

---

## **Decision Session - Executive Member for Neighbourhoods**

**24<sup>th</sup> March 2010**

Report of the Director of Neighbourhood Services

### **Neighbourhoods & Community Safety Group Legal Actions**

#### **Summary**

1. To inform the Executive Member for Neighbourhoods of the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1<sup>st</sup> October 2009 – 31<sup>st</sup> December 2009 and to approve the continuation of future enforcement action in accordance with the CYC enforcement policy.

#### **Background**

2. The Executive Member for Environment and Sustainability approved an enforcement policy for Environmental Health, Trading Standards and Licensing Services in March 2008.
3. This report details the results of prosecutions taken in the period 1<sup>st</sup> October 2009 – 31<sup>st</sup> December 2009. In accordance with the policy each case is considered on its merits before legal proceedings are instituted.
4. Annex A summarises the prosecutions completed, fixed penalty notices and cautions that have been issued (a caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue).

#### **Consultation**

5. Not applicable.

#### **Options**

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

#### **Analysis**

7. Not applicable.

## Corporate Objectives

8. The legal actions contribute to the councils strategic ambition of “reducing the actual and perceived impact of violent, aggressive and nuisance behaviour of people in York” and “To improve the health and lifestyles of the people who live in York”.

## Implications

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

## Risk Management

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

## Recommendations

17. That the Executive Member notes and approves the contents of this report.

Reason: so that the Executive Member is updated on formal enforcement activity undertaken by the Neighbourhoods and Community Safety Group and approves the continuation of future enforcement action in accordance with the CYC enforcement policy.

## Contact Details

### Author:

Colin Rumford  
Head of Environmental Health  
and Trading Standards  
Phone: 551502

### Chief Officer Responsible for the report:

Andy Hudson  
Assistant Director (Neighbourhoods and Community Safety)  
Phone: 551814

Report Approved



Date 4<sup>th</sup> March 2010

Specialist Officer Implications: None

Wards Affected:

All

**Background Papers:**

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

**Annexes**

Annex A: EH and TS Formal Enforcement Action 1<sup>st</sup> October 2009 – 31<sup>st</sup> December 2009.