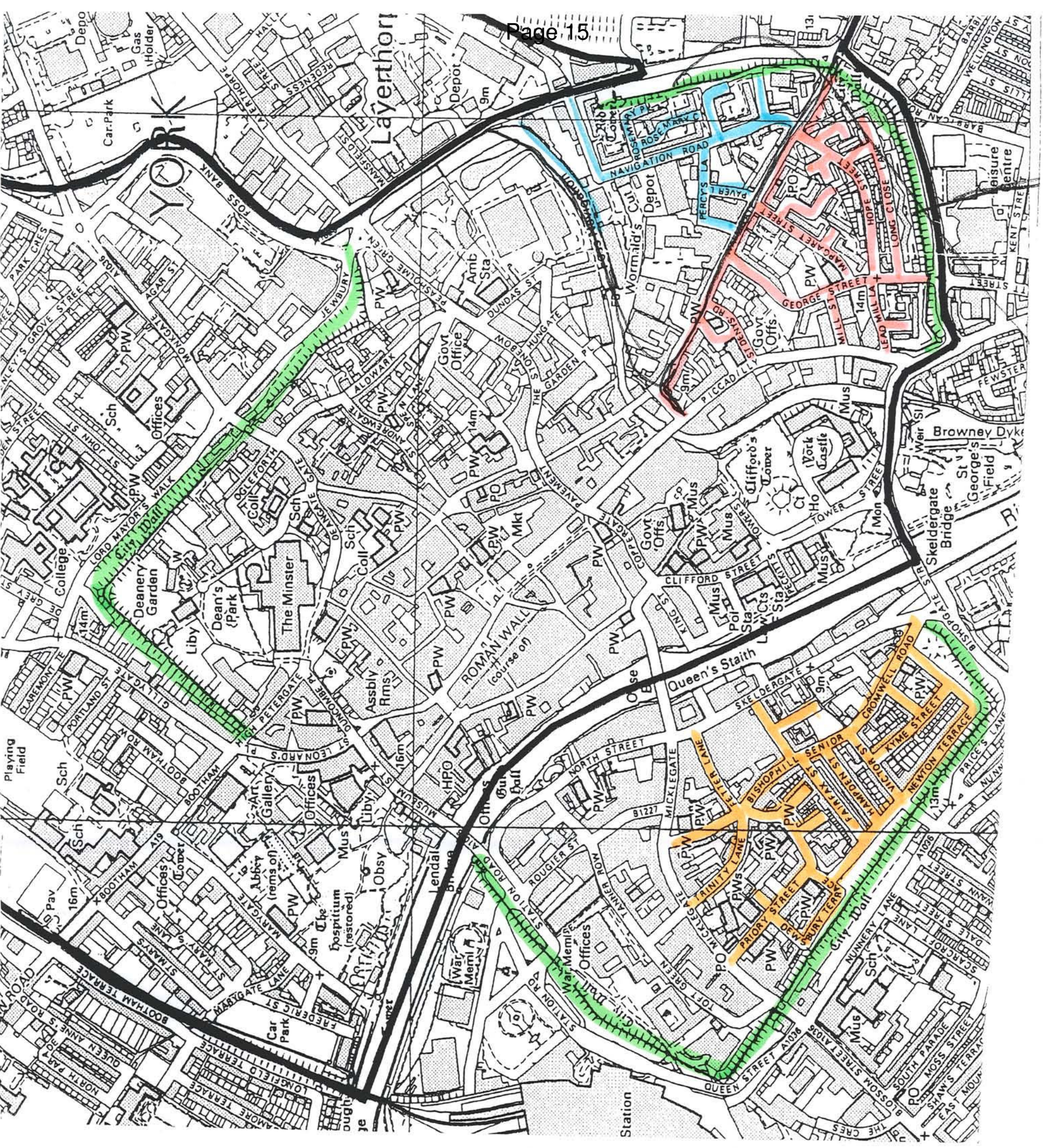
All

For further information please contact the author of the report

Background Papers: Executive Report 21st November 2006 – Street Scene Review
Neighbourhood Services EMAP report 21st March 2007 – York Neighbourhood Pride Service – Update of Pilot and Future Rollout

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

17 October 2007

Report of the Director of Neighbourhood Services

YORKSHIRE IN BLOOM

Summary

1. This report informs members of the outcome of our entry into the Yorkshire in Bloom competition 2007 and the work undertaken in relation to the entry.

Background

2. The Yorkshire in Bloom competition is an annual event, which York has not entered since 1998, when we won and were awarded the Rose Bowl prize for the small city category.
3. We have for the last 2 years had an in bloom committee to coordinate all our efforts in this area, which had seen major improvements during that period. Representatives from the following areas sat on the committee council officers, members, city centre partnership, York press, Askham Bryan College and volunteers from the public.
4. A decision was taken by the committee in March of this year to enter the competition as this linked closely with the Council's York Pride initiative. Since the last occasion that York entered the competition the criteria has changed significantly and the entrants are judged against a variety of criteria including local environmental quality, sustainability and publicity as well as floral displays and permanent landscaping and planting. Furthermore, the competition now involves two judging periods, one in the Spring, April and one in the Summer, July.
5. The decision to enter with such a short time period before the first judging date meant that, whilst we believed the City could demonstrate that we could meet the criteria for each section, we would need a person to coordinate the entry, bringing together all the good work being undertaken throughout the City. Liz Levett, the Council's Trading Standards Manager, took on this role working with the committee with particular support and guidance from Russell Stone, Head of Neighbourhood Pride Service and Dave Meigh, Head of Parks and Open Spaces.
6. A strategic approach was taken in delivering this project and our first task was to analyse what we needed to prove to the judges in each category. We then identified what was happening in the City in terms of the different criteria, including the gaps that had to be addressed before we

could put the route together. All in a very short space of time. A lot of networking, internet searches, phone calls, brain storming, photographs taken and visits were made so that we could get the spring route to the judges together with a four page brief on the City a week before their visit which was set for Thursday 5th April. Displays were put together, and our thanks go to all those people throughout the City who provided Liz with information, display material, photographs and ideas for the display she set up at the Eco Depot for the judges to see as part of their visit.

7. The Spring judging is just a taster for the Summer. More time and marks are allocated to the Summer judging, but this means more effort and more things to show the judges as evidence. Together with a 16 page portfolio on the City which must address the criteria and not just 'nice' activity/sites/photos. Certainly without the facility of a co-ordinator it would be very difficult to put together an entry that would stand any chance of success in the competition.

The Judging

8. There are two periods of judging, a spring and a summer. The spring judging went very well, with good feedback being given from the judges on the standards and diversity of our entry.
9. The summer judging took place on what turned out to be the warmest day of a miserable July. The judges spent 4 hours touring the city, including locations ranging from North Minster business park and Hartrigg Oaks to Rowntree Park and the City centre, including meeting residents and partners across the age range of 8 years to 89!. The day finished with a reception in the Mansion house with the civic party.
10. The outcome of our entry was an award of Silver Gilt, and excellent feedback from our judges, awards in our category were:

Gold – Sheffield

Silver Gilt – Barnsley and City of York

Silver – Bradford and Kingston upon Hull

Bronze - None

11. The judges wrote:

'An excellent tour of the City of York. The entrant had obviously studied the criteria and every aspect of the competition very well. The floral and sustainable planting clearly complimented the magnificent architecture of this wonderful city. The many diverse groups, individuals, local authority staff and personnel that we met during our tour enthused with civic pride. With such an excellent return to the Yorkshire in Bloom campaign and with a concerted effort reflecting the areas for future development, the City of York has all the attributes to achieve gold in the 2008 campaign and could easily aspire to a future national Britain in Bloom entry. (Please see annex 1 for full report)

12. A meeting has been held with the York in Bloom committee to give feedback from the judging and the lessons learnt from the process. It was agreed that York should re enter next year, and with the same level of support and commitment by all involved in both planning and on the ground, coupled with concentrating on the areas of improvement highlighted by the judges, we should be able to achieve the Gold award, which would be excellent for the city.

Consultation

13. The report is primarily an information report for Members and therefore no consultation has been undertaken regarding the contents of the report.

Options and analysis

14. The report is primarily an information report for Members and therefore no specific options or analysis are provided to Members regarding the contents of the report.

Implications

Financial

15. There are no financial implications regarding the contents of the report.

Human Resources

16. There are no specific human resource implications regarding the contents of the report.

Equalities

17. There are no specific equalities implications regarding the contents of the report.

Legal

18. There are no specific legal implications regarding the contents of the report

Crime and Disorder

19. There are no specific crime and disorder implications regarding the contents of the report

Information Technology

20. Therefore there are no specific information technology implications regarding the contents of the report

Property

21. There are no specific property implications regarding the contents of the report

Risk Management

22. There are no specific risk management implications regarding the contents of the report

Recommendations

23. That the Advisory Panel advise the Executive Member to note the contents of this report and congratulate all those involved in a successful entry.
24. That the Advisory Panel support the City of York's entry into the 2008 competition.

Reason: To support the committee of its entry to the competition which linked closely with the Council's York Pride initiative and support the entry for 2008.

Contact Details

Author:

John Goodyear
Assistant Director
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Russell Stone
Head of Neighbourhood Pride
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Liz Levett
Trading Standards Manager
Neighbourhood Services
Tel No. 551527

Specialist Implications Officers

Financial: None

Human Resources: None

Equalities: None

Legal: None

Crime and Disorder: None

Information Technology: None

Property: None

Risk Management: None

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers – Judges Comments and judging criteria
Attached Annexes

Annex 1
Annex 2

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JUDGES COMMENTS

York Silver Gilt

An excellent tour of the city of York. The entrant had obviously studied the criteria and every aspect of the competition very well. The floral and sustainable planting clearly complimented the magnificent architecture of this wonderful city. The many diverse groups, individuals, local authority staff and personnel that we met during the tour enthused with civic pride. With such an excellent return to the Yorkshire In Bloom campaign and with a concerted effort reflecting the areas for future development, the city of York has all the attributes to achieve gold in the 2008 campaign and could easily aspire to a future national Britain In Bloom entry.

SECTION A – FLORAL DISPLAYS

The judges were particularly impressed by:

1. Many floral tubs and towers and sponsored hanging baskets in and around the city and outer areas.
1. The floral display at the cenotaph and Clifford's Tower.
1. The flower tubs in and around the Fishergate ward.
1. The magnificent floral street, Stonegate, complimented by Mulberry Hall's superb hanging baskets.
2. Many local pubs, restaurants and guest houses all supporting this aspect of the criteria.
2. The floral displays at York Racecourse.
3. Many excellent residential gardens within surrounding villages and the city centre.
4. Floral displays designed by young children, e.g. Rougier Street.
4. Glen Lodge, with its community spirit and involvement, at the other end of the age spectrum.

Areas suggested for future development:

1. Consider identifying additional themed floral displays as part of a young people's campaign.
2. Continue to encourage the business sector in this aspect of the criteria.
3. During a future tour, include a garden competition winner on the route.
4. Identify projects and initiatives to encourage communities and young people.

SECTION B – PERMANENT LANDSCAPING INCLUDING SHRUBS

The judges were particularly impressed by:

1. The Rowntree Park redevelopment and the perennial planting was to a high standard.
1. The re-landscaped roundabouts, making a big difference on the outer ring roads.
2. The Merchant Adventurer's Gardens and the new herb garden at the Treasurer's House were one of the highlights of the visit.
2. Northminster Business Park showed some fine examples of permanent planting and was maintained to a very high standard.
3. The Hartrigg Oaks were well landscaped with quality tree and shrub planting.
3. Some very good examples of residential gardens within the city centre and outer areas.
4. The children's allotment scheme at Low Moor was absolutely amazing with such enthusiasm from all (a key highlight of the visit – keep it up!)
4. York Cemetery and the Buddleia Butterfly Walk.
4. Marriott Hotel Group is to be praised for their voluntary work supporting other gardens and landscaped areas.

Areas suggested for future development:

1. Consider introducing high quality sustainable planting on the outer roundabouts.
1. Continue to improve the overall standard of grass cutting (we appreciate the extreme weather conditions this year).
2. Identify one or two quality pubs and restaurants which support all year round planting.
3. Consider meeting a garden competition winner during any future judging tour.

SECTION C – LOCAL AGENDA 21 AND SUSTAINABLE DEVELOPMENT

The judges were particularly impressed by:

1. Nature conservation at York Cemetery.
1. The Wheatlands Community Woodland, especially the variety of wild flowers.
1. The conservation and bio-diversity and the Low Moor Allotments
2. Good practice evidenced at Low Moor Allotments, especially with regard to composting, mulching and the growing of organic produce.
2. Peat-free herb gardens/beds at the Treasurer's House.
2. The waste management policies being implemented by the city council.

Areas suggested for future development:

1. Consider introducing additional interpretation at the Wheatlands Community Woodland, especially identifying varieties of wild flowers.
2. Encourage projects and initiatives for communities and young people in this important aspect of the criteria.

SECTION D – LOCAL ENVIRONMENTAL QUALITY

The judges were particularly impressed by:

1. The absence of litter was evident within the city centre and outer areas.
1. The introduction of the “barrow men” initiative is obviously playing its part within the community/residential areas.
2. The overall standard of street furniture was good within the city centre.
3. The young people/student litter campaigns.

Areas suggested for future development:

1. Continue to improve and eradicate weeds from within hard landscaped areas (weather conditions have been a contributing factor this year).
2. Provide evidence to highlight the management of gap sites.
2. Carry out an audit of street furniture, including litter and dog bins, within the outer areas and look to introduce a sustainable maintenance regime.
3. Continue to evidence projects and initiatives to compliment this aspect of the criteria.

SECTION E – PUBLIC AWARENESS

The judges were particularly impressed by:

1. The overall press coverage throughout the spring and summer campaigns.
1. At the end of the tour at the Mansion House we were very impressed with the mix and range of supporters all involved in promoting the efforts of the Yorkshire In Bloom campaign.
2. The support of local ward members to promote the Yorkshire In Bloom ethos.
2. The sponsorship of roundabouts and planters was very evident during the tour – continue the good work.

Areas suggested for future development:

1. Consider the introduction of a children’s poster competition to support the annual campaign.
1. Encourage some of the outer villages to enter the Yorkshire In Bloom campaign, which will clearly compliment the city of York’s overall entry, e.g. Bishopthorpe, New Earswick and Osbaldwick (to name but 3).
1. Consider introducing a press photo shoot during the visit as part of the ongoing publicity campaign for spring and summer.
2. Identify additional evidence to support this aspect of the criteria.

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

17 October 2007

Report of the Director of Neighbourhood Services

Neighbourhood Services Directorate Plan

Summary

1. This report asks the Executive Member to approve a draft Neighbourhood Services directorate plan for 2007-2011. The document proposes a set of priorities for Neighbourhood Services, and for each priority sets out a small number of key actions and performance indicators.

Background

2. Services are now starting to undertake detailed service planning, linked to the annual budget process. In the past year, this meant bringing an initial set of service plans to EMAP in December, with final plans brought back in March. This year we are expecting to bring a final set of service plans to the January EMAP, along with the budget proposals. The service plans are likely to be slightly simpler and shorter than last year. The directorate plan, as proposed, will support managers in undertaking service planning, and will ensure greater consistency in service plans.

Purpose of Directorate Plan

3. There are a number of reasons to develop a Directorate Plan at this time. The first aim is to provide a clear set of priorities for Neighbourhood Services, each backed up by a small number of key actions and measures. This will make up a clear and simple statement of the key things the directorate has set itself to deliver in the next year to 18 months. The plan will provide less detail on 2009/10 and 2010/11 – we expect to revise and update it annually.
4. A key aim is to make a strong link between the corporate direction set out in the corporate strategy, and the eight service plans that will act as the foundation for operational performance management in the directorate. As such it should help managers and staff to undertake service planning by providing them with a clear and consistent message about what the key issues are – at both corporate and directorate levels. This should ensure that within the directorate we can demonstrate a strong link from the city vision and corporate strategy down through the directorate plan to our service plans, team workplans and appraisals.

5. The plan recognises a number of priorities that cover a range of front line services. It also sets out priorities that recognise the importance of organisational development issues, particularly around staff issues.
6. The final aim is for the Directorate Plan to be a key part in a more structured (but flexible and appropriate) approach to the directorate's planning and performance management framework. Together the directorate plan and service plans will set out the key things we are aiming to achieve, the key challenges we face and the key measures, targets and actions to be delivered. This will lead onto performance management and monitoring at an appropriate level. EMAP will performance monitor the directorate plan through the quarterly timetable that matches the corporate cycle. The more consistent and structured set of service plans to be delivered early next year will form the basis of operational performance management inside the directorate.
7. In summary, the document has a number of purposes:
 - 'translate' the corporate strategy by showing its relevance to Neighbourhood Services.
 - set out a clear set of priorities – both services and organisational development.
 - for each priority, set out the key actions and measures. .
 - act as a support for managers and staff in the service planning process.
 - provide a short clear description of and guide to the directorate.

Content of Plan

8. We have tried to make the Directorate Plan as short, clear and simple as possible, so as not to detract from the main purposes set out above. The proposal is to structure the Plan as follows. The draft plan is at Annex 1.

Content	
Foreword from Director.	
Short explanation of corporate planning system	To show how the Directorate Plan and service plans fit into the corporate planning system.
Description of the directorate.	To provide a brief introduction, including a structure chart and budget overview.
Directorate major challenges.	To set out the major challenges facing the directorate, from a range of sources.
Directorate major risks.	To set out the major directorate level risks facing the directorate.
Statement of directorate priorities.	To set out how Neighbourhood Services contributes to delivering the corporate strategy.
Organisational development priorities.	To include actions and measures.
Directorate service priorities	(arranged under 3 Asst Director headings). To include actions and measures.

Non-priority services and issues.	To clarify status of other services and organisational development issues not identified as priorities.
Monitoring and reporting arrangements.	To set out how performance will be managed, monitored and reported.

Directorate Priorities

9. The proposed directorate priorities have come out of a robust planning process that considered a range of information around performance, risk, external challenges, customer satisfaction, staff research, and the political prospectus. They are a mix of service and organisational development issues.
10. The directorate takes a lead on three of the corporate priorities. We have prioritised four other service areas for review and improvement. Ten of the twelve priorities support delivery of our corporate strategy.

Service Priorities	Organisational Development Priorities
Waste Management (Corporate Priority lead). Street Environment (Corporate Priority lead). Tackling violent, aggressive and nuisance behaviour (Corporate Priority lead). Neighbourhood management service review and improvement. Building maintenance service review and improvement. Waste services service review and improvement. Building and school cleaning service review and improvement.	Improving sickness absence. Improving staff development. Improving health & safety culture. Implementing job evaluation / pay & grading. Improving financial management.

11. Some areas of the directorate are not being seen as priorities at this point. However all areas of the directorate, whether priorities or not, will develop service plans that fit within the corporate guidance and policy, and those service plans will show how improvement is being driven in all services as part of the normal development of the service.

Consultation

12. Consultation in preparation of the draft plan was limited to senior officers in the directorate. The corporate strategy, policy prospectus, staff survey, customer satisfaction surveys were also used in developing the proposal.

Options

13. The options for members to consider are:

Option 1: To agree the draft plan, taking into account specific comments raised at this meeting. For the plan to form the basis for forthcoming service planning, and for it to form the basis for EMAP performance reporting.

Option 2: To not agree the draft plan.

Analysis

14. Option 1 would immediately provide a firmer foundation on which to undertake service planning. It would also allow us to provide a more formal structure for future performance monitoring reports to EMAP. It would help the directorate meet a number of the requirements of the forthcoming CPA inspection through showing a strong level of support for the corporate strategy.
15. Under option 2 we would work to address members' concerns with the proposed plan in order to support our forthcoming service planning. We would seek to bring forward a revised directorate plan in March, following the completion of the budget process.

Corporate Priorities

16. One of the aims of the directorate plan is to strengthen and clarify how Neighbourhood Services will support delivery of the Corporate Strategy, including the corporate priorities.

Implications:

- **Financial.** There are no financial implications associated with this report.
- **Human Resources.** There are no direct implications for staff, although a number of the proposed priorities are aimed at developing our approach to staff management.
- **Equalities.** There are no equalities implications in this report.
- **Legal.** There are no legal implications in this report.
- **Crime and Disorder.** One of the proposed priorities is around delivering on a key part of the community safety agenda.

- **IT.** There are no IT implications associated with this report.
- **Property.** There are no property implication in this report.

Risk Management

17. As part of the planning process, the directorate’s management team undertook a review of directorate level risk, with the support of the corporate risk management team. Major risks were a key part of the planning process which resulted in the proposed plan.

Recommendations

18. That the Advisory Panel advice the Executive Member to:
- a) approve option 1.
 - b) agree to receive an updated version of the plan, following the outcome of the budget process, at the EMAP meeting in March.

Reason: to put in place an important element in improving the directorate’s performance management and monitoring arrangements.

Contact Details

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Neighbourhood Services
3227

Chief Officer Responsible for the report:
Terry Collins
Director of Neighbourhood Services

Report Approved **Date** 3.10.07

Wards Affected: List wards or tick box to indicate all **All**

For further information please contact the author of the report

Annexes

Annex 1 – Draft Directorate Plan

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**Neighbourhood Services
Directorate Plan
2008/09 – 2010/11**

Foreword from Director of Neighbourhood Services

I am delighted that staff in Neighbourhood Services have responded so positively to the significant level of change that has taken place in the last year.

The staff survey results from earlier this year show that we are on the right track, with job satisfaction recovering from a low point 18 months ago. However I know that there is still a lot to do to improve our services and to improve Neighbourhood Services as an organisation. So I am grateful to staff for their positive attitude and I want to work with everyone in the directorate to make Neighbourhood Services an organisation we can be really proud of.

This document sets out the priorities for Neighbourhood Services for the next 18 months. Some of these priorities are around developing our services further. We know that there is more to do on waste management, street environment and community safety – the three council priorities where this directorate takes the lead. Over the next period we also need to continue to review and improve other services as a priority as well.

This document also shows my commitment to developing the organisation – in other words how this directorate works and how we do things. For example, improving communications and improving the health and safety culture are important and if we get these sorts of things right they will start to impact positively on all our services.

I look forward to working with you during another successful year.

Space for Photo

Terry Collins

Corporate Planning System

This page summarises how York's sustainable community strategy which sets out a long term vision for the city, links through to influence personal development plans for staff within Neighbourhood Services, via corporate, directorate and service level plans. These links ensure that individuals and teams work consistently towards clear objectives that build towards delivering the priorities set out in city and corporate level strategies.

	Sustainable Community Strategy	Without Walls (York's Local Strategic Partnership) has produced a City Vision and Community Strategy, which was agreed in April 2004. www.yorkwow.org.uk
Corporate Strategy	Corporate Vision (Values and Direction Statements)	The Council's corporate vision includes four values and seven direction statements.
	Corporate Priorities & Corporate Imperatives	<p>The Council has ten corporate improvement priorities – ten areas of council business where we have chosen to make significant improvements. Three of the ten are led by Neighbourhood Services:</p> <ul style="list-style-type: none"> ○ Street cleanliness, ○ Waste minimisation, ○ Tackling anti-social behaviour. <p>The Council has seven corporate imperatives. These are highly significant 'must-do' projects and programmes.</p>
	Strategic Plans Business Plans Financial Plans	<p>Neighbourhood Services Directorate Plan which:</p> <ul style="list-style-type: none"> ○ Sets out clear direction for the directorate – service development and staff development. ○ Shows how we contribute to the corporate agenda. <p>In addition, Neighbourhood Services has two strategic plans: Waste Minimisation Strategy, Community Safety Plan.</p>
	Service Plans / Team Workplans	NS has eight service plans, supported by detailed Workplans. Taken together these set out how the directorate plan's priorities will be delivered. The service plans can be found on the intranet under: <i>Council / Service Planning / 2007/08 Service Plans / Neighbourhood Services</i>
	Personal Objectives for all Staff <i>(Performance & Development Review for Staff)</i>	It is the Council's target to ensure that all staff have an annual appraisal to help set personal objectives for each member of staff, which link to service plans, that in turn help deliver the higher level objectives.

Introduction & Directorate overview

Directorate Plan

The purpose of this *Directorate Plan* is to:

- communicate a common direction for Neighbourhood Services.
- set out the directorate priorities for the medium term (1-3) years.
- demonstrate how we will contribute to the shared vision of the authority.

Shared ownership and responsibility for these priorities will help to make things happen. The *Directorate Plan* will help us to:

- build a common identity across the directorate;
- share understanding of the common issues and goals of the directorate;
- create a climate where we can take shared ownership and responsibility for collective challenges;
- share skills, experiences and perspectives to build a more effective directorate;
- create a platform to involve everyone across the directorate;
- deliver our goals in achieving excellent services.

Neighbourhood Services Directorate

Neighbourhood Services evolved from the merger of former Commercial Services directorate, and parts of the former Chief Executive's and City Strategy directorates. The rationale for the new directorate was to bring together staff and services that impact very visibly on the local environment and community safety. Our staff are highly visible in and around the city, and undertake a range of tasks and functions that are critical but probably undervalued.

While the impact on residents' localities is a common thread, the directorate's functions are quite diverse. These include:

- Waste collection, recycling, household waste sites, waste strategy.
- Local cleanliness, street cleansing, rubbish bin collection, grounds maintenance.
- Environmental health, trading standards, animal health, health & safety enforcement, food standards.
- Licensing and regulatory services
- Bereavement services (Crematorium)
- Ward committees, community engagement activities.
- Safer York Partnership.

We are also the council's major in-house contractor, with traded services covering building and school cleaning, housing repairs, building maintenance, and highways and civil engineering.

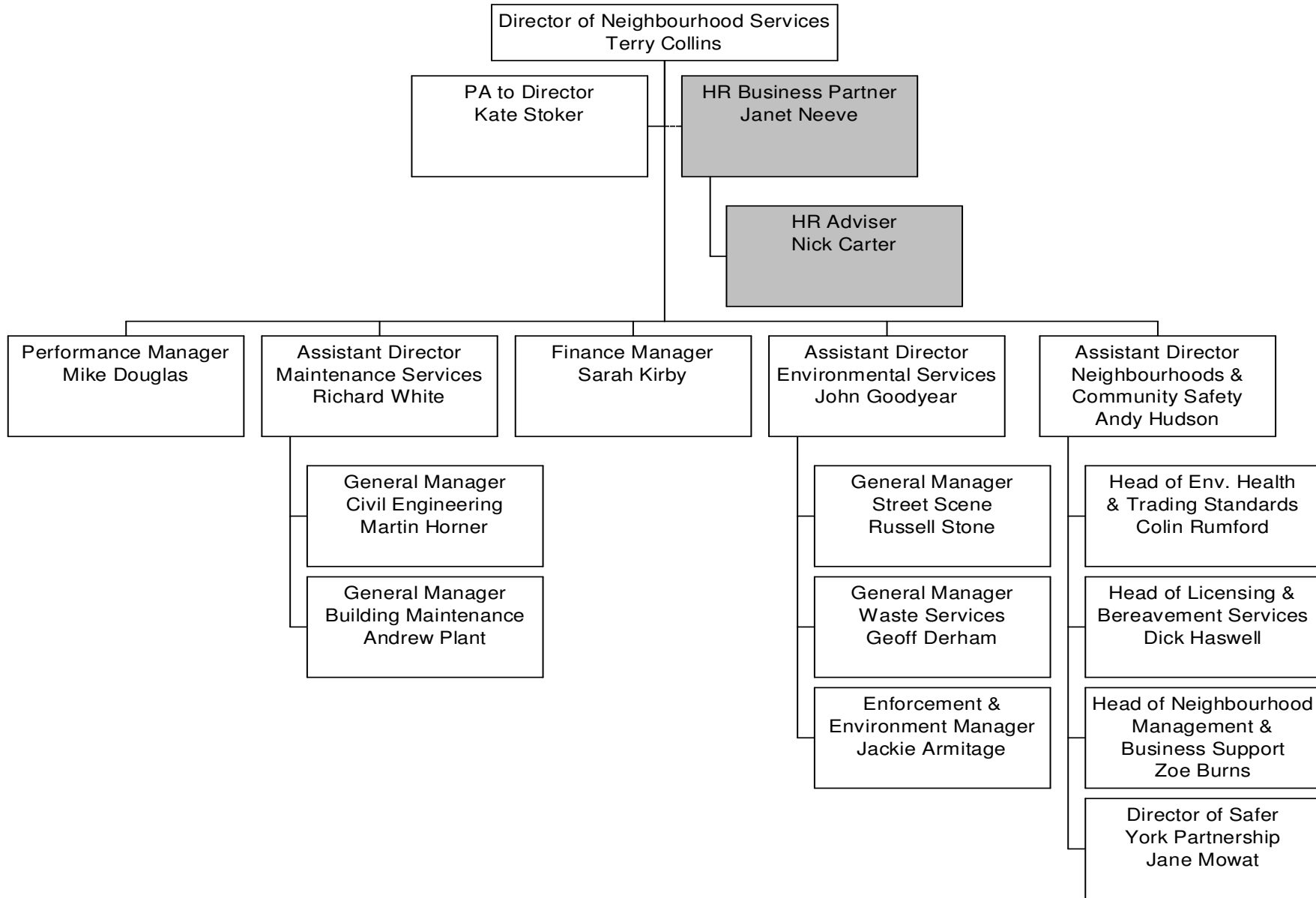
As a new and diverse directorate, we have a major task to integrate staff and services that previously were organised separately. Health and Safety at work is a key issue in a directorate that has many unsupervised work teams in and around the city often undertaking potentially dangerous activities. A predominantly low paid workforce means that we have specific staff development needs. Development of our people and organisational culture feature heavily in this plan.

Neighbourhood Services employs about 850 staff, with an overall gross operating budget of £48.7m. The majority of services are based at the Hazel Court Eco Depot, and at De Grey House in central York. Other staff are based in other locations around the city including Guildhall, Blake Street and Kings Court.

The directorate has a wide range of customers with differing needs, including elected members, partner organisations, all other council directorate staff, and residents of, and visitors to York.

The next pages include a structure chart for the directorate, and an overview of the directorate's budget. These are included to give an impression of the overall scope and size of Neighbourhood Services.

DIRECTORATE STRUCTURE CHART



Neighbourhood Services Budget Overview

2006/07 Outturn

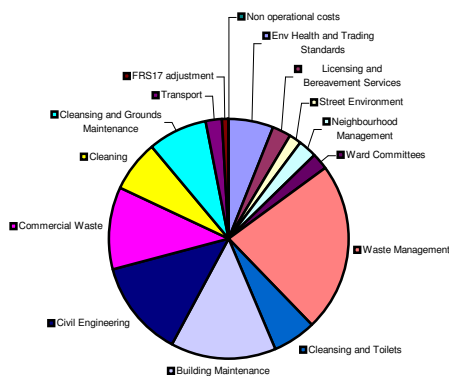
Savings/Growth: The Department identified £40k worth of in year savings in 2006/07 to help fund council budget pressures. This comprised £15k increased royalties from Harewood Whin, £5 capitalisation of salaries and £20k saving as a result of postponing training until 2007/08.

Total savings of £902k were offered up in the corporate budget savings round for 07/08 and £299k of growth bids were also approved for the year. The growth bid was due to the expansion of the kerbside recycling scheme to fund 3 large vehicles. The savings proposed including savings arising as a result of reduced amounts of refuse going to landfill (£146k) and increased charges for commercial waste above inflation (£110k).

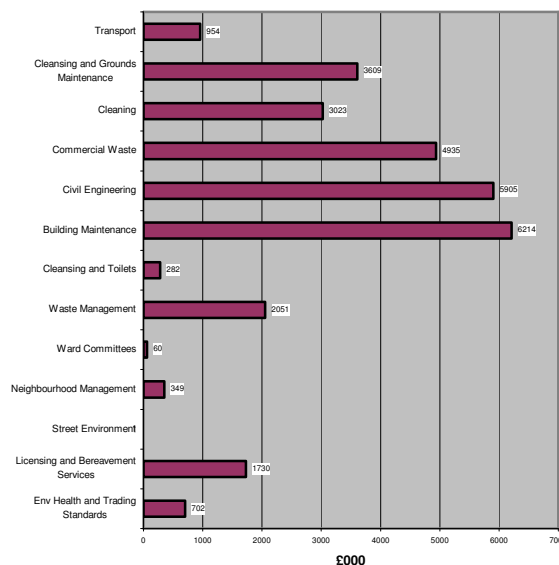
Out-turn: Year end out-turn 2006/07, saw the Department underspend by £524k.

NS	Expenditure Budget £000	Income Budget £000	Net Budget £000	Projected Outturn £000	Under spend £000	%
Total	43,721	29,815	13,906	13,382	524	3.8

2006/07 Expenditure Budgets



2006/07 Income Budgets



Budget 2007/2008 - Neighbourhood Services

Employees*	£19,681,420
Premises	£10,995,720
Transport	£3,679,020
Supplies and Services	£7,820,320
Miscellaneous:	
– Recharges	£1,572,910
– Other	£3,688,260
Capital Financing	£1,353,950
Gross cost	£48,791,600
Less Income	£34,759,030
Net cost	£14,032,570

*Service descriptions, structure charts and budgets are contained in individual service plans and can be viewed on the CouncilNet under:
Council / Service Planning / 2007/08 Service Plans / Neighbourhood Services.

Future Challenges

Neighbourhood Services face a number of challenges from a variety of sources. The key challenges facing the directorate are set out below.

<u>Government Challenges</u>	<u>Regional Challenges</u>	<u>City Wide Challenges</u>	<u>Corporate Challenges</u>	<u>Directorate Operational Challenges</u>
<p>Contributing to CPA corporate inspection.</p> <p>E-Govt agenda. Managing our part of transferring services into easy@york project so they can be delivered through new access channels such as the website, over the phone, and eventually a corporate 'one stop shop'.</p> <p>Audit Commission Key national PIs</p> <p>Gershon Report – corporate efficiency programme.</p> <p>Responding to Rogers Review and the requirements of the new Local Better Regulation Office.</p> <p>Responding to challenges of local government White Paper in respect of neighbourhood management.</p>	<p>Development of waste disposal proposals across York and North Yorkshire.</p> <p>Contribute to community safety work across region.</p>	<p>Lead on waste management (corporate priority).</p> <p>Lead on local environment issues (corporate priority).</p> <p>Lead on Community Safety (corporate priority and top customer concern).</p> <p>Contribute to improved partnership working through LAA.</p> <p>Contribute to review of Community Strategy.</p> <p>City leadership – enhanced role of Council as a community leader</p>	<p>Job Evaluation & Single Status</p> <p>Accommodation Review</p> <p>Contributing to OEP: <ul style="list-style-type: none"> ○ Leadership ○ Staff Morale ○ Customer focus ○ Training and development (or workforce planning) ○ Developing a culture of equality ○ Attendance Management/ </p> <p>Budget Pressures</p> <p>Making the new constitutional / political arrangements work.</p> <p>Carbon footprint / Environmental Management System.</p> <p>Implementation of FMS</p> <p>Business continuity</p> <p>Responding to thin client report re budget structure</p>	<p>Financial savings required to meet directorate and corporate targets.</p> <p>Improve risk management and business continuity arrangements.</p> <p>Improve H&S culture</p> <p>Statement of Internal Control</p> <p>Make an effective contribution to CDRP.</p> <p>Service improvement and review issues: <ul style="list-style-type: none"> ○ Repairs ○ Neighbourhood Management ○ Building cleaning ○ Building maintenance ○ Toilets ○ Expand recycling ○ Taxi licensing ○ ASB strategy </p>

Directorate Major Risks

Directorate level risks have been identified and are held on the council's 'Magique' risk management system.

Strategic Risks	<ul style="list-style-type: none"> ○ Procurement SLAs for internal contracts incomplete /inadequate /not implemented.
Partnership Risks	<ul style="list-style-type: none"> ○ SYP – reduce crime and fear of crime.
Operational Risks	<ul style="list-style-type: none"> ○ Failure of statutory duty to collect refuse. ○ Failure to provide cremation services. ○ Failure to successfully implement job evaluation. ○ Major loss of contracts. ○ Failure of ABRO contract. ○ Failure to meet requirements of key statutory inspections. ○ Failure to achieve income from LPSA targets. ○ Risk from fraud and lack of probity.

Directorate Priorities

The proposed directorate priorities have come out of a robust planning process that considered a range of information around performance, risk, external challenges, customer satisfaction, staff research, and the political prospectus. They are a mix of service and organisational development issues.

Organisational Development Priorities	Service Priorities
<ol style="list-style-type: none"> 1. Improving absence management. 2. Staff development. 3. Implementing job evaluation / pay & grading. 4. Improving health & safety culture. 5. Improving financial management. 	<ol style="list-style-type: none"> 6. Tackling violent, aggressive and nuisance behaviour (Corporate Priority lead). 7. Neighbourhood management service review and improvement. 8. Building maintenance service review and improvement. 9. Local Environment (Corporate Priority lead). 10. Waste Management (Corporate Priority lead). 11. Waste services service review and improvement. 12. Building and school cleaning service review and improvement.

This section shows how the Neighbourhood Services' priorities (right hand column) link to the corporate vision and corporate priorities set out in the corporate strategy (left hand column). Some directorate priorities support more than one workstream within the corporate strategy.

Corporate Strategy	NS Directorate Plan
Corporate Vision	NS Priorities
<p>Corporate Values.</p> <p>We will:</p> <ul style="list-style-type: none"> • Deliver what our customers want.* • Provide strong leadership. • Support and develop our people. • Encourage improvement in everything we do. 	<p>NS will contribute through:</p> <p>4 service review priorities (NS7,NS8,NS11,NS12)</p> <p>NS1: Improved Absence Management.</p> <p>NS2: Staff development</p> <p>NS3: Implement Job Evaluation /Pay & Grading</p> <p>NS4: Improved Health & Safety</p> <p>4 service review priorities (NS7,NS8,NS11,NS12)</p>
<p>Corporate Direction Statements.</p> <ul style="list-style-type: none"> • We want services to be provided by whoever can best meet the needs of our customers. • Our ambition is to be clear about what we will do to meet the needs of our communities, and then to deliver the best quality services that we can afford. • The Council will provide strong leadership for the city using partnerships to shape and deliver the Community Strategy for the City. • We will listen to communities and ensure that people have a greater say in deciding local priorities. • We will seek to place environmental sustainability at the heart of everything we do.* • We will be an outward looking council, working across boundaries to benefit the people of York • We will promote cohesive and inclusive communities 	<p>NS will contribute through:</p> <p>NS6: Safer City Corporate Priority (via CDRP)</p> <p>NS10: Waste Management Corporate Priority (via YNYWM partnership)</p> <p>NS7: Neighbourhood Management service review</p> <p>NS6: Safer City Corporate Priority (via CDRP)</p> <p>NS10: Waste Management Corporate Priority (via YNYWM partnership)</p> <p>NS7: Neighbourhood Management service review</p>
	<p>Other NS OD Priorities</p> <p>NS5: Improve financial management</p>

* In addition to work undertaken through the new directorate priorities, we will also support some of the other corporate priorities through other work undertaken in the directorate. Examples of this type of activity are set out on page 11.

Corporate Strategy	NS Directorate Plan
Corporate Priorities	NS Priorities
<p>Corporate Priorities for Improvement.</p> <ul style="list-style-type: none"> • Waste Management / recycling / landfill. • Environmentally friendly transport.* • Condition of the city's streets, housing estates and publicly accessible spaces. • Reducing violent, aggressive and nuisance behaviour. • Skills and knowledge. • Promoting economic prosperity (income differentials). • Health and lifestyles. * • Life chances of disadvantaged children and families.* • Decent, affordable housing. * • Reducing environmental impact. * 	<p>NS will contribute through:</p> <p>NS10: Waste Management Corporate Priority (NS lead) NS12: Waste service review</p> <p>NS9: Local Environment Corporate Priority (NS lead)</p> <p>NS6: Safe City Corporate Priority (NS lead)</p> <p>NS8: Building Maintenance service review</p>
<p>Corporate Imperatives.</p> <ul style="list-style-type: none"> • Pay & Grading • School Modernisation Strategy • York Stadium • Administrative Accommodation Review • Local Development Framework • FMS Replacement • Demographic Change: ageing population 	<p>NS will contribute through:</p> <p>NS3: Implement pay & grading</p> <p>NS5: Improve financial management</p>
	<p>Other NS Service Priorities</p> <p>NS11: Building Cleaning service review</p>

* In addition to work undertaken through the new directorate priorities, we will support some of the other corporate priorities through other work undertaken in the directorate. Examples of this type of activity are set out on the next page.

Neighbourhood Services will contribute to the delivery of a number of the council's other corporate priorities and imperatives. Examples of how we do this are set out below.

Customers

- Neighbourhood Management Unit will provide an engagement and involvement service through the ward committees, residents associations, housing federations etc.
- Continue to work on developing Neighbourhood Action Plans, the ethos of which is to engage the public on the services they want to make a difference to their neighbourhood.

Health and lifestyles

- Introduce a 'Scores on the Doors' scheme to improve food safety standards amongst York businesses.
- Establish a Health and Safety Forum to raise awareness of health issues in the workplace.
- Provide opportunities for young people through funding initiatives via the ward committee process and identifying need through effective action planning.
- Work to build capacity within voluntary / group organisations to support a range of initiatives.

Environmentally friendly transport

- Work with City Strategy to develop measures/actions which will actively encourage the use of low or zero NOx emitting vehicles for journeys which take place frequently and predominantly in or through the current air quality management area.
- Apply vehicle emission standards to all hackney carriages and introduce similar standards to private hire vehicles.
- Develop incentive policies to encourage use of alternative fuel vehicles (where appropriate).

Decent affordable housing

- Neighbourhood Management Unit will deliver the tenant involvement service on behalf of Housing Services, including consulting tenants on key issues such as decent home, repairs and homelessness.

Life Chances of Disadvantaged Children and Families

- Work on the respect agenda in conjunction with internal and external partners to the authority.
- Work with residents associations and ward committees to support and fund where possible positive activities for the disadvantaged.

Environmental Sustainability, Reducing Environmental Impact

- Continue to contribute to and support the council's Environmental Management System, including the carbon change programme.
- Continue to use the Eco-Depot as a resource to encourage the take-up of ecologically friendly building methods, and the more sustainable use of energy. Maximise the sustainability benefits of the building.

Organisational Development Priorities

A number of organisational development priorities have been identified. These issues impact on every service area in the directorate. These issues require commitment from everyone to ensure that they are achieved and become embedded in day to day work. The key actions and measures identified here will be cascaded appropriately into all of the directorate's service plans.

Staffing / Leadership:		
NS1: Improve approach to absence management		Milestones
<ul style="list-style-type: none"> • Key actions: <ul style="list-style-type: none"> Contribute to the further development of a corporate policy. Continue to improve how we measure sickness absence information to help manage absence. Improve internal staff communications. Improve methods of ensuring a healthy workforce Temporarily redirect resources to provide additional support to managers in managing absence. 		Established + ongoing. Dec 07 and ongoing Dec 07 and ongoing Apr 08 Apr 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> • Key Measure(s) <ul style="list-style-type: none"> BV12: Number of working days/shifts lost to sickness (per fte). CPA13a. Number of days lost to stress related illness (per fte). Staff survey: Overall satisfaction with present job. Staff survey: Currently being bullied / harassed. Staff survey: I am able to cope with the demands of my job. 	16.8 2.79 69% (04/07) 10% (04/07) 78% (04/07)	11 (CYC) 14 (NS) 2 (CYC) no target set (10/08) no target set (10/08) no target set (10/08)
<ul style="list-style-type: none"> • Potential further actions (2009-11): None at this time (Oct 07) 		

Staffing / Leadership:

NS2: Staff development		Milestones
<ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Deliver weekly meetings between the Director and front line staff. To hold quarterly meetings of the DNS Managers Forum to further develop leadership skills. To hold quarterly 'tool box talks' between AD's and front line staff. Improve internal staff communications. Deliver staff appraisals throughout the directorate. Develop proposals for a management training programme, including supervisory staff. Improve training record management. 		Established + ongoing Established + ongoing Established + ongoing Dec 07 and ongoing March 08 Apr 08 and ongoing Oct 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> Staff survey: Staff reporting they are well-informed. Staff survey: Line managers reporting that the council gives opportunities to develop people management skills. Staff receiving an appraisal (PDR) in last 12 months. 	72% (04/07) 76% (04/07) 59%	no target set (10/08) no target set (10/08) 92%
<ul style="list-style-type: none"> Potential further actions (2009-11): None at this time (Oct 07) 		

Staffing / Leadership:

NS3: Implement Job Evaluation / Pay & Grading		Milestones
<ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Contribute to reaching collective agreement with joint Trade Unions. Implement new pay and grading structure. 		Dec 07 April 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> Level of detriment to industrial relations (qualitative measure) 	No baseline	No target set
<ul style="list-style-type: none"> Potential further actions (2009-11): Monitor effect of new pay structure. Ensure effective management of new pay structure. 		

Health & Safety:		
NS4: Improve Health & Safety culture (detail set out in the NS HSIP)		Milestones
<ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Improve methods of ensuring a healthy workforce. Improve approach to lone working. Re-instate clear approach to on site inspections, training and communications. Improve training record management. Introduce a more user-friendly approach to risk assessment. Audit H&S culture across NS teams. 		Apr 08 Apr 08 Apr 08 Oct 08 Dec 08 Rolling programme to Mar 09
	2004/5 - 2006/7	2008/9 Target
<ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> Total number of accidents reported. Number of RIDDOR accidents. 	124 (ave) 27 (ave)	No target set. No target set.
<ul style="list-style-type: none"> Potential further actions (2009-11): <ul style="list-style-type: none"> Revise Health and Safety Improvement Plan based on cultural audit work. Develop programme of campaigns to target specific issues. Tackle behavioural H&S issues. 		

Financial Management:		
NS5: Improve Financial Management		Milestones
<ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Provide financial regulation, procurement and budget monitor training for Budget Managers. Reduce debtor days by improved monitoring of recovery action taken. Review the overhead allocation model to ensure that support costs are fairly apportioned. Use a zero based budget setting approach where applicable to improve monitoring. Complete financial review of specific service areas (building maintenance, cleaning, transport). Reduce creditor days by developing a web based system to pay some large suppliers. 		Established + ongoing Established + ongoing Nov 07 Feb 08 Apr 08 Apr 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> Reduction in outturn variance against budget (06/07 underspend was £524k) 	£524k underspend	zero variance
<ul style="list-style-type: none"> Potential further actions (2009-11): <ul style="list-style-type: none"> Implementation of the new FMS system should improve accessibility and reporting of financial information to budget managers. Additional training will be required. 		

Directorate Service Priorities 2008/09 - 2010/11

Seven service priorities have been identified. Three are corporate priorities contained within the council's corporate strategy. For these three priorities, further detail will be available in the relevant priority action plan (currently called Delivery and Innovation Plans or DIPs). The other four service priorities are about reviewing and improving existing service areas. These service reviews will take into account the needs of all customers, and will look for additional service efficiencies. The key actions and measures identified here will be cascaded into the appropriate service plans.

Assistant Director for Neighbourhoods and Community Safety:		
NS6 Community safety corporate priority (Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour)		Milestones
<ul style="list-style-type: none"> • Key actions: <ul style="list-style-type: none"> Develop proposals to introduce single radio network linked to CCTV control room in York. Approve and implement draft anti-social behaviour strategy (to include work to tackle domestic violence). Review Safer York Partnership structure to reflect agreed business plan objectives. Extend the night time noise enforcement service. Evaluate cold calling control zone pilots (Jan 08) and if successful roll out further. 		<ul style="list-style-type: none"> Dec 07 and ongoing Dec 07 and ongoing Jan 08 Apr 08 and ongoing Apr 08 and ongoing
	2006/7	2008/9 Target
<ul style="list-style-type: none"> • Key Measure(s) - from Priority DIP <ul style="list-style-type: none"> Total Crime (presume BCS total crime) SSC3.1 Perception of a range of ASB issues – (% of residents reporting 7 issues** as either a fairly big or big problems) SSC3.2 % who feel informed over what is being done to reduce ASB SSC3.5 Illegal alcohol sales via Test Purchase Programme (LPSA2) SSC3.6 % of residents who feel that York is a safe city to live in. (LPSA2) COLI104. % of residents reporting noisy neighbours causing a problem (LPSA2) 	<ul style="list-style-type: none"> 13304 14% 29% 12.1% 53% 14% 	<ul style="list-style-type: none"> To be set* 12% 40% 10% 68% 9%
<ul style="list-style-type: none"> • Potential further actions (2009-11): <ul style="list-style-type: none"> None at this time (Oct 07) 		

* These BCS targets will be set through negotiation with the Home Office as part of the development of a replacement Community Safety Plan.

** noisy neighbours; groups of people hanging about; rubbish and litter; drunkenness and rowdiness in public places; abandoned or burnt out cars; vandalism, graffiti and other damage; using or dealing drugs.

Assistant Director for Neighbourhoods and Community Safety:

NS7 Neighbourhood management service review		Milestones
<ul style="list-style-type: none"> Key actions: Develop a model of neighbourhood management for political approval. 		Apr 08
<ul style="list-style-type: none"> Explore and understand the implication of the forthcoming Local Government and Public Involvement in Health Bill (LG bill). 		Apr 08
<ul style="list-style-type: none"> Start to implement relevant statutory requirements of the LG bill, in support of the council's corporate response. 		Dec 08
<ul style="list-style-type: none"> Continue to explore how to implement new best practice coming out of the LG bill, in support of corporate inspection. 		Dec 08
<ul style="list-style-type: none"> Review the structure of the Neighbourhood Management Unit to ensure that it is fit for purpose, (depends on neighbourhood management model chosen.) 		Apr 09
	2006/7	2008/9 target
<ul style="list-style-type: none"> Key Measure(s) SSC6.1 Residents who feel they can influence decisions affecting their area (LAA) 	36%	To be set
<ul style="list-style-type: none"> Potential further actions (2009-11): Dependent on provisions of local government bill and council's adoption of a neighbourhood management model. 		

Assistant Director for Construction Services:

NS8: Building Maintenance Service Review		Milestones
<ul style="list-style-type: none"> Key actions: Implement Building Maintenance restructure. 		Nov 07
<ul style="list-style-type: none"> Review the end-to-end repairs partnership with HASS. 		Apr 08
<ul style="list-style-type: none"> Complete the mobilisation of the OGC framework agreement with St-Gobain Building Distribution (Jewson Ltd) by end Oct 07, and review the supply chain partnership by April 08. 		Apr 08
<ul style="list-style-type: none"> Extend existing partnership working with other internal clients. 		Dec 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> Key Measure(s) Urgent repairs completed in time (repairs partnership key PI) Days taken to complete non-urgent repairs (repairs partnership key PI) Elapsed time for the end-to-end process of undertaking repairs/relets within HASS Partnership (measure under development) 	84% 9.7 days No baseline	99% 8 days No target set
<ul style="list-style-type: none"> Potential further actions (2009-11): Develop and implement the strategy for growth into external trading, to include review of financial processes and establish support to adapt the invoice/charging process in CYC. 		

Assistant Director for Environmental Services:		
NS9: Local Environment corporate priority: (Improve actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces).		Milestones
<ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Keep the new approach to street cleansing under review, and implement ongoing improvements as appropriate. Review city centre zone street cleansing, and implement findings. Review the use of large mechanical sweepers. Review provision of public toilets. 		Established + ongoing Apr 08 July 08 July 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> BV199a: % of relevant land with levels of litter and detritus below acceptable standards. BV89: % of people satisfied with local cleanliness 	19.2% 71%	16% 72%
<ul style="list-style-type: none"> Potential further actions (2009-11): <ul style="list-style-type: none"> None at this time (Oct 07) 		

Assistant Director for Environmental Services:		
NS10: Waste Management corporate priority (Decrease the tonnage of biodegradable waste and recyclable products going to landfill)		Milestones
<ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Explore options for kerbside recycling service (to meet central govt targets) Introduce enhanced recycling to schools and council offices (linked to NS12) Identify and start to procure access to a short-term waste treatment facility Review collection of commercial waste (linked to NS12) Rewrite waste strategy for York. 		Established + ongoing Oct 07 and ongoing Oct 07 and ongoing Apr 08 Apr 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> BV82a+b – household waste recycled + composted BV91b – households serviced by 2 recyclables BV84a – waste collected per head of population BV90a – satisfaction with household waste collection BV90b – satisfaction with waste recycling facilities Customer presentation of recycling at kerbside (accurate measurement method being developed) 	39.93% 87.53% 538.54kg 72% 75% baseline to be established	41.84% 86.12% 539.16kg 74% 78% target to be established

<ul style="list-style-type: none"> • Potential further actions (2009-11): Work to develop new waste strategy is key factor, but new waste strategy is certain to include work around: <ul style="list-style-type: none"> ○ Diversion from landfill in order to meet LATS targets. ○ Additional service efficiencies. ○ Deciding on future of household waste sites.
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Assistant Director for Environmental Services:

NS11 Building and School Cleaning Service Review	Milestones	
<ul style="list-style-type: none"> • Key actions: Ensure that recruitment and selection processes are robustly applied Undertake comprehensive service review, and implement findings. 	Oct 07	April 08
	2006/7	2008/9 Target
<ul style="list-style-type: none"> • Key Measure(s) Customer satisfaction with cleaning service. Level of staff turnover. 	90% 3.65%	>90% <2.5%
<ul style="list-style-type: none"> • Potential further actions (2009-11): Dependent on outcome of comprehensive service review. 		

Assistant Director for Environmental Services:

NS12 Waste Service Review	Milestones	
<ul style="list-style-type: none"> • Key actions: Implement new Vehicle Management Information System to help track progress in real time. Introduce enhanced recycling to schools and council offices (linked to NS10) Introduce new integrated commercial waste management system Publish customer standards. Review policy on assisted collection. Review working patterns in light of new waste strategy, and implement. Review collection of commercial waste (linked to NS10) 	Oct 07	Oct 07 and ongoing Dec 07
	2006/7	2008/9 Target
<ul style="list-style-type: none"> • Key Measure(s) COLI3: Missed bins per 100,000 collections VW19: Missed bins put right by end of next working day. BV90a: % of people satisfied with household waste collection Number of CRM system complaintst 	77.63 58.24% 72% 67 (monthly average)	50 100% 74% <50 (monthly average)
<ul style="list-style-type: none"> • Potential further actions (2009-11): None at this time (Oct 07) 		

Non-priority Services and Cross-cutting Issues.

Developing this plan meant looking at a range of information and considering what should and should not be seen as priorities. A number of services and a number of cross-cutting issues were considered but rejected as priorities at this point in time. However, these services and cross-cutting issues remain important. The directorate's service plans will set out the detailed improvement plans for all of the directorate's range of services.

Cross-cutting issues such as **equalities, customer focus, service improvement, reducing waste and inefficiency** will not appear directly in service plans. Because of this they could be seen as unimportant for the directorate. This is not the case, and we will continue to work on these issues. In particular, the process of reviewing and improving the priority services will ensure a focus on delivering a range of high quality efficient services that are open and accessible to all York's residents. We will contribute fully to the delivery of the corporate values and vision, and recognise how important it is to support the delivery of the Organisational Effectiveness Programme.

Monitoring and Reporting Arrangements

Progress against the directorate's priority actions and measures contained in this plan, will be monitored at the Directorate Management Team (DMT) and brought forward to EMAP meetings through the quarterly monitoring process.

Directorate priorities (and their related actions and measures) identified in this plan, will be cascaded appropriately into the directorate's eight service plans. The aim is to ensure that organisational development actions and measures agreed at DMT (e.g. around H&S, or staff development) will be input consistently but appropriately into service plans. This should lead to a consistent suite of 'non-service' performance indicators covering staffing, H&S, customer and finance issues in the directorate.

Actions and measures in service plans will be measured and managed monthly through Heads of Service meetings. Heads of Service will be supported to make their own arrangements for these meetings. In addition to the actions and measures in this plan, the service plans will contain a range of other actions and measures that are not related to the directorate's priorities. All our BVPIs and LAA measures will be contained in service plans. These will be reported to DMT and quarterly EMAPs on an exception basis as appropriate (plus other measures at EMAP's discretion).

These systems will ensure that we manage performance at the most appropriate level.

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Meeting of the Executive Member for Neighbourhoods and Advisory Panel

17 October 2007

Report of the Director of Neighbourhood Services

AIR QUALITY UPDATE

Summary

1. The purpose of this report is to update the executive member and advisory panel on the outcome of the recent Air Quality Support Grant (AQSG) applications made to the Department for Environment, Food and Rural Affairs (DEFRA). Three AQSG bids were made in relation to the council's ongoing Local Air Quality Management (LAQM) work. The report provides an overview of the planned expenditure of the AQSG and requires a decision to be taken on the amount of AQSG to be accepted from DEFRA. The report also provides a general update on the national approach to air quality and the progress being made at a local level.

Air Quality Support Grant

Background

2. The government supports local authorities capital expenditure on LAQM through a direct grant scheme known as the Air Quality Support Grant Programme (AQSG). Previous air quality funding from DEFRA has allowed the establishment of a comprehensive air quality monitoring network in York and the in-house operation of an air quality computer model. The scope of the monitoring network was reviewed and streamlined in 2006, with the main emphasis now on nitrogen dioxide and particulate monitoring.
3. In March 2007 officers submitted three AQSG bids to DEFRA to support the council's air quality work during 2007/2008. The amounts bid for were:

Air quality monitoring =	£173,263.59
Air quality modelling =	£120,000
Air quality action planning =	£14,500

Due to a national shortfall in the amount of grant available, York has been provisionally allocated the following amounts of AQSG for 2007/2008:

Air quality monitoring =	£30,000
Air quality modelling =	£30,000
Air quality action planning =	£9,500

A total of 99 local authorities in England have been allocated air quality grant funding for 2007/08. Of these York received the second highest level of funding. This report presents proposals for defraying the allocated amounts of AQSG and requires a decision to be taken on the amount of AQSG to be accepted.

Consultation

4. No consultation has been undertaken for the purpose of this report.

Proposed expenditure

Air quality monitoring

5. The £173,263.59 bid for air quality monitoring was to undertake the following four projects:

Project 1 : Consolidating two separate air quality monitoring (AQM) enclosures at Holgate Road into one enclosure, replacing the NO_x analyser, and upgrading the site to meet EU reference equivalence for particulates (PM₁₀)

Project 2 : Upgrading of existing AQM enclosure at Fishergate to EU reference equivalence for PM₁₀ and replacement of the NO_x analyser.

Project 3 : Upgrading of existing AQM enclosure at Bootham Hospital to EU reference equivalence for PM₁₀ and replacement analyser of the NO_x analyser.

Project 4 : Relocation of NO_x analyser and AQM enclosure from Holgate Road to Fulford Main Street to undertake detailed assessment of nitrogen dioxide (NO₂).

6. Currently all particulate (PM₁₀) monitoring in York is undertaken using Tapered Element Oscillating Microbalances (TEOMs). This method has historically been used in the national air quality monitoring network and by the majority of local authorities the UK. It is favoured above other methods because it is reliable, easy to maintain and one of the few methods capable of giving data in real time. Other methods are significantly more resource intensive and generally only provide daily averages. Although TEOMs are widely deployed throughout the UK it has been known for some time that they underestimate PM₁₀ concentrations compared to other methods of measurement.
7. To date it has been acceptable to apply a correction factor to TEOM data to make it comparable with data from other analysers. The failure of the TEOM to obtain EU reference method status has resulted in DEFRA being legally required to upgrade the national network to EU reference equivalence standard. Whilst this requirement does not currently extend to local authorities it is being encouraged by DEFRA, especially for roadside sites with elevated PM₁₀ concentrations.

8. There are currently two main ways of upgrading TEOMs. One requires retrofitting of existing equipment and the second is a complete replacement by an alternative monitoring method. The capital cost of both options is approximately the same but there are advantages and disadvantages to each method which need to be considered further before a final decision is taken on which method to employ in York.
9. The amount of AQSG funding received from DEFRA for 2007/2008 is not enough to upgrade all the existing TEOMs in York. It is therefore proposed that during 2007/2008, the allocated AQSG funding should be used to upgrade the existing site at **Holgate – Project 1**. Upgrading of this site would involve consolidating the existing two monitoring units into one. It is also the most important PM₁₀ monitoring site in the city as it has persistently shown the greatest concentrations of PM₁₀. As well as upgrading the TEOM at Holgate, it is recommended that the existing NO_x analyser be replaced at the same time.
10. The capital cost of the project is currently estimated to be around £46K. There is currently approximately £44K of AQSG funding available for the project, consisting of the £30K being offered by DEFRA for 2007/08 and £14K carried over from 2006/2007. The large carry over from 06/07 was the result of savings made by trading in redundant equipment. It is anticipated that the cost of undertaking the **Holgate Road - Project 1** project can be brought within the existing budget.
11. The long term aim remains to upgrade all PM₁₀ monitoring equipment in York. If the Holgate Road project is approved, it is recommended that further funding should be sought from DEFRA in 2008/2009 to complete works at Fishergate and Bootham (Projects 2 & 3).
12. The final project for which funding was sought (Project 4) relates to the undertaking of more detailed nitrogen dioxide monitoring on Fulford Main Street, close to the junction with Heslington Lane. Recent diffusion tube monitoring in this area indicates that the annual average nitrogen dioxide objective may be being breached at the facades of some residential properties in this area. This can only be confirmed by the undertaking of more accurate real time monitoring in the area.
13. An initial investigation into the possibility of locating real time nitrogen dioxide monitoring equipment on Fulford Road has indicated that due to space constraints and availability of suitable power supplies it will be very difficult to achieve with conventional monitoring equipment. The possibility of hiring a more specialist piece of equipment which could be mounted on a lamp post is currently being investigated, but the costs of doing this are likely to be prohibitive within this financial year. Transport planning officers are currently investigating ways of reducing congestion and pollutant concentrations in this location as part of a wider transport study of the Fulford Road Corridor.
14. Due to the shortage of monitoring funding, the difficulties in deploying real time monitoring equipment and the possibility of an imminent solution being found to

the problem, it is recommended that in the short term, monitoring should be continued on Fulford Road Main Street using diffusion tubes. If by the end of 2007 the annual average nitrogen dioxide concentrations still appear elevated, and no solution to the problem has been identified, then the possibility of real time monitoring should be re-visited and a revised air quality monitoring grant bid submitted to DEFRA in March 2008.

Air quality modelling

15. The £120,000 bid for air quality modelling work was to undertake the following projects:
 - a) Purchase of additional years of software licences and technical support for the computer modelling software
 - b) Replacement of a UPS (uninterruptible power supply unit) for the computers used to run the in-house air quality model
 - c) Support of modelling costs within the air quality section.
16. There was a £90,000 shortfall in the amount of AQSG received for modelling. It is intended to proceed with the purchase of the UPS and to renew the software licences and technical support contracts for a period of five years. The total cost of these items is approximately £12,000, leaving a surplus of £18,000. Permission is to be sought from DEFRA to try and reallocate some of this funding to monitoring activities, any remaining funding will be used to support air quality staffing costs.

Air quality action planning

17. The £14,000 air quality action planning bid was submitted with the intention of carrying out three separate projects:
 - a) Further development of the Jor-Air website
 - b) Continued awareness raising of smoke control and bonfire issues through leaflet production and local advertising.
 - c) Further work to progress local guidance for developers on planning and air quality issues.
18. There was a £4,500 shortfall in the amount of AQSG received for air quality action planning. It is intended to progress the following projects :

Project (a)

Significant progress has already been made on the development of the 'Jor-Air' website, which will supplement the limited amount of information we are able to post on the council's main website. The site is aimed mainly at school children and university students. The 'kids zone' area of the site aims to educate young people about air quality issues using a series of interactive games and competitions. The site is being developed in conjunction with a local web development firm and a research student from the University of York. In the longer term it is intended that the webpage will form the basis of a

teaching pack allowing air quality information to be disseminated directly to young people in the classroom.

The 'student' zone area of the site aims to provide more direct access to air quality data to research students, consultants and the general public. This should reduce the amount of time officers currently spend responding to individual enquiries. The site will also host a 'library' of student projects which have used air quality data from York. A new air quality data 'reporter' has been developed in house and can already be viewed at www.jorair.co.uk . It is intended to invest approximately £6K into Jor-Air during 2007/08.

In a recent nationwide review of air quality websites undertaken by the professional journal 'Air Quality', York was one of only five local authorities to receive full marks for the quality and findability of its air quality information. The Jor-air website received a very favourable review and once complete is expected to be a strong competitor for top place ranking next year.

Project (b)

The York AQAP gives a commitment to continue raising awareness about smoke control and bonfire issues. This will be achieved through leaflet dissemination and the placing of advertisements in the local press during early autumn to remind people of their obligations in relation to both smoke control areas and nuisance from bonfires. Approximately £750 will be invested in this area of work.

Project (c)

The remaining air quality action planning budget will be used to support the launch of a new air quality and planning guidance note. This guidance note is currently in draft form and subject to internal consultation. A wider external consultation will be undertaken once the draft guidance note has been approved by members. The aim of the guidance is to ensure that potential developers are fully aware of their obligations in relation to local air quality management and to ensure that they have access to all the information they need in order to submit robust and accurate air quality assessments with their planning applications. The document will also aim to formalise a system for obtaining contributions towards air quality activities through the planning system.

General Air Quality Update

National Air Quality Strategy

19. The Air Quality Strategy for England, Scotland, Wales and Northern Ireland sets out the key measures the government intends to take to improve air quality across the UK. The strategy forms the basis of the local air quality management system in the UK, and sets out the air quality standards and objectives against which local authorities are required to undertake their own air quality review and assessments. The third version of the National Air

Quality Strategy was published in July 2007. It places more emphasis on actions to improve air quality than previous versions and sets out new air quality objectives for particulate matter.

20. The new strategy states that nationally priority will be given to considering incentives for the early uptake of stricter EU vehicle emission standards and encouraging greater use of low emission vehicles. Further development work will be undertaken on a national road pricing scheme, London and other low emission zones, retrofitting of diesel particulate filters to HGVs and reducing emissions from small combustion plant.
21. The new strategy also takes into account the findings of the most recent report by the Committee on the Medical Effects of Air Pollutants (COMEAP). This report indicates that there is no recognised safe level for exposure to fine particles (PM_{2.5}) and that objectives based on achieving specified 'safe' levels in 'hotspot' areas are not appropriate for this pollutant. The new air quality strategy therefore introduces the concept of 'exposure reduction' targets whereby concentration reduction targets are set for the most heavily populated areas of the country. A new national 15% exposure reduction target has been set for urban background PM_{2.5} concentrations to be achieved between 2010 and 2020.
22. At present the new exposure reduction target for PM_{2.5} remains the responsibility of DEFRA. There are currently no proposals to set this as a mandatory objective for local authorities although it is considered likely that in future years local authorities may be required to monitor PM_{2.5} either alongside, or instead of PM₁₀. This possible change in responsibilities will be fully considered when deciding on the upgrade scheme for the existing PM₁₀ analysers as this could affect the authority's ability to switch directly from PM₁₀ monitoring to PM_{2.5} monitoring.

Rogers Review

23. In March 2007 the recommendations of the Rogers Review were published. This review set national enforcement priorities for local regulatory services. Over 60 policy areas enforced by local authorities were considered of which five were identified as national priorities. Air quality was included as one of these five national priorities re-emphasising the important role that local authorities have to play in improving and protecting air quality.
24. The need to improve and protect local air quality has historically been driven by the links between air quality and health. Poor air quality is known to impact on the health of people with existing lung and heart conditions, and some pollutants are known carcinogens. The current local air quality objectives are health based standards aimed at protecting the health of the most vulnerable members of society.
25. In 2001, COMEAP published a report on the long-term effects of particulate air pollution on mortality which suggested that 24,000 people per annum died prematurely due to the effects of air pollution. Since then, the evidence base

regarding the effects of long-term exposure to air pollutants on health has strengthened. The latest report from COMEAP suggests that air pollution has a greater effect on mortality in the UK than previously thought, with a 10 µg/m³ increase in fine particles being associated with a 6% increase in risk of death.

26. The link between local pollutants and global climate change is also becoming of increasing importance. A recent report by AQEG (Air Quality Expert Group) examines the linkages between climate change and air quality pollutants, and their potential mitigation policies. The report summarises where measures to improve local air quality can help to reduce climate change, and considers trade-offs where policy measures in the two areas can act in opposition.
27. An example of where climate change and local air quality policies can conflict arises in relation to vehicle emissions. Policies to reduce emissions of carbon dioxide CO₂ (a greenhouse gas) from vehicles can encourage the use of bio-fuels that may increase local emissions of NO_x and particulates. In comparison, energy efficiency measures within buildings to reduce gas and electricity consumption generally have positive benefits for both climate change and local air quality. There are many other examples of where local air quality and climate change policies can support or conflict with each other. The findings of the AQEG report demonstrate the importance of obtaining an appropriate balance at a local level between measures to improve local air quality and those aimed at reducing global climate change.

Local Progress

28. In April 2007 CYC submitted its second Air Quality Progress Report to DEFRA. This report provided an update on current air quality in York and progress with implementation of the measures in AQAP2. The Progress report can be viewed at <http://www.jorair.co.uk/downloads.htm>
29. Between 2002 and 2005 there was a general improvement in air quality across the city, including the area within the AQMA. However, this trend appears to have been reversed in 2006. At present it is unclear if this reversal in the trend was due to the excessive formation of 'secondary' nitrogen dioxide in the atmosphere during the hot summer of 2006, or an increase in primary nitrogen dioxide emissions from vehicles. It is known that traffic levels in the city during 2006 were higher than in previous years. Annual average nitrogen dioxide concentrations for 2007 will provide a clearer picture of the long term trend. Summer conditions during 2007 did not favour the creation of high levels of secondary nitrogen dioxide so if the 2007 results are again found to be elevated then this would strongly suggest a localised traffic related issue rather than a weather driven one.
30. Despite the general improvement in air quality across the city between 2002 and 2005 there remain a number of locations inside the AQMA where the annual average nitrogen dioxide objective is still not being met. These are located mainly within the existing 'technical breach' areas at Gillygate, Lawrence Street, Nunnery Lane, Holgate Road and Tadcaster Road. Properties in these areas are already included in the AQMA boundary.

31. Other areas of exceedance exist on Clifford Street, Bridge Street, Low Ousegate and Rougier Street. Currently there are no 'relevant' locations in these areas and properties are not included in the AQMA boundary. For nitrogen dioxide a 'relevant' location is one where members of the public may be regularly exposed to pollutants for prolonged periods of time e.g. residential properties. Officers within the environmental protection unit are working closely with the planning department to try and ensure new opportunities for exposure are not introduced into these areas.
32. Outside the current AQMA the air quality objectives are already met in most locations. The exception to this is Fulford Road Main Street at its junction with Heslington Lane. Here some elevated concentrations of nitrogen dioxide have recently been identified using diffusion tubes. If these levels are allowed to persist a further AQMA may need to be declared. As already discussed in paragraphs 13-15, options for undertaking real time monitoring in this area are currently being investigated, and a solution to the traffic congestion and air quality problems is being sort through the Fulford Road Corridor transport study.
33. To address the remaining air quality issues in the city the council published it's second Air Quality Action Plan (AQAP2) in March 2006. AQAP2 was developed in conjunction with the city's second Local Transport Plan (LTP2) and built on the measures included in the first AQAP. AQAP2 focuses on promoting sustainable transport in the city, reducing emissions from existing vehicles, improving public transport and reducing congestion through improved traffic management.
34. Progress made on implementing the measures in AQAP 2 was reported in the most recent Progress Report. In general, good progress has been made on measures aimed at reducing the need to travel, encouraging walking and cycling and encouraging the use of public transport. Progress has been slower in relation to encouraging the use of cleaner vehicles, improving traffic management/congestion and reducing emissions from HGVs and buses.
35. To ensure progress is made with implementing all measures in AQAP2, an internal officer steering group has recently been reformed to monitor and facilitate progress. This group was instrumental in the drawing up of the first AQAP but was replaced by a wider LTP2 steering group during the period that the AQAP was being integrated into LTP2. The group consists of representatives from environmental protection, sustainable development, transport planning, network management, engineering consultancy, economic development and land use planning. The group will regularly review progress made on specific AQAP2 measures and will facilitate further action on obtaining a general shift towards the use of cleaner vehicles and fuels in the city.

Interim Planning Statement for Air Quality

36. As detailed at paragraph 18 work is currently ongoing on developing an air quality planning guidance document for developers (and consultants working on behalf of developers). The guidance document is currently in draft form awaiting comment from key officers within CYC. Once these comments have been incorporated the document will be subject to a wider consultation incorporating members, developers and the LDF steering group.

Low Emission Zone (LEZ) Feasibility Study

37. As previously requested by the Executive Member work has been progressing on the undertaking of an LEZ feasibility study. Initial modelling results have indicated that a LEZ could potentially be the most effective low emission method available to the council for reducing total emissions in the city. The practicalities of such a scheme are now under investigation.
38. Early discussions with the Network Management team have indicated that the only practical area over which a conventional LEZ could work would have to involve placing entry restrictions at an outer ring road (ORR) cordon. Any vehicle wishing to enter the city past the outer ring road would be subject to the chosen environmental standard. If they could not meet the standard then they would be directed on to the Park and Ride system, or in the case of delivery vehicles, required to drop their goods at a trans-shipment centre on the outskirts of the city. If ineligible vehicles were allowed to enter any further into the city, significant problems would arise with re-routing.
39. Whilst a LEZ based on an ORR cordon could form the basis of a workable LEZ solution it would exclude a large number of people from many areas of the city where currently there are no air quality problems. It would also have significant implications for residents living both inside and outside the ORR. An alternative approach would be to allow general access to the majority of the city to all vehicles but to place an emissions based charge on some, or all, of the roads which form part of the AQMA. Vehicles meeting the chosen emission standard would be able to pass through all areas of the city free of charge, but any vehicle failing to meet the chosen emission standard would be subject to a graduated charge depending on the size, age and fuel type of the vehicle. This would be similar in approach to the proposed London LEZ and would be enforced using vehicle number plate recognition technology linked to DVLA vehicle records.
40. These possible options for an LEZ based air quality scheme will now be considered further by the internal air quality steering group and more detailed proposals drawn up. These will be subject to full air quality and traffic modelling assessments and considered in terms of their other likely impacts on the city, for example social and economic impacts. Once all the relevant information has been obtained details will be made available to members and a decision requested as to whether to proceed to public consultation on the implementation of a LEZ based scheme in York.

41. To assist in the drawing up of detailed proposals for an LEZ scheme, officers from the environmental protection unit have recently been involved in a joint project with the Institute of Transport studies at Leeds University to examine the in-situ exhaust emissions from vehicles using York's roads. This involved using a new piece of technology which can measure emissions from individual vehicles without having to stop them. Officers have also been working with a PhD student from the University of York to obtain profiles of the age, fuel type and numbers of vehicles currently using key routes around the city. Information from both these studies will be used to determine the numbers of people likely to be affected by the introduction of LEZ type controls and to decide what emission standard would be the most appropriate to enforce.

Options

42. (a) To accept air quality grants from DEFRA totalling £69,500 and allow the air quality projects outlined above to proceed.

(b) To reject some or all of the air quality grants from DEFRA and revise the planned air quality projects for 2007/2008 accordingly.

Analysis

43. Option (a) will allow the council to commence upgrading of its particulate monitoring network and make significant revenue savings over the next five years. It will also allow continued operation of the ADMS-Urban air pollution model in-house for the next five years and ensure that the Jor-air webpage is developed to its full potential. Awareness raising of air pollution issues relating to smoke control areas and bonfire night will continue and a new air quality and planning guidance document will be progressed.

Option (b) would prevent the upgrading of particulate monitoring equipment and require CYC to meet the revenue costs of the air pollution stations at Holgate Road for the next five years. Loss of in-house ADMS-Urban modelling capabilities could result in a need to contract out more transport planning and city development related work. The Jor-air webpage would not be completed and other awareness raising campaigns may have to be cancelled. Further resources would not be put into the launching of the air quality and planning guidance note.

Corporate Priorities

44. Monitoring air quality, providing information to the public about air quality, and developing strategies to improve air quality contribute towards delivering the corporate priorities on improving the health of residents and encouraging the use of public, and other environmentally friendly modes, of transport. It also contributes to the proposed new priority relating to climate change.

Financial Implications

45. No other source of funding exists for the projects outlined in this report. If the AQSGs are not accepted, alternative sources of funding will have to be identified in order to further LAQM in the city. Members should also be aware that the revenue costs of existing air quality monitors that have been funded by DEFRA grant in previous years are due to cease at the end of this year. A growth bid of £31k is to be submitted in 2008/9 to cover the ongoing repair/maintenance/calibration costs of this existing equipment. The maintenance cost of the new equipment is covered for 3 years as part of the overall cost.

Human Resources

46. There are no human resource implications.

Equalities

47. There are no equalities implications.

Legal Implications

48. The council has a statutory duty to periodically review and assess local air quality against national air quality objectives and report its findings to DEFRA. As the council has declared an AQMA and produced an AQAP it is also obliged to submit regular AQAP progress reports to DEFRA demonstrating that it has a continued commitment to improving air quality in the city. Under the provisions of the Freedom of Information Act 2000 air quality data must be made freely available to members of the public on request.

Crime and Disorder

49. There are no crime and disorder implications.

Information Technology (IT)

50. There are no IT implications.

Risk Management

51. There is some financial risk associated with purchasing multiple years of equipment maintenance contracts and software licences up front but this is currently the only way these items can be justifiably purchased with AQSG. As the companies involved are well established within the air quality field the financial risk is considered relatively small and is considered proportional to the costs which would have to be incurred by the council in future years if AQSGs are not used in this way. There are always public liability risks associated the placing of monitoring equipment in the field. These will be minimised by consulting the highways team on the best location for the equipment, using reputable electrical contractors and ensuring all equipment is covered by the council's insurance policies.

Recommendations

52. That the advisory panel advise the executive member that:

1. Option (a) at para 42 should be accepted

Reason: It represents the most appropriate way of funding the continuation of LAQM in the city. This is a statutory undertaking that contributes towards the corporate priorities on improving the health of residents and encouraging the use of public, and other environmentally friendly, modes of transport.

2. Option (b) should be rejected

Reason: No other source of funding for LAQM has been identified. Refusal to accept all, or part of, the provisional grant would limit progress on corporate priorities relating to health and transport.

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Report Approved **Date** 20th Sept 2007

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None.



Meeting of the Executive Member for Neighbourhood Services

17 October 2007

Report of the Director of Neighbourhood Services

Noise Complaints Update

Summary

1. This report responds to a request by members for an update on the out of hours noise enforcement service.

Background

2. On 8 March 2006 the Executive Member approved a new approach to tackling noise nuisance, which included setting up a new weekend night-time noise enforcement service (the "Noise Patrol"). The Noise Patrol operates on Friday and Saturday nights from 9pm to 3am.
3. At the same time, approval was given for an additional temporary senior environmental protection officer to be appointed until 31 March 2008 utilising LPSA2 funding. Their role is to co-ordinate the Noise Patrol, licensing work and other actions by EPU to tackle anti-social behaviour.
4. On 27 June 2006 the executive approved the financial arrangements for this new Noise Patrol service to be funded via the second Local Performance Service Agreement (LPSA2), in order to enable the council to extend (or stretch) its performance in the area of tackling anti social behaviour.
5. On 12 March 2007 the Executive Member approved the appointment of an additional (temporary) environmental protection officer until 31 March 2008, due to a significant increase in workload, additional enforcement and licensing work. Approval was also given for a support officer for the Noise Patrol to deal with telephone calls, to do checks on council databases and for health and safety reasons, during the busy summer period. These posts were also funded from the LPSA2 grant.

Workload

6. The number of noise complaints per annum is as follows:

2004/05	1196
2005/06	1287

2006/07	2246
2007/08 to 10 th September	1207

Since the introduction of the Noise Patrol in April 2006, the total number of noise complaints received by EPU has increased by 75%. Greater awareness of the Noise Patrol, publicity and extended licensing hours have all contributed to this increase. The number of complaints received by the Noise Patrol continues to grow with a further 22% increase from 1 April to 10 September 2007, compared with the equivalent period in 2006/07.

7. Complaints about noise from licensed premises increased by 135%, from 98 in 2005/06 to 230 in 2006/07. The introduction of smoke-free legislation on 1 July 2007 has contributed to a further increase in noise complaints from customers congregating outside the premises to smoke (approximately 20 additional complaints were received in the first two months of the ban).
8. The appointment of an additional (temporary) environmental protection officer until 31 March 2008, enabled EPU to manage the significant increase in workload and the additional enforcement and licensing work. Resources have been concentrated in those areas where noise complaints are highest. The support officer enabled the Noise Patrol to respond efficiently to complaints during the busy summer period.

Partnership working

9. The Noise Patrol has enabled EPU to work more effectively in partnership and to share information more openly and effectively with other agencies, including the police, licensing, housing and tenancy enforcement. As well as noise complaints, the Noise Patrol is able to deal with complaints of other nuisances and to check compliance with licensing and planning conditions. All evidence collected by the Noise Patrol that relates to other agencies is forwarded to them on the next working day for action and / or information. This is then followed up with meetings to discuss enforcement against problem premises and persons.
10. Any problems with licensed premises are discussed at regular meetings with trading standards and licensing officers from the council, the police and fire service and a joint approach to these premises is agreed. New guidance from the government now allows EPU to make representations on licence applications if they consider that a noise nuisance may occur, even where there is no history of complaints. Officers from EPU attend all licence hearings where noise may be an issue.
11. EPU works closely with the police and tenancy enforcement regarding noise from loud music and mini motos, anti social behaviour, bonfires, harassment and criminal activities at a council property. Examples of the effectiveness of partnership working are:-

- during a joint visit EPU served a noise abatement notice and the police served a harassment warning. Problems continued and EPU served an abatement notice for a statutory nuisance caused by a bonfire. The Noise Patrol subsequently witnessed a breach of the noise abatement notice and seized a stereo and other equipment. One tenant has been cautioned by EPU and another tenant is being prosecuted. Police have found drugs on the premises. The Anti Social Behaviour Panel is considering an anti social behaviour order (ASBO) following the outcome of the above enforcement actions.
- EPU worked with the housing department to deal with an alcoholic tenant who, together with his guests, caused noise nuisance. Housing issued the tenant with an antisocial behaviour injunction, which prohibited him from causing a noise nuisance, but the noise nuisance continued. EPU served a noise abatement notice due to evidence collected on the Noise Patrol. Visits by the Noise Patrol obtained evidence of breaches of the abatement notice. EPU officers arranged a seizure, but the equipment being used to cause a nuisance had been removed. Housing issued the tenant with an acceptable behaviour contract (ABC), but this was also breached. The Anti Social Behaviour Panel has since applied for an ASBO.

Enforcement Activity

12. The introduction of the Noise Patrol has led to a large increase in enforcement action by EPU. Since April 2006 officers on the Noise Patrol have made over 800 visits to premises out of office and in many instances have been able to witness the noise nuisance while it is happening. This has led to the service of 69 noise abatement notices. A further 45 noise abatement notices have been served as a result of evidence collected during normal office hours. The 114 noise abatement notices served in 2006/07 compares with a total of 16 noise abatement notices served in 2005/06 (a 600% increase).
13. Of the 114 noise abatement notices served, 17 perpetrators continued to cause a noise nuisance by breaching the noise abatement notice. In 12 of these cases EPU abated the continuing noise nuisance by seizing noise-generating equipment, with police assistance, sometimes on more than one occasion. Items seized include DJ decks, stereos, CDs and televisions.
14. The 17 breaches of the noise abatement notices have so far led to five cautions and seven successful prosecutions. The prosecutions have led to costs, fines and forfeiture of equipment. One prosecution led to the recipient of the noise abatement notice being given a two-year conditional discharge and EPU's first criminal anti social behaviour order (CRASBO). The recipient has since been re-convicted of a further noise offence after pleading guilty. In addition, two other perpetrators have been offered cautions, five prosecutions are pending and further cases are being considered for prosecution.

Consultation

15. The police continue to refer callers to EPU and the Noise Patrol. The police are pleased that they and EPU are working together to deal with anti social

behaviour. They described the Noise Patrol as a very useful service and the staff as very helpful. The police have suggested that their officers accompany the Noise Patrol when available.

16. The Tenancy Enforcement Team (TET) work with EPU on a daily basis and welcome the high level of commitment and support shown by EPU. EPU have assisted TET with evidence and have attended court for civil proceedings, which is often a critical factor in obtaining possession or injunction orders. TET welcome the joint enforcement and close partnership working with EPU and the police. They see the Noise Patrol as a "value added service" and welcome the weekly update on cases. TET and housing also welcome regular briefings by EPU on their work. TET say their customers have also often given positive feedback about their use of the Noise Patrol.
17. Housing estate managers welcome the partnership working, joint visits and evidence collected by EPU and the Noise Patrol. On occasion the evidence provided by EPU is the only evidence against nuisance tenants. They report that residents are pleased that there is someone who can help them at the time the nuisance is occurring. They would like to see the Noise Patrol service extended to week day nights.

LPSA2 Targets

18. The stretched targets agreed under LPSA2, to be met by 31st March 2008, and the means by which the council's performance will be measured are:
 - The percentage of residents reporting that 'noisy neighbours or loud parties represent a problem in the local area' to reduce by 4%, from 13% to 9%. This is to be measured by the annual ResOp Survey.
19. The sharp increase in noise complaints as a result of the service does mean that that indicator may not be met, as the 2006/7 performance indicator was 14%.

Options

Not applicable

Analysis

Not applicable

Corporate Priorities

The Noise Patrol service and the work of EPU contribute directly to the council's corporate priority to "Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York". A specific action for 2007/08 detailed in the delivery and innovation plan for the objective is to "Introduce more enforcement measures to deal with noise nuisance".

Implications

- **Financial**

20. The cost of the service will be met from the existing budget and the LPSA2 grant allocation until 31 March 2008. An increase in budget will be necessary to continue to operate the Noise Patrol service after 31st March 2008 and a growth bid of £88k is to be submitted as part of the 2008/9 budget process.

- **Human Resources (HR)**

21. If the funding for the Noise Patrol does not continue after 31 March 2008, the service will cease on 1st April 2008 and the two temporary members of EPU will not have their contracts renewed.

- **Equalities**

22. There are no equal opportunities issues associated with this report.

- **Legal**

23. There are no additional legal issues over and above those identified within the report.

- **Crime and Disorder**

24. The service contributes directly to reducing crime and disorder.

- **Information Technology (IT)**

25. There are no IT issues associated with this report.

- **Property**

26. There are no property issues associated with this report.

- **Other**

27. There are no other issues associated with this report.

Risk Management

28. In compliance with the council's risk management strategy. There are no risks associated with the recommendations of this report.

Recommendations

29. The Executive Member is asked to note the report, and that the service will only continue after 31st March 2008, should funding be made available.

Reason: so that the Executive Member is advised of the steps being taken to deal with noise nuisance.

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Report Approved

Date

20th Sept 2007

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report

Background Papers:

None.



Meeting of the Executive Member for
Neighbourhood Services and Advisory Panel

17 October 2007

Report of the Director of Neighbourhood Services

Development of community engagement, problem solving and feedback for Community Safety

Summary

1. The Crime and Reduction Partnership (CDRP) for York – Safer York Partnership (SYP), recently presented a document concerning the development of community engagement, problem solving and feedback for community safety, for approval at the SYP Executive and Board. The document included a proposal for a new model for Safer Neighbourhoods. This report provides the approved SYP document for information (Annex 1).

Background

2. In September 2005 a model of neighbourhood policing and partnership working was piloted in five wards of the city. However, the pilot concluded that this model of delivery is not sustainable with current resource levels within the Neighbourhood Management Unit or SYP.
3. Neighbourhood policing must be implemented in all wards of the city by April 2008, including a model for identifying police priorities and a means of working in partnership with other agencies to resolve them. In addition CDPR's have to demonstrate that they have taken account of the community by holding 'face to face' sessions to provide feedback on action taken to address issues around crime and disorder.
4. Annex 1 of this report provides a full copy of the document approved by SYP, which details the consultation and problem solving methods which will be used to deliver a new model for Safer Neighbourhoods. Part of this framework will be to use ward committee meetings to identify policing priorities and for ward team meetings to take on the responsibility for overseeing performance against the police priorities. It also details roles and responsibilities for teams and individuals involved in this process.

Options

5. Not applicable as members are being asked to note the content of this report

Consultation

6. The content of Annex 1 of this report were approved by the SYP Executive on the 25th July 2007 and the SYP Board on the 30th July 2007.

Analysis

7. Not applicable.

Corporate Priorities

8. Creating a safe city is one of the key corporate priorities. The delivery mechanism detailed within Annex 1 of this report has the ability to impact on this by reducing the actual or perceived impact of violent, aggressive and nuisance behaviour on people in York.

Implications

Financial

9. There are no financial implications with this report

Human Resources (HR)

10. There are no HR implications associated with this report.

Equalities

11. There are no equalities implications contained within this report.

Legal

12. There are no legal implications associated with this report.

Crime and Disorder

13. There are no crime and disorder implications associated with this report.

Information Technology (IT)

14. There are no IT implications associated with this report.

Property

15. There are no property implications associated with this report.

Risk Management

16. There are no know risk associated with this report.

Recommendations

17. That the Advisory Panel advise the Executive Member to note the content of this report.

Reason: To ensure that the Executive member is aware of the new models for delivering Safer Neighbourhoods.

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Report Approved

Date 20th Sept 2007

Jane Mowat
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Partnership

Specialist Implications Officer(s)

None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Annex One

Safer York Partnership Board paper 30th July 2007 'Development of community engagement, problem solving and feedback for Community Safety.'

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DEVELOPMENT OF COMMUNITY ENGAGEMENT, PROBLEM SOLVING AND FEEDBACK FOR COMMUNITY SAFETY

Safer York Partnership Board Monday 30th July 2007

1.0 Background

- 1.1 In September 2005, Safer York Partnership and North Yorkshire Police piloted neighbourhood policing in five wards of the city: Micklegate, Clifton, Heworth, Woodthorpe & Dringhouses and Westfield.
- 1.2 This pilot was evaluated by Safer York Partnership and the following problems were identified with the model used:
 - Difficulties with the questionnaire in signposting residents to select key crime types that are being addressed through SYP task groups as priorities
 - Lack of detail on locations/victims/offenders from the consultation data that could be used for problem solving
 - Impact on the workload of partners ie. Neighbourhood Management Unit CYC, Street Environment Officers
- 1.3 In April 2006 North Yorkshire Police implemented neighbourhood policing across the force. Resourcing and deployment issues resulted in some difficulties in developing the pilot in York beyond the original five wards.
- 1.4 In December 2006, North Yorkshire Police reviewed its neighbourhood policing structure in Central Area and fully staffed neighbourhood policing teams have been in place in York since January 2007.
- 1.5 Since March 2007, Safer York Partnership has reviewed its board and governance processes and has had two members of staff on long term sick leave. This has resulted in delays in moving this work forward.

2.0 Development of consultation and problem solving models

- 2.1 The model adopted for the pilot of neighbourhood policing was based on the National Reassurance Policing model and involved a seven step process from data analysis through consultation and problem solving to feedback. In order to utilise existing structures where possible, the problem solving stage of the model was conducted through the ward planning groups chaired by elected members and comprised of neighbourhood management unit, police, street environment officers, estate managers and other partners where appropriate. For the purpose of this additional work, discussion of neighbourhood policing issues was distinguished from the broader planning agenda by calling this part of the meeting a Joint Action Group (JAG).
- 2.2 As mentioned in 1.2 above, this model proved to impact significantly on the workload and resources of those services involved in ward planning meetings. For example, there was an expectation that neighbourhood management unit officers would provide secretariat support to meetings.
- 2.3 Whilst this model did have some success in the five pilot wards, it could not be sustained across eighteen ward areas, particularly where the allocation of

resource within some services could mean attendance at several meetings eg. Street environment officers.

- 2.4 In addition to the resourcing and sustainability issue, neighbourhood policing team inspectors raised concerns about the community consultation process and the suitability of JAGs as the mechanism to carry out intelligence led problem solving. The questionnaire based consultation was based on questions used in the British Crime survey and asked respondents to pick from a list of crime and disorder problems, the issues of greatest concern in their neighbourhood. Because this list included burglary and vehicle crime, respondents were choosing these because they assumed that they are serious and therefore issues that they would wish the police to be addressing. However, analysis of local data showed that in some of these areas, they were not actually problems in terms of real crime.
- 2.5 Key crime types are addressed on a geographical basis through hotspot mapping and data analysis by the SYP task groups. This posed a problem for neighbourhood policing teams, as the actions discussed in the JAG tended to fall to them to resolve either with other specialist police teams or through the task groups and it was becoming difficult to identify issues which other JAG members could contribute to.
- 2.6 Following the identification of these problems, SYP developed a revised consultation model involving specially convened Police and Community Together (PACT) meetings where an open question of “what are the problems in your neighbourhood?” could be asked of local residents and from those listed, they could vote for the three policing priorities they would like to see addressed. This model was piloted in Clifton, Haxby and Wiggington and Westfield/Woodthorpe & Dringhouses.
- 2.7 Following the PACT meetings, SYP convened a problem solving meeting to tackle the priorities identified. These meetings involved representatives of services and agencies who could assist in addressing each of the priorities.
- 2.8 Whilst this model enabled a more accurate diagnosis of neighbourhood problems, it was clear that SYP did not have the resources within its staff structure to support the operate this process as a stand-alone model in each of the 18 ward areas. Neither did the partnership have the capacity to develop and support multi-agency problem solving meetings in each ward area.
- 3.0 **Striking the balance between demand and resource**
- 3.1 Neighbourhood policing must be implemented in all wards of the city by April 2008. This includes a model to identify policing priorities and a means of working in partnership with other agencies to resolve them. CDRPs need to be able to demonstrate greater accountability to the community and to hold “Face the Public” sessions to provide feedback on actions taken to address crime and disorder.
- 3.2 Local Authorities are also required to demonstrate greater accountability to the community and to have neighbourhood action plans (NAPs) in place to address the community’s priorities. This work has been undertaken by the Neighbourhood Management Unit and the neighbourhood plans are produced

for all 18 ward areas of the city. Following consultation with the community, community safety has been identified as a top priority for all but one ward.

- 3.3 Since the production of the neighbourhood action plans, meetings have taken place between the Director Safer York Partnership and the Head of Neighbourhood Management Unit (NMU) to identify how best to ensure that a sustainable model can be produced to meet the needs of the neighbourhood policing teams in identifying and addressing public priorities within the resource levels available in the NMU and SYP.
- 4.0 **A new model for Safer Neighbourhoods**
- 4.1 SYP is now managed within the Neighbourhood Services and Community Safety Directorate. Work is underway to co-locate the SYP team with the NMU. This will bring increase cohesion between community safety and wider neighbourhood management.
- 4.2 The PACT meeting model worked well as a means of understanding the true nature of neighbourhood problems. It also provided a better and welcomed interface between the police and local residents and enabled NPT officers to gain better quality intelligence and detail about the community safety problems that affect quality of life for residents. However, the three meetings were chaired by SYP to ensure that they were not dominated by complaints about police performance/response and the cost of venue hire was met by SYP. This is not sustainable in the long term due to the availability/workload of staff in the SYP team.
- 4.3 Ward Committee meetings are held quarterly in each of the wards. Attendance is largely determined by the agenda and the existence of problems/issues of interest to the community. Given that consultation for the NAPs identified community safety as a priority and attendance at PACTs was good, it can be assumed that discussion of policing priorities could increase attendance at ward committees if they were to be used as the vehicle for identifying public priorities. This would need to be agreed as an agenda item so that policing priorities are identified and feedback given through the cycle of ward committee meetings during the year.
- 4.4 Ward committees are chaired by elected members, therefore use of these meetings for identifying policing priorities would continue to offer independency in the chairing plus ensures that elected members are fully engaged and informed in the prioritisation process.
- 4.5 SYP's role is to facilitate multi-agency problem solving to tackle crime and disorder. It has accountability at all levels from community through to the Local Strategic Partnership. SYP's strength is its ability to use intelligence led processes to target resources to areas/problems of greatest need. However, it is supported by a small team and unable to take on the role of managing individual problem solving groups for each ward. Furthermore, partners engaged in problem solving do not have the resources to attend individual problem solving meetings in each of the 18 ward areas.
- 4.6 The initial pilot of neighbourhood policing identified flaws in the use of ward planning meetings convened as JAGs fulfilling the function of multi-agency problem solving meetings. These meetings already have a full agenda and with the introduction of NAPs, this will increase as the ward planning

meetings assume a performance management function in respect of the entire content of the NAP.

4.7 The pilot PACTs identified some commonality within the problems identified in each of the three areas eg. Under age alcohol consumption and graffiti. There is also commonality between the priorities identified and some work already being addressed through SYP's multi-agency task groups eg. Speeding traffic was identified in two PACTs and is being addressed through the Road Safety Task Group. Therefore the following assumptions can be made:

- a) There is likely to be some common themes identified across clusters of wards within the 18
- b) Some problems identified through consultation are already being addressed through SYP task groups
- c) Some problems will be unique to a ward and require a specially convened meeting

4.8 Policing priorities for each ward, as identified through the ward committee, would be fed to SYP. SYP is then best placed to determine which of these problems are common across a number of wards, which need to be addressed through existing task groups and which will require an individual approach. SYP is then in the best position to ensure that these problems are routed through one of these processes and where necessary a specially convened meeting is set up comprised of those partners who can actively contribute to resolving the problem. This is represented in the flowchart at appendix A.

4.9 NPTs are core members of ward planning meetings and attend ward committees. Therefore, they are best placed to take ownership of the policing priorities, ensuring that feedback is given as part of the NAP monitoring process at the ward planning meetings and to the public at the ward committees. SYP's role is to ensure problems are routed to the most appropriate problem solving group, to provide data and information to assist problem solving and to provide the accountability structure whereby partners are held to account for their contributions to problem solving. Individual roles and responsibilities are outlined in Appendix B.

5.0 **Conclusions**

5.1 In order to meet the timescales for CDRP national standards and neighbourhood policing implementation, a sustainable model for community engagement and community safety problem solving needs to be in place by March 2008.

5.2 Neighbourhood Action Plans are now in place for all wards of the city and provide the means by which community priorities are identified and addressed. Elected members have ownership of this process and a performance management structure is in place through the ward planning meetings. Community safety has been identified in all but one ward as a priority and the policing priorities sit within this section of the NAPs.

5.3 Neighbourhood Management Unit and SYP are co-locating to provide greater cohesion between community safety and other neighbourhood services.

However, the resource levels are finite and neighbourhood policing is just one area of work that they support.

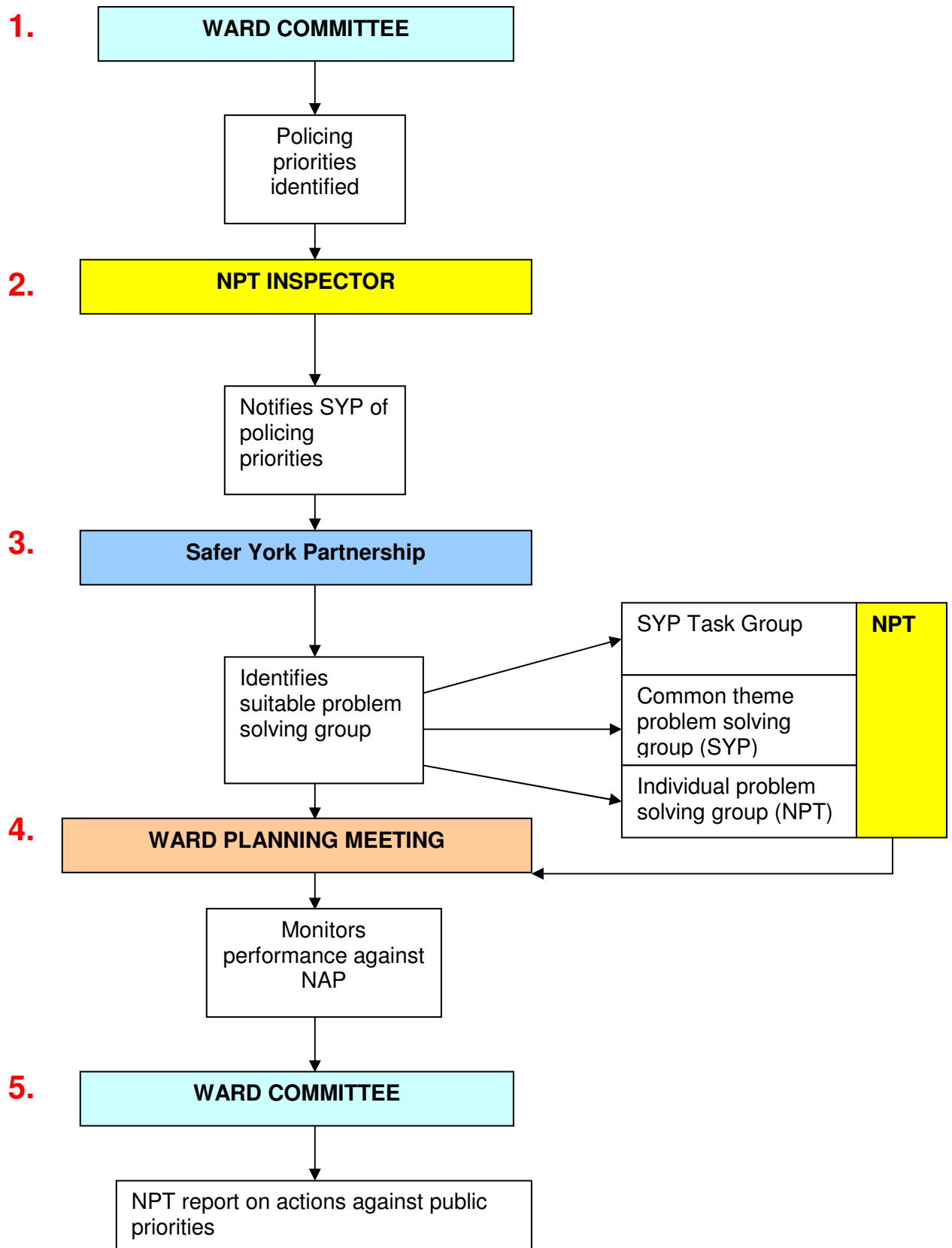
- 5.4 Using ward committees to identify policing priorities under the overall neighbourhood management process will strengthen the role of ward committees and over time, may well help to increase attendance as the community sees these meetings as the forum in which to raise their problems.
- 5.5 SYP's role as a facilitator of partnership problem solving, places it in the best position to ensure that community safety problems are referred to the most appropriate problem solving group and its accountability structure provides the means by which partners are held to account for their part in contributing to actions to address policing priorities.
- 5.6 Ward planning meetings provide the mechanism by which elected members, local authority and the police can ensure that actions are being taken to address the priorities identified in the NAPs. In order to do this their function is extended beyond the JAG concept to encompass the full range of priorities in NAPs and as such the term JAG is no longer used.

6.0 **Recommendations**

- 6.1 That ward committees are used as the mechanism by which policing priorities are identified. (Opportunity exists to adopt this approach in October in wards that have not been involved in previous pilots)
- 6.2 That ward planning meetings take on responsibility for overseeing performance against policing priorities and therefore NPT attendance at these meetings is mandatory.
- 6.3 Safer York Partnership ensures that policing priorities are being addressed through intelligence led multi-agency problem solving and takes responsibility for identifying appropriate problem solving groups where this can be achieved.

Jane Mowat
Director Safer York Partnership

COMMUNITY ENGAGEMENT & PROBLEM SOLVING



APPENDIX B**ROLES & RESPONSIBILITIES****NEIGHBOURHOOD MANAGEMENT UNIT CYC**

- Ownership of NAP process
- Ensure Identification of policing priorities is on ward committee agenda
- Ensure NPTs are provided with dates for ward committees and ward planning meetings
- Administration of ward planning meetings
- Assist with feedback to community on actions through ward newsletters, ward committee meetings, residents associations etc.

NEIGHBOURHOOD POLICING TEAM

- Attendance at ward committees
- Attendance at ward planning meetings
- Inspectors provide SYP with list of policing priorities for each ward
- Inspectors attend fortnightly tasking & co-ordination
- Inspectors attend SYP task groups where work is ongoing in their area
- Manage problem solving groups convened for addressing policing priorities that do not sit with SYP task groups
- Meet monthly with SYP and Head of NMU to monitor process

SAFER YORK PARTNERSHIP

- Identify how policing priorities are to be addressed eg. Through task group, by developing a problem solving group for common themes across several wards or by developing a unique problem solving group
- Provide and analyse data multi-agency data and information needed to address policing priorities
- Contribute to tasking and co-ordination process
- Provide funding to support NPT initiatives through SSCF
- Monitor overall process as part of partnership performance management through the Executive

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Executive Member Advisory Panel for Neighbourhoods

17 October 2007

Report of the Director of Neighbourhood Services

NATIONAL SERVICE PLANNING REQUIREMENTS FOR ENVIRONMENTAL HEALTH AND TRADING STANDARDS SERVICES

Purpose of Report

1. To advise of the 2007/08 service plans for food law enforcement, health & safety law enforcement and animal health enforcement that have been produced in response to national requirements.
2. To seek member approval for these plans.

Background

3. In 2001 the food standards agency (FSA) introduced mandatory service planning arrangements for local authority food law enforcement services. In 2002 the government extended service planning regimes into other areas of local authority regulatory work. The Department of Trade and Industry (DTI) introduced a national performance framework for trading standards services (which originally required the production of an annual community service delivery plan but has now been replaced by peer review) and the Health & Safety Commission (HSC) placed a duty on local authorities to produce a health & safety enforcement service plan.
4. In 2004/05 the Department for the Environment, Food and Rural Affairs (DEFRA) added an additional plan. This plan covers animal health and welfare and was introduced to improve local authority enforcement practices following the national outbreak of foot and mouth disease.
5. The previous national plans were approved by the Neighbourhoods EMAP on 7th September 2006.
6. The purpose of each plan is similar in that they are to contain details of how local authorities are addressing national (FSA, HSC and DEFRA) enforcement priorities and how activities locally work towards meeting local authority corporate objectives and priorities. All plans link to the Best Value Performance Indicator for environmental health and trading

standards (BV 166) which requires each service to be scored against a checklist of good enforcement practice. The guidance for completing each plan (issued by the FSA, HSC and DEFRA) states that it should be submitted to the appropriate member forum for approval.

7. All plans must demonstrate that a local authority is providing core functions and an appropriate 'mix' of regulatory activities. The mix includes:
 - conducting inspections of premises to a risk based inspection programme to ensure compliance with legislation.
 - taking samples of food to ensure they are safe and correctly described.
 - investigating complaints
 - taking formal enforcement action (including prosecution) where necessary
 - providing an educational, promotional and advisory programme to raise standards
 - working in partnership with business and other enforcement agencies.
8. The plans are extensive in nature and their format prescriptive. They are available on Decision Making On Line on the council's website www.york.gov.uk or by contacting Democratic Services, by telephone on (01904) 551088, Fax: (01904) 551035. They can be found by calling

The Health and Safety Enforcement Service Plan 2007/08

Food Law Enforcement Service Plan 2007/08

Animal Health Framework Agreement Annual Service Delivery Plan 2007/08

Copies of the plans will also be available at the meeting.

Reporting and Monitoring

9. The council is required to submit an annual monitoring report on each plan. The FSA have used these reports to 'name and shame' poor performing local authorities and to target their audits of local authority enforcement services. The HSC has indicated that they may use their default powers to take over a local authority's health and safety enforcement responsibilities in circumstances where insufficient resources are allocated to this function.
10. The 2007/08 food and health & safety plans include performance variances with targets set in the 2006/07 plans. Reporting these variances is a requirement of the national bodies.

Consultation

11. Staff in environmental health and trading standards have been involved in the development of their respective plans and consulted on the targets that have been incorporated into the supporting work programmes. The activities set out in the animal health plan have been agreed with the DEFRA Divisional Veterinary Manager.

Analysis

12. Each of the plans represents an appropriate mix of enforcement, educational and advisory work required of modern local authority environmental health and trading standards services. Approval of the plans by members is a requirement of the FSA, HSC and DEFRA.
13. It is not known what action will be taken against the council if any of these plans does not receive member approval although it is likely to result in close scrutiny of the council's ability to provide the relevant service.

Corporate Priorities

14. Enforcement activities in the Health and Safety Enforcement Service Plan and Food Law Enforcement Service Plan support the corporate priority to improve the health and lifestyles of the people who live in York.

Financial Implications

15. The work programme outlined in the 2007/08 plans can be resourced from existing budgets. DEFRA are currently directly funding additional animal health and welfare enforcement. This funding is conditional on submission of a service plan which is acceptable to DEFRA.

Legal Implications

16. It is a legal requirement to set a service plan for food law enforcement and health and safety enforcement (Food Standards Act 1999 and Health and Safety at Work etc Act 1974) respectively.

Human Resources (HR) and Other Implications

17. There are no HR, or other implications associated with this report.

Risk Management

18. In compliance with the Councils risk management strategy. There are no risks associated with the recommendations of this report

Recommendations

19. That the Executive Member approves the plans and recommends that they are referred to Full Executive for approval.

Reason: In order that the council can discharge its statutory obligations in regard to service planning for environmental health and trading standards services.

Author:

Colin Rumford
Head of Environmental Health
and Trading Standards
Neighbourhood Services
Tel No. 01904 551502

Chief Officer Responsible for the report:

Andy Hudson
Assistant Director (Neighbourhoods and
Community Safety)

Report Approved



Date 18/9/2007

Specialist Implications Officer(s)

None

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

Food Standards Agency Framework Agreement on Local Authority Food Law
Enforcement
Health and Safety Commission Section 18 HSC Guidance to Local Authorities
DEFRA Framework Agreement



DIRECTORATE OF NEIGHBOURHOOD SERVICES

THE HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2007/2008

FOREWORD

Under Section 18 of the Health and Safety at Work Etc Act 1974, the Health and Safety Commission has required the City of York Council to produce an annual service plan for health and safety enforcement.

The plan which follows sets out the aims and objectives of the service for 2007/2008, the demands placed upon the service and how available resource will be allocated to meet those demands. In a time of limited resource the Council is not able to achieve all of the desirable aims for health and safety enforcement, the attached work programme therefore shows the number of officer hours that have been allocated from the existing resource to provide a risk-based mix of enforcement approaches.

1 SERVICE OBJECTIVES, AIMS AND POLICIES

1.1 Our Vision is

- To deliver the highest standards of protection of health, environmental and economic well-being to the people of York, through the provision of a quality customer focused service.

1.2 The Objectives of Environmental Health and Trading Standards Services are

- To protect residents and local businesses from unfair and unsafe practices
- To protect residents and our environment from pollution and other public health and safety hazards.

1.3 The aims of the Health and Safety Enforcement Team are:

To ensure that workplace health and safety in the City of York is given sufficient priority and seen as an essential contributor to building a safe human environment, the health and safety enforcement team (the team) aims are:

- To seek to reduce work related ill health and accidents, and to protect the health, safety and welfare of people at work and to safeguard others (principally members of the public) who may be exposed to risks from the way work is carried out.
- To carry out an annual targeted programme of health and safety inspections and enforcement for all local authority enforced premises in the City in accordance with statutory requirements, approved codes of practice and guidance.
- To carry out a series of risk based interventions in accordance with the Health and Commission's FIT 3 campaign (fit for work, fit for life, fit for tomorrow), concentrating resources on the main causes of accidents and ill health at work i.e. workplace transport, falls from height, contact dermatitis, stress, musculo - skeletal disorders, asbestos.

- To enforce and advise on the Health Act 2006 regarding the smoking ban in workplaces.
- To support the annual inspection programme with targeted promotional advice and educational initiatives in line with the Health and Safety Commissions enforcement strategies.
- To investigate all complaints and requests for advice promptly.
- To carry out sampling when necessary to provide accurate information to identify workplace hazards.
- To be accessible, open and fair when taking proportionate enforcement action against health and safety law offenders.
- To investigate workplace accidents and incidents promptly and efficiently and where appropriate liaise with the Health and Safety Executive and other relevant bodies.
- To promote and provide health and safety information and advice to businesses and members of the public.
- To carry out registration of premises operating skin-piercing activities as prescribed by government.
- To deal with enquiries referred by other agencies and refer enquiries to the health and safety executive and to other bodies when necessary.
- To continue to work in partnership with the Health and Safety Executive and support them in any National enforcement campaigns. To this end the team is piloting a flexible warrants scheme with the Health and Safety Executive to allow officers from both enforcement agencies to deal with issues of immediate danger or ill health regardless of which is the relevant enforcement authority for the premises visited. This pilot makes the best use of the resources of both enforcement agencies.

1.4 Enforcement Policy and Customer Contract

The team operates to a comprehensive documented enforcement policy that reflects the Cabinet Office Enforcement Concordat. In addition there is a "Customer Contract" for environmental health and trading standards, which sets out our service standards.

1.5 Links to Corporate Strategy

The team's commitment of ensuring a healthy and safe workplace by the reduction of accidents and ill health due to work links to the strategy to improve lifestyles of the people who live in work. Many of the lower paid workers are more at risk from ill health such as contact dermatitis, musculo - skeletal disorders. The team makes a strong contribution to public health and so has clear links to the Corporate Strategy.

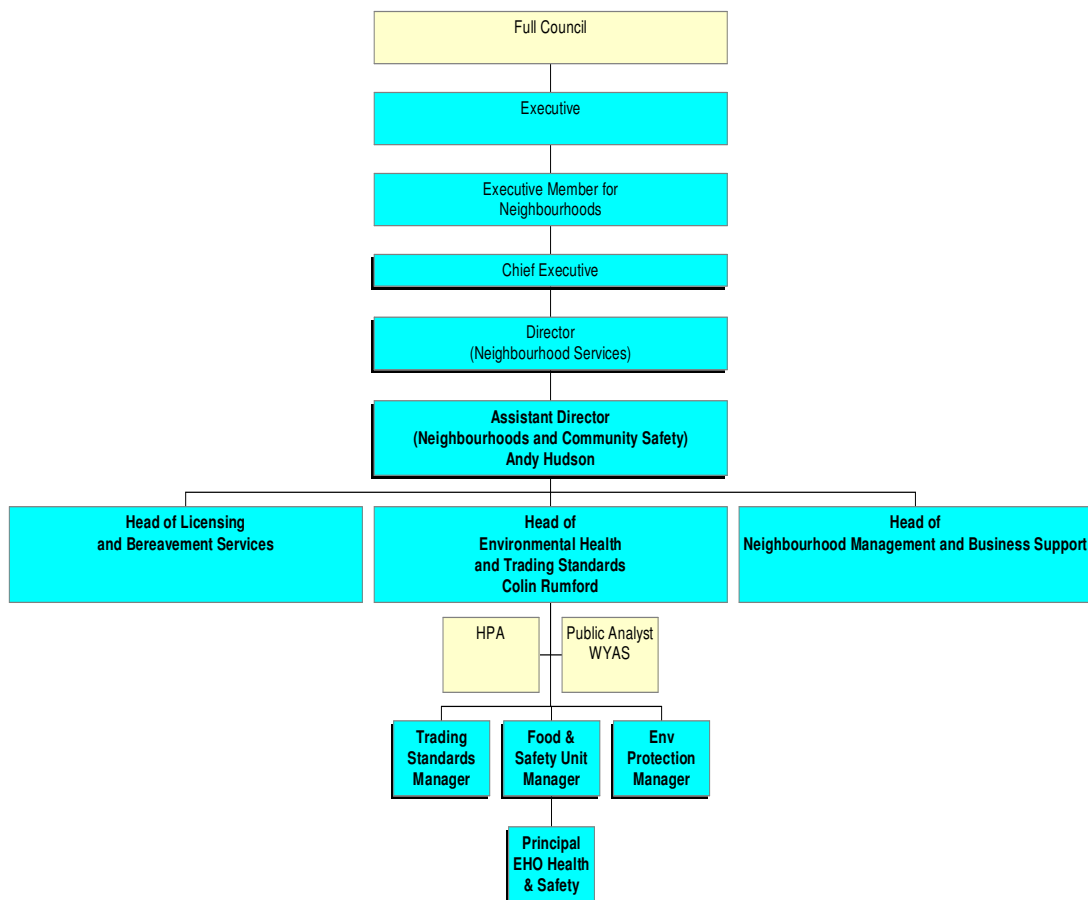
2. BACKGROUND

2.1 Profile of the Local Authority

A unitary authority with a population of approximately 184,000 and an area of 105 square miles (27250 hectares), 60% of the electorate is based in York with the remainder resident in the outlying towns and villages.

The area is predominantly urban covering the historic city with the associated tourism, hospitality and catering activities.

2.2 Organisational Structure



2.3 Provision of Specialist services

- i) Asbestos sampling and other environmental monitoring is carried out in conjunction with AHMMS, “ Braeburn”, 4 Chevin Avenue, Menston, Ilkley, West Yorkshire.
- ii) Micro-biological examination is carried out under service level agreement with the public health laboratory service (HPA) based in Leeds, e.g. for swimming and spa pool water sampling.

2.4 Scope of the Health and Safety Enforcement Team

The team is part of the food and safety unit and deals with all health and safety issues in non-food and food premises. The principal and senior environmental health officer will undertake a programme of health and safety inspections and investigations in response to complaints and accidents. In addition to its enforcement role, the service also provides information and advice to members of the public, businesses, professional bodies and organisations. It provides education, training and a variety of promotional work.

2.5 Demands on The Health and Safety Enforcement Service

The Local Authority enforced sector comprises mainly catering, retail, wholesale, offices, leisure, catering, places of worship and premises including hotels and guesthouses and residential care homes.

An external factor impacting on services delivery is the large number of visitors who use the City’s facilities.

2.6 Service Delivery Point

The service is delivered from a single office based in De Grey House, Exhibition Square, York. The hours of operation are 08:30 -17:00 Monday to Friday although officers work “out of hours” when the nature of the work dictates.

3 PLANNED ENFORCEMENT ACTIVITY

3.1 Programmed Health and Safety at Work Premises Inspections

The team aims to inspect premises in accordance with a risk-based programme. However, the inspections are centred on those activities in the workplace which the HSC have identified as contributing nationally to the highest rates of accidents/incidents and ill-health at work in accordance with the Health and Safety Commission's FIT3 Strategic Delivery Programme (Fit for work, Fit for life, Fit for tomorrow). This programme is based on analysis of injury and ill health generation across known hazard and sector hotspots in businesses, large and small. The key topics are, workplace transport, falls from height, slips and trips, musculoskeletal disorders, work induced stress, contact dermatitis, occupational asthma and asbestos. In adopting the topic inspection approach, the team will maximise its resources by focusing on these areas rather than completing all-encompassing inspections. The inspections are carried out in accordance with the team's quality management system (QMS) procedural documents for health and safety enforcement.

The total number of Health and Safety premises in City of York at 01/03/07 was 3998. These premises fall into 3 categories, made up of 6 groups in total.

Type	Frequency	Number of premises	Inspections in work plan
High Risk Category A	6 months	2	4
Medium Risk			
Category B1	12 months	20	20
Category B2	24 months	216	0
Category B3	36 months	1218	0
Category B4	48 months	418	0
Low Risk Category C	60 months	2124	0

- Premises will be inspected in accordance with the FIT3 strategic delivery programme. However, only the high risk premises will form part of the programmed inspection plan.
- The remainder of the teams work will be based on project work on the Fit 3 principles.
- The team estimates that 24 revisits to premises will be carried out in the year.

Comments on Past and Projected Performance

In 2006/07 the team achieved the total number of programmed A-risk inspections (10) and B1 inspections (76), thus meeting the local performance measure for those categories of premises.

The team comprises only two officers who have to carry out the number of inspections required under the HELA risk rating system. This has led to a large backlog of outstanding inspections to the lower risk premises over several years. However, the HSC have recently shifted the emphasis away from comprehensive, programmed inspections onto more resource-efficient and focused enforcement activities in accordance with the FIT 3 Strategic Programme

3.2 Other planned enforcement and advice work

As in 2006/07, the team will align its proactive work to the HSC priority areas.

In line with the FIT 3 strategic programme, the team will carry out a series of projects in partnership with the Health and Safety Executive:

- Prevention of contact dermatitis in hairdressers/florists/funeral directors/contract cleaners. Contact dermatitis is a major cause of sick leave in these industries, and HSC are determined to see a reduction in its incidence.
- A series of inspections to examine how businesses are managing asbestos in their buildings. Asbestos related diseases are a major cause of death and ill health and new regulations are now in force for employers to manage asbestos in their premises. Although initially this project will be an educational one, enforcement action will be taken for those businesses who fail to manage asbestos in their buildings.

3.2.1 Advice to Businesses

The team provides all reasonable support and assistance to businesses operating or intending to operate in the area.

The team acts as home authority on health and safety for Norwich Union, providing advice which is disseminated to the company's other UK offices.

Increased publicity and regular contact with small business organisations will continue through 2007/08

4 REACTIVE ENFORCEMENT ACTIVITY

4.1 Formal Action Taken

The following table summarises the level and types of formal enforcement action taken in the previous 2 years.

Type of action	Numbers taken / issued 2005/06	Numbers taken / issued 2006/07
Prosecution	1	0
Formal Caution	0	0
Prohibition Notice	1	2
Improvement Notice	18	5

4.2 Health and Safety Complaints/Service Requests

During 2006/07 the team received 717 complaints and service requests of all types.

It is estimated that future demands on the team are likely to increase as a result of growing awareness of health and safety awareness of health and safety at work amongst our customers resulting in an increase of the number of complaints and service requests

4.3 Reports of Accidents and Dangerous Occurrences

The team receives reports of accidents and dangerous occurrences from a variety of sources and is required to access the RIDDOR reporting centre at Caerphilly for notifiable injuries within the City of York Council area. Some of these reports are statutory notifications required to be made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

In 2006/7 the team received 313 statutory notifications.

4.4 Notification of Work with Asbestos

The team receives notification of asbestos removal work, which requires site meetings in order to ensure compliance by asbestos removal contractors with all relevant health and safety legislation.

During 2006/07 the team received 8 notifications and a similar figure is estimated for 2007/08

5 OTHER AREAS OF SERVICE DELIVERY

5.1 Partnership Working

The team aims to continue its role in providing a more holistic approach to health and safety, by ongoing partnership working with other organisations including the HSE, Commission for Social Care Inspectorate, the York Accident Prevention Group, the York Hospitality Association and other business organisations.

City of York Council supports the principle of lead authority and has signed up to a partnership agreement with Norwich Union.

6 REFERRALS TO AND LIAISON WITH OTHER AGENCIES

6.1 Liaison with Other Organisations

It is the policy of the team to take all reasonable steps to ensure that it is operating in a manner that is consistent with both neighbouring and national local authorities. Various methods will be adopted to facilitate this including benchmarking and liaison with:-

- The Health and Safety Executive Local Authority Unit
- North Yorkshire health and safety liaison group
- North Yorkshire chief officers training group
- North and West Yorkshire health and safety local authority liaison group
- North Yorkshire fire and rescue
- North Yorkshire police
- Planning/building control/licensing
- Safer York Partnership

6.2 Referrals to Other Organisations

Where the team receives a health and safety related service request that does not fall within its enforcement area it will refer the person concerned to the correct body or forward the request to the relevant authority within one working day or receipt.

7 RESOURCES, THEIR USE AND DEVELOPMENT

7.1 Financial Allocation

The overall level of financial allocation to health and safety enforcement activity for the year 2007/08 is as follows.

	Actual 2006/07 £k	Estimate 2007/08 £k
Staffing Costs (inc. direct employee expenses)	77.0	80.1
Support Costs	37.7	38.8
Supplies & Services (inc. transport)	4.3	5.3
Income	(1.4)	(1.4)
Overall Expenditure	117.6	122.8

7.2 Staffing Allocation

Health and safety enforcement is led by one full time principal environmental health officer under the overall supervision of the food and safety unit manager.

In addition there is 1 FTE senior environmental health officer carrying out all functions relating to health and safety in those premises for which the team has responsibility.

7.3 Staff Development Plan

The training development needs are identified both on an ongoing basis and by annual review. This is supplemented by:

- Attendance on seminars/courses. The partnership working with the Health and Safety Executive has resulted in a considerable amount of training provided by HSE Specialist Inspectors
- In-house training on specific issues
- Cascade training by staff who have attended relevant courses.

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DIRECTORATE OF NEIGHBOURHOOD SERVICES

FOOD LAW ENFORCEMENT SERVICE PLAN 2007/2008

FOREWORD

Under the Food Standards Act 1999, the Food Standards Agency (FSA) requires City of York Council to produce an annual service plan for food safety and food standards law enforcement. The plan sets out the aims and objectives of the council's food team for 2007/2008. The food team, which is part of the food and safety unit, is responsible for food law enforcement and this plan sets out what demands are placed on the team and what resources are available to meet those demands.

Resources are limited. However, this plan illustrates the effective use of existing resources to target the highest risk food businesses, while maintaining a balanced enforcement mix.

Variance between the 2006/2007 planned and actual performance is highlighted. Where necessary, corrective action is recommended and incorporated into the 2007/2008 plan.

1. SERVICE AND TEAM OBJECTIVES WITH LINKS TO CORPORATE OBJECTIVES

1.1 The vision of the Environmental Health and Trading Standards Service is:

- To deliver the highest standards of protection of health, environmental and economic well being to the people of York, through the provision of a quality customer-focused service.

1.2 Corporate priorities of the Service

City of York Council has a corporate strategy for the period 2006 – 2009, which incorporates 13 priorities. In terms of these priorities, the food team contributes to:

- Improving the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest.
- Improve our focus on the needs of customers and residents in designing and providing services.
- Improve the way the council and its partners work together to deliver better services for the people who live in York.
- Improve efficiency and reduce waste to free-up more resources.

1.3 The aims of the Food Team are:

- To reduce the risk of food poisoning in York.
- To make a positive difference to the quality of life of residents and visitors to York.
- To raise standards of safe and fair-trading.
- To promote healthy living.
- To continuously improve our service through communication with our customers.

1.4 The Objectives of the Food Team are:

- To operate a comprehensive regime of inspection, sampling, advice and other methods as appropriate, to ensure the safety, correct composition, description and labelling of foods and animal feeding stuffs and prevent adulteration and fraud in the production and sale of these products.
- To ensure the health and well-being of consumers by the above methods and through promotional activities.
- To promote best practice in food and animal feeding stuffs production and sale in the City of York.
- To provide support, assistance, training and advice to local businesses, thereby enabling them to market products that comply with legal requirements and best practice.
- To investigate cases of communicable disease notified to the Authority.
- To promote food safety and standards issues to the public through a variety of activities.
- To investigate complaints about the labelling, composition, safety and fitness of food, feeding stuffs and the operation of food premises.
- To act as a home authority and originating authority and deal with enquiries referred by other agencies.
- To licence, approve and register for operation premises as prescribed by government.
- To enforce the provisions of food and animal feeding stuffs legislation, and take appropriate and proportionate action to secure compliance.
- To take prompt and effective action in response to food hazard warnings and other threats to food safety in York.

1.5 Enforcement Policy and Customer Contract

The team operates to a comprehensive documented enforcement policy that reflects the Cabinet Office Enforcement Concordat. In addition there is a "Customer Contract" which sets out service standards for environmental health and trading standards services.

1.6 Links to Community Objectives

York's Local Strategic Partnership, Without Walls, launched York's Local Area Agreement (LAA) in April 2007. Contained within the LAA are a number of priorities that form part of a delivery plan for the lifespan of the LAA (2007-2010). The food team expect to contribute to the following outcome priorities:

Children and young people

Improving the eating habits and diet of young people

Promote healthy lifestyles

Healthier communities and Older People

Reduce obesity and improve nutrition

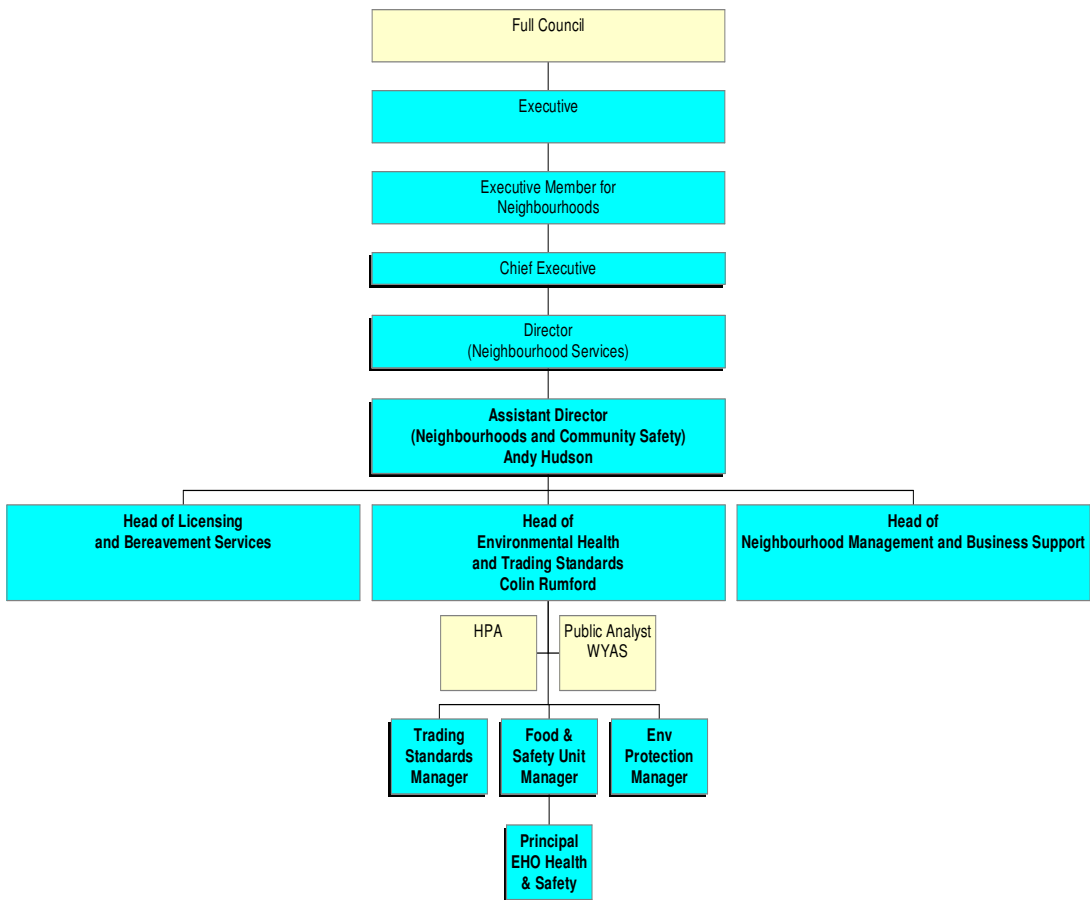
2. BACKGROUND

2.1 Profile of the Local Authority

City of York Council is a unitary authority, with a population of approximately 184,000 and an area of 105 square miles (27,250 hectares). The majority of the electorate (60%) are located in the urban city area, with the remainder resident in the outlying towns and villages.

The area is predominantly urban, covering the historic city with the associated tourism, hospitality and catering activities.

2.2 Organisational Structure



2.3 Provision of Specialist services

- i) Public Analyst Services covering food and animal feeding stuffs are provided under contract by West Yorkshire Analytical Services, Morley, Leeds.
- ii) Microbiological food examination is carried out under service level agreement with the health protection agency laboratory service (HPA), based in Leeds.
- iii) The proper officer for communicable disease purposes is the Consultant in Communicable Disease Control at the Health Protection Agency.

2.4 Scope of the Food Team

As a unitary authority, the council is responsible for the full range of duties under the Food Safety Act. It is also responsible for the provisions of the Agriculture Act 1970 in relation to animal feeding stuffs.

The food team carries out all of the food safety, standards and animal feeding stuffs activities on behalf of the council. The team is based within environmental health and trading standards services in the Neighbourhoods & Community Safety Group.

The team comprises of both environmental health and trading standards professionals, in addition to technical support staff. Some officers have dual qualifications. The team also carries out health and safety checks in food premises.

The service consists of:

- Programmed food/feeding stuffs premises inspections.
- Investigation of consumer complaints
- Investigations of food poisonings/infectious disease notifications
- Safe food promotion and education/advice
- Health improvement promotion (e.g. healthy eating awareness)
- Sampling of food and animal feeding stuffs according to annual targeted programmes.

2.5 Demands on the Food Team

The authority's area contains a mix of manufacturing, retail and catering premises; hospitality and catering is the dominant sector within this mix. There is a large international confectionery manufacturer, a district hospital, various large academic institutions and a racecourse.

The profile of food premises in York is heavily biased towards restaurants and caterers, which is a reflection of the City's status as a major tourist destination. There can be a rapid turnover of business ownership in this sector, which can place

a strain on the team in terms of premises inspection, advice provision and maintaining an accurate premises database.

Under the product specific or “vertical” EU Directives there are 2 approved premises that require 3 visits each year by the team.

A major project for the team in 2007/2008, will be to assist small caterers to comply with changes in the law, which require them to have a written food safety management system based on Hazard Analysis and Critical Control Points (HACCP).

Additionally, the team acts as “home authority” for the businesses that have a base in the City, but trade regionally or nationally. This means that we provide a link between other food authorities and the companies, resolving issues where appropriate.

Local customer consultations carried out in 2004, via the “Talk About” residents’ panel, indicate that food remains a concern for residents. Indeed, out of all the functions performed by environmental health and trading standards services, respondents thought that investigating dirty conditions in restaurants should be given the second highest priority.

This view echoes the findings of the FSA’s 2005 consumer attitudes survey that found that 60% of respondents were concerned about hygiene in catering outlets. The FSA survey showed that the top 4 consumer concerns about food were the amount of salt in food, the amount of fat in food, food poisoning, and the amount of sugar in food respectively.

Consumers were found to be increasingly concerned about the accuracy of food labels, which appears to be part of an increasing awareness and concern about healthier eating. The level of comprehension of food labels by consumers has not improved and remains quite low.

The team will continue to respond in 2007/2008 to the issue of obesity/healthy eating. Samples of primary school meals will be analysed for nutritional values and healthy eating promotional activity will form part of the team’s work programme.

2.6 Premises Profile

The high proportion of restaurants and takeaways in York means that officers are required to work out of hours in order to gain access to these premises. They must also be sensitive to the needs of ethnic minorities. The team has been the subject of an equalities impact assessment, leading to a number of service improvements, including the provision of food hygiene training tailored and made accessible to Turkish, Chinese and Indian restaurants operators/employees.

Breakdown of food premises in York by FSA category as at 1 April 2007.

Food safety:

FSA CATEGORY	Description	Number
A	Producers	7
B	Slaughterhouse	0
C	Manufacturers	15
D	Packers	2
E	Importers	1
F	Distributors	21
G	Retailers	482
H	Restaurants/Caterers	1191
I	Material & articles in contact with food manufacturer/ supplier	0
J	Manufacturer selling by retail	26
	Unrated premises	52
	Total:	1797

Food standards:

FSA CATEGORY	Description	Number
A	Producers	8
B	Slaughterhouse	1
C	Manufacturers	16
D	Packers	2
E	Importers	1
F	Distributors	23
G	Retailers	494
H	Restaurants/Caterers	1212
I	Material & articles in contact with food manufacturer/ supplier	0
J	Manufacturer selling by retail	26
	Total:	1783

2.7 Service Delivery Point

The service is delivered from a single office based in De Grey House, Exhibition Square, York. The hours of operation are 08:30 -17:00 Monday to Friday, although officers work out of hours when necessary.

2.8 Review of inspections carried out from the 2006/2007 Programme

2.8.1 Food Safety Inspections

Premise Rating	A	B	C	D	E
No of planned inspections at 1/4/2006	46	89	492	63	0
No. premises capable of inspection ¹	22	76	466	57	0
No. of inspections achieved ²	29	76	464	35	0

1. The number of premises capable of inspection includes the in-year adjustments, which have to be made to the start of year inspections plan. These are usually the result of businesses closing.

2. This figure is the number of actual inspections. It reflects the fact that some A rated premises either closed during the year, or were downgraded to a lower risk rating and therefore did not require inspecting twice in the year.

In addition, 59 unrated premises were inspected during the year. These represent newly registered food premises that are required to be inspected and risk-assessed. The lowest risk premises are category E and these are assessed by alternative approaches to physical inspection.

Summary

We inspected 100 % of our category A-B premises and 99.5% of our category C premises (the Local Performance Indicator is 100%). This is an improvement over our performance last year, where we inspected 94% of our category A risk premises.

2.8.2 Food Standards Inspections

Premises Rating	High	Medium	Low
No. of planned inspections at 1/4/2006	25	457	0
No. of premises capable of inspection	25	432	0
No. of inspections achieved	18	378	0

Summary

We achieved 87 % of our High and Medium premises target, which is similar to the 88% we achieved last year (the Local Performance Indicator is 100%).

As with food safety inspections, the lowest risk premises are not programmed to receive physical inspections.

2.8.3 Feeding Stuffs Inspections

During 2006/2007, we outsourced this area of work to a neighbouring authority. They inspected 22 of our registered animal feed operators that were due for inspection that year.

2.8.4 Alternative Enforcement Strategies (AEA)

The frequency at which food premises are inspected is determined by a risk assessment framework. In order to direct our resources away from low risk premises, we do not include them in our annual programme of inspections. Instead, these businesses are approached by means of questionnaires, which seek both to check that the businesses remain low risk, whilst providing information relevant to food law. There are a number of advantages to this arrangement, not least the fact that officers can concentrate on those areas where the service has a greater impact.

In 2006/2007, the team carried out 96 food standards AEAs and 247 food safety AEAs. To reduce duplication, we trialled integrating food safety and food standards AEAs where appropriate.

3. PLANNED ENFORCEMENT ACTIVITY 2007/2008

3.1 Food Safety Inspections

Premises rating	A	B	C	D	E	Unrated
No. of premises due an inspection	22	108	485	116	273	52
No. of programmed inspections	44	108	485	116	0 (273 AEs)	52

3.2 Food Standards Inspections

Premises rating	High risk	Medium risk	Low risk
No. of premises due an inspection	26	498	268
No. of programmed inspections	26	498	0 (268 AEs)

3.3 Feeding Stuffs Inspections

A total of 34 programmed inspections are to be carried out this year. As with last year, we intend to outsource this work. Where appropriate, we will incorporate primary production hygiene inspections to reduce the burden on farms in line with Hampton principles.

3.4 Food and Feeding Stuffs Sampling

The team will sample foods and feeding stuffs in accordance with its documented policy. We will also participate in national LACORS/HPA sampling programmes and fulfil any requirements to sample for the premises approved under the product specific regulations.

Both the food standards and feeding stuffs sampling programmes have been produced in consultation with the Authority's public analyst/agricultural analyst. The food standards team co-operates with other regional authorities to coordinate some sampling initiatives, so as to avoid duplication and to optimise the statistical soundness of results data. Sampling results are submitted to national sampling initiatives where appropriate (eg: LACORS/FSA).

3.4.1 Food and feeding stuffs sampling programme

	2006/2007 Samples Programmed	2006/2007 Samples Taken	2007/2008 Samples Programmed
Food Standards Samples	225	203	160
Feeding Stuffs Samples	10	10	10

Food Safety Samples	193	271	200
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3.4.2 Comments on sampling performance

Sampling is an important tool for both the food standards and food safety teams. The food safety team is primarily concerned with the microbiological contamination of food, but also samples food to establish the nature and likely harm arising from foreign bodies and the like.

The sampling programme focuses on areas of past non-compliance, and emerging priorities such as imported foods and school meals.

Of the 203 food standards samples taken 43 (21%) were unsatisfactory. Legal proceedings instituted as a consequence of these samples have included cases concerning the substitution of spirits.

Each year the Health Protection Agency undertakes microbiological analysis of samples we provide, most of which are done for free under a credits system. Of the 271 samples taken last year, 57 (21%) were unsatisfactory.

In 2007/2008 the team will take environmental swabs where necessary, in addition to the food safety samples. These environmental swabs are taken to assess the freedom from bacteria of, for example, food contact surfaces and kitchen equipment/utensils.

3.5 Education and Information Programme

3.5.1 Advice to Businesses/Customers

The team will provide all reasonable support and assistance to businesses operating or intending to operate in the area.

It is estimated that the team will receive over 300 requests for advice this year, some of which will require discussion on site at the business premises. This advice is often in relation to prospective businesses seeking advice before they commence trading.

During 2006/7 we were able to offer approximately 40 businesses training to help them implement the Safer Food Better Business(SFBB) initiative. We are also offering coaching visits to assist food businesses put SFBB in place.

3.5.2 Food Team Promotional and Project Work

The team will raise consumer and business awareness of food matters by means of a programme of talks, press releases and other promotional activity.

Through its links with the Selby and York Healthy Lifestyles and Obesity Strategy Group, and its sampling of primary school meals, the team will maintain its role in the promotion of healthy eating.

For the fourth year running, the team intend to take part in the York Food and Drink Festival, by giving advice and raising awareness on food safety and food standards issues (eg: food labelling for school children and highlighting the salt, sugar and fat contents of various foods).

4. REACTIVE ENFORCEMENT ACTIVITY

4.1 Formal Action Taken

The following tables summarise the level and types of formal enforcement action taken in 2006/2007.

4.1.1 Food Safety

TYPE OF ACTION	NUMBERS TAKEN/ISSUED 2005/2006	NUMBERS TAKEN/ISSUED 2006/2007
Prosecution	1	6
Formal Caution	4	0
Prohibition Notice	0	0
Improvement Notice	20	17
Formal written warning ¹	9	5

1 – These are written warnings issued by CYC to businesses where prosecution is not the most appropriate course of action. They are not written warnings as defined by the FSA.

4.1.2 Food Standards and Feeding Stuffs

TYPE OF ACTION	NUMBERS TAKEN/ISSUED 2005/2006	NUMBERS TAKEN/ISSUED 2006/2007
Prosecution	4	2
Formal Caution	9	4
Formal Written Warnings	23	20

Comments on statistics

The percentage of businesses which were compliant with food law and other trading standards legislation on first inspection, or were brought into compliance within the year (2006/7), was 99%. However, there remain instances where formal action has to be taken in line with the service's enforcement policy and in order to bring about compliance.

We have seen a small fall in the number of hygiene improvement notices being served by the team. This figure is expected to rise during 2007/8 as we tackle those businesses who have failed to implement adequate HACCP systems to comply with EU legislation.

Formal actions recorded against the food standards team are for premises that were falsely describing alcoholic drinks.

4.2 Food Premises, Food and Feeding Stuffs Complaints

Investigation into food and feeding stuffs complaints is carried out in accordance with quality management system procedures.

In 2006/7, 797 complaints and requests for service were received. This high figure is consistent year-on-year, reflecting how busy the food sector is in York and the increasing awareness of food issues amongst our customers.

4.3 Home Authority Principle

City of York Council subscribes fully to the LACORS home authority principle.

The team will liaise with other local authorities about our national and regional companies. We will support, in particular, small/medium and new companies through advice on matters such as changes in the law. In 2006/2007 the team received 27 referrals from other local authorities and a similar number can be expected in 2007/2008.

4.4 Control and Investigation of Outbreaks of Food Related Infectious Disease

The team will investigate all food poisoning notifications and outbreaks of food borne disease in accordance with procedures agreed with North Yorkshire District Control of Infection Committee and our local quality procedures.

In 2006/2007 the team received 416 formal notifications of infectious disease, although some of these related to mumps, rather than food poisoning.

It is very difficult to predict the level of enforcement activity required in the case of a food poisoning outbreak.

4.5 Food/Feeding Stuffs Safety Incidents

It is the policy of the authority to handle all food alerts from the FSA in accordance with the FSA Code of Practice and our local quality procedure. Notifications are received from the FSA by e-mail and mobile phone, and an appropriate course of action is taken in each case.

The reactive nature of this task makes it difficult to estimate the likely level of activity. During 2006/7, 69 food alerts were received (88 were received during the year before). Although alerts can be issued by the FSA for information only, some require some response, be it the issue of a local press release or contacting food businesses directly, which is more time consuming. It is estimated that a similar or greater number of food alerts will be received in 2007/8.

We are now also receiving allergen alerts from the FSA, which we process and respond to as required.

5. OTHER AGENCIES - REFERRALS TO AND LIAISON

5.1 Liaison with Other Organisations

The team will take steps to ensure that it is operating in a manner that is consistent with both neighbouring and national local authorities and other agencies. Various methods will be adopted to facilitate this, including benchmarking, peer review and liaison with: -

North Yorkshire Food Liaison Group

This is a LACORS food liaison group working under the wing of the North Yorkshire Chief Environmental Health Officers Group. All eight North Yorkshire local authorities are represented on both of these groups. Of particular relevance is the food safety quality management system (QMS), which is accredited to the quality standard ISO 9002.

This is discussed later in Section 8 – Quality Assessment.

Yorkshire and The Humber Trading Standards Group Quality Standards Technical Group

This is the LACORS food standards and feeding stuffs liaison group for the area. It meets on a quarterly basis and seeks to promote best practice and consistency in food enforcement in the region.

West Yorkshire Analytical Services

This is the public and agricultural analyst for the City of York Council.

Health Protection Agency

Bi-annual review meetings are held with the HPA food laboratory, based in Leeds, to promote co-ordination and good sampling practice.

North Yorkshire District Control of Infection Committee

This is a multi-disciplinary group of public health consultants, consultant microbiologists, environmental health officers, infection control nurses, general practitioners and associated professions. It meets on a quarterly basis to discuss infection control issues and set policies in relation to their investigation and control.

Planning/Licensing Sections

The list of all planning applications is seen by the team and plans requested where necessary, so that recommendations/conditions can be supplied.

The team liaises with licensing to ensure that an integrated approach to enforcement is followed.

5.2 Referrals to Other Organisations

Where the team receives a food related service request that does not fall within its enforcement remit or geographical enforcement area, it will refer the person concerned to the correct body or forward the item of work to the relevant authority without delay.

6. CONSULTATION

During 2005/2006, as in previous years, the team carried out a customer satisfaction survey of food businesses. This was done using questionnaires left with every business at the close of a programmed inspection. Instances of reported dissatisfaction and suggestions for improvement were investigated on an ongoing basis.

We did not survey food businesses during 2006/7 As we are currently reviewing our approach on this area. We intend to survey businesses during the 2007/8 period.

7. RESOURCES, THEIR USE AND DEVELOPMENT

7.1 Financial Allocation

The overall level of financial allocation to food safety and standards enforcement activity for the year 2006/2007 is as follows.

	2006/07 Actual £k	2007/08 Estimate £k
Staffing costs	317.7	253.2
Support costs	147.4	151.8
Supplies & services (inc transport)	80.2	68.0
Analytical & sampling costs	19.3	21.6
Income	-35.5	-26.7
Overall Expenditure	529	467

7.2 Allocation of staff 2007/8

Food Safety

3.5 Senior EHOs – fully competent to enforce food law

1 Technician – not yet competent

388 food safety inspections will be undertaken by contractors

Food Standards

0.8 Senior Officer – fully competent

1 Technician – fully competent

Animal feed inspections and hygiene at primary production level will be outsourced to a neighbouring authority

The team is managed by the food and safety unit manager, lead officer for food safety and standards.

7.3 Staff Development Plan

Staff development needs are identified on an ongoing basis, through the quality management system, and by annual Performance Development Reviews, where the training needs of individual officers will be identified. The identified training need will be met by: -

- Qualification training
- Attendance on ad-hoc technical seminars/courses
- In-house training on specific issues
- Cascade training by staff that have attended relevant courses.

8. QUALITY ASSESSMENT

The food safety enforcement element of the team operates within the North Yorkshire Food Liaison Group's quality management system (QMS)

The QMS, which is independently accredited to ISO 9002 standards, includes a rigorous system of controlled documents that state the minimum standards for our food safety enforcement activities. It includes internal monitoring within the authority and is further enforced by inter-authority auditing.

The system ensures the delivery of high quality enforcement activity across the City of York, which is consistent with other North Yorkshire authorities and in accordance with good practice. York's QMS was subject to external audits in 2002, 2004 and again in 2006. The auditor reported zero non-compliances following the latest audit.

9. OVERALL REVIEW OF PERFORMANCE AGAINST THE PLAN

The team performed well in respect of its inspection targets for high and medium risk premises and improved on its performance in 2005/2006. At the same time, a well-balanced work programme, combining advice and promotional work with special projects and formal action, was maintained. Over and above the narrower issues contained in the plan, customer consultation results indicate high customer satisfaction with the work of the team. The team is also part of a Charter Mark-accredited service and emphasis is placed on the quality of the service provided to local people.

City of York Council – 2007/8 Framework Agreement Local Authority Annual Service Delivery Plan

This plan summarises activities to be undertaken and must be read in conjunction with the detailed activity framework, LA Profile and EH & TS Customer Contract attached

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
1. Enforcement planning					
1.1(a) Enforcement structure and plan	<p>Profile of Local Authority area and associated animal health and welfare workload (This may vary between LA structures, e.g. Trading Standards and Environmental Health Depts. Varying roles and responsibilities – but should be as inclusive as possible)</p>	<p>Analysis of commercial premises, by type, number, days of operation, size and scope of activities undertaken. Includes:</p> <p>Live Animals</p> <ul style="list-style-type: none"> premises licensed for sales (e.g. auction markets etc.) premises licensed for collections for slaughter or further rearing or finishing abattoirs/slaughterhouses (red meat full throughput and low throughput, poultry) <p>Carcasses/Animal By-Products</p> <ul style="list-style-type: none"> rendering plants, knackers yards, hunt kennels, maggot farms etc. 	Good	Annual	<p>Plan to be agreed with DVM.</p> <p>Profile attached</p>

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
1.1(b)		<p>Analysis of other 'agricultural' holdings, by type, number, farming and other activities, species kept, livestock census, disease history, welfare history etc. Includes where appropriate:</p> <ul style="list-style-type: none"> • premises where livestock present or kept (even temporarily) for commercial purposes • other premises where animals present or kept for commercial purposes (e.g. horse riding establishments/zoos and winter quarters/dog breeding and selling/quarantine kennels/pet shops etc.). • other non-commercial premises where livestock present or kept (e.g. pet pig keepers, back yard poultry flocks etc.) • other non-commercial premises (e.g. animal sanctuaries etc.) 	As above	As above	As above
1.2 Risk assessment	Preparation of risk assessment of Local Authority area	<p>Application of veterinary risks and direction where appropriate. Both (high-level) from Defra HQ and also regional input by DVM (as below).</p> <p>Account taken of any existing RA approaches used, including LACORS National Risk Assessment Scheme etc.</p> <p>Change-over from any existing risk scheme to the LACORS Trading Standards Risk Assessment Scheme by (latest) April 2004.</p>	Good	Annual	Risk assessment completed. Updated using AMES system. Veterinary risks accounted & recorded. Work with regional & LACORS advice.

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
1.3 Intelligence	Intelligence gathering, processing and dissemination	Use of intelligence; information and intelligence recording, processing and dissemination. Includes local/regional risk assessment of premises, businesses, people and their activities	Good	Annual	Ongoing process incorporated 5X5X5 intelligence assessment approach – National Intelligence Model.
1.4 (a) Consultation and liaison	Consultation with DVMs on risk assessment	Addition of any appropriate local veterinary focus or risk; cross-fertilisation with adjacent authorities in DVMs area through formal regional arrangements between DVMs and Local Authorities. Change-over from any existing risk scheme to the LACORS Trading Standards Risk Assessment Scheme by (latest) April 2004.	Minimum	Annual	Consultations undertaken and will be an ongoing process Completed
1.4 (b)	Liaison with other agencies	Liaison at planning stage with other relevant stakeholders, e.g. other Govt. departments such as FSA, other Local Authority agencies (e.g. Port Health Authorities, Environmental Health Departments, Emergency Planning Departments etc.), Police, Meat and Livestock Commission, Meat Hygiene Service, Market/Abattoir Operators etc.	Good	Annual	Maintain regional liaison status

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
2.1 Knowledge and training	Continuing professional development Knowledge and training	Continuing professional development of Local Authority AH&W staff. Time and resources allocated to keep up to date on appropriate animal health and welfare legislation and Defra requirements, codes of practice, guidance etc. – e.g. by using the LACORS website every day. All enforcement staff to hold Diploma in Trading Standards or Diploma in Consumer Affairs qualification and/or Certificate of competence in Animal Health and Welfare or other appropriate formal professional qualification, or have equivalent professional experience i.e. ‘grandfather rights’; or undertake to achieve such qualifications as soon as possible, and are authorised to enforce all relevant legislation (including where appropriate for specialist officers The Animal Health Act 1981 (as amended), EC Act 1972, Food Safety Act etc.)	Good	Annual	Professional development reviewed via Personal Development Plans during Performance Development Reviews, includes review of appropriate staff grades No applicable better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
3.1 Education and advice	<p>Provide 'one-stop' shop of advice</p> <p>Reactive activity</p>	<p>Guidance provided to customers on all aspects of Animal Health and Welfare that Local Authorities are responsible for, as well as specific advice regarding the Defra (post FMD) 'steady state' regime including any movement licensing requirements.</p> <p>(Delivery targets set in accordance with individual Local Authority 'charter' response times)</p> <p>Phone calls – answer within 20 seconds – as per LA Charter</p> <p>Letters acknowledged within 3 working days of receipt – as per LA Charter. Full response within 10 days of receipt.</p> <p>Personal callers met within 10 minutes of arrival – as per LA Charter</p> <p>Email acknowledged within 3 working days of receipt – as per LA Charter. Full response within 10 days of receipt.</p>	Better	Annual and Quarterly Measures	Delivering a standard of 99.5%

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
3.2 Issuing of specific animal movement licences (on AMLS) or other (non AMLS) LA issued licences	Receipt of licence applications Assessment and issue of specific licences. Assessment and issue of other LA issued licences.	Specific licences (on AMLS) issued for those individuals prohibited by the Minister from operating under the general licences. Issue of AMLS licences manually where approval given following investigation. Issue of licences for activities that require any other (non AMLS) LA issued licence under Defra Animal Health and Welfare Directorate general remit (e.g. PRIMO, performing animals, pet shops, Dangerous Wild Animals Act etc. depending upon council structure and areas of responsibility)	Better	Annual	Progression to better target standard – system in place to monitor ongoing achievement
3.3 Investigation of specific (AMLS) movement licence refusals Investigation of other LA issued licence refusals	Co-operation with applicants and AHDOs	Initial investigation of (AMLS) licence application refusals; fix if possible otherwise co-operation with AHDO to achieve resolution. Publicised appeals procedure (where appropriate and permitted by legislation).	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
3.4 Recording of animal movements	Pig/sheep movement data capture and recording of exemptions	Data entry onto AMLS of all pig/sheep movement submissions. All documents received to be date stamped or otherwise identified as to date received. Receipt, verification, and entry onto AMLS of owner movement declarations. Data-entry backlog to be managed to ensure that it does not exceed three working days from receipt for error free documentation. Allowance of one extra working day where errors detected that require follow-up resolution (see below).	Good	Annual	
3.5 Error management	Monitoring of AMLS Monitoring of other licensing systems/records	Where obvious data errors detected above and beyond those found during licence application (e.g. central data errors on DCS or other IT systems and not errors on paperwork received etc). Regular review and update of all non-AMLS licensing systems/records.	Good	Annual	Reduced number of refusals and errors actioned within one day
4.1(a) Routine activities to support compliance	Education and advice Proactive activity	As required on demand (in person, by phone, leaflet etc.). Proactive involvement or lead in education and training events (e.g. business guidance mail shots to stakeholder organisations etc.). Joined up approach to education and advice through liaison with Defra/LACORS Philosophy of 'Enforcement through Education'	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(b)	Documentary checks and reconciliation	Follow-up action on suspected irregularities identified in AMLS/AMES	Minimum	Annual	No applicable good or better practice target
4.1(c)	Attendance at 'critical control points'.	<p>Highly visible preventive enforcement presence.</p> <p>Attendance at:</p> <p>(a) markets (and other premises licensed for sales)</p> <p>to assure legislative compliance, in particular with</p> <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing • all other relevant legislation <p>Exact attendance levels and times according to risk, size of premises, volume of trade and presence of other agencies</p> <p>NB: see also 'Out of hours checks' below</p>	Better	Quarterly and Annual	This is a high priority for Animal Health Officers

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(d)		(b) premises licensed for collections for slaughter or for further rearing or finishing to assure legislative compliance, in particular with <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing • all other relevant legislation 	Better	Quarterly and Annual	This is a high priority for Animal Health Officers
4.1(e)		(c) slaughter markets (or premises licensed for direct to slaughter sales) to assure legislative compliance, in particular with <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing all other relevant legislation	Better	Quarterly and Annual	Focus on bio-security and identification enforcement, welfare & identification enforcement is a high priority for Animal Health Officers.

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(f)	<p>All these activities with regard to the transport, unloading and identification of livestock should occur outside of the slaughterhouse buildings. This service delivery function does not require LA officers to enter the slaughterhouse proper, or undertake enforcement in relation to the slaughterhouse operation itself. The MHS are responsible for enforcement in the slaughterhouse itself, and LAs should liaise with MHS with regard to any need to enter the slaughterhouse. If during a visit, an LA officer notes a defect in hygiene or has any concerns relating to the structure, operation or other matter involving the slaughterhouse itself, then this should be brought to the attention of the MHS.</p>	<p>(d) slaughterhouses (full and low throughput, red meat and poultry (white meat) slaughterhouses to assure legislative compliance, in particular with</p> <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing <p>all other relevant legislation (specify where appropriate)</p> <ul style="list-style-type: none"> • Liaison with MHS <p>(Especially re MHS surveillance for one month at all poultry and red meat slaughterhouses in May/Sep 2004 for Welfare of Animals (Transport) Order compliance as part of annual welfare survey).</p>	Good	Quarterly and Annual	Reviewed and monitored according to risk assessment

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(g)	Premises visits and inspections	<p>Selective visits to verify legislative compliance (including any records required, any Defra (post FMD) 'standing regime' licensing or standstill requirements etc.):</p> <ul style="list-style-type: none"> • markets/premises licensed for sale • premises licensed for collection of animals for slaughter or for further rearing or finishing • slaughterhouses • commercial hauliers • farms (including own livestock vehicles) • knackers/hunt kennels/renderers/maggot farms etc. • any other premises of livestock origin and destination including assembly centres • other commercial premises where animals kept (e.g. pet-shops etc.) as appropriate. 	Better	Quarterly and Annual	

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(h)	Postal record recall checks (if carried out) on livestock premises.	<p>Postal record recall checks and verification as appropriate.</p> <p>This activity is not compulsory, but where it is undertaken, it is possible to target 95% of all livestock premises within a 12-month period for postal record recall checks. Allows data on premises to be kept up to date.</p> <p>Alternatively, records may be recalled according to risk, e.g. from all premises risked as High Risk every year, Medium Risk every two years, Low Risk every five years etc.</p> <p>Non-responses subject to follow-up action as appropriate (including if necessary premises visit inspection).</p>	Not applicable	Not applicable	Not applicable
4.1(i)	Out-of-hours checks (outside of normal specified operating hours, or subsequent days)	<ul style="list-style-type: none"> • Markets (premises licensed for sale) • Slaughterhouses • premises licensed for collection of animals for slaughter or for further rearing or finishing <p>to assure legislative compliance.</p>	Better	Quarterly and Annual	This is a high priority for Animal Health Officers
4.2 Standby and on-call	Response, standby and on-call arrangements.	Emergency inter-agency contact re disease/other enforcement incident(s).	Good	Annual	Review annually & in light of any emergency situation arising

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
5.1(a) Planned enforcement activities based on veterinary risk.	High-risk livestock movements.	<p>All livestock movements under general or specific post Foot-and-Mouth regime licences to premises where animals gather from different sources – and from where animals will go to new premises (other than to slaughter), e.g.</p> <ul style="list-style-type: none"> • premises licensed for sale (e.g. market) to farm • farm to farm • on farm sales • premises licensed for collection of store cattle for further rearing or further finishing • shows/sheep dog trials etc. <p>Continuing species risk of sheep.</p>	Minimum	N/A	No applicable good or better practice target
5.1(b)		<p>All irregular livestock movements and activities including:</p> <ul style="list-style-type: none"> • illegal returns from slaughterhouses • out-of-hours (unsupervised) movements at slaughterhouses, premises licensed for sale or premises licensed for collection of animals for slaughter or for further rearing or finishing • field lairages at slaughterhouses etc. 	Minimum	N/A	<p>Additional enforcement activities targeted at those where intelligence indicates illegal/irregular activities</p> <p>No applicable good or better practice target</p>

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
5.1(c)		<p>All illegal livestock movements (i.e. unlicensed and/or outside the system):</p> <ul style="list-style-type: none"> • market to market (for sale within six/twenty days as appropriate to species) • subsidy fraud moves (e.g. 'bed and breakfasting' of stock) • movements to dealing farms • substitution or diversion of livestock 	Minimum	N/A	<p>Additional enforcement activities targeted at those where intelligence indicates illegal/irregular activities</p> <p>No applicable good or better practice target</p>
5.1(d)	Lower risk animal movements	Those not included within a high-risk category and not involving any specified high-risk livestock species type. <i>(This may include Horses).</i>	Better	Quarterly and Annual	<p>Horse sales are held at York Marts</p> <p>Attendance at and movement checks are a priority</p> <p>No applicable good or better practice target</p>
5.1(e)	Vehicle biosecurity, cleansing and disinfecting compliance.	Checks on those making undertakings regarding cleansing and disinfecting at premises other than where they have delivered livestock (where permitted).	Better	Annual	This is a high priority for Animal Health Officers

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
5.1(f)	In-transit checks	Roadside checks (in conjunction with police): Police-led multi-agency roadside checks Local Authority-led checks for animal health and welfare compliance only (include co-ordination with adjacent Local Authorities) National exercises and operations (e.g. Operation Mermaid).	Minimum	Annual	
5.1(g)	Movement declarations	Follow-up on keeper self-declarations of movement (for sheep/goats/pigs) and follow up of: British Cattle Movement Service (BCMS) Cattle Tracing System (CTS) and Disease Control System (DCS) data on movements.	Better	Annual	
6.1(a) Unplanned and reactive or demand-led enforcement.	Identified infringements	Identified breaches of legislation (including biosecurity, licensing and any post Foot-and-Mouth standing regime standstill requirements, welfare, illegal imports, by-products & other disease control enforcement work, etc.).	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
6.1(b)	Intelligence-led actions	Infringements or suspected infringements reported from external enforcement sources or identified by use of data interrogation or intelligence sources.	Minimum	Annual	No applicable good or better practice target
6.1(c)	Intelligence-led actions	Infringements or suspected infringements reported by members of the public/complaints.	Minimum	Annual	No applicable good or better practice target
6.1(d)	Specialist enforcement and investigation techniques	Surveillance etc. as required. (This may include any operations carried out in accordance with RIPA 2000)	Minimum	Annual	No applicable good or better practice target
6.1(e)	Cross-border and multi-agency working	Proactive and reactive work with other LAs and agencies. Identify cross-cutting issues and relevant areas of risk suitable for cross-border and multi-agency approach. Research / intelligence-led activities including workshops. Investigations / exercises / initiatives to test compliance.	Good	Annual	A priority in undertaking animal health and welfare enforcement
7.1(a)	Data entry, report writing and casework (non-Court)	Follow-up reports, data entry, licence issues and other work following practical enforcement activities. Enforcement cases not going forward for Court action.	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
7.1(b)	Prosecutions – casework and Court attendance	Further investigation and evidence gathering. Prosecution casework. Attendance at Court and post-Court documentation.	Minimum	Annual	No applicable good or better practice target
7.1(c) Animal Movement Enforcement System (AMES)	Entry of data on to AMES system (or via electronic data transfer via local systems onto AMES) re Local Authority enforcement activities, actions and results.	Follow-up reports, data entry, management information report generation, licence regime compliance, data entry issues and other work following practical enforcement activities. Recording of data on infringements.	Good	Monthly	
7.1(d)	Intelligence – information and systems (non RIPA 2000)	Set up and on-going maintenance of intelligence systems. Access and development of data systems across boundaries and inter-agency work. Liaison with other agencies.	Minimum	Annual	No applicable good or better practice target
7.1(e)	Management information	Provision of management information data to Local Authorities and Defra on enforcement activities carried out.	Minimum	Annual	No applicable good or better practice target
7.1(f)	Evaluation	Periodic review of enforcement strategy and activities: Defra/Local Authorities.	Minimum	Annual	No applicable good or better practice target
7.1(g)	Audit	Future agreement will incorporate arrangements for audit, possibly by Audit Commission.	Minimum		No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
8. Contingency planning and emergency action					
8.1(a) Defra and Local Authority emergency preparedness.	Planning	Planning and contributing to emergency preparedness plans with Defra and other agencies as appropriate.	Good	Annual	Review and update as necessary
8.1(b)	Testing and training	Testing, training, practising and evaluating activities in relation to the emergency plan.	Minimum	Annual	Review with appropriate staff
8.1(c)	Emergency action	Provision of full emergency range of services under the emergency plan, when disease emergency declared by Defra.	Minimum	Annual	No applicable good or better practice target Provide services as required and necessary

Note: This activity framework outlines activities to support enforcement planning by Local Authorities. The columns entitled 'minimum standard', 'good practice' and 'better practice' are framed along the lines of the LACORS Trading Standards Good Practice Guides, No. 3 – Animal Health and Welfare. This is to allow flexibility in Local Authority planning approaches while maintaining a minimum level baseline. Any levels or targets quoted are given as targets and are for discussion purposes with local DVMs.

Any specific local areas of work that are not identified or allocated service delivery standards in the above Activity Framework should be identified, and decisions as to appropriate service delivery levels (minimum, good, better) agreed and recorded in any 'plan' produced in discussion with local DVMs.

Risk should define appropriate enforcement Activity (AEA) as per the LACORS National Risk Assessment Scheme – which can include inspection frequency. Nothing in this guidance prevents or restricts LAs from making local determinations as to appropriate service delivery.

DEFRA Framework Agreement – Local Authority Profile 2007/8

Authority Name: **City of York Council**

Authority Type: **Unitary**

Animal Health & Welfare service provided by **Animal Health Team part of the Trading Standards Service – Animal Health & Dog Warden Service, Trading Standards & Consumer Advice**

Number of staff employed on AH&W as inspectors: **2.3 FTE**

Number of these supported by additional funding from Defra **0.8 FTE**

Number of staff employed as office based AMLS2/AMES data inputters (full time equivalent posts): **0.32 FTE**

Number of these supported by additional funding from Defra: **0.32 FTE**

Number of staff employed on AH&W (full time equivalent posts) pre FMD: **1 FTE**
(specify if appropriate between inspectors and data inputters)

Breakdown of registered livestock premises within LA area (where known)

Livestock Premises

Total	Risk				
	High	Medium	Low	No inspectable risk	Not assessed
240	2	16	222	0	0

Markets and collection centres

	Livestock markets (all types)	Collecting Centres (all types)
Number	1	1
Operating days per month	9	4

Other

Number of			
Abattoirs (all types)	Knackers/Hunt Kennels	Ports/Airports	Commercial Hauliers (if known)
1	1		2

Data Capture System used (include details of software supplier): **Flare**

Any additional information:

Outline of Authority:

The City of York has a population of 183,000, and attracts in excess of four million visitors each year, from whom the service receives requests for consumer advice and assistance either directly or via Consumer Direct.

The Authority is also home to over 6,900 businesses. There are 245 agricultural premises of which 240 are farms/smallholdings with livestock. Most of these businesses require advice, assistance or inspection by the service at one time or another, some on a regular basis. These requests are received either by the traders contacting the service or during visits to those traders operating within the City of York Council area.

An internationally renowned historical City, it is also an industrial, commercial and transport centre with major companies in the fields of food manufacturing, construction, engineering and scientific products and growing employment in bioscience and technology.

Around 50% of the population are economically active, however 32% of jobs are part-time with 80% of the jobs in the service sector.

Farming and agriculture, although small in comparison to some of the other business sectors is a significant part of the local economy. The livestock centre being the largest single centre in the area. However, it is true that farming and agriculture has suffered more during recent years due to political and economic pressures. This has implications in terms of additional support required by the farming community, and increased enforcement to maintain the necessary standards of disease control and animal welfare.

The geographic location, the demographic profile (one of the highest totals of pensioner households as a proportion of the population) and make-up of the Authority means that we have a concentrated centre of population and businesses, with some rural communities together with several out of town retail parks.

The challenge for the service is to have a creative approach to service delivery to ensure equal access for all especially in the light of legislative changes including the Animal Welfare Act 2006.



Meeting of Executive Member for Neighbourhood Services and Advisory Panel

17 October 2007

Report of the Director of Neighbourhood Services

Update on Alleygating in York

Summary

1. This report updates members on the progress of 'alleygating' and advises on the impact on refuse collections, street cleansing and enforcement activities.

Background

2. City of York Council agreed in March 2007 on the procedure and practice for introducing gates to alleys under legislation brought in by the Clean Neighbourhoods Act 2005. It is a well known fact that burglars prefer to break into houses through rear doors or windows where there is less chance of being seen, and many properties in York have a shared alley at the rear of their property which can facilitate the ease with which burglars operate. A copy of the Policy, Procedure and Practice document is attached at Annexe 1 for information.
3. In some parts of York, where gates have been installed, a reduction in burglaries by 87% has been achieved.
4. Many residents, who live in properties with alleys at the rear, have their refuse and recycling, where applicable, serviced directly from the alley. This can be by way of either wheeled bin or sack collection but dictates that the resident places their waste into the alley for collection. During the planning stage, waste services staff have worked closely with the alleygating officer to identify where changes may be needed to the collection service to these residents.
5. Alleys have historically been serviced by the City of York Council Street Cleansing service that have regularly undertaken sweeping and litter clearance on a regular schedule. As with the planning around waste collections, similar consideration was given to the impact on the cleanliness of the alleys once gated and how the ongoing maintenance would be undertaken.

Analysis

6. A list of alleys where gates have been installed is attached as Annexe 2 and a list of alleys where Notice of Intention is sought, is attached as Annexe 3.
7. Since the gates have been fitted at the alleys listed at Annexe 2, there have been little reports of problems with either refuse collection or street cleansing. Residents were asked to agree to changes in the service they receive when voting for the gates to be installed in the first instance.
8. Letters were sent to residents prior to installing the gates advising them of installation dates and arrangements for their future collections. In a few alleys, there was a delay in fitting the gates and some residents continued to present waste in the alley. In these cases waste was collected from the front and rear of the property and explanation letters sent to the residents affected.
9. Each alley that has, or is due to be, gated has undergone a 'deep clean' prior to installation of the gates. This also included rectifying any serious areas of damage or erosion so the alley was in acceptable order when the gates were fitted.
10. Prior to April 2006, alleygating legislation came under the Countryside and Rights of Way Act 2000 (CROW) and alleys, once gated, had their highway status extinguished. Alleygating now comes under the Clean Neighbourhoods and Environment Act 2005 and, once the gates are fitted, the alleys become 'restricted' not 'extinguished'. The alley therefore retains its highway status and remains the responsibility of the council. City of York Council will still undertake cleaning of the alley, though this will be at the request of residents rather than on a predetermined schedule.

Enforcement on Domestic Waste Presentation

Background

11. As the waste collection authority, City of York Council has a duty to arrange for household waste collection and can specify the arrangements that householders must follow to enable this service to be carried out.
12. The authority uses powers under Section 46 of the Environmental Protection Act as a tool for tackling household waste problems, including refuse presented too early, in the wrong location, side waste issues and the presentation of bulky waste, for which a charge should be applied.
13. Incorrect waste presentation contributes to litter on the street, and in particular back lanes, where it is at risk of damage due to pests, weather, vandalism and vehicles. This presents additional risks to public health, in the form of pests attracted to open waste. It is therefore important, when carrying out alley gating, that residents are clear on their new waste arrangements, as refuse left in the back lanes can result in accumulations and associated problems.

14. Under the Environmental Protection Act, Street Environment Officers and the two newly appointed Environmental Enforcement Officers are authorised to prescribe how household waste is to be presented by a legal notice. The notice can include requirements dealing with:-

- The size, construction and maintenance of the receptacles;
- Placing of them to facilitate emptying and access for that purpose;
- The placing of the receptacles for that purpose on highways
- The substances or articles which may or may not be put into the receptacles or compartments of receptacles of any description
- Precautions to be taken where particular substances or articles are put into them; and
- The steps to be taken by occupiers of premises to facilitate the collection of waste from the receptacles.

15. Placing a receptacle or sack of refuse on the highway can only be done with the consent of the highways authority. Therefore placing waste out for collection before the appropriate time allocation is an offence as there is no consent outside the times specified by the authority. The closure of the alleys results in liability for damage, caused by any refuse left in the lane, on the residents who left the refuse.

16. Failure to comply with a Section 46 notice, without reasonable excuse, is a criminal offence. To avoid liability for this offence, a householder can pay a fixed penalty notice of £100. Failure to pay the fine can result in prosecution by Magistrates' Court where a fine not exceeding £1,000 could be issued.

17. The appointed officers follow an approved policy on the enforcement of domestic waste presentation which includes a graduated approach, using standard letters and advice to raise awareness (Executive Report, Refuse Bags out Early : Section 46 Enforcement, 13 October 2004).

Enforcement in Clifton

18. Following installation of the alleygates in Clifton, the Enforcement Officer for Clifton ward has been visiting the area several times a week to monitor waste presentation and is working closely with refuse collectors to ensure that back lanes are free from refuse.

19. As a result of this monitoring, first stage advisory letters have been sent to households in eight streets that have been alleygated, as it was noted that some residents continued to present sacks in the back lane as well as too far in advance of collection day. To date, 434 advice letters have been sent.

20. The officer has also visited individual householders to give advice and raise awareness of the change in presentation. Unfortunately some residents

continue to ignore this advice, and monitoring continues. To date, the authority has not served any Section 46 notices in Clifton.

Corporate Priorities

21. Improving the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible places. – Ensuring that improvements are made to street cleanliness. Important that back lanes are not used as a refuse presentation area as litter will increase.

Implications

22.

- **Financial** – None
- **Human Resources (HR)** – None
- **Equalities** – Equalities issues are covered in the approved policy at Annexe 1
- **Legal** - Legal issues are covered in the approved policy at Annexe 1
- **Crime and Disorder** – These issues are covered in the approved policy at Annexe 1
- **Information Technology (IT)** - None
- **Property** - None
- **Other**

Risk Management

23. There are no risks associated with this report other than those already covered in the approved policy and guidelines as per attached annexes.

Recommendations

24. Members are asked to note the contents of this report and the progress made by Neighbourhood Pride and Waste Services to minimise litter and refuse problems in alleygated areas.

Reason: To update Members.

Contact Details

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Neighbourhood Services
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Chief Officer Responsible for the report:

Terry Collins
Director of Neighbourhood Services

Report Approved

Date 18th Sept 2007

Report Approved

Date

Specialist Implications Officer(s)

Implication Alleygating
Steve Bushby
Alleygating Officer
Tel No. 1338

Wards Affected: Clifton, Micklegate, Holgate, Hull Road, Westfield, Guildhall

All

For further information please contact the author of the report

Background Papers:

Executive Report, Refuse Bags out Early: Section 46 Enforcement, 13 October 2004

Annexes

Annexe 1 Gating Order Policy, Procedure and Practice Document

Annexe 2 List of Alleys where Gates have been installed

Annexe 3 Notice of Intention to install gates on further alleys

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**GATING ORDER POLICY,
PROCEDURE & PRACTICE DOCUMENT**

**USING LEGISLATION BROUGHT IN BY
THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT
ACT 2005**

26 March 2007

Index

Page	
2	Interpretation
2	Introduction
3	The Highway Authority's Duties
3	Authorisation of gates or similar structures on highways
3	Determination of Highway Status
3	Routes shown on the Highway Records
3	Routes not shown on the Highway Records
4	Implementation of Gating Orders
4	Informal Consultation
4	Consents
5	Protection of Private Rights
5	Consultation
5	Legal Order Objections
6	Legal Orders Made
6	Magistrates Court Orders
6	Identification of Areas to be Subject to Gating Orders
7	Prioritisation
7	Installation of Gates
7	Issue of Personal Identification Number (PIN)
7	Maintenance and Management Issues
8	Funding
9	Timescales
9	Gating Order - Process
9	Initial Enquiry/Request
9	Feasibility Study
10	Consultation with Local Residents/Owners
10	Consultation with Utility Companies
10	Consultation with Emergency Services
10	Consultation with the Safer York Partnership
10	Consultation with Refuse Collection / Cleansing Dept (any special provisions required)
10	Consultation with Other Interested Parties
11	Consultation with Other Council Departments
11	Public Path Orders
11	Site Works Required
11	Planning and Highway Authority Consents
11	Estimated Costs
11	Decision Made whether to Proceed with Scheme
12	Annex 1 – Resident's Consent Form
13	Annex 2 –Gating Order Request Form
14	Annex 3 – Legal Order Options
17	Annex 4 – Summary of Policy Statements

INTERPRETATION

1. Within this document the terms 'Alleygating', 'Alleygating Scheme', 'Special Extinguishment Order' and 'Gating Order' shall refer to the closure of an alley either by the installation of a removable barrier (e.g. a locked gate) or the installation of a permanent structure (e.g. a wall or fence).
2. This policy shall apply to all minor highways referred to in legislation as 'relevant highways', and is not restricted to those recorded on either the Definitive Map and/or the List of Streets Maintainable at Public Expense. It includes any footpath, bridleway or restricted byway over which the public have access whether by foot or vehicle, but does not include trunk roads or special roads.

INTRODUCTION

3. All local authorities and certain other 'responsible authorities' (such as the police), as listed under Section 5 of the Crime and Disorder Act 1998, have a duty under Sections 6 and 17 of that Act, to implement crime reduction strategies in an effort to reduce overall crime in their administrative area. One of the main crimes committed in this country and one which has the most impact on its victims, is domestic burglary.
4. It is an acknowledged fact, that burglars prefer to break into a house through the doors or windows at the rear or side of the building where there is less chance of being seen, whereas only 15% of domestic burglaries occur through the front doors or windows. A lockable gate at the entrance to an alley and which is difficult to climb will help to keep the number of burglaries down. In some parts of London and Liverpool, it has been demonstrated that such gates have brought down the number of rear access burglaries by up to 90% and 50% respectively and in some parts of York where gating has been implemented, this decrease has been up to 87%. Although the overall average reduction may be less than that, there is no doubt that gating has a significant effect on reducing rear entry burglaries.
5. Legislation introduced by the Countryside and Rights of Way Act 2000, was brought in to address this situation by allowing local authorities to make Special Extinguishment Orders to close public rights of way for crime prevention purposes, but this was found to be cumbersome and difficult to implement. In April 2005 the Clean Neighbourhoods and Environment Act 2005 was brought in to try and address these difficulties by introducing 'Gating Orders'. However, a substantial proportion of these 'alleys' are public highways protected by a wealth of legislation and case law, which has developed over a number of centuries to protect the rights of highway users.
6. An increasing number of Local Authorities have already embarked upon widely publicised 'Alleygating Schemes', which have been very successful. Subsequently this publicity has resulted in a number of requests for the closure of paths in the City of York Council Area.
7. City of York Council is sympathetic to requests for Alleygating Schemes, subject to them being lawfully implemented and has already carried out a number of closures using legislation introduced by the CROW Act. However, with the introduction of the Clean Neighbourhoods and Environment Act 2005, the legislation available for closure of public rights of way has been simplified. Under these regulations, public rights are 'restricted' and not 'extinguished' and they remain public highways, for which the authority remains responsible.
8. This document sets out City of York Council's policy and procedure for dealing with requests for Alleygating Schemes and the implementation of any subsequent works. Instead of using several different pieces of legislation, the process will be simplified if only one piece of legislation is used. It is therefore recommended that for all alley restrictions designed to prevent or reduce crime, the Clean Neighbourhoods and Environment Act 2005 legislation should be used, unless other legislation is found to be more appropriate.

Policy AG 1: City of York Council is sympathetic to requests for Gating Orders, subject to their being lawfully implemented.

The Highway Authority's Duties

9. The Council has a statutory duty to protect all public highways, whether registered on the Definitive Map and Statement and/or the List of Streets Maintainable at Public Expense, or otherwise and failure to undertake this duty could result in the Council acting unlawfully. The Council must therefore exercise caution before embarking upon any proposals that may adversely effect or interfere with the rights of the public to pass and re-pass along any public highway, or potential public highway.
10. The Council also has a duty, along with the police and other 'responsible authorities', to reduce and prevent crime within their administrative area. This may mean that these two duties conflict with, or contradict each other and therefore this conflict or contradiction must be minimised.

Authorisation of gates or similar structures on highways

11. All gates or similar structures, if installed within a public highway, constitute an obstruction. However, under certain circumstances, these obstructions may be legitimised, after which they may be referred to as 'lawful obstructions'. A structure will only constitute a lawful obstruction if it is authorised by the relevant Highway Authority, who may only grant such permission if an Act of Parliament specifies that it may do so.
12. The circumstances under which gates or other structures can normally be installed on public highways are strictly controlled by the provisions of the Highways Act 1980, and even if lawfully installed, such gates or structures cannot be locked or used to prevent free passage by any legitimate user. The criteria for the authorisation of these gates or structures are clear and unambiguous. The route concerned must be a footpath or bridleway, the land concerned must be in use for agricultural purposes and the gates or structures must be required for the purposes of controlling the ingress or egress of animals. A request for a Gating Order will not satisfy these criteria.
13. The only other instance where gates or barriers may be installed is for the purposes of the safety of persons using the route and once again, their installation must not prevent actual use of the route by any member of the public.
14. The Council cannot authorise the installation of any gate, barrier or other structure in, on or across any public highway, under any other circumstances. Before any such gate or structure could be lawfully installed, it would first be necessary to legally extinguish the public highway, which would require a legal order.

Policy AG 2: The Council will not authorise the installation of any gate, barrier or other structure, in, on or across any public highway, otherwise than allowed by law.

DETERMINATION OF HIGHWAY STATUS

Routes shown on the Highway Records

15. Many public rights of way or highways are already recorded on documents known as the Definitive Map and Statement and/or the List of Streets Maintainable at Public Expense. These are the Council's formal records of public highways. If a route is recorded on either of these documents, then with few exceptions, it is undisputedly a public highway.

Routes not shown on the Highway Records

16. In common with many Authorities throughout the country, there are a significant number of routes that exist, but are not shown in the Council's records. This does not mean that highway rights do not exist, simply that they are unrecorded and that the legal records may need to be amended.

17. In general terms, if a route, path, or way runs between two highways, is used as a through route and has existed as such for a number of years (usually at least 20 years), then in the absence of any evidence to the contrary, there may be a reasonable presumption that highway rights exist or have been established.
18. Public highway rights may be established either under the provisions of the Highways Act 1980, or at Common Law. In either instance the evidential test is one of 'balance of probability' and in making a decision as to whether or not public highway rights exist, the Council must act in a '*quasi-judicial*' manner. This means that the Council must act in the manner of a court of law and make its decision based upon evidential fact. Issues such as desirability, privacy and security, although important, cannot lawfully be taken into account.
19. A request for a Gating Order will not be progressed where there is any dispute over the existence, or otherwise of public highway rights.

Policy AG 3: The issue of whether public highway rights exist along any route that is subject to a Gating Order request will be considered first and determined on a case-by-case basis by the Highway Authority. A Gating Order will not be progressed, where there is any dispute over the existence, or otherwise, of public highway rights; a decision that will be taken elsewhere.

IMPLEMENTATION OF GATING ORDERS

20. Unlike Special Extinguishment Orders, Gating Orders brought in by the Clean Neighbourhoods and Environment Act 2005 are not reliant on the designation of high crime areas by the Secretary of State and may be progressed in either designated or non-designated areas.

Policy AG 4: Gating Orders may be progressed regardless of the required designation being granted.

Informal Consultation

21. Prior to the making of any Order for the closure of a highway under the Highways Act, it is considered good practice to carry out an informal pre-order consultation in accordance with the Parliamentary Rights of Way Review Committee's Code of Practice for consultation on proposed changes to rights of way. It allows for any objections to the making of an order and includes bodies such as the Ramblers' Association, Open Spaces Society and other similar organisations. Gating Orders made under the Clean Neighbourhoods and Environment Act 2005, do not require informal consultation. However, it is recommended that this practice should continue, in order to gauge responses from affected residents, local Ward Members, the Parish Council, emergency services and utility companies; consultees such as the Ramblers' Association do not need to be included at this stage as they are included in a later stage of the process; although it may be advisable to include local representatives of these organisations. This will prevent unnecessary and possibly costly procedures going ahead if the alley closure is likely to be unpopular, or requires the diversion of utility service equipment.

Consents

22. During the informal consultation period, all property owners and occupiers who are affected by the proposals contained within a Gating Order, will be requested to complete an Agreement Form (see Annex 1), which confirms their agreement:
 - to the Gating Order and any necessary Legal Orders that may be made.
 - to agree to any changes to the collection of refuse, as may be required by the closure of the alley.

It is recognised that a 100% response is not always possible. Therefore:

Policy AG 5: A Gating Order may not be progressed, unless the majority (50% + 1), of interested parties have agreed, in writing, to the proposals as specified within the Alleygating Policy Document or they have not objected to such a proposal. In the event that less than the majority of interested parties have agreed or have not objected, it shall be the decision of elected Ward Members whether or not to proceed with the scheme.

Protection of Private Rights

23. Gating Order procedures are wholly concerned with restricting public rights over highways and anything the authority decides, will not affect the private rights of residents, businesses, or other relevant parties (such as utility companies) having access over those highways.

Consultation

24. Before making a Gating Order, there must be a formal consultation period of not less than 28 days, where the council shall publish on its website and in the local newspaper, a Notice:

- Identifying the highway to be restricted.
- Setting out the effect of the proposed Gating Order.
- Identifying any alternative routes available to pedestrian and vehicular traffic
- Setting out a draft of the proposed Order.
- Inviting written representations or objections to the Notice.

25. A copy of the Notice and Order map must also be displayed on or adjacent to the highway to be restricted, in order for members of the public using the highway to be made aware of the effect of the proposed Gating Order and make representation if they so wish.

26. Copies of the Notice and a draft copy of the proposed Gating Order must be sent to the following people:

- All occupiers of premises adjacent to or adjoining the highway to be restricted.
- All affected businesses adjacent to or adjoining the highway to be restricted.
- All statutory consultees set out in the legislation, including The Ramblers' Association, Open Spaces Society etc.
- All statutory undertakers and utility providers, such as gas, electric and telephone companies.
- All emergency services, including the Police Authority for the area named in the Order.
- Anyone who has contacted the local authority requesting to be consulted.

27. The Parish Council and local Ward Members should also be included at this stage, as they will also have been involved during the informal consultation period.

Legal Order Objections

28. If no objections are received within the statutory timescales, the Gating Order can be presented to the appropriate Advisory Panel for Members to resolve to make the Order.

29. Where objections are raised and not withdrawn, Members may still decide whether or not to make the Order and it does not have to go to the Secretary of State for determination. In

order to make that decision, Members have to satisfy themselves that the interests of the local community outweigh the rights of users of the highway, if Members feel that the interests of the local community are more important, the Order can be made.

30. Where an objection is raised by the Police, Fire & Rescue Service, or the Ambulance Service, a public inquiry must be held. However, the reason for the objection should be established (i.e. nearby emergency fire exit opening into the alley) and the Alleygating Officer should attempt to reach a compromise with the relevant emergency service Liaison Officer to the satisfaction of both parties. It may be that the design of the gate at the location under review can be altered to accommodate the relevant safety requirements; or it may be necessary to alter the location of the gate itself. If a compromise cannot be reached, then a decision should be made whether or not to abandon the Order.
31. In addition to the above, legislation also allows a local authority to hold a public inquiry if it so wishes, but this is not a requirement and there are no guidelines to suggest when this should occur. Unlike other public inquiries, it is the Council who appoints the Inspector from the Planning Inspectorate; the cost of which is currently £630 per day, not including the cost of the venue. Therefore the occasions where this would be considered should be restricted to the following:
- Objections from Elected Ward Members.
 - Objections from the Parish Council.

32. A Gating Order cannot be made until either a period of 28 days has lapsed from the date of the advertising of the notice, or any public inquiry held in accordance with the legislation has been concluded.

Legal Orders Made

33. Once a Gating Order has been made, a copy must be displayed at the Council offices and advertised on the Council website for a period of 12 months from the date of making the Order. Copies should also be sent to the same groups identified in paragraph 26. A register of all Gating Orders must also be kept at the Council offices and made available for inspection during normal business hours.
34. A copy of the Gating Order must be situated at each end of the highway, although there is no requirement to advertise in the local newspaper. There is no suggested time limit for the on site advertising, but a period of not less than 28 days would be recommended, which is in line with other such orders made under the Highways Act.

Magistrates Court Orders

35. On occasion, due to the status of some highways, it is sometimes necessary to seek Legal Orders for the closure of vehicular highways through the Magistrates Court. This process is also governed by timescales for advertising and objections etc and must be carried out with the assistance of the Council's Legal Services. Closures through the Magistrates Court should only be sought where other options are not practical or available, as legislation within the Clean Neighbourhoods and Environment Act 2005 allows for such closures without resorting to applications through the courts.

IDENTIFICATION OF AREAS TO BE SUBJECT TO GATING ORDERS

36. Requests for Gating Orders should be made to the Alleygating Officer, or the relevant Ward Committee Co-ordinator who shall decide whether or not to pursue the request and commission a Feasibility Study from the Alleygating Officer. The Ward Committee shall be responsible for the completion of the 'Gating Order Request Form' (Annex 2), precisely defining the area to which the scheme relates, and identifying any alleys that are to be considered for restriction. They shall also be responsible for prioritising their funding for the implementation of any Gating Order in their area.

PRIORITISATION

37. Priorities for the implementation of Gating Orders shall be decided on information provided by the Safer York Partnership, based upon the levels of reported crime and official crime statistics. Crime reports for the alley in question must therefore be sought from the Crime Analyst or Police Crime Prevention Officer.
38. Priority will be given to Gating Order proposals that prove demonstrable levels of the type of offences listed under Category 1 and 2 below, although in the absence of such evidence, offences in Category 3 below may also be considered.
39. A lower priority will be given to Gating Order proposals that prove demonstrable levels of the type of offences only listed under Category 2 or 3 below.
40. Categories.

Category 1

Robbery, Domestic Burglary and Vehicle Crime.

Category 2

Arson, real fear of assault /robbery and drug dealing/taking.

Category 3

Noise and disturbing behaviour, anti-social behaviour, fly tipping of rubbish, dog fouling and graffiti.

Installation of Gates

41. Upon completion of the legal order process, all physical works and materials shall be commissioned and undertaken by the Alleygating Officer, in line with the Council's Procurement Policy. At present, the gates are installed with the assistance of a 'Community Payback Team' supplied by the Probation Service at no cost to the authority. The continuation of this agreement should be encouraged as it utilises one of the other bodies involved with the implementation of the Council's duties under the Crime and Disorder Act and also reduces overall costs of the scheme.

Issue of Personal Identification Numbers (PIN)

42. On 7 December 2005, the Executive Member for Planning and Transport agreed that all alley gates are to be operated by means of a coded keypad lock, which will require a Personal Identification Number (PIN). All parties with a legitimate need for access into gated alleys shall be issued with a PIN. Applicants for a PIN shall provide proof of their identity and address. Codes will be changed periodically, or at other times deemed necessary for security reasons and all legitimate parties will be informed in advance of the date of the change and the new PIN.

Policy AG 6: Personal Identification Numbers (PIN's) will be issued to all legitimate parties on completion of the fitting of the gates. These parties will receive advanced notification if or when the PIN has to be changed at a future date.

Maintenance and Management Issues

43. As Gating Orders do not extinguish highway rights, the Council retains responsibility for the maintenance of the highway, gates and the issuing of PIN's etc, commencing when the Alleygates become operational. This work will be undertaken through the Alleygating Officer in line with manufacturer's recommendations and the Council's procurement policy. Repairs, maintenance and cleaning of the highway will be as and when required or at the request of residents and not on a regular basis.

44. The Council may receive requests to make a conditional Gating Order, thereby closing an alley during certain times and days (i.e. only at night etc). The responsibility for the locking and unlocking of the gates should be taken into account, as Regulation 8(e) of the Highways Act 1980 (Gating Orders) (England) Regulations 2006 (SI 2006, No 537) states that, "[A gating order must contain] contact details of the person who is responsible for maintaining and operating any barrier whose installation is authorised by the order". Under this regulation, it is not necessary for the 'person' in question to be a named individual. Instead, this can be any suitable position or role within the Council, such as the Anti-Social Behaviour Co-ordinator, or Highways Manager; although on a day-to-day basis the responsibility is likely to fall to the Alleygating Officer to ensure continuity of the Order. This way, the Order will not need to be changed every time a new person fills the role.
45. Regulation 8(b) states that a Conditional Gating Order must also contain the times and dates when the gates will be open to the public. Should the gates not be opened at the specified times, the authority would be guilty of committing an offence of unlawful obstruction of the highway and could face prosecution in a court of law. Similarly, should the gates not be closed at the specified time and a member of the public was to become locked in or subject to assault or robbery, or an adjacent property is burgled from the alley, then the Council would have a civil liability, which could potentially cost thousands of pounds in compensation.
46. Responsibility for the opening and closing of the gates cannot therefore be handed to adjacent residents and must be managed correctly.
47. Notwithstanding the above, there is presently no Council department with resources in place to take on the responsibility of, or employed to carry out, the opening and closing of alley gates. Because of similar problems in other local authorities, many have decided not to make Conditional Gating Orders.

Policy AG 7: The Council shall retain responsibility for the maintenance of alleys and Alleygates, and the issuing of PIN's etc, commencing when the Alleygates become operational. This work will be undertaken by the Alleygating Officer in line with manufacturer's recommendations and the Council's procurement policy.

FUNDING

Staffing Implications

48. The Council shall fund an Alleygating Officer post within the Public Rights of Way Unit. This is to ensure the implementation of schemes through to completion. This post will oversee all Alleygating Schemes and Gating Orders being considered and/or implemented by City of York Council.
49. In relation to Conditional Gating Orders, the Council shall either create a suitable post and fund the cost of the necessary staff, in perpetuity, with the duties of locking and unlocking alley gates made under such an Order. Or incorporate the extra duty, in perpetuity, with existing staff already tasked with similar duties. Should this duty be contracted out to a private security company, then the cost of them managing the gates (typically £4,500 to £5,500 per Gating Order per year) would mean that this course of action would be subject to the Council's procurement rules.
50. Should the Council decide to make a conditional restriction of an alley (i.e. only at night), then the management and ongoing budgetary implications of carrying out that duty shall be taken into account prior to the decision being made.
51. Home Office Guidance notes recommend that if a Conditional Gating Order is made, local authorities should review the Order after 12 months, to assess its success or otherwise. This review should evaluate whether the Gating Order is acting as a useful crime or anti social behaviour measure; it should also assess the impact it is having on the community and discussions should be held with local residents to gauge whether the limited access is causing excessive inconvenience.

52. Should any of the conditions in paragraphs 49 to 51 of this policy not be possible, then the Council will not implement Conditional Gating Orders, for the reasons given in paragraph 45 of this policy.

Policy AG 8: Should the Council decide to make a conditional restriction of an alley (i.e. only at night), then the management and ongoing budgetary implications of carrying out that duty shall be taken into account prior to the decision being made. If this duty cannot be guaranteed then a Conditional Gating Order can be made for the length of time that the funding can be guaranteed.

Budgetary Implications

53. All other costs relating to the implementation of Gating Orders (e.g. the cost of any legal orders, gate closure management etc, as well as the cost of any physical works) shall be funded from the relevant Ward Committee budget in addition to any outside funding which may be obtained.

Compensation

54. The legislation relating to the closure or diversion of public rights of way includes provision for the payment of compensation to any party who suffers a loss or damage (e.g. loss of a rear access to property) as a result of the Order. However, there is no provision for the payment of such compensation included in the new Gating Order regulations.

Statutory Undertakers

55. The implementation of a Gating Order may require the relocation of apparatus owned by utility companies (gas, water, electric, telephone etc). The costs relating to the relocation of such equipment is often very expensive and should be avoided if at all possible. Notwithstanding the above, all statutory undertakers will retain their right of access to closed alleys.
56. In the unlikely event of such expenditure being required, it shall be funded from Ward Committee budgets. However, the need for such expenditure must be avoided if possible.

Maintenance

57. Following the implementation of a Gating Order, the Council shall retain responsibility for all maintenance related to it.
58. In the event of such expenditure being incurred, it shall be funded from the relevant Ward Committee's budgets, or the Council's Highway Maintenance budgets, dependent on the type of work required. In other words, whichever budget covers the type of work required at the moment, then that budget will continue to cover that type of work following closure.

TIMESCALES

59. It is estimated, dependent on circumstances, that from receipt of a properly completed request, a Gating Order should take no more than 6 to 8 months to implement.
60. Some elements of proposed schemes, or indeed entire schemes may be completed in shorter timescales, however there are a whole range of variables that may affect completion dates. Some of these are outside the control of the Council such as:
- residents/owners completing and returning agreement forms.
 - the designation of areas by the Secretary of State (in the case of CROW legislation).
 - objections to Legal Orders and subsequent Public Inquiries.

61. Factors that are internal to the Council, which may also effect completion dates are:

- Scheduling and deadlines for quarterly Ward Committee meetings.
- Scheduling and deadlines for six-weekly Advisory Panels.
- Granting of planning consent (if applicable).

GATING ORDER – PROCESS

Initial Enquiry/Request

62. Upon receipt of a Gating Order Request Form from a Ward Committee or member of the public, the Council's Alleygating Officer shall undertake a Feasibility Study and compile a Feasibility Report, to advise and enable the Ward Committee to decide whether or not to expend funds on commissioning a Gating Order.

Feasibility Study

63. The Feasibility Report should be produced in a format that will enable it to be submitted to the relevant Advisory Panel once approved by the Ward Committee and should include, although not exclusively, the following:

Consultation with Local Residents/Owners

64. Informal consultations shall be undertaken with all residents/owners of properties and businesses within and immediately adjacent to, an area subject to a request for a Gating Order. The responses received, shall be used to ascertain whether there is a genuine need for the scheme and to gauge local support. When Gating Order consultation documents are sent out, they should include a draft copy of the proposed closure order.

Consultation with Utility Companies

65. The Utility Companies, (gas, water, electricity etc) shall be consulted in respect of specific routes that may be subject to closure. It is essential to ascertain, at an early stage, which of these companies, if any, have their apparatus under any routes that may be subject to closure proposals. The Utility Companies will require the retention of their rights of unhindered access, or may require the relocation of their apparatus, if it appears they will be affected by the proposals.

66. If the Utility Companies require unhindered access to their apparatus, they may not consent to the installation of any structure across the route. The Council may not therefore be in a position to proceed with any closure proposals. Alternately, if they require the relocation of their apparatus, this may cost a considerable sum of money (potentially thousands of pounds). This should be avoided, but where required, the Ward Committee shall fund such works, if they decide to proceed with the Order.

Consultation with Emergency Services

67. Consultations shall be undertaken with all of the Emergency Services (Fire & Rescue, Police and Ambulance), including the Police Authority for the area, as they may all potentially require access along a route subject to a proposal for closure. It must be born in mind that should any one of these services object to a Gating Order, then in the absence of a satisfactory settlement, a public inquiry will have to be held.

Consultation with Safer York Partnership

68. The Safer York Partnership shall be consulted on any Gating Order proposals and requested to:

- provide relevant crime figures and statistics relating to the alley.

- advise how, and in what way, the proposal is consistent with the Crime and Disorder Strategy.
- advise what other Crime Reduction Initiatives are being undertaken in the immediate area (eg CCTV, targeted patrols etc).

Consultation with Refuse Collection / Cleansing Dept (any special provisions required)

69. Consultations shall be carried out with the Council's Cleansing Services in order to establish whether any changes or special provisions need to be made for refuse collection. In the event of any special provisions being required, the Ward Committee may fund these, unless they are already catered for in the Cleansing Services budget.

Consultation with Other Interested Parties

70. Those organisations specified within the legislation, as listed in paragraph 26, shall also be consulted at this stage. Consultation with local representatives of such organisations, as well as their head offices is also required. Legislation also states that anyone expressing a desire to be included in the consultation process must also be consulted.

Consultation with Other Council Departments

71. Consultation shall be carried out with any other relevant departments within the local authority, as specified within Council report writing guidelines, such as Finance, Legal etc and their views noted on the report. This will prevent any conflicts of interest occurring with other schemes being implemented or considered by these departments.

Public Path Orders

72. An assessment of the routes proposed for closure or restriction shall be undertaken, to ascertain which Legal Orders are required and the most appropriate legislation to use (see Annex 3). The Feasibility Report shall advise the way in which the appropriate legislative criteria has been satisfied, or not, as the case may be.

Site Works Required

73. An assessment of the physical works required to implement the Gating Order shall be undertaken and the available options discussed within the Feasibility Report. This may involve liaising with gate manufacturers and locksmiths to determine the necessary gate and lock specification or installation requirements.

Planning and Highway Authority Consents

74. Planning consent for the installation of alley gates should not normally be required if the gates are being installed by or on behalf of the local authority. Part 12 of the General Permitted Development Order 1995 allows the local authority to erect 'any small ancillary building, works or equipment on land belonging to them for the purpose of any function exercised by them on that land. The right is subject to the qualification that such [structures] do not exceed 4 metres in height or 200 m³ in capacity.'

75. Although alley gates are not listed in the examples given at class A (b) of Part 12 of the GPDO, which includes lamp standards and control barriers, they would be considered as similar structures or works required in connection with the operation of the public service administered by the Council and, as they are under 4 metres in height, would not require express planning permission.

76. The Alleygating Officer shall also consult the Council's Highways Development Control Team and Transport Planning Unit, to identify any highway or local transport implications, such as Safe Routes to School schemes.

Estimated Costs

77. The Feasibility Report shall include a budget forecast, for the implementation of the proposed scheme. This shall include costings for:

- Legal Orders.
- Planning Consents (if applicable).
- Moving of Utility Company apparatus (if applicable).
- Physical Works on site, including all materials needed.
- Any other costs identified during the Feasibility Study.

Decision Made whether to Proceed with Scheme

78. Upon receipt of the Feasibility Report, the Ward Committee, on the advice of the local Ward Members if required, shall decide whether to proceed and expend funds on commissioning a Gating Order and allocate funding accordingly.

79. Once a decision has been made to implement a particular scheme, the Alleygating Officer will prepare a suitable report and present it to the relevant Council Committee or Advisory Panel for consideration. The decision of this Committee or Panel will be final.



GATING ORDER
OWNERS/OCCUPIERS AGREEMENT

(To be completed by each property owner / occupier affected by the proposals)

WARD: <>

SCHEME REFERENCE: <>

DETAILS OF SCHEME: Request to restrict alleyways in the <> area of York

Name and Address	Name and Address						
Occupier Address 1 Address 2 YORK Postcode Telephone Number	Landlord/Owner (if different) Telephone Number						
Agreement							
*I am / We are the freehold / leasehold * owner(s) of the above property which is affected by the proposed Gating Order. OR *I am / We are the tenant / licensee or occupier(s)* of the above property which is affected by the proposed Gating Order.							
*I / We do not agree to the proposed alley closure and wish it to remain open to the public at all times.							
*I / We agree and consent to the proposed Gating Order and any necessary Legal Orders to restrict the use of the alley, as shown in the City of York Council Alleygating Policy, that may have to be made as a consequence.							
*I / We agree to any reasonable changes to the collection of refuse and household waste by City of York Council Cleansing Services, which may be necessitated by the restricted use of the alley.							
<table style="width:100%; border:none;"> <tr> <td style="width:50%;">Signed</td> <td style="width:50%;">Print Name</td> </tr> <tr> <td>Signed</td> <td>Print Name</td> </tr> <tr> <td>Date</td> <td></td> </tr> </table>		Signed	Print Name	Signed	Print Name	Date	
Signed	Print Name						
Signed	Print Name						
Date							

*Delete as appropriate

Please continue overleaf if required



GATING ORDER PROPOSAL

(Before submitting a proposal please read the Council's Alleygating Policy).

Ward Committee Contact Details
<i>Telephone Number</i>
Request for Gating Order
Define the area to be subject to the proposed Scheme and attach a 1:1250 scale plan with the boundaries clearly marked.
Reason(s) for Proposal
State as fully as possible the reasons for the proposal and how it meets the criteria of the Alleygating Policy Include all available crime figures if available (a crime report will be obtained by the Alleygating Officer anyway).
Continue on separate sheet if required.
Confirmation of Supply of Information
This Gating Order proposal was discussed and agreed at the Ward Committee meeting on
Local residents who attended the above Ward Committee Meeting have been made aware of the Council's Alleygating Policy, and briefed on its content.
Local residents who attended the above Ward Committee Meeting have been advised that the Council cannot guarantee the success of any Gating Order proposal
Local residents who attended the above Ward Committee Meeting have been advised that gates or other structures will only be installed on Alleys if it can be achieved lawfully and that the Council will initiate criminal proceedings against any person who erects such structures without lawful authority.
Local residents who attended the above Ward Committee Meeting have been advised that a Gating Order shall only proceed subject to it being lawful and it being funded by the Ward Committee budget.
Signed Name Neighbourhood Co-ordinator – City of York Council
Date

LEGAL ORDER OPTIONS

OPTION ONE – ROUTES WITH NO HIGHWAY STATUS

Routes that do not have highway status

In general terms, if a route, path, or way, runs between two other highways, is used as a through route and has existed for a number of years (usually at least 20 years), there may be a reasonable presumption that highway rights exist. It is important that this matter is given consideration on a case-by-case basis, as the installation of any gates or barriers on a public highway, may constitute a criminal offence unless lawful authority can be demonstrated.

Notwithstanding the above there will be cul-de-sac alleys that do nothing more than serve the rear of properties. Although such routes may be on the List of Streets Repairable at Public Expense, some are unlikely to have acquired highway rights over them, but will probably be subject to private rights of access.

Subject to any private rights of access being safeguarded (See paragraph 23), routes of this nature that are not on the List of Streets Repairable at Public Expense, could be gated without the need for any complex or lengthy legal order processes. To do this, however, would need the consent of all affected residents.

OPTION TWO – USE OF GENERAL POWERS

Town and Country Planning Act 1990

The Town and Country Planning Act 1990, allows for the closure of a footpath, if it is necessary to allow development (approved by a valid planning consent) to take place. This essentially means that the development concerned, must actually build over the path itself, a simple change of use from say path to garden would not suffice as it is, in law at least, quite compatible for a path to run through a garden, therefore the criteria would not be met.

It is unlikely that the powers contained within the Town and Country Planning Act 1990 can be used to facilitate a Gating Order.

Highways Act 1980

The Highways Act 1980 is the principle piece of legislation that allows for the extinguishment of highways. The powers for closure are strictly defined by the legislation. This generally provides that extinguishments may only be made, if it can be demonstrated that the highway concerned is not needed/necessary for public use. Whilst this may be a somewhat subjective decision to make, it is clear that factors such as criminal, or anti-social behaviour, cannot lawfully be taken into account. If a route is heavily used by legitimate pedestrian traffic, it is unlikely that the legislative criteria can be met in order to close the path to prevent its misuse at other times.

OPTION THREE - USE OF NEW CRIME PREVENTION POWERS

Countryside and Rights of Way Act 2000 – Closure for Crime Prevention

The Countryside and Rights of Way Act 2000, amended S118 and S119 of the Highways Act 1980, by introducing new powers to close or divert public rights of way for the purposes of crime prevention. There are however, strict criteria that must be satisfied before such Orders can be made.

Firstly, following an application from the highway authority, the Secretary of State must designate the area where the paths are located, as an area within which the new provisions may be used. For such an application to be successful, the Highway Authority must persuade the Secretary of State that the area suffers from high incidences of crime.

It should be stressed that the designation of an area, as described above, does not, in any way, imply that any subsequent Extinguishment Order will be successful. It is still necessary for each proposal to fulfil all of the remaining criteria of the legislation.

Before an Order can be made the Authority must be satisfied, having taken into account the factors listed below, that it is expedient for the purposes of preventing or reducing crime which would otherwise disrupt the life of the community, to stop up that highway.

It must be satisfied that premises adjoining or adjacent to the highway are affected by high levels of crime and that the existence of the highway is facilitating the persistent commission of criminal offences.

Even if these criteria can, by the production of evidence be satisfied, an Order cannot necessarily come into effect. Before an Order can be confirmed/take effect, the Council must also be satisfied that it is expedient to stop up the highway having regard to:

- Whether and if so to what extent, the order is consistent with any strategy for the reduction of crime and disorder prepared under section 6 of the Crime and Disorder Act 1998.
- The availability of a reasonably convenient alternative route, or if no reasonably convenient alternative route is available, whether it would be reasonably practicable to divert the highway rather than stopping it up.
- The effect the extinguishment of the right of way would have, as respects land served by the highway, account being taken of the provisions as to compensation that may be payable.

Clean Neighbourhoods and Environment Act 2005 - Closure for Crime Prevention

The Clean Neighbourhoods and Environment Act 2005, which came into force on 1 April 2006, inserts a new S129, into the Highways Act 1980, which provides new powers to restrict the use of public rights of way for the purposes of crime prevention. Such restrictions, unlike S118B of the Highways Act, can be permanent, temporary, or conditional and are not dependent on an area being designated as an area of high crime by the Secretary of State.

A council may make a Gating Order in accordance with this Act in relation to any relevant highway for which they are the highway authority, if they are satisfied that premises adjoining or adjacent to the highway are affected by crime or anti-social behaviour; that the existence of the highway is facilitating the persistent commission of criminal offences or anti-social behaviour; and it is in all the circumstances expedient to make the order, for the purposes of reducing crime or anti-social behaviour.

As with the CROW Act, even if these criteria can be satisfied, an Order cannot necessarily come into effect unless the highway authority is satisfied that it is expedient to stop up the highway having regard to:

- The likely effect of making the order on the occupiers of premises adjoining or adjacent to the highway.
- The likely effect of making the order on other persons in the locality.
- In a case where the highway constitutes a through route, the availability of a reasonably convenient alternative route.

However, unlike the CROW Act, which permanently extinguishes public rights over a highway, a Gating Order can:

- Restrict the public right of way at all times, or in respect of such times, days or periods as may be specified in the order (eg only at night, or at weekends, etc).
- Exclude persons of a description specified in the order from the effect of the restriction (eg emergency services, council officers, utility companies etc).

The alley also remains the responsibility of the local authority even after gating, so it continues to be a highway repairable at public expense.

Before making a Gating Order in relation to a relevant highway the Council must be satisfied that:

- Premises adjoining or adjacent to the highway are affected by crime or anti-social behaviour.
- The existence of the highway is facilitating the persistent commission of criminal offences or anti-social behaviour.
- It is in all the circumstances expedient to make the order for the purposes of reducing crime or anti-social behaviour.

Unlike other legislation used to extinguish public rights, the local authority may make the Order even if there are objections to the closure; as long as they are satisfied that closure is in the best interests of the local community. However, if there are objections from any of the emergency services, then the Order must go before a public inquiry. In the event of such an objection, the Act does give the Council the option of either abandoning the Order, or negotiating with the relevant emergency service to try and reach a compromise, thereby avoiding a costly public inquiry.

This legislation has been streamlined to make it easier and quicker to restrict the use of a problem alleyway, however, this does not mean that the criteria for making a Gating Order is any less than that used in the CROW Act. What it does do is introduce instances of high levels of anti social behaviour as being a main reason for closure, in the absence of high levels of crime and is designed to improve residents' quality of life.

Another main feature of using this legislation is the recommendation that local authorities review their Gating Orders on an annual basis, as there is no maximum limit to how long a highway can be gated. This ensures that the Gating Order remains useful as a crime or anti social behaviour reduction method. As highway rights are not extinguished, it would be a simple matter to revoke the Gating Order or vary the conditions.

Although annual reviews are recommended and closures encouraged to be temporary, this part of the Act seems to be contradictory. If there are high levels of crime and/or anti social behaviour enough to restrict the use of a public right of way, then this in itself is likely to reduce crime. The review will show this reduction in crime and it is expected then that consideration be given to re-opening the alley to public use. However, the chances are that re-opening the alley will lead to an increase in crime and anti-social behaviour back to its pre-restricted levels and create a situation where restriction of public use is again needed.

This situation appears to be counter productive and could prove to be costly. In view of this it is recommended that City of York Council will avoid temporary restrictions.

Conditional restrictions may be implemented if evidence shows that the crime or anti social behaviour occurs only at specific times, such as during the hours of darkness. Whilst this may seem like a good idea, the management of the gate closure must be taken into account, as, if the gates are not re-opened at the time specified on the Order, they will then become unlawful obstructions and leave the local authority open to prosecution. Unless this logistical problem can be properly managed in perpetuity, it would be unwise to consider conditional restrictions and some local authorities have decided not to pursue this course of action.

SUMMARY POLICY STATEMENTS

- Policy AG 1:** City of York Council is sympathetic to requests for Gating Orders, subject to their being lawfully implemented.
- Policy AG 2:** The Council will not authorise the installation of any gate, barrier or other structure, in, on or across any public highway, otherwise than allowed by law.
- Policy AG 3:** The issue of whether public highway rights exist along any route that is subject to a Gating Order request will be considered first and determined on a case-by-case basis by the Highway Authority. A Gating Order will not be progressed, where there is any dispute over the existence, or otherwise, of public highway rights; a decision that will be taken elsewhere.
- Policy AG 4:** Gating Orders may be progressed regardless of the required designation being granted.
- Policy AG 5:** A Gating Order may not be progressed, unless the majority (50% + 1), of interested parties have agreed, in writing, to the proposals as specified within the Alleygating Policy Document or they have not objected to such a proposal. In the event that less than the majority of interested parties have agreed or have not objected, it shall be the decision of elected Ward Members whether or not to proceed with the scheme.
- Policy AG 6:** Personal Identification Numbers (PIN's) will be issued to all legitimate parties on completion of the fitting of the gates. These parties will receive advanced notification if or when the PIN has to be changed at a future date.
- Policy AG 7:** The Council shall retain responsibility for the maintenance of alleys and Alleygates, and the issuing of PIN's etc, commencing when the Alleygates become operational. This work will be undertaken by the Alleygating Officer in line with manufacturer's recommendations and the Council's procurement policy.
- Policy AG 8:** Should the Council decide to make a conditional restriction of an alley (i.e. only at night), then the management and ongoing budgetary implications of carrying out that duty shall be taken into account prior to the decision being made. If this duty cannot be guaranteed then a Conditional Gating Order can be made for the length of time that the funding can be guaranteed.

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List of Gated Alleys
By Ward

22 August 2007

Clifton

The Avenue (22 to 34)
Grosvenor Terrace (28 to 50)
Vyner Street/Haxby Road
Vyner Street - 20 to 44
Scarborough Terrace/Newborough Street
Newborough Street (1 to 45)
Newborough Street (47 to 67)
Filey Terrace/ Upper Newborough Street
Baker Street/Upper Newborough Street
Pembroke Street/Baker Street
Baker Street/Shipton Street
Ratcliffe Street/Field View
Ratcliffe Street/Hillsborough Terrace
Allan Street (2 to 14)
Allan Street (9 to 15)
Haughton Road (2 to 8)
Pembroke Street/Shipton Street
Burton Stone Lane/Glencoe Street
Falsgrave Crescent
Garth Terrace/Surtees Street
Horner Street
Horner Street/Garth Terrace
Street Surtees /Cromer Street

Guildhall

Portland Street
Neville Street/Stanley Street
Park Grove - 6 to 14

Micklegate

Gray Street/Nunthorpe Road
Gray Street - 10 to 16
Charlton Street - 1 to 5
Vine Street - 11 to 23

Holgate

Cleveland Street, Holgate (No22 to 37)

Total of 31 alleys with 65 gates

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NOTICE OF INTENTION TO MAKE GATING ORDERS

HIGHWAYS ACT, 1980 SECTION 129A

THE COUNCIL OF THE CITY OF YORK

The Council of the City of York as highway authority for each of the highways indicated below, hereby gives notice of its intention to make 28 Gating Orders under the Highways Act, 1980 Section 129A because it appears to it that: -

- (a) It is expedient for the purposes of preventing or reducing crime or anti-social behaviour that public pedestrian use of the said highways should be restricted; and
- (b) Such restrictions should apply at all times; and
- (c) Such restrictions shall not apply to those parties whose interests would otherwise be affected by these Orders and whose said interests are identified as those protected by Section 129B (3), (4) and (5) of the said Act as amended; and
- (d) The alternative routes which will be available if the Orders are made are as indicated in each paragraph below.

1. FOUNTAYNE STREET HAXBY ROAD GATING ORDER 2007

The effect of the Order is to restrict the route commences from between the sides of No1 and No3 Vyner Street, Haxby Road, continuing in a southerly direction for 49 metres to between the sides of No1 and No2 Fountayne Street; also commencing from the rear of No137 Haxby Road, continuing in a westerly direction for 36 metres to between the rear of No15 Vyner Street and No14 Fountayne Street.

The alternative routes which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highways known as Vyner Street, Wigginton Road, Fountayne Street and Haxby Road.

2. FOUNTAYNE STREET VYNER STREET GATING ORDER 2007

The route to be restricted commences from between the sides of No69 and No71 Vyner Street, Haxby Road, continuing in a southerly direction for 61 metres to between the sides of No68 and No70 Vyner Street, continuing in an easterly direction for 131 metres to between the rear of No21 Vyner Street and No20 Fountayne Street.

The alternative routes which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highways known as Vyner Street, Wigginton Road, Fountayne Street and Haxby Road.

3. DIAMOND STREET EARLE STREET GATING ORDER 2007

The route to be restricted commences from the rear of No1 Diamond Street, Haxby Road, continuing in a northeasterly direction for 117 metres to the rear of No53 Diamond Street.

There are no alternative routes available as this is a cul-de-sac route.

4. NEVILLE STREET MARKHAM STREET GATING ORDER 2007

The route to be restricted commences from between the sides of No1A and No3 Neville Street, Haxby Road, continuing in a south westerly direction for 21 metres to the rear of No9 Markham Street, before turning 90° in a south easterly direction for 101 metres to between the rear of No71 and No73 Eldon Street.

The alternative routes which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highways known as Neville Street, and Eldon Street.

5. PARK CRESCENT (NO1 TO NO16) GATING ORDER 2007

The route to be restricted commences from the rear of No1 Park Crescent, The Groves, continuing in a southeasterly direction for 66 metres to the rear of No15 Park Crescent.

There are no alternative routes available as this alley is a cul-de-sac route.

6. PARK CRESCENT LOWTHER STREET GATING ORDER 2007

The route to be restricted commences from between the rear of No25A Lowther Street and No32A Park Crescent, The Groves, continuing in a southeasterly direction for 54 metres to the rear of No21 Park Crescent.

There are no alternative routes available as this alley is a cul-de-sac route.

**7. LOCKWOOD STREET PENLEY'S GROVE STREET GATING ORDER
2007**

The route to be restricted commences from between the rear of No1 Lockwood Street and No18 Penley's Grove Street, The Groves, continuing in a southeasterly direction for 69 metres to the rear of No16 Lockwood Street.

There are no alternative routes available as this alley is a cul-de-sac route.

8. LOCKWOOD STREET WAVERLEY STREET GATING ORDER 2007

The route to be restricted commences from between the rear of No34 Lockwood Street and No2 Waverley Street, The Groves, continuing in a south easterly direction for 67 metres to the rear of No19 Lockwood Street, before turning 90° in a north easterly direction for 14 metres to the front of No19 Lockwood Street.

The alternative route which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highway known as Lockwood Street.

9. ST JOHN STREET (NO52 TO NO68) GATING ORDER 2007

The route to be restricted commences from the rear of No68 St John Street, The Groves, continuing in a southwesterly direction for 45 metres to the rear of No54 St John Street.

There are no alternative routes available as this alley is a cul-de-sac route.

10. WAVERLEY STREET (NO1 TO NO21) GATING ORDER 2007

The route to be restricted commences from the rear of No1 Waverley Street, The Groves, continuing in a southeasterly direction for 46 metres to the rear of No21 Waverley Street.

There are no alternative routes available as this alley is a cul-de-sac route.

11. NELSON STREET ELDON TERRACE GATING ORDER 2007

The route to be restricted commences from between the rear of No110 and No114 Eldon Street, The Groves, continuing in a northeasterly direction for 71 metres to between the rear of No37 Nelson Street and No27 Eldon Terrace.

There are no alternative routes available as this alley is a cul-de-sac route.

12. WALPOLE STREET NELSON STREET GATING ORDER 2007

The route to be restricted commences from the side of No2 Warwick Street, The Groves, continuing in an easterly direction for 18 metres to the rear of No31 Walpole Street, before turning 90° in a southerly direction for 20 metres to the rear of No12 Nelson Street, then turning 90° in a westerly direction for 19 metres to the side of No10 Warwick Street; also commencing from the rear of No6 Warwick Street, continuing in a north easterly direction for 27 metres to between the rear of No43 Walpole Street and No28 Nelson Street.

There are no alternative routes available as this alley is a cul-de-sac route.

13. FINSBURY STREET BISHOPTHORPE ROAD GATING ORDER 2007

The route to be restricted commences from the side of No19 Finsbury Street continuing in a westerly direction for 17 metres to the rear of No19, before turning 90° in a southerly direction for 107 metres to the rear of No65 Finsbury Street, then turning 90° in an easterly direction for 17 metres to the side of No65 Finsbury Street.

The alternative routes which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highways known as Finsbury Street, Beresford Terrace, Bishopthorpe Road and Butcher Terrace.

14. DARNBOROUGH STREET BISHOPGATE STREET GATING ORDER 2007

The route to be restricted commences from between the sides of No2 and No4 Darnborough Street continuing in a northeasterly direction for 35 metres to the rear of No18 Bishopgate Street.

There are no alternative routes available as this is a cul-de-sac route.

15. EAST MOUNT ROAD (NO2 TO NO24) GATING ORDER 2007

The route to be restricted commences from between the sides of No1 and No2 East Mount Road continuing in a southwesterly direction for 18 metres before turning 90° in a southeasterly direction for 130 metres to the rear of No22 East Mount Road.

There are no alternative routes available as this is a cul-de-sac alley.

16. CHERRY STREET EBOR STREET GATING ORDER 2007

The route to be restricted commences from the side of No13 Ebor Street continuing in a southerly direction for 8 metres before turning 90° in an easterly direction for 15 metres, then turning 90° in a southerly direction for 10 metres, then turning 90° in an easterly direction for 24 metres to the side of No21 Cherry Street.

The alternative routes which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highways known as Ebor Street, Cherry Street, Vine Street and Bishopthorpe Road.

17. VINE STREET BISHOPTHORPE ROAD (2) GATING ORDER 2007

The route to be restricted commences from the side of No4 Vine Street continuing in a northerly direction for 21 metres to the rear of No24 Bishopthorpe Road.

There are no alternative routes available as this is a cul-de-sac route.

18. MILLFIELD ROAD NUNTHORPE AVENUE GATING ORDER 2007

The route to be restricted commences from between the side of No2 Millfield Road and No25 Scarcroft Road continuing in a westerly direction for 20 metres to the rear of No2 Millfield Road, before turning 90° in a southerly direction for 192 metres to the rear of No78 Millfield Road.

There are no alternative routes available as this is a cul-de-sac route.

19. SCARCROFT HILL WENTWORTH ROAD GATING ORDER 2007

The route to be restricted commences from the side of No51 Scarcroft Hill continuing in an easterly direction for 48 metres to the rear of No9 Telford Terrace; also from the rear of No6 Telford Terrace continuing in a north easterly direction for 82 metres to the rear of No2 Wentworth Road; also from the rear of No29 Scarcroft Hill continuing

in an easterly direction for 15 metres to between the sides of No8 & No10 Wentworth Road.

The alternative routes which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highways known as Scarcroft Hill, Wentworth Road and Telford Terrace.

20. DALE STREET SWANN STREET GATING ORDER 2007

The route to be restricted commences from between the sides of No43 & No45 Dale Street continuing in a southeasterly direction for 21 metres to the rear of No45 before turning 90° in a southwesterly direction for 53 metres to the rear of No71 Dale Street.

There are no alternative routes available as this is a cul-de-sac route.

21. SCARCROFT LANE DALE STREET GATING ORDER 2007

The route to be restricted commences from between the sides of No46 & No48 Dale Street continuing in a northwesterly direction for 20 metres to the rear of No48 before turning 90° in a southwesterly direction for 51 metres to the rear of No74 Dale Street.

There are no alternative routes available as this is a cul-de-sac route.

22. CHARLTON STREET BISHOPTHORPE ROAD GATING ORDER 2007

The route to be restricted commences from the side of No26 Charlton Street continuing in a southerly direction for 42 metres to the rear of No68 Bishopthorpe Road.

There are no alternative routes available as this is a cul-de-sac route.

23. VINE STREET BISHOPTHORPE ROAD (1) GATING ORDER 2007

The route to be restricted commences from between No1 and No3 Vine Street continuing in a southerly direction for 25 metres to the rear of No40 Bishopthorpe Road.

There are no alternative routes available as this is a cul-de-sac route.

24. VINE STREET CHARLTON STREET GATING ORDER 2007

The route to be restricted commences from between the rear of No39 Charlton Street continuing in a westerly direction for 33 metres to the rear of No27 Vine Street; also commencing from between the rear of No39 Charlton Street and No17 Vine Street continuing in a westerly direction for 46 metres to the rear of No10 Charlton Street.

There are no alternative routes available as these are both cul-de-sac routes.

25. VINE STREET ANNE STREET GATING ORDER 2007

The route to be restricted commences from between the rear of No41 Vine Street and

No1B Anne Street, continuing in an easterly direction for 19 metres to the rear of No47 Vine Street

There are no alternative routes available as this alley is a cul-de-sac route.

26. CARRFIELD CHANTRY CLOSE GATING ORDER 2007

The point to be restricted is situated at the side of No29 Carrfield, Woodthorpe.

The alternative routes which will be available to pedestrian traffic, are the footways which make up part of the highways known as Carrfield, Ryecroft Avenue and Chantry Close.

27. CARRFIELD FOXTON GATING ORDER 2007

The route to be restricted commences from the rear of No16 Foxtton, Woodthorpe continuing in a southwesterly direction for 21 metres to between the side of No16 and No18 Foxtton.

The alternative routes which will be available to pedestrian traffic, are the footways which make up part of the highways known as Foxtton, Ashbourne Way, Ryecroft Avenue and Carrfield.

28. BELLHOUSE WAY (NO14) GATING ORDER 2007

The route to be restricted commences from the side of No14 Bellhouse Way, Foxwood continuing in a westerly direction for 19 metres to between the rear of No14 Bellhouse Way and the rear of No5 Stirrup Close.

The alternative routes which will be available to pedestrian traffic if the Order is made, are the footways which make up part of the highways known as Bellhouse Way, Stirrup Close, Houndsway and The Gallops.

Any representations about, or objections to, all or any part of this Notice may be sent in writing to the Public Rights of Way Officer, Directorate of City Strategy, City of York Council, 9 St Leonard's Place, York YO1 7ET, not later than **Friday 28 September 2007**. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, the Council may make these Orders. If any such representations or objections are not withdrawn, the Council may still make these Orders if it is appropriate for it to do so.

Dated: 24 August 2007

Head of Civic, Democratic and Legal Services

NS EMAP Forward Plan

Cycle 3: 17 October 2007

Title of Report and Brief Explanation		Author
1	Update on Bin Collecting in Ally Gated Areas.	JG
2	Update on Street Cleaning in the City Walls	RS
3	Yorkshire in Bloom	RS
4	Air Quality Update	CR
5	National Service Plans	CR
7	NS Directorate Service Plan	MD
8	Development of Community Engagement, problem solving and feedback for Community Safety	ZB
9	Noise Patrol Update	CR

Cycle 4: 6 December 2007

Title of Report and Brief Explanation		Author
1	Finance & Performance Monitor	SK
2	Carbon Management Programme	MD
3	Scores on Doors – Food Premises	CR
4	York Pride Update	MD
5	Neighbourhood & Community Safety Legal Actions Quarterly Update	CR
6	Service Plans	All

7	Update on Prosecutions including cold calling control zones.	CR
8	Home Improvement Packs (HIPs)	CR
9		

Cycle 5: 21 January 2008

1	Vehicle Fleet Update	
2	Budget	
3	Update on Neighbourhood Action Planning	AH

Cycle 6: 19 March 2008

1	Neighbourhood & Community Safety Legal Actions Quarterly Update	CR