

Notice of meeting of

Executive Member For Neighbourhood Services and Advisory Panel

To: Councillors Bowgett (Chair), Ayre (Vice-Chair), Crisp, Holvey, King, Reid (Executive Member), Taylor and Watt

Date: Thursday, 5 June 2008

Time: 5.00 pm

Venue: The 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 Wednesday 4 June 2008, if an item is called in *before* a decision is taken, *or*

4:00 pm on Monday 9 June 2008, 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. Exclusion of Press and Public

To consider excluding the press and public from the meeting during consideration of annexes 2 & 3 of agenda item 7 (2007-08 Final Monitoring Report - Finance and Performance) on the grounds that they contain 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.

3. Minutes (Pages 3 - 14)

To approve and sign the minutes of the meetings held on 19 March and 11 April 2008.

4. 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 Wednesday 4 June 2008 at 5pm.

5. Award of DEFRA Grant Funding for the Investigation of Potentially Contaminated Land (Pages 15 - 20)

This report updates the Executive Member and Advisory Panel on the successful outcome of a recent Contaminated Land Capital Grant Programme (CLCGP) application made to the Department for Environment, Food and Rural Affairs (DEFRA).

6. Developments in Proceeds of Crime Legislation (Pages 21 - 26)

This report inform Members of developments in the law aimed at the recovery of criminal assets and the disruption of crime.

7. 2007-08 Final Monitoring Report - Finance and Performance
(Pages 27 - 66)

This report presents draft outturn figures for revenue and capital expenditure for the Neighbourhood Services portfolio and sets out progress against the directorate plan priorities, including annual performance against target for the directorate's key performance indicators.

8. Neighbourhoods & Community Safety Group Legal Actions
(Pages 67 - 72)

This report informs Members of the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1st January – 31st March 2008.

9. Plastic Bag Free City of York - Response to Petition From the Residents of Various Locations Across the City, Presented at Council on 10th April 2008 (Pages 73 - 76)

This report has been prepared in response to a petition presented to Council by Councillor Potter supporting a plastic bag free City of York and calling upon the Council to do all in its power to achieve this aim.

10. Retail Enforcement Pilot Scheme (Pages 77 - 82)

This report explains how the Council's environmental health, trading standards and licensing services teams are implementing a Retail Enforcement Scheme to achieve compliance with the Regulator's Compliance Code (RCC) which came into effect on 6 April 2008. The code plays a key role in the government's better regulation agenda.

11. Refresh of Neighbourhood Services Directorate Plan (Pages 83 - 110)

This report asks Members to agree to a lightly refreshed version of the Neighbourhood Service directorate plan and presents a small amount of updated information for a number of the service plans agreed by the Executive Member in January.

12. Update on Cold Calling Controlled Zones (Pages 111 - 118)

Further to consideration of a report on the introduction of cold calling controlled zones in the city presented at the meeting on 6 December 2007, this report provides a 6 month review of the scheme.

13. City of York Council Public Toilets Review - Update (Pages 119 - 126)

This report informs the Executive Member as to the progress to date on the complete review of public toilet provision for York.

14. City Walls Repairs and Maintenance (Pages 127 - 136)

This report updates Members on the decision taken by the Executive on the 11 March to agree a partnership arrangement between City Strategy and Neighbourhood Services for the future repair and maintenance of the City Walls.

15. Use of York Pride Funding to Improve Environmental Maintenance (Pages 137 - 142)

This report proposes a change to the current arrangements of utilising the York Pride budget to address the recommendation from the EnCams review to improve street washing to remove staining in heavy usage areas such as outside of shop fronts, at bus stops and areas close to litter bins, whilst also requesting £10k from this budget to support an initiative to tackle graffiti throughout the city working with partners.

16. Forward Plan

To review the forward plan for the Executive Member for Neighbourhood Services and Advisory Panel for the 2008/09 municipal year.

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

Democracy Officer:

Name: Catherine Clarke

Contact details:

- Telephone – (01904) 552030
- E-mail – catherine.clarke@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.

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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

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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

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- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
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City of York Council

Committee Minutes

| | |
|---------|--|
| MEETING | EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL |
| DATE | 19 MARCH 2008 |
| PRESENT | COUNCILLORS BOWGETT (CHAIR), AYRE (VICE-CHAIR), HOLVEY, POTTER (FOR AGENDA ITEMS 1-10), TAYLOR, WALLER (EXECUTIVE MEMBER), B WATSON AND WATT |

64. DECLARATIONS OF INTEREST

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

Councillor Potter declared a personal non-prejudicial interest in agenda item 6 (Service Level Agreements with Community Centre Management Committees 2008/09) as the Acting Chair of the Tang Hall Community Centre Management Committee.

65. MINUTES

RESOLVED: That the minutes of the last meeting of the Executive Member for Neighbourhood Services and Advisory Panel, held on 21 January 2008, be approved as a correct record and signed by the Chair.

66. PUBLIC PARTICIPATION

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

67. NEIGHBOURHOOD & COMMUNITY SAFETY GROUP LEGAL ACTIONS

Members received a report which 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 Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1st October – 31st December 2007.

Members thanked officers for their hard work.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the contents of the report be noted.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

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

68. CITY OF YORK COUNCIL PUBLIC TOILETS REVIEW

Members received a report which proposed a complete review of public toilet provision for York and presented them with information regarding the new Silver Street toilet facility which would be built to replace the existing facility in Parliament Street.

The proposed scope of the review was set out at paragraphs 6-11 of the report. The following options as to how best to undertake the review were presented for consideration:

- Option A – To bring in an external organisation such as ‘The British Toilet Association’ or ‘ENCAMS’ or a similar organisation to undertake a full review of all of the issues set out in paragraphs 6-11;
- Option B – To carry out in-house review of all of the issues set out in paragraphs 6-11;
- Option C – A hybrid of Options A & B, where the bulk of the review work was carried out in-house, but making use of expertise held by other interested organisations through their acting as ‘critical friends’.

Written representations had been received from the York Access Group in support of standard dedicated accessible toilets, without baby-changing facilities, being made available adjacent to full changing facilities, where possible.

Members welcomed the proposed review and the design proposals for Silver Street. They highlighted the need to include older people and disabled people in the consultation process and noted that the community toilet scheme, referred to in paragraph 7 of the report, would be particularly welcomed by the Older People’s Assembly. They also noted that the review would consider provision of hydraulic urinals at night time and highlighted the need to also consider night time provision of women’s toilet facilities.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the scope of a review of public toilet provision at paragraphs 6-11 of the report be agreed;
- (ii) That Option C, at paragraphs 12-20 of the report be agreed;¹

- (iii) That it be agreed that reports be presented to the Executive Member & Advisory Panel (EMAP) at three monthly intervals to detail the progress of the review.²

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

- REASON:
- (i) To inform the Executive Member of meetings with potential partners to this review;
 - (ii) To carry out a cost effective review of the public toilet provision in York;
 - (iii) To keep the Executive Member informed on the progress of the review.

Action Required

- 1 - To carry out the review; KS
- 2- To report back to EMAP every 3 months. KS

69. SERVICE LEVEL AGREEMENTS WITH COMMUNITY CENTRE MANAGEMENT COMMITTEES 2008/09

Members received a report which sought approval for the provision of grants linked to Service Level Agreements (SLAs) awarded to four Community Centre Management Committees in York.

The report presented the following options for consideration:

- Option One – To award grants to each Committee as recommended in paragraph 1 and Annex 1 of the report;
- Option Two – To discontinue grants to all Committees with effect from 1 April 2008.

Members highlighted the need review the level of grant to community centres in the light of rising running costs and it was proposed that this be considered as a growth bid next year.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That Option One be approved, as outlined in paragraphs 9-11, to give grants to the organisations concerned for the financial year 2008/09, as outlined in Annex 1;¹
- (ii) That the possibility of increasing the level of grant to community centres next year be considered as a growth bid.²

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To ensure that Community Centre management remains with the local community who have the knowledge and motivation and are enabled to manage local community assets, and, in doing so, to support the Corporate Strategy of the Council.

Action Required

1 - To pay the grants;

KS

2 - To consider the growth bid.

KS

70. WARD COMMITTEE LOCAL IMPROVEMENT SCHEMES GRANT APPLICATIONS

Members received a report which advised them of proposed changes to the Ward Committee local improvement schemes grant application process and sought approval for the incorporation of the changes into a new Ward Committee grant application policy in respect of local improvement schemes.

The results of the consultation exercise with voluntary and community groups were reported to the meeting.

The report presented the following options for consideration:

- Option One – To implement the amended terms and conditions in respect of Ward Committee local improvement schemes grant applications, as recommended in paragraph 2 and Annexes 3-4 of the report;
- Option Two – Not to implement these amended terms and conditions.

Some Members raised concerns regarding the length and complexity of the application form. It was suggested that the section requiring details of how many people a project benefited, on page 6 of the application form, be reworded to include reference to both quantitative and qualitative benefits. Members also discussed the conditions proposed in Annex 2 of the report and, in relation to the first one, expressed the view that use of a Ward logo, where one existed, was more appropriate than a Council one. It was agreed that copies of the form would be circulated to representatives of each political group once it had been finalised.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That Option One be approved to enable the incorporation of the proposed changes into a new Ward Committee grant application policy in respect of local improvement schemes, subject to the inclusion of a condition relating to use of Ward logos, where they

exist, in place of the first condition in Annex 2, and that officers be asked to prepare an abbreviated form for schemes for under £500 going to just one Ward Committee, which would reduce the length of the form but only by two or three pages.¹

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To ensure transparency of policy and process in the application of Ward Committee local improvement schemes grant applications.

Action Required

1 - To implement the revised policy and produce the abbreviated form. KS

71. RESPONSE TO PETITION FROM THE RESIDENTS OF POPLAR STREET, PRESENTED AT COUNCIL ON 29TH NOVEMBER 2007

Members received a report which had been prepared in response to a petition presented to Council by Councillor Crisp on behalf of 20 residents of Poplar Street and gave details of the actions taken to rectify the unpleasant smell coming from the sewage system when the pumps operated at the nearby, newly constructed flats.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the report be noted and officers be thanked for their diligent work.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To acknowledge the work done and the ongoing monitoring.

72. RENEWAL OF CHARTER MARK TO THE ENVIRONMENTAL SERVICES AND CLEANING OPERATIONS

Members received a report which reviewed the background and sought to inform them of the outcome of the inspection against the Cabinet Office's customer charter mark standard.

It was reported that the services had retained the Charter Mark award and the report highlighted positive changes over the last year which had been identified by the inspector and also additional work which was required to bring about further improvements.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the content of the report be noted and the staff involved in the renewal of the Charter Mark be congratulated.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: So the Executive Member is updated on the position regarding the award of the Charter Mark.

73. RURAL COLLECTION OF WASTE

Members received a report which reviewed the current arrangements for collecting refuse from remote properties and farms and proposed a new policy.

The report presented the following options for consideration:

- Option 1 – To retain the status quo, i.e. provide collections from all properties using private roads, tracks and accesses as necessary;
- Option 2 – To implement a strict “lane-end” approach;
- Option 3 – To a “lane-end” with exceptions approach, as set out in the proposed policy, outlined in paragraphs 25-33 of the report.

Written representations from Councillor Alexander were read to the meeting, objecting to any downgrade of existing services to residents.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That Option 3 and the proposed policy for rural collection of waste be approved;¹
- (ii) That consultation with affected householders be undertaken to agree local collection points where necessary;²
- (iii) That all Ward Members receive information about affected properties in their wards in advance of the letters being sent out.³

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To reduce the risk of damage to vehicles and property, reduce the risk of an accident occurring and minimise the need to carry out reversing manoeuvres as set out in the guidance from the Health and Safety Executive.

Action Required

| | |
|---------------------------------------|----|
| 1- To implement the policy; | KS |
| 2 - To consult affected householders; | KS |
| 3 - To send letters to Ward Members. | KS |

74. RESPONSE TO PETITION FROM THE RESIDENTS OF VARIOUS LOCATIONS ACROSS THE CITY, PRESENTED AT COUNCIL ON 29TH NOVEMBER 2007

Members received a report which had been prepared in response to a petition presented to Council by Councillor Gunnell, which called for the extension of recycling to all terraced areas of the City and to all developments of flats to ensure that people who lived in these properties received the entitlement to recycling services as other parts of the City.

The report set out details of the trial recycling scheme in the Groves area, which would provide a sound basis for planning implementation of the Executive decision to fully rollout recycling in remaining areas from 2009.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the report be noted.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: In response to the petition.

75. IMPLICATIONS OF THE UNFAIR COMMERCIAL PRACTICES DIRECTIVE

Members received a report which informed them of the new legislation aimed at ensuring businesses traded fairly with consumers.

Paragraphs 4-11 of the report summarised the main provisions of the legislation and examples of the kind of actions which were prohibited.

Members thanked officers for producing the report.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the report be noted.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To inform Members of this significant change in consumer protection legislation.

76. REVISED ENFORCEMENT POLICY FOR ENVIRONMENTAL HEALTH, TRADING STANDARDS AND LICENSING SERVICES

Members received a report which informed them of the government's new 'Statutory Code of Practice for Regulators' and sought approval of a revised enforcement policy for Environmental Health, Trading Standards and Licensing Services which was consistent with the principles laid down within the Code.

The report presented the following options for consideration:

- Option 1 – To approve the revised enforcement policy to ensure that officers' enforcement actions are consistent with the Code;
- Option 2 – To maintain the existing enforcement policy as the applicable guidance to officers.

Members thanked officers for their work updating the enforcement policy.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the revised enforcement policy, as proposed in Option 1, be approved.¹

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To ensure that Environmental Health, Trading Standards and Licensing Services conduct their enforcement activities under an enforcement policy that complies with the Code.

Action Required

1 - To implement the revised enforcement policy.

KS

77. FORWARD PLAN

Members reviewed the latest version of the forward plan for the Executive Member for Neighbourhood Services and Advisory Panel (EMAP) for the 2008/09 municipal year.

Officers advised that the Air Quality Management Update scheduled for 5 June 2008 needed to be slipped to 4 September 2008 and that the following additional items needed to be included on the forward plan:

- Neighbourhood Pride Funding – 5 June 2008;
- Regional Scambuster Team – 5 June 2008;
- Developments in Proceeds of Crime Legislation – 4 September 2008;
- Contaminated Land Investigation Grant – 4 September 2008;
- Regulatory Enforcement & Sanctions Bill – 4 September 2008.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the latest version of the forward plan, with the amendments outlined above, be noted.¹

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To inform Members and update the Forward Plan.

Action Required

1 - To update the Forward Plan.

KS

COUNCILLOR A WALLER,
EXECUTIVE MEMBER

COUNCILLOR D BOWGETT,
CHAIR

[The meeting started at 5.00 pm and finished at 6.50 pm].

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| MEETING | EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL |
| DATE | 11 APRIL 2008 |
| PRESENT | COUNCILLORS BOWGETT (CHAIR), AYRE (VICE-CHAIR), BROOKS (AS SUBSTITUTE FOR WATT), CRISP (AS SUBSTITUTE FOR B WATSON), HOLVEY, POTTER, TAYLOR AND WALLER (EXECUTIVE MEMBER) |
| APOLOGIES | COUNCILLORS B WATSON AND WATT |

78. DECLARATIONS OF INTEREST

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

No interests were declared.

79. PUBLIC PARTICIPATION

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

80. REFERENCE BACK FROM SCRUTINY MANAGEMENT COMMITTEE (CALLING-IN): WARD COMMITTEE LOCAL IMPROVEMENT SCHEMES GRANT APPLICATIONS

Members received a report which asked them to re-consider the decision taken by the Executive Member on 19 March 2008 in respect of Ward Committee Local Improvement Schemes Grant Applications, which was called-in and had now been referred back by the Scrutiny Management Committee (Calling-in), with recommendations.

The original decision taken by the Executive Member had been:
"That Option One be approved to enable the incorporation of the proposed changes into a new Ward Committee grant application policy in respect of local improvement schemes, subject to the inclusion of a condition relating to use of Ward logos, where they exist, in place of the first condition in Annex 2, and that officers be asked to prepare an abbreviated form for schemes for under £500 going to just one Ward Committee, which would reduce the length of the form but only by two or three pages."

The Scrutiny Management Committee (Calling-in) had decided:
"That Option B be approved and the decision referred back to the Executive Member, with a recommendation that a final decision on the proposed changes to the Ward Committee local improvement schemes"

grant application process be deferred until such time as the forms and guidance notes had been sufficiently revised to enable Members to give them proper consideration.”

The following options were available to the Executive Member:

- (a) To confirm the original decision made at the meeting on 19 March 2008;
- (b) To accept the recommendations of the SMC (Calling-in).

Some Members expressed the view that the recommendations of the SMC (Calling-in) did not make any substantial difference to the original decision by the Executive Member and that the referral back to EMAP was a waste of time and resources.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the original decision be amended to require the revised draft forms to be circulated to all Members of the EMAP by the end of April, for their comments to be submitted by 15 May and the finalised version to be re-circulated a week later.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: In accordance with the legal and constitutional requirements for dealing with called-in decisions.

Action Required

1- To circulate draft and finalised versions of the form. KS

COUNCILLOR A WALLER,
EXECUTIVE MEMBER

COUNCILLOR D BOWGETT,
CHAIR

[The meeting started at 5.00 pm and finished at 5.20 pm].



Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

Award of DEFRA Grant Funding for the Investigation of Potentially Contaminated Land

Summary

1. The purpose of this report is to update the executive member and advisory panel of the successful outcome of a recent Contaminated Land Capital Grant Programme (CLCGP) application made to the Department for Environment, Food and Rural Affairs (DEFRA).
2. In 2007, the council's environmental protection unit (EPU), as part of a programmed series of risk based inspections, conducted a preliminary contaminated land investigation at a number of former landfill sites located off Fulford Cross. An application was made to DEFRA for grant funding to support a more detailed investigation of this area. In March 2008, DEFRA replied to say they approved the requested funding (£38,634).
3. A decision is requested on whether to accept the grant offered and conduct the detailed investigation. Members have previously approved acceptance of similar grant funding for other contaminated land investigations.
4. The report also provides a general update on progress being made on the council's contaminated land strategy.

Background

5. Part IIA of the Environmental Protection Act 1990 ("Part IIA") became law in April 2000. This legislation placed a statutory duty on local authorities to inspect their areas for the purpose of identifying contaminated land.
6. The government supports local authorities capital expenditure on contaminated land investigations through a direct grant scheme, known as the Contaminated Land Capital Grants Programme (CLCGP). In previous years, the council has made successful bids to DEFRA to fund the detailed investigation of a number of council owned former landfill sites (Nun Ings, Tang Hall, Huntington Road and Water End).

7. In line with the council's contaminated land strategy which contains a priority based inspection programme, EPU conducted a preliminary investigation at a site off Fulford Cross (Fishergate ward) in 2007. Based upon historic maps and other information it is believed that the site included as many as five individual landfill sites. Land contamination may therefore be present due to these previous landfill activities. The majority of the site to be investigated is owned by the council.
8. The results of the preliminary investigation showed the presence of landfill gas in the ground. Landfill gas is a mixture of oxygen, carbon dioxide and methane (as well as other substances at "trace" concentrations). In some circumstances, carbon dioxide can have asphyxiant properties if allowed to accumulate (for instance in confined spaces). Methane has explosive properties at certain concentrations.
9. Explosive concentrations of methane were not detected at the site. However, concentrations of carbon dioxide were such that, whilst not at the levels to warrant immediate concern, would benefit from long-term monitoring to allow future risks to be assessed.
10. In November 2007, as a result of the findings of the preliminary investigation, an application was made to DEFRA for grant funding to support a more detailed investigation. In March 2008, DEFRA confirmed that the requested CLCGP funding of £38,634 had been approved.

Consultation

11. EPU consulted the Environment Agency and the City Strategy Directorate with regard to the proposed contaminated land investigation at the site.

Options

12. Two options are available to members:
 - a) Accept the grant funding offered and undertake the detailed investigation.
 - or
 - b) Do not accept the grant funding offered.

Analysis

13. No funding is currently available "in-house" to conduct detailed site investigations. Therefore, the only funding available is in the form of grants from DEFRA.
14. Acceptance of the grant offered by DEFRA will enable a detailed investigation to be undertaken within the 2008/9 financial year, allowing the long-term monitoring of landfill gas concentrations to be commenced. Monitoring would initially be conducted at monthly intervals for 12 months by officers from EPU. The costs of this monitoring is included in the funding offered by DEFRA.

Samples of soil and groundwater would also be taken and analysed for contaminants.

15. A risk assessment would then be undertaken, to review the sampling results and determine whether the site is causing (or has the potential to cause) significant harm to human health or the environment.
16. If the site is found to be causing (or has the potential to cause) significant harm, the council would become largely responsible for any required clean-up (“remediation”), as it was the main landfill operator at the site. DEFRA currently has funding available to local authorities for remediation in some circumstances, but long-term funding is subject to review by government.
17. It is possible, therefore, that the council could ultimately have financial liability for any required remediation which DEFRA may (or may not) support. At this stage it is not possible to estimate the costs for any such remediation.
18. Failure to accept the grant would prevent the council from conducting a detailed investigation of the site. This would mean that the council will not be carrying out its statutory obligations under Part IIA. Also, as the extent of contamination at the site would remain unknown, people and the environment may potentially be at risk.

Contaminated Land Update

19. In 2001, EPU published the council’s contaminated land strategy as part of the council’s duty under Part IIA. The legislation requires local authorities to implement a process of identification, assessment and, if necessary, remediation of contaminated land in their area. The contaminated land strategy was presented to the Executive Member for Environment and Sustainability and Advisory Panel in July 2001.
20. In 2005, an update and review document was published to describe the council’s progress in carrying out its obligations under Part IIA. This document was presented to the Executive Member for Environment and Sustainability and Advisory Panel in February 2005, and approved.
21. To date, EPU has researched past industrial activities within York (dating back to 1800) and has plotted the location of these onto a geographical information system (GIS). EPU are now assessing these sites, in order to determine whether contaminated land is present.
22. Former landfill sites were categorised as the highest priority sites in the contaminated land strategy, therefore EPU have initially focused their investigations on former landfill sites.
23. EPU will soon begin a second round of prioritisation, incorporating the use of specialised mapping software. The software will consider the locations of past industrial activities, industry types, periods of operation, current site uses and

environmental factors such as hydrology and geology. It will then re-score the remaining sites in priority order, so the investigations can be focussed on the highest risk sites.

Corporate Priorities

24. The investigation of potentially contaminated land links to the corporate priorities to “reduce the environmental impact of council activities and encourage, empower and promote others to do the same” and to “improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest.”

Implications

Financial

25. The amount of grant offered by DEFRA (£38,634) will cover the cost of the council employing specialist subcontractors, as well as internal costs for matters such as internal project management by officers and the associated costs for on-going monitoring.
26. If the detailed investigation shows that the site is causing (or has the potential to cause) significant harm to human health or the environment, the council could ultimately have financial liability for any required remediation which DEFRA may (or may not) support. At this stage it is not possible to estimate the costs for any such remediation.

Human Resources

27. There are no human resource implications.

Equalities

28. There are no equalities implications.

Legal Implications

29. Under Part IIA, the council has a statutory duty to inspect its area for the purpose of identifying contaminated land. If contamination land is found, the council must secure remediation in order to protect human health and the environment.

Crime and Disorder

30. There are no crime and disorder implications.

Information Technology (IT)

31. There are no specific IT implications.

Property

32. As noted above, the council is the predominant landowner of this site.

Risk Management

33. In compliance with the council's risk management strategy, there are no major risks associated with the recommendations of this report.

Recommendations

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

- Option (a) should be accepted.

Reason: If the grant funding offered by DEFRA is accepted the council will be able to investigate the land off Fulford Cross, in accordance with obligations placed on the council by Part IIA.

- Option (b) should be rejected.

Reason: No other source of funding for contaminated land investigations has been identified. Refusal to accept all, or part of, the grant would prevent the council from conducting a detailed investigation of the site. This would mean that the council will not be fully carrying out its statutory obligations under Part IIA.

Contact Details

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Report Approved **Date** 02/05/2008

Specialist Implications Officer(s) *None*

Wards Affected: Fishergate

For further information please contact the author of the report

Background Papers:

Contaminated Land Strategy, July 2001

Executive Member for Environment and Sustainability and Advisory Panel , July 2001

Review of the Contaminated Land Strategy, February 2005

Executive Member for Environment and Sustainability and Advisory Panel, February 2005

Annexes: None

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Meeting of the Executive Member For Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

Developments in Proceeds of Crime Legislation

Summary

1. The purpose of this report is to inform members of developments in the law aimed at the recovery of criminal assets and the disruption of crime.

Background

2. The Proceeds of Crime Act 2002 (the Act) simplified the law enabling the police and other enforcement bodies, like trading standards, to recover the criminal assets of those people living off the proceeds of crime. The object being to help ensure that 'crime doesn't pay'.
3. When a person is convicted of certain offences, he/she is assumed to have a 'criminal lifestyle' and either the prosecution or the court can ask for confiscation proceedings (proceedings in the crown court that can lead to the confiscation of their criminal assets) to begin. The offences that trigger the assumption the offender has a 'criminal lifestyle' are listed in Annex 1, and include the counterfeiting offences enforced by trading standards officers. These counterfeiting offences are included because of the links this type of offender often has with other crimes. It is of course possible for an offender to rebut the assumption that he/she has a criminal lifestyle and show that they have earned the money through legitimate means.
4. Financial investigators (accredited by the Serious Organised Crime Agency – previously the Assets Recovery Agency) have received specialist training and are given specific powers to conduct investigations into the origin of an offenders assets. The City of York Council's trading standards team have two members of staff who have been trained as accredited financial investigators. Financial investigators are responsible for preparing cases for confiscation proceedings, and giving evidence in the course of those proceedings. They also have powers to investigate specific money laundering offences contained within the Act, to tackle for example those people who help to handle and hide criminal property, usually cash.
5. The City of York Council's trading standards service have commenced confiscation proceedings against three offenders. The final hearings are listed

in York Crown Court over the next few months, and as such no specific no details can be disclosed.

6. Where, following confiscation proceedings, the offender's assets are found to be the proceeds of criminal activity, the courts can make an order - known as a 'confiscation order' - requiring the defendant pay an amount of money (equal to the defendant's benefit from crime) back to the government. Clearly if the offender can show they have earned the money through legitimate means no such order will be made by the court.
7. A system of 'incentivisation' exists whereby half of any money recovered (and repaid) is retained by the government, and the remaining half is divided equally between the court, the prosecuting body, and the investigating body. Where the prosecution and investigation is brought by the same body, for example in cases brought by the City of York Council, then they receive both of the prosecuting and investigating share of the 'incentivisation'. This scheme is designed to encourage more financial investigations, and recover more proceeds of crime. It is important to note however, that there can be considerable time between commencing an investigation and receiving incentivisation money where it is awarded. One case that is due to be heard in June 2008 began in 2005, if there is an award in our favour, the defendant is likely to be given time to pay and this is typically up to one year. The financial award is required to 'incentivise enforcing authorities to re-invest the amount received into further support further confiscation activity and criminal investigations. The Home office has issued guidance relating to use of the monies seized. The guidance states :

Use of Incentive Payments

- This is a matter for each agency but at least a portion of incentive payments should be used to further drive up performance on asset recovery and, where appropriate, to fund local crime fighting priorities for the benefit of the community.
- **The Home Office will monitor the use of incentive monies to assess issues of propriety and regularity The Home Office will ask all asset recovery agencies (including all police forces) at the end of the financial year to account for their use of incentive payments. Information will be required as follows:**
 - details of how have funds been used
 - for each initiative/project how much has been allocated
 - how has this contributed to improving asset recovery performance, or tackling crime
 - what are the particular asset recovery outcomes.

Cash Seizures

8. In a development of the proceeds of crime legislation, accredited financial investigators will soon be authorised to undertake 'cash seizures' from criminals in possession of over £1000 of cash. It is anticipated that these

powers will become law by July 2008. There is a presumption that if an individual is undertaking a criminal activity, then the cash in the individuals possession is as a result of that activity, unless the defendant later proves otherwise. The two accredited financial investigators in trading standards will be able to make use of these to disrupt counterfeiting activity (it is not unusual for example for counterfeiters at car boot sales to be in possession of over £1000 in cash as a result of their illegal sales). The court proceedings that follow a cash seizure can result in the court awarding 'forfeiture' of the money whereby the 'incentivisation scheme' will enable the City of York Council to retain half of the amount seized.

Consultation

9. There is no consultation associated with this report.

Options

10. There are no options associated with this report.

Analysis

11. Analysis of options is not appropriate to this report

Corporate Priorities

12. The use of proceeds of crime legislation to combat criminal activity directly supports the corporate priority to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York.

Implications

13. **Financial:** There are no financial implications associated with this report. Investigations are funded from existing budgets. Any financial award will be allocated in accordance with Home Office guidance as described in para 7 above.
14. **Human Resources (HR):** There are no human resources implications associated with this report.
15. **Equalities:** There are no equalities implications associated with this report.
16. **Legal:** The Council is under a legal duty to enforce the Trade Marks Act 1994 and The Copyright Design and Patents Act 1988 (as amended). This legislation is aimed at protecting intellectual property rights.
17. **Crime and Disorder:** This legislation is aimed at deterring crime and disorder.
18. **Information Technology (IT):** There are no IT implications associated with this report.

- 19. **Property:** There are no property implications associated with this report.
- 20. **Other:** There are no other implications associated with this report.

Risk Management

- 21. In accordance with the council's risk management strategy. There are no risks with the recommendations associated with this report.

Recommendations

- 22. That the Advisory Panel advise the Executive Members to note the content of this report and approve the use of any monies received in accordance with the Home Office Guidance

Reason: To ensure the executive member and advisory panel are informed of developments in proceeds of crime legislation, and that monies received are allocated in accordance with Home Office guidance.

Contact Details

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Chief Officer Responsible for the report:
Chief Officer's name: Andy Hudson

Title: Trading Standards
Manager

Title: Assistant Director of Neighbourhoods &
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Dept Name: Environmental
Health & Trading Standards

Report Approved **Date** 02/05/2008

Tel No: 551528

Specialist Implications Officer(s) *None*

Wards Affected:

All

Background Papers: There are no background papers associated with this report.

Annexes:

Annex 1 - List of 'lifestyle' offences which may commence confiscation proceedings.

List of 'lifestyle' offences which may commence confiscation proceedings.

Drug trafficking

Money laundering

Directing terrorism

People trafficking

Arms trafficking

Intellectual property (includes counterfeiting)

Pimps and brothels

Blackmail

Inchoate offences (aiding and abetting offences)

In addition, confiscation proceedings can commence:-

Where there are 4 or more offences on one indictment and the amount of criminal benefit is over £5000.

Or

The offence took place over a period of 6 months or more and the criminal benefit is over £5000

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

2007/08 FINAL MONITORING REPORT – FINANCE & PERFORMANCE

Summary

1. This report presents two sets of data:
 - a) Draft outturn figures for revenue and capital expenditure for the Neighbourhood Services portfolio .
 - b) Progress against the directorate plan priorities – including annual performance against target for the directorate’s key performance indicators.

Background

2. Service provision and financial performance are strongly linked. This final outturn report sets out service and financial performance for 2007/08. The Executive Member has received two monitoring reports during the year and has been kept informed of expenditure and income trends for the portfolio. It should be noted that the figures reported are provisional and may be adjusted. However significant changes are not anticipated.

Management Summary

Financial Overview

3. Overall, the Neighbourhood Services portfolio is currently forecasting an underspend of £162k, a variation of 1.2% on the net expenditure budget. This compares to a predicted overspend of £484k in the second monitoring report.
4. The current general fund revenue budget for the Neighbourhood Services Portfolio is £14.14m, excluding the contribution made to Safer York Partnership.
5. The provisional outturn for the general fund portfolio shows expenditure of £13.77m compared to budget, an underspend of £377k which represents a variation of 2.7% on the net expenditure budget.

6. The financial position for each General Fund service area is dealt with separately in the following sections. The overall position can be summarised as follows:

| | Exp Budget £000 | Income Budget £000 | Net Budget £000 | Forecast £000 | Var'n £000 | Var'n% |
|--------------------------------|--------------------|-----------------------|--------------------|------------------|---------------|--------------|
| Env Health & Trading Standards | 2,336 | 477 | 1,859 | 1,843 | (16) | (0.9) |
| Licensing & Bereavement Svs | 1,011 | 1,852 | (841) | (878) | (37) | (4.4) |
| Neighbourhood Management | 1,172 | 328 | 844 | 702 | (142) | (17.0) |
| Ward Committees | 987 | 10 | 977 | 899 | (78) | (7.9) |
| Neighbourhood Pride Service | 2,589 | 282 | 2,307 | 2,270 | (37) | (1.6) |
| Enforcement and Environment | 793 | 0 | 793 | 729 | (64) | (8.2) |
| Waste Mgmt, Refuse & Recycling | 11,024 | 2,870 | 8,154 | 8,145 | (9) | (0.1) |
| Pest Control | 101 | 52 | 49 | 55 | 6 | 12.0 |
| General Fund Total | 20,013 | 5,871 | 14,142 | 13,765 | (377) | (2.7) |

7. The significant variances relating to the trading accounts are covered in further detail in confidential Annex 2.
8. There are revenue carry forward requests totalling £115k. These are detailed in paragraph 20. If these are approved the overall underspend within the Neighbourhood Services portfolio to support council reserves totals £47k.
9. The revised budget for capital schemes is £694k and the outturn spend is £522k and it is proposed that the underspend of £172k is carried forward. Further details are provided from Paragraph 30.

Performance Overview

10. The Executive Member agreed a directorate plan at EMAP on 17th October 2007. The plan set out 12 directorate priorities. This paper reports our progress against the measures and actions in the directorate plan. This report also includes a small number of other key measures that members have been interested in (e.g. from Street Scene Review).
Headline figures for 2007/08 are that Neighbourhood Services has:
- Improved levels of street cleanliness – improved from 19.2% to 13.5% of land surveyed which is below acceptable standards.
 - Continued to increase the proportion of waste recycled and composted – to 43.37%.
 - Maintained a high level of performance against target on street scene services.

- Significantly reduced the incidence of missed bins (35% improvement on last year), and improved performance on missed bins put right the next day from 58% to 80%.
- Continued to reduce sickness absence from 16.8 to 15.5 days absent per fte, accepting that this remains well above target.
- Developed a workable model of neighbourhood management in response to the Local Govt and Public Involvement in Health Bill.
- Supported our CDRP partners to deliver a further significant reduction in overall recorded crime.
- Improved performance on housing repairs using the housing repairs partnership, with 90% of urgent repairs were completed within government set time limits.
- Had two Charter Mark awards renewed – for environmental services, and for regulatory and licensing services.

Financial Performance in Detail

General Fund

Environmental Health and Trading Standards

11. The outturn position is an underspend of £16k or 0.9% of the net expenditure budget. This compares to a £14k overspend reported at monitor 2. The key reasons for the underspend are as follows:
 - Budgeted income of £36k for Air Quality consultation performed on behalf of City Strategy (Planning and Transport) is unlikely to be achieved this year. However, this income should be achieved in 2008/09 as a workplan is currently in negotiation with City Strategy.
 - A net underspend of £68k on staff costs due to vacancies
 - An overspend of £27k on legal fees. If the case is successful then these fees will be recovered but the outcome of the trial is not expected until 2008/09.

Licensing and Bereavement Services

12. The outturn position is an underspend of £37k, or 4.4% of the net budget. This compares to a forecast overspend of £17k at monitor 2. The key reasons for the underspend are as follows:
 - Over recovery of £49k relating to the implementation of the Gambling Act and £46k in respect of the Licensing Act.
 - A £25k overspend on repairs and maintenance to replace gas analytical panels in the crematorium. This was an unbudgeted cost in this financial year but was required to meet EPA requirements.

- The councils contribution to Fulford Cemetery was £12k more than budget due to the fewer than expected funerals.

Neighbourhood Management

13. The outturn position shows an underspend of £142k, or 17.0% of the expenditure budget. This compares to a £70k underspend at monitor 2. The key reasons for the underspend are:
- There is an underspend of £97k on staff costs. This arises due to a number of factors. Some early retirement pension costings (approx £26k) which have been part of this budget for 5 years have ceased this year, (this has been taken as part 2008/9 saving exercise) . A number of administrative staff left and a post has been held vacant. Again, this vacancy has been taken as part of the 2008/9 exercise. Some Neighbourhood Management staff are on secondment. Temporary staff have replaced them, and been appointed on the bottom of the grade resulting in an underspend. Some Neighbourhood Management staff have left, and there has been difficulty recruiting to the posts, resulting in additional underspends.
 - The Target Hardening budget has underspent by £32k of which £18k is committed expenditure. It is requested that the total underspend is carried forward. Further details are provided in paragraph 21.

Ward Committees

14. The outturn position is an underspend of £78k, or 7.9% of the net expenditure budget. This compares to a nil variance forecast in monitor 2. The main reason for the variance is:
- £73k relates to an underspend on ward committee funding of which £45k is committed expenditure. The remaining £23k is unallocated due to schemes coming in under budget or not coming to fruition. It is recommended that the total underspend is carried forward as detailed in paragraph 24.

Neighbourhood Pride Service

15. The outturn position shows an underspend of £37k, or 1.6% of the expenditure budget. This compares to a nil variance at monitor 2. The key reason for the underspend is:
- A £22k underspend was achieved on the abandoned vehicles contract as the number of vehicles is less than budget
16. The operational costs of street cleansing and ground maintenance are held within the trading accounts. This is covered in further detail in Annex 2.

Enforcement and Environment

17. The outturn shows an underspend of £64k, or 8.2% of the net expenditure budget. This compares to a £9k underspend at monitor 2. The main reasons for the underspend are:
- A net £50k underspend on staff costs due to vacancies during the recruitment process for newly created posts.
 - An underspend on the York Pride budget of £9k and £6k on the campaign budget. It is proposed that this is carried forward to fund committed schemes and projects identified in 08/09 as detailed in paragraph 27.

Waste Management, Refuse & Recycling

18. The outturn shows an underspend of £9k, or 0.1% of the net expenditure budget. This compares to a nil variance at monitor 2. The main reason for the underspend is:
- There are underspend variances in the waste management budget which are mostly offset by corresponding overspends in operational budgets as resources are redirected to increase recycling collection and thereby decrease the amount of waste tonnage sent to landfill.

Traded Accounts

19. Detailed information is provided in Confidential Annex 2.

Revenue Budget Carry Forward Requests

20. The following carry forwards totalling £115k are requested in order to complete projects for which revenue funding was set aside in 2007/08 but which were unable to be completed within the year.

Neighbourhood Management

21. It is requested to carry forward £32k of Target Hardening budget.
22. £18k of the carry forward relates to slippage on committed schemes and it is recommended that this is carried forward so that these schemes can be completed.
23. The remaining £14k is unallocated. £7k for approved schemes that will not now progress and a further £7k which was unallocated by the approval process deadline date. It is proposed that this is also carried forward to fund projects in 2008/09.

Ward Committees

24. £68k of Ward Committee funding is requested to carry forward.
25. £45k of the carry forward request relates to schemes that are already committed. The completion of these schemes was delayed due to

external factors or the schemes commenced later in the financial year as funding became available at a later stage. It is proposed that this is carried forward to complete the committed schemes.

26. The remaining £23k is uncommitted expenditure due to schemes coming in under budget or not coming to fruition. It is recommended that this budget is carried forward to assist with the development of 2008/09 Neighbourhood Action Plans.

Enforcement & Environment

27. The York Pride Budget has underspent by £9k and the campaign budget by £6k and it is requested to carry forward the total £15k.
28. £6k relates to committed York Pride schemes which were unable to complete before year end as they commenced later in the financial year.
29. The remaining £9k was uncommitted at year end. If this is carried forward it can assist in funding schemes identified for 2008/09.

Capital Programme

30. The Neighbourhood Services capital programme includes schemes within Neighbourhood Management, Waste Management, Environmental Protection Unit and Neighbourhood Pride. Details of the budget and outturn are set out below:

| | <u>Current Budget £000s</u> | <u>Revised Budget £000s</u> | <u>Outturn £000s</u> |
|--|-------------------------------------|-------------------------------------|--------------------------|
| Ward Committees | 333 | 333 | 164 |
| Defra Waste Performance Efficiency Grant | 247 | 247 | 247 |
| Air Quality Management | 104 | 104 | 92 |
| Contaminated Land Investigation | 10 | 10 | 7 |
| Silver Street Toilets | 250 | 0 | 12 |
| Total | 944 | 694 | 522 |

31. The latest 2007/08 budget reported at monitor 2 was £944k but this has decreased to £694k as the budget for Silver Street toilets was reprogrammed to 2008/09. The provisional outturn spend is £522k and carry forwards totalling £172k are requested.
32. The progress on delivering the projects within the programme and a comment on the variances for each scheme is outlined below:

Ward Committees

Budget: £333k (CYC resources)

Outturn: £164k

33. The scheme underspend totals £169k. £144k of this relates to schemes that are committed but were unable to complete before the end of the financial year. The remaining £25k is uncommitted as some schemes

have either underspent or not taken place. It can be difficult to allocate capital funding as suitable capital schemes need to be identified. This should improve next year as all ward committee budgets will be funded from revenue from 2008/09.

34. It is proposed that the total underspend of £169k is carried forward.

Defra Waste Performance Efficiency Grant

Budget: £247k (Defra Grant)

Outturn: £247k

35. This grant was provided by Defra to deal with waste issues and the capital element was mainly used to provide recycling containers and to cover the cost of replacing grey bins.

36. This grant ceased in 2007/08 and £100k growth was requested to cover the cost of replacement bins in 2008/09. £50k growth was granted and a further £50k is available from contingency if required.

Air Quality Management

Budget: £104k (Defra Grant)

Outturn: £92k

37. The grant relates to air quality monitoring, air quality modelling and air quality action planning.

38. The grant has been used to upgrade existing air quality monitoring equipment, modelling software and publicity/ education. £11k of the underspend is committed.

39. It is recommended that the total underspend of £12k is carried forward.

Contaminated Land Investigation

Budget: £10k (Defra Grant)

Outturn: £ 7k

40. Defra have provided a capital grant to support some detailed contaminated land investigations at three sites in accordance with obligations placed on the council by Part 11A of the Environmental Protection Act 1990.

41. The grant provided for the financial year 2007/08 has underspent by £3k and it is recommended that this is carried forward.

Silver Street Toilets

Budget: £0k (CYC Resources)

Outturn: £12k

42. The 2007/08 budget was reprogrammed to 2008/09 as it was always anticipated that there would be minimal expenditure in this financial year, until additional funding was confirmed in the 2008/09 budget process.

Service Performance in Detail**Priority 1: Improving Absence Management.**

| Key actions from Directorate Plan: | Milestone | On target? |
|--|------------------------|-------------------|
| Contribute to the further development of a corporate policy. | Established + ongoing. | Complete |
| Continue to improve how we measure sickness absence information to help manage absence. | Dec 07 and ongoing | Yes |
| Improve internal staff communications. | Dec 07 and ongoing | Yes |
| Improve methods of ensuring a healthy workforce | April 08 | Yes |
| Temporarily redirect resources to provide additional support to managers in managing absence | April 08 | Yes |

43. The council's new absence management policy has been implemented robustly. It appears to be having a significant positive effect on absence levels. Sickness information is reported to Directorate Management Team (DMT) every month. DMT receive an overview of absence that shows total, short and long term sickness by team. DMT also receives a monthly update on all long term sickness cases and the steps being taken to facilitate return to work. The reports have led to a number of practical steps being taken to tighten up our application of the new policy. The implementation was facilitated by additional HR support for a short time.
44. A number of new staff communication mechanisms were set up in 2007/08. The directorate's performance management framework now incorporates regular meetings with heads of service to progress specific areas of performance. A regular managers forum meeting is now embedded, bringing together up to 40 managers at a time to support the development of issues and policies. The director and ADs meet front line staff regularly. A bimonthly staff newsletter has started which will hopefully develop over time, which aims to inform all staff about key developments across the business. Opportunities to develop communications further will be explored in 2008/09.
45. The re-provision of occupational health services should improve the service we receive and reduce delays in getting people back to work. The new provider will also improve health surveillance. To complement the re-provision a new internal process has been agreed to make sure that staff needing health surveillance are seen without delay. The new occupational health provider met and talked to our managers at a managers forum meeting in May.

| Key measures from Directorate Plan: | 2006/7 | 2007/8 actual | 2007/8 target | 2008/9 Target |
|--|--------|-----------------------------------|---------------------|---------------------|
| BV12: Number of working days/shifts lost to sickness (per fte). | 16.8 | 15.5 10164 days lost / 654 fte | 12 (CYC) 14 (NS) | 11 (CYC) 14 (NS) |
| CPA13a. Number of days lost to stress related illness (per fte). | 2.79 | 2.53 1656 days lost / 654 fte | 2 (CYC) | 1.8 (CYC) |

46. The actions described above give reason for optimism over continued improvement in sickness performance. Performance improved in the second half of 2007/08 (following the implementation of the new policy) – averaging about 1.1 days per fte over that period. March 2008 saw the lowest sickness level in the directorate since we started recording this in 2003 – at just under 0.9 days per fte.
47. The level of stress absence (including anxiety and depression) fell by about 9% in 2007/08. There were 60 individual cases of stress absence through the year – accounting for 1656 lost fte equivalent days. Of these, 10.6% were caused by a reaction to bereavement (ie not work related). The reduction in stress related sickness in the 2nd half of the year compared with the first half is dramatic – approximately 70% of stress days occurred in the first half of the year.
48. While the reduction in stress related absence is welcome, the figure is still high compared with other directorates. In 2008/09 we will examine the approach taken by HASS in reducing their stress absence levels in 2007/08.

Priority 2: Staff Development

| Key actions from Directorate Plan: | Milestone | On target? |
|--|-----------------------|------------|
| Deliver weekly meetings between the Director and front line staff. | Established + ongoing | Yes |
| To hold quarterly meetings of the DNS Managers Forum to further develop leadership skills. | Established + ongoing | Yes |
| To hold quarterly 'tool box talks' between AD's and front line staff. | Established + ongoing | Yes |
| Improve internal staff communications. | Dec 07 and ongoing | Yes |
| Deliver staff appraisals throughout the directorate | March 08 | Partly |
| Develop proposals for a management training programme, including supervisory staff | Apr 08 + ongoing | No |

49. A number of staff communication mechanisms were set up in 2007/08. We have developed the directorate's performance management framework to incorporate regular meetings with heads of service to discuss and progress specific areas of performance. A regular managers forum meeting is now well embedded, bringing together up to 40 managers at a time to discuss issues and in some cases to support the development of issues and policies. The director and assistant directors meet with their staff regularly. A bimonthly staff newsletter has been started (third edition should be available by 5th June), which aims to inform all staff about key developments across the directorate.
50. Over 90% of staff received an appraisal in 2007/08. Due to the diverse nature of the directorate, we deliver appraisals in a range of ways. Appraisals for most office based staff are done on a one to one basis. Most appraisals for front line staff are delivered in group meetings with an offer of individual appraisals being made. The use of group appraisals means that inevitably some employees slip through the net. A new mechanism to improve group appraisals has been developed for 2008/09 and a more robust cascade system will be in place.
51. No progress has been made in developing a management training programme but this remains important and this action will be rolled forward into 2008/09. A first task will be to evaluate how a bespoke development programme would complement the training that currently is going on in a number of departments.

| Key measures from Directorate Plan: | 2006/7 | 2007/8 result | 2007/8 target | 2008/9 Target |
|---|--------|---------------|------------------|---------------|
| Staff receiving an appraisal (PDR) in last 12 months. | 59% | 92% | 90% (CYC target) | 92% |

Priority 3: Implementing job evaluation / pay and grading

| Key actions from Directorate Plan: | Milestone | On target? |
|--|-----------|------------|
| Contribute to reaching collective agreement with joint Trade Unions. | Dec 07 | Complete |
| Implement new pay and grading structure. | Apr 08 | Ongoing |

52. Moves to remove bonus payments from operational staff occurred in late 2007. A ballot was held in November 2007 and the approach received a 95% approval rate. To date these changes have not significantly hampered our ability to deliver the full range of services.
53. The result of the pay and grading review was communicated to staff in late April. The new structure will be implemented from 1st April provided that a ballot is successful. We will then work through a number of appeals from staff unhappy at how they have been placed in the structure.

54. There was one qualitative measure for this priority which was around the level of detriment to industrial relations. As set out above, to this point in time, no industrial action has been taken. Once the outcome of appeal hearings start to come through we will know more about the effect on our ability to deliver the full range of services – either due to any future industrial action or due to inability to recruit or retain groups of staff.

Priority 4: Improving health and safety culture

| Key actions from Directorate Plan: | Milestone | On target? |
|--|-----------------------------|------------|
| Improve methods of ensuring a healthy workforce. | Apr 08 | Yes |
| Improve approach to lone working. | Apr 08 | No |
| Re-instate clear approach to on site inspections, training and communications. | Apr 08 | Partly |
| Improve training record management | Oct 08 | Yes |
| Introduce a more user friendly approach to risk assessment | Dec 08 | Yes |
| Audit H&S culture across NS teams. | Rolling programme to Mar 09 | No |

55. Work on health and safety remains a very high priority. A major corporate review of health and safety has been undertaken – and this has led to some of the work set out in the directorate's internal Health & Safety Improvement Plan being either rescheduled or put on hold. Relationships with the Health & Safety Executive (HSE) have been maintained through the process of prosecution which has recently come to a close. A monthly Heads of Service meeting is now held to allow for regular discussion of key H&S issues.
56. The new occupational health contract will help to improve the service that we receive on health surveillance. In the last month of the National Britannia contract we cleared much of the backlog of staff who needed to be assessed. The new contractor will help us to improve this position further. Internally a new risk based policy has been agreed and a much simpler approach to administration of health surveillance has been put in place, with a single point of contact with the new provider.
57. The potential approach to lone working through development of a safety net using CCTV and radio to link up groups of staff will not be taken forward. Improving the safety of lone workers therefore remains a key issue. Environmental Health and Trading Standards, and Licensing services are piloting an approach at present and we will evaluate this in 2008/09.
58. A new approach to on-site inspections has been introduced. This provides greater clarity over the respective roles of H&S staff and managers. This is in line with the new corporate role for H&S staff and

will ensure more proactive work is done with operatives in the field. A new near miss reporting booklet has been developed and opened up to all staff to allow them to report (anonymously if desired) hazards, near misses, and breaches of H&S practice. If successful this will increase our understanding of potential hazards before they cause accidents. The new approach has the potential to raise the health and safety awareness of staff which could lead to higher numbers of accidents being reported.

59. We are trialling an approach to training record management within the construction department at present. Initial feedback is that the solution appears very positive and could be rolled out across the directorate in 2008/09.
60. Risk assessments within the directorate are up to date. The future development of risk assessments depends on corporate work around the future health and safety policy – and Neighbourhood Services will comply with corporate guidance.
61. The audit of health and safety culture will not be progressed as we redirect resource into other work areas, in particular responding to the findings of the corporate review.

| Key measures from Directorate Plan: | 2004/5 to 2006/7 | 2007/8 (Apr – Sept) | 2007/8 (Oct – March) | 2007/8 actual | 2007/8 target | 2008/9 Target |
|--|------------------|---------------------|----------------------|---------------|---------------|---------------|
| Total number of accidents reported. | 124 (ave) | 66 | 53 | 120 | None set | None set |
| Number of RIDDOR accidents. | 27 (ave) | 18 | 11 | 29 | 25 (NS) | None set |

62. Annual performance was slightly better than the position forecast in December 2007. There were 29 RIDDOR accidents in the year. RIDDOR accidents are those which cause an absence of three or more days, in which case they must be reported to the HSE. The number of accidents can vary significantly from month to month. There was a drop in RIDDOR accidents in the second half of the year which is good news but does not constitute a trend. Performance in 2007/8 was largely in line with performance over the preceding 3 years.
63. The new corporate policy may include some additional performance indicators for health and safety. If so we would incorporate them into the directorate's performance management framework in the most appropriate way.

Priority 5: Improving financial management

| Key actions from Directorate Plan: | Milestone | On target? |
|--|-----------------------|--------------|
| Provide financial regulation, procurement and budget monitor training for Budget Managers. | Established + ongoing | Yes |
| Reduce debtor days by improved monitoring of recovery action taken. | Established + ongoing | Yes |
| Review the overhead allocation model to ensure that support costs are fairly apportioned. | Nov 07 | Yes |
| Use a zero based budget setting approach where applicable to improve monitoring. | Feb 08 | Yes |
| Complete financial review of specific service areas (building maintenance, cleaning, transport). | Apr 08 | Yes, ongoing |
| Reduce creditor days by developing a web based system to pay some large suppliers. | Apr 08 | Work started |

64. Training on budget monitoring, procurement and financial regulations has been provided to Heads of Service, who are the key budget managers within the new monthly monitoring system. We now monitor budgets monthly with Heads of Service and operational managers as appropriate.
65. Action on debtors has been taken, and while the number of debtor days has not changed significantly our overall provision for bad debt has reduced.
66. The review of the overhead allocation model was completed on time, with both 07/08 budgets, and 08/09 budgets are based on the new overhead allocation model.
67. The 2008/09 budget has used a zero based budget approach – which means that in year monitoring will take place on a more realistic basis.
68. We have undertaken financial reviews of the three service areas. Building maintenance finances were reviewed and a new business plan has been developed for 2008/09 which will be kept under review but which should help to deliver improved financial performance. Cleaning service underwent a comprehensive review of charges to schools and other clients leading to rates that will reflect the full cost of the service. A key task in 2008/09 will be to keep building maintenance and cleaning under close review. We are continuing to review costs in relation to transport costs, and this will continue during 2008/09.
69. A web based system to pay our larger suppliers, particularly Yorwaste, was demonstrated in December 2007. At that point further work was clearly required to ensure the system could do all that we wanted from it. The system has now been developed further and the next step is to assess whether it is fit for purpose and get an implementation timetable together.

| Key measures from | 2006/7 | 2007/8 forecast | 2007/8 target | 2008/9 Target |
|--------------------------|--------|--------------------|------------------|------------------|
|--------------------------|--------|--------------------|------------------|------------------|

| | | | | |
|--|--------------------------|--------------------------|---------------|---------------|
| Directorate Plan: | | | | |
| Reduction in outturn variance against budget | £524k under-spend (3.8%) | £162k under-spend (1.2%) | Zero variance | Zero variance |

70. The new format budget monitor is improving forecasting because it brings budget managers into the forecasting process at a more detailed level. Reports are now produced for DMT monthly which helps variances to be understood, tracked and managed. The new process has played some part in reducing variation against the base budget to 1.2%.

Priority 6: Tackling violent, aggressive and nuisance behaviour (Corporate priority)

| Key actions from Directorate Plan: | Milestone | On target? |
|---|----------------------|-------------------|
| Develop proposals to introduce single radio network linked to CCTV control room in York. | Dec 07 and ongoing | No |
| Approve and implement draft anti-social behaviour strategy (to include work to tackle domestic violence). | Dec 07 and ongoing | Late |
| Review Safer York Partnership structure to reflect agreed business plan objectives. | Jan 08 | Yes |
| Extend the night-time noise enforcement service | April 08 and ongoing | Yes |
| Evaluate cold calling control zone pilots (Jan 08) and if successful roll out further. | April 08 and ongoing | Yes |

71. Preliminary research was undertaken to identify the feasibility of the proposal to introduce single radio network linked to CCTV control room. However it became evident that it would require a significant capital investment, and revenue costs to support the hardware costs associated with the proposal. In addition approximately 50% more CCTV staff would have been required to support the system. Despite the major potential benefits, further work on the feasibility was stopped due to significant doubts over the system's affordability.
72. The anti-social behaviour strategy that will co-ordinate the work of different agencies and partners is still in development. It was discussed at CDRP Board in mid April. Some minor changes were suggested and the completed strategy will be taken in July 2008.
73. The CDRP Board agreed in September to review the partnership structure to meet its business plan objectives and budgets. A revised structure was developed for the CYC element of the partnership, and amendments to posts were made as part of the budget proposals for 2008/09. North Yorkshire Police has also undertaken a capability and capacity review in 2007 which has removed the Chief Inspector

Community Safety, and Local Authority Liaison Officer posts from the structure. All other police community safety posts now report directly to the Director of Safer York Partnership as part of the SYP team. Further discussion is underway with North Yorkshire Police regarding the long term contribution of posts and funding to the CDRP.

74. Members agreed through the most recent budget process to continue to fund the night-time noise enforcement service beyond the end of the LPSA2 period.
75. Cold Calling pilots have been in place in a number of areas since January. Early evaluation in the initial zones suggested that 87% of residents were either concerned or very concerned about the issue on launch. After 3 months 66% of the residents in these areas now felt less concerned.

| Key measure from Directorate Plan: | 2006/7 | 2007/8 actual | 2007/8 target | 2008/9 Target |
|---|--------|---------------|---------------|---------------|
| Total Crime (BCS total crime) | 13304 | 11119 | 13625 | 10948 |
| SSC3.5 Illegal alcohol sales via Test Purchase Programme (LPSA2) | 12.1% | 8.6% | 10% | 10% |
| SSC3.2 % of residents who feel informed over what is being done to reduce ASB (RESOP) | 29% | 30% | 35% | 40% |
| SSC3.6 % of people who feel York is a safe city to live in (LPSA2) (TALKABOUT) | 53% | 55% | 68% | 68% |
| COLI104. % of residents reporting noisy neighbours as a problem (LPSA2) (RESOP) | 14% | 13% | 9% | 9% |

76. Safer York Partnership monitor British Crime Survey crime levels by crime category each month. Total recorded crime fell by a further 16.4% in 2007/8.
77. We met the LPSA2 target for the illegal alcohol sales test programme. Over the two year period 9.95% of test sales were positive. The other two perception measures in the LPSA did not meet their ambitious LPSA2 targets, but generally direction of travel on the perception measures remains steady or positive.

Priority 7: Neighbourhood management service review and improvement

| Key actions from Directorate Plan: | Milestone | On target? |
|---|------------------|-------------------|
| Develop a model of neighbourhood management for political approval. | Apr 08 | Yes |
| Explore and understand the implication of the forthcoming Local Government and Public Involvement in Health Bill | Apr 08 | Yes |
| Start to implement relevant statutory requirements on the LG bill, in support of the council's corporate response | Dec 08 | Yes, now started |
| Continue to explore how to implement best practice coming of the LG bill, in support of corporate inspection | Dec 08 | Yes, now started |
| Review the structure of NMU to ensure that it is fit for purpose (depends on neighbourhood management model chosen) | Apr 09 | To start |

78. Work has been undertaken to develop a model of neighbourhood management to respond to the Local Government White Paper 'Strong and Prosperous Communities' and Local Government & Public Involvement in Health Bill. Key to these models is the ethos of increasing participation, involvement and devolution. Executive agreed to the 'increase democracy and participation' model in principle in January 2008 and asked for a corporate action plan to be developed that would lead to the council delivering these outcomes. This is now under development and will be taken to CMT for initial consideration.
79. The other milestones set out above are on target. We are working through ward committees, Your Ward and the neighbourhood action plan (NAP) process to implement elements of the Local Government bill by increasing empowerment of, and participation among, residents. The outcome being sought is to embed the NAPs into the corporate planning process so that all services consider their impact in wards as a matter of course.
80. The NMU structure will be reviewed once the CPA corporate inspection results are public and understood.
81. The single measure under this priority was a customer perception measure about the proportion of residents who feel they can influence decisions affecting their area. This measure was asked in the Resop survey in 2006, when 36% of people agreed that they could influence decisions affecting their area. The question was not asked in 2007. This indicator has been chosen for the new Local Area Agreement.. The question will be asked in the new statutory 'Place Survey in Autumn 2008 and 2010. We will not be able to set a target on this indicator until after the 2008 Place Survey has been completed.

Priority 8: Building maintenance service review and improvement

| Key actions from Directorate Plan: | Milestone | On target? |
|--|-----------|-------------------|
| Implement Building Maintenance restructure. | Nov 07 | Yes |
| Review the end-to-end repairs partnership with HASS. | Apr 08 | Yes |
| 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 | Yes |
| Extend existing partnership working with other internal clients | Dec 08 | Yes, work started |

82. The Building Maintenance restructure is now complete. Additional structural changes have been implemented following the deletion of the General Manager post. Rollout of the agreement with Jewsons was complete by mid November 2007 and we have continued to review the agreement throughout the past few months of bedding in. The expected benefits of from working with one supplier are being felt as far as the reduction in invoicing from other suppliers – with levels reducing significantly. Jewsons are currently experiencing difficulty in coping with the volume and diversity of the throughput. Staff are working closely with Jewsons and OGC to resolve these issues.
83. The repairs partnership with Housing & Adult Social Services (HASS) is being reviewed. One of the first outcomes from the review will be an end to end measure jointly owned by HASS and Neighbourhood Services to measure the time between customers asking for an appointment and the repair or relet process being completed. The measures have now been agreed but delays in implementing the changes mean they are not yet in place.
84. Further work on partnership working has resulted in the east side gas servicing contract now being brought into the partnership. Discussions are also in the early stages with the facilities management client to form closer ties in service delivery.
85. Performance on the two national targets improved significantly in 2007/08. The urgent repairs figure includes gas servicing. On average urgent repairs take 1.34 days to complete (31% faster than last year).

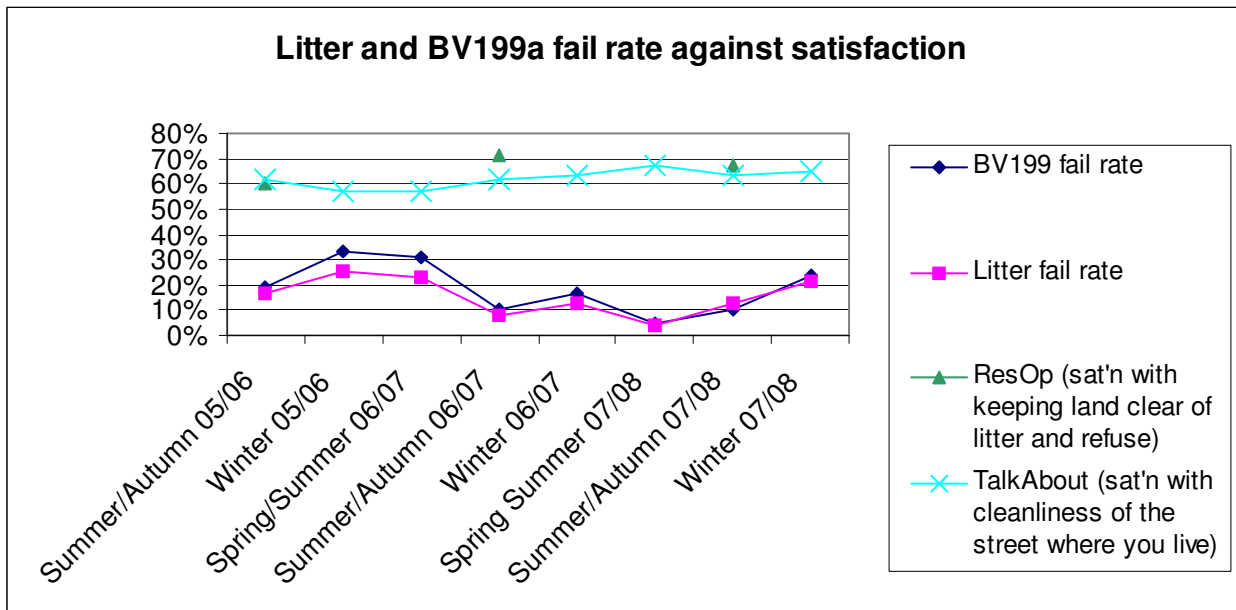
| Key measures from Directorate Plan: | 2006/7 | 2007/8 actual | 2007/8 target | 2008/9 target |
|--|-----------|------------------------------|---------------|---------------|
| Urgent repairs completed within Government time limits | 83.3% | 90.0% (5532 of 6150 jobs) | 98% | 99% |
| Days taken to complete non-urgent repairs | 9.68 days | 7.97 days (21,544 jobs) | 8 days | 8 days |

Priority 9: Local environment (corporate priority)

| Key actions from Directorate Plan: | Milestone | On target? |
|--|-----------------------|------------------|
| Keep the new approach to street cleansing under review, and implement ongoing improvements as appropriate. | Established + ongoing | Yes |
| Review city centre zone street cleansing, and implement findings. | Apr 08 | No, work started |
| Review the use of large mechanical sweepers | July 08 | No |
| Review provision of public toilets. | July 08 | No, work started |

86. Head of Neighbourhood Pride Service meets with his staff every month to check on progress, and work through issues that arise. The findings of the encams review, the BV199 survey results and customer satisfaction results have been fed into these meetings. Maintaining momentum among staff will be a key issue in continuing to improve performance.
87. Members received a report in October 2007 which highlighted a series of pilot exercises being undertaken within the city centre zone. The review is continuing but was not completed by April 2008. Currently we are considering trialling a new approach to night working on Friday and Saturday nights during the summer, funded from various sources including Safer York Partnership.
88. It is unlikely that we will complete the review of large mechanical sweepers by July 2008. It is hoped that the recent investment in a small sweeper will impact positively on detritus levels, which would impact on the potential use of the large sweepers. We want to understand this impact fully before we review the service fully.
89. Another paper on this agenda sets out progress on the review of public toilets. That makes it clear that the July 2008 timescale for completing that review will not be met.

| Key measures from Directorate Plan: | 2006/7 | 1 st survey (May) | 2 nd survey (Oct) | 3 rd survey (Feb) | 2007/8 Actual | 2007/8 target | 2008/9 Target |
|---|--------|------------------------------|------------------------------|------------------------------|---------------|---------------|---------------|
| BV199a: % of relevant land with levels of litter and detritus below acceptable standards. | 19.2% | 5% | 10% | 24% | 13.5% | 17% | 16% |
| BV89: % of people satisfied with local cleanliness | 71% | | | | 67% | 70% | 72% |



90. BV199 measures the cleanliness of the local area as members of the public would perceive it. The measure is based on a survey of at least 900 sites across the city – at which we check levels of litter, detritus, graffiti and fly-posting. Each year we do three surveys – each covering about 300 sites in 5 city wards. The final annual survey was completed in February 2008 and covered Acomb, Heworth, Huntington & New Earswick, Hull Road and Strensall wards.
91. While the winter survey generally gives the poorest result, and the survey was carried out during and after particularly stormy periods of weather, the fail rate of 24% is disappointing. The detritus score in particular was disappointing and has been the subject of discussion with operatives throughout the spring. Overall though the service has dramatically improved on the 2006/07 level of 19%, with a final overall result of 13.5% over the year. More details are set out below.
92. Satisfaction with local cleanliness (BV89) dropped slightly despite the improved level of cleanliness in the city. The graph above suggests that while we appear to have made a fairly significant change in cleanliness levels (we are disappointed now with a result we would have been delighted with 2 years ago), public satisfaction has not moved significantly.
93. Graffiti and fly-posting are also measured using the BV199 survey. The measured level of graffiti has risen. 50% of the areas surveyed in February 2008 contained some level of graffiti compared with 28% in the winter survey last year. Under the survey method used, the level of graffiti must be significant in order to fail (below acceptable standard) – and just 6% of the areas surveyed had graffiti bad enough to fail.
94. Litter and graffiti were a particular problem at 'secondary retail', 'other highways' and 'recreation areas' with fail rates well above the overall level. In response the spring clean campaign which has run during May, has targeted shopping areas, snickleways and recreation areas in various parts of the city for extra cleaning. However long term solutions

to combat litter and graffiti in these areas need to be considered and are highlighted below.

95. The 2007/8 surveys have highlighted once again, that detritus is a particular problem in high density residential areas where staff have difficulty cleaning due to parked cars.

| % of sites with unacceptable levels of: | 2006/7 | 2007/8 target | 2007/8 1 st survey (May 07) | 2007/8 2 nd survey (Oct 07) | 2007/08 3 rd survey (Feb 08) | 2007/08 actual |
|---|--------|---------------|---|---|--|----------------|
| BV199 a Litter fail rate | 15% | None set | 4% | 13% | 21% | 12% |
| BV199a Detritus fail rate | 24% | None set | 7% | 7% | 31% | 15% |
| BV199a: Combined litter and detritus | 19.2% | 17.0% | 5% | 10% | 24% | 13.5% |
| BV199b: Graffiti | 6% | 4% | 1% | 5% | 6% | 4% |
| BV199c: Fly-posting | 0% | 1% | 0% | 1% | 1% | 1% |

96. The survey results and ongoing intelligence about other environmental problems drives the street environment service's proactive workplan. The service is currently working on improvements in service delivery in response to the 18 ward neighbourhood action plans (NAPs) devised through the neighbourhood management team. Findings and trends identified in the latest BV199 survey (and also found in 199 results since its introduction in 2003), and other surveys across the city are being used to help develop a ward-level response to environmental issues. The majority of (NAPs) identified safety and the environment as priorities in the wards, and the street environment service will contribute to addressing these priorities.

97. During summer 2008, the street environment officers (SEOs) will produce an environmental action plan to address local graffiti and cleanliness problems. The 2007-08 surveys identified a slight increase in fly posting and graffiti, particularly in 'other highways' and 'secondary retail' areas. In response both the SEOs and the environmental enforcement officers will carry out more frequent inspections of these areas to ensure timely removal. Preventative work with the community will also be included in the plan on top of the on-going work with safer neighbourhood teams. SEOs will work with barrow staff to identify streets in high density areas that have particular problems with detritus. Actions to address the problem will include additional street closures to facilitate access. Progress with these plans will be brought to ward planning meetings to be shared with councillors and other partners. Draft plans will also be

shared with residents and local stakeholders to ensure that the plans reflect the views of the local community.

98. During 2007/08, the two new environmental enforcement officers (EEOs) have been trained in various aspects of environmental law, and have established a work plan for combating environmental crime that ensures all wards benefit. In 2007/08, the officers have monitored and investigated fly tipping, with about 10 investigations ongoing each month. 86 duty of care inspections have been carried out in businesses – with the majority of businesses compliant in the duty of care for the waste they produce. 45 FPNs have been issued for litter, with routine monitoring going on around schools and secondary retail areas each week. Monitoring of early refuse presentation goes on each week with now about 2% of residents presenting refuse early. Working with local communities, landlords and residents to reduce early refuse presentation will continue to be a large part of the EEOs role. Further development of the EEO role will continue in 2008/09.

Priority 10: Waste management (corporate priority)

| Key actions from Directorate Plan: | Milestone | On target? |
|---|-----------------------|--------------|
| Explore options for kerbside recycling service (to meet central govt targets) | Established + ongoing | Yes |
| Introduce enhanced recycling to schools and council offices (linked to NS12) | Oct 07 and ongoing | Yes |
| Identify and start to procure access to a short-term waste treatment facility | Oct 07 and ongoing | Yes |
| Review collection of commercial waste (link to NS12) | April 08 | Yes |
| Rewrite waste strategy for York. | April 08 | Work ongoing |

99. Work to pilot an extension of kerbside recycling to terraced housing and communal recycling to blocks of flats was agreed by Executive in October 2007. Funding was agreed through the budget process to allow us to start piloting a range of approaches in the Groves area from October 2008. The pilot will allow us to learn about containers, access, storage and vehicle issues which can benefit a later roll out to other parts of the city. A detailed delivery plan for the pilot will be brought to EMAP before it starts.
100. School recycling was greatly expanded in February 2008. We now offer all schools in the area a paper/cardboard/glass/plastic/cans service and initial signs are positive – collecting between 5 and 6 tonnes per week rather than the 1 tonne per week when we offered just a paper service. This was the subject of a Neighbourhood Pride campaign in which over 550 children from 15 schools took part in a recycling competition to design a poster for the side of the school recycling lorry.

101. The council office recycling pilot at Hazel Court was rolled out to all the main city centre administrative buildings in April 2008, and so covers about 70% of the council's office based workers. We have collected an estimated one tonne per week of recyclable material from these buildings which is a good start. Work is now going on to explore the feasibility of adding glass and plastic cups into the list of items that can be recycled.
102. North Yorkshire County Council (on behalf of the York & North Yorkshire Waste Partnership) are tendering for an interim (ie prior to a waste private finance initiative solution coming on stream) waste treatment facility. Six companies tendered by the deadline on 5th November and the initial evaluation will be considered by end November. Final evaluation is due to be completed by mid-June 2008.
103. Commercial recycling will start with a limited roll out to our existing commercial customers at first. This will start in June 2008. We are working with Yorwaste to develop a long term approach to offer a business recycling service to all businesses. The target will be to divert just over 3100 tonnes of commercial waste from landfill in 2008/09.
104. The comprehensive paper to executive in October 2007 set out an interim waste strategy for the city. This provides us with a comprehensive waste strategy covering all the major issues that we face and provides a clear guide as to the next stages in developing waste management arrangements. We will need to refresh the waste strategy in light of any issues coming out of the equality impact assessment currently being done, and ideally produce a more accessible document during the forthcoming year.
105. All the key indicators met or exceeded their 2007/8 targets. The headline measure of household waste recycled and composted hit 43.37% - an 8% improvement on last year. Performance now exceeds the 2009/10 national target of 40%. Satisfaction with waste collection and waste recycling also rose slightly above the 2006/7 figure.
106. The BVPIs are being replaced by a new set of National Performance Indicators (NPIs) from 1st April but the measures remain similar. The other performance paper on this agenda sets out targets against the waste NPIs.

| Key measures from Directorate Plan: | 2006/7 | 2007/8 Actual | 2007/8 target | 2008/9 Target |
|--|-----------|---------------|---------------|---------------|
| BV82a+b – household waste recycled + composted | 39.93% | 43.37% | 41.61% | 43.50% |
| BV91b – households serviced by two recyclables | 87.53% | 86.98% | 87.15% | 87.30% |
| BV84a – waste collected per head of population | 538.54 kg | 512.25kg | 540.19 kg | 523.73 kg |
| BV90a – satisfaction with household waste collection | 72% | 75% | 73% | 74% |
| BV90b – satisfaction with waste recycling facilities | 75% | 77% | 77% | 78% |

Priority 11: Building and school cleaning service review and improvement.

| Key actions from Directorate Plan: | Milestone | On target? |
|---|-----------|------------|
| Ensure that recruitment and selection processes are robustly applied. | Oct 07 | Complete |
| Undertake comprehensive service review, and implement findings. | Apr 08 | Complete |

107. Cleaning was included as a directorate priority due to the need to undertake a comprehensive service review. A complete review of the available budget was undertaken with 'budget officers' for building cleaning. The outcome identified areas that required adjustment to the resources being used. This change was carried out over a period of time, taking advantage of natural wastage. Sickness absence management has been changed to deliver the revised trigger point monitoring from the new corporate policy. Over the year sickness levels have significantly reduced. Location based materials budgets have been established to bring further controls and monitoring opportunities for materials usage. The rebalancing of locations, staffing and supervisory support has been completed.
108. Personal meetings were carried between senior managers in the service and 12 head-teachers. The service was represented at a senior level at the head-teachers forum. All other schools have received personal letters outlining the service and costs for 2008/09 year. While recognising the challenges of staffing the school cleaning service there has been overwhelming support for all the schools visited. The service level has been modified at four schools which allows the service to be delivered within the resources available. At only one location, has it been necessary to reduce the contracted hours of staff. This work is currently ongoing with the support of HR.

| Key measures from Directorate Plan: | 2006/7 | 2007/8 Actual | 2007/8 target | 2008/9 Target |
|--|--------|----------------------|---------------|---------------|
| Customer satisfaction with cleaning service. | 90% | No survey undertaken | 85% | >90% |
| Level of staff turnover. | 3.65% | 2.75% | No target set | <2.5% |

109. Asking head-teachers and occupiers of buildings about satisfaction with the cleaning service every year was becoming onerous for both the service and school staff in particular. We therefore decided to undertake a customer satisfaction survey every other year, with the next scheduled survey in September 2008.
110. The cleaning service is a very staff intensive service. Retaining high quality cleaning staff remains difficult given market conditions, and so staff management is the key performance issue for the service. Staff

turnover has reduced significantly with 120 cleaners leaving during 2007/08. Staff sickness has improved from 23.4 days per fte in 2005/6 to 14.8 days per fte in 2007/08.

Priority 12: Waste service review and improvement

| Key actions from Directorate Plan: | Milestone | On target? |
|--|----------------------|--------------|
| Implement new Vehicle Management Information System to help track progress in real time. | Oct 07 | Complete |
| Introduce enhanced recycling to schools and council offices (linked to NS10) | Oct 07 + ongoing | Yes |
| Introduce new integrated commercial waste management system | Dec 07 | Work started |
| Review collection of commercial waste (linked to NS10) | April 08 | Complete |
| Publish customer standards | April 08 | Yes |
| Review policy on assisted collection | April 08 | Work started |
| Review working patterns in the light of new waste strategy, and implement | April 08 and ongoing | Work started |

111. A number of the key actions have been achieved, but a number remain outstanding.
112. The initial phase of the new vehicle tracking system went into vehicles in December 2007. Testing was carried out between January and March 2008. Various upgrades and modifications were identified and completed in this period. The system is now fully tested and the final pieces of equipment were installed in April 2008. The following benefits are now starting to be established:
- Reduced fuel costs
 - Reduced communication costs
 - Allows validation of overtime payments
 - Allows efficient route planning
 - Reduces response times to missed bins
 - Reduces time producing and processing quotes, contracts and other administration
 - Enhances the safety of the staff on the vehicle
 - Notification of load limits before they are reached
 - Clarification on vehicle speeds and locations if damage claims are received.
 - Reports to show whether staff are working near the limit of the European Working time regulations.
 - Ability to import and export data via standard file formats.

113. The council office recycling pilot at Hazel Court was rolled out to all the main city centre administrative buildings in April 2008, and so covers about 70% of the council's office based workers. We have collected an estimated one tonne per week of recyclable material from these buildings which is a good start. Work is now going on to explore the feasibility of adding glass and plastic cups into the list of items that can be recycled.
114. The confirmation of requirements for the commercial waste management software has been received from the IT department. The minor clarification points should be resolved in early May when implementation should start. Expected sign-off is mid June 2008.
115. Commercial recycling service. Greater opportunities for private businesses to recycle are also being introduced through an arrangement with Yorwaste. Yorwaste have agreed to collect recycling from some of the more remote school locations, which is freeing up the pilot vehicle that we have available to offer a service to some businesses in the city. Final meetings are scheduled with Yorwaste during May with a view to promoting the service in limited areas from June onwards.
116. School recycling, including campaign. Initial results are very encouraging, with about 5 tonnes being recycled per week from schools. This was the subject of a York pride campaign where about 550 children from 15 primary schools entered a competition to design a panel on the school recycling vehicle.
117. New customer standards were published in November 2007. However we are aware that a corporate review of customer service standards is due to report in 2008 and this may impact on future plans. The service is currently undertaking an equality impact assessment (EIA) which will include a review of the assisted collection service. This assessment will be complete and any changes implemented by December 2008.
118. Performance on all of the service's key indicators improved including the headline customer satisfaction measure which shows that 75% of customers were satisfied with the household waste collection service. Using the latest available comparative information from 2006/7 suggests that we have moved above the bottom quartile – and the waste inspector in June 2007 suggested that we compare well on satisfaction with other authorities that have moved to an alternate week system.

| Key measures from Directorate Plan: | 2006/7 | 2007/8 (Apr – Sept) | 2007/8 (Oct – March) | 2007/8 actual | 2007/8 target | 2008/9 Target |
|---|--------------|------------------------|-------------------------|------------------|------------------|------------------|
| COLI3: Missed bins per 100,000 collections | 77.63 | 55.11 | 46.15 | 50.60 | 60 | 50 |
| VW19: Missed bins put right by end of next working day. | 58.24% | 63.92% | 97.88% | 79.86% | 100% | 100% |
| Number of Customer Relationship Management system | 67 per month | 60.8 per month | 42.5 per month | 51.7 per month | <60 per month | <50 per month |

| | | | | | | |
|--|-----|-------------|-------------|-------------|-----|-----|
| complaints | | (365 total) | (255 total) | (620 total) | | |
| BV90a: % of people satisfied with household waste collection | 72% | | | 75% | 73% | 74% |

119. Performance on the key quality measures of missed bins and proportion of missed bins collected by next day have both improved in the second half of the year following some poor months through the spring and summer. Maintaining recent levels of performance consistently during 2008/09 is a key for the service.

| | COLI 3. Number of missed bin collections (per 100,000) | VW 19. Missed bin collections put right by end of next working day | CRM system complaints |
|-------------------|--|--|-----------------------|
| April 2007 | 61 | 83.5% | 110 |
| May 2007 | 49 | 50.3% | 73 |
| June 2007 | 59 | 32.0% | 66 |
| July 2007 | 47 | 56.3% | 39 |
| August 2007 | 63 | 67.5% | 39 |
| September 2007 | 50 | 93.9% | 38 |
| October 2007 | 42 | 99.4% | 47 |
| November 2007 | 45 | 99.4% | 32 |
| December 2007 | 29 | 96.1% | 32 |
| January 2008 | 53 | 99.5% | 67 |
| February 2008 | 61 | 98.1% | 35 |
| March 2008 | 47 | 93.8% | 42 |
| Full year 2007/08 | 50.60 | 79.86% | 620 |

Other Performance Areas: Street Scene Review Indicators

120. These measures are not included in the directorate plan. However street scene remains a key area of our customer facing activities that members have been consistently interested in. They show strong performance across the range of activity.

| Indicator | 06/07 Actual | 07/08 Target | 1 st ½ yr 07/08 | 2 nd ½ yr 07/08 | 07/08 Actual |
|---|-----------------|-----------------|------------------------------------|------------------------------------|------------------|
| BVPI 218a. % of new reports of abandoned vehicles investigated within 24 hours of notification | 99.8% | 95% | 100% 151/151 | 94.5% 104/110 | 98.1% 256/261 |
| BVPI 218b. % of abandoned vehicles removed within 24 hours (from the point at which we can legally remove them) | 91.0% | 95% | 91.3% 21/23 | 75.0% 9/12 | 85.7% 30/35 |
| COLI 77a. Average time taken to remove obscene graffiti (days) | 1.55 | 2 | 1.13 (12 jobs, 100% in time) | 1.60 (30 jobs, 80% in time) | 1.46 |
| COLI 77b. Average time taken to remove non-obscene graffiti (days) | 2.46 | 4 | 2.96 (71 jobs, 82% in time) | 2.33 (186 jobs, 88% in time) | 2.50 |
| VH5a. Average time taken to remove fly-tips (days) (global figure) | 1.69 | 2 | 1.46 (608 jobs, 85% in time) | 1.02 (690 jobs, 95% in time) | 1.22 |
| VH5b. Average time taken to remove fly-tips (days) (NS figure) | 0.87 | 1 | 1.20 (580 jobs, 76% in time) | 0.92 (761 jobs, 89% in time) | 1.08 |

Local Public Service Agreement (LPSA2)

121. The LPSA2 agreements has now come to an end. Overall we delivered 69% of the potential reward grant across our 6 LPSA2 targets (£1,355k out of £1,967k).
122. Two of the twelve LPSA2 targets related to improving street cleanliness, and improving the recycling rate. The stretch targets for BV199a and BV82a were met. Satisfaction with local cleanliness dropped to 67% in 2007/08 and so while we achieved some stretch we will not attract reward grant on BV89. Overall the reward grant figure on these targets will be £590k out of a potential total of £656k.
123. Four targets related to community safety. Overall we expect to receive £765k out of a potential £1,312k across these 4 targets. Under target 4 (violent crime) we did produce stretched performance but not enough to attract reward grant – missing out on £327k by 48 recorded crimes.

| Target | Measure | Base figure | 06/07 actual | 07/08 target without LPSA2 | 07/08 target with LPSA2 | 07/08 Outturn | Reward grant prediction (0,60,100 %) |
|--------|---|--------------------------|---------------|----------------------------|-------------------------|---------------|--------------------------------------|
| 1 | Proportion of land and highways having deposits of litter and 'detritus' (BV199a) | 2003/4 and 2004/5 27% | 19% | 19% | 17% | 13.5% | 100% |
| | Percentage of people satisfied with local cleanliness (BV89) | 2003/4 60% | 71% | 66% | 70% | 67% | 0% |
| 2 | BV82a (ii) Tonnage of household waste recycled | 2003/4 10,550 tonnes | 23,440 tonnes | 22,150 tonnes | 23,988 tonnes | 25,530 tonnes | 100% |
| 3 | Number of Burglaries | 2003/4 2,346 | 1,081 | 1,642 | 1,501 | 989 | 100% |
| 4 | Number of incidents of violent crime | 2003/4 2,506 | 2,548 | 2,255 | 2,181 | 2,229 | 0% |

| Target | Measure | Base figure | 06/07 actual | 07/08 target without LPSA2 | 07/08 target with LPSA2 | 07/08 Outturn | Reward grant prediction (0,60,100 %) |
|--------|--|-----------------|--------------|----------------------------|-----------------------------------|--------------------------------------|--------------------------------------|
| 5 | Theft or unauthorised taking of a vehicle (incl attempts) | 2003/4 1,066 | 660 | 746 | 682 | 492 | 100% |
| | Theft from a vehicle (incl attempts) | 2003/4 3,258 | 2,363 | 2,281 | 2,085 | 1,680 | 100% |
| | Vehicle interference | 2003/4 544 | 492 | 381 | 348 | 303 | 100% |
| 6 | % of illegal sales detected through Test Purchase Programme | 2004/5 17% | 12.1% | 20% | 10% (ave of 2006/7 and 2007/8) | 9.95% (ave of 2006/7 and 2007/8)) | 100% |
| | % of residents reporting noisy neighbours or loud parties represents a problem | 2005/6 13% | 14% | 13% | 9% | 13% | 0% |
| | % of residents who agree that 'York is a safe city to live in, relatively free from crime and violence?' | 2004/5 47% | 53% | 63% | 68% | 55% | 0% |

Customer First Performance

124. Customer first performance is under review at present and is likely to change considerably during 2008/09 as new national and local customer standards and measures are introduced. The table below sets out performance on key customer contact measures.

| Phone calls answered within 20 seconds (target 95%) | Number | Actual (A) Or Sample (A) |
|---|--------|--------------------------------|
| Number of phonecalls received | 12558 | A |
| Number of phonecalls answered within 20 seconds | 10819 | A |
| % of phonecalls answered within 20 seconds | 86.15% | A |

| Answering Letters (target 95%) | Number | Actual (A) or Sample (S) |
|---|---------------|---------------------------------|
| Number of letters received that required a response | 400 | A |
| Number of these letters replied to within 10 days | 283 | A |
| % answered within 10 days | 71% | A |

| Visitors seen within 10 minutes(target 100%) | Number | Actual (A) or Sample (S) |
|---|---------------|---------------------------------|
| Number of customers visiting the reception area | 5950 | S |
| Number of customers seen within 10 minutes | 5950 | S |
| % of customers seen within 10 minutes | 100% | S |

| Visitors needing further help seen within 10 minutes (target 100%) | Number | Actual (A) or Sample (S) |
|---|---------------|---------------------------------|
| Number of customers who needed further help | 3570 | S |
| Number of customers needing further help who were seen within 10 minutes | 2550 | S |
| % of customers needing further help seen within 10 minutes | 71% | S |

| Complaints (target 95%) | Number | Actual (A) or Sample (S) |
|--|---------------|---------------------------------|
| Number of stage 2 complaints received | 2 | A |
| Number of stage 2 complaints responded to within 10 days | 2 | A |
| % of stage 2 complaints responded to within 10 days | 100% | A |
| Number of stage 3 complaints received | 1 | A |
| Number of stage 3 complaints responded to within 10 days | 1 | A |
| % of stage 3 complaints responded to within 10 days | 100% | A |

Consultation

125. The report is primarily an information report for Members and therefore no consultation has been undertaken regarding its contents.

Options

126. The report is primarily an information report for Members and therefore no specific options are provided to Members.

Corporate Priorities

127. Three of the council corporate priorities are directly supported under this portfolio. They are:

- Decrease the tonnage of biodegradable waste and recyclable products going to landfill
- Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces
- Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York.

Implications

Financial

128. The report provides details of the portfolio revenue and capital outturn and therefore implications are contained within the report

Human Resources

129. There are no significant human resources implications.

Equalities

130. There are no significant equalities implications.

Legal

131. There are no significant legal implications.

Crime and Disorder

132. There are no significant crime and disorder implications.

Information Technology

133. There are no significant Information Technology implications.

Property

134. There are no significant property implications.

Risk Management

135. In compliance with the council's risk management strategy, there are no risks associated with the recommendations of this report.

Recommendations

136. That the Advisory Panel advise the Executive Member to approve the financial and performance position of the portfolio and the carry forward requests, subject to the approval of the Executive.

Reason – In accordance with budgetary and performance monitoring procedures.

Contact Details

Author:

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Chief Officer Responsible for the report:

Terry Collins
Director Neighbourhood Services

Report Approved



Date 9/5/2008

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:

2007/08 Budget Monitoring papers held at Neighbourhood Services

Attached Annexes

- Annex 1 Major service variations against budget for non-traded services
- Annex 2 (Confidential) Final Outturn report for the traded accounts
- Annex 3 (Confidential) Major Service variations against budget for the traded accounts

Major Service Variations Identified Against Budgets

| | Forecast £000 | % |
|---|------------------|---------------|
| Environmental Health and Trading Standards | | |
| Reduction in income from City Strategy (Transport & Planning) | 36 | |
| Staffing: Vacant Posts | (68) | |
| Legal Fees | 27 | |
| Miscellaneous | (11) | |
| Environmental Health and Trading Standards Total | (16) | (0.9) |
| Licensing and Bereavement Services | | |
| Over recovery of Licensing Income | (46) | |
| Over recovery of Gambling Act Income | (49) | |
| Shortfall in Crematorium Income | 6 | |
| Crematorium Repairs and Maintenance | 25 | |
| Contribution to Fulford Cemetery | 12 | |
| Miscellaneous | 15 | |
| Licensing and Bereavement Services Total | (37) | (4.4) |
| Neighbourhood Management | | |
| Staffing: Vacant posts | (97) | |
| Target Hardening | (32) | |
| Community Centres | (8) | |
| Miscellaneous | (5) | |
| Neighbourhood Management Total | (142) | (17.0) |
| Ward Committees | | |
| Ward Committee Revenue schemes | (73) | |
| Miscellaneous | (5) | |
| Ward Committees Total | (78) | (7.9) |
| Neighbourhood Pride Service | | |
| Abandoned Vehicles | (22) | |
| Miscellaneous | (15) | |
| Neighbourhood Pride Service Total | (37) | (1.6) |
| Enforcement & Environment | | |
| Staffing: Vacant posts | (49) | |
| York Pride | (9) | |
| Campaigns | (6) | |
| Enforcement & Environment Total | (64) | (8.2) |
| Waste Management, Refuse & Recycling | | |
| Waste Collection | 361 | |
| Waste Processing | (370) | |
| Waste Management, Refuse & Recycling Total | (9) | (0.1) |

Major Service Variations Identified Against Budgets

| | Forecast £000 | % |
|---------------------------|------------------|--------------|
| Pest Control | | |
| Miscellaneous | 6 | |
| Pest Control Total | 6 | 12.0 |
| Total General Fund | (377) | (2.7) |

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Meeting of the Executive Member For Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

Neighbourhoods & Community Safety Group Legal Actions

Summary

1. To inform Members of the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1st January – 31st March 2008.

Background

2. The Executive Member for Environment and Sustainability approved an enforcement policy for Environmental Health, Trading Standards and Licensing Services in September 2005.
3. This report details the results of prosecutions taken in the period 1st January 2008 – 31st March 2008. In accordance with the policy each case is considered on its merits before legal proceedings are instituted.
4. Annex 1 summarises the prosecutions completed, fixed penalty notices and cautions that have been issued (a caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue).

Consultation

5. Not applicable.

Options

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

Analysis

7. Not applicable.

Corporate Objectives

8. Two corporate priorities are “To reduce the actual and perceived impact of violent, aggressive and nuisance behaviour of people in York” and “To improve the health and lifestyles of the people who live in York”.

Implications

9. **Financial:** There are no financial implications associated with this report.
10. **Human Resources:** There are no Human Resources implications associated with this report.
11. **Equalities:** There are no equalities implications associated with this report.
12. **Legal:** There are no legal implications associated with this report
13. **Crime and Disorder:** Formal enforcement action taken by environmental health, trading standards and licensing services contributes to reducing anti social behaviour and dishonest trading.
14. **Information Technology (IT):** There are no IT implications associated with this report.
15. **Other:** There are no other implications associated with this report.

Risk Management

16. There are no known risks associated with this report.

Recommendations

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

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

Contact Details

Author:

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and Trading Standards
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Chief Officer Responsible for the report:

Andy Hudson
Assistant Director (Neighbourhoods and Community Safety)
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Report Approved **Date** 02/05/2008

Specialist Implications Officer(s) *None*

Wards Affected:

All

Background Papers:

Environmental Health, Trading Standards and Licensing Enforcement Policy (March 2008)

Annexes

Annex 1: EH and TS Formal Enforcement Action 1st January 2008 – 31st March 2008.

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Formal Enforcement Action 1st January 2008 – 31st March 2008**Animal Health**

| Defendant | Legislation | Nature of Case | Penalty | Costs |
|--|-----------------------------|---|-------------------------------|---------|
| Deborah KIRBY (Private individual) | The Dangerous Dogs Act 1989 | Failed to comply with a Court Order to keep dog which is dangerous under proper control | 2 years conditional discharge | £681.34 |
| Geoffrey CHAPMAN (Private individual) | Dogs Act 1871 | Failed to keep dog which is dangerous under proper control | Control Order | £250.00 |

Food

- Netto Foodstores Limited
(Supermarket)
- Two Cautions were issued under the Food Safety Act 1990 for possessing for sale items after their use by dates.

Health and Safety

- Graham BOOTLAND
(Taxi driver)
- Mark DAYSON
(Shop owner)
- Robert DUCKMANTON
(Taxi driver)
- Lee GRAHAM
(Taxi driver)
- David McTERNAN
(Taxi driver)
- David McTERNAN
(Taxi driver)
- Phil SHEPPERDSON
(Taxi driver)
- David SHORT
(Taxi driver)
- £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).
 - £150 fixed penalty notice for failing to display a 'No Smoking' sign at a premises (Section 6 of the Health Act 2006).
 - £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).
 - £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).
 - £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).
 - £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).
 - £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).
 - £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).

Trading Standards

| Defendant | Legislation | Nature of Case | Penalty | Costs |
|---|----------------------|---|---------------------------------|---------|
| Elaine RIDGEWAY t/a Goody 2 Shoes (Shoe shop owner) | Trade Marks Act 1994 | Sold/possessed counterfeit fashion accessories. | 18 months conditional discharge | £649.39 |

| | | | | |
|---------------------------------------|----------------------|--|---|--|
| Susan SIADATAN (Internet retailer) | Trade Marks Act 1994 | Supply counterfeit cloth via the eBay web site | 24 month conditional discharge and committed to the Crown Court for a confiscation hearing under the Proceeds of Crime Act 2002 | |
|---------------------------------------|----------------------|--|---|--|

- Mohamed USMAN - A Caution was issued under the Trade Marks Act 994 for possessing counterfeit clothing at Rufforth car boot sale.
(Car boot trader)
- Mark WHITMAN - A Caution was issued under the Trade Marks Act 994 for possessing counterfeit jewellery at Rufforth car boot sale.
(Car boot trader)

Environmental Protection

| Defendant | Legislation | Nature of Case | Penalty | Costs |
|--|--|--|---------------------------------|---------|
| Paul BEDFORD (Private individual) | Environmental Protection Act 1990 as amended | Failed to comply with a noise abatement notice | 12 months Conditional Discharge | £80.00 |
| Kamara GRIFFITHS (Private individual) | Environmental Protection Act 1990 as amended | Failed to comply with a noise abatement notice | Fine £100.00 | £681.34 |
| Gareth JOHNSTON (Private individual) | Environmental Protection Act 1990 as amended | Failed to comply with a noise abatement notice | 12 months Conditional Discharge | £350.00 |
| Liam LEWIS (Private individual) | Environmental Protection Act 1990 as amended | Failed to comply with a noise abatement notice | 2 years Conditional Discharge | £200.00 |

- Kirsty MERRICK - A Caution was issued under the Environmental Protection Act 1990 as amended for failing to comply with noise abatement notice.
(Private individual)



Meeting of Executive Member for Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

Response to petition from the residents of various locations across the City, presented at Council on 10th April 2008

Summary

1. This report has been prepared in response to a petition presented to Council by Councillor Potter supporting a plastic bag free City of York and calling upon the Council to do all in its power to achieve this aim.

Background

2. Nine hundred and eighty eight signatures to the petition were received from various streets and wards across the City.
3. In the UK approximately 13 billion carrier bags are issued each year, with the average person being given around 300 carrier bags a year.
4. Since the first waste minimisation strategy (2005) the waste minimisation action plan has promoted the use of reusable bags through the sale of the 'York Bag' which is made of Jute. Since the start of the campaign up to and including January 2008 almost 4,000 bags have been sold by the council, with positive reports from other retail outlets who are selling their own products.
5. The Waste Strategy for England 2007, highlights the need to reduce the environmental impact of single use bags, this includes both paper and plastic bags. The Government will work with retailers to achieve this aim, retailers will be encouraging customers to reduce the number of carrier bags they use. As part of this campaign, we will continue to monitor the national movements on this issue and where ever possible move in line with these.

Waste Minimisation Action Plan

6. Encouraging residents to reduce the amount of carrier bags that they use is an easy and practical way that they can reduce the amount of waste they produce.

7. The next 3 year waste minimisation action plan, will move this project forward and promote ' Bag Free' areas across York, where we promote the use of reusable bags to move away from plastic bags.
8. It is planned that villages will be targeted first, so we will have for example '*Dunnington is Plastic Bag Free*' events to promote the campaign. These events will be held in partnership with the local community, through ward committees, schools, parish councils, local libraries, community halls and any interested local groups. Champions will be found to help with this promotion and reusable bags will be available to purchase in all local shops.
9. We have formed a partnership with a group of Copmanthorpe residents called 'Bring Your Bag', this group want to make Copmanthorpe a Plastic Bag Free Village. As part of the waste minimisation campaign CYC were looking for a group in a village, so this was an ideal partnership for all involved.
10. The Copmanthorpe Campaign was launched at the Copmanthorpe Street Fair on Monday 5th May 2008, where a competition, open to all children in the village, was launched to design the front of the Copmanthorpe cotton bag. This bag will be available to all Copmanthorpe residents free of charge at the start of the campaign, and will make its first appearance at the Copmanthorpe Carnival in July 2008.
11. The group are wanting to involve all sections of the community to make this a sustainable project, including shopkeepers, local school and scout and guide groups (to name but a few).
12. Competitions will be held at the local schools within each of the areas to produce a design that will go on the bags sold in that area as part of the campaign. This will provided a local focus for the campaign.
 - In 2008/09 it is planned to get 2 villages to go 'Bag Free'
 - In 2009/10 the target is to get an additional 3 villages Bag Free and to continue to support the villages that went bag free in 08/09
 - In 2010/11 the target is to get an additional 3 villages Bag Free while supporting the villages that have already gone Bag Free.
13. The ultimate aim is to move this campaign into the city centre of York, however this will be more problematic as the city centre has more national stores. It is envisaged that this section of the campaign will form part of the waste minimisation action for 2011/12 and beyond.

Consultation

14. As set out in paragraph 8 above, consultation will take place as part of the overall strategy.

Options

15. Report for note only.

Analysis

16. Success of the strategy will be measured and reported to member periodically.

Corporate Priorities

17. This work is specifically relevant to the following Corporate Priorities:
 - Decrease the tonnage of biodegradable waste and recyclable products going to landfill.
 - Improve the actual and perceived condition of the city's streets, housing estates and public spaces. As windblown plastic carrier bags are proving problematic across the City.

Implications

18. **Financial** – No implications in this report
19. **Human Resources (HR)** – No implications in this report
20. **Equalities** – No implications in this report
21. **Legal** - No implications in this report
22. **Crime and Disorder** – No implications in this report
23. **Information Technology (IT)** – No implications in this report
24. **Property** – No implications in this report.

Risk Management

25. In compliance with the Councils risk management strategy there are no risks identified from this report.

Recommendations

26. That the Advisory Panel advise the Executive Member to note this report.

Reason: In response to the petition.

Contact Details

Author:

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Tel No. 553204

Chief Officer Responsible for the report:

Terry Collins
Director of Neighbourhood Services

Report Approved

Date 8th May 2008

Report Approved

Date

Specialist Implications Officer(s): None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Waste Management Strategy 2007/2008 – 2013/2014 – Executive 9th October 2007.

Annexes – None



Meeting of Executive Member for Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

Retail Enforcement Pilot Scheme

Summary

1. On 6th April 2008 the Regulator's Compliance Code (RCC) came into effect. This code plays a key role in the government's better regulation agenda.
2. The purpose of this report is to explain how the council's environmental health, trading standards and licensing services teams are implementing a Retail Enforcement Scheme to achieve compliance with the RCC.

Background

3. In 2005, Sir Philip Hampton published his report on reducing the administrative burdens on business by promoting more efficient approaches to regulatory inspections and enforcement.
4. In response to this report, the Department for Business Enterprise and Regulatory Reform (BERR) published the RCC. The purpose of the RCC, which is a statutory code of practice, is to ensure regulators use a risk-based, proportionate and targeted approach to regulatory inspection and enforcement.
5. The RCC introduces seven obligations that regulators must have regard to when delivering their inspection and enforcement functions, which are to:
 - Consider the impact of regulation on the economic progress of a business
 - Use risk assessments to direct their regulatory efforts
 - Provide businesses with advice and guidance
 - Undertake appropriate inspections and other visits
 - Reduce the burden of information collection on businesses
 - Take appropriate and proportionate compliance and enforcement action
 - Be accountable for the efficiency and effectiveness of their services

6. When considering inspections and other visits by regulators, the RCC addresses the situation where a business is due to receive more than one regulatory inspection. In this instance, the RCC requires that regulators work together to minimise the burden on the business.
7. A simple way for regulators to comply with this requirement is to undertake joint or co-ordinated inspections. The regulators included under this requirement are:
 - trading standards
 - health and safety
 - food safety / food standards
 - alcohol licensing
 - fire safety
8. One solution being considered by the government to deliver this requirement is the Retail Enforcement Pilot (REP) scheme.
9. Phase I of REP commenced in November 2004. Following initial trials in two local authority areas the 'official' (i.e. government grant aided) REP programme has been expanded as Phase II to approximately 50 areas. Phase II of the REP started earlier this year.
10. The principles of REP are to:
 - Reduce the number of inspections a compliant business receives
 - Make local authority regulatory services more efficient through joint local working
 - Give consumers and employees better protection by focusing resources on high-risk or non-compliant businesses.
11. City of York Council environmental health, trading standards and licensing services applied to be included in the 'official' Phase II of REP. Unfortunately due to high levels of interest from other local authorities and financial constraints at BERR, the City of York Council were not successful in receiving grant funding.
12. However, REP provides a framework to carrying out inspections so that the council can meet the requirements of RCC. Therefore, officers involved in the management of environmental health, trading standards and licensing services are trialling a simplified version of the government funded REP model. At this stage the trial has been restricted to regulators within City of York Council (i.e. the external partner - North Yorkshire Fire and Rescue (NYFRS) are not involved at this stage).

13. A REP based inspection programme has been devised which includes premises which are due to be inspected by more than one regulator (from the list of services in paragraph 7) during 2008/09.
14. Each premises has been assigned a lead regulator (apart from NYFRS). In most cases this is the regulator with the highest risk at a given premises.
15. Under REP, the lead regulator will carry out a detailed inspection within their area of expertise as they would normally do. After completion of the inspection, the officer will complete a REP inventory to capture evidence and data for the other regulatory services. This inventory based approach avoids the need for multiple overlapping inspections from different regulators. The additional time for the inspecting officer to complete the REP inventory is in the region of 20-30 minutes.
16. The results of the REP inventory are next passed to the appropriate regulatory service for them to consider. If it appears that the business is operating within the law then no further action will be taken. However, if it appears that there are problems at the business, the regulator concerned will take appropriate follow up action (e.g. inspect the premises).
17. Should the lead regulator discover something during their inspection that raises serious concerns and requires enforcement intervention, they will report this to the attention of the relevant regulator immediately (e.g. by mobile phone).
18. It is worth noting that the REP inventory is only appropriate for elements of a business that are medium and low risk. For that reason a business that is high risk in more than one regulatory area will continue to be inspected by each of the relevant regulators. Only medium or low risk businesses will be subject to the REP process.
19. In addition to complying with RCC, adopting this approach to regulating business is expected to reduce the total number of inspections carried out by officers. These reductions are: health and safety enforcement – 24, licensing enforcement – 138, food standards – 273, food safety - 35.
20. This will allow officers to focus more time and effort on the problematic businesses where more significant and relevant outcomes can be achieved (including formal enforcement action against persistently non compliant businesses). It will also enable a broader base of intelligence to be gathered during inspections, thus allowing earlier identification of trends/problems.

Consultation

21. Businesses that are subject to a REP scheme inspection will be subject to a satisfaction survey.

Options

22. There are no options associated with this report.

Analysis

23. No analysis is required.

Corporate Priorities

24. This new approach to regulating businesses has the potential to impact upon a number of the council's corporate priorities:
- Improve the economic prosperity of the people of York with a focus on minimising income differentials.
 - Improve the health and lifestyles of the people who live in York, in particular amongst groups whose levels of health are the poorest.

Implications

Financial

25. There are no financial implications associated with this report.

Other implications

26. There are no significant HR, equalities, legal, crime and disorder, IT, property or other implications other than those set out in the body of this report.

Risk Management

27. In compliance with the Council's Risk Management Strategy, there are no risks associated with the recommendations of this report.

Recommendations

28. That the Advisory Panel advise the Executive Member to note the contents of this report.

Reason: So that members are aware of action being taken to meet the council's obligations under the Regulator's Compliance Code.

Contact Details

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Chief Officer Responsible for the report:

Andy Hudson
Assistant Director of Neighbourhoods and
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Report Approved **Date** 02/05/2008

Specialist Implications Officers: None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Regulator's Compliance Code (published by the Department for Business,
Enterprise and Regulatory Reform)

Annexes

None

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

Refresh of Neighbourhood Services Directorate Plan

Summary

1. This report:
 - a) Asks member to agree to a lightly refreshed version of the Neighbourhood Service directorate plan.
 - b) Presents a small amount of updated information for a number of the service plans agreed by the Executive Member in January.

Background

2. The directorate plan was agreed in October 2007. The document set out 12 directorate priorities for Neighbourhood Services. While the plan nominally covered 2008-2011 the targets only covered 2008/09 and the majority of actions only covered the period up to April 2008. Therefore the actions are now largely out of date and will not guide the directorate in the current year. The refreshed plan being recommended in this paper updates the priorities in light of new information, updates the targets for 2008/09 and sets out key actions for 2008/09.
3. When we set out a directorate plan in October 2007 we were the only directorate to have gone down this route. Planning at directorate level is now being adopted across the council and so we will have to agree a further plan for 2009/2012 early next year. The refreshed version set out here is a stopgap to cover 2008/09.
4. The service plans agreed by the executive member in January 2008 contained a number of the new national performance indicators (NPIs). At the turn of the year we knew that the NPIs were going to be launched for 2008/09 and so as many as possible were included in outline within the service plans. We did not receive final technical guidance on the NPIs until March 2008. This paper suggests some amendments and 'gap filling' for the relevant NPIs.
5. The service plans agreed by the Executive member in January 2008 did not contain service-by-service financial information for 2008/09. The budget now having been set, this information is now available, and has been included within the service plans.

Directorate Plan: Review of Directorate Priorities.

6. The directorate plan agreed last October set out 12 priorities for Neighbourhood Services. These were:

| Organisational Development Priorities | Service Priorities |
|---|---|
| 1. Improving absence management. 2. Staff development. 3. Implementing job evaluation / pay & grading. 4. Improving health & safety culture. 5. Improving financial management. | 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. |

7. Each of these priorities was underpinned by a small number of key actions and measures. These were the focus for performance management and monitoring for the second half of 2007/8. The performance and finance report on this agenda reported progress against these actions and measures.
8. In preparing this report we reviewed the plan to see whether the 12 priorities should remain as directorate level priorities for 2008/09. Our recommendation is that 11 of the 12 continue during 2008/09, but that the review work under the building and school cleaning priority has been largely completed and that this work area should become mainstreamed again. Of course cleaning services will continue to be an important service area for the relevant assistant director and service manager, but the main issues now are to take the service forward on the stronger financial base that has been developed in the last 6 months. Our recommendation is that this should now be dropped from the list.
9. On the other hand two new priorities are recommended for 2008/09. We suggest that the development of an equalities culture within the directorate should become a priority for the directorate in 2008/09. This is likely to be an area for improvement under the forthcoming Comprehensive Area Assessment (CAA) which replaces CPA. Within the directorate we have a lot to do to build a culture where equality is a given. Taking this agenda on as a directorate priority will raise its visibility and make it a focus for management attention.

10. A second additional priority will be to successfully integrate a number of additional services into Neighbourhood Services following the reorganisation report agreed by the Staffing Matters and Urgency committee on 9th May 2008.
11. If the executive member agreed, then we would be left with the following 13 directorate priorities for 2008/09:

| 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 equality culture. 5. Improving health & safety culture. 6. Improving financial management. 7. Implement corporate reorganisation. | <ol style="list-style-type: none"> 8. Tackling violent, aggressive and nuisance behaviour (Corporate Priority lead). 9. Neighbourhood management service review and improvement. 10. Building maintenance service review and improvement. 11. Local Environment (Corporate Priority lead). 12. Waste Management (Corporate Priority lead). 13. Waste services service review and improvement. |

Directorate Plan: Updated Directorate Plan

12. Annex A sets out an updated version of the directorate plan. The key change is that a small number of key actions and measures are set out for the 13 priorities in the table above. These actions and measures will form the basis for EMAP performance reporting in 2008/09.
13. Other parts of the document have also been updated to take account of change since October 2007. For example:
 - *Directorate structure amended to reflect current position.*
 - *Budget sheet amended to reflect current position.*

Service Plan Updates: National Performance Indicators.

14. The executive member agreed nine service plans at the 21st January 2008 EMAP. Some of the service plans included a small number of the new national performance indicators (NPIs) as key measures. At that time, initial guidance only had been issued for these new indicators – but we took the decision to include the measures knowing that we would have to tidy the targets up at a later date. Final technical guidance was issued for most of the new set of NPIs at end of March – and so we are now able to set service plan targets on these measures.

15. In some cases the NPIs are very different from previous measures and there is either no or very limited baseline information – so no meaningful targets can be set. In other cases the final guidance has delivered indicators that are different from our earlier understanding and we now think their inclusion inappropriate (e.g. NPI 3, 194). The table below sets out an updated position for each of the indicators in question.

| Service Plan(s): | Measure set out in service plan January 21 st EMAP: | Baseline? | 2008/09 target | 2009/10 target | 2010/11 target |
|------------------|--|-------------|---|----------------------|----------------------|
| EHTS, L&B | NPI182: Satisfaction of businesses with local authority regulation services | No baseline | 80% | To be set in 2008/09 | To be set in 2008/09 |
| EHTS | NPI183: Impact of local authority trading standards on the fair trading environment | No baseline | Cannot be set until a baseline figure comes out following 2008/09 outturn | | |
| EHTS | NPI184: Food establishments in the area which are broadly compliant with food hygiene regulations. | 89% (07/08) | 93% | To be set in 08/09 | To be set in 08/09 |
| EHTS | NPI190: Achievement in meeting standards for the control system for animal health | No baseline | Further work is being done to define this indicator and it will be introduced in 2009/10. Take out of service plan. | | |
| EHTS | NPI194: % reduction in Nox and PM10 emissions through local authority's estate and operations. | No baseline | Following publication of final guidance it is clear that this NPI is not appropriate for the EHTS service plan. | | |
| NMU | NPI3: Level of participation in a range of civic activities in the area | No baseline | Following publication of final guidance it is clear that this NPI is not appropriate for the NMU service plan. | | |
| NMU | NPI4: Percentage of people who feel that they can influence decisions in their locality (chosen as an LAA indicator) | 36% (06/07) | Targets cannot be set until Resop survey completed in Autumn 2008. | | |
| NPS, SES | NPI195a: % of relevant land and highways that is assessed as having unacceptable levels of litter | 8% | 8% | 7% | 7% |
| NPS, SES | NPI195b: % of relevant land and highways that is assessed as having unacceptable levels of | 9% | 8% | 7% | 7% |

| | | | | | |
|-------|--|---------------------|---------------------|---------------------|---------------------|
| | detritus | | | | |
| SES | NPI195c: % of relevant land and highways that is assessed as having unacceptable levels of graffiti | 2% | 2% | 2% | 2% |
| SES | NPI195d: % of relevant land and highways that is assessed as having unacceptable levels of fly-posting | 0% | 0% | 0% | 0% |
| SES | NPI196: Fly-tipping performance | Grade 2 (effective) | Grade 2 (effective) | Grade 2 (effective) | Grade 2 (effective) |
| Waste | NPI191: Residual household waste (kg per household) (LAA indicator) | 660kg (07/08) | 640kg | 617kg | 611kg |
| Waste | NPI192: % of household waste sent for reuse, recycling or composting | 43.37% (07/08) | 45.13% | 46.86% | 47.27% |
| Waste | NPI193: % of municipal waste landfilled | 57.45% (07/08) | 55.30% | 51.25% | 49.65% |

Service Plan Updates: Updated Targets

16. The waste service plan agreed in January 2008 set out targets for BV90a and 90b below. In both cases the 2007/08 actual performance outstripped those targets. We therefore want to set the more challenging targets below to replace those set in January.

| | | | | | |
|-------|---|-------------|-----|-----|-----|
| Waste | BV90a: Satisfaction with Household waste collection | 75% (07/08) | 76% | 78% | 80% |
| Waste | BV90b: Satisfaction with waste recycling facilities | 77% (07/08) | 78% | 79% | 80% |

Service Plans: Updated Budget Information for 2008/09

17. When the executive member agreed the service plans at 21st January 2008 EMAP, there was no 2008/09 budget figures available, and this section of the 9 service plans was left blank. That information is now available and these sections of the plans have been completed. Following the executive member's decision this evening, the nine service plans will be finalised and published.

Consultation

18. The draft plan at Annex 2 has been discussed within the directorate's management team.

Options

19. Members have the options of supporting the proposals, supporting the proposals with amendment, or rejecting the proposals.

Corporate Priorities

20. Three of the council corporate priorities are directly supported under this portfolio. They are:
- Decrease the tonnage of biodegradable waste and recyclable products going to landfill.
 - Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces.
 - Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York.

Implications

Financial

21. There are no significant human resources implications.

Human Resources

22. There are no significant human resources implications.

Equalities

23. The report recommends making equalities an explicit directorate priority for 2008/09.

Legal

24. There are no significant legal implications.

Crime and Disorder

25. There are no significant crime and disorder implications.

Information Technology

26. There are no significant Information Technology implications.

Property

27. There are no significant property implications.

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. That the Advisory Panel advise the Executive Member to approve the updated Directorate Plan at Annex A
- 30. That the Advisory Panel advise the Executive Member to approve the updated service plan targets set out at paragraphs 15 and 16.

Reason – To set out clear priorities, including key actions and measures for Neighbourhood Services in 2008/09.

Contact Details

Author:

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Tel No.553227*

Chief Officer Responsible for the report:

Terry Collins
Director Neighbourhood Services

Report Approved



Date 9.5.2008

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 :

EMAP report 17th October 2007: Neighbourhood Services Directorate Plan

EMAP report 21st January 2008: Neighbourhood Services Service Plans.

Annexes:

Annex 1 Updated Directorate Plan

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ANNEX 1



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

Version 2 – June 2008

Foreword from Director of Neighbourhood Services

This is an updated version of the Neighbourhood Services Directorate Plan, that will take us through to the end of 2008/09 financial year.

This document sets out a number of priorities for Neighbourhood Services for 2008/09. They are very similar to the priorities set out in the original plan that members agreed in October 2007. Much progress has been made since that time thanks mainly to the continued efforts of the directorate's staff. But inevitably new pressures and events have required us to look again at what should be considered priorities in the coming months.

Our priorities for 2008/09 remain evenly split between developing our services further, and developing the organisation's capacity to deliver.

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 key service areas as a priority as well.

Six priorities are around developing how we do things in the directorate. For example, improving communications and improving the health and safety culture remain important. For this version of the plan, we have decided to add developing an equalities culture as a directorate level priority. If we can improve these basic foundations then they will impact positively on all our services.

These twelve priorities will form the basis for directorate wide performance management and monitoring. The nine service plans that were agreed in January 2008 continue to spell out the basics of what you and your team must deliver. It is important that all services in the directorate – not just these priorities - have a successful year.

A thirteenth priority relates to how we incorporate and integrate a number of new services that will transfer into Neighbourhood Services. At the time of writing (May 2008) this has been agreed in principle by Urgency committee but we will have to work out the detail – and spend the rest of 2008/09 ensuring that these service can continue to prosper as they transfer into the directorates.

Next year our directorate and service planning processes will run together and we will be better able to agree three year service and directorate plans to support a new community strategy and the council's new corporate strategy, both of which will be launched in summer 2008.

In the meantime can I thank you for your continued hard work and commitment. I look forward to working with you during another successful year.

Terry Collins
Director of Neighbourhood Services

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 . A new Sustainable Community Strategy will be launched in summer 2008. |
| Corporate Strategy | Corporate Vision (Values and Direction Statements) | The Council's corporate vision includes four values and seven direction statements. |
| | Corporate Priorities & Corporate Imperatives | 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: <ul style="list-style-type: none"> ○ Street cleanliness, ○ Waste minimisation, ○ Tackling anti-social behaviour. The Council has seven corporate imperatives. These are highly significant 'must-do' projects and programmes. A new Corporate Strategy will be developed through summer 2008. |
| | Strategic Plans Business Plans Financial Plans | Neighbourhood Services Directorate Plan which: <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. In addition, Neighbourhood Services has two strategic plans: Waste Minimisation Strategy, Community Safety Plan. |
| | Service Plans / Team Workplans | NS has nine service plans, supported by detailed Workplans. Taken together these set out how the directorate plan's priorities will be delivered. |
| | 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.

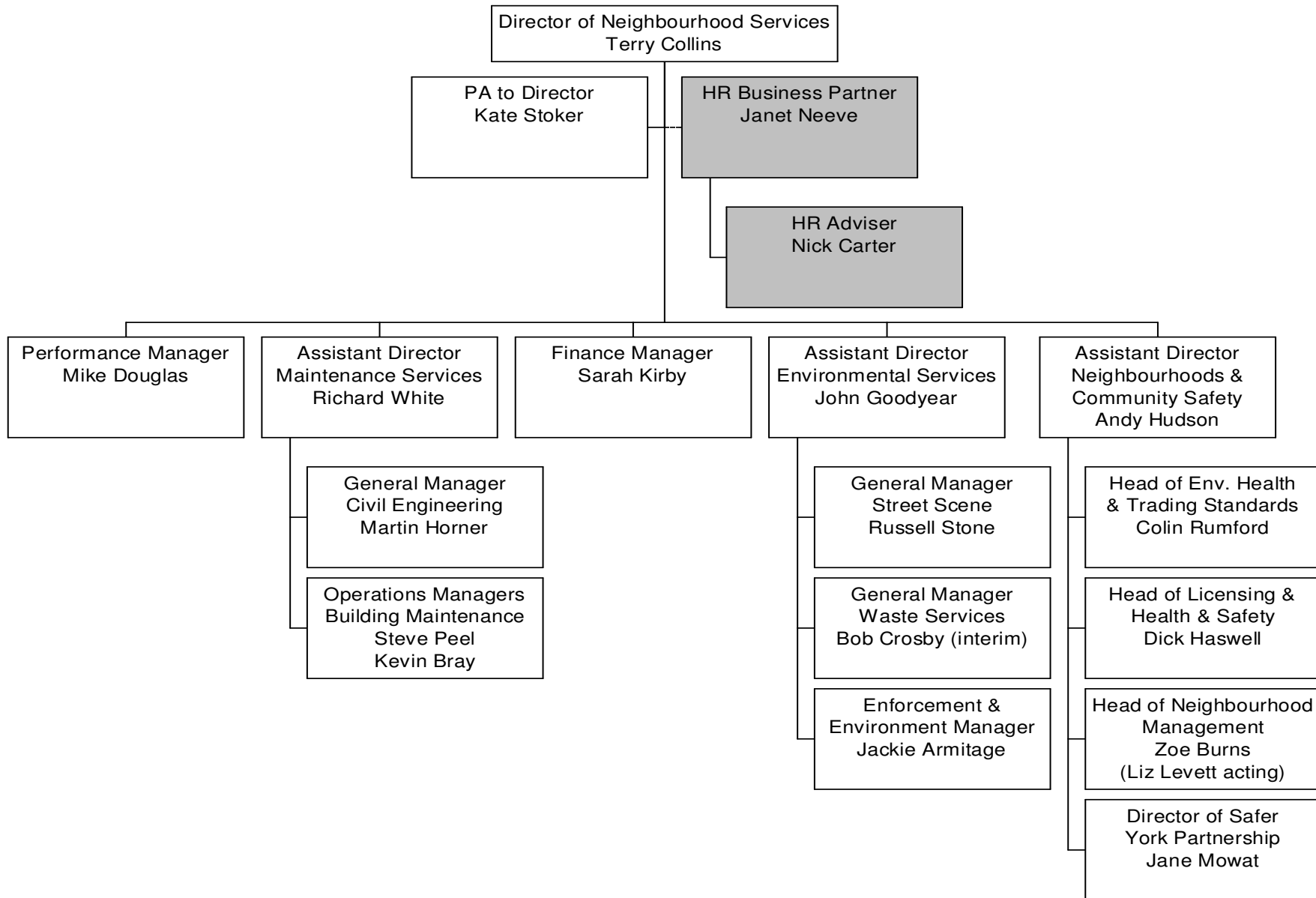
As a new and diverse directorate, we have a major task to integrate staff and services that previously were organised separately. Health and Safety at work is a key issue in a directorate that has many unsupervised work teams in and around the city often undertaking potentially dangerous activities. 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 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
(not including new services due to transfer following corporate reorganisation)



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 council's CAA performance.</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 development and implementation of Community Strategy.</p> <p>City leadership – enhanced role of Council as a community leader</p> | <p>Corporate reorganisation</p> <p>Job Evaluation & Single Status</p> <p>Accommodation Review</p> <p>Contributing to OEP:</p> <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>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>Corporate reorganisation</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>Improve equalities culture</p> <p>Statement of Internal Control</p> <p>Make an effective contribution to CDRP.</p> <p>Service improvement and review issues:</p> <ul style="list-style-type: none"> ○ Repairs ○ Neighbourhood Management ○ Building cleaning ○ Building maintenance ○ Toilets ○ Expand recycling ○ Taxi licensing ○ ASB strategy |

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. Improve absence management. 2. Staff development. 3. Implementing job evaluation / pay & grading. 4. Improve equalities culture. 5. Improve health & safety culture. 6. Improve financial management. 7. Implement corporate reorganisation. | <ol style="list-style-type: none"> 8. Tackling violent, aggressive and nuisance behaviour (Corporate Priority lead). 9. Neighbourhood management service review and improvement. 10. Building maintenance service review and improvement. 11. Local Environment (Corporate Priority lead). 12. Waste Management (Corporate Priority lead). 13. Waste services 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 style="text-align: center;">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 style="text-align: center;">NS will contribute through:</p> <p>3 service review priorities (NS8,NS9,NS12)</p> <p>NS1: Improved Absence Management. NS5: Improved Equalities Culture</p> <p>NS2: Staff development NS3: Implement Job Evaluation /Pay & Grading NS4: Improved Health & Safety</p> <p>3 service review priorities (NS9,NS10,NS13)</p> |
| <p style="text-align: center;">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 style="text-align: center;">NS will contribute through:</p> <p>NS8: Safer City Corporate Priority (via CDRP) NS12: Waste Management Corporate Priority (via YNYWM partnership)</p> <p>NS9: Neighbourhood Management service review</p> <p>NS8: Safer City Corporate Priority (via CDRP) NS12: Waste Management Corporate Priority (via YNYWM partnership)</p> <p>NS9: Neighbourhood Management service review</p> |
| | <p style="text-align: center;">Other NS OD Priorities</p> <p>NS6: 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>NS12: Waste Management Corporate Priority (NS lead) NS13: Waste service review</p> <p>NS11: Local Environment Corporate Priority (NS lead)</p> <p>NS8: Safe City Corporate Priority (NS lead)</p> <p>NS10: 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>NS6: Improve financial management</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: Examine successful approach taken in HASS to using HSE Stress Management Standards. Temporarily redirect resources to provide additional support to managers in managing absence. Explore how to incentivise staff to improve health outside work. Continue to improve internal staff communications. Continue to monitor how we manage the corporate absence management policy. | | Sept 08 |
| | | Dec 08 |
| | | Dec 08 |
| | | Apr 09 and ongoing |
| | | Apr 09 and ongoing |
| | 2007/8 | 2008/9 Target |
| <ul style="list-style-type: none"> • Key Measure(s) 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. | 15.53 | 11 (CYC) 14 (NS) |
| | 2.53 | 2 (CYC) |
| | 69% (04/07) | no target set (10/08) |
| | 10% (04/07) | 0% (10/08) |
| | 78% (04/07) | no target set (10/08) |
| <ul style="list-style-type: none"> • Potential further actions (2009-11): None at this time (Apr 08) | | |

| Staffing / Leadership: | | |
|--|-----------------------------------|---|
| NS2: Staff development | | Milestones |
| <ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Hold regular 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. Review our approach to developing managerial and supervisory skills, and develop proposals based on the findings. Deliver staff appraisals throughout the directorate. Continue to improve internal staff communications. | | Established + ongoing Established + ongoing Established + ongoing Oct 08 March 09 Apr 09 and ongoing |
| | 2007/8 | 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) 92% | 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 (Apr 08) | | |

| Staffing / Leadership: | | |
|---|-------------|-------------------|
| NS3: Implement Job Evaluation / Pay & Grading | | Milestones |
| <ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Implement new pay and grading structure, and support staff through the appeals process. Monitor effect of new pay structure. | | Sept 08 Apr 09 |
| | 2007/8 | 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): None at this time (Apr 08). | | |

| Staffing / Leadership: | | | | |
|---|--|-------------|---------------|---------|
| NS4: Improve equalities culture | | Milestones | | |
| <ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Complete priority equality impact assessments (EIAs) of waste management strategy and community safety plan. Set out an equalities plan for Neighbourhood Services, to include a forward programme of EIAs. Set out a strategy to promote the development of female staff in the directorate. Contribute to development of corporate equality recovery plan and new corporate equality strategy. Complete further EIAs within programme. Undertake equality training needs assessment and develop proposals. | | | Sept 08 | |
| | | | | Sept 08 |
| | | | | Oct 08 |
| | | | | Dec 08 |
| | | | | Mar 09 |
| | | | | Apr 09 |
| | | 2007/8 | 2008/9 Target | |
| <ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> Proportion of EIA programme completed | | New measure | 100% | |
| <ul style="list-style-type: none"> Potential further actions (2009-11): <ul style="list-style-type: none"> Undertake equality training programme Complete further Equality Impact Assessments. | | | | |

| Health & Safety: | | | | |
|--|--|-----------------|------------------------------|--|
| NS5: Improve health & safety culture | | Milestones | | |
| <ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Implement any changes arising from the corporate health and safety review Implement the new model of site inspections, training and communications. Develop improved database to record staff training records. Implement, review and evaluate the success of the new near miss reporting mechanism | | | Sept 08 + ongoing Sept 08 | |
| | | | | Oct 08 |
| | | | | Dec 08 |
| | | | | |
| | | 2004/5 - 2006/7 | 2007/8 | 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 reports. Number of RIDDOR major injuries Number of RIDDOR dangerous occurrences | | 124 (ave) | 120 | No target set. 10% reduction. 20% reduction 0 |
| | | 27 (ave) | 29 | |
| | | 2 (06/07) | 2 | |
| | | 1 (06/07) | 2 | |
| <ul style="list-style-type: none"> Potential further actions (2009-11): <ul style="list-style-type: none"> Develop programme of campaigns to target specific issues. Tackle behavioural H&S issues. | | | | |

Financial Management:

| | | | |
|--|----------------------------------|-----------------------|--------|
| NS6: 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 creditor days by developing a web based system to pay Yorwaste. Review directorate's approach to risk management and implement within the new Performance Management Framework. Continue to monitor financial position of specific service areas (building maintenance, cleaning, transport). Implement new FMS, including training for finance staff and budget managers. | | Established + ongoing | |
| | | | Oct 08 |
| | | | Oct 08 |
| | | | Apr 09 |
| | | | Apr 09 |
| | 2007/8 | 2008/9 Target | |
| <ul style="list-style-type: none"> • Key Measure(s) <ul style="list-style-type: none"> Reduction in outturn variance against budget | £162k underspend (1.2% variance) | zero variance | |
| <ul style="list-style-type: none"> • Potential further actions (2009-11): <ul style="list-style-type: none"> None at this time (Apr 08) | | | |

Corporate Restructure:

| | | | |
|---|--------|---------------|---------|
| NS7: Implement Corporate Restructure | | Milestones | |
| <ul style="list-style-type: none"> • Key actions: <ul style="list-style-type: none"> Agree detailed proposals for new services to be transferred into Neighbourhood Services. Implement service transfer. Ensure service continuity in transferring services through to the end of 2008/09 financial year. | | July 08 | |
| | | | Sept 08 |
| | | | Mar 09 |
| | 2007/8 | 2008/9 Target | |
| <ul style="list-style-type: none"> • Key Measure(s) <ul style="list-style-type: none"> None | n/a | n/a | |
| <ul style="list-style-type: none"> • Potential further actions (2009-11): <ul style="list-style-type: none"> None at this time (Apr 08) | | | |

Directorate Service Priorities 2008/09 - 2010/11

Six 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 three 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 can also be cascaded into the appropriate service plans.

| Assistant Director for Neighbourhoods and Community Safety: | | |
|---|----------------|--------------------|
| NS8: 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"> Monitor and evaluate the impact of the Westfield Capable Guardian scheme and assess the potential resource requirements of adopting it in other parts of the city. Develop Neighbourhood Services' contribution to the Safer York Partnership's anti-social behaviour strategy Implement the new performance management framework through the SYP Executive. Continue to roll out cold calling controlled zones. Develop Neighbourhood Services' contribution to the Safer York Partnership community safety strategy | | June 08 |
| | | July 08 |
| | | Dec 08 |
| | | Apr 09 and ongoing |
| | | Apr 09 + ongoing |
| | 2007/8 | 2008/9 Target |
| <ul style="list-style-type: none"> • Key Measure(s) - from Priority DIP | | |
| Total Crime (BCS total crime) | 11119 | 10948 |
| NP117 Perception of anti-social behaviour* (LAA measure) | 14% (06/07) | 13% |
| % who feel informed over what is being done to reduce ASB | 30% | 40% |
| Illegal alcohol sales via Test Purchase Programme | 8.6% | 10% |
| % of residents who feel that York is a safe city to live in. | 55% | 68% |
| % of residents reporting noisy neighbours causing a problem | 12% | 9% |
| <ul style="list-style-type: none"> • Potential further actions (2009-11): | | |
| None at this time (Oct 07) | | |

* *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: | | |
|--|--------|------------------------------------|
| NS9 Neighbourhood management service review | | Milestones |
| <ul style="list-style-type: none"> Key actions: Develop a model for a corporate action plan showing how local democracy and participation can be improved. Implement new best practice coming out of the LG bill. Review the structure of the Neighbourhood Management Unit to ensure that it responds to the revised neighbourhood management model. | | Dec 08 Dec 08 Apr 09 |
| | 2006/7 | 2008/9 target |
| <ul style="list-style-type: none"> Key Measure(s) NPI4 Proportion of residents who feel they can influence decisions affecting their area (LAA measure) | 36% | Target to be set in year |
| <ul style="list-style-type: none"> Potential further actions (2009-11): Dependent on provisions of local government bill and council's adoption of the revised neighbourhood management model. | | |

| Assistant Director for Construction Services: | | |
|--|------------------------|---|
| NS10: Building Maintenance Service Review | | Milestones |
| <ul style="list-style-type: none"> Key actions: Work with OGC and Jewsons to further improve material supply. Enhance partnership and collaborative working with the facilities management team. Consolidate the gas servicing contract within the Building Maintenance department. Deliver the new business plan to produce a break even trading position | | Established + ongoing Dec 08 Mar 09 Mar 09 |
| | 2007/8 | 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) | 90.0% 7.97 days | 99% 8 days |
| <ul style="list-style-type: none"> Potential further actions (2009-11): None at this point (Apr 08). | | |

| Assistant Director for Environmental Services: | | |
|---|--|--|
| NS11: 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. Develop environmental action plans to support ward based delivery of the environmental aspects of the 18 neighbourhood action plans. Complete the review of provision of public toilets, including making budgetary proposals. Complete the review of the city centre zone street cleansing, and implement findings. Complete the review of the use of large mechanical sweepers. Complete the review of neighbourhood pride and street environment services under Easy@York project – to improve customer service. | | <p>Established + ongoing</p> <p>Sept 08</p> <p>Dec 08</p> <p>Complete by Apr 09</p> <p>Complete by Apr 09</p> <p>June 09</p> |
| | 2007/8 | 2008/9 Target |
| <ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> NI195a: % of relevant land with levels of litter below acceptable standards. NI195b: % of relevant land with levels of detritus below acceptable standards. NI195c: % of relevant land with levels of graffiti below acceptable standards. BV89: % of people satisfied with local cleanliness | <p>8%</p> <p>9%</p> <p>2%</p> <p>67%</p> | <p>8%</p> <p>8%</p> <p>2%</p> <p>72%</p> |
| <ul style="list-style-type: none"> Potential further actions (2009-11): <ul style="list-style-type: none"> Review and improve how the services capture customer comments. Review customer standards, in light of corporate customer first review. | | |

Assistant Director for Environmental Services:

| | | |
|--|---|--|
| NS12: 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, including the Groves pilot (to meet central govt targets). Continue to embed enhanced recycling to schools and council offices (linked to NS11). Continue to implement the review of commercial waste (linked to NS11). Complete procurement to provide access to a short-term waste treatment facility.; Refresh waste strategy for York, in line with the findings of an equality impact assessment. | | <ul style="list-style-type: none"> Established + ongoing Established + ongoing Established + ongoing Sept 08 Dec 08 |
| | 2007/8 | 2008/9 Target |
| <ul style="list-style-type: none"> • Key Measure(s) <ul style="list-style-type: none"> NPI191 –Tonnes of residual household waste per household (LAA indicator) NPI192 – percentage of household waste sent for reuse, recycling and composting NPI193 – percentage of municipal waste landfilled BV90a – satisfaction with household waste collection BV90b – satisfaction with waste recycling facilities | <ul style="list-style-type: none"> 660kg 43.37% 57.45% 75% 77% | <ul style="list-style-type: none"> 640kg 45.13% 55.30% 76% 78% |
| <ul style="list-style-type: none"> • Potential further actions (2009-11): <ul style="list-style-type: none"> 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. | | |

Assistant Director for Environmental Services:

| NS13 Waste Service Review | | Milestones |
|---|---|---|
| <ul style="list-style-type: none"> Key actions: <ul style="list-style-type: none"> Continue to embed enhanced recycling to schools and council offices (linked to NS11) Continue to implement the review of commercial waste (linked to NS12) Implement new integrated commercial waste management system Review working patterns in light of developing waste strategy and pay and grading, and implement. Review policy on assisted collection, linked to completion of the equality impact assessment. Review need for permitting scheme to prevent illegal use of Household Waste Recycling Centres Complete the review of waste services under Easy@York project – to improve customer service. | | <ul style="list-style-type: none"> Established + ongoing Established + ongoing June 08 July 08 + ongoing Dec 08 Jan 09 June 09 |
| | 2007/8 | 2008/9 Target |
| <ul style="list-style-type: none"> Key Measure(s) <ul style="list-style-type: none"> COL13: 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 complaints | <ul style="list-style-type: none"> 50.6 79.86% 75% 51.7 (monthly average) | <ul style="list-style-type: none"> 40 99% 76% <50 (monthly average) |
| <ul style="list-style-type: none"> Potential further actions (2009-11): <ul style="list-style-type: none"> Review and improve how the services capture customer comments. Review customer standards, in light of corporate customer first review. | | |

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 time. However, these services and cross-cutting issues remain important and the directorate's service plans set out the detailed improvement plans for all of the directorate's range of services.

Cross-cutting issues such as **customer focus, service improvement, reducing waste and inefficiency** will not appear directly in service plans. However they remain important for the directorate and we will continue to work on these issues and support the delivery of the Organisational Effectiveness Programme. 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.

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 reported to EMAP meetings through the quarterly monitoring process.

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 NPIs 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).

The reporting framework is designed to ensure that performance is managed quickly at the most appropriate level.



Executive Member For Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

Update on Cold Calling Controlled Zones

Summary

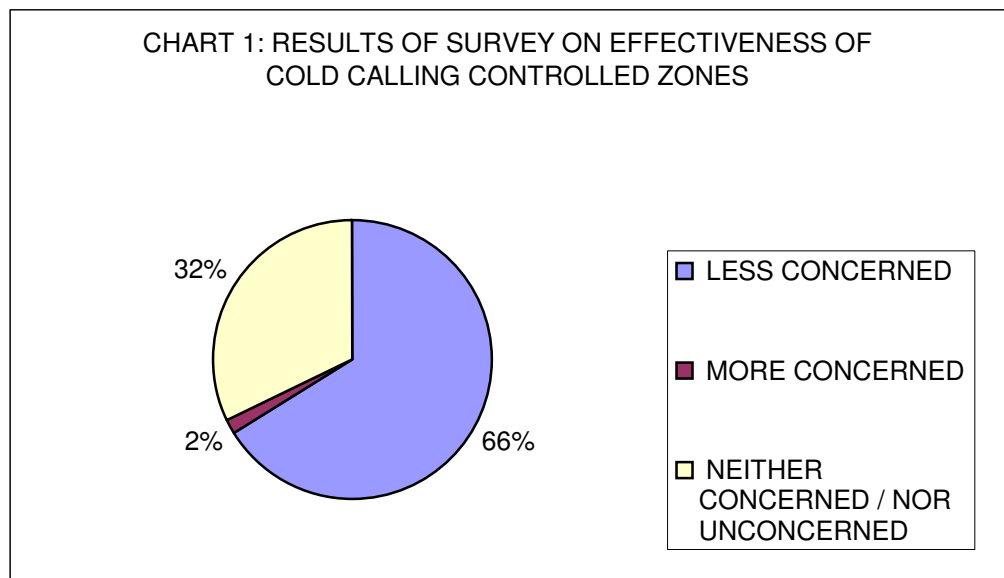
1. On 6th December 2007, the Executive Member For Neighbourhood Services and Advisory Panel considered a report on the introduction of cold calling controlled zones in the city. This report is the 6 month review the scheme as requested by members at that meeting.

Background

2. Cold Calling Controlled Zones are an initiative aimed at preventing 'doorstep crime' – particularly distraction burglaries and crimes associated with cold calling. They also aim to help reduce the fear of crime associated with criminals targeting peoples homes. Residents within a designated zone agree that they do not wish to deal with cold callers, and report anyone breaching their wishes to trading standards or the police. Attached at Annex 1 is an example of the sign displayed at all entry points to the zone. The signs warn uninvited callers that they are 'not welcome' in the area.
3. Working with North Yorkshire Police and the Safer York Partnership, trading standards officers identified five potential areas to become the city's first zones. These areas were identified as suitable based on the statistics for distraction burglary and/or complaints to trading standards about cold callers.
4. As part of the work in establishing these zones, residents in the areas were asked to complete a short questionnaires including the question 'how concerned are you about doorstep crime?'. 87% of respondents replied that they were either 'concerned' or 'very concerned' about the issue.
5. The first five zones were launched at the Mansion House on the 30th October 2007. On 6th December 2007, Executive Member For Neighbourhood Services and Advisory Panel considered a report. The decision of the Executive Member was to accept the Advisory Panel advice "That requests from residents, the police and other interested parties to set up additional zones be responded to by Trading Standards officers, and the existing work programme and assessment of the impact of the initial zones on doorstep crime be taken into account in further expansion of the scheme" and "That a

further report be brought to Members within 6 months with a review of the scheme". Paragraph 8 below outlines how a request for a zone is made.

6. Since the launch of the first five zones there have been requests for a further 16 zones, which have resulted in another 13 being launched. Annex 2 is a list of the 18 areas of the city where there are currently zones in place.
7. Residents who wish their street to be considered for a zone make a request to the trading standards service. Trading Standards Officers write to all the residents in that area (enclosing a questionnaire) asking if they support the introduction of a zone. Zones are created in areas where the majority of residents support the introduction of a zone and there are no objections received. Where objections to a zone are received or where officers do not receive sufficient questionnaires back to show that the majority of residents support the introduction of a zone, officers look to the 'doorstep crime' statistics for that area to establish whether residents may benefit from a zone. Where this appears to be the case, a zone may still be implemented. Any residents that object to the zone are consulted again to see if they wish to reconsider in light of the crime information.
8. In January 2008, trading standards officers consulted with residents in the areas where zones had been created and asked 'how concerned about doorstep crime they were since the introduction of the zone' 66% said that they were less concerned. The pie chart below shows the results of that survey.



9. There have been 29 complaints about cold callers in the zones since they were introduced. All of the residents said they felt able to deal the cold caller effectively. There have been no complaints of people being victims of doorstep crime from within the zones since they were officially launched.

Consultation

10. Paragraph 9 above details the consultation undertaken in respect of the improvements in the fear of crime.

Options

11. There are no options. This report is for information only.

Analysis

12. There is no analysis. This report is for information only.

Corporate Priorities

13. The establishment of cold calling controlled zones directly supports the corporate priority 'to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York'.

Implications

14. **Financial:** There are no financial implications associated with this report.
15. **Human Resources (HR):** There are no human resources implications associated with this report.
16. **Equalities:** There are no equalities implications associated with this report.
17. **Legal:** The Office of Fair Trading have sought advice from leading counsel on the legality of 'No Cold Calling Zones' and the human rights of those traders engaged in doorstep trading to cold call on residents. The opinion is that a 'human rights' challenge is unlikely to be successful where the zone is a proportionate response to concerns about doorstep crime. There are no other legal implications associated with this report.
18. **Crime and Disorder:** The establishment of cold calling controlled zones are intended to reduce the fear of crime by residents.
19. **Information Technology (IT):** There are no IT implications associated with this report.
20. **Property:** There are no property implications associated with this report.
21. **Other:** There are no other implications associated with this report.

Risk Management

22. In accordance with the council's risk management strategy. There are no risks with the recommendations associated with this report.

Recommendations

23. That the Advisory Panel advises the Executive Member to note the report in relation to the development of Cold Calling Controlled Zones.
24. **Reason:** To comply with the decision of the Executive Member for Neighbourhood Services and Advisory Panel on 6th December 2007, which required a report to review the scheme after 6 months, and to enable the officers to develop the zones in response to demand and to reduce the concern in areas of doorstep crime in areas where residents may be vulnerable.

Contact Details

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Tel No: 551528

Chief Officer Responsible for the report:

Chief Officer's name: Andy Hudson
Title: Assistant Director of Neighbourhoods &
Community Safety

Report Approved **Date** 02/05/2008

Specialist Implications Officers: None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Executive Member For Neighbourhood Services and Advisory Panel report on the Introduction of Cold Calling Controlled Zones (6th December 2007).

Annexes:

- Annex 1: Example of the sign displayed at all entry points to the zone
Annex 2: List of the 18 areas of the city where there are currently zones in place

WARNING

This area is a designated
Cold Calling Controlled Zone



Uninvited callers are not welcome

and will be reported to the Trading Standards Team or the Police.



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COLD CALLING CONTROLLED ZONES

| | ZONE | STREETS |
|----|------------------------|---|
| 1 | Huntington | Mendip Close Southdown Road Grampian Close Chiltern Way Malvern Close |
| 2 | Acomb | Runswick Avenue Staithes Close |
| 3 | Fulford | Heath Croft Low Moor Avenue Tilmire Close Heath More Drive |
| 4 | Holgate | Firtree Close Park Side Close West Bank |
| 5 | Dunnington | Greenside Greenside Close Greenside Walk |
| 7 | Dringhouses/Woodthorpe | St Helen's Road |
| 8 | Dringhouses/Woodthorpe | Ganton Place |
| 9 | Dringhouses/Woodthorpe | The Spinney |
| 10 | Holgate | Lindsey Avenue |
| 11 | Holgate | Grantham Drive Segrave Walk |
| 12 | Westfield | Westfield Place Acomb |
| 13 | Acomb | Baildon Close |

| | | |
|----|---------------------------------------|---|
| 14 | Fishergate | Danesmead Close Norway Drive Dane Croft Redman Close Stockholme Close |
| 15 | Huntington And New Earswick | Lea Way Keith Avenue Greenacres Broome Walk Broome Road Broome Close |
| 16 | Skelton Rawcliffe And Clifton Without | Harewood Close |
| 17 | New Earswick | Hartrigg Oaks |
| 18 | Clifton | Westminster Road York |



Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

5th June 2008

Report of the Director of Neighbourhood Services

City of York Council Public Toilets Review - Update

Summary

1. This report informs the Executive Member as to the progress to date on the complete review of public toilet provision for York.

Background

2. The provision of clean, safe, accessible public toilets affects all local people and visitors to York. For older people, those with medical conditions such as diabetes and parents with young children, public toilets are an important factor in quality of life and in making the city centre user-friendly. Quality of public toilets plays a major role in defining the image of a city.
3. There is no statutory obligation for local authorities to provide public toilets but many people perceive that this is the responsibility of local authorities.
4. York is a major tourist destination and has a thriving economy therefore it is important that the standard of toilet provision is of the highest standard possible maximising the use of existing financial resources.

Scope

5. The scope of the review covers the following issues and options:
 - A condition survey for each of the current sites, including cost implications to bring the current range of facilities up to modern standards.
 - A customer survey to establish the current level of use and cost effectiveness of existing sites.
 - Investigate the potential for a community toilet scheme in partnership with local retail outlets and public houses as in other large city's in the UK. In order to significantly increase the level and quality of provision by inviting local businesses to allow members of the public to use their facilities.

- Consider options for the introduction of hydraulic urinals that are stored underground during the day and raised in support of the evening economy.
 - Examine alternatives adopted by authorities such as Leeds City Council who operate quality mobile units that are available in the city centre at week-ends or other locations and events where high volumes of customers are expected.
 - To consider the charging regime across the range of attended and unattended toilet facilities, and ensure that future arrangements make the city fully compliant with equalities legislation, and considered how to cover the cost of ensuring that compliance.
 - To consider access issues to ensure that whatever solution was recommended improved facilities for a range of disabled residents and customers and their carers.
6. In carrying out the review the team will have consideration for the following regulations and policies relating to the public toilet provision and standards:
- **Public Health Act 1936** - The provision and maintenance of toilets in public places is at the discretion of local authorities, who have powers to provide public conveniences, but not a duty to do so. It is expected that Section 87 (3c) of this act will be amended during 2008.
 - **The Public Lavatories (Turnstiles) Act 1963** – prohibits the use of turnstiles in any part of public lavatory controlled or managed by a local authority.
 - **Building Regulations and Building Standards** – The British Standard (BS 6465 – 1:2006) is a code of practice for the design of sanitary installations.
 - **Disability Discrimination Act (DDA) 1995** – Part 3 of the DDA includes provisions covering access to services and facilities.
 - **The Equalities Act 2006** – gives local authorities general and specific duties.

Project Plan

7. The project plan is set out in Annex 1 to this report.
8. The core members of the project team are Assistant Director, Environmental Services, Head of Neighbourhood Pride Service and Neighbourhood Services Performance Manager with invitees as required.

9. The conditions survey is to be carried out by Property Services to assess the overall conditions of the structures.
10. A private sector organisation has been identified who is prepared to carry out their own independent review at no cost to the council.
11. Meetings are to be scheduled with access groups who it is hoped will be commissioned to carry out their own survey of the accessibility and condition of each of the sites.
12. Consideration has been given to a number of organisations who could carry out their own survey and assist the council with the 'Community Toilet Scheme'. In the first instance it has been agreed that ENCAMS should be approached.
13. It is important that we learn from the experiences of other local authorities. The plan is to meet with Leeds City Council who are using flexible mobile units. The London Borough of Bexley where JCDecaux are providing and maintaining three Pillar design Universal Superloos free of charge in exchange for commercial advertising. Reading and Durham who have installed 'Urilift' pop-up toilets and Richmond upon Thames who are the lead authority on 'Community Toilet Schemes'.
14. Part of the review is to calculate the utilisation of each of the sites. However, other than Union Terrace, there is no controlled access to give user numbers. Consideration was given to user numbers at Union Terrace against the amount of water being used, to try to establish if there was a correlation between users and water consumption. The outcome of this work indicated that there was too great an error factor to give any meaningful control data. It was therefore agreed that we should carry out a survey over the summer months at each site. Secure electronic counter systems are being considered and may be utilised at some sites. The majority, however, will require a manual count.
15. A series of meetings are to be established with key organisations in the City to begin discussions regarding the Community Toilet Scheme. It is hoped that some organisations will be interested in accompanying council representatives to Richmond upon Thames to gain a fuller understanding of how it works and the benefits to the organisations involved.

Consultation

16. A significant amount of consultation with a range of interested parties is built into the project plan.

Corporate Priorities

17. This report is important for the following corporate priority:
 - Improve the actual and perceived condition of the city's streets, housing estates and public spaces.

Implications

Financial

18. The costs of the surveys will be within the existing budgets. The outcome of the review will give an overall indication as to the levels of investments needed to deliver the agreed service.

Human Resources (HR).

19. There are no HR issues associated with this report.

Equalities

20. This paper has taken access issues into account. There will be regular update meetings with the councils Equality Team and access groups will be encouraged to participate in the surveys.

Legal.

21. There are no legal implications at this stage.

Crime and Disorder.

22. The review is taking community safety issues into account, and in particular look at ways to improve facilities during the evenings and thereby potentially reduce environmental crime.

Information Technology (IT).

23. There are no direct IT implications at this stage, but electronic counters are being tested.

Property

24. The outcome of the surveys, particularly the conditions survey will give some indication as to the current build conditions.

Risk Management

25. In compliance with the council's risk management policy the main risks that have been identified in this report are those which could lead to the inability to deliver a service review of sufficient quality (operational) which could lead to damage to the Council's image and reputation and failure to meet stakeholders' expectations (governance).
26. Measured in terms of impact and likelihood, the risks at this point need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

Recommendations

27. That the Advisory Panel advise the Executive Member to note the project plan.

Reason: To inform the Executive Member of work completed to date.

Contact Details

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

Report Approved Date 8/5/08

Specialist Implications Officer(s)

Property – Neil Hindhaugh – Head of Property Service

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

City of York Public Toilet Review – Meeting of the Executive Member for Neighbourhoods and Advisory Panel – 19th March 2008.

Annexes

Annex 1 - Project Plan.

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REVIEW OF PUBLIC CONVENIENCES - PROJECT PLAN

| TASK | WEEK ENDING → | 6th Apr | 13th Apr | 20th Apr | 27th Apr | 4th May | 11th May | 18th May | 25th May | 1st Jun | 8th Jun | 15th Jun | 22nd Jun | 29th Jun | 6th Jul | 13th Jul | 20th Jul | 27th Jul | 3rd Aug | 10th Aug | 17th Aug | 24th Aug | 31st Aug | 07-Sep | 14-Sep | 21-Sep | 28-Sep | Oct | Nov | Dec | | | | |
|---|---------------------------|---------|----------|----------|----------|---------|----------|----------|----------|---------|---------|----------|----------|----------|---------|----------|----------|----------|---------|----------|----------|----------|----------|--------|--------|--------|--------|-----|-----|-----|--|--|--|--|
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Project team meeting | | █ | | | █ | | █ | | | | | | | | | █ | | | | █ | | | | | | | | | | | | | | |
| Agree plan | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agree conditions survey | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Carry out conditions survey | | | █ | █ | █ | █ | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Complete Conditions survey report | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Meet Equality officer | | | | | █ | | | | | | | | | █ | | | | | | | | | █ | | | | | | | | | | | |
| Meet Private Sector representatives | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commission Private Sector to carry out a review | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Receive report from Private Sector | | | | | | | | | | | | | | | | | | █ | | | | | | | | | | | | | | | | |
| Meet Access Groups | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commission Access Groups to do their own Survey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Receive Access Groups report | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Meet ENCAMS | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commission ENCAMS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Receive ENCAMS Report | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EMAP update report | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Report to EMAP | | | | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | |
| Benchmarking | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Leeds City Council | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | London Borough of Barking | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Reading | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Durham | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Richmond upon Thames | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Start monitoring use of facilities: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Haxby | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Acomb | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Tanner Row | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Nunnery Lane | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Coppergate | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Parliament Street | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Museum Gardens | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | St Georges Field | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Exhibition Square | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | St Sampsons Disabled User | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Review current Mitre Contract | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Community Toilet Scheme | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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Meeting of Executive Member for Neighbourhood Services and Advisory Panel

5 June 2008

Report of the Director of Neighbourhood Services

City Walls repairs and maintenance

Summary

1. This report updates members of Neighbourhood Services EMAP on the decision taken by Executive on the 11th of March to agree a partnership arrangement between City Strategy and Neighbourhood Services for the future repair and maintenance of the City Walls.

Background

2. The Neighbourhood Services Ancient Monuments Team is virtually unique in this country as a team of skilled stone masons mainly occupied in the restoration and maintenance of the City Walls.
3. Over the last 20 years, during the Compulsory Competitive Tendering (CCT) era, the team have been very successful in winning work and maintaining a team of highly skilled stone masons who have continued year on year to produce an extremely high quality of work whilst remaining competitive with private sector companies.
4. In agreeing the partnership the Council have secured the future arrangements for the maintenance of the City Walls. This will also allow longer term planning, including the employment and training of apprentices to ensure the skills within the team are not lost. The department currently employs one supervisor, five stone masons and one apprentice.
5. The team will now develop a Service Level Agreement which will guide the performance and value for money issues arising from the partnership.
6. The full report to executive is attached as Annex 1 and the minute of the meeting is attached as Annex 2.

Analysis

7. No options are available, the report is for NS EMAP information only, the decision was taken at Executive

Corporate priorities

8. The proposal relates to the following corporate priorities
- Improve the actual and perceived appearance of the city's streets, housing estates and publicly accessible areas
 - Increase people's skills and knowledge to improve future employment prospects

Implications

9. All the implications are contained within the original report

Risk Management

10. Risk management issues are within original report

Recommendations

11. That the Advisory Panel advise the Executive Member to comment on and note the contents of the report contained as Annex 1 and the minute contained in Annex 2.

Reason. To ensure the City Walls are maintained to a consistently high standard

Contact Details

Author:

Author's name:

Richard White

Title AD Maintenance Services

Dept Name Neighbourhood Services

Tel No. 553206

Chief Officer Responsible for the report:

Chief Officer's name Terry Collins

Title Director Neighbourhood Services

Report Approved

Date 20/5/08

Specialist Implications Officer(s) None

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

All

For further information please contact the author of the report

Background Papers: None

Annexes:

Annex 1. Executive Report 11th March 2008

Annex 2. Minutes from Executive Meeting

Executive

11 March 2008

Report of the Directors of City Strategy and Neighbourhood Services

City Walls: Maintenance and Restoration Partnership**Summary**

1. This report seeks Executive approval for the establishment of a Partnering Agreement between City Strategy and Neighbourhood Services for the delivery of maintenance, restoration and major restoration schemes on the City Walls.
2. A Service Level Agreement will detail the framework and performance standards of the partnership ensuring that this approach will improve the quality, productivity and cost of the service to the Council.

Background

3. York's City Walls are among the longest and best-preserved walls in England. They are a scheduled ancient monument and a Grade One listed building. Visited by over one million people from all over the world every year they are an integral part of the City's image. Originally built as defences, the focus is now on conservation. They are owned by the Council, and their restoration and maintenance is overseen by City Strategy's Engineering Consultancy on behalf of the Assistant Director of Planning & Sustainable Development.
4. The Council carried out a major survey of the Walls and produced a report in 1991 providing the basis of the ongoing restoration programme. While this anticipated a 25 year programme of works, progress has been affected by reduced funding over the years and it is likely that the work identified in the report will take at least another 20 years to complete. Maintenance, due to the same funding problems, only concentrates on health and safety issues so that the Walls remain safely accessible.
5. All of this work is currently carried out by the Neighbourhood Services (NS, formerly Commercial Services Organisation (CSO)) ancient monuments team and comprises:
 - **Maintenance Works:** general repairs and maintenance, including cutting out joints, tamp, grout and point joints, lifting and relaying flags, copings and steps, removing graffiti, repairs and repainting of railings, gates and other ironwork, repairs to locks, weeding and removal of drug litter and emergency call out. The basic annual budget for this is £15.3k.

- **Restoration Works:** as for maintenance works, plus erection of working scaffold and temporary walkway, installation of tie bars, underpinning piers and buttresses, as required in the Council's long term restoration programme for the City Walls. The basic annual budget for this is £67k which includes design fees of 15%.
6. Due to their status, all work carried out on the Walls must comply with the requirements set out in Scheduled Monument Consents obtained from the Department of Culture Media and Sports (DCMS) through English Heritage (EH). This specifies rigorous standards for both design and implementation of works.
 7. Since the inception of Compulsory Competitive Tendering (CCT) in the early 1980s it has been difficult to find suitable tenderers which can provide the whole range of specialised skills that this service requires. With the expiry of the last contract with NS alternative methods of procurement have been discussed with the Corporate Procurement Team and they have advised that the best way to deliver this service is through a Partnering Agreement.

Procurement History

8. Due to the requirements of CCT, works on the City Walls have been tendered twice, most recently in July 2000 with a five year contract, on the basis of the "most economically advantageous tender" with quality being a major consideration. On both occasions, with little competition due to the limited number of suitable contractors, the CSO won the contract, the first being for maintenance only, and the second for maintenance and restoration. Due to staff shortages in Engineering Consultancy the work was not retendered in 2005 and a waiver was granted for a year. Continuing staff shortages delayed progress and it was agreed with the Corporate Procurement Team that a new arrangement should be in place by April 2008, with NS in the meantime continuing to carry out maintenance work.
9. Major restoration schemes with values beyond the scope of the term contracts have been competitively tendered on approximately 12 occasions since 1990. All but 3 contracts have been won by CSO and the last contract won by a private contractor was in 1998. The most recent contracts won by CSO/NS have been the Railway Arches phases 1 and 2, (combined works value approximately £360k) and the restoration of Robin Hood Tower (works value £190k).
10. The procurement of this service has been the subject of discussion in recent years between the Environment and Conservation, Engineering Consultancy, NS and the Corporate Procurement Teams, with the aim of providing the best quality and value solution for the Council.

Procurement Hierarchy

11. The procurement options for the City Walls Maintenance and Restoration schemes have been assessed against the Council's Service Procurement

Hierarchy, as set out in the Rollo Report 'A Strategy for Assessing Service Procurement Options', with a recommendation on placement of the service at Level Two – existing provider with Improvement Plan.

12. The strategy for assessing this procurement option not only reflects Best Value principles but also looks beyond individual reviews and services to consider an overall view in order to obtain the best possible result for the Council and its customers. Based upon this strategy compliance with the 'Rollo' Report was sought in its guiding principles of transparency, robustness, control and ownership, customer focus, flexibility, affordability, deliverability, and corporate issues.

13 These are addressed as follows:

- **Transparency:** The issue of transparency is covered through the medium of this report.
- **Robustness:** Similarly this report addresses the issue of robustness and demonstrates that the proposal provides a long term Best Value solution for the consistent high quality provision of this service to the Council.
- **Control and Ownership:** The proposals allow the Council to retain sufficient and appropriate control and ownership. This is particularly important in managing a high profile asset such as the City Walls.
- **Flexibility:** The proposals provide the Council with a flexible service enabling a response to emergency or changed circumstances.
- **Affordability:** The service will be affordable as expenditure will be dictated by the annual budgetary provision.
- **Deliverability:** Because the service is managed and delivered completely in house by staff with many years of experience its delivery will be reliable and capable of providing continuous improvement.
- **Equality:** The Council is committed to providing opportunities for all in line with all relevant legislation without regard to ethnicity, race, gender, religion, sexual orientation, age or disability.

14. Additionally, in accordance with the Service Procurement Strategy, the following Key Service Criteria are required to be addressed:

- **Lowest quartile price:** Quality is of greater significance than price in providing this particular service. There is difficulty in obtaining competitive pricing due to the specialist nature of the work, but CSO have won two term contracts and approximately nine specific contracts in competition.
- **Highest quartile quality:** Quality is the overriding requirement in this service and will be achieved by the imposition of consistent standards and continuity of personnel. It is questionable whether highest quartile quality could be achieved with the lowest quartile price in providing this particular service. However best value for the Council will be achieved through a service level agreement and improvement plan,

- **High customer satisfaction:** The City Walls are one of the most visited attractions in York and are also used by many residents on a daily basis. They are highly valued for this reason and the source of very few complaints.
 - **Excellent Health and Safety:** Maintenance of the Walls is vital both for safety and aesthetic reasons and the Council's record in this respect is excellent.
 - **High percentage on time:** Work to the Walls is carried out on both a reactive and planned basis. Work is invariably carried out on time.
 - **Capacity for continuous improvement:** While the maintenance of the City Walls has always been carried out to a very high standard it is acknowledged that there is always room for improvement and this will be addressed in an agreed SLA and improvement plan with the service provider.
15. A report published in 2005 by the National Heritage Training Group, backed by EH and Construction Skills, identified an acute shortage of suitably qualified craftsmen in the construction industry. NS commitment to training and their ongoing maintenance of the walls enables them to provide a properly qualified workforce for this work. Additionally, because the ancient monuments team is part of the larger civil engineering team, they can provide a flexible and responsive service.
 16. The skills available to the Council through their ancient monuments team are irreplaceable and probably unique among Local Authorities. NS actively works with York College to provide suitable training and apprentice positions with a view to continue employing skilled masons. Although they undertake work other than on the walls, they are available to provide this prestige service to a consistent standard. In view of the well documented skills shortage, a long term view of the maintenance and restoration of the City Walls aligned with the remaining restoration programme should be taken to enable this team to remain extant.
 17. It has always been difficult to find suitably qualified contractors for this service. A particular difficulty is finding contractors with the necessary trained workforce and flexibility to provide a reactive specialised response which is often required at short notice to maintain the walls in a safe condition. NS has shown itself to be competitive in both maintenance and restoration work and is able to produce work of a consistently high standard as demanded by the client and EH.
 18. The ancient monuments team are also able to provide specialist skills to NS which enhance and broaden the service that this Directorate is able to provide to its various Council and external clients. In addition to work on the walls they also carry out bridge maintenance and other structural repairs. If the service was transferred to an external provider loss of some staff under TUPE would be likely. This would have the effect of losing the expertise of trained masons in whom the Council has invested, and ultimately the likely loss of the ancient monuments team, to the detriment of service to other clients.

19. For the above reasons, together with the relatively low annual value of the works (£147.3k in 2008/09) and the requirement for a reactive locally based service, the Corporate Procurement Team have advised that the recommended way to provide this service, taking a long term view is through a partnering arrangement between CS and NS. Competitive tendering was the other option considered but this was discarded due to the difficulty in finding suitably qualified contractors.

Corporate Priorities

20. The proposals relate to the following Council corporate priorities:
- Improve the actual & perceived condition and appearance of city's streets, housing estates & publicly accessible spaces
 - Increase people's skills and knowledge to improve future employment prospects

Implications

21. **Financial:** This service is very small in financial terms compared to the major services referred to in the "Rollo" strategy. The basic annual budgets for the City Walls have remained unchanged and unadjusted for inflation for more than twelve years at £15.3 revenue and £67k capital, the latter including design and supervision fees at approximately 15%. The maintenance and restoration budgets for 2008/09 have been increased to £20.3k and £127k respectively as a result of growth and CRAM bids for Health and Safety works but both additional sums are only available for one year. Previous successful CRAM bids have enabled the restoration of the Railway Arches and Robin Hood Tower and the provision of railings on some lengths. Annual CRAM and growth bids will continue to be made to augment the reducing funding. Grant aid from EH has not been given for some years and is unlikely to become available again. The Partnering Agreement will ensure that the basic funding plus any additional funding that becomes available will be used to provide the Council with a consistent quality of work on the Walls in accordance with the stringent requirements of Scheduled Monument Consents.
22. There would be Human Resources implications if the service was transferred to an external provider with potential loss of staff under TUPE. The expertise of trained masons in whom the Council has invested would be lost, to the detriment of service to other clients e.g. bridge maintenance.
23. There are no Equalities, Legal, Crime and Disorder, Information Technology or Property implications.

Risk Management

24. In view of the low value of the agreement, and that work carried out is dictated by available funding, the risk to the Council is minimal.

Recommendations

25. It is recommended that the Executive approve:
- a) City Strategy and Neighbourhood Services deliver the maintenance and restoration of the City Walls through a partnering agreement .
 - b) That a Service Level Agreement be agreed which will detail the framework and performance standards of the partnership ensuring that this approach will improve the quality, productivity and cost of the service to the Council.
 - c) That this agreement commences on 1 April 2008, and will be reviewed and monitored as detailed in the Service Level Agreement.

Reason: To ensure that the City Walls are maintained to a consistently high standard.

Contact Details

Author:

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Engineering Consultancy
Tel No. 551473

Chief Officer Responsible for the report:

Damon Copperthwaite
Assistant Director of City Strategy

Report Approved



Date 19 February 2008

Specialist Implications Officer(s)

Financial Information agreed with Patrick Looker

Wards Affected: Guildhall and Micklegate

For further information please contact the author of the report

Background Papers:

None

Annex 2 Minutes from Executive Meeting – 11 March 2008

Members considered a report which sought approval to establish a partnering agreement between the Council's City Strategy and Neighbourhood Services departments, for the delivery of maintenance, restoration and major schemes on the City Walls.

All of this work was currently carried out by the Neighbourhood Services (NS) (formerly CSO) ancient monuments team. On most of the occasions in the past when works had been put out to tender, the CSO/NS team had secured the contract, due to the limited number of private contractors with the necessary range of specialised skills. They had been awarded a five year contract in 2000 but, due to staff shortages in Engineering Consultancy, the work had not been re-tendered in 2005.

Alternative procurement methods had been assessed against the Council's Service Procurement Hierarchy and discussed with the Corporate Procurement Team (CPT). In view of the expertise within the NS team, the relatively low annual value of the works and the requirement for a reactive locally based service, the CPT had advised that the best way to deliver the service was through a Partnering Agreement between NS and City Strategy.

Members endorsed the arrangements between NS and York College to provide apprentice positions and continue the employment of skilled masons, ensuring that work on the Walls was carried out to the highest standard.

Having considered the comments of the Shadow Executive, it was

RESOLVED:

- (i) That the delivery of the maintenance and restoration of the City Walls by City Strategy and Neighbourhood Services, through a partnering agreement, be approved.
- (ii) That a Service Level Agreement be agreed which will detail the framework and performance standards of the partnership, ensuring that this approach will improve the quality, productivity and cost of the service to the Council.¹
- (iii) That this agreement commence on 1 April 2008, and be reviewed and monitored as detailed in the Service Level Agreement.

REASON:

To ensure that the City Walls are maintained to a consistently high standard.

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**Executive Member for Neighbourhood Services
and Advisory Panel**5th June 2008

Report of the Director of Neighbourhood Services

Use of York Pride Funding to Improve Environmental Maintenance**Summary**

1. During the summer of 2007 and independent review of the Council's Neighbourhood Pride Service was undertaken by EnCams resulting in several recommendations to improve performance. One of the recommendations was to improve street washing to remove staining in heavy usage areas such as outside of shop fronts, at bus stops and areas close to litter bins provided throughout the city.
2. This report proposes a change to the current arrangements of utilising the York Pride budget to address this recommendation whilst also requesting £10k from this budget to support an initiative to tackle graffiti throughout the city working with partners.

Background

3. During the summer of 2007 an independent review of the Council's Neighbourhood Pride Service was undertaken by EnCams resulting in several recommendations to improve performance. One of the findings of the review was that the council should aim to improve street washing to remove staining which is a problem particularly in the summer when footfall is at its peak.
4. Staining can look unsightly and give a poor impression of the city and the street cleaning service. In addition to providing improved street washing officers consider that it would be beneficial to provide additional resources to remove graffiti quickly from public realm and to undertake additional work such as the cleaning of street signs and litter collection.
5. Street Cleaning performance has significantly improved in recent years following the introduction of the Neighbourhood Pride Service which is evidenced by our performance. Streets considered to be unacceptably dirty in 2007/08 were 14% compared with 19% the previous year. EnCams consider that the council is providing a good service although officers consider that more can be achieved by utilising existing budgets to improve performance.

The Proposal

6. It is proposed that £53k is allocated to the Neighbourhood Pride Service from the existing York Pride Budget to allow a new team to be provided. The team would be responsible for providing an enhanced street washing, graffiti removal, street sign cleaning and litter collection service from public land and buildings. The new team would also have a role to assist environmental enforcement officers to bring about improvements on private land through partnership working and enforcement, where necessary, with private land owners. The new team would be multi-functional so that they could also assist with a variety of environmental maintenance related tasks as required.
7. It is proposed that the team would start and finish later than the existing teams so that they can react quickly to issues and requests for service that are experienced up to 7pm. At the current time the existing service operates up to 4pm although a sweeping service is provided in the city centre on evenings during the summer when footfall is at its peak.
8. The new service will operate throughout the city including rural areas if required. However officers will identify problem areas which will be prioritised whilst a schedule of street washing will be produced so that the increased investment has the required impact. By targeting resources as known problem areas, this will ensure that graffiti hot spots across the wards and key locations such as main roads, shopping areas and the city centre receive a prompt graffiti removal service. Information gathered by the removal team will be shared with partners in SYP to help develop intelligence to catch perpetrators. Likewise, data being gathered centrally will help to direct resources should new problem areas are identified.
9. Officers and EnCams consider that the proposed arrangement will have a positive impact on performance, customer satisfaction and our reputation.

Graffiti Database

10. Community consultation carried out by the Safer Neighbourhoods Teams has regularly identified graffiti as an issue of major concern to the community. Graffiti, along with litter, buildings and utilities in disrepair acts as a signal crime, triggering other wider damage, disorder and causing criminal activity to escalate.
11. For the last two years the Safer York Partnership (SYP) has been in discussion with North Yorkshire Police (NYP) on how best to record incidents and intelligence relating to graffiti in a format that all responsible authorities can access. This would need to be based on GPS mapping so that officers could build a picture of information that will eventually link tags to those who are responsible for creating them. Research and enquiries with other Crime and Disorder Reduction Partnerships (CDRP's) has identified that no such 'off the shelf' product exists to record information in this way, although when raised

through the general community safety information sharing forums, it has generated interest from others who face similar issues.

12. A small working group, which includes representation from SYP, NYP and CYC Street Environment, has been looking at the possibility of developing a suitable system for York that would be accessible by all partners. They have identified a web designer to work with them on this project. The intention being that once developed, SYP will own the intellectual property rights enabling them to generate income from selling the product to other police forces, CDRP's and Local Authorities. Given the innovative nature of the product, it is likely to result in a great deal of interest.
11. SYP are requesting £10k from the York Pride budget fund to contribute to the £30k cost for developing and running the project over the next three years. The costs include maintenance and further development for the three year period and the purchase of a license for the encrypted use of Google Earth to allow the information to be drilled down to specific properties within the database.
12. The database will provide a single point of contact for the Police, Council and all other stakeholders that are working to tackle this problem. The site will provide an accurate database of all tags found in the city which will be provided by Street Environment Officers, Neighbourhood Policing Teams and other partners such as community watch, estate workers, councillors, parish councillors and resident associations.
13. The front page of the site will provide information for all councilors and residents on what York is doing, how others can help, reporting, target hardening tips, removal advice, removal kit loaning, success measures of the website and any other messages we want to share. It is thought that this will improve public perception of how CYC and NYP are working in partnership to positively tackle graffiti/criminal damage whilst hopefully catching those who are causing damage to property throughout our city.

Consultation

14. Consultation has been held with EnCams, SYP, NYP and related partners regarding these proposals.

Options

15. Members could decide to support the proposals detailed in the report or alternatively support one of neither of these.

Analysis

16. No analysis is required.

Corporate Priorities

17. This proposal supports the following corporate priorities:
 - *To reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York;*
 - *To Improve the actual and perceived condition and appearance of the city's streets, housing estates and public spaces.*

Implications

Financial

18. The base budget for York Pride is £163,690. It was agreed by Executive in October 2006 to top slice £30k from the base budget in 07/08 to support campaigns and it is proposed that this continues in 08/09.
19. In addition it is proposed that the 08/09 base budget is top sliced to fund the environmental maintenance team on a recurring basis to the value of £53,800 and £10,000 one off funding is provided to the graffiti website. The remaining budget will be allocated to Wards.
20. It should be noted that in recent financial years £30k additional base budget has been made available by the Executive. This is subject to the Councils previous year (07/08) overall financial position which has not been finalised at this stage. If £30k is made available in 08/09 the budget allocated to Wards will total £99,890.

Other implications

21. There are no significant HR, equalities, legal, crime and disorder, IT, property or other implications other than those set out in the body of this report.

Risk Management

22. There are minimal risks associated with the recommendations of this report.

Recommendations

23. The Advisory Panel are recommended to advise the Executive Member to agree to top slice the York Pride budget by £10,000 in 08/09 to support the development of a new graffiti database which will allow partners to tackle this problem more efficiently and effectively in the future.
24. The Advisory Panel are recommended to advise the Executive Member to agree to top slice the York Pride budget by £83,800 on a recurring basis to fund the new Environmental Maintenance team and to continue to fund campaigns.

Reason: To improve environmental maintenance within the city including in it's neighbourhoods and parishes.

Contact Details

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Terry Collins
Director of Neighbourhood Services

Report Approved **Date** 02/05/2008

Specialist Implications Officers: Financial – Sarah Kirby, Finance Manager

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Regulator's Compliance Code (published br the Department for Business, Enterprise and Regulatory Reform)

Annexes

None

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