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MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	4 DECEMBER 2008
PRESENT	COUNCILLORS BOWGETT (CHAIR), AYRE (VICE-CHAIR), CRISP, HOLVEY, REID (EXECUTIVE MEMBER), TAYLOR AND WATT
APOLOGIES	COUNCILLOR KING

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### **38. 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.

There were no declarations of interest.

### **39. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of annexes 2 and 3 to agenda item 11 (2008-09 Second Monitoring Report – Finance and Performance) (minute 48 refers) 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 was classed as exempt under Paragraphs 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.

### **40. MINUTES**

RESOLVED: That the minutes of the meeting held on 15 October 2008 be approved and signed by the Chair and Executive Member as a correct record.

### **41. PUBLIC PARTICIPATION**

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

### **42. REGULATORY ENFORCEMENT AND SANCTIONS ACT**

Members received a report advising them of the implications of the Regulatory Enforcement and Sanctions Act.

The Assistant Director (Neighbourhoods and Community Safety) answered Members queries on the implications of the Act. He advised Members that the Authority could recharge businesses for any costs involved and that businesses would be able to register with different local authorities for different areas of the business.

Advice of the Advisory Panel

That the Executive Member be advised to note the contents of the report.

Decision of the Executive Member

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

REASON: So that the Executive Member is advised of the potential changes to the delivery of local authority regulatory services through the introduction of the Regulatory Enforcement and Sanctions Act 2008.

**43. NEIGHBOURHOODS & COMMUNITY SAFETY GROUP LEGAL ACTIONS**

Members received a report informing them 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 1<sup>st</sup> July 2008 – 30<sup>th</sup> September 2008.

Advice of the Advisory Panel

That the Executive Member be advised to note the contents of the report.

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.

**44. REUSE OF WASTE**

Members received a report seeking consideration of the practical application of the existing Department for Environment, Food and Rural Affairs (DEFRA) on re-use credits considering both the opportunities and obstacles for the scheme successfully contributing to the Waste Strategy for York.

The report presented the following options for consideration:

- (a) The Executive Member notes the contents of the report.
- (b) The Executive Member continues to support the “third sector” reuse organisations who increasingly need to find sources of sustainable material, thus contributing to the achievements of the local waste strategy.
- (c) The Executive Member receives reports on specific organisations who both contribute to the local waste strategy, but also provide a wider society benefit by providing employment, training and volunteering opportunities to the vulnerable or socially excluded people of the City.

Further to the information contained within the report, the Assistant Director (Environmental Services) updated Members on current initiatives. He reported that in respect of the Choose2Reuse campaign, the Green Santa event would take place again this year to encourage people to donate unwanted presents to charity shops with the event coming to York sometime between the 6<sup>th</sup> and 16<sup>th</sup> January 2009 and based in Parliament Street. He also advised Members that the York and North Yorkshire Waste Partnership were organising an event at the Household Waste Recycling Centre in Harrogate on 10<sup>th</sup> December to intercept all items coming onto the site which could be reused/sent to a charity shop and explained that this would be good research to consider a similar event at York’s sites.

Councillor Taylor, who had requested the report, questioned whether the Household Waste Recycling Centres could work more closely with the Furniture Reuse Organisation and whether the Council could allow “totting” (removing materials from skips). He stated that although it was useful to know the current position in terms of re-use, he had hoped that the report would be more visionary and asked for stronger measures to be investigated in line with the Recycling and Reuse Scrutiny Sub Committee report dated 18 September 2006.

The Director of Neighbourhood Services advised Members that he could provide a further report at a future meeting to provide an update if required and suggested that it may be beneficial for certain Members to meet with the Waste Team to discuss reuse initiatives.

#### Advice of the Advisory Panel

That the Executive Member be advised to:

- (i) Note the report and the current facilities in York.
- (ii) Support the options detailed in paragraphs 28 and 29 of the report (see above b and c)
- (iii) Agree to receive an update report at a future meeting. <sup>1</sup>

### Decision of the Executive Member

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

REASON: To inform the Executive Member of the current opportunities to re-use and to support the Government's objectives to make greater use of "third sector" expertise in waste management and to capitalise on the multiple benefits (Social, Economic and Environmental) it can bring to communities.

### Action Required

1. Director of Neighbourhood Services to present update report to future meeting. KS

## **45. ECO DEPOT SAFETY AND SECURITY REVIEW**

Members received a report providing information on changes planned and undertaken at the Eco-Depot to improve the linked issues of site safety and security. The changes are being made in response to an independent review of safety carried out on the council's behalf by the Freight Transport Association (FTA). The FTA had been asked to undertake the review by the directorate management team following concerns about safety and security.

The Performance Manager answered Members queries in relation to specific queries on issues contained in the report.

### Advice of the Advisory Panel

That the Executive Member be advised to note the proposed improvements to site safety and security.

### Decision of the Executive Member

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

REASON: To inform Members of initiatives being taken in Neighbourhood Services to improve site safety and security.

## **46. TACKLING ENVIRONMENTAL CRIME - LITTER ENFORCEMENT AGAINST YOUNG PEOPLE**

Members received a report advising them on new guidance produced by the Department of Environment, Food and Rural Affairs (DEFRA) on the use of Fixed Penalty Notices (FPNs) and recommending amendments to the current Street environment Service litter enforcement policy, to ensure

that procedures are in keeping with best practice when using fixed penalty notice (FPN) enforcement against young people.

The report presented the following options for consideration:

- (a) To support the revised policy in annexes 2 and 3 in their entirety.
- (b) To support the revised policy in annexes 2 and 3 with any of the proposed steps set out being amended or removed.
- (c) Decide to keep the current enforcement policy unchanged.

In response to concerns that the initiative would be difficult to enforce long term, the Enforcement Manager explained that they had a team of seven Street Environment and Enforcement Officers and work was currently being undertaken with North Yorkshire Police to train up Police Community Support Officers so they could also enforce the littering legislation.

She stressed the importance of education in schools and reported that although schools were supportive of the initiative, her officers often struggled to get assembly time to talk to the children.

In relation to payment of Fixed Penalty Notices, Members welcomed the option of paying FPNs in instalments but raised concerns that in cases where this option was chosen, the young person would not be able to benefit from the reduction in the fine which would apply if the fine was paid in full within 10 days. In response to Members concerns, the Enforcement Officer confirmed that if someone chose to pay in instalments they would be entitled to the reduced fine of £50.

#### Advice of the Advisory Panel

That the Executive Member be advised to agree the changes in policy highlighted in annexes 2 and 3 of the report.

#### Decision of the Executive Member

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

REASON: To ensure that the Authority's litter enforcement policy and procedures are compliant with DEFRA's best practice on the issuing on FPNs to young people.

## **47. NEIGHBOURHOOD SERVICES CAPITAL PROGRAMME - MONITOR 2**

Members received a report informing them of the likely outturn position of the 2008/09 Capital Programme based on the spend profile and information to October 2008/2009 and seeks approval to any resulting changes to the programme. The report also informed Members of any slippage and seeks approval for the associated funding to be slipped between the relevant financial years to reflect this.

In addition to the recommendations listed in the report, the Finance Manager asked Members to approve an additional £15,000 in respect of the Air Quality grant provided by DEFRA which was approved by the Executive Member for Neighbourhood Services and Advisory Panel in September 2008.

#### Advice of the Advisory Panel

That the Executive Member be advised to:

- (a) Approve the 2008/09 revised budget of £0.619m as set out in table 2.
- (b) Approve the net slippage of £0.325m into future years.
- (c) Approve an additional £15,000 in respect of the Air Quality grant provided by DEFRA which was approved by the Executive Member for Neighbourhood Services and Advisory Panel on 4 September 2008. The revised Capital Programme would therefore be £634,000

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#### Decision of the Executive Member

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

REASON: To enable the effective management and monitoring of the Council's capital programme.

#### Action Required

1. To update the programme spreadsheets.

KS

### **48. 2008-09 SECOND MONITORING REPORT - FINANCE AND PERFORMANCE**

Members received a report presenting the latest projections for revenue expenditure for the Neighbourhood Services portfolio and detailing progress against the directorate plan priorities and key performance indicators.

Members noted a significant improvement in a number of areas. They commended the gradual and continued reduction in staff sickness and the reduction in overspend and thanked the Directorate for its hard work.

#### Advice of the Advisory Panel

That the Executive Member be advised to approve the financial and performance position of the portfolio

Decision of the Executive Member

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

REASON: In accordance with the budgetary and performance monitoring procedures.

**49. FORWARD PLAN**

The Director of Neighbourhood Services reported that the following items would be brought before the Executive Member for Neighbourhood Services and Advisory Panel at its next meeting on 19 January 2009.

- 2009-10 Budget
- 2009-10 Fees and Charges
- Illegal Money Lending Team Authorisation
- Public Rights of Way – Adopt an Alleyway

Advice of the Advisory Panel

That the Executive Member be advised to note the update on the Forward Plan.

Decision of the Executive Member

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

REASON: To inform Members of forthcoming issues.

COUNCILLOR A REID,  
EXECUTIVE MEMBER

COUNCILLOR D BOWGETT,  
CHAIR

[The meeting started at 5.00 pm and finished at 6.45 pm].

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