



**Notice of a public meeting of
Decision Session - Cabinet Member for Communities**

To: Councillor Simpson-Laing
Date: Wednesday, 18 March 2015
Time: 10.00 am
Venue: The Sidings - 2nd Floor, West Offices (S010)

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:

4:00pm on Friday 20 March 2015 if an item is called in *after* a decision has been taken.

*With the exception of matters that have been subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00pm on Monday 16 March 2015**.

1. Declarations of Interest

At this point in the meeting, the Cabinet Member is asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which she may have in respect of business on this agenda.

- 2. Minutes** (Pages 1 - 2)
To approve and sign the minutes of the meeting held on Tuesday 10 February 2015.

- 3. Public Participation**
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 **5.00pm on Tuesday 17 March 2015**.

Members of the public may register to speak on an item on the agenda or an issue within the Cabinet Member's remit.

Filming, Recording or Webcasting Meetings

"Please note this meeting may be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/downloads/download/3130/protocol_for_webcasting_filming_and_recording_of_council_meetings

- 4. Response to Petition - Extending Garden Waste Collections** (Pages 3 - 10)
The purpose of this report is to respond to the petition received that is asking for garden waste collections to be extended through the winter period.
- 5. Petition - Street Drinking in Lowther Street, Penley Grove Street, Townend Street and surrounding areas.** (Pages 11 - 18)
The purpose of this report is to respond to the petition received regarding street dinking in Lowther Street, Penley Grove Street, Townend Street and the surrounding areas.

6. Urgent Business

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

Democracy Officers:

Name: Louise Cook/Catherine Clarke

Contact Details:

- Telephone – (01904) 551031
- Email louise.cook@york.gov.uk and catherine.clarke@york.gov.uk

(If contacting by email please send to both Democracy Officers names above).

For more information about any of the following please contact the Democratic Services Officers responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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City of York Council

Committee Minutes

Meeting	Decision Session - Cabinet Member for Communities
Date	10 February 2015
Present	Councillor Simpson-Laing (Cabinet Member)

54. Declarations of Interest

The Cabinet Member was asked to declare any personal interests not included on the Register of Interests, any prejudicial or any disclosable interests that she might have had in the business on the agenda. She declared a personal interest in Agenda Item 4 (York, Gypsy Roma & Travellers Site-Rent Increase Petition) as she was involved in the Council of Roma Alliance. No other interests were declared.

55. Minutes

Resolved: That the minutes of the Decision Session – Cabinet Member for Communities held on 22 December 2014 be approved and signed as a correct record.

56. Public Participation

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Stephen Pittam, a trustee of York Travellers Trust spoke regarding Agenda Item 4 (York Gypsy Roma & Travellers Sites-Rent Increase Petition). It was noted that the petition had been signed by Travellers from all sites across the city. Mr Pittam expressed his concerns at the rent increases themselves and the process that had taken place to implement them. His main concerns were;

- Fairness and Equality- he understood that there had been no consultation document accessible to the public, it was only until a Freedom of Information request was put in October 2014 that this was released.

- That he felt that it forced the community into greater welfare dependency.
- That legally a rise in pitch fees were only implemented once a year and only subject to improvements, and in his view this had not been met.

57. York Gypsy Roma & Travellers Sites- Rent Increase Petition

The Cabinet Member considered a report that provided the background to a petition signed by residents of York's three Gypsy Roma & Travellers sites and asked her for a decision on how to proceed.

The petition related to the 2014/15 travellers site rent increase, the first stage of which was implemented in April 2014 and the second stage of which was implemented on the 1 December 2014. The petition stated 'We do NOT agree to these increased pitch fees'.

In reference to comments made by the speaker under Public Participation, the Director of Communities and Neighbourhoods confirmed that they were currently seeking advice in regards to legal issues over pitch fees. She also added that the Council was aware of the need for managing the sites but wanted to work with York Travellers Trust.

The Cabinet Member added that better site management had to be funded from rents and highlighted that other organisations in the region charged more to manage their sites effectively.

Resolved: That option 1, to continue to support the second phase of the rent increase which was implemented on 1 December 2014, be approved

Reason: Phase 2 of the increase has been independently agreed to and paid by all of pitch holders. This additional funding will be used to appoint a site manager/supervisor to improve the support and management of the sites.

Councillor T Simpson-Laing, Cabinet Member
[The meeting started at 11.00 am and finished at 11.10 am].



Decision Session – Cabinet Member for Communities**18 March 2015**

Report of the Assistant Director of City and Environmental Services

Response to Petition – Extending Garden Waste Collections**Summary**

1. The purpose of this report is to respond to the petition received that is asking for garden waste collections to be extended through the winter period.
2. The petition is attached as Appendix 1 for information.

Background

3. Since October 2005, the City of York Council (CYC) has carried out separate garden waste collections to eligible properties across York, starting with 60,000 properties and now grown to more than 66,000. There are, however, around 19,000 properties that do not have any garden waste collection. These are in areas where the main method of refuse collection is by sack, and where bins would not be suitable, or are in areas where the properties do not have gardens. From the outset, these collections took place on a fortnightly basis throughout the year.
4. Starting in winter 2011, Members agreed to move the collections from fortnightly to every four weeks during the winter period. This was done to meet budget reductions while maintaining the service free to all eligible properties during the busy spring and summer period. During the summer, an average of 327 tonnes of garden waste is collected per week. During the winter period this average dropped to 115 tonnes per week. However, the cost to collect remained the same.
5. The collection of garden waste is not a statutory service. Local authorities have powers to charge for a wide range of discretionary services. Many of these powers derive from legislation that applies to

specific service areas. Under the existing Controlled Waste Regulations (CWR) 2012 (came into force on 1 April 2012), the Waste Collection Authority (WCA) can make a charge for the collection of garden waste. This was also the case with the regulations they replaced (CWR 1992). However, when statutory recycling and composting targets applied to WCAs, many local authorities chose to offer this service 'free' to its residents and thereby maximise the amount of garden waste collected and boost recycling performance to help meet statutory targets. CYC has not introduced any separate charge for the standard collection service. Between the 1 April 2012, when the Controlled Waste Regulations came into force, and 31 March 2014, 149 local Councils introduced a charge for their garden waste service and more Councils are considering introducing a charge.

6. In a Cabinet report dated 2nd April 2013 Members agreed, based on the low tonnage collected, to suspend the service completely during the winter months to help meet budget savings targets. This service change was implemented in late October / early November 2013. The service is now, to all intents and purpose, a seasonal service carried out between the start of April and the end of October each year.
7. At the same time, the basic service was standardised as 1 x 180 litre green wheeled bin collected fortnightly during the April to October collection season. Residents were given the opportunity to have additional garden waste bins emptied from their property for an annual charge of £35 per bin. This subscription scheme only operates during the normal collection period (over the spring and summer) and has attracted a little over 1,500 subscribers.
8. Several residents complained to the Council about the suspension of the service and the fact that autumn and winter waste was not being collected. There was also a fear that the waste normally collected during the winter would be lost to landfill.
9. However, when collections resumed in April 2014, there was a greater amount of garden waste picked up over the first 6 weeks than in the same period the previous year (2,920 tonnes in 2014 compared to 1,660 tonnes in 2013). Garden waste taken to household waste recycling centres also increased whilst the collection service was suspended over the winter (910 tonnes in 2013/2014 compared to 460 tonnes in 2012/2013). This total amount of garden waste accounted for the majority of what would normally be expected to be collected during the

winter months. The amount of waste sent to landfill also did not increase.

10. This suggests that those residents who would generally use the service during the winter had used their bins for storing garden waste and had presented it for collection once collections resumed in the spring. Some householders also decided to take garden waste to household waste recycling centres rather than storing it over the winter period whilst the collection service was suspended.

Options

11. In response to the petition, there are two options available to the Council. These are:
 - a. To maintain the current spring and summer only collections,
 - b. To reinstate winter garden waste collections

Analysis of Options

12. The Council made the decision to suspend the garden waste collections in order to meet reducing levels of budget funding available to the service and to maintain its other front line waste services.
13. Should the Council decide to reinstate winter garden waste collections from November to March, then budget would need to be secured from the General Fund in order to fund it.
14. The Council would also need to decide at what frequency winter garden collections from November to March would be reinstated:
 - i. either four weekly, as they were at the time of suspension,
 - ii. or fortnightly, as they were when they were first introduced.
15. The annual budget required for option i., above, would be £167K
16. The annual budget required for option ii., above, would be 334K

17. From waste tonnages data it appears that those residents who would generally use the service during the winter did not send their waste to landfill, via their grey bin, but stored it and presented it for collection in April/May, when collections resumed or took it to household waste recycling centres instead. Therefore, based on evidence already gathered, there is no significant benefit to our overall recycling rate in reinstating the winter garden waste collections.
18. By far the best way of dealing with garden waste is for residents to compost at home. The Council will continue to promote home composting as the most environmentally friendly option and provide advice and guidance to existing and prospective home composters.

Recommendations

19. The Cabinet Member is recommended to:
 - i. Note receipt and the content of the petition.
 - ii. Maintain the current collection arrangements (no winter collections)

Reason: To protect front line waste services and to ensure that the service operates as efficiently as possible.

Contact Details

Author:

Geoff Derham
Head of Waste Services
City & Environmental
Services

Chief Officer:

Neil Ferris
Assistant Director of City and
Environmental Services

**Report
Approved**

Y

Wards Affected: All

All

Y

For further information please contact the author of the report.

Background Papers: None

Annexes: Appendix 1 – copy of petition received.

Abbreviations

City of York Council (CYC)

Controlled Waste Regulations (CWR)

Waste Collection Authority (WCA)

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EPetition**EPetition Title:** Winter Green Waste Collection**Start Date:** 27 October 2014**End Date:** 8 Dec 2014

We the undersigned petition the council to:

Continue to collect green waste throughout the winter, or at least until Christmas 2014. As most people have leaves and other green waste, we want it to be collected later in the year. Not to stop at the end of October.

ePetition Signatory	Date Signed	ePetition Signatory	Date Signed
Steve Galloway	27/10/2014	Matt Rylatt	30/10/2014
Jenn Armstrong	29/10/2014	Georgina Davis	30/10/2014
David Armstrong	29/10/2014	Peter Waters	30/10/2014
Evelyn Ovenden	29/10/2014	mick popka	30/10/2014
sandra whittaker	29/10/2014	susan Garnett	31/10/2014
Judith Ness	29/10/2014	ann burrows	31/10/2014
Graeme Middleyard	29/10/2014	Jenny Burrage-smith	01/11/2014
Doreen Leach	29/10/2014	Richard Wasling	01/11/2014
Colin Dodsworth	29/10/2014	Fiona Benson	01/11/2014
Lynne Heslop	29/10/2014	Hugh Dillon	03/11/2014
Bridget Hannigan	29/10/2014	Caroline Bilbrough	04/11/2014
Felicity Brown	29/10/2014	Nigel Middlemass	05/11/2014
William Gilbert	29/10/2014	Sarah Boani	12/11/2014
Ian Clarkson	29/10/2014	Rachel Boani	12/11/2014
Bob Garwell	29/10/2014	Shabtai Boani	12/11/2014
Mick Phythian	30/10/2014	Mikchael Travis	13/11/2014
kenneth exelby	30/10/2014		
Barry Davis	30/10/2014		
Kath Wright	30/10/2014		

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Decision Session - Cabinet Member for Communities**18 March 2015**

Report of the Assistant Director of Housing & Community Safety.

Petition – Street Drinking in Lowther Street, Penley Grove Street, Townend Street and surrounding areas.**Summary**

1. On 14 January 2015 the Council received a petition with 633 signatures regarding street dinking in Lowther Street, Penley Grove Street, Townend Street and the surrounding areas. The petition stated:

'We the undersigned do call on City of York Council to investigate the increase of street drinkers' use of the area surrounding Lowther Street, Penley Grove Street and Townend Street. We also call on the council to designate these streets as "no alcohol areas" for the benefit of the majority of residents'.

Background

2. A 633 signature petition has been submitted to City of York Council (CYC) by individuals living, working or visiting shops within The Groves area of York. The petition calls on the City of York Council to investigate the increase of street drinkers using the area surrounding Lowther Street, Penley Grove Street and Townend Street. It also calls on the Council to designate these streets as "no alcohol areas" for the benefit of the majority of residents. These streets are not covered by the existing Designated Public Place Order on Union Terrace and are not covered by the Alcohol Restriction Zone.
3. The petition has been signed mainly by residents living in the streets which make up The Groves area of York with a few individuals who have visited the shops or who work in the area.
4. The Groves is a district of York, covering the area just north of the city centre between Huntington Road and Haxby Road. The district is near York Hospital and the city ring road. It consists largely of close-knit terraces, the majority of which date from before the First World War.

Around 1955, a large number of very small terraced houses were demolished to make way for flats and maisonettes which were built between Garden Street, Penley Grove/Townend Street and Lowther Street; this area has a residents' association.

5. The Groves area contains a mixture of privately owned and rented properties along with council housing. Lowther Street is the main area for local shopping, with an Indian restaurant and takeaway, Chinese takeaway, and a small supermarket. In Penley Grove Street there is a grocery shop. Lowther Street is a busy route for traffic during rush hours, although a one-way system manages traffic on this and Penley Grove/Townend Street.
6. The Groves includes a primary school, Park Grove School, the Young Groves Centre, Door 84, and St Thomas' Church. The local Police team works with the community and the area crime rate is one of the lowest in York.
7. Information from Crime Mapping UK from 2014 shows that on average, 17 incidents of Anti Social Behaviour (ASB) are reported in The Groves area per month compared to an average of 308 overall reports of ASB in the York North Safer Neighbourhood Team (SNT) area.

Street Drinking in The Groves

8. Over the last 12 years, street drinking in The Groves area of York has regularly been reported as an issue of concern to the residents who live there.
9. In 2010, following an increase in the numbers of complaints about individuals drinking in the streets and harassing tourists arriving by coach to the City, a Designated Public Place Order (DPPO) for Union Terrace Car Park was introduced making it possible for the Police to seize alcohol in connection with anti-social or criminal behaviour in that area.
10. Since the DPPO was introduced, the surrounding area has been closely monitored to identify any displacement into the residential areas. The monitoring has shown no evidence of displacement of anti-social behaviour into the residential areas of the Groves. However, there are periodically increases in reports of anti-social behaviour in this area, which when tackled by the SNT goes quiet for extensive periods of time.

11. These issues are very much a priority for the Safer Neighbourhood Team in this area and they have this area as a priority for high visibility foot patrols and are actively working with the ASB Hub to target those individuals who create the highest level of nuisance in this area.

Historic action being taken to address issues in The Groves

12. The Council have for many years worked in partnership with the Police and the local community to address problem in this area as they arise.
 - In 2003 Safer York Partnership set up The Groves Task Group which was a multi-agency problem solving group involving officers from CYC and the Police as well as Elected Members and representatives of the Residents Association. The area also formed part of the first alleygating programme in the city;
 - In 2005, The Groves was an area chosen to pilot the new Neighbourhood Policing model. This included Safer York Partnership working with the Ward Planning Team to deliver initiatives aimed at supporting the community to tackle issues of anti-social behaviour and crime in this area;
 - In 2005, the Nightsafe Task Group took over the work of the Groves Task Group and continued the work with the community to tackle issues of alcohol related anti-social behaviour in the area;
 - In 2010 the decision to pursue a DPPO for Union Terrace car park was taken as set out above.

Current and future action

13. Over the last few years the Police and the council have continued to work with the community to address issues as they arise. Following the establishment of the Anti Social Behaviour (ASB) Hub in May 2014, The Groves has been identified as a 'hotspot' location for multi-agency action to address problems in this area. The Community Safety Manager, Neighbourhood Safety Manager and ASB Hub Police Officers have been working with community groups and regularly attended meetings with residents and Elected Members in this area to identify actions which will help in tackling the issues, for example:
 - Police Officers from the ASB Hub have been involved in targeted campaigns to challenge street drinking behaviour;

- Individual properties and individuals have been targeted where issues have been reported;
 - Meetings have been held in relation to Union Terrace which has included input from local residents;
 - Evidence is being collated to support a Public Space Protection Order (PSPO).
14. The Anti-Social Behaviour, Crime and Policing Act 2014 changed the powers and interventions for addressing ASB and street drinking. As a result we have been reviewing the new powers and we are in the process of perusing Criminal Behaviour Orders (CBO) against two of the frequent perpetrators of ASB in this area.
15. Within the Act, a new intervention a 'Public Space Protection Order' has also been introduced that replaces the Designated Public Place Order (DPPO), Gating Orders, and Dog Control Orders. The aim of this new intervention being that it should make things more streamlined and therefore more effective to achieve improved quality of life in public spaces.
16. Evidence is currently being collected and should the evidence support it, an application to the courts for a PSPO will be made which will cover the whole of the Groves as opposed to the existing DPPO which only covers part of the area and not the area highlighted in the petition. Should the evidence support an application for a PSPO, if granted, this existing course of action would meet the wishes of signatories to the petition.
17. The area will continue to be monitored by the ASB Hub through its case management system and in collaboration with the Safer Neighbourhood Team. In addition, the expansion of the Neighbourhood Enforcement Team and granting of Community Safety Accreditation Scheme Powers to the Neighbourhood Enforcement Officers will provide an additional uniformed resource, which can be deployed in this area.

Consultation

18. Details of engagement with the local community have been highlighted within the body of the report. The council is currently working on the process for the PSPO of which public consultation is an important part. Public meetings are planned to take place which will including the local residents association.

Options

19. **Option 1** – Acknowledge receipt of the petition, note the ongoing work of the Council and its partners to collect the evidence and subject to the evidence supporting it, pursue a Public Space Protection Order for this area of The Groves.
20. **Option 2** – Ask officers to consider other options to address the issues highlighted by the petition

Analysis

21. The majority of the analysis is set out within the body of the report.
22. The approach that the Council and its partners have taken to determine the most appropriate interventions to address the problems that are being experienced in The Groves has been evidenced led, based upon reported incidents of ASB. It is critical for the council and its partners that any decision to pursue such orders is evidenced based to ensure that any action taken is proportionate to the problems that are being encountered. Agreeing option 1 will ensure that this evidenced based approach is continued. Should the evidence support the introduction of a PSPO, this will meet the request of the signatories of the petition.

Council Plan

23. The recommended course of action supports the Council Plan priority to “Build Strong Communities”, through ensuring that ASB is tackled and communities are supported.

Implications

24. The implications arising directly from this report are:
 - **Financial** – The costs associated with the application for a PSPO for this area of The Groves can be met from within existing budgets.
 - **Human Resources (HR)** – There are no HR implications.
 - **Equalities** – There are no direct equalities implications. Any equalities impact of the decision to pursue a PSPO will be considered as part of the legal application to the courts
 - **Legal** – There are no direct legal implications.

- **Crime and Disorder** – There are no direct crime and disorder implication arising from this report. However, subject to the evidence supporting an application for a PSPO, and the courts agreement to said application, the prohibitions on activities within the agreed area will have a positive impact on reducing crime and disorder and improve the quality of life for residents.
- **Information Technology (IT)** – There are no IT implications
- **Property** – There are no property implications
- **Other** – There are no other implications

Risk Management

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

Recommendations

26. The Cabinet Member is asked to approve:

Option 1: To acknowledge receipt of the petition, note the ongoing work of the Council and its partners to, subject to the evidence supporting it, pursue a Public Space Protection Order for this area of The Groves.

Reason: To ensure that the appropriate action is taken to ensure ASB behaviour is appropriately tackled within the city.

Author:

Steve Waddington
Assistant Director of Housing
and Community Safety

Tel No.x4016

Chief Officer:

Sally Burns
Director of Communities and
Neighbourhoods

Report **Date** 27 February 2015

Approved

Wards Affected: Guildhall

All

For further information please contact the author of the report

Abbreviations

Anti Social Behaviour (ASB)

Safer Neighbourhood Team (SNT)

Designated Public Place Order (DPPO)

City of York Council (CYC)

Public Space Protection Order (PSPO).

Criminal Behaviour Orders (CBO)

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