



## Notice of meeting of

### Executive Member For Neighbourhood Services and Advisory Panel

**To:** Councillors Bowgett (Chair), Holvey (Vice-Chair), Orrell, Potter, Taylor, Waller (Executive Member), Watt and B Watson

**Date:** Wednesday, 25 July 2007

**Time:** 5.00 pm

**Venue:** Guildhall

### 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:

**10:00 am on 24 July 2007**, if an item is called in *before* a decision is taken, *or*

**4:00 pm on 27 July 2007**, 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 1 - 10)

To approve and sign the minutes of the last meeting held on 7 June 2007.

**3. Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Panel's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Tuesday 24 July 2007.

**4. The Rogers Review - The five national enforcement priorities recommended for local authority regulatory services.** (Pages 11 - 24)

This report seeks approval to incorporate the recommendations of the Rogers Review into service planning for environmental health, trading standards and licensing services.

**5. Petition re Recycling Facilities at University of York** (Pages 25 - 30)

This report has been prepared in response to a petition presented to Council by Cllr Potter on behalf of 60 students at the University of York. The report gives details of waste and recycling development already undertaken at the University and explores options for future development.

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

Democracy Officer:

Name: Louise Cook

Contact details:

- Telephone – (01904) 551027
- E-mail – [louise.cook@york.gov.uk](mailto:louise.cook@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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City of York Council

Minutes

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MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	7 JUNE 2007
PRESENT	COUNCILLORS BOWGETT (CHAIR), BENNETT, HOLVEY (VICE-CHAIR), ORRELL, POTTER, TAYLOR, WALLER (EXECUTIVE MEMBER) AND B WATSON
IN ATTENDANCE	VINCE THIRLBY (JEWSONS LTD)

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### 1. **Declarations of Interest**

Members were invited to declare at this point in the meeting any personal or prejudicial interest they might have in the business on the agenda.

Councillor Potter declared a personal non-prejudicial interest in agenda item 6 (Friends of St Nicholas Field Service Level Agreement) as a recipient of the recycling service undertaken by the Friends of St Nicholas Field.

Councillor Potter declared a personal non-prejudicial interest in agenda item 8 (Neighbourhoods and Community Safety Group Legal Actions) as her daughter was working with Trading Standards as a test purchaser.

### 2. **Exclusion of Press and Public**

RESOLVED: That the Press and public be excluded from the meeting during consideration of Annex 2 to agenda item 5 (2006/07 Provisional Outturn – Finance and Performance) on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information was classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

### 3. **Minutes**

RESOLVED: That the minutes of the last meeting of the Panel held on 21 March 2007 be approved and signed by the Chair and Executive Member as a correct record.

#### **4. Public Participation**

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

Councillor Merrett spoke on agenda item 6 (Friends of St Nicholas Field Service Level Agreement). He expressed appreciation and support for the kerbside recycling collection undertaken by the Friends and requested members to support future funding of the service.

Councillor Merrett also spoke on agenda item 9 (York Neighbourhood Pride Service and Enforcement - Update). He stated that the pilot for new street cleansing practices had resulted in significant improvements but that graffiti was still a major problem in his area as the campaign appeared to have encouraged the problem rather than assisted.

Councillor Merrett spoke on agenda item 11 (Waste Management CPA Inspection June 2007). He stated that the vast majority of York residents did not benefit from doorstep recycling. He requested support for the extension of this scheme to all terrace streets and flats in the Micklegate Ward with funding from the Government and the Ward Committee. A separate issue raised related to the restoration of bins, boxes etc to their correct position once emptied, which had been raised on the York Pride Action Line but unfortunately, not resolved.

#### **5. 2006/07 Provisional Outturn - Finance and Performance**

Members considered a report which detailed the draft outturn figures for revenue and capital expenditure for the Neighbourhoods portfolio and traded accounts and the outturn for 2006/07 performance against target for a number of key indicators made up of the following:

- Best Value Performance Indicators
- Customer First Targets (letter and telephoning answering)
- Staff Management Targets (sickness absence)

The provisional revenue outturn for the Neighbourhood Services portfolio showed an expenditure of £13.4m compared to a budget of £13.9m, an under spend of £524k which represented a variation of 3.8% on the net expenditure budget. It was reported that there was also an under spend of £304k on the capital programme of which £146k related to slippage and there was a proposal to increase the trading account reserve by £100k. Financial overviews of the non-trading and traded accounts were detailed in the report.

Officers reported that details of the staff satisfaction survey had now been received and that staff satisfaction had significantly increased together with staff participation, which had doubled. Officers also reported the following amendments and updates to the report:

- Key Performance Headlines (para 9) (BVP199a) should read 19.2% of relevant land and highways were not free from litter and other 'detritus'.
- Street Environment (para 14) first bullet point should read "It is proposed to carry forward £25k relating to committed ward projects."
- Capital Programme (para 28)
  - Ward Committees should read "Current Budget £307k/Outturn £175k.
  - Para 29 should read "overall spend at the end of 2006/07 was £375k, an under spend of £304k"
- Ward Committees (para 30) should read
  - "The ward committee has under spent by £132k"
  - "The remaining £102.5k relates to slippage..".

Members questioned the following aspects of the report

- Under spend of £22k on the Target Hardening budget as a result of slippage.
- Breakdown of residents by Ward in relation to the key performance headlines.
- Concern that Ward Committee budgets were under spent and the remaining monies being uncommitted.
- Funding of Police Community Support Officers.
- The increase this year in the amount of total waste produced against the increase in recycling.
- Details of the Safer York Partnership schemes.
- Low number of Staff Appraisals undertaken in the last 12 months.
- £70k of CYC funding released against the final cost of Hazel Court possible use for the enhancement of Beckfield Lane waste site.
- Disappointment at the overall sickness absence level in the Directorate.
- Reduction in the numbers attending Ward Committees.

Officers confirmed that details of the 11 target hardening schemes would be emailed to Members. They also confirmed that a major waste review was being undertaken and that a list of priorities would be put forward. Officers stated that individual schemes could not be examined in isolation but that the problem raised with the emptying of skips at the Beckfield Lane site would be pursued.

The Executive Member expressed his thanks to all staff in the Directorate for the way they had dealt with the changes and for meeting customer's expectations.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member:

- i) To approve the 2006/07 financial and performance position of the Neighbourhoods portfolio.
- ii) To put forward a request to the Executive to carry forward the unallocated Ward Committees budget of £27k for reallocation to Ward Committees.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: In accordance with budgetary and performance monitoring procedures.

**6. Friends of St Nicholas Field Service Level Agreement**

Consideration was given to a report, which requested the Executive Member to approve the continuation of funding for the Friends of St Nicholas Field kerbside recycling collections and for additional funding to March 2008 for recycling to 2,000 properties.

Officers reported that the Friends of St Nicholas Field had just won the Biffa Climate Conscious Award for 2007 for their recycling scheme.

Members confirmed that the Friends had provided an excellent service for a number of years, which was very well received by residents. It was at present a weekly service but residents had been surveyed with a view to changing to fortnightly.

The Executive Member stated that this was a good example of partnership working which meant that budgets could be planned well in advance to provide continuation funding where necessary.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to approve Option One for funding the Friends of St Nicholas Fields kerbside recycling collections for 2007/08.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To enable the continued collection of recyclable waste to 2,000 properties, to contribute towards the authority's recycling and composting performance.



## **7. The Implementation of Smokefree Legislation in England**

Members considered a report, which provide background information on the provisions within the Health Act 2006 relating to smokefree areas, which would become law in England on 1 July 2007. A number of exemptions, had been listed at paragraph 9 of the report. Consideration was also given to the City of York Council's proposed enforcement policy in relation to the legislation.

Officers confirmed that both the Government and NHS were involved in a national publicity campaign to raise awareness and understanding of the issues followed by enforcement where advice had not been acted upon. Funding was available for a 2 year period, which had been used to employ two smokefree officers for a 12 month period and to cover other implementation costs. It was confirmed that there had been a high degree of compliance in areas where this legislation had already been introduced.

Members questioned the term "substantially enclosed " and Officers circulated copies of the NHS booklet "England Becomes Smokefree 1 July 2007" Your guide to the new smokefree law, which detailed the points, raised. Members welcomed the legislation and the Departments response to it.

### Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the contents of the report and approve the enforcement policy (Smokefree Legislation) outlined in Annex One.

### Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To encourage the consistent application of the smokefree legislation in the North Yorkshire region, to assist businesses to understand what is required and an approved enforcement policy to strengthen the councils position in court.

## **8. Neighbourhoods and Community Safety Group Legal Actions**

Consideration was given to an information report, which informed Members of the results of legal actions, which included prosecutions, formal cautions and fixed penalties, undertaken by the Neighbourhoods and Community Safety area of the Directorate for the period 1 January - 31 March 2007.

Members questioned a number of individual cases detailed in the report.

Officers invited any interested Members to contact them if they required further information regarding the test purchasing exercises for alcohol, aerosol paint and tobacco or to observe the noise patrols in action.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the contents of the report on the results of legal actions.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To update the Executive Member on formal enforcement activity undertaken by the Neighbourhoods and Community Safety Group.

**9. York Neighbourhood Pride Service and Enforcement - Update**

Members considered a report, which gave a detailed update on progress of the new Neighbourhood Pride Service. This service included a pilot of new street cleansing practices implemented in the west of the city over a 3 month period and the introduction of new working arrangements between the Street Cleansing Team and the Street Environment Officers.

Officers reported that staff had embraced the new working arrangements and that a number of compliments had been received from residents and councillors who had noticed improvements in the area.

It was reported that ENCAMS (Environmental Campaigns), formerly the Tidy Britain Group, would be assisting and advising the Council in the development of the new service. The Council was to support a number of national campaigns the first of which would be in the autumn up until Christmas dealing with fast food. It was hoped that by working in partnership a relationship could be developed that would promote the continual improvement of the service.

Members confirmed that street cleaning staff were providing an excellent service, which had resulted in significant improvements.

Certain Members referred to litter problems at Bell Farm Social Hall, in terrace streets where vehicles parked on both sides and back lanes. Officers confirmed that they would pursue any problem areas if they were reported.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the update on progress of the new Neighbourhood Pride Service.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To update the Executive Member on progress of the new Service.

**10. Procurement Update - Building materials supply through OGC - Partnership with Jewsons**

Members considered a report, which detailed progress of the building materials procurement exercise through the Office of Government Commerce (OGC) in partnership with Jewson Ltd (Saint Gobain Building Distribution).

Officers outlined the background to the exercise, which it was explained was unique to this Authority. Approval had been given for the award of a contract to Jewson Ltd to supply building materials to the building maintenance department and to the letting of depot space to accommodate building stores at a peppercorn rent. It was confirmed that the Building Department within Neighbourhood Services spent in the region of £1.2million per annum on general building materials. It was reported that there had been some delays in the legal agreement but this had now been agreed and work had started on the conversion of the premises. It was confirmed that staff were now in place and it was hoped that the stores would open and operational by mid July.

Vince Thurlby, representing Jewson Ltd, stated that a number of Local Authorities were interested in forming similar partnerships. He confirmed that the partnership would cut down on administration and paperwork and it was hoped to be able to offer customers a higher level of service to suit the Authorities requirements. He also confirmed that the OGC would undertake various checks to ensure that the exercise was working well.

In answer to Members questions Vince Thurlby confirmed

- A number of local suppliers had been built into the supply chain following checks on their levels of service.
- OGC had certain environmental requirements regarding materials purchased.
- The agreement with Jewsons was for a 5 year period with possible extension to 7 years, this also included a 6 month termination clause.
- Prices were checked by the National Audit Office against national rates.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note progress made on the implementation of the new stores procurement partnership.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To keep the Executive Member updated on progress of the building materials procurement exercise with Jewson Ltd (Saint Gobain Building Distribution).

**11. Waste Management CPA Inspection June 2007**

Members considered a report, which informed them that as a follow up to the Comprehensive Performance Assessment in 2004 the Audit Commission would be completing a further inspection of Waste Management in York during June 2007.

It was reported that the objective of the inspection was to determine how well the Council had responded to the findings of the 2004 inspection and to consider progress made in the proposals for future waste management disposal arrangements. A draft report would be presented week commencing 9 July 2007 with the final draft report agreed week commencing 23 July 2007 with a report to Members at the September EMAP meeting.

Officers confirmed that a CD was available to Members, on request, detailing the Self Assessment Brief on the CPA Waste Management Strategy dated June 2007, which had working links.

In answer to questions Officers confirmed that consultation was to be undertaken by the inspectors with Cllr D'Agorne, Scott and Waller

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the report on the Audit Commissions inspection of Waste Management in York.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To update the Executive Member on the Audit Commissions inspection of Waste Management in York in June 2007.

**12. Service Plans April 2007/08**

Members considered a report which informed them of revised service plans for 2007/08, which included organisation charts and budget information following the recent restructure. Copies of the revised pages were available at the meeting and full copies were available on the Councils website. The service plans covered the following areas:

- Civil Engineering (Annex 1)
- Cleaning Services (Annex 2)
- Construction (Building Services) (Annex 3)
- Environmental Health and Trading Standards (Annex 4)
- Licensing and Bereavement Services (Annex 5)
- Neighbourhood Management and Business Support (Annex 6)
- Neighbourhood Pride Service (Annex 7)
- Waste Services (Annex 8)

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the report on revised service plans for 2007/08 following the recent restructure of Neighbourhood Services.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel as set out above be accepted and endorsed.

REASON: To update Members on the 2007/08 service plans.

**13. Forward Plan 2007/08**

For information, Officers circulated a list of issues for consideration at future meetings.

The items included:

- Recycling
  - For areas which had none at present – non-forecourted terraces, flats, rural remote.
  - Increasing the range of materials collected in areas with limited recycling collections.
  - Improving recycling rates in areas with the full service.
  - Looking at other materials that could be recycled – different types of plastic, food, composite materials.
  - Recycling in businesses – how to encourage recycling.
- Low Emission Zone – updates and information for Members.
- Consequences of the Rogers Report
- York Pride Updates – new arrangements for street sweeping, review of information from YPAL. SEO updates, and use of new legislation. Reviewing the arrangements for the city centre.
- Noise Patrol – updates.
- Neighbourhood Services – business side.
- Neighbourhood Services contributions to corporate aims of the Carbon Management Programme.
- Vehicle Fleet
  - Purchasing – ethical and environmental
  - Energy and water use
- Revenue and capital monitoring
- Review of Court Cases

Members confirmed that the list of issues would be discussed with the Groups and any further suggestions reported to Officer for inclusion in the Forward Plan.

CLLR WALLER  
EXECUTIVE MEMBER

CLLR BOWGETT  
CHAIR OF ADVISORY PANEL  
The meeting started at 5.00 pm and finished at 7.05 pm.



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Meeting of the Executive Member for  
Neighbourhood Services and Advisory Panel

25<sup>th</sup> July 2007

Report of the Director of Neighbourhood Services

## **Rogers Review – The five national enforcement priorities recommended for local authority regulatory services**

### **Summary**

1. The government has recently completed a review of priorities for local authority regulatory services (trading standards, licensing and environmental health services). This report seeks approval to incorporate the recommendations of the Rogers Review into service planning for environmental health, trading standards and licensing services.

### **Background**

2. In 2006 the government asked Peter Rogers, Chief Executive of Westminster City Council, to head a review to examine the many areas of legislation that local authority regulatory services enforce. The Rogers Review report was published at the March 2007 Budget and its recommendations were accepted in full by the government.
3. The Review used a risk focused, evidence-based approach, taking into account the views of local authorities, including port health authorities, citizens, businesses, government departments and Ministers to help prioritisation from over 60 policy areas enforced by local authority regulatory services. This is the first time such an approach has been adopted.
4. A tiered approach was taken to prioritisation.

*First*, the Review identified over 60 different policy areas enforced by local authority regulatory services (trading standards, licensing and environmental health services).

*Secondly*, the Review team then carried out an initial sift of these 60 policy areas to establish 24 policy areas which were then subject to more detailed

analysis, with the help of an expert user group which included heads of service and members of professional bodies.

*Thirdly*, government departments and regulators responsible for the 24 policy areas provided evidence for each policy area. Views were also obtained from citizen and business focus groups held around the country and from local authorities through an online survey and also 5 stakeholder events around the country.

*Fourthly*, for each of the 24 policy areas the Review team evaluated the risk that the policy area aimed to control and the effectiveness of actions taken by local authorities in order to determine the national priorities.

5. The criteria applied in order to determine if a policy area was a national priority were:
  - It aims to prevent high levels of risk distributed through society, and local authority controls are capable of being effective in doing so, and/or
  - It requires a national control system where all parts of the enforcement regime are in place to prevent harm, and/or
  - It is a nationally important political priority.
6. The Review sifted through the 24 policy areas they had identified to determine the top five national priorities. The diagram in Annex 1 shows those policy areas which were short-listed during the Review, increasing risk or harm posed by the policy areas and the increasing effectiveness of local authority activity to deal with the area.

### **The National Enforcement Priorities**

7. The five national priorities (and a sixth 'time limited' priority) are:
  - **Air quality**, including regulation of pollution from factories and homes
  - **Alcohol**, entertainment and late night refreshment licensing and its enforcement
  - **Hygiene of businesses**, selling, distributing and manufacturing food and the safety and fitness of food in the premises
  - **Improving health in the workplace**
  - **Fair trading** (trade descriptions, trade marking, mis-description, doorstep selling)



- and
  - **Animal and public health**, animal movements and identification - a time limited priority, but predominantly a rural issue
8. The highlights from the evidence gathered from departments and regulators in determining these priorities is set out in Annex 2.

### **The Roger's Criteria for Local Priorities**

9. The Review identified the five national enforcement priorities but goes on to say that it does not mean that central government does not support enforcement in other areas, nor does it relieve a local authority of its many other related statutory and legal obligations. The Review acknowledges that local authorities are best placed to understand and respond to issues that affect the well-being of their communities and the quality of life of their citizens.
10. The Review collated a substantial body of evidence around each of the 24 short-listed policy areas. Whilst many of the policy areas do not satisfy the criteria for a national enforcement priority, it recognized that at a local level enforcement can make a huge difference to the quality of life of citizens and communities in local authorities experiencing problems.
11. The 24 short listed policy areas have the following characteristics:
- they cause significant harm within a local authority area,
  - they generate high levels of local concern,
  - local authorities can make a difference to outcomes in their locality and
  - they can be dealt with by each local authority independently of what other local authorities do.
12. The short listed policy areas that satisfy the criteria for being local priorities in areas where these problems exist are as follows:
- Local environmental quality
  - Underage sales
  - Operation of the housing health and safety rating scheme
  - Licensing of houses in multiple occupation
  - Consumer credit
  - Imported food
  - Contaminated land
  - Noise nuisances

The “local priority” list is not mandatory and the Review suggests local authorities can adopt other local priority areas where these they appropriate.

### **Proposed Local Priorities for 2008/09**

13. It is proposed that for 2008/09 the local priorities for the council’s trading standards, licensing and environmental health services in the City of York will be identified as:

- Tackling noise nuisance
- Preventing underage sales
- Ensuring healthy lifestyles (incorporates food standards, smoke-free and local environment issues)
- Providing educational support for local businesses to assist with their compliance with legislation.
- Contaminated land

And that these are incorporated into the service planning as identified local priorities

14. Members will note that a high level of activity is already taking place on these areas, but these local priorities have been chosen because they continue to support the outcomes identified in the Local Area Agreement (in the Safer and Stronger Communities, Healthier Communities and Economic Development and Enterprise blocks). In the case of tackling noise nuisance and preventing underage sales these are activities within the corporate priority of “to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York”.

15. The proposed local priorities for trading standards, environmental health and licensing services at para 13 above do not include all those suggested by the review. The reasons for this is as follows

- Although Local environmental quality is a key priority, members will be aware that recent changes in Street Cleaning and Street Environment have produced an improvement in standards. Following the Neighbourhood Services Restructure, this area is already identified as a priority and is within the scope of the Neighbourhood Pride Service Business Plan and managed by the Assistant Director (Environmental Services)
- The operation of the housing health and safety rating scheme/licensing of houses in multiple occupation are already functions of the Housing and Adult Social Services Directorate and is within their Business Plan.
- Consumer credit issues are a priority, but in York there is a high level of compliance amongst businesses and little evidence of ‘loan sharking’

unlike other urban areas. The existing level of regulation is sufficient to manage the risk, but it will continue to be monitored closely.

- There are only two food importers based in York, and the existing work programme is sufficient to regulate the level of risk.

### **Areas outside the scope of the Review**

16. The Review also determined what activities were not relevant to the prioritization process. These were:
  - Forthcoming legislation – i.e. legislation not currently enforce by local authorities as of November 2006. It is expected that local authorities will respond to new legislation, and after the initial implementation activity, the policy area will need to be considered along with the others in the refresh of the priorities.
  - Specially funded work - but one of the recommendations in the report included that this should not be used to introduce new priorities by the back door.
  - Partnership working – The Review supports this, e.g. with the Police
  - Emergencies – if a national or local emergency occurs, this will clearly take precedence for the period of time to tackle the emergency, e.g. major incidence of food borne illness or animal health issue.

### **Next steps**

17. The Review states that local authorities should consider incorporating the five national enforcement priorities into their service plans as appropriate at the next opportunity when the plans are updated
18. In addition to recommending the national enforcement priorities (Recommendation 1) the Review also made a further six recommendations which the government has accepted in full. These are:

#### **Recommendation 2**

19. To help ensure that local authorities benefit from these national enforcement priorities, the Local Better Regulation Office (LBRO) should develop and disseminate best practice that will assist local authorities to focus on these priorities.

#### **Recommendation 3**

20. To make the priorities meaningful on the ground and help local authorities to determine adequate levels of activity, government departments should work with the LBRO when they draw up advice on minimum levels of

enforcement and reporting requirements for policy areas that are not priorities but implement European Union legislation.

**Recommendation 4**

21. The LBRO should refresh the enforcement priorities set out in this Review on a regular basis (at least every three years), and recommend them to the government. The LBRO should adopt a similar evidence-based approach in refreshing enforcement priorities, taking into account the risk or harm that the policy area is attempting to remedy and the effectiveness of enforcement at local authority level. Evidence should be sought from multiple stakeholders and the criteria for an enforcement priority should be based upon risk, public and business perception and political priority.

**Recommendation 5**

22. Government departments and non departmental public bodies should consider the implications on local authority regulatory services of any new enforcement demands, and ensure that any new demands are fully funded. The LBRO should consider the cumulative burden of any new enforcement demands on local authority regulatory services.

**Recommendation 6**

23. The government should ensure that the proposed set of 200 national indicators which set out its priority outcomes for local authorities under the new performance management framework for local government appropriately reflect the national enforcement priorities in this Review.

**Recommendation 7**

24. The government should not use part-funding or 'seed monies' (to assist in the enforcement of particular policy) to introduce new priorities by the back door, outside of the central prioritization process. However where a local authority chooses to accept such monies, it should be accountable for its expenditure.

**Consultation**

25. Not applicable to this report.

**Options**

26. Option1. To incorporate the five national enforcement priorities and the proposed local priorities into future service planning activities.
27. Option 2. Not to incorporate these enforcement priority issues into future service planning activities.

## **Analysis**

28. Option 1 will mean resources are targeted at key national and the local enforcement issues and the council will be able to meet the challenges imposed by the next round of government performance measures.
29. Option 2 will mean that resources are not necessarily targeted in key areas and the council will not be able to meet the government's performance expectations.

## **Corporate Priorities**

30. Many regulatory activities support corporate objectives and assist in the outcomes identified in the local area agreement (in relation to local priorities these have been highlighted in paragraph 14). The diagram shown in Annex 3 is an example of how the policy areas might fit within the local area agreement for safer, stronger communities. This example is taken directly from the Review report.

## **Implications**

### **Financial**

31. There are no financial implications associated with this report.

### **Human Resources (HR)**

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

### **Equalities**

33. There are no equalities implications associated with this report.

### **Legal**

34. There are no legal implications associated with this report.

### **Crime and Disorder**

35. There are no crime and disorder implications associated with this report.

### **Information Technology (IT)**

36. There are IT implications associated with this report.

### **Property**

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

## Risk Management

38. Approving option 1 will minimise the risk that the council will fail to meet its performance obligations.

## Recommendations

39. That the Advisory Panel advise the Executive Member to incorporate into future planning activities and service plans, the national enforcement priorities as set out in paragraph 7, and the local enforcement priorities set out in paragraph 13.

Reason: To ensure that the council's approach to tackling national and local enforcement priorities are in line with government guidance.

## Contact Details

### Author:

Colin Rumford  
Head of Environmental Health  
and Trading Standards  
Neighbourhood Services  
Tel No. 01904 551502

### Chief Officer Responsible for the report:

Andy Hudson  
Assistant Director (Neighbourhoods and  
Community Safety)

Report Approved



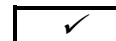
Date 29<sup>th</sup> June 2007

## Specialist Implications Officer(s)

*None*

Wards Affected:

All



For further information please contact the author of the report

## Background Papers:

The Rogers Review – published by the cabinet office – March 2007

[http://www.cabinetoffice.gov.uk/regulation/documents/rogers\\_review/review2007.pdf](http://www.cabinetoffice.gov.uk/regulation/documents/rogers_review/review2007.pdf)

## Annexes

Annex 1: Sifting from over 60 policy areas to five national priorities

Annex 2: The case for the priorities.

Annex 3: Local regulatory services contributing to outcomes

Annex 1

Sifting from over 60 policy areas to five national priorities



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## Annex 2

### The case for the priorities

**Air quality** is a high national political priority and actions taken to improve it will also contribute to tackling climate change. Local authorities have a vital role to play in delivering better outcomes. Air quality is a national enforcement priority because it impacts on whole populations, particularly the elderly and those more susceptible to air pollution. It is politically important to emphasise the role that local authorities can play in reducing its impacts, and its trans-boundary nature means that local action contributes to national outcomes.

- Air pollution damages health, quality of life and shortens life expectancy
- Health impacts from particulates in 2005 cost £9.1-£21 billion (though this cannot be tackled by local authority action alone)
- The issue is geographically spread though concentrated in urban and industrial areas and around roads
- Local action contributes to national outcomes, air pollution ignores local boundaries
- An important issue for citizens and for local authorities
- Hugely politically important

**Alcohol licensing** prevents high risks that are distributed throughout society. Anti-social behaviour and violence are seen throughout the UK, affecting all parts of society (particularly the young and vulnerable).

- 1 in 5 violent incidents were found to occur in or around public houses
- Up to 22,000 premature deaths per year are related to alcohol consumption
- 17 million working days lost through alcohol related absence
- Circa £0.5 billion in NHS A&E attendance and ambulance costs (up to 35 per cent of total costs) are alcohol related
- 61 per cent of the population perceive alcohol-related violence as worsening
- A quarter of the population consider drunk or rowdy behaviour a very or fairly big problem in their local area

**The hygiene of food businesses** is a national enforcement priority because of the high impact in terms of numbers of deaths and ill health caused by unhygienic food businesses and the high costs to the economy.

- 329 deaths can be anticipated as arising from food business operations (almost 1 death per day)
- 535,500 cases of food borne diseases (1,467 per day)
- Over 12,000 hospitalisations (33 per day)
- Both businesses and citizens considered that this policy area was a priority to ensure food safety and local authorities themselves considered this to be a top priority
- £900 million total costs to the economy in 2005 (including costs to the health care system)

**Improving health in the workplace** is a national enforcement priority due to the high risks posed to individuals, their families, damage to business and the costs to the economy as a whole.

- 560,000 workers per year experience an illness or ill-health condition caused or made worse by their work in local authority enforced sectors (4 per cent of workers)
- 147,000 people per year start an episode of work-related illness or ill-health in local authority enforced sectors (410 people per day)
- £360-£610 million costs to employers of ill-health in 2001/02 in the LA enforced sectors
- Costs to the economy of several billion pounds each year

**Fair trading** is a national enforcement priority because of the huge economic damage caused by rogue trading and mis-selling and the impact on individuals, particularly the vulnerable and elderly.

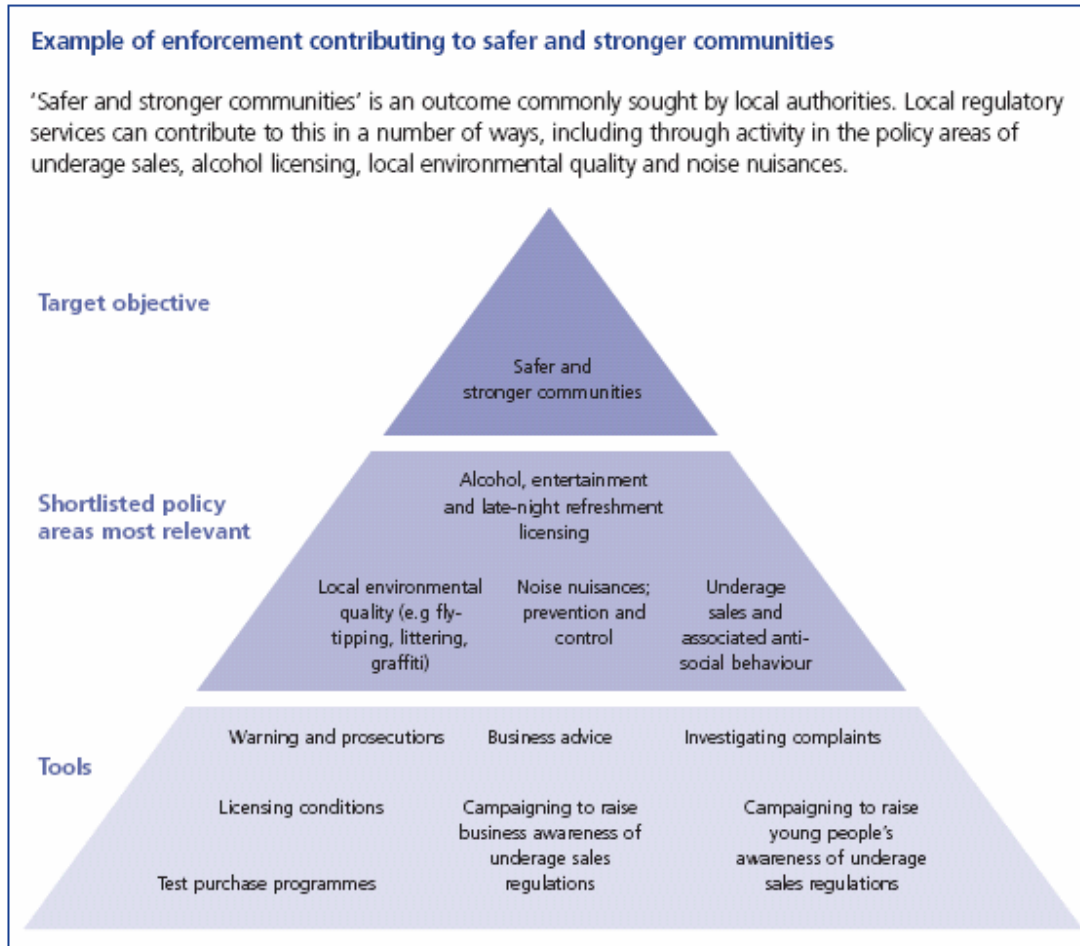
- Estimated £8 billion harm to consumers per year 5
- £3.2 billion lost to scams per year, 3.5 million victims per year
- £30 million lost to rogue doorstep sellers who target the elderly, and cause severe distress
- £1.3 billion costs due to theft of intellectual property per year 6
- Businesses saw this as a priority

### **An enforcement priority where roles and responsibilities are being reviewed**

**Protecting Animal and public health** is a national enforcement priority because of the potentially huge impact that outbreaks have on local and national economies and because the enforcement system has to be complete and co-ordinated to provide protection.

- Extent of harm is severe, not only in risk but in actual cases in the last decade
- £8 billion costs due to the Foot and Mouth outbreak
- Over 0.1 per cent of UK GDP total resource costs to the economy due to the BSE crisis
- Circa £1.5 billion total public expenditure costs in the first year for industry compensation payments
- £3.9 billion costs due to the disposal of 8.5 million cattle aged over 30 months
- £600 million costs per year due to the BSE crisis as a result of on ban of exports of cattle and beef
- for over 10 years
- Damage to local communities and social networks in affected communities
- Requires local authorities to carry out co-ordinated action to be effective
- Existing delivery is fragmented undermining the control system

## Local regulatory services contributing to outcomes



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## Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

25<sup>th</sup> July 2007

Report of the Director of Neighbourhood Services

### Response to petition from students at the University of York, presented at Council on 12<sup>th</sup> April 2007.

#### Summary

1. This report has been prepared in response to a petition presented to Council by Cllr Potter on behalf of 60 students at the University of York. The report gives details of waste and recycling development already undertaken at the University and explores options for future development.

#### Background

2. City of York Council has collected domestic and commercial waste from the University for many years. Until 2004, little emphasis was placed on recycling, with the majority of waste being taken to landfill. In 2004, following examples set by Leeds Metropolitan and Derby Universities, the University of York tendered for the provision of a managed waste service, with diversion from landfill as a key driver.
3. City of York Council, in partnership with Yorwaste, was successful in winning this service and the new contract started in September 2005. Key to success was the provision of 'pay by weight' for the waste taken to landfill and options to provide incentives for recycling.
4. Since the start of the contract, the University recycling rate has increased from 25% to 38%. This is in line with the growth in recycling rates across the rest of York, with the City of York achieving a current rate of 39.6%.
5. Whilst it has been relatively straightforward in dealing with the commercial waste produced by the University, and segregating elements of this for recycling, making provision for the recycling from student accommodation has proved more challenging. The University has storage capacity throughout the campus that has enabled us to provide large bins for the containment of recyclable materials as well as waste destined for landfill. Unfortunately, many of the student accommodation blocks do not have the same storage space and has restricted recycling activity in this area.
6. There are over 8,000 students studying at the University, with 4,500 living within the campus area. The Student Union has its own environmental

representatives who co-ordinate recycling activity across campus with the facilities management team. Recycling is widely promoted throughout the campus and City of York Council is involved in providing officer time and marketing materials to assist in this. The vast majority of students are engaged in recycling and this is usually centred on shared communal areas, such as kitchens. Due to the lack of storage space, and the distance accommodation blocks are from central bin stores, many students, whilst actively recycling, are not engaged in the movement of the material to a central collection point. This has been an issue between the Student Union and the campus management for some years, as the University's own staff do not have the available resource to assist. This has resulted in the Student Union 40 environmental reps undertaking this task on behalf of the other students.

7. At full council on 12<sup>th</sup> April 2007, Cllr Potter presented a petition on behalf of the students at the University. The petition read: '*We, the undersigned, call on the council to extend kerbside recycling facilities to the University of York and on the University administration to pass their land fill tax credits directly to student recycling reps to help carry out recycling schemes*'. The petition consisted of 60 signatures.
8. In many areas of the University, it is impossible to provide the same kerbside service as the council does to other residents. This is largely due to the restrictions on vehicle access.
9. The problems experienced by the University are not dissimilar to those we have with flats and terraced properties throughout York. During the tender process, we identified that the University was almost a microcosm of York, a city within a city, and that it would be useful to pilot ideas here and to share the learning throughout the remainder of the city. Therefore, the barriers to recycling at the University cannot be overlooked, as success here can make the implementation of the Household Waste Recycling Act<sup>1</sup> much easier.

## **Consultation**

10. As part of the ongoing waste management contract, officers from City of York Council and Yorwaste meet monthly with facilities managers and student reps from the University to discuss 'on the ground' management of operations. In addition to these monthly meetings, more formal quarterly meetings are held which focus on KPIs and data supplied on waste and recycling. There is a formal annual review of the contract in March each year. At this meeting variations to the contract are agreed as well as price increases and variances.
11. Several site meetings have also taken place to address the issue of domestic recycling from student accommodation. The latest site visit was undertaken on 6<sup>th</sup> June 2007 and representatives from City of York Council, Yorwaste, the University facilities managers and student reps were in attendance.

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<sup>1</sup> This Act places a duty on Local Authorities to collect at least two recyclable materials from every household, where possible, by 2010.

## Options

12. Part of the petition presented to Council, calls for the University administration to pass their recycling discounts to Student Union reps that assist in recycling. This is a matter between the University and the students and is not explored further in this report.
13. There are two other options to improve the domestic recycling options at the University:
  - Option 1        The current kerbside scheme operated by the council to its residents could be expanded to encompass areas of the University campus containing domestic accommodation.
  - Option 2        A system of bespoke arrangements for each domestic area is assessed and implemented.

## Analysis

### 14. Option 1

This would be difficult to implement given the current geographic layout of the campus. Many of the student accommodation areas are situated in areas away from the main vehicle routes and are served by footpath access only. There are several communal bin stores within easy access of the road, and which our vehicles currently service, though moving the recyclates from the flats and kitchens to these stores is an issue for many students. Some areas of the campus are serviced by The Friends of St Nicholas Fields who operate some domestic recycling on our behalf. However, they are not able to cover any more of the campus than they currently do as they share the same access issues.

### Option 2

The University management and students favour this option and some initial site survey work has already been undertaken. The key factor is how the recyclates are moved from point of production to point of collection. Given the difficulties with vehicle access, our service can only collect from the communal bin areas. The students are only prepared to move the recyclate to a container within easy reach of their accommodation. To bridge the gap, smaller wheeled bins would be introduced outside each accommodation block and would be moved to the central collection point by University staff on collection days. Not all bins would be moved together as different materials are collected each day and so the burden on University staff is minimised.

Options for the storage of materials within the accommodation block have also to be considered. For flats and kitchens on the ground floor, the current boxes would be sufficient. However, flats and kitchens on first and second floor areas find these difficult to move as they can be heavy and many of the blocks are not served by lifts. The University have been provided with a recycling bag for each flat that is similar in design to the ones used by York residents for the

collection of plastic bottles. We have suggested that students use these bags to store and move materials to the containers outside each block. This was met with approval by the student reps though they would need to discuss it with the wider student population.

### **Corporate Priorities**

15. Diverting waste away from landfill is a corporate priority and is being championed through the Neighbourhood Services Directorate. This Directorate is also responsible for managing the contract with the University. Ensuring that we maximise opportunities at the University will increase their recycling rate and that of York as an authority. It will also be a useful learning exercise when looking at similar issues away from the campus.

### **Implications**

16.
  - **Financial** There are no financial implications at present. If any costs to the council are identified following s with the University on the above options, a separate report will be prepared for the Executive to consider.
  - **Human Resources (HR)** There are no HR implications.
  - **Equalities** There are no Equalities issues
  - **Legal** There are no legal implications.
  - **Crime and Disorder** There are no implications for Crime and Disorder.
  - **Information Technology (IT)** There are no implications for IT
  - **Property** There are no property implications.
  - **Other** None

### **Risk Management**

17. There are no known risks.

### **Recommendations**

18. That the Advisory Panel advise the Executive Member to approve option 2 and that officers continue to work with University staff and students to maximise recycling opportunities.

#### **Reason:**

Continuing to work closely with the University will reap rewards for the University and other York residents.



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**Chief Officer Responsible for the report:**  
**Terry Collins**  
**Director – Neighbourhood Services**

**Report Approved**

**Date** 28/6/07

**Specialist Implications Officer(s)** None.

**Wards Affected:** Heslington, Heworth

**All**  *tick*

**For further information please contact the author of the report**

**Background Papers:** None

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