

---

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 1<sup>st</sup> October – 31<sup>st</sup> 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;<sup>1</sup>

- (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.<sup>2</sup>

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;<sup>1</sup>
- (ii) That the possibility of increasing the level of grant to community centres next year be considered as a growth bid.<sup>2</sup>

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.<sup>1</sup>

#### 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;<sup>1</sup>
- (ii) That consultation with affected householders be undertaken to agree local collection points where necessary;<sup>2</sup>
- (iii) That all Ward Members receive information about affected properties in their wards in advance of the letters being sent out.<sup>3</sup>

#### 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.<sup>1</sup>

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.<sup>1</sup>

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].

This page is intentionally left blank