



Notice of meeting of

Decision Session - Executive Member for Neighbourhoods

To: Councillors Reid (Executive Member)

Date: Tuesday, 17 November 2009

Time: 4.00 pm

Venue: The Guildhall, York.

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:

10.00am on Monday 16 November 2009, if an item is called in *before* a decision is taken, *or*

4.00pm on Thursday 19 November 2009, if an item is called in *after* a decision has been taken.

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

1. **Declarations of Interest**

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

2. **Minutes**

(Pages 3 - 6)

To approve and sign the minutes of the meeting of the Executive Member for Neighbourhood Services and Advisory Panel on 15 September 2009.

3. Exclusion of Press and Public

To consider excluding the public and press from the meeting during consideration of Annex B of Agenda Item 5 (Kerbside Recycling & Alternate Week Collection Expansion-Petitions) on the grounds that it contains information relating to individuals. This information is classed as exempt under Paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

4. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00 pm on Monday 16 November 2009**

Members of the public may speak on item on the agenda, an issue within the Executive Member's remit, or an item that has been published on the Information Log for the current session. There are no items for this session.

5. Kerbside Recycling & Alternate Week (Pages 7 - 18) Collection Expansion - Petitions.

This report updates the Executive Member for Neighbourhoods on consultation with residents following the receipt of 3 petitions about revised recycling and residual waste collection in the Groves area of the city.

6. Highway Maintenance, Advanced Design On (Pages 19 - 38) Programmes For 2010-2011.

This report outlines the preparation of the provisional highway maintenance surfacing programmes. It recommends and seeks approval to begin advanced design for a list of schemes in each category of work.

7. Sales of Age Restricted Products (Pages 39 - 46)

This report informs the Executive Member for Neighbourhood Services of the work undertaken by the Council's Trading Standards service to prevent the sales of age restricted products.

8. Neighbourhood Services Capital Programme Monitor 2 (Pages 47 - 54)

The purpose of this report is to:

- Inform the Executive Member for Neighbourhood Services of the likely outturn positions of the 2009/10 Capital Programme based on the spend profile and information to September 2009;
- To notify the Executive Member of any resulting changes to the programme;
- To inform the Executive Member of any slippage and associated funding to be slipped between the relevant financial years to reflect this.

The Executive Member is also asked to approve:

- The Slippage of the Boroughbridge Road/Poppleton into 2010/11
- Bringing forward Crichton Avenue, Skeldergate Bridge and Saxford Way schemes into 2009/10

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

Democracy Officers:

Name: Laura Bootland

Contact Details:

- Telephone – (01904) 552062
- E-mail- laura.bootland@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

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

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

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Holding the Executive to Account

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

Scrutiny Committees

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

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

Who Gets Agenda and Reports for our Meetings?

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

City of York Council

Committee Minutes

MEETING	DECISION SESSION - EXECUTIVE MEMBER FOR NEIGHBOURHOODS
DATE	15 SEPTEMBER 2009
PRESENT	COUNCILLORS REID (EXECUTIVE MEMBER)

7. 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. None were declared.

8. PUBLIC PARTICIPATION

It was reported that there had been 2 registrations to speak at the meeting under the public participation scheme. Details of these speakers are set out under the individual agenda items.

9. MINUTES

RESOLVED: That the minutes of the last meeting of the Decision Session – Executive Member for Neighbourhood Services, held on 21 July 2009 be approved and signed by the Executive Member as a correct record.

10. NATIONAL SERVICE PLANNING REQUIREMENTS FOR ENVIRONMENTAL HEALTH AND TRADING STANDARDS SERVICES.

The Executive Member considered a report which sought approval for the National Service Plans for food law enforcement, health and safety law enforcement and animal health enforcement, which are produced on an annual basis in response to national requirements.

RESOLVED: That the Executive Member approves the Service Plans in Food Law Enforcement, Animal Health Enforcement and Health and Safety Law Enforcement and recommends that they are referred to the Executive for approval.

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

11. AIR QUALITY UPDATE

The Executive Member considered a report which updated on the outcome of the recent Air Quality Support Grant (AQSG) applications made to the Department for Environment, Food and Rural Affairs (DEFRA).

Officers updated with some amendments to the report as follows:

- Page 17 of the agenda, paragraph 11 should refer to Project 2 and that a 5 year contract had now been secured.
- Page 18 paragraph 16 should state £2500 not £2000
- Page 22 paragraph 37, take out the words 'and 17'.
- Page 24 paragraph 48, option a, take out the words 'and 17'.

The Executive Member commented that it is disappointing that the projects listed on page 18 of the agenda can not be assisted further at present, due to the lack of funding, in particular, Project 7 the Joseph Rowntree School Faraday Project. Officers advised that if further funding is received then such projects will be assisted. The Executive Member asked that any letters sent to DEFRA should be strongly worded to emphasise the importance of York receiving further funding in order to assist such projects. Officers noted this request.

RESOLVED: That the Executive Member approves Option A at paragraph 37 of the Officer's report and to:

- Accept Air Quality Grants from DEFRA totalling £16,500 and allow air quality projects outlined in paragraphs 12,13 and 16 to proceed, and to request that York be considered for any further grant that may become available in the year.
- Note the Executive Member's request that officers stress the importance of York requiring any further grants in correspondence to DEFRA.

REASON: Option A represents the most appropriate way of funding the continuation of Local Air Quality Management in the City. This is a statutory undertaking that contributes towards the corporate priorities on Thriving City, Sustainable City and Healthy City.

12. KERBSIDE RECYCLING & ALTERNATE WEEK COLLECTION EXPANSION - PETITIONS.

The Executive Member considered a report which advised of the receipt of three petitions from residents in the Groves area of the city and recommends how to respond to them.

Officers updated that 3 petitions had been received against the use of wheeled bins in the area. The Groves area is a pilot area and the feedback from refuse collection crews indicates that so far, the pilot is working and there has been no issues such as bins being left out. Several weeks into the pilot the occurrence of overfilled bins has reduced as residents have got used to the system and residents have been taking ownership of bins by numbering them. The area will be monitored over the coming weeks as the returning Students are expected to make an impact on waste in the area.

Representations were heard from the lead petitioner of all three petitions, Mr. Lankester. He advised that the narrow width of some of the alleyways along with narrow spaces to gather all the bins on collection day, meant there are problems with access. He stated that many residents are keeping wheeled bins on front forecourts, to the detriment of the area. He queried the wisdom of rolling out the scheme to other areas of York whilst the Groves pilot is still under review.

Councillor King as Shadow Executive Member, expressed his concern that in some areas it is not practical to take out wheeled bins and that there seems to be some confusion over recycling in general around the city, such as what materials can be recycled and which boxes can be used for specific materials.

In response to the above comments, officers advised that trials have identified that 3 recycling boxes are the optimum system for collecting recyclable items and that the correct way to recycle is promoted alongside the Easter and Christmas collection calendars. In addition a degree of sorting is undertaken by crews at the kerbside. In relation to certain areas not being suitable for wheeled bins, it has proved to work in such areas if there is a collection point for the bins. Officers pointed out that the health and safety of the refuse collection crews needs to be taken into account as a reason for the move towards wheeled bins.

The Executive Member stated that further consultation is the way forward and that a single solution should not be imposed on all streets if it does not work in all areas, but this needs to be managed within existing budgets. The Executive Member queried whether a further update on the matter could be brought to November's decision session. Officers confirmed that this would give them enough time to complete further consultation.

RESOLVED: That the Executive Member approves Option 1 as follows:

- To continue to monitor residual and recycling collections following revised arrangements coming into

place and advise residents who presents bins and/or recycling boxes at wrong collection points.

- Continue with the revised service in the petition areas and gather and analyse the information from the consultation. In the meantime continue with the planned roll out across the city. Any 'lessons learnt' from the consultation will be incorporated into the roll out programme.
- Officers to bring back a further report to the Executive Members on the outcome of the consultation in the petition area at the decision session on 17 November 2009.¹

REASON: To ensure the issues in the trial area can be addressed in preparation for the roll out to the remainder of the City.

Action Required

1. Officers to prepare report for Decision Session on 17 November. KS

Councillor Reid, Chair

[The meeting started at 4.00 pm and finished at 4.30 pm].



Decision Session - Executive Member for Neighbourhoods**17 November 2009**

Report of the Director of Neighbourhood Services

Kerbside Recycling & Alternate Week Collection Expansion - Petitions**Summary**

1. This report updates the Executive Member for Neighbourhoods on consultation with residents following the receipt of three petitions about revised recycling and residual waste collection arrangements in the Groves area of the city.

Background

2. Three petitions were received on 6 July 2009 from residents in Neville Street and Stanley Street. Two of the petitions were from residents opposed to storing wheeled bins in front forecourts and with a preference to continue with sack collections. The third petition was from residents opposed to wheeled bins being stored in front forecourts of properties on the opposite side of the street. Further details about the petitions are included in Annex A to this report.
3. The Executive Member for Neighbourhoods was advised about the receipt of the petitions at the Decision Session meeting held on 15 September 2009. At the meeting it was resolved that the planned roll out of revised recycling and residual waste collection arrangements across the city should continue whilst further consultation with residents was carried out. Any lessons learned from the consultation should be incorporated into the roll out programme.
4. Officers were requested to bring back a further report to the Executive Member on the outcome of the consultation in the petition area.

Update

5. Recycling and residual waste collections in the petition area have continued to be monitored following the three petitions being reported to the Executive Member for Neighbourhoods Decision Session on 15 September 2009. The service has continued to be delivered with very few problems.
6. Consultation has been carried out with residents in each of the streets subject to the petitions through door knocking and speaking to residents directly. A

meeting has also been held with those who organised the completion and submission of the three petitions.

7. The planned roll out of the revised recycling and residual waste collections has continued in other parts of the city with service expansion being targeted at flats and communal properties.

Consultation

8. Consultation carried out with residents in Neville Street and Stanley Street through door knocking indicates that many residents have generally accepted wheeled bins with some finding them easy to use. This acceptance of using wheeled bins is bolstered by the fact that almost 40% of the bins have house numbers on them identifying ownership. The aesthetics of storing wheeled bins in the front forecourt of properties is still however the major negative comment. The survey results are summarised in Annex A to this report and provided in more detail in confidential Annex B to this report.
9. On 13 October 2009 a meeting was held with those who organised the completion and submission of the three petitions. The main points discussed at the meeting were presentation of bins for collection, returning bins to collection point, Central Collection Points, hybrid collection system, student / larger houses and aesthetics of bins in front forecourts. Whilst a number of items were discussed the aesthetics of bins in front forecourts was still the most significant issue for those who organised the petition.

Service Expansion & Development

10. The main factor behind the petitions was the aesthetics of storing wheeled bins in front forecourts of terraced properties. The service, however, is operating well with few problems and the survey work indicates that many residents have generally accepted wheeled bins.
11. It is therefore proposed that the current service and the roll out of kerbside recycling and alternate week collection should continue on the basis of front of property collection of recycling boxes and wheeled bins at terraced properties with front forecourts.
12. The opportunity for setting up Central Collection Points in terraced areas will continue to be investigated. These operations can be very expensive to set up, however, and any development would have to be managed within existing budgets.
13. In terms of other issues raised during the consultation process we will continue to monitor residual and recycling collections following revised arrangements coming into place and advise residents who present bins and/or recycling boxes at the wrong collection points. Collection crews will also be advised about returning bins and boxes to the correct place. Further work also needs to be carried out at student properties so that waste storage and collection systems can be improved.

Corporate Priorities

14. The Without Walls Sustainable Community Strategy 2008-2025 will provide a sustainable framework which will aim for York to be a city with low levels of pollution and waste production and high levels of recycling. The rollout of kerbside recycling and alternate week collection throughout the city will make a significant contribution to fulfilling this aim.
15. This work contributes strongly to the corporate strategy direction statement of placing environmental sustainability at the heart of everything we do.
16. The rollout of kerbside recycling and alternate week collections throughout the city is an important factor in the delivery of the corporate priority of decreasing the tonnage of biodegradable waste and recyclable products being sent to landfill for disposal.
17. This work also contributes to delivering the aims of the Corporate Sustainability Strategy by reducing York's CO2 emissions, increasing recycling and managing waste to the best practice standards.

Implications

18. Implications of the rollout of kerbside recycling and alternate week collections are:

Financial - Members have approved the budget for the city wide expansion of kerbside recycling and alternate week collections.

Human Resources (HR) - There are no implications in this report.

Equalities - A strategic equality impact review has been undertaken following the corporate model.

Legal - There are no legal implications.

Crime and Disorder - There are no implications in this report.

Information Technology (IT) - There are no implications in this report.

Property - There are no implications in this report.

Risk Management

19. The risks associated with this report are already contained in the Magique Risk Register for Environmental Services.

Recommendations

20. Members are asked to consider and approve the service expansion and development proposals outlined in paragraphs 10 to 13.

Contact Details

Author:

Geoff Derham
Head of Waste & Cleaning
Services
Tel No.: ext. 3111

Chief Officer Responsible for the report:

Sally Burns
Director of Neighbourhood Services

Report Approved

Date *Insert Date*

Chief Officer's name
Title

Report Approved

Date *Insert Date*

Specialist Implications Officer(s)

Implication: Technical
Name: Shaun Donnelly
Title: Waste Management Officer
Tel No.: ext. 3200

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

All

For further information please contact the author of the report

Background Papers:

- 'Waste Management Strategy 2007/8 to 2013/14' Executive Report, October 2007.
- 'Waste Management Strategy 2008/2014 - Refresh' Executive Report, September 2008.
- 'Kerbside Recycling: City Wide Expansion 2009 - 2010' Executive Report, 12 May 2009.
- 'Kerbside Recycling & Alternate Week Collection Expansion - Petitions' Executive Member for Neighbourhoods Decision Session Report, 15 September 2009.

Kerbside Recycling & Alternate Week Collection – Summary of Petitions & Consultation

Door knocking has been carried out on three separate occasions in Neville Street and Stanley Street. Survey days were 18 August, 10 September and 14 October 2009.

Street	Petition Details	Properties	Petition Signed	Survey	Comments
Neville Street	32 signatures representing 25 properties on Neville Street, 2 properties on Haxby Road and 1 property on Vyner Street. Residents are opposed to storing unsightly wheeled bins in front forecourts and would prefer to continue with sack collections. Wheeled bins were delivered prior to receipt of the petition.	43	25	24 (including 12 on petition)	30 positive comments about service (including 15 from properties listed in petition) with 5 indicating that wheeled bins are easy to use. Acceptance of wheeled bins bolstered by the fact that almost 40% the bins have house numbers on the identifying ownership.
Stanley Street (odd numbers only)	8 signatures representing 7 properties. Residents are opposed to storing unsightly wheeled bins in front forecourts and would prefer to continue with sack collections. Wheeled bins were delivered prior to receipt of the petition.	16	7	9 (including 2 on petition)	5 comments about the appearance of wheeled bins and aesthetics of storing them in the front forecourt of properties.
Stanley Street (even numbers only)	8 signatures representing 8 properties. These properties already use wheeled bins but these are stored at the rear and collected from the back lane. Residents in these properties, however, are opposed to unsightly wheeled bins being stored in front forecourts of properties on the opposite side of Stanley Street (odd numbers).	14	8	6 (including 5 on petition)	3 comments about preference for CCP or communal bins. 1 comment about communications being poor.

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Executive Member for Neighbourhood Services – Decision Session**17 November 2009**

Report of the Director of Neighbourhood Services

HIGHWAY MAINTENANCE, ADVANCED DESIGN ON PROGRAMMES FOR 2010-2011**Summary**

1. This report outlines the preparation of the provisional highway maintenance surfacing programmes. It recommends and seeks approval to begin advanced design for a list of schemes in each category of work.

Background

2. With the approval of next year's programme we can begin to carry out advanced design of some of the schemes and minimise any delay at the start of the year. This approach has proved very successful over the last ten years and it is proposed to continue with these arrangements. It is a requirement under the Traffic Management Act (TMA) 2008 to serve a minimum three months notice of intention to carry out major works.

Surveys

3. In order to produce the programmes of highway works for the next year information is drawn from a number of sources:
 - Visual safety survey of all our roads and footways.
 - Detailed condition survey of all our roads and footways.
 - UK PMS visual and machine surveys of all roads and approximately 22% of the footway network.
4. In previous years we carried out a full coarse visual condition survey of all our roads and footways in June – “the June survey”. This allowed us to grade them into three categories, grade 1 (good), grade 2 (average), and grade 3 (poor). By comparing with previous years’ survey results the survey informs us whether the condition of the city's infrastructure is improving or deteriorating and identifies those streets which need to be looked at more closely with regards to future maintenance schemes.
5. A number of modifications to the survey were introduced in 2009 as part of ongoing measures to improve the efficiency of the data collection:

- The bulk of the survey was carried out in May to enable the advance programme to be identified earlier, with more time available for design ahead of work starting on the ground in the new financial year.
 - To reduce duplication some streets were rated at the same time as the annual inspection.
 - Roads on the classified network that scored grade 3 (poor) were then given a more detailed survey.
 - The list of streets was updated to include all recently adopted roads.
6. The results of the 2009 survey indicate an increase in the number of grade 1 unclassified roads, including improvement to roads where no major works have been carried out. Changes to the survey method and the introduction of large machine lay patching have contributed to this improvement of the network. Further random inspections of those unclassified roads will be undertaken to reaffirm the condition rating. It is therefore difficult to directly compare the results from this years survey with last years results due to the changes outlined above. However with 82% of all roads being grade 1 or 2, York's roads have better than average condition when compared to other councils in the Yorkshire and Humberside region. Also the Council's footways are in the top quartile for condition compared nationally.
7. The results of the 2009 visual survey of the highway network are shown in Annex 1. Comments on trends for each category of road and footway are shown in Annex 2 and a full copy of the survey results is available in the Members library. The exact format for the survey in future years is under consideration in conjunction with the wider reorganization of inspection regimes within the More for York programme.
8. In August and September of 2009 a detailed condition survey was undertaken of all the following highways.
- Streets listed in our LTP 5 year programme of structural maintenance
 - Streets identified as grade 3 by June 2009 survey
 - Streets where the UK PMS survey showed that sections of them breached national intervention levels
 - Requests by Members
 - Requests by residents
 - Recommendations of the Council's Safety and Area Highway Reactive Inspectors along with other officers of the Council.
9. Each road and footway is assessed and given a condition rating (score) based on engineering criteria and experience, with a treatment solution determined. The detailed condition survey is compiled into a listing, a copy of which will be

available at the meeting.

10. Machine surveys to identify the skid resistance value and other highway defects of all principal roads and other classified roads is undertaken on an annual basis.
11. With all this condition information we are in a better position to identify where we should direct our maintenance activities and develop the programmes of work.

Programme Development

12. The standards we have adopted when improving the footway or road are that even though economic designs are required they should be to the highest possible standard of quality in terms of materials, surface evenness and value for money consistent with a whole life costing approach. We would expect that full thickness surfacing of the footways should last for at least 20 - 30 years depending on whether it is a bituminous surface or cementitious and that renewal of binder course and running course for roads should last around 20 years with only minimal repair work necessary provided they have not suffered damage from third parties in the intervening period.
13. The priorities for selection are based on a number of weighting factors:-
 - Condition - we try to achieve a reasonable balance between dealing with those roads and footways in the worst condition, i.e. structural maintenance and those where early preventative work will save more costly work in the future, i.e. preventative maintenance.
 - Safety - is the road or footway safe to use and will it deteriorate within the next twelve months to make it such that it becomes unsafe?
 - Location - is it near a school, elderly persons accommodation, public buildings, shops, post offices etc.?
 - Usage - is there a heavy use by pedestrians, cyclists, public transport?
 - Accident record - is there a history of pedestrian/vehicular traffic accidents, has there been a high level of third party highway insurance claims?
 - Hierarchy - the importance of the road and/or footway to the traffic management, public transport and the pedestrian priority route.
 - Affordability - the cost of carrying out the scheme when balanced against other potential schemes and the maintenance liability if left.
 - Structural and preventative - obtaining the right balance to extend the life of the asset. Achieving the right balance is difficult when the choices are so wide and there is insufficient funding to bring the whole infrastructure up to the desired standard in one year.

14. Our approach to preparing the programmes has been as follows:-

- LTP funding is mainly restricted to the structural maintenance of the Council's classified roads and footways network and some of its important local roads.
- CYC funding is primarily targeted at local and residential roads and footways including the city centre.
- In the past the split in budget between footways and roads has been in the proportions of 70/30 towards footways and more recently 60/40, which reflected the wishes of Members and residents. However, the survey trends in Annex 2 and the Asset Management Plan indicate that we need to invest more in our road network if we are to halt the deteriorating trend. Therefore, over the last two years we have altered the funding split to 50/50 on footways and roads. Members are recommended to approve this split in the funding of footway and road schemes. The provisional programme of works has been compiled on this basis, however, should Members approve an alternative split in the funding, this will be reflected in a revised programme of works that will be brought to Executive Member Decision Session in March 2010 as part of the Annual Highway Maintenance report.

The former BVPI 187 for important footways York is in the top quartile of Unitary authorities for 2007/8 which are the latest comparable results available.

- We have identified areas for forward planning so that we target areas of work both on an area basis and on key radial routes.
- We also believe that the city centre, because of the high pedestrian use, should continue to receive special attention in the form of its own maintenance budget.

15. In terms of surface material choices the programmes are developed in accordance with the Council's current Paving Policy for footways. Although there is no similar approved policy for road surfaces materials, common practice has been developed which uses nationally recognised materials and techniques as follows:-

- surface dressing on rural and minor residential roads where turning movements and event sections are minimal
- thin overlays on minor residential roads and junctions where turning movements are more numerous and severe
- bituminous macadam on more heavily trafficked roads
- asphalt on urban principal and urban classified roads

16. The choice of asphalt will very much depend on the scope of the work we are carrying out, in the main if there is a good foundation we will continue with the use of stone mastic asphalt as this does not require a chipping spreader and therefore means resurfacing can be carried out quicker, with less disruption and in a safe manner. However, where the base is not considered adequate for stone mastic asphalt then hot rolled asphalt will be the material of choice either 30% with pre-coated chippings or high stone content, 55% aggregate.

Proposals

17. Taking account of all the policies and procedures, the provisional programme and schemes are listed in Annexes 3 - 14.
18. Over the remaining part of this year Neighbourhood Services will begin work preparing schemes so that an early start on construction can be made in the new financial year.
19. Any adjustments to the programme for next year as a result of changes in the budget, particularly the CYC funding element which at the time of writing is not known, will be reported to Members in the March Annual Highway Maintenance report.

Consultation

20. The Council's finance manager has read the report and is satisfied with its contents.

Options

21. There are no options applicable to this report as it only seeks approval for a programme of works.

Analysis

22. Due to paragraph 21 no analysis is required.

Corporate Priorities

23. Maintenance of the city's highways has a direct impact on several of the Council's corporate aims and priorities:
 - Decrease the tonnage of biodegradable waste and recyclable products going to landfill
 - Increase the use of public and other environmentally friendly modes of transport
 - Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces
 - 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

24. The report has been prepared using the latest indications for the highway maintenance budget for 2010/11. However, there may be changes prior to the budget finally being approved at the Budget Council in February/March 2010. The Annexes can therefore only be classed as an indicative list only. Any adjustments to the budget for the next financial year will be reflected in the programme of work and reported to Members in the March 2010 Annual Highway Maintenance report.

Human Resources (HR)

25. Staff from Neighbourhood Services will be engaged in the detailed design and management of the programme of works. The quantity of work, comparable with previous years, will not impact on staffing levels.

Equalities

26. There are no equalities implication. The Council in its capacity as the Highway Authority has a duty under Section 41 of the 1980 Highways Act to maintain the public highway.

Crime and Disorder

27. There are no crime and disorder implications.

Information Technology (IT)

28. There are no IT implications in this report.

Property

29. There are no property implications.

Other

30. There are no other implications in this report.

Risk Management

31. In compliance with the Council's risk management strategy, the main risks that have been identified in this report are:
 - Strategic Risk, arising from judgements in relation to medium term goals for the service
 - Physical Risks, arising from potential underinvestment in assets

- Financial Risk, from pressures on budgets
- People Risks, affecting staff if budgets decline

Measured in terms of impact and likelihood the risk score for all of the above has been assessed at less than 16. This means that at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

Recommendations

32. The Executive Member is recommended to:

- note the results of the 2009 condition surveys on the city's roads and footways.
- approve the split in funding between footways and roads on a 50/50 basis.
- approve the provisional programme of work listed in Annex 3 - 14 of this report.

Reason: To ensure the Highway Maintenance budget is expended in the most cost effective way based on the Council's assessed priorities and approved policies.

Contact Details

Author:

Andy Binner
Head of Highway Infrastructure
Tel : (01904) 553231

Chief Officer Responsible for the report:

Sally Burns
Director of Neighbourhood Services

Report
Approved

Date 22/10/09

Specialist Implications Officer(s)

Implication: Financial
Name: Rachel Harrison
Title: Finance Manager, Neighbourhood Services
Tel No: 553210

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

There are no background papers

Annexes

- Annex 1 - Results of the 2009 Highway Condition Survey
- Annex 2 - Condition Trends for Roads and Footways
- Annex 3-14 - 2010/11 Advance Design Programmes

22 October 2009
Advance Programme Highway Maintenance 2010-11

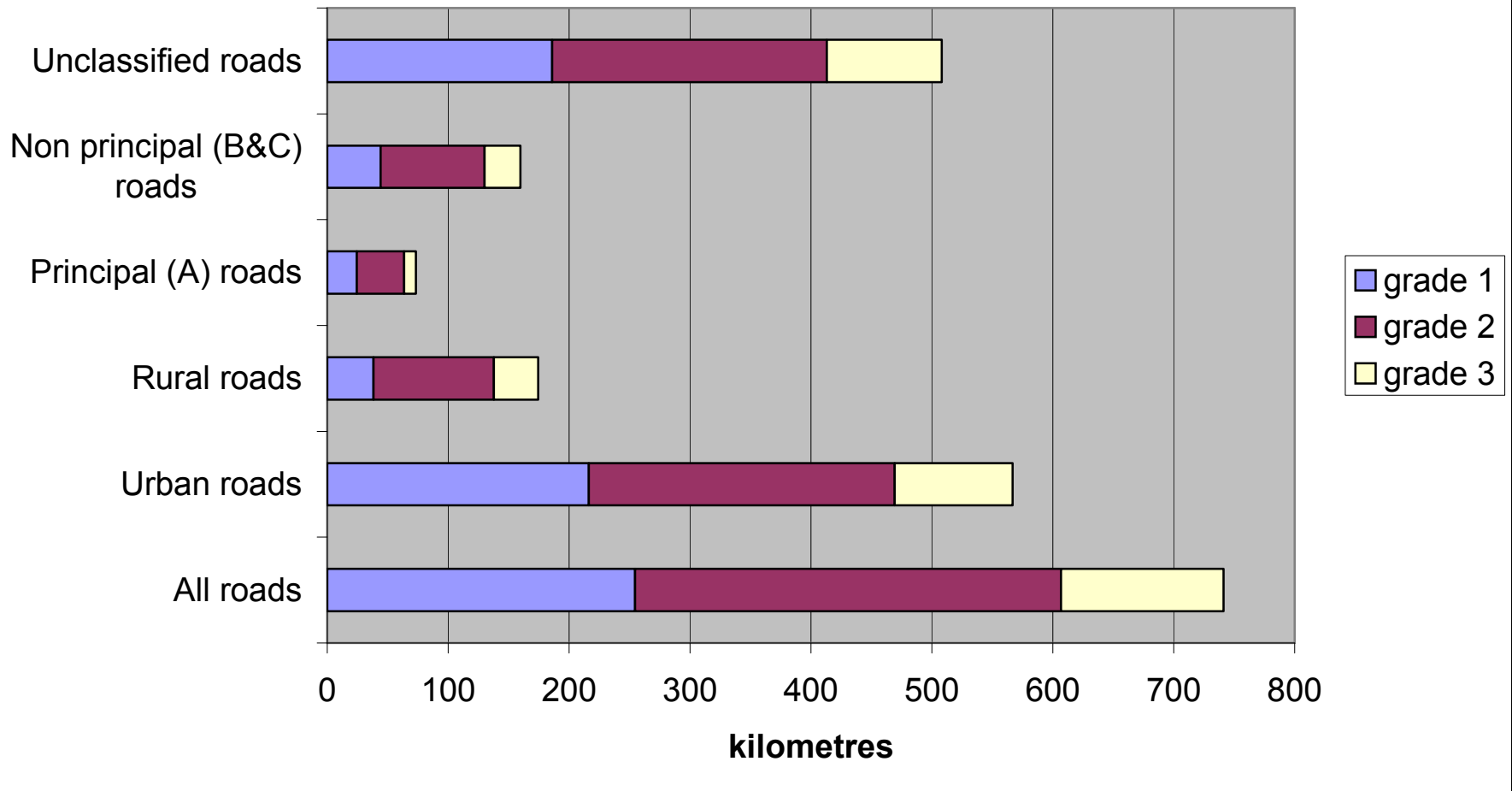
CITY OF YORK COUNCIL

Condition Assessment of the Highway 2009

	% Grade 1 - Condition Good						% Grade 2 - Condition Average						% Grade 3 - Condition Poor					
	2004	2005	2006	2007	2008	2009	2004	2005	2006	2007	2008	2009	2004	2005	2006	2007	2008	2009
All roads	31	29	26	28	27	34	50	52	57	56	57	48	19	19	17	16	16	18
All footways	38	30	31	31	30	38	54	62	62	62	62	55	8	8	7	7	8	7
Urban roads	29	29	28	29	28	38	53	54	57	56	57	45	18	17	15	15	15	17
Rural roads	28	28	22	26	24	22	49	47	55	55	57	57	23	25	23	19	19	21
Principal roads	47	35	34	30	27	33	37	49	51	59	63	54	16	16	15	11	10	13
Non-principal roads	32	35	28	32	30	28	52	48	58	56	56	54	16	17	14	12	14	18
Unclassified roads	27	26	25	27	26.5	36	52	54	57	55	56.5	45	21	20	18	18	17	19

	% Grades 1 and 2 - Satisfactory						% Grade 3 - Condition Poor					
	2004	2005	2006	2007	2008	2009	2004	2005	2006	2007	2008	2009
All roads	81	81	83	84	84	82	19	19	17	16	16	18
All footways	92	92	93	93	92	93	8	8	7	7	8	7
Urban roads	82	83	84	85	85	83	18	17	15	15	15	17
Rural roads	77	75	77	81	81	79	23	25	23	19	19	21
Principal roads	84	84	85	89	90	87	16	16	15	11	10	13
Non-principal roads	84	83	85	88	86	82	16	17	14	12	14	18
Unclassified roads	79	80	82	82	83	81	21	20	18	18	17	19

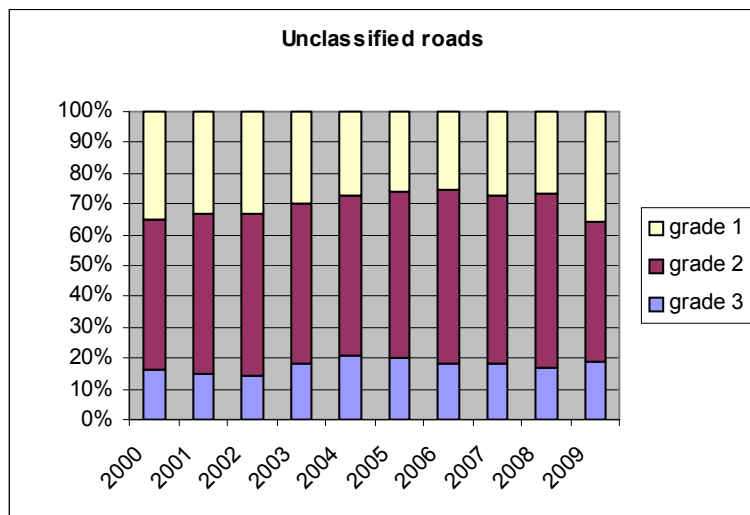
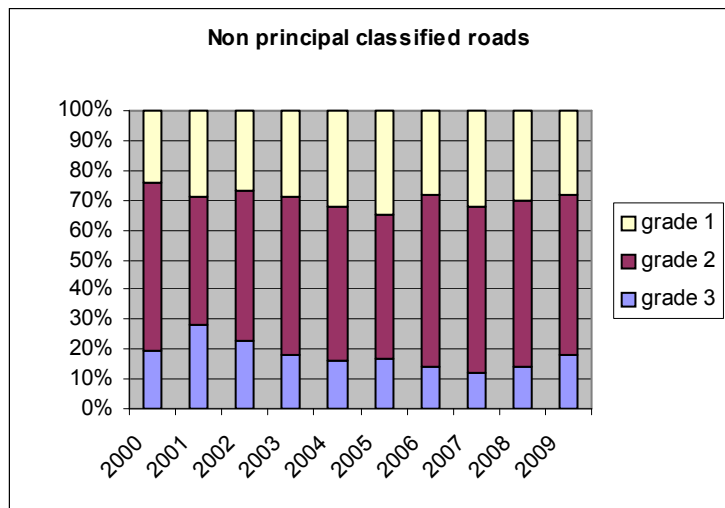
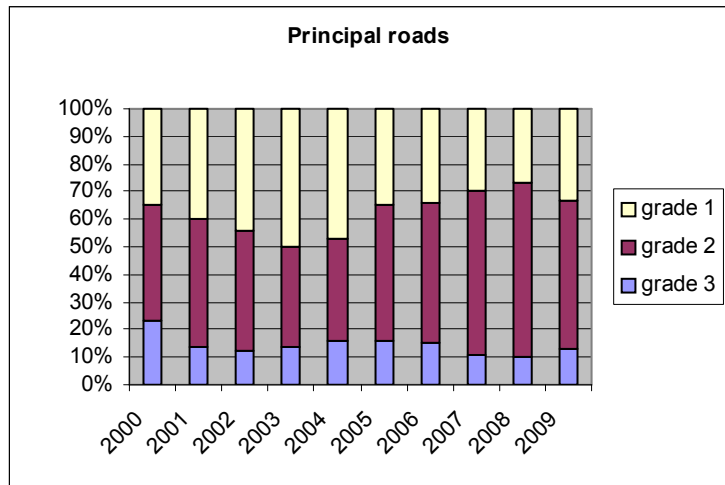
Highway Condition Survey 2009



Results of the 2009 Survey of Highway Surfaces

Road Type	Condition	Change 2008– 2009	Long term Trend (5 yrs)	Comment
Principal roads	Good 33% Average 54% Poor 13%	↑ 6% ↓ 9% ↑ 3%	deteriorating	There has been some improvement over the last year following increased investment, over the long term the principal network is showing signs of deterioration. Previously investment had been transferred to other parts of the network which were in more need. Principal road treatments are expensive, consisting of strengthening and high quality materials.
Non Principal classified roads	Good 28% Average 54% Poor 18%	↓ 2% ↓ 2% ↑ 4%	improving	The long term trend still shows improvement as a result of earlier targeting of investment through LTP funding, although conditions have deteriorated over the last year. Treatments are similar to Principal roads and expensive.
Unclassified roads	Satisfactory 81% Poor 19%	↓ 2% ↑ 2%	stable	The condition of this part of the network continues to be stable, although this includes a high number of roads in poor condition. Stability has been achieved by increased use of low cost techniques such as surface dressing, heavy duty slurry sealing and thin surfacing overlays.
Urban roads	Satisfactory 83% Poor 17%	↓ 2% ↑ 2%	stable	The long term trend is stable, reflecting the level of investment, recent increased use of low cost maintenance techniques such as thin surfacings and surface dressing has produced stable conditions this year..
Rural roads	Satisfactory 79% Poor 21%	↓ 2% ↑ 2%	deteriorating	There was an increased level of investment put into this part of the network three years ago, the long term trend still shows slight deterioration due to insufficient investment. Economic designs give only moderate lifespan.
All roads	Satisfactory 82% Poor 18%	↓ 2% ↑ 2%	stable	Both annual and long term trends are stable, but worryingly the good condition roads are showing a significant deterioration, which reflects the fact that most of our past investment has gone into footways rather than roads.
All footways	Satisfactory 93% Poor 7%	↑ 1% ↓ 1%	improving	Both annual and long term trends are showing slight improvement which shows that investment is keeping pace with the need to carry out works. The low number of footways in poor condition reflects the high investment.
All back lanes	Satisfactory 89% Poor 11%	↑ 9% ↓ 9%	improving	The investment in back lanes is showing slight improvement in condition over the long term. Back lane treatments are expensive due to access problems and the need for total re-construction of the setts using bituminous macadam.

Long Term Trends for Highway Surfaces



Estimated Capital Budget Allocation 2010/11

LTP Allocation 2010/11	£1,605,000
Dft De-trunked Grant	£830,000
CYC Capital – R&R	£1,250,000
CYC Capital – Bridge Maintenance	£200,000
	£3,885,000

Deduct	
Bridge Maintenance	£200,000
Street Lighting	£85,000
Payment of Retention	£50,000

Balance	£3,550,000
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R&R Budget Allocation excluding De-trunked

50/50 Split between Footway & Carriageway	
Carriageway	£1,360,000
Footway	£1,360,000

R&R Scheme Allocation

Carriageway Schemes from LTP funding	£1,360,000
Footway Schemes from LTP funding	£110,000
Footway & Drainage Schemes from CYC Capital funding	£1,250,000
De-trunked Scheme	£830,000
Balance	£3,550,000

ANNEX 4**De-trunked Roads Advanced Programme 2010/11**

Road	Ward	Estimate
A19(South) A64 to Boundary	Fulford &Wheldrake	£830,000
	Total	£830,000

ANNEX 5**LTP Principal Roads Advanced Programme 2010/11**

	Road	Ward	Estimate
	2009/10 Reserve Schemes		
1.	Skeldergate Bridge	Guildhall & Micklegate	£42,500
	2010/11 Schemes		
2.	Hull Road(part), Dunnington	Derwent	£121,000
3.	Boroughbridge Road(part)	Acomb	£162,000
4.	Tadcaster Road/St Helens Road Junction	Dringhouses & Woodthorpe	£62,500
		Total	£388,000

ANNEX 6**LTP Non Principal Roads Advanced Programme 2010/11**

	Road	Ward	Estimate
	2009/10 Reserve Schemes		
1.	Haxby Road(part)	Clifton	£149,000
2.	Haleys Terrace	Clifton	£60,500
	2010/11 Schemes		
3.	Clifton Moorgate(part), Rawcliffe	Skelton, Rawcliffe & Clifton Without	£178,500
4.	Livingstone Street	Holgate	£27,000
		Total	£415,000

ANNEX 7**LTP Local Roads Advanced Programme 2010/11**

	Road	Ward	Estimate
	2009/10 Reserve Schemes		
1.	Westfield Lane	Haxby & Wigginton	£42,000
	2010/11 Schemes		
2.	Crichton Avenue	Clifton	£90,000
3.	Oak Tree Lane/Briergate	Haxby & Wigginton	£63,000
4.	Hamilton Drive/Tudor Road Rbt	Westfield	£49,000
5.	Chantry Gap, Upper Poppleton	Rural West York	£66,000
6.	Cotswold Way	Huntington & New Earswick	£30,500
7.	Eason View	Dringhouses & Woodthorpe	£125,000
		Total	<u>£465,500</u>

ANNEX 8**LTP Minor Urban Surfacing Advanced Programme 2010/11**

	Carriageway	Ward	Estimate
	2009/10 Reserve Schemes		
1.	Saxford Way	Haxby & Wigginton	£17,000
2.	George Street	Guildhall	£38,500
		Total	<u>£55,500</u>

	Footways	Ward	Estimate
1.	New Lane	Huntington & New Earswick	£30,000
2.	New Lane	Holgate	£80,000
		Total	<u>£110,000</u>

ANNEX 9**LTP Surface Dressing Advanced Programme 2010/11**

	Carriageway	Ward	Estimate
	2009/10 Reserve Schemes		
1.	Bad Bargain Lane	Osbaldwick	£30,000
2.	Crossmoor Lane	Haxby & Wigginton	£35,000
		Total	<u>£65,000</u>

ANNEX 10**CYC Advanced Footway Capital Programme 2010/11**

Allocation £1,139,750

	Road	Ward	Estimate
	2009/10 Reserve Schemes		
1.	Burton Avenue	Clifton	£32,250
2.	Greenshaw Drive	Haxby & Wigginton	£22,500
3.	Second Avenue	Heworth	£36,000
4.	Main Street, Elvington	Wheldrake	£24,000
5.	North Lane	Huntington & New Earswick	£54,000
6.	Smeaton Grove	Acomb	£21,000
7.	Linton Road, Nether Poppleton	Rural West York	£29,000
	2010/11 Schemes		
8.	Museum Street	Guildhall	£14,000
9.	Ridgeway(part)	Westfield	£111,500
10.	Northfields Cul-de-sac (No's 1-24)	Strensall	£39,250
11.	Leeside(part)	Dringhouses & Woodthorpe	£42,500
12.	Friars Walk	Heworth	£51,500
13.	George Cayley Drive(part), Clifton Without	Skelton, Rawcliffe & Clifton Without	£32,750
14.	Amy Johnson Way, Clifton Without	Skelton, Rawcliffe & Clifton Without	£98,500
15.	Swinerton Avenue	Holgate	£28,000
16.	Swale Avenue	Dringhouses & Woodthorpe	£120,750
17.	Burnholme Drive(part)	Heworth	£56,250
18.	Bad Bargain lane(part)	Heworth	£27,500
19.	Pavement(part)	Guildhall	£18,500
20.	High Ousegate	Guildhall	£18,500
21.	Hospital Fields Road	Fishergate	£65,000
22.	Devon Place	Fishergate	£18,000
23.	Ambleside Avenue	Hull Road	£67,500
24.	Temple Avenue	Hull Road	£84,000
25.	Queenswood Grove(part)	Westfield	£12,000
26.	Hawthorn Terrace(part)	Huntington & New Earswick	£15,000
		Total	<u>£1,139,750</u>

ANNEX 11

CYC Advanced Footway Capital Slurry Sealing Programme 2010/11

Allocation £46,000

	Road	Ward	Estimate
1.	Carr Lane(part)	Acomb	£8,500
2.	Clarence Street	Guildhall	£5,000
3.	University Road	Heslington	£3,500
4.	Green Dykes Lane(part)	Fishergate	£4,500
5.	Straight lane, Holtby	Rural West York	£2,000
6.	The Old Orchard	Fulford	£1,000
7.	Sipton Road, Skelton	Skelton, Rawcliffe & Clifton Without	£5,500
8.	Boroughbridge Road(part), Upper Poppleton	Rural West York	£5,500
9.	Church Lane(part)	Wheldrake	£3,000
10.	Wetherby Road(part), Knapton	Rural West York	£3,000
11.	Dalton Hill	Wheldrake	£3,000
12.	School Lane, Askham Richard	Rural West York	£1,500

Total

 £46,000**ANNEX 12****City of York Council Advanced Drainage Capital Programme 2010/11**

Allocation £35,250

	Road	Ward	Estimate
1.	Various Issues	Various	£35,250
		Total	<hr/> £35,250

CYC Advanced Surface Dressing Revenue Programme 2010/11

Allocation £175,750

	Road	Ward	Estimate
1.	Main Street, Askham Bryan	Rural West York	£26,000
2.	Wheldrake Lane, Elvington	Wheldrake	£31,500
3.	Station Road, Copmanthorpe	Rural West York	£10,500
4.	School Lane, Askham Richard	Rural West York	£10,000
5.	Straight Lane, Holtby	Derwent	£16,500
6.	Briar Avenue	Acomb	£5,000
7.	Highthorn Road	Huntington & New Earswick	£6,250
8.	Usher Lane	Haxby & Wigginton	£24,500
9.	Flaxton Road	Strensall	£18,750
10.	Westfield Lane	Haxby & Wigginton	£8,250
11.	Green Dike	Haxby & Wigginton	£18,500
			£175,750

CITY OF YORK COUNCIL ADVANCED FOOWAY SLURRY SEALING REVENUE PROGRAMME 2010/11

Allocation £67,000

	Road	Ward	Estimate
1.	Manor Drive South	Acomb	£500
2.	Deepdale	Dringhouses & Woodthorpe	£1,750
3.	Longridge Lane(part), Upper Poppleton	Rural West York	£2,500
4.	Stirling Road	Skelton, Rawcliffe & Clifton Without	£11,000
5.	Pear Tree Lane, Dunnington	Derwent	£1,250
6.	Tithe Close	Westfield	£1,250
7.	Parker Avenue	Westfield	£2,000
8.	Sandy Lane, Stockton on the Forest	Strensall	£9,500
9.	Hotham Avenue	Westfield	£3,000
10.	Second Avenue	Heworth	£1,500
11.	Westfield lane, Upper Poppleton	Rural West York	£1,000
12.	Ryecroft Avenue(part)	Dringhouses & Woodthorpe	£10,000
13.	Dikelands Lane, Upper Poppleton	Rural West York	£7,000
14.	Roper Court, Copmanthorpe	Rural West York	£1,750
15.	Vavasour Court, Copmanthorpe	Rural West York	£1,250
16.	Bannisdale	Dringhouses & Woodthorpe	£1,000
17.	Bramble Dene	Dringhouses & Woodthorpe	£6,750
18.	Troutbeck	Dringhouses & Woodthorpe	£1,000
19.	St Edwards Close	Dringhouses & Woodthorpe	£1,250
20.	Beech Way, Upper Poppleton	Rural West York	£1,750
		Total	<hr/> £67,000

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Decision Session - Executive Member for Neighbourhoods

17th November 2009

Report of the Director of Neighbourhood Services

Sales of Age Restricted Products

Summary

1. To inform the Executive Member for Neighbourhoods of the work undertaken by the council's trading standards service to prevent the sales of age-restricted products.
2. To seek the approval of the Executive Member for Neighbourhoods for the programme of action for the next 12 months in relation to the enforcement of:-
 - i) The Children and Young Persons (Protection from Tobacco) Act 1991 in relation to cigarettes/tobacco.
 - ii) The Anti-Social Behaviour Act 2003 in relation to aerosol paint.

In relation to these two particular areas, members are required to approve the plan of action each year.

Background

3. Legislation exists to help prevent a range of potentially dangerous/anti-social products being accessible to young people. The products regulated with age-restrictions include alcohol (minimum age 18), fireworks (18), certain video games (18), cigarettes (18), knives (18), aerosol paint (16) and solvents (16). In recent years trading standards officers have carried out education and enforcement work in all of these areas. Other age-restricted products that have not been part of the trading standards work programme in recent years include films (12,15,18) and petrol (16).
4. At the meeting of the Executive Member for Neighbourhood Services and Advisory Panel on 15 October 2008, it was decided that the Council should continue with a programme of education and enforcement, adopting a flexible approach to taking formal action against offenders. The programme of education and enforcement is as follows:

- Visits to premises to advise on legal requirements and the steps that may be taken to avoid illegal sales. The visits also include checks that legal notices are correctly displayed.
 - Promotion of the 'Responsible Retailer Scheme' to off-licensed premises, and the 'Best Bar None Scheme' to on-licensed premises.
 - Respond to complaints made by residents.
 - Respond to intelligence from the police, other council departments and enforcement bodies about illegal sales.
 - Conduct test purchases using volunteer children, under the supervision of officers, to check compliance and take appropriate action following illegal sales.
 - Targeted publicity about underage sales work.
5. Test purchases are carried out in accordance with national guidelines issued by the Local Authority Co-ordinators of Regulatory Services (LACORS). The guidelines include that the test purchasers should not appear older than their true age, and must tell the truth about their age if asked. Officers remain within the sight and earshot of the young volunteers at all times to ensure that their welfare is not compromised and that a trader is not tricked into make a sale that they wouldn't have made. The table in Annex 1 shows the number of attempted test purchases made and the number of sales for each product over the last 5 years.

Alcohol

6. In 2006, the trading standards service introduced a 'Responsible Retailer Scheme' to raise standards in 'off-licences' and recognise those premises committed to tackling underage drinking. The scheme compliments the 'Best Bar None' scheme which is designed to raise overall standards in 'on-licensed' premises. There are currently 46 members of the 'Responsible Retailer Scheme'. The criteria of the Responsible Retailer scheme are set out in Annex 2.
7. Where illegal sales occur in 'off licence' premises, formal action (either a caution or prosecution) has been taken against the seller. Where sales occur in 'on-licensed' premises, the police (who accompany trading standards officers on these visits) have issued £80 fixed penalty notices to the seller. The Chief Officer of North Yorkshire Police has now accredited trading standards officers to issue police fixed penalty notices where sales occur in 'off licensed premises'. This will ensure that enforcement action is now consistently applied in both 'on-licensed' and 'off licensed' premises.
8. The law allows premise licence holders to be prosecuted where three sales occur in less than three months. There have been no examples of sales at this rate in York.

Tobacco

9. Officers have continued to undertake a programme of education and enforcement in relation to illegal tobacco sales.
10. In 2008/09, the trading standards service received £8,162.04 of funding from the Department of Health (via the Yorkshire & Humber Trading Standards group) to assist education and enforcement work in relation to tobacco. We ran a promotional campaign (on bus shelters near to secondary schools and at the cinema) to publicise our work, and to encourage those concerned about illegal sales to contact the trading standards service. We also undertook a series of test purchases based on intelligence/complaints received including the targeting vending machines. The targeting of vending machines and the raise in the legal age for buying tobacco (meaning that older volunteers were used) gives rise to the sharp rise in the level of illegal sales compared to previous years.

Fireworks

11. Officers have continued to undertake a programme of education and enforcement in relation to illegal fireworks sales.
12. Traders will again be sent a guidance leaflet on all aspects of the law relating to firework sales with their registration certificate - businesses must register with the council if they wish to sell fireworks. Officers will then visit retailers to check storage conditions, check for the sale of 'banned' fireworks i.e. those not complying with noise limit requirements and those which are 'unsafe'. Verbal advice is given on preventing underage sales, and checks made to ensure the correct notices are displayed.

Aerosol Paint

13. Officers continue to monitor 'intelligence' from the police and other council officers to target suppliers. It is noted that there does appear to be a problem with youths using marker pens in graffiti which are not controlled by legislation. Officers have visited traders during the police led 'weeks of action' asking them to consider not selling marker pens to youths if they suspect they may be used in vandalism.

Knives

14. In response to the publicity surrounding youths involved in knife crime last year, officers undertook a programme of education and enforcement to help prevent the illegal sale of knives in the City. There was only one illegal sale for which the proprietor was invited to sign a caution. However, he declined that invitation and the matter is due to be heard in court on 8 October 2009.

Video Games

15. Between April and June this year as part of an initiative funded by the Department for Children, Schools and Families and the Department for Culture, Media and Sport we asked some 15 year old volunteers to attempt to purchase age-restricted video games. There were 7 attempted purchases and no sales.

Consultation

16. In April 2004, The Talk About panel (Survey 19) were asked to prioritise issues for Environmental Health and Trading Standards services. The issues that they were asked about were those that the council has a discretion over the level of service it can provide (i.e. although enforcement is a duty, no minimum criteria is specified). 60% of respondents said that the top priority for the service was preventing the sale of alcohol, cigarettes and solvents to children. Residents are to be consulted again on this again in the Talk About panel survey being undertaken in October 2009.

Options

17. Option 1: The council should continue with the programme of education and enforcement action set out in paragraph 4 for the next 12 months.
18. Option 2: The Council may adopt a different programme of education enforcement

Analysis

19. Option 1 Will permit officers to continue with a programme of enforcement activity which has resulted in a general reduction in underage sales.
20. Option 2: Any other programme will have to consider the impact it would make in reducing sales of age restricted products.

Corporate Priorities

21. The trading standards work on tackling illegal sales of age restricted products links to the following priorities from the Corporate Strategy.

“Reduce alcohol related crime in York”. (Safer City)

“...tackle the public perception of anti-social behaviour”. (Safer City)

“We will improve the well-being, and support the independence of York residents” (Healthy City)

Implications

Financial:

22. There are no financial implications associated with this report, other than the additional funding referred to in paragraph 12.

Human Resources (HR):

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

Equalities

24. There are no equalities implications associated with this report

Legal:

25. The Council are legally obliged to consider its activities in relation to tackling underage sales of alcohol, spray paint and cigarettes each year. Members are being asked to make a decision on enforcement action.

Crime and Disorder

26. The links to tackling crime and disorder have been highlighted earlier in this report.

Information Technology (IT)

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

Property

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

Other

29. There are no other implications to consider.

Risk Management

30. There is a risk of carrying out test purchasing operations in 'on-licensed' premises if the support of North Yorkshire police is withdrawn. Their services are required to respond to any breach of the peace that may arise.

Recommendations

31. That the Executive Member for Neighbourhoods notes the report and adopts the programme of enforcement action of the next 12 months.

Reason: So that the council can meet its legal obligations.

Contact Details

Author:

*Matt Boxall
Trading Standards Manager
X 1528*

Chief Officer Responsible for the report:

*Andy Hudson
Assistant Director (Neighbourhood and Community
Safety)*

Report Approved

Date 23/09/2009

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

All

For further information please contact the author of the report

Background Papers:

Environment and Sustainability EMAP 'Sales of Age Restricted Products' report 15th October 2008.

Revised Enforcement Policy for Environmental Health, Trading Standards and Licensing, 19 March 2008.

Annexes

Annex 1 – The results of test purchasing activity 2004-2009

Annex 2 – Responsible Retailer Scheme – Qualifying Criteria

Annex 1

The results of test purchasing activity 2003-2008

Product	2004/5	
	No. of visits	Illegal Sales
Alcohol	64	11 (17%)
Tobacco	8	0 (0%)
Fireworks	35	4 (11%)
Solvents	6	3 (50%)

Product	2005/6		2006/7	
	No. of visits	Illegal Sales	No of visits	Illegal Sales
Alcohol	195	29 (15%)	272	33 (12.1%)
Tobacco	3	0 (0%)	10	0
Fireworks	28	0 (0%)	31	6 (19.4%)
Aerosol Paint	38	0 (0%)	7	0
Computer Games	7	0 (0%)	N/a	N/a
Knives	N/a	N/a	21	2 (9.5%)

Product	2007/8		2008/9	
	No. of visits	Illegal Sales	No. of visits	Illegal Sales
Alcohol	291	23 (8%)	71	6 (8.5%)
Tobacco	11	0 (0%)	61	11 (18%)
Fireworks	13	2 (15%)	10	0 (0%)
Aerosol Paint	1	0 (0%)	N/a	N/a
Knives	N/a	N/a	25	1 (4%)

Responsible Retailer Scheme – Qualifying Criteria

- The retailer must display a sign stating that it is illegal to sell alcohol to persons under 18.
- The retailer and staff always ask young people their age. If anyone appears to be under the age of 21 they will ask for proof of age.
- The retailer and staff will only accept proof of age with a 'PASS' logo, passport or a new style driving licence before they sell alcohol.
- The retailer's customers confirm that they have not seen any illegal sales in my shop by signing a petition (50 for a small enterprise, 150 for a medium and 300 for a large).
- The retailer will train staff on our policy regarding under age sales when they commence employment at regular intervals thereafter.
- The retailer will maintain records of staff training and produce it to trading standards staff on request.
- The retailer and staff maintain a refusals note book and monitor entries taking appropriate action where appropriate (such as re-training members of staff).
- The retailer will display customer/staff posters as appropriate.
- The retailer will accept that trading standards officers may check that the retailer is complying with the scheme and if not the membership could be cancelled.



Meeting of Executive Member Decision Session – Neighbourhood Services

17 November 2009

Report of the Director of Neighbourhood Services

NEIGHBOURHOOD SERVICES CAPITAL PROGRAMME MONITOR 2

Summary

1. The purpose of this report is to:
 - Inform the Executive Member of the likely outturn position of the 2009/10 Capital Programme based on the spend profile and information to September 2009;
 - To notify of any resulting changes to the programme;
 - Inform the Executive Member of any slippage and associated funding to be slipped between the relevant financial years to reflect this.

Background

2. The 2009/10 – 2013/14 capital programme was approved by Council on 26th February 2009. The current approved capital programme for 2009/10 is £4.657 m, financed by £2.248 m of external funding*, leaving a cost to the Council of £2.409 m. Table 1 illustrates the movements from the original budget to the currently approved position.

	Gross Budget £m	External Funding* £m	Capital Receipts £m
Original Budget Approved by Council at 26 Feb 2009	4.657	2.248	2.409
Additions/reductions approved at monitor 1	1.780	1.780	0.000
Slippage approved at monitor 1	(0.008)	0	(0.008)
Current Approved Capital Programme	6.429	4.028	2.401

*External funding refers government grants, non-government grants, other contributions, developer's contributions and supported capital expenditure.

Table 1 Current Approved Capital Programme

3. The capital receipts column above implies receipts generated from the sale of Council assets will be used to fund the difference between the gross budget less all other specified funding sources. Due to the current economic climate not being favourable to achieving maximum receipt value from asset disposals, consideration will be given to the use of prudential borrowing to fund the capital programme as a temporary measure. When the economic climate returns to a more favourable state assets will be sold with the receipts being applied to finance the programme thus replacing the temporary borrowing.

Consultation

4. The capital programme was developed under the Capital Resource Allocation Model (CRAM) framework and agreed by Council on 26th February 2009. Whilst the capital programme as a whole is not consulted on, the individual scheme proposals do follow a consultation process with local Councillors and residents in the locality of the individual schemes.

Summary of Key Issues

5. Against the current approved budget of £6.429m, there is a predicted outturn of £5.179m, a net decrease of £1.250m.
6. The net decrease is composed of:
 - Slippage of £1,000k into 2010/11 on the A19 scheme within the Structural Maintenance.
 - Slippage of £100k into 2010/11 on the EcoDepot Gatehouse/Reception scheme.
 - Slippage of £150k into 2010/11 on the Boroughbridge Road scheme with Structural maintenance and bring forward the schemes for Crichton Avenue, Skeldergate Bridge and Saxford Way with funding of £150k therefore a nil effect on funding.

7. Table 2 highlights scheme specific information:

Gross Neighbourhood Services Capital Programme	2009/10	2010/11	2011/12	Total	Para Ref
	£m	£m	£m	£m	
Current Approved Capital Programme	6.429	4.226	5.555	16.210	
Re-profiling:					
Structural Maintenance	(1.000)	1.000	0	0	
EcoDepot gatehouse	(0.100)	0.100	0	0	
Revised Capital Programme	5.329	5.326	5.555	16.210	

Table 2 Capital Programme Forecast Outturn 2009/10 – 2011/12

8. The main highlights of this report are:

- Slippage of £1,000k into 2010/11 on the A19 scheme within the Structural Maintenance scheme.
- Slippage of £100k into 2010/11 on the EcoDepot gatehouse/reception scheme.
- Slippage of £150k into 2010/11 on the Boroughbridge Road scheme with Structural maintenance and bring forward the schemes for Crichton Avenue, Skeldergate Bridge and Saxford Way with funding of £150k therefore a nil effect on funding.

Scheme Specific Analysis

Air Quality Management

09/10 Budget: £50k (DEFRA Grant)

09/10 Forecast: £50k

9. The grant relates to air quality monitoring, air quality modelling and air quality action planning and was used to upgrade existing air quality monitoring equipment, modelling software and publicity/ education.

10. It is expected that this scheme will complete in year.

Contaminated Land Investigation

09/10 Budget: £12k (DEFRA Grant)

09/10 Forecast: £12k

11. DEFRA provided a capital grant in 2008/09 of £39k to support detailed contaminated land investigations at three sites in accordance with obligations placed on the council by Part 11A of the Environmental Protection Act 1990.

12. The budget of £12k was carried forward from 2008/09. It is expected that this scheme will complete in year.

Waste Infrastructure Capital Grant (WICG)

09/10 Current Budget: £721k (DEFRA Grant)

09/10 Forecast: £721k

13. This was a new grant from DEFRA in 2008/09 for which we received funding over three financial years (2008/09 £360k, 2009/10 £361k and 2010/11 £133k). The purpose of this grant is to enable local authorities to invest in front end waste infrastructure, notably for recycling and composting

14. The full grant for 2008/09 of £360k was slipped to 2009/10. It is forecasted that the full budget will be spent in year.

Silver Street Toilets

09/10 Current Budget: £308k (CYC Resources)

09/10 Forecast: £300k

15. This project is to replace Parliament Street Toilets with a purpose built modern facility that better reflects the needs of users.
16. It is expected that this scheme will complete in the financial year with £8k agreed slippage at monitor 1 required to cover anticipated retention of 2.5%, which is unlikely to be due until 2010/11.

Ward Committees

09/10 Current Budget: £56k (CYC resources)

09/10 Forecast: £56k

17. The total budget of £56k was carried forward from 2008/09. There is no new capital funding in 2009/10 as it was agreed that all ward committee schemes would be funded from revenue.
18. All schemes are expected to complete in year.

EcoDepot Security Gatehouse/Reception

09/10 Current Budget: £222k (CYC resources)

09/10 Revised Budget £122k

09/10 Forecast: £122k

19. This is a new scheme for 2009/10 which is intended to provide a permanent, purpose built, security gatehouse and reception at the point of entry to the EcoDepot site.
20. A project officer has now been appointed to the scheme and it is anticipated the project will commence shortly, however it is expected that this will not be completed in the financial year. It is requested that £100k be slipped into next year

Structural Maintenance – Highway Resurfacing and Reconstruction

09/10 Current Budget: £4,783k (£3,243k LTP, £1,540 CYC resources)

09/10 Revised Budget: £3,783 (£2,243k LTP, £1,540 CYC resources)

09/10 Forecast: £3,783k

21. One planned schemes within the Structural Maintenance scheme will not be undertaken this year and it is requested that this and the associated funding be slipped into 2010/11.
22. Additional Detrunking grant has been received in year from the Department of Transport in respect of the A19 for £1,320k, with a further £830k in 2010/11. Phase 1 of the scheme is to undertake drainage works with phase 2 in 2010/11 resurfacing the highway and would mean separate closures of the A19 while the schemes were done. It is proposed that the schemes are undertaken at the same time so avoiding the need to close the A19 on two separate occasions. Slippage of £1,000k into 2010/11 is required, the remaining £320k will be incurred this year on preliminary work which does not require closure of the highway.
23. Works are planned for Boroughbridge Road/Water End as part of the Access York scheme (new Park and Ride schemes). Part of the programme of works for maintenance by Neighbourhood Services in 2009/10 was to resurface Boroughbridge Road in the same location. To operate in conjunction with the Access York scheme we propose to delay our works until 2010/11 in order to carry out both sets of work at the same time to minimise duplication and disruption. This scheme is budgeted to cost £150k.
24. Works are planned for a new cycle facility along Crichton Avenue by City Strategy. Part of the advanced programme of works for maintenance by Neighbourhood Services in 2010/11 is to resurface the carriageway in the same area. It is proposed that this scheme is brought forward in order to carry out both pieces of work at the same to minimise disruption. This scheme is budgeted to cost £90k
25. It is requested that the Boroughbridge Road scheme be slipped into 2010/11 and the Crichton Avenue scheme be brought forward to 2009/10. It is also proposed that the Skeldergate Bridge and Saxford Way schemes in the advanced programme for 2010/11 are brought forward to allocate the remaining £60k budget. There would therefore be no need to request slippage of funds.
26. All other schemes are expected to complete on target.

Structural Maintenance - Bridges

09/10 Current Budget: £185k (CYC resources)

09/10 Forecast: £185k

27. The budget of £185k is in relation to the Melrosegate Bridge for restoring the bridge over the Sustrans cycle track.

28. It is expected that this scheme will complete on target.

Street Light Modernisation

09/10 Current Budget: £100k (Venture Fund)

09/10 Forecast: £100k

29. The budget of £100k was approved at Council on 26th February 2009. This is an advance from the Venture Fund of £100k in 2009/10 and £200k in 2010/11, to be spent on the modernisation of the city's street lighting stock, which will have the effect of reducing revenue costs and CO2 emissions.

30. It is expected that this scheme will complete on target.

Summary

31. Adjustments to the capital programme since the approval of the capital programme at Council on 26th February meeting, and updates at monitor 2, are:

- Slippage of £1,000k into 2010/11 on the A19 scheme within the Structural Maintenance Scheme.
- Slippage of £100k into 2010/11 on the EcoDepot gatehouse/reception scheme.
- Slippage of £150k into 2010/11 on the Boroughbridge Road scheme with Structural maintenance and bring forward the schemes for Crichton Avenue, Skeldergate Bridge and Saxford Way with funding of £150k therefore a nil effect on funding.

Corporate Priorities

32. The capital programme is decided through a formal process, using a Capital Resource Allocation Model (CRAM). CRAM is a tool used for allocating the Council's scarce capital resources to schemes that meet corporate priorities.

Implications

Financial Implications

33. The financial implications are considered in the main body of the report.

Human Resources Implications

34. There are no significant HR implications as a result of this report.

Equalities Implications

35. There are no significant equalities implications as a result of this report.

Legal Implications

36. There are no significant legal implications as a result of this report.

Crime and Disorder

37. There are no significant crime and disorder implications as a result of this report.

Information Technology

38. There are no significant information technology implications as a result of this report.

Property

39. There are no significant property implications as a result of this report.

Risk Management

40. The capital programme is regularly monitored as part of the corporate monitoring process. In addition to this the Capital Asset Management Group (CAMG) meets regularly to plan monitor and review major capital receipts to ensure that all capital risks to the Council are minimised.

Recommendations

41. That the Executive Member notes:

- The 2009/10 revised budget of £5.329m as set out in Table 2.
- The slippage of £1,000k on the A19 Structural Maintenance scheme into future years
- The slippage of £100k on the EcoDepot gatehouse/reception scheme into future years

Reason: to enable the effective management and monitoring of the Council's capital programme.

42. That the Executive Member approves:

- The slippage of the Boroughbridge Road/Poppleton into 2010/11
- Bringing forward the Crichton Avenue, Skeldergate Bridge and Saxford Way schemes into 2009/10

Reason: to enable the effective management and monitoring of the Council's capital programme.

Contact Details

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Sally Burns
Director Neighbourhood Services

**Report
Approved**



Date 28/10/2009

*Andy Binner
Head of Highways Infrastructure
Neighbourhood Services
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Specialist Implications Officer(s)

N/a

Wards Affected:

All

For further information please contact the author of the report

Background Papers – 2009/10 Capital Monitoring papers held at
Neighbourhood Services