



**Notice of public meeting of
Community Safety Overview & Scrutiny Committee**

- To:** Councillors Douglas (Chair), Orrell (Vice-Chair), Boyce, Fraser, Hodgson, Waller and Warters
- Date:** Wednesday, 7 January 2015
- Time:** 5.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

1. Declarations of Interest

At this point, Members are asked to declare:

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

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

2. Minutes

(Pages 1 - 6)

To approve and sign the minutes of the meeting of the Community Safety Overview and Scrutiny Committee meeting of 5 November 2014.

3. Public Participation

At this point in the meeting members of the public who have registered their wish to under the Council's Public Participation Scheme may do so. The deadline for registering is **5.00pm on Tuesday 6 January 2015**.

Members of the public may register to speak on:

- An item on the agenda
- An issue within the remit of the Committee

Filming, Recording or Webcasting Meetings

Please note this meeting will 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>.

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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. Update on New North Yorkshire Policing Model

Superintendent Cain will be in attendance to provide an update on the new North Yorkshire policing model.

5. Safer York Partnership Performance Report (Pages 7 - 16)

This report from Safer York Partnership provides an update on performance for the first six months of 2014/15.

6. Quarter 2 Finance and Performance (Pages 17 - 38) Monitor for Environmental Services, Public Protection and Housing

This report provides details of the 2014/15 forecast outturn position for both finance and performance for Environmental Services, Public Protection and Housing.

**7. Draft Final Report - A Boards Scrutiny (Pages 39 - 88)
Review**

This report presents the findings from the A-Boards Task Group review together with draft recommendations for the Committee's endorsement.

8. Update on Implementation of Outstanding Recommendations from previously completed Taxi Licensing Scrutiny Review (Pages 89 - 96)

This report provides Members with a further update on the implementation of the recommendations arising from the previously completed Taxi Licensing scrutiny review and asks Members to sign off any of the remaining recommendations which are now fully implemented.

9. Workplan 2014-15 (Pages 97 - 98)

Members are asked to give consideration to the committee's work plan for 2014/15.

10. Urgent Business

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

Democracy Officer:

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For more information about any of the following please contact the Democratic Services Officer 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 (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 (01904) 551550

City of York Council

Committee Minutes

Meeting	Community Safety Overview & Scrutiny Committee
Date	5 November 2014
Present	Councillors Douglas (Chair), Orrell (Vice-Chair), Fraser, Hodgson, Waller, Warters and Burton (Substitute for Councillor Boyce)
Apologies	Councillor Boyce
In attendance	Councillor Simpson-Laing

23. Declarations of Interest

Members were asked to declare any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests that they might have in the business on the agenda. None were declared.

24. Minutes

Resolved: That the minutes of the meeting held on 3 September 2014 be approved and signed as a correct record.

25. Public Participation

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

26. Changes in the Probation Service

A presentation was given by the Director for North Yorkshire Local Delivery Unit, on changes in the Probation Service. *[A copy of the presentation is attached to the online agenda papers for this meeting].* Details were given of the context within which the changes were being implemented and of the new providers who would deliver services from early 2015. Members also

noted the systems that would be in place to monitor the contracts.

Resolved: That the update be noted.

Reason: To ensure that Members are kept informed of the work of the Probation Service.

27. Report of Cabinet Member for Homes and Safer Communities

Members considered a report from the Cabinet Member for Homes and Safer Communities. The Cabinet Member highlighted the following issues:

- River safety – details were given of the River Safety Campaign and of the work that was taking place to provide rescue equipment and make physical improvements to improve safety.
- Domestic violence – although York would sign up to the North Yorkshire Domestic Violence Strategy, the city would also have its own strategy in place. Members were pleased to note the support given by the Police and Crime Commissioner in respect of the North Yorkshire and City of York Sexual Assault Referral Centre (SARC).
- Hate Crime – The Cabinet Member expressed her concern with regard to the language and terminology used about some members of the community. Further discussions would take place regarding this matter.

Members questioned the Cabinet Member regarding matters within her portfolio, including the arrangements that the Environmental Protection Unit (EPU) had in place to monitor noise levels from concerts at the Race Course.

The Cabinet Member was asked about the effectiveness of Cold Calling Zones. She stated that the arrangements appeared to be working well in her ward and that she would seek to provide information on the city wide position in her next report.

Resolved: That the report be noted.

Reason: To ensure Members are informed of the priorities and challenges of the Cabinet Member.

28. Update on Implementation of Recommendations from Previously Completed Community Resilience Scrutiny Review

Members considered a report which provided a further update on the implementation of the recommendations arising from the previously completed Community Resilience scrutiny review. Members were asked to sign off any recommendations considered to be fully implemented.

Officers gave details of the work that had taken place, as outlined in the report.

Members questioned why the Community Resilience Plans that were in place were in the more rural areas and that there were none for the city centre. Officers explained that the plans were community led and that generally communities who were at risk of being isolated in the event of an emergency were more willing to engage in the process of putting a plan in place. The Community Resilience Plans were intended to augment the statutory city-wide plans that were in place.

Officers stated that it was intended to make further contact with all parishes, residents' associations and wards to offer further assistance with putting Community Resilience Plans in place. Members agreed that it would be useful to await the outcome of this further engagement before signing off the recommendations.

Resolved: That the recommendations not be signed off at this stage and that a further update be provided in the future.

Reason: To enable the implementation of the recommendations to be reconsidered after the further planned engagement with communities has taken place.

29. Horse Bailiff Scheme - Review of first six months of the scheme

Members considered a report that reviewed the impact of the Council's new process for tackling horses that were fly grazing on council land through the work of the horse bailiff.

Officers gave details of the arrangements that were in place. Members' attention was drawn to Table 1 in the report. Officers stated that figures were now available in respect of the numbers of horses found in the hot spots in August and September. There had been four horses found at hot spots in August and three horses found at hot spots in September. It was noted that the September figures included the addition of an additional hot spot on the Osbaldwick Link Road.

Officers stated that the figures demonstrated that the measures that had been put in place had been effective but that work was ongoing with the RSPCA regarding animal welfare and training for owners.

Officers were asked about the arrangements that were in place to ensure that the owners of horses on council sites had not been banned from owning horses by the Courts. Officers stated that although it was sometimes difficult to confirm ownership of a horse, in cases where ownership was in breach of a court order or a tenancy agreement, appropriate action would be taken.

Resolved: That the work of the horse bailiff be noted.

Reason: To ensure the committee is kept updated on the arrangements in place.

30. Workplan 2014-15 and verbal update on ongoing Scrutiny Reviews

(i) A verbal update was given on ongoing scrutiny reviews:

A-Boards Scrutiny Review

The draft final report of the A-Boards Scrutiny Review would be presented to the Committee at their meeting on 7 January 2015. The Chair and Scrutiny Officer had met with the Assistant Director for Transport, Highways and Waste to discuss the way forward following the delays that had occurred. A report would be provided that included details of the issues concerned and examples of best practice. Information that the Task Group had gathered would be fed into the report. Members reiterated their

concerns at the delays that had occurred in progressing the review.

Discretionary Charges in Waste Management Review

Members noted that the first meeting of the Discretionary Charges in Waste Management Task Group had been scheduled to take place on 28 October 2014. However the meeting had been postponed following a change to the membership of the committee. Members were asked to consider appointing another Member to the Task Group.

Members stated that the review had originally been intended to identify any savings that could be fed into the budget planning process. However, as the review would not be completed within the required timescale for its recommendations to feed into the budget planning process, it would not be worthwhile to proceed with the scrutiny review in the current municipal year.

Members commented on the arrangements for green waste collections and suggested that the timetable that had been circulated to residents did not accurately reflect the collection dates that had been agreed. The Chair agreed to raise this anomaly on behalf of the committee.

- (ii) Consideration was given to the committee's work plan. Members were invited to put forward suggestions for inclusion on the plan.

Clarification was sought as to why the finance and performance monitoring report had not been included on the agenda although this had been requested at the previous meeting. Officers stated that, because of the decision to postpone the Cabinet meeting, the second quarter monitor reports were not yet available to scrutiny committees but would be presented at the meeting in January 2015.

Resolved: (i) That the update on the ongoing scrutiny reviews be noted.

- (ii) That the scrutiny review of Discretionary

Charges in Waste Management not proceed in this municipal year.

- (iii) That, subject to the inclusion of the following items the work plan be approved:
- Update on North Yorkshire Police changes in operational activity in respect of York
 - Feedback from representatives on the Police and Crime Panel
 - Update on fly posting, advertising vans and hoardings
 - Anti-Social Behaviour Team update on new legislation including the introduction of “Community Trigger”

- Reasons:
- (i) To monitor the progress of the work of the task groups.
- (ii) Because of the timescales involved, it would not be possible for recommendations arising from the review to inform this year’s budget planning process.
- (iii) To ensure that the committee has a planned programme of work in place.

Councillor Douglas, Chair

[The meeting started at 5.30 pm and finished at 6.45 pm].

Community Safety Overview and Scrutiny Performance Report December 2014

1. Introduction and Overview

- 1.1. This report covers information and activity for the first six months of 2014/15.
- 1.2. Data for this time period suggests that total crime in York is predicted to be nearly 2% lower than 2013/14, continuing the trend over the previous 3 years.
- 1.3. Overall, York is currently in 10th place within its Iquanta crime family of 15 local authorities. Members of York's IQUANTA family are:

Cheshire - Cheshire East	Hertfordshire - Welwyn & Hatfield
Cheshire - Cheshire West	Kent - Canterbury
Devon & Cornwall - Exeter	Kent - Maidstone
Essex - Brentwood	Kent - Tunbridge Wells
Essex - Colchester	Lancashire - Fylde
Greater Manchester - Trafford	Metropolitan Police - Hillingdon
Hertfordshire - Hertsmere	Wiltshire - Swindon

2. Violent Crime

York - All Violent Crime

Totals

Target 2014-15

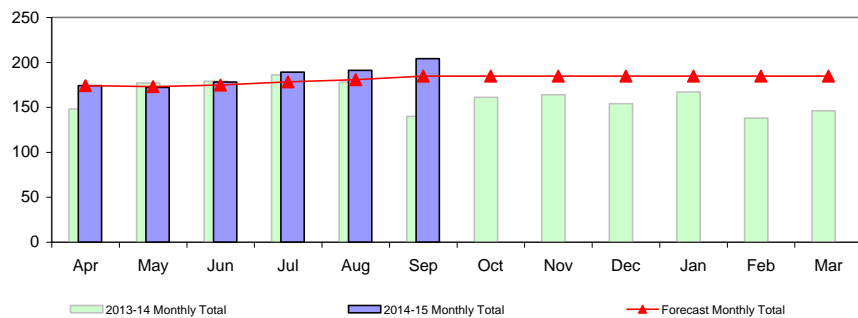
TBC

Forecast

2216

Cumulative

1108



Target Monthly Total

TBC

Previous Years

2007-08	3365
2008-09	3085
2009-10	2712
2010-11	2831
2011-12	2443
2012-13	2254
2013-14	1938

The Graph shows:

- 1) No Target level as these are yet to be set
- 2) Forecasted annual total based upon a moving average of months
(There has been no allowance for known seasonal patterns)

Month	2014-15	2013-14	2012-13	2011-12	2010-11	2009-10
Apr	174	148	190	227	229	219
May	172	177	170	214	239	253
Jun	178	179	171	218	263	247
Jul	189	186	192	234	252	260
Aug	191	178	197	206	271	261
Sep	204	140	191	173	217	230
Oct		161	208	207	259	226
Nov		164	176	189	206	217
Dec		154	206	221	230	233
Jan		167	207	178	217	217
Feb		138	144	169	223	172
Mar		146	202	207	225	177

- - Action Needed (>120%)
- - Caution (100% - 120%)
- - No Action (<100%)



- 2.1. The level of overall violence in the first two quarters of 2014/15 totalled 1,108 incidents and is predicted to be 270 higher at year end than 2013/14.
- 2.2. The number of violent incidents within the night-time economy looks to be slowly reducing based on the first six months of the year, but the number of ASB calls for service is rising with 528 occurring within the cumulative impact zone in the 2nd quarter of 2014/15. These 528 incidents cover both the day and night-time periods.
- 2.3. During the first half of 2014/15, there were 1037 alcohol related ASB incidents and 706 incidents of criminal damage across the entire city. These indicators are both predicted to be lower than the previous year.
- 2.4. York is currently in 6th place within its IQUANTA family for overall violence.
- 2.5. **Operation Erase:** British Transport Police (BTP) are making early intervention arrests in the station rather than allowing people onto the trains. The train operating companies have contributed by deploying guards to assist.
- 2.6. **Emergency Care Practitioner Cars:** CCG have allocated four cars to cover the Vale of York and the York area which will replace the Static Ambulance Unit. The Static Ambulance Unit, however, will continue to be deployed at key times of the year such as the races, Christmas and New Year.
- 2.7. **Alcohol Diversion Programme:** There have been 49 referrals to the programme to date.
 - 25 individuals have attended the group programme;
 - 14 individuals were referred for 1:1 support as they have acknowledged alcohol dependency, of which 13 attended;
 - 2 individuals have been referred to the Young Persons' Team.
- 2.8. A new chairperson for Pub Watch has been appointed and will attend AVANTE and River Safety meetings.

- 2.9. **River Safety Working Group:** Surveys of existing rescue equipment and safety provision are currently underway and replacement equipment is in the process of being ordered.
- 2.10. New road markings are now in place to ensure Emergency Services have ease of access to the slipway.
- 2.11. Vulnerability training for door staff is being rolled out by North Yorkshire Police (NYP). This is now a Security Industry Authority (SIA) accreditation requirement.
- 2.12. Adoption of the Water Incident Database (WAID) which draws together multi-agency data, will ensure a much more comprehensive picture of all river incidents (fatal and non fatal) and will assist in planning future work to ensure river safety.
- 2.13. Work is underway to improve water and river safety awareness in schools and is being coordinated by ACE.
- 2.14. The main priority areas for work in the action plan are as follows:
- Development of a multi-agency River Safety Strategy (Board level).
 - Develop and deliver a multi-agency operational plan.
 - Improve provision of rescue equipment
 - Improve public realm design
 - Improve river safety education and awareness. Improve leadership and coordination.
- 2.15. **Pixellated CCTV Footage:** The Community Safety Manager (Crime and NTE) worked alongside the Transport Systems Team in the CCTV Control Room to put together a 5 minute montage of pixellated CCTV footage of drunken disorder in York. This footage is being used as part of the Alcohol Diversion Programme.

York - Domestic Violence Incidents

Totals

Target 2014-15

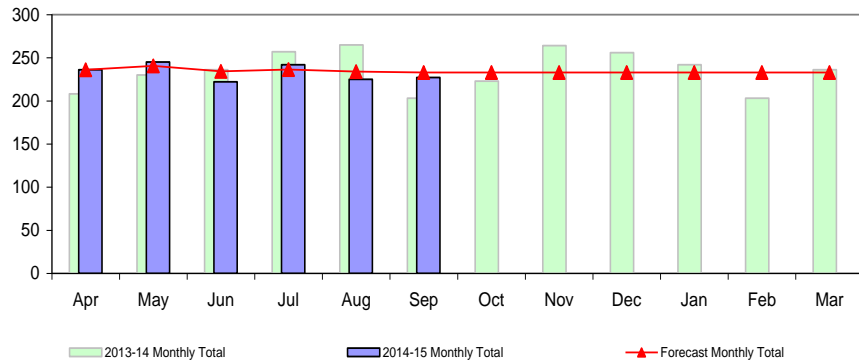
TBC

Forecast

2794

Cumulative

1397



Target Monthly Total

TBC

Previous Years

2007-08	NA
2008-09	NA
2009-10	2840
2010-11	2982
2011-12	2739
2012-13	2819
2013-14	2823

The Graph shows:

- 1) No Target level as these are yet to be set
- 2) Forecasted annual total based upon a moving average of months
(There has been no allowance for known seasonal patterns)

Month	2014-15	2013-14	2012-13	2011-12	2010-11	2009-10
Apr	236	208	246	245	253	NA
May	245	230	230	233	265	NA
Jun	222	236	228	247	310	NA
Jul	242	257	250	264	281	NA
Aug	225	265	271	236	263	NA
Sep	227	203	223	232	218	NA
Oct		223	266	204	243	NA
Nov		264	215	205	193	NA
Dec		256	238	228	247	NA
Jan		242	241	212	256	NA
Feb		203	205	210	219	NA
Mar		236	206	223	234	NA

- Action Needed (>120%)
- Caution (100% - 120%)
- No Action (<100%)



2.16. **Domestic Violence:** The level of Domestic Violence Incidents was 1397 for the first half of 2014/15.

2.17. There has not been a domestic violence murder recorded in York since 2008-09.

Key Statistics

Key Statistics	2014/15 Financial Year												Running Total	
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar		
Total Domestic Incidents	236	245	222	242	225	227	221							1618
Change on Previous Month														
Repeat Incidents	89	91	83	95	84	81	98							621
% Repeats	38%	37%	37%	39%	37%	36%	44%							38%
Incidents involving Arrest	44	53	52	61	59	40	37							346
% Involving Arrest	19%	22%	23%	25%	26%	18%	17%							21%
Incidents Crimed	64	64	70	77	75	70	58							478
% Crimed	27%	26%	32%	32%	33%	31%	26%							30%
Incidents with Children Present	57	62	54	59	55	47	49							383
% with Children Present	24%	25%	24%	24%	24%	21%	22%							24%

- 2.18. **Perpetrator Programme:** The programme will begin in February 2015 and be a 14-16 week pilot. Referrals will be primarily from Children's Social Care (Child in Need), Family Focus Teams and families who are subject to safeguarding plans.
- 2.19. Independent Domestic Abuse Services (IDAS) and an ex-probation worker will facilitate the programme which will have 3 modules focussing on relationships, parenting and co-parenting and conflict management.
- 2.20. The perpetrator will engage with Making Safe, and this will be built into the agreement, and signed by the perpetrator. All victims will have a safety plan at the beginning and the end of the programme and access to support will be available. A report will be prepared assessing the risk the perpetrator poses at the end of the programme.
- 2.21. **Summer Safety Campaign:** The campaign ran between 19 July and mid September and was centred around the 'Plan Safe, Drink Safe, Home Safe' campaign developed by the University of St John Student Union. There has been good collaborative working in York, particularly the positive relationship Safer York Partnership has with the student population.
- 2.22. **Christmas Message:** The artwork and a press release are being created. Posters will be delivered to pubs, wine bars and clubs across the city with the help of the City Centre Policing Team. Posters will also be delivered to public buildings, GP surgeries, Health Centres and York District Hospital. The message will also be displayed on the sides of buses.
- 2.23. The police will be running Operation Taiwan for the fourth year, where police and their families donate gifts specifically for refugee families.
- 2.24. **Schools:** Clifton Cluster Input on child sexual exploitation, domestic abuse, sexual health and substance misuse are promoting healthy relationships in collaboration with North Yorkshire Safeguarding Children Board (NYSCB) and Education. A similar promotion is being planned for Acomb

Cluster Group for January 2015. This forms part of the York and North Yorkshire Domestic Abuse Strategy in preventative work in schools.

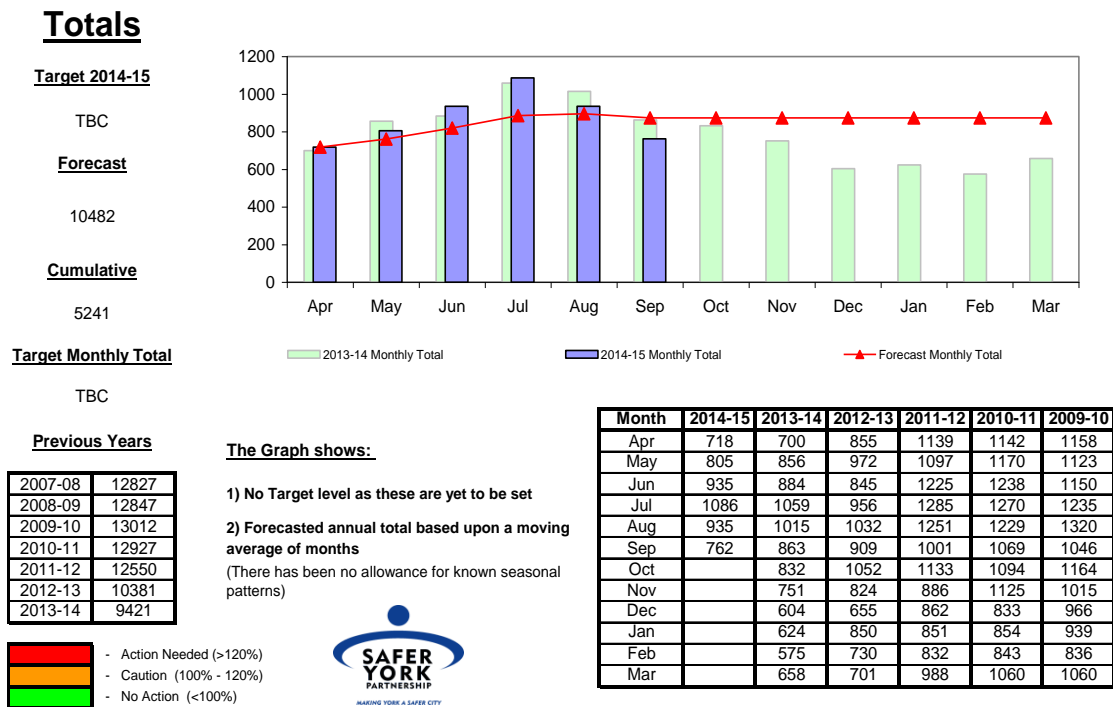
2.25. **University:** IDAS and the Sexual Assault Referral Centre (SARC) distributed safety messages to students. Leaflets contained information about staying safe in the city and campus, how to report incidents and where to go for help.

3. Anti-Social Behaviour

3.1. The level of criminal damage for the first two quarters of 2014-15 was just over 700 cases. At current levels this suggests that total crimes of criminal damage will remain on a downward trend of roughly 200 less incidents a year for the past 4 years.

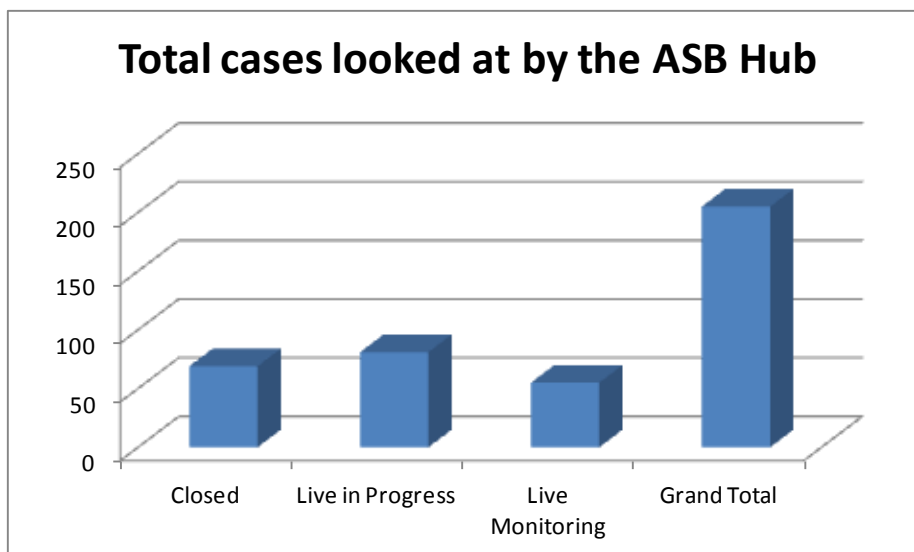
3.2. The level of NYP Recorded ASB Calls for Service in the first 2 quarters of 2014-15 was 5330.

York - NYP Recorded ASB Calls for Service



3.3. **Street Urination Prosecutions:** There have been 49 prosecutions since the initiative was introduced in 2013.

- 3.4. **Electronic Screen:** The screen will be deployed to promote community safety/alcohol awareness messages each Friday and Saturday night over the Christmas and New Year period at various locations around the city including the railway station.
- 3.5. **University of York Students' Union Nightsafe Scheme:** Developed by York University Students Union (YUSU), following a high number of student admissions to the hospital Emergency Department (ED) last year. Volunteers wear a high visibility visibility jacket and carry a rucksack equipped with foil blankets, water, sick bags and a First Aid kit. All volunteers are trained in Active Listening, First Aid, Drug and Alcohol Awareness, use of bodyworn CCTV and radio usage.
- 3.6. YUSU have commissioned Streamline Taxis to provide a minibus to assist students to return home who are incapacitated due to alcohol but not serious enough to attend ED.



- 3.7. **Case Management System:** The ASB Hub have now purchased the E-Cins case management system, and have a series of meetings lined up to ensure the smooth transition to the new system
- 3.8. **Begging Strategy:** The Hub Police Officers are working with Partners to implement a new Begging strategy based on Westminster Council's successful policy. The policy will ensure that all people who are encountered begging will be

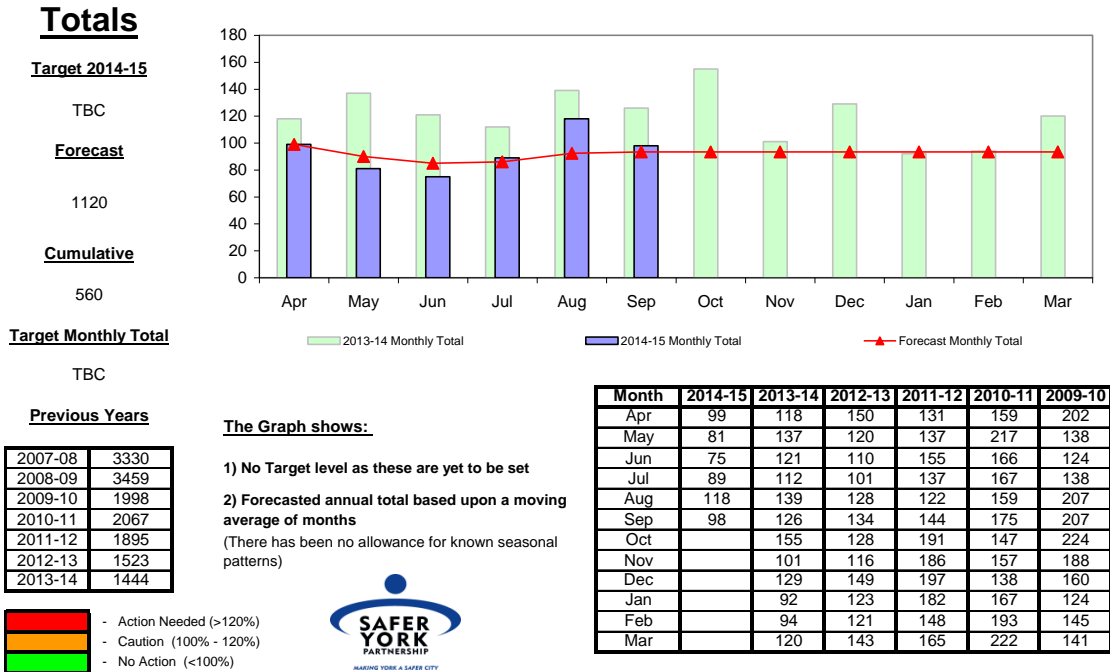
given several opportunities to receive advice and support prior to any potential enforcement action being considered.

4. Acquisitive Crime

4.1. The level of serious acquisitive crime in 2014-15 is predicted to continue to reduce, with continued low levels of domestic burglary and all types of car crime. The levels of non-domestic burglary have stayed static around the 50 crimes per month mark.

4.2. Domestic burglaries and theft from vehicles decreased significantly between quarter 1 and quarter 2 of this year. Burglaries were down 39% and car theft fell by 46%.

York - NI 16 - Serious Acquisitive Crime



4.3. Bicycle theft still remains high in York with 220 thefts during the first half of 2014/15 and York remains in 15th position of the benchmarked 15 local authorities in the same crime family. However, the year end figure is predicted to be 166 lower than 2013/14.

4.4. Handlebar strips promoting cycle registration and secure cycle storage have been produced for SNA's to use either on-street or with their local cycle retailers.

- 4.5. Due to the cessation of the Community Action and Support Against Crime (CASAC), the Safer Homes Handyperson service provided by the Home Improvement Agency will provide crime prevention equipment to all victims of burglary across York.
- 4.6. A Crime and Community Safety themed meeting of the Higher York Partnership was held in November to discuss ways of sharing best practice across Higher Educational establishments across York.
- 4.7. York Business Against Crime (YBAC) has received its accreditation to the national Association of Business Crime Partnerships (ABCP) following an assessment of all protocols and procedures. Sue Anderson-Brown has been appointed as the new Chairperson of YBAC.
- 4.8. A Business Crime Steering Group is planned for the end of January. This group will consist of representatives from the wider business community – retail, business and NTE. The group will meet on a quarterly basis.

5. Other Information

- 5.1. **Test Purchase:** Test Purchase operations will be carried out over the Christmas period relating to underage sales.
- 5.2. The level of reported hate crime or incidents in 2014-15 is predicted to be 158, which is over 50% more than last year's total of 98 incidents.

TYPE	2014-15												Total
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Age-related													0
Asylum seeker													0
Disability			1		2	4							7
Gender			1										1
Heterophobic													0
Homophobic		1	1										2
Irish travellers													0
Migrant worker													0
Racial	3	7	8	4	10	7							39
Refugee													0
Religious				1									1
Romany peoples													0
Sexual Orientation	2		1										3
Transgender				1									1
Vulnerable adult													0
TOTAL	5	8	12	6	12	11	0	0	0	0	0	0	54

- 5.3. There were 798 cases of shoplifting in the first 2 quarters of 2014/15 is and it is anticipated that it is likely to be slightly lower than the 1,575 cases in 2013/14.
- 5.4. There is no new data available for 2014 on Road traffic Collisions and Killed and seriously injured at this point.

Year	Killed	Seriously Injured	Killed or Seriously Injured	Slightly Injured	All Casulties
2010	4	58	62	497	559
2011	7	56	63	489	552
2012	4	47	51	473	524
2013	0	58	58	463	521

Report Written by:

Ian Cunningham, Senior Analyst,
 Tanya Lyon, Crime Reduction Manager,
 Paul Morrison, Neighbourhood Safety Manager,
 Jo Beilby, Domestic Violence Co-ordinatorCo-Ordinator



Community Safety Overview and Scrutiny Committee

7th January 2015

Report of the Director for Communities and Neighbourhoods and the Director of City and Environmental Services

Quarter 2 Finance and Performance Monitor for Environmental Services, Public Protection and Housing

Summary

1. This report provides details of the 2014/15 forecast outturn position for both finance and performance for Environmental Services, Public Protection and Housing.

Financial Performance - Monitor 2

Finance – forecast outturn overview General Fund

2. The services that relate to Community and Safety Overview and Scrutiny committee cross two Directorates (City and Environmental Services and Communities and Neighbourhoods). Service Plan Variations which relate to services within this scrutiny are shown below:

	Net Budget £'000	Outturn £'000	Variance £'000
CES Directorate (Extract)			
Highways, Waste and Fleet	10,643	11,331	688
CANS Directorate (Extract)	10,643	11,331	688
Smarter York	2,491	2,491	0
Communities & Equalities	1,663	1,663	0
Parking Services	1,351	1,351	0
Public Protection	-489	-544	-55
Community Safety	413	413	0
Housing General	1,967	1,992	25
CANS Directorate (Extract)	7,396	7,366	-30

Note: '+' indicates an increase in expenditure or shortfall in income

‘-‘ indicates a reduction in expenditure or increase in income

3. Details of the main variations by service plan are detailed in the following paragraphs.

Highways, Waste and Fleet (£+688k)

4. A number of pressures exist across the Highways, Waste & Fleet service plan (£688k). There is pressure on the staffing and transport budgets of £290k within waste collection. There is a forecast overspend of £98k due to lower than budgeted income from commercial waste, £100k shortfall in income from garden waste subscriptions, £100k due to the forecast shortfall in dividend from Yorwaste and £233k pressure at Household Waste Recycling Centres primarily due to lower than expected income from charges. These overspends are reduced by a forecast saving of £115k on landfill costs based on current tonnage forecasts and £122k additional income from landfill gas at Harewood Whin.
5. The Travel Management Unit has now been agreed by CMT but there is a £112k saving still to be allocated to service areas for which a delivery plan needs to be agreed. This saving will not be achieved in 2014/15.
6. Compensatory savings are being sought across the directorate. The reported overspend at Monitor 2 across the CES directorate is £989k.

Communities and Neighbourhoods

7. There are forecast underspends across public protection mainly due to increased income from bereavement services and registrars. This is offset by various minor variations within housing.
8. Overall there is nil variance reported at Monitor 2 across the CANS directorate.

Finance – forecast outturn overview Housing Revenue Account (HRA)

9. The HRA is budgeted to make an in year surplus of £600k. A review of the budgets shows that, overall, the account is expected to outturn on budget. There is pressure within housing repairs (£400k) however this is offset by a range of savings including lower than forecast rent arrears and staffing vacancies. The working balance of £12.1m at 31st March 2014 will therefore increase to £12.7m by the end of the 2014/15 financial year in line with the HRA business plan.

Performance – Monitor 2

10. Annex 1 summarises key aspects of the council's performance for 2014/15 quarter 2. The performance considered by this committee is primarily under the following headings:
 - Build Strong Communities
 - Protect Vulnerable People
 - Protect the Environment
 - Get York Moving

Equalities

11. Members will recall at their meeting in September that they agreed that they would monitor progress on key equality performance indicators in relation to the Single Equality Scheme that come within the remit of this committee. The Equality Score Card is attached at Annex 2 which shows performance for those indicators where data is available. Excluded from these indicators and crime data in relation to Hate Crime, Domestic Violence and ASB as these are provided as part of the wider community safety report, another item on this agenda. Members should also note that indicators in relation to customer satisfaction are collected biannually and are therefore not included as updates on the latest figures were given at the September 2014 meeting.
12. The numbers on the council house waiting list have significantly reduced. This is because the allocations policy was changed following a review which included accommodating the outcomes from the Joseph Rowntree foundation funded research and the experience of running the scheme for a year. The changes excluded certain groups including home owners with sufficient equity to resolve their own housing need, applicants with income over £60k and those applicants that didn't have a local connection. In addition the annual review of all applications was undertaken. The combination of the review and the annual cleansing process meant the numbers on the waiting list have significantly reduced.
13. The percentage of care leavers in suitable accommodation has reduced from 100% to 92%. Whilst performance is high, this will be monitored closely.

14. At September 2014 the number of Landlords registered on the Landlord Accreditation scheme was 97, year end figures were 25.
15. Consideration is being given to using 2 units of accommodation at Howe Hill to meet the gap in providing accommodation for teenage mums/parents and their child or pregnant teenagers. Safeguarding issues are currently under consideration.

Consultation

16. This paper is an information report for Members and therefore no consultation has been undertaken regarding its contents.

Corporate Priorities

17. The information and issues included in this report demonstrate progress on achieving the priorities set out in the Council Plan.

Implications

18. The financial implications are dealt with in the body of the report.
19. There are no human resources, equalities, legal, crime & disorder, information technology, property or other implications associated with this report.

Conclusion

20. This report provides an update on quarter 2 performance.

Recommendations

21. The Scrutiny Committee is asked to note the financial and performance information provided in the report.

Reason: To update the scrutiny committee of the latest finance and performance position.

Annexes

Annex 1 – Monitor Extract

Annex 2 – Equality Score Card

Contact Details

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Director of Communities and
Neighbourhoods

Sarah Tanburn
Interim Director of City and Environmental
Services

Report
Approved



22nd December 2014

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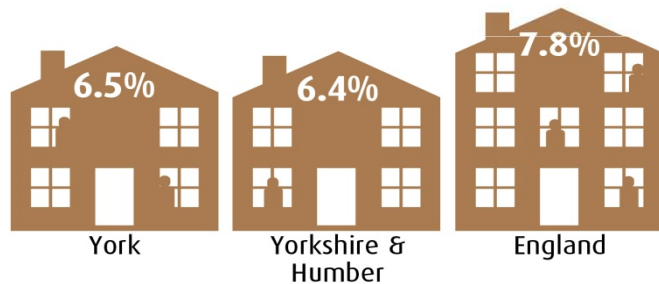
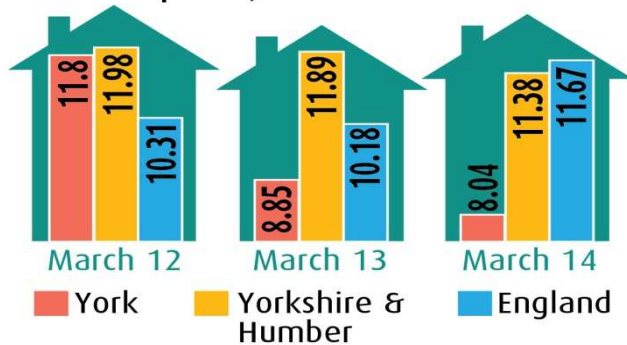
York Monitor (Extract)



Quarter 2 Update 2014 – 2015

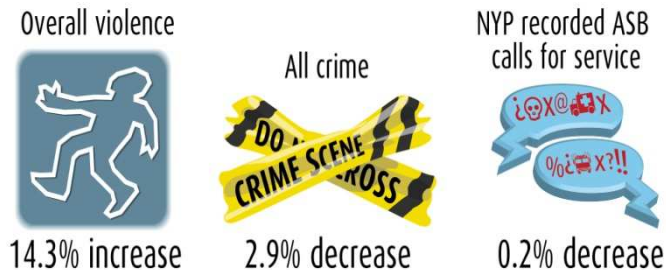
Build Strong Communities

Homelessness prevention and relief per 1,000 households



Projected Increase in the number of Households (2013 - 2021)

Crime incidents 2013/14 to 2014/15



Deliver a community stadium including a county standard athletics facility

Greenwich Leisure Ltd (the UK's largest leisure centre operator) is leading the consortium named as the preferred bidder to deliver the 8,000 all-seater York Community Stadium & Leisure Complex and run the council's existing leisure centres at Yearsley Pool and Energise.

Support community groups to take greater ownership of the management and operation of parks and green spaces

Between July and September, the Smarter York team worked on 29 community schemes including the community running of Rowntree Park summer fair, the construction of phase 2 of the Rawcliffe Country Park bike track and awarding the contract for the refurbishment of the Cornlands Play Area with Cornlands and Lowfields Residents Association.

Increasing Affordable Housing

Affordable Home construction has fallen from 151 in 2011/12 to 50 in 2013/14. Negotiations between the Council, York Housing Assoc., land owners and Homes & Community Agency has resulted in Jubilee Court, a £2 million, 18 home affordable housing development in Elvington.

Focus on Tackling Loneliness and Social Isolation

The Joseph Rowntree Foundation has undertaken research in York on how to reduce loneliness and social isolation. Research found that the main causes of loneliness were due to ageing, family issues, not knowing neighbours, a lack of community facilities and chances to get involved with the community.

A free resource pack providing ideas on how to tackle loneliness is now available at the link below:

<http://www.jrf.org.uk/publications/loneliness-resource-packrk.gov.uk>

York's Lidgett Grove Methodist Church established a successful Community Café offering company and activities. The Café was initially started as a pilot project but following it's support and usage work is now underway to develop the facility into a Community Hub.

Consult on the draft local plan that sets out how York's housing needs will be met up to 2030

In line with the government's 2012 National Planning Policy Framework, a draft Local Plan was agreed by Cabinet on 25 September. Public Consultation is on hold while further work is carried out to comply with a motion submitted at Full Council in October. Currently, proposals include:

- 20 employment sites for future development, for example York Central
- Approximate £300m investment in transport infrastructure to deliver York's growth ambition

Council Homes and Housing Services

The Council's Housing and Building Services team have achieved the Government Standard for Customer Service Excellence following an independent review. The 2013/14 Tenant and Leaseholder Report showed 86.9% overall satisfaction rate with services. Council tenant arrears increased to 2.3% of annual due rents in Q2. However, as the past 3 years figures range from 1.3 – 1.6% this should improve over the remainder of the year.

Raise standards in the private rented sector

99 landlords have registered nearly 400 homes with the council's private landlord accreditation scheme 'YorProperty'. 49 landlord members have taken up the scheme's core management and property standards training and only one of seven property inspections has needed further action to meet the standards set.

Community Safety

A Summer Safety campaign was launched in July centred around the 'Plan Safe, Drink Safe, Home Safe' campaign developed by the University of York St. John Students' Union. Measures included bus, mobile screen and poster advertising campaigns and distribution of beer mats to riverside venues.

Violent crime in the Cumulative Impact Zone, an area covering a large part of the city centre, is forecast to reduce by 6.8%. However, Violent crime associated with alcohol outside the city centre continues to slowly rise.

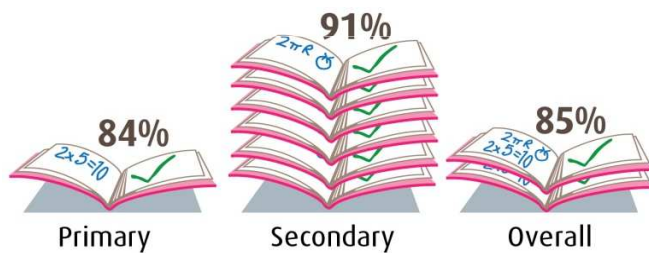
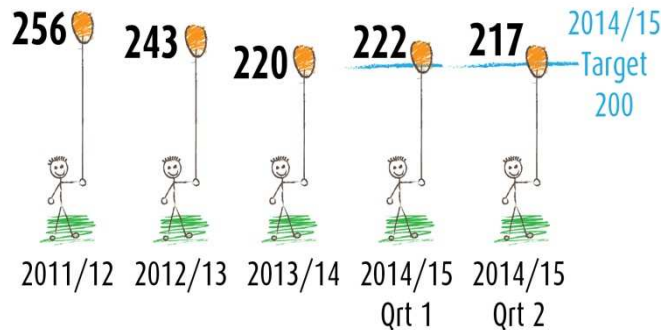
Reported Domestic Violence in York is currently on course to reduce by 1%. The Domestic Abuse Early Intervention Project has been receiving referrals from the Police since February. The Early Intervention Worker has been vetted and now has direct access to Police systems.

Looking Ahead... To build strong communities the Council will:

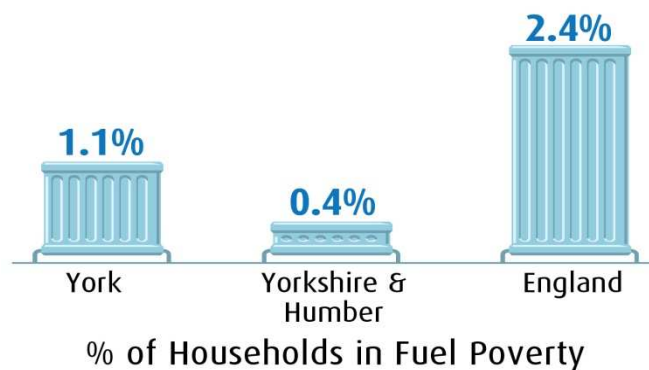
- Deliver a community stadium including a county standard athletics facility
- Support community groups to take greater ownership of the management and operation of parks and green spaces
- Through the 'Rewiring' programme the Council will develop community hubs where we can work in partnership with local communities at a neighbourhood level
- Raise standards in the private rented sector and continue to tackle homelessness through a sustained focus on early intervention and prevention
- Deliver the Community Learning Strategy and expand opportunities available to residents to promote health and wellbeing, including the development of a pilot programme focusing on living with dementia

Protect Vulnerable People

Numbers of Looked After Children (LAC)



School Ofsted Inspections:
% Outstanding or Good



Focus the School Improvement and Skills Service on improving the outcomes of the most vulnerable

Early A Level results for York school sixth forms show that 41% of students achieved three or more A* - B grades, maintaining high standards of previous years and significantly higher than the 2013 national figure of 28%. 96% of students achieved three or more A* - E grades, an increase of two percentage points from 2013, with provisional results indicating this is also likely to be above national levels.

Raising educational attainment

In York in 2013 there were 3,930 pupils eligible for free school meals, approximately 300 in each year group. There is a considerable attainment gap between pupils who are in receipt of free school meals and other pupils. To close the attainment gap the York 300 research project has been launched to identify these children and strategies that are working elsewhere in the country so they can be adapted for York. The Joseph Rowntree Foundation will undertake an evaluation of the project, and the project will be reviewed after twelve months to determine whether interventions have made a difference to the children's lives.

Safeguarding Adults

Consistent representation from thirteen partner organisations has been established at the quarterly Safeguarding Adults Board, inc. NHS, North YorksPolice, York Council, Health Watch York and the independent and voluntary sectors. A Board sub-group is undertaking a detailed work programme to ensure the Board is fully compliant with regulatory requirements for when it becomes a statutory body in April 2015.

Despite showing some improvement in the last quarter, delays in transfer from hospital attributed to adult social care continue to increase and were at 14.7 per 100,000 in Q1 2013/14, above regional and national averages of 2.5 and 3.1 per 100,000 respectively. Delivery of the Rewiring Adult Social Care programme will provide the long-term solutions needed in this area.

Care Act

The Council is underway with implementing developments against new regulations within the Care Act. The Act will become law and Phase One requirements will be implemented for 1st April 2015. Further information on the Care Act can be found at <http://www.gov.uk>

Focus on No Wrong Door Conference 2014

Child Sexual Exploitation will be one of the themes at this year's No Wrong Door Conference, held in York on 4th November.

The key speaker will be Nazir Afsal, Chief Crown Prosecutor for the North West of England and the national lead on violence against women and girls, child sexual abuse, honour based violence and forced marriage.

Other speakers include Donna Molloy, Head of Implementation at the Early Intervention Foundation, who will talk about the importance of Early Help, and Emma Smale, Head of Policy and Research, Action for Children, who will speak on Neglect. Additional key themes include 'the voice of the child' and 'emotional wellbeing'.

The conference is organised by York's Children's Trust Unit, which brings together partners working with young people across the city. It will look at how professionals can work together to ensure the best outcomes for children, share good practice in both early preventative services and building resilience for young people, as well as sharing the lessons and how to bring those lessons into everyday practice.

Improving outcomes for the Gypsy and Traveller Community

Literacy Classes for Gypsy and Traveller women are now in their third year. Attendance rates and achievements have been high and many of the original group have completed second and third year courses, gained accreditation and a number of women have gained employment. The group have published a book of their own stories and delivered workshop conferences to let others know how developing literacy skills has had a positive impact.

Troubled Families

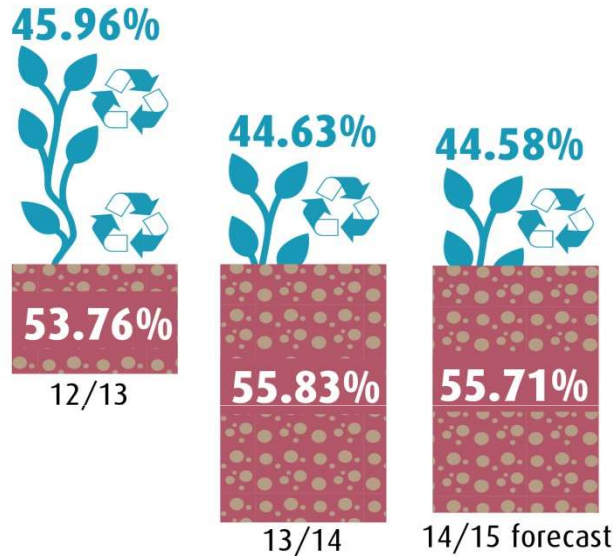
The Troubled Families Programme, known locally as the Family Focus Programme, is tasked with turning around the lives of 315 York families where children are not in school, adults are not in work and there is anti-social behaviour and/or youth crime. The programme had turned around 235 (75%) of the families by the end July 2014. Next year, Phase 2 of the programme will see an extension to include more families, expanding the focus to include families where children need help, are at risk of social exclusion, young people are not in education, training or employment, there is domestic violence and where there are a range of health problems.

Looking Ahead... To protect vulnerable people the Council will:

- Continue to reduce the number of looked after children
- Launch the Learning & Development framework for social care practitioners to strengthen services for children requiring support and protection.
- Focus the School Improvement and Skills Service on improving the outcomes of the most vulnerable.
- Continue to mitigate the impact on vulnerable people of welfare reforms and lead on Financial Inclusion and support the work of the Financial Inclusion Steering Group.
- Tackle homelessness through a sustained focus on early intervention and prevention.
- Improve quality of life outcomes for Gypsies and Travellers by increasing engagement, improving facilities and expanding site provision
- Deliver the Better Care Agenda through partnership working between Adult Social Care and Housing and achieve financial efficiencies by implementing the outcomes of the Sheltered Housing with Extra Care review.

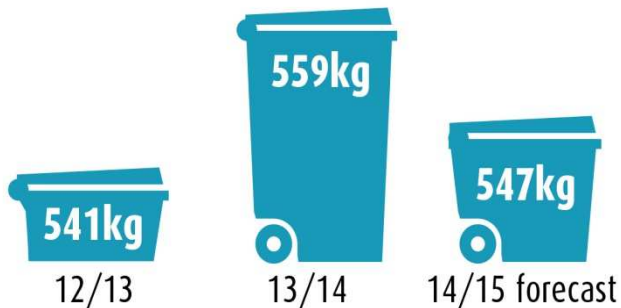
Protect the Environment

Household waste recycled/composted



Municipal waste landfilled

Residual household waste



Gain approval for a new Waste Strategy to obtain greater efficiency and cost savings
 Municipal waste sent to landfill and household recycling are both forecast to be stable in 2014/15 and stay in line with levels seen last year. Household waste recycled or composted, at 44.6%, is above the national average of 43.5% (2013/14). However, total municipal waste sent to landfill is higher than the national average. The cost of landfill tax for commercial and household waste is forecast to increase to just under £4.2 million (from £3.8 million in 2013/14).

Plans to go ahead with a multi-million pound waste disposal facility to deal with household waste for York and North Yorkshire were approved at two separate meetings of North Yorkshire County Council's Executive and City of York Council's Cabinet in September. The proposed facility, at Allerton Park, will dispose of non-recycled household and a small amount of commercial and industrial waste. It will do this either mechanically, biologically or in an Energy for Waste plant to reduce the region's carbon footprint, avoid increasing landfill penalties and produce enough electricity to power a town the size of Harrogate. A full meeting of the county council will confirm the decision on in November.

Focus on Electric Vehicle Charging Network

The Office for Low Emission Vehicles strategy 'Driving the Future Today' states that by 2040 almost every new car and van in the UK fleet will be an ultra low emission vehicle.

York is making progress towards a strategic Electric Vehicle charging network and ten fast charge 'pay as you go' public charging points are now available in public car parks and at Park & Ride sites, with an additional 12 privately owned sites at hotels, supermarkets and other developments around the city. The locations of all charging points are on the i-Travel website and the map is currently being updated with new locations, as funding has been secured to bring rapid more charging facilities to York during 2014.

<http://www.itravelyork.info/driving/electric-vehicles/electric-vehicle-recharging-network>

Meet York's health-based air quality objectives and promote the links between public health and air quality

Figures from 2012 show York's CO2 population per head increased to 5.6 tonnes per person from 5.3 tonnes in 2011.

The third Air Quality Plan is close to completion for distribution and consultation. Central to the proposed framework is the concept of a 'Clean Air Zone' where bus emissions will be regulated, based on the frequency of which they enter the inner ring road. The most frequent and polluting services will be required to meet higher emission standards than less frequent services.

If a Clean Air Zone is introduced, over 80% of bus movements in York will be made by ultra low emission buses by 2018.

Other proposed measures include reducing vehicle idling, developing a strategic electric vehicle (EV) recharging network, a compressed natural gas refuelling station, a freight improvement plan and further reductions in emissions from taxis and the Council vehicle fleet.

Implement and promote Green Deal, along with Leeds City Region partners

The Leeds City Region Green Deal, now under the West Yorkshire combined Authority, is making progress with a preferred bidder now in place. The reason for seeking supplier bids was to establish a long term Provider partnership that would generate green investment in the Leeds City Region, comprising energy saving technologies in residential properties (focussed on the private sector), jobs and skills, and reduction in fuel poverty and carbon emissions. The programme's scope is also wide enough for social housing and non domestic opportunities to also be explored.

The Leeds City Region programme will help ensure the Council can continue to increase the energy efficiency of private homes and support the new Green Deal Provider to deliver 2,475 green deal measures to around 1,980 properties in the City, although this less than originally anticipated due to recent Government funding changes. A final tender is required from the bidder and this will be subject to scrutiny through the combined authority.

Looking Ahead... To protect the environment the Council will:

- Gain approval for a new Waste Strategy to obtain greater efficiency and cost savings
- Develop and implement a communication programme to increase public understanding of the Waste Strategy to encourage more recycling and reduce landfill
- Meet York's health-based air quality objectives and promote the links between public health and air quality
- Implement and promote Green Deal, along with Leeds City Region partners, to reduce fuel poverty, improve home energy efficiency and reduce carbon emissions
- Increase use of recyclable materials and investment in resilient new materials to reduce future maintenance cost
- Invest in LED based street lighting

Get York Moving

Bus journeys

Passengers per head of population (2013)



York



Yorkshire & Humber



England



Average vehicle speeds - York

Complete the Access York Project

Two new Park and Ride sites (Askham Bar and Poppleton Bar) opened on 8 June 2014 with parking capacity increased by 30% to 5,500 spaces. Associated Highway improvement works at the A59/A1237 junction were completed in August 2014. All A roads into the city are now covered by a Park & Ride option for travellers. Additional funding for further expansion is being sourced via the West Yorkshire plus Transport Fund.

Deliver Better Bus Area Funded schemes such as Exhibition Square

City Centre bus interchange facilities have been upgraded through Better Bus Area Funding at Piccadilly, Stonebow and the Station. The upgrade of the facilities at Exhibition Square, which handles around 750,000 passenger journeys a year, commenced in September with completion expected in November. Further improvements in Rougier Street have been delayed by the slower than anticipated progress of the redevelopment of Roman House St but should be in place in 2015.

Complete 20mph speed limit programme for residential areas across the city

The South Bank pilot project has been completed and its success continues to be monitored. City wide roll out is now underway and the completion of the West of York means a third of the City is now covered.

City wide progress is slower than expected as the programme has been addressing local concerns, but schemes in North and East York are due to be completed in 2014/15.

Transport Network

The condition of the Road and Pathway network has been relatively stable over the past 3 years, 16% of roads and 4% of paths were rated as poor condition in 2013/14 a rise and fall of 1% point respectively from 2012/13. Principal roads are in better condition than smaller ones, although even unclassified routes where maintenance should be considered, at 10%, is better than national and regional averages of 17%.

Focus on Cycling

The 'Cycle Yorkshire – Ride the Routes' mobile phone app has been selected as a finalist in the 'Digital Community Pioneer of the year' category of the Digital Entrepreneur Awards 2014.

York's iTravel programme led the development of the app on behalf of the Road Safety Partnership across Yorkshire & Humber. The free app, which was launched in March this year has already been downloaded over 4,000 times and is backed by Welcome to Yorkshire.

The app includes information for riders who want to follow in the tracks of both Yorkshire stages of 'Le Tour'. It incorporates flyover scenic maps of the routes, as well as videos of York based semi-pro cyclist Jamie Sharp, tackling some of the most challenging sections.

The app can be downloaded for Apple and Android devices at the link below or by searching the Google or Apple stores for 'Cycle Yorkshire':

<http://bit.ly/cycleyorkshire>

Traffic

People issued Penalty Charge Notices (PCNs) in relation to the trial traffic regulation of Lendal Bridge can now apply for refunds online through the Council's website until the end of the year. The Council's website will be updated monthly with the number of PCNs repaid and the council will publish the total cost of the Lendal Bridge settlement process after Wednesday 31st December.

Improving Movement in the City Centre

Following the success of the experimental Foot streets hours identified through the Foot streets Review, the revised Foot streets hours have now become permanent (10:30 to 17:00). The possible expansion of foot streets to additional areas continues to be investigated.

Develop York's Cycling and Pedestrian Network

The critical element of the Haxby Road to Clifton Moor Cycle route, the bridge over the Scarborough railway line, will be constructed in autumn 2014 with the full route completed early in 2015.








Phase 1 of the Knapton to Rufforth Cycle Route will be completed in 2014/15 with Phase 2 and 3 (a link to Rufforth then Knapton) to be developed in future years.










Looking Ahead... To get York moving in 2014/15 the Council will:






- Complete the Access York Project which increases the capacity of the service by 30% (2 New Park & Ride sites and the upgrade of the A59/A1237 roundabout).
- Develop York's Cycling and Pedestrian Network, inc. the Haxby Road to Clifton Moor Cycle Route
- Complete 20mph speed limit programme for residential areas across the city
- Deliver Better Bus Area Funded schemes such as Exhibition Square, Capacity enhancements to Clarence Street/Lord Mayors Walk junction, Museum Street bus shelter, and new shelter in Rougier Street
- Work with the West Yorkshire plus Transport Fund to deliver infrastructure improvements in the city including the completion of the first stages of the Outer Ring Road upgrade study, commencement of detailed design of the A1237 roundabout improvements and review of the station frontage to reduce the conflict between users and improve the interface between modes







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Annex 2 - Community Safety Overview and Scrutiny Committee Equality Performance Indicators Quarter 2 Update.

Housing	2011/12	2012/13	2013/14	2014/15	Trend	Y&H	GB	Comparators
Members of Landlord Accreditation Scheme			25	97 (Sept)				
% of Care Leavers at 19 in suitable accommodation	100%	100%	100%	92% (Sept)		89%	88%	86.8%
Homelessness	2011/12	2012/13	2013/14	2014/15	Trend	Y&H	GB	Comparators
Number of homeless households in temporary accommodation	99 (Sept 11)	109 (Sept 12)	90 (Sept 13)	67 (Sept 14)				
Number of homeless households with dependent children in temporary accommodation SNAPSHOT	53	47	44	N/A				
Number of households for whom positive action has prevented homelessness	189 (April-Sept 11)	175 (April-Sept 12)	104 (April-Sept 13)	108 (April-Sept 14)				
Number of 16-17 year olds accepted as homeless	20	2	1	0				
Number formally presenting as homeless		104 (April-Sept 12)	99 (April-Sept 13)	81 (April-Sept 14)				

Number of Households accepted as homeless	87 (April-Sept)	69 (April-Sept)	54 (April-Sept)	43 (April-Sept)				
Homelessness	2011/12	2012/13	2013/14	2014/15	Trend	Y&H	GB	Comparators
Numbers of Households accepted as homeless where the main priority need category is:								
- Dependent children	39 Apr-Sept)	32 (April-Sept)	26 (April-Sept)	25 (April-Sept)				
- Pregnancy	10 (Apr-Sept)	11 (Apr-Sept)	7 (Apr-Sept)	1 (Apr-Sept)				
- Young Person (16-17 or care leaver 18-20)	14 (Apr-Sept)	1 (Apr-Sept)	1 (Apr-Sept)	2 (Apr-Sept)				
- Vulnerable due to Old Age	0(Apr-Sept)	5 (Apr-Sept)	0 (Apr-Sept)	0 (Apr-Sept)				
- Vulnerable due to Physical disability	14 (Apr-Sept)	13 (Apr-Sept)	8 (Apr-Sept)	6 (Apr-Sept)				
- Vulnerable due to Mental illness or disability	5 (Apr-Sept)	4 (Apr-Sept)	9 (Apr-Sept)	4(Apr-Sept)				
- Domestic violence	1 (Apr-Sept)	3 (Apr-Sept)	3 (Apr-Sept)	2 (Apr-Sept)				
Other	4 (Apr-Sept)	0 (Apr-Sept)	0 (Apr-Sept)	3 (Apr-Sept)				

Homelessness	2011/12	2012/13	2013/14	2014/15	Trend	Y&H	GB	Comparators
Ethnicity								
White		63 (Apr-Sept)	40 (Apr-Sept)	39 (Apr-Sept)				
African Caribbean		1 (Apr-Sept)	Change of Definition					
Indian Pakistani Bangladeshi		0 (Apr-Sept)						
Other Ethnic Origin		0 (Apr-Sept)						
Ethnic Origin Not Known		5 (Apr-Sept)	11 (Apr-Sept)	1 (Apr-Sept)				
Black	Change of Definition		2 (Apr-Sept)	1 (Apr-Sept)				
Asian			0 (Apr-Sept)	0 (Apr-Sept)				
Mixed Other			2 (Apr-Sept)	2 (Apr-Sept)				

Homelessness	2011/12	2012/13	2013/14	2014/15	Trend	Y&H	GB	Comparators
Numbers of Households accepted as homeless - age of applicant:								
16-24		19(Apr-Sept)	14 (Apr-Sept)	14(Apr-Sept)				
25-44		38(Apr-Sept)	23(Apr-Sept)	22 (Apr-Sept)				
45-59		12(Apr-Sept)	15 (Apr-Sept)	6 (Apr-Sept)				
60-64		0(Apr-Sept)	2 (Apr-Sept)	1 (Apr-Sept)				
65-74		0(Apr-Sept)	0 (Apr-Sept)	0(Apr-Sept)				
75+		0(Apr-Sept)	0 (Apr-Sept)	0 (Apr-Sept)				

Housing	2011/12	2012/13	2013/14	2014/15	Trend	Y&H	GB	Comparators
Number of council homes let by direct exchange	199	216	248	77 (Aug)				
Number of active applicants on North Yorkshire Home Choice who are registered with CYC (Waiting List)	3972	4692	2420	1207 (July)				
% of white British on waiting list	90.4%	89.7%	88.0%	87% (July)				
% of BAME on waiting list	8.6%	9.3%	11.0%	13% (July)				
Number BAME accessing council housing and %	33/628	36/562	28/614	10/237 (July)				
	5.3%	6.4%	4.60%	4.22% (July)				
% of people on waiting list with a disability	14.7%	17.6%	25.1%	28.4% (July)				
% of Young People on waiting list 16-24	20.9%	17.4%	16.3%	16% (July)				

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Community Safety Overview & Scrutiny Committee**7 January 2015**

Report of the Assistant Director Governance & ICT

Review of the Use of A-boards – Draft Final Report**Summary**

1. This report presents the findings from the Task Group review together with draft recommendations for the Committee's endorsement.

Background to Review

2. In March 2013, this Committee were asked to consider whether or not to carry out a scrutiny review on the use of A-boards, with the aim of identifying suitable requirements/ guidelines for that could be implemented across the whole city. It was suggested that as part of a review Members could consider:
 - Whether introducing an A-board licence was a suitable approach, recognising:
 - a. It may have income potential, and may encourage more responsible use, and help monitor the proliferation of A-boards.
 - b. It would require an appropriate level of enforcement which may have a significant impact on staff resources.
 - What appropriate Enforcement measures could be taken by the Council in relevant situations under the Highways Act 1980. It was recognised that to help address the staffing resource issue, Members could consider the approach taken by Brighton & Hove i.e. identifying additional staff resource in monitoring and enforcing the streetscape through improved cross directorate/team working, with officers undertaking multiple enforcement regimes, including the use of civil enforcement officers, city cleaning officers and PCSOs.

- What might be acceptable in respect of A-boards e.g. dimensions, colour, design, rules on illumination and safety considerations etc
3. CYC Highways agreed that a review based on the suggestions above could be beneficial, as in their view their current practise was time consuming, resulted in allegations of victimisation and did not effectively tackle the problems some people had freely and safely using the footway.
 4. The Committee noted the work being undertaken by officers in support of the then Cabinet Member for Transport & Planning's consideration of a zero tolerance zone for the city centre. This included looking at how those businesses that were benefitting from boards due to their location being off the beaten track, might be affected by the introduction of a zero tolerance zone (recognising it might affect their viability). The intention was to identify how best to overcome that problem whilst still ensuring the majority of boards were removed. It was also intended that an approved policy for the city centre would be implemented, however given the Scrutiny Review; it was not considered an appropriate use of resources to advance it until the proposed scrutiny review had been concluded.
 5. However, the Committee agreed they did not want to see one approach for the city centre and another for the rest of the city. Instead, some members of the Committee argued strongly for recommending a total ban on A-boards across the whole city.
 6. Other members of the Committee in recognising that it was necessary to clamp down on those that were dangerous, agreed that the council should acknowledge that the overwhelming majority of A-boards were safe and sensible, vital for local businesses and supportive of York's economy. They therefore did not agree with the suggested recommendation to Cabinet. Instead they argued for the introduction of some sensible guidelines and the provision of appropriate enforcement. The Committee therefore requested some initial information on the implications of both options and the effect they may have on the city and CYC resources.
 7. In April 2013, CYC's Traffic Network Manager provided the requested information (see Annex A) suggesting that whilst a total ban would benefit the appearance of the city and the safety of the partially-sighted, there would likely to be an adverse consequence to the small business community. There would also be resource implications around the ability of the Traffic Network Team to enforce a city wide ban.

8. At the same meeting, the Committee was made aware of a petition on A Boards submitted by Micklegate traders in March 2009 to a meeting of the then Executive Member for City Strategy and Advisory Panel (EMAP), which led to the Executive Member approving the development of intervention guidelines for an enforcement policy for the removal of A-boards and the like from the Public Highway.
9. Noting that the introduction of guidelines had previously been agreed but not acted on, and having agreed that some permanent action was required, the Committee agreed not to proceed with a report recommending that the Cabinet approve a total ban of A-boards. Instead they agreed to undertake a review to identify suitable guidelines for the use of A-boards, taking into account other issues such as alternative ways of advertising and health and safety issues. The Committee also agreed to set up a Task Group to carry out the review on their behalf, made up of the following members:
 - Cllr Helen Douglas (Task Group Chair)
 - Cllr Keith Orrell
 - Cllr Gerard Hodgson

Initial Information Gathered

10. A-boards are used by businesses and other organisations to advertise on the highway, including footway, verge and sometimes in the city centre the carriageway (during pedestrian only periods). They are generally metal, wood or plastic boards in an 'A' shape, and their positioning can regularly present an obstruction and potential hazard to users of the highway, pedestrians in particular.
11. The proliferation of A-boards can make it difficult to negotiate the path, and falling over an A-board can be painful and can adversely affect a person's confidence and mobility. Therefore it is essential for all people including those in wheelchairs or with pushchairs, and the blind and partially sighted to have a clear route along a pavement. Without this, many people will walk into A-boards and injure themselves, or inadvertently walk into the road whilst attempting to avoid an A-board. Sometimes A-boards are at different distances from the kerb on the same street; this increases the possibility of crashing into more than one A-board in a short space of time.

12. Local Authority Responsibilities

Councils have a dual role in the control of A-Boards on the highway, that of the:

- Local Planning Authority who have powers and duties under the Town and Country Planning Act 1990 (as amended) and the
- Highway Authority who under the Highways Act 1980 have powers and duties to protect the rights of the public to the use and enjoyment of the highway, specifically in regard to the use of the highway safely and without obstruction, and responsibility for street scene enforcement.

13. However, an A-Board located on private land contained within the forecourt of a premise requires neither express consent under the planning system nor approval under the Highways Act.

14. A number of other types of advertisement can also be displayed by a shop or other business without needing the Council's Consent i.e. they have 'Deemed Consent', except those on a listed building which require listed building consent. However, there are size and positioning limits on those signs e.g.:

- An unlit 'fascia' sign above the shop window and below any first floor windows.
- An unlit hanging or projecting sign at right angles to the frontage, at least 2.5 metres above the ground (Outside of a conservation area, certain types of illumination to these signs are permitted).
- Signs inside a shop provided they are more than 1 metre back from the window

15. The Government has produced an illustrated booklet which explains the types of advertisement that is allowed without needing consent, entitled 'Outdoor advertisements and signs: a guide for advertisers' – see: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/326679.pdf>

16. Where consent is needed, the following Draft Local Plan policies are used to judge the application :

GP21 – Advertisements - Consent will be granted for signs, hoardings and large advertising panels where their size, design, materials, colouring and any form of illumination does not detract from the visual amenity of the areas in which they are displayed, particularly with regard

to the character of listed buildings or conservation areas, and a) there is not adverse effect on public safety and b) in residential areas on sites clearly visible from roads, the advertisement is in keeping with the scale of surrounding buildings and public areas.

HE8 – Advertisements in Historic Locations - Within conservation areas, or on listed buildings, advertisements will be expected to comply with policy GP21 and consist of: a) a design and scale that respects the character and appearance of the area and b) good quality materials that are sympathetic to the surface to which they are attached. Within conservation areas externally illuminated advertisements that require large light fittings will not be permitted.

GP22 – Banners - Advertisement consent will only be granted for the display of banners on or between buildings, structures or trees where there are of a high quality and are maintained as such, and there would be no adverse effect on highway safety or visual amenity.

17. National Best Practice

Nationally, there is no agreed best practice. The Task Group considered a comparative scrutiny review carried out by **Brighton & Hove** in 2010, undertaken as a result of concern over how accessible their public highways were. They considered whether pavements in the city were too cluttered thereby reducing the ability of residents and visitors to move freely, in particular those with mobility issues. The review took into account and balanced the competing needs of different groups of highway users. They considered evidence from disability advocacy groups, residents associations, business associations and private residents, and carried out site visits to areas identified as hotspots around the city. As a result of their review they introduced a licensing scheme for the use of A-boards – see copy of their scheme at Annex B. There are a number of other Local Highway Authorities that have introduced a licensing scheme.

18. Where a licence is not required some Local Highway Authorities have agreed some voluntary guidelines / requirements for use of A-boards on the public highway - see example of voluntary guidelines in use in **Bristol** at Annex C. In those areas, an organisation that wishes to place an A-board on the highway is responsible for complying with those guidelines.

19. Some Local Highway Authorities allow the use of A-boards and only take action when necessary – see example policy from Essex County Council

at Annex D. Whilst others enforce a total ban – see copy of example policy banning the use of A-boards in Hackney at Annex E.

20. Use of A-Boards in York

City of York Council (CYC) has a long established practise of tolerating A- boards on the highway unless a complaint is made in which case action is taken to get the board removed. CYC's Highways Team confirmed the current approach regularly results in the board owners making complaints about staff because they feel victimised, and this then takes up a significant amount of staff time in dealing with the complaint.

21. Approximately 5 years ago in the city centre, a more thorough approach was taken following a number of more wide ranging complaints. At that time advice was given that only if a board was positioned flat against a property, would be unlikely that any further action would be taken. As a result most of the A-boards in the footstreets area were removed by their owners. By tackling the city centre as a project rather than taking individual action, officer time dealing with the matter was substantially reduced.
22. In addition, City of York Council went through the process of actively de-cluttering the city centre by taking action to remove street signs, bollards and other items of street furniture.
23. However, officers have confirmed that a reduction in resources has resulted in the issue of obstruction by A-boards not being as vigorously acted upon as in the past. As a result, a brief audit undertaken in late 2012 identified approximately 150 boards back on the city centre streets causing obstructions. For example, in 2011 three A-boards were observed in front of an historic building at the Goodramgate / Deangate junction. In the first week of December 2012 this number had increased to eight boards in a line.
24. By early 2013 (at the time this review was commenced), the level of obstruction of the footway was becoming a growing concern, and was seen as a very real problem for those who were blind / partially sighted or needed to use a wheelchair. In particular, a growing number of A-boards in the Clifton Green area were identified, some of which were obstructing the footpaths, and others were tied to trees. The Task Group recognised the same kinds of issues were most likely being duplicated in other local shopping areas.
25. CYC's Arboricultural Manager confirmed that signs are often chained around trees and locked sometimes preventing stem clearing work as

had been the case along Clifton Green. In that particular area the sign also blocked visibility for cars exiting onto the main road.

26. CYC's countryside officer expressed concern around the use of trees for displaying notices, as signs and chain can cause abrasion damage to tree bark and if very tight, prevent tree growth and expansion eventually killing the tree as it grows.

Consultation

27. As work on the scrutiny review got underway, a number of members of the public and a number of local business owners expressed an interest in participating in the review asking that their views be considered. With this in mind and in light of the initial information gathered, the Task Group agreed to hold a consultation event in order to give all interested parties an opportunity to make their views known.
28. A wide range of interested parties were invited to the event held in February 2014, including individual traders, a number of disabled people who had expressed an individual interest in being involved, those who had recently made a complaint to the CYC Highways Team, members of the Council's Equality Advisory Group, and representatives from other relevant organisations e.g.:
 - Royal National Institute of Blind People
 - York Access Group
 - York Older People Assoc (YOPA)
 - Guide Dogs for the Blind Association
 - York Federation of Small Businesses
 - York Retailers Forum
 - York Civic Trust
29. Feedback from the event is shown at Annex F.
30. The Task Group also considered a briefing issued by the National Institute of Blind People (RNIB) on 'What can I do about...Advertising boards (A-boards)', which makes clear that the RNIB supports a complete ban on A-boards.

Analysis of A-board Options

31. Taking the approaches in place elsewhere and taking account of the previous decision made by an Executive Member in 2009 (see

paragraphs 9-10), there are a number of options on the use of A-boards to consider:

- A. Maintain the current arrangements
- B. Introduce voluntary guidelines
- C. Introduce a policy for the use of A-boards with or without a licensing scheme
- D. Introduce a total ban
- E. Introduce a combination of the above

32. Options A & B

To a degree, both these options are in theory self regulating in that if a business is careful with its 'obstruction' a complaint is less likely to be made. Problems in the past have erupted when there has been an over zealous reporting of problems by individuals for reasons more to do with the look of the streetscape rather than an actual serious obstruction. Having said that there are clearly some areas where protecting the street scene should be regarded as a high priority e.g. Stonegate or where pedestrian flows are very high. The risk with both approaches is a gradual increase in number of A-boards over time and in the case of Option B a gradual drift away from the council's guidelines.

However, if the voluntary guidelines were adhered to (Option B) they may help to mitigate the number of complaints received as they would encourage a more uniform approach to the placement of a-boards, which affected parties agreed would make life easier if A-boards were to remain present on the streets of York.

33. Option C

This option has its attractions in that this approach is very strictly regulated and would therefore be much less reliant on personal views of complainants, businesses, officers and Members. This option would require a uniform approach and introduce clear dos and don'ts and would result in an overall reduction in A Boards. It would also mean that the parameters on 'free unobstructed' pavement widths would result in there being some streets where the use of A-boards would not be accepted, unless flat against the building frontage e.g. where the footways are less than 2 metres wide. The introduction of a licensing scheme and the associated cost to businesses may lead to a reduction in the number of A-boards on York streets and help address the issue of multiple A-boards per business.

34. Option D

This option is a very simple and straight forward approach but if applied universally across the whole authority area could not only take up significant officer time but be seen as unnecessary and unhelpful by some, the business sector in particular. The Highways Team would estimate an annual figure of around 150 complaints (some to do with the look of the streetscape rather than an actual serious obstruction), but were unable to provide an exact breakdown of the types of complaints received. Based on that number and the reasons behind some of those complaints, Option D may be deemed a heavy handed approach.

35. Option E

This option recognises the differing circumstances across the York area and could for example designate the city centre for a ban on A-boards whilst maintaining the current toleration approach for the outlying areas where pedestrian flows are significantly lower. Further work would be necessary to set out reasonable boundaries for the different zones.

36. Enforcement of Options

- Options A & B - Option B would require officers to carry out a one off piece of work to draft the voluntary guidelines. Once in place, the neither of these options would require additional staff resources if officers continued only responding to complaints as and when received. Although as noted above reducing staff resources have seen a reduction in the capacity of the Council to respond to such complaints.
To enable either approach to flourish, officers would need to be able to give priority to clear cases of obstruction whilst resisting the more frivolous complaints in the knowledge that this approach is fully supported by elected Members. There would of course continue to be differing views on what a clear case of obstruction is so it is suggested that if voluntary guidelines were to be introduced, reference be made to pictorial examples of acceptable and unacceptable uses of "A" boards rather than using strict arbitrary measurements.
- Options C & D – Both of these options would incur significant officer time if a decision were taken to proactively investigate and enforce breaches of the policy and non licensed A-boards, or enforcing a total ban. Staff resources do not currently exist within the Highways Team to enforce these options in a proactive way; hence a new post would be required, probably in the Grade 5 or 6 range.

In the case of Option C, the cost of this post could potentially be recouped from the income generated by the issue of annual licences. However the introduction of a licensing scheme may deter some businesses from using A-boards thereby limiting the income generated.

The alternative approach would be to consider the approach taken by Brighton & Hove i.e. identifying additional staff resource in monitoring and enforcing the streetscape through improved cross directorate/team working, with officers undertaking multiple enforcement regimes, including the use of civil enforcement officers, licensing officers, city cleaning officers and PCSOs.

Also in the case of Option C, if a decision were taken to only respond when a complaint is received (as currently happens) no additional staff resource would be required. However the Highways Team would not recommend that approach as it would significantly water down the positive impact a policy could have. This approach would also not be acceptable for use with option D as it would result in no change to the current arrangements.

- Option E – This option would be likely to require some enforcement dependent on the combination of options used, which again may lead to the need for additional resources.

Review Conclusions

37. Bearing in mind the level of re-emergence of A-boards in the city centre, the Task Group recognised that much of the benefit of the council's de-cluttering work previously undertaken had since been lost. Furthermore, they recognised the growing number of alternative forms of street furniture being used for advertising purposes e.g. bicycles, flower carts etc. They therefore agreed that any consideration of the options above should apply to all forms of street advertising not just A-boards.
38. The Task Group acknowledged the reasons why a business would choose to use an A-board; inexpensive form of advertising, versatile, increasing footfall etc. However, whilst they heard from a number of businesses on the benefits they bring (see notes from consultation event at Annex F), they were unable to evidence the actual value / income generated by the use of street advertising, to the individual businesses. The Task Group were also encouraged to hear that businesses would adhere to guidelines on the use of A-boards if they were introduced.

39. When implementing policies a Local Authority has a duty (Equality Act 2010) to consider the impact and take reasonable mitigating measures to ensure equality issues are not compromised. So in recognising the perceived benefits for individual businesses, the Task Group also had to balance those against the very genuine and evidenced difficulties that obstructions to the highway create for highway users, particularly the Blind, partially sighted and those with mobility difficulties.
40. The Task Group recognised the difficulty of positioning an A-board in such a way that it works for all. They noted that guide dogs are trained to steer their owners around permanent obstructions and to walk along the outside edge of the pathway, and are therefore more affected by A-boards placed in that position rather than those up against the building line. As that they learn their regular routes and obstructions that are continually re-positioned (as in the case of many A-boards) affect their progress. In comparison, the Task Group noted those who are partially sighted and those who use canes prefer to walk along the building line.
41. They acknowledged the view of the consultees representing those affected groups that whilst a total ban on the use of A-boards would be their preferred option (option D), their alternative preference would be an agreed policy addressing the most appropriate placement of A-boards etc to control and limit their obstructiveness (Option C).
42. Furthermore, the Task Group recognised there are some streets, particularly in the city centre where the width of the footpath and roadway (during pedestrian only hours) would not allow for the use of an A-board regardless of a policy, licensing scheme or voluntary guidelines. The Task Group agreed that implementing a total ban in those streets was the only option. However they agreed the Council should encourage businesses in those streets to use other forms of advertising and were pleased to learn of the Council's forthcoming The Legible York (Wayfinding) Project ¹ which would provide additional advertising opportunities.
43. The issue of resourcing the enforcement of the various options was also considered. The Task Group accepted the Highways Team did not have

¹ A scheme supported by Reinvigorate York, to deliver improved orientation/navigation for residents and visitors in the city. It is aimed at encouraging more people to walk, more of the time. The first phase of implementation will take place in spring 2015, any will include a totally new mapping base of the city centre installed within new street furniture/totems/monoliths and supplemented with finger posts. It will enable a significant volume of other information to be accessible through the use of smart technology e.g. a layer which includes retail, eating and leisure information. The intention being that this will provide much wider opportunities for businesses in the city to promote their offer.

the relevant resources and therefore agreed the approach taken by Brighton & Hove should be investigated as a potential way forward for York i.e. identifying additional staff resource through improved cross directorate/team working, with officers undertaking multiple enforcement regimes, including the use of civil enforcement officers, licensing officers, city cleaning officers and PCSOs.

44. They also acknowledged the risk of liability associated with some of the options but recognised that as all of the options have been introduced by other Highway Authorities across the country it must be possible to manage any such risks effectively. For example, they noted that those Local Authorities with a licensing scheme had written into their policy that the licensee must indemnify the council against any claims in respect of injury, damage or loss arising out of the grant of the licence and stipulated the amount of Public Liability Insurance cover required.
45. Overall, having considered all of the options, the Task Group agreed that the current arrangements were unacceptable i.e. that A-boards are not permitted but they are tolerated until a complaint is made. They agreed this arrangement suited none of the interested parties, that it created confusion and that it left the council open to criticism.

Draft Review Recommendation

46. Having considered all of the information gathered in support of the review and all of the available options, the Task Group agreed that recommending the introduction of some suitable 'guidelines' as per the review remit, would not be the right approach for York. They therefore agreed to recommend **Option E** i.e.:
 - i) The introduction of a policy allowing the use of A-boards under strict criteria.
 - ii) The policy to include a list of streets where the use of A-boards is prohibited at all times due to the limited widths of footways
 - iii) That appropriate resources be identified to ensure the full and proper enforcement of the new policy. This to include consideration of the potential for improved cross directorate/team working outlined in paragraph 44 above.

The Task Group also agreed not to recommend the introduction of a licensing scheme.

Options

47. Having considered all of the information within this report, the Community Safety Overview & Scrutiny Committee may choose to:
 - i. Endorse the Task Group's draft recommendations as shown in paragraph 46 above.
 - ii. Identify alternative recommendations.

Council Plan 2011-15

48. Ensuring the public highway remains free of obstruction and safe for all users (particularly for those with mobility difficulties or who are blind / partially sighted), contributes to the corporate priorities of building safer inclusive communities, and protecting vulnerable people. The use of A-boards also encourages and supports new and existing small businesses to set up and grow, thereby helping to create jobs and grow the economy.

Implications & Risk Management

49. **Financial & HR** – The recommended option would require additional staff resources which may have a cost implication depending on the source of those additional resources. However the introduction of a licensing scheme could potentially mitigate any additional staffing costs.
50. **Equalities** – The use of A-boards does have an adverse impact on the blind and partially sighted, and those with mobility issues and those with small children in pushchairs etc. However an agreed standard approach to their use would go some way to mitigate their impact.
51. **Legal** - All of the options outlined in the report with the exception of Option D could result in complaints of obstruction of the footway by those most affected, which this Council as the local Highway Authority would have to justify to the complainant. However, other Highway Authorities are successfully managing the risk of liability from either allowing or licensing obstructions in the highway. Therefore all of the options are suitable for consideration.

Recommendation

52. The Community Safety Overview & Scrutiny Committee are recommended to endorse the draft recommendations made by the Task Group (as detailed in paragraph 46 above).

Reason: To conclude the work on this review in line with scrutiny procedures and protocols.

Contact Details

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AD Governance & ICT

Report Approved **Date** 20 December 2014

Specialist Implications Officer(s) N/A

Wards Affected:

All



For further information please contact the author of the report

Background Papers: N/A

Annexes:

Annex A – Initial Analysis of Pros & Cons of introducing a City Wide Ban on A-Boards

Annexes B-E – Example Policies for Various Options

Annex F – Feedback from Consultation Event held February 2014

The case for a zero tolerance approach to A-boards	The case for permitting A-boards on the Public Highway
A very clear simple approach	Businesses off the beaten track may be easier to find/discover
No requirement to develop a set of standards looking at issue such as: <ul style="list-style-type: none"> • acceptable foot way widths for the volume of pedestrians, • size, • colour, • style, • content, • number, • time of day • proximity to the business in varying circumstances • ensuring liability insurance is in place • approved fixing methods • historic setting 	Businesses have an apparent additional low cost method of advertising their goods or services to compete with each other
Minimal CYC staff resource implications	Allows a business to quickly adjust its message to suit the conditions of the day
No requirement to establish a monitoring regime to ensure compliance with conditions	A potential income generator for the LA - though there is also a rise in staff resources - cost may be seen as unreasonably high
No requirement for an appeals process when applications are refused	
Places all businesses on the same advertising footing regardless quirks in location (an abrupt change in foot way width or close to a junction for example)	
Prevents escalation of advertising on street by similar competing businesses	
Cuts the Local Authority's risk to compensation claims for injury due to trips and falls	
Removes the chance of boards	

ending up in the carriageway (e.g. blown over in the wind)	
Improves the ability for people to freely travel along the highway; especially those with sight or mobility difficulties.	
Removes a mismatch of types and styles of advertising that poorly represents the local street scene.	
Ensures boards aren't inadvertently allowed to obstruct a drivers view	
Prevents local authority equipment being damaged or made more difficult to access	
Removes the possibility of damage to other objects e.g. trees, caused by A-boards being attached.	



**Brighton & Hove
City Council**

**Application for permission to place an Advertising Board upon the Public Highway
(Highways Act 1980) and
The Local Government (Miscellaneous Provisions) Act 1982)
Permission valid until 30th April 2015**

Title..... Name of Applicant (in full)

Name of business for which permission is required

Address: (This is the address to which all correspondence will be sent unless otherwise indicated by the applicant.)

.....

Post Code Tel. No.....

Email

Correspondence address if different from above:

.....

Post Code Tel. No.

I hereby apply for a licence to place an Advertising Board upon the Public Highway as detailed above. I confirm that I have read, understand and agree to abide by the conditions enclosed and any other special conditions. Payment for the approval and issuing processes is enclosed/has been made.

Name (block capitals)..... Position (block capitals):

Signed: Date:

For Council Office use only – please do not write in the space below

BRIGHTON AND HOVE CITY COUNCIL acting by their Executive Director Environment Development & Housing in pursuance of the above enactments hereby grant permission for the placing of an Advertising Board on part of the paved Public Highway outside the premises as described above or attached.

Signed: Name:

For the Executive Director Environment, Development & Housing,
Brighton & Hove City Council

Date

Special Conditions:

[pto]

Please describe and sketch the proposed placement. (Use a separate sheet of paper if necessary).

Please provide names and address of the owners or other tenants if you are not the owner/sole tenant of the property.

(use a separate sheet of paper if necessary)

Incomplete or inaccurate applications cannot be processed.

Please note that payment must accompany this application

Advertising boards only (one board per site):

1. New applications £100 for the first year to 30th April 2015
2. Renewals £70.00 per year.

HOW TO PAY

Cheque

- Please make cheques payable to Brighton & Hove City Council
- Write the name of the business on the reverse, plus the code EVH031/LG132

Credit/Debit Card

- Phone (01273) 292071 to make a card payment. We can accept Visa, MasterCard and American Express. You will be given a payment reference/transaction number, which you should write in the box top left on the application form.

Website

Go to www.brighton-hove.gov.uk, click "Pay Online", then Licences and select "Advertising Boards" from the drop-down menu.

Please enter the name of the business in the "Reference" window. Also enclose a copy of the receipt with your application form, or enter the receipt number in the box top left on the application form.

If you have any queries, please phone 01273 292071

**Please return the this form to:
The Highway Enforcement Manager, Room 500, Hove Town Hall, Norton Road, Hove, BN3 3BQ**



Brighton & Hove City Council

Licence Conditions 2014-2015

ADVERTISING BOARDS

The following conditions will be introduced to apply to all highway licences issued.

1. Terms:
 - 1.1 The term “licence” used below refers to any Highway Permission issued by the Highway Enforcement Team.
 - 1.2 A “licensee” is deemed to be the body or individual to whom the licence has been issued.
 - 1.3 A “licensed area” is that area of public highway covered by the licence.
2. Legal Issues:
 - 2.1 This licence is not transferable.
 - 2.2 Sub-letting of the highway is forbidden. A frontager who is a licensee may, with the advance written permission of the council, permit a suitable third party (i.e. a party the council would consider to be an appropriate licensee themselves) to display items within a relevant licensed area, but there should be no financial transaction associated with such an arrangement. Any third party must meet and comply with all licence conditions, including the holding of Public Liability Insurance (see below). Responsibility for breaches of licence conditions will lie with the licensee.
 - 2.3 The licensee agrees to indemnify the council against any claims in respect of injury, damage or loss arising out of the grant of the licence. Public Liability Insurance cover of at least one million pounds must be carried for the duration of the licence. Evidence for this cover must be produced on demand.
 - 2.4 The licence may be suspended or revoked and/or the licensee required to temporarily remove the objects by the council for any legally defensible reason. The licensee shall not be entitled to any compensation for loss of trade or business as a result.
 - 2.5 If deemed necessary the council may alter licence conditions at any time. The licensee shall not be entitled to any compensation for loss of trade or business as a result.
 - 2.6 Where necessary, the council may place time limits to restrict the use of licensed areas to permitted hours. In general, these restrictions will apply to premises with alcohol licences and will not exceed the hours set by the terms of such licences.
 - 2.7 Licences are valid for a maximum of 12 months and expire at 24:00 hrs. on the first 30th of April following the date of issue. Licences are subject to an annual review. Payment of licence fees is a condition of the licence.

- 2.8 Licences only relate to the placing of objects upon the highway. It is the responsibility of the licensee to obtain all other consents required in connection with the proposed extension of their business onto the highway including, where appropriate, any amendment to their existing liquor licence.
- 2.9 It is a condition of Highway Licences that all consents and permissions and all health & safety, environmental health or other legal provisions or measures required by Brighton & Hove City Council or other legal authorities are obtained and adhered to. Proven failure to comply with legislation and/or the reasonable and legitimate instructions of an authorised officer of the Council, Her Majesty's Health & Safety Executive or the Police may be considered a breach of the conditions governing the licence.
3. Advertising boards:
- 3.1 No more than one advertising board per licensed premises may be permitted on the Public Highway. The total surface areas of all advertising boards whether on the highway or on private land or decking or on any combination of the same may not at any time exceed the limits for such advertising under Planning Regulations (a total area of 4.6 square metres).
- 3.2 Licensed advertising boards shall be between 0.75m and 1.2m high and between 0.5m and 1.1m wide only. Larger or smaller boards will not be permitted.
4. General:
- 4.1 The licensee must clearly display on site a Display Licence provided by the council. This should be placed in a window, glass door or menu stand of the licensed premises clearly be visible and legible from the highway.
- 4.2 Anything left upon the highway outside business hours or the hours stated in the licence conditions, or any item found chained or tied to any other object, street furniture or building without prior written permission, may be removed and impounded without further warning.
- 4.3 The improper parking of vehicles by staff or persons associated with the licensed site (including delivery vehicles) will be considered a breach of the licence. This is of particular importance within those areas where vehicle access is restricted and in streets that are periodically pedestrianised. In certain parts of the city licensees may be required to agree to restrictions on delivery times.
- 4.4 To promote the work of the Brighton & Hove Drug and Alcohol Action Team and support the operations of the Council's Trading Standards Team, licensed sites involved in the sale of cigarettes or of alcohol for off-premises consumption shall be required to display, at all times, such notices relating to illegal sales to or illegal purchase on behalf of minors.
- 4.5 Note that the following general rules will be applied to all officer-approved applications/sites within the city:
- A) That no licensed traders' items will be permitted to reduce the width of a footway to less than 1.3 metres except where:
1. a formal pedestrian zone has been established in a road by Traffic Order and the whole of the carriageway is kept clear for pedestrian use
 2. a road is closed to vehicular traffic by virtue of a temporary Traffic Order and the whole of the carriageway is kept clear for pedestrian use
 3. a road is considered to be "shared space" and the whole carriageway is generally available for pedestrian use
 4. discretion to allow this has been exercised by Elected Members in Committee or Cabinet, due to special circumstances.
- B) That where a footway is reduced to a width of 1.3 metres (or less) by objects (whether these objects be licensable traders' items or fixed street furniture such as lamp posts, bins etc.) "turning circles" for manual wheelchair users and guide dogs must be established at regular intervals. These "turning

circles” shall not be less than 1.6m in length and must be maintained at least every 1.6m along the length of a restricted footway. **Annex B**

- C) That, except in the case of items within large, waiter-serviced sitting-out areas, no traders’ item shall be permitted to be placed more than five metres from the licensed premises or out of sight from a window or door of said premises.

In certain circumstances, refusal by an officer of the licence application because of the above criteria may be challenged by means of Formal Appeal to Committee or Cabinet. Note however that no activities can take place at a site until such a decision is reached.

6. Enforcement Procedure (removals):

The following enforcement procedure shall be applied as standard for all items placed on the Public Highway in breach of the DfT guidelines and the rules and conditions of the Highway Licensing System as detailed above:

- That on the discovery of a breach of the guidelines, rules and conditions, a written warning shall be issued to the relevant business/person, warning and advising them of their need to abide by the prevailing regulations.
- That on the discovery of a second such breach within eight weeks of the first, a second warning notice be served.
- That on the discovery of a third such breach within eight weeks of the second warning a third warning shall be served.

If the recipient of a third warning is a holder of a Highway Licence, then this licence shall be temporarily suspended by virtue of said notice pending consideration of the case by the Senior Highway Enforcement Officer. The period of suspension will be dependent on the seriousness of the breach and the measures taken by the licensee to ensure future compliance with the regulations. Further breaches may result in the rescinding of the licence.

Any unauthorised items found on any site following a third warning or suspension/rescinding of a licence may be removed from the Public Highway and impounded without a further warning being served. Owners of objects so impounded will be given the opportunity to recover their property. Where appropriate a charge may be made by the Council for the costs of removal and storage.

The Council reserves the right to proceed with removal of offending items or prosecution under the Highways Act 1980 at any stage of the above procedure in any case involving gross or regular breaches of legislation.

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A-Boards on the Highway Policy & Guidance



Policy & Guidance on A-boards on the Highway

Objective

These signs are common across Kirklees but it is essential that pedestrians have a clear, safe route along pavements and walkways. More and more A-boards are being displayed in this way, making our towns look cluttered and less attractive. This also creates problems for pedestrians who have to get around pavement signage when walking around a town. It is particularly difficult for visually impaired people, those with mobility issues, wheelchair users and parents and carers with pushchairs. A-boards displayed on the highway can be considered unsightly and have a negative impact on the street scene.

We know that businesses need to promote their services and bring in custom but this cannot be done without considering the safety of passing pedestrians and the effect on the street scene and the local economy.

Licensing A-boards will mean they can only be placed where there is no danger to pedestrians or create a potential obstruction and where there isn't a negative impact on the street scene and will assist in enhancing the economic sustainability of towns, suburban and rural businesses and communities.

It is an offence to obstruct the highway and legislation allows for licensing schemes by a local authority.

Policy Scope

This policy relates to any A-boards and similar advertising boards placed on the highway without permission. An A-board includes any type of adverts/directional signs/information signs/inanimate characters.

The "Highway" includes footpaths, paved areas and pavements, and this policy also includes A-boards attached to highway property. It does not include A-boards sited on private property or land.

Application process

Please apply on Kirklees Council's A-board Licence application form, which is available from Kirklees Council, Licensing Department, Flint Street Depot, Flint Street, Fartown, Huddersfield, HD1 6LG or online at www.kirklees.gov.uk

Where consent is given, licences will be issued under sections 115 (E) of the Highways Act 1980, Section 224 of the Town And Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992 for a period of 5 years. Licenses are not transferable.

You must obtain permission from the Council prior to placing any A-board on the highway. A fee will be charged for each licence of £105 per application*.

** This fee is current at October 2014 but is subject to change.*

The applicant should complete and submit the application form that includes:

- a) Exact proposed location of the A-board with a scale drawing indicating where it will be placed outside the premises and where the entrance and/or exits to the premises are. The dimensions of the A-board, the width of pavement, proximity to the kerb and distance from other street furniture (e.g. telephone boxes, benches, litter bins, street lighting/signage columns etc).
- b) Colour photo or illustration of the proposed A-board.
- c) A copy of the businesses current Public Liability Insurance Certificate and Policy, showing that they have at least £5,000,000 (five million pounds) of cover and that the policy covers items placed on the highway.
- d) Payment of the licence fee.
- e) The notice once it has been displayed on the premises (found attached as appendix A at the back of the guidance)

When considering the application consultation will be carried out with other Council departments and businesses whose premises have frontage to the proposed site to give them the opportunity to comment, as required by legislation.

The needs of other highway users will also be taken into consideration e.g. pedestrian flows, vehicular access and the cumulative effect of A-boards from different premises etc.

This process will include the business displaying a notice detailing their application in their premises window for a minimum of 28 days allowing time for any objections to be received by the Council. If none are received and the A-board meets all other relevant criteria the licence will be issued and will be valid for a period of 5 years from the date of issue.

If there are any objections received the Council will consider them and determine whether to grant or refuse the application. Please note applications may take up to 8 weeks to process and you must not display any A-board outside your premises unless you have been granted a licence.

A new application will need to be made at least 8 weeks before the expiry of an existing licence.

Kirklees Council reserves the right to refuse to give consent to any application.

Guidance

A-boards will only be licenced outside the premises that is applying for the licence and owns the board. Any advertising must relate to the business that holds the licence.

Signs attached to private property (such as fitted flush to a building or attached to railings that belong to the property and not overhanging the highway) will be dealt with using Planning enforcement powers. Where signs have been attached to

private property without permission of the owner the occupier/owner will be asked to remove the signs.

No rotating signs or signs on wheels or trailer type devices will be licensed.

No freestanding boards leant against walls or attached to highway structures, street furniture, trees or other items within the highway will be licensed and such boards will be removed.

A-boards will not be permitted on grass verges, central reservations, roundabout, pedestrian safety refuges and other such areas of the highway which may cause a road traffic hazard or make it difficult to maintain these areas.

Where a business has a private forecourt adjacent to the highway any A-board must be placed wholly within this forecourt.

Any liability arising from an accident or damage involving an A-Board remains firmly with the owner of the board.

A-boards must not be displayed without the prior permission of the Council.

Licence conditions

1. A-boards must be fit for purpose, stable, robust and maintained in good condition. It should appear professionally made and sign written. Offensive content will not be permitted.
2. The board must be 2 sided, of the 'feet' type where the base is widest part of the board so that the board has its solid element just above ground level to be detectable by a visually impaired persons cane and the frame of a colour that ensures maximum visibility. If a central stem type is used the base must be of a contrasting colour to the area it is to be placed on to ensure maximum visibility to pedestrians with visual impairments.
3. A clear pedestrian route shall be maintained for those walking on the highway. This should preferably be adjacent to the building frontage so that most pedestrians and particularly those with visual impairments can maintain their regular route. This should normally be a minimum width of 1.8 metres (M). Therefore A-boards should be placed 1.8M from the building frontage. Consideration should be given to entrances and exits from premises, which should not be obstructed. Visibility splays must not be obstructed. Each application will be considered on its individual merit.
4. The position of the A-board must be consistent on a day-to-day basis and must be in the approved position. It is essential that the position and location does not cause any obstruction or inconvenience to those with disabilities and particularly that adequate space is left between the A-board and frontage of

the building, or in the case of pedestrianised areas and precincts with heavy footfall that it will not cause an obstruction.

5. A-boards may only be sited in accordance with the times stated in the licence.
6. Holders of a licence must hold and maintain a valid public liability insurance policy with cover up to £5,000,000 (five million) pounds.
7. The A-board licence must be displayed within the premises in a prominent position so it can be easily inspected as required.(e.g. in an externally facing window or on a wall inside the publicly accessible area of the premises).

The guidance and licence conditions may be amended from time to time.

A breach of the conditions may result in formal enforcement action and the licence being revoked.

Procedure for non-compliance with an A-board licence

Should the licensee not be compliant with the terms of their licence the Council will try to work with the licensee in the first instance to resolve any issues. This procedure will be:-

- 1) Where the licensee is found not to be complying with the specific conditions of their individual licence, Council officers will offer advice and assistance to enable the licensee to rectify the breaches to ensure compliance.
- 2) Where this is unsuccessful, a letter will be sent informing the licensee that they continue to be in breach of the conditions of licence. Further assistance will be offered to the licensee to rectify any breaches but if compliance is not achieved within 14 days this may trigger step 3
- 3) If persistent breaches of conditions remain the Council will take whatever action it deems appropriate in each individual case. Up to and including seizure of the A-board and prosecution.

Procedure for non-licensed A-Boards on the Highway

- 1) Where an A-board is unlicensed or presents an obstruction or danger to users of the highway the business owner will be asked to remove it immediately.
- 2) Where this is not possible the Council may remove the item and charge the costs incurred for removal and/or storage to the business being advertised on the A-board.
- 3) If persistent siting of unlicensed A-board continues the Council will take whatever action it deems appropriate in each individual case. Up to and including seizure of the A-board and prosecution.

The information given may be held in manual or electronic form and will be subject to the provisions of the Data Protection Act 1998.

This authority is under a duty to protect the public funds it administers, and to this end use information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

APPENDIX A

THE HIGHWAYS ACT 1980
PERMISSION TO PLACE
A-BOARD/ITEM ON THE HIGHWAY

An application for permission to place A-Board/Item on the Highway has been made to Kirklees Council by:

Applicant Name: _____

This relates to placing A-Board/Item outside the premises on the Highway and is in respect of the premises known as:

Premises Name: _____

Situated at: _____

Any representation regarding the application must be made in writing to:

Licensing Services
Flint Street Depot
Flint Street
Fartown
Huddersfield
HD1 6LG

or

Licensing@kirklees.gov.uk

And made no later than 28 days after the notice is posted; which is

Date: _____

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Example of Voluntary Guidelines from Bristol

“A” BOARDS: GUIDELINES

1. Introduction

1.1 The Council has a dual role in the control of “A” Boards on the highway, that of the

- Local Planning Authority who have powers and duties under the Town and Country Planning Act 1990 (as amended) and the
- Highway Authority who have powers and duties under the Highways Act 1980 and responsibility for street scene enforcement.

These guidelines have been prepared specifically in relation to street scene enforcement and are not intended to override any controls under the planning regime or express permissions required under the Highways Act 1980.

1.2 “ A” Boards located on private land contained within the forecourt of a premises will require neither express consent under the planning system nor approval under the Highways Act.

2. Purpose of Guidelines

2.1 These Guidelines are intended to provide advice on siting “A” Boards on highway land.

2.2 As the Highway Authority, the Council has a duty to protect the rights of the public to the use and enjoyment of the highway, specifically in regard to the use of the highway safely and without obstruction.

The effective and proper enforcement of the laws relating to highways are essential to protect the local environmental interest of the residents, visitors and businesses of Bristol from the harmful impact that breaches of highway law can have.

- 2.3 The application of the Council's duty as set out in paragraph 2.2 above, provides the basis for securing a consistent and fair approach to pursuing breaches of "A" Board displays on highway land.
- 2.4 A decision about enforcement action has serious implications for all involved: the general public, businesses, victims, witnesses and defendants. By applying the same principles, everyone involved in the process is helping to treat stakeholders fairly but effectively.
- 2.5 These Guidelines also support the Council's objectives as set out in the Bristol Development Framework and the Joint Local Transport Plan for the West of England, to improve the pedestrian environment and encourage walking as a more sustainable and healthy form of travel. The guidelines also form a key part of Bristol's Walking Strategy, which has been developed under the overall policy approach of the Joint Local Transport Plan.

3. Scope of Guidelines

- 3.1 These Guidelines apply solely to "A" Boards and other freestanding pavement signs, placed upon the Highway, which includes footways footpaths, paved areas and pavements and/or attached to highway property pursuant to the Council's duty highlighted in paragraph 2.2 above.

It does not apply to "A" Boards on private property, including privately owned shopping centres.

An "A" Boards may display the business carried on, the goods sold or services provided, or the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises.

- 3.2 The Council understands the needs of businesses, and that to attract customers, businesses may wish to place "A" Boards and display goods outside of their premises.

This Guidelines set out allowances for what is considered acceptable in respect of "A" Boards pursuant to paragraph 2.2 above.

- 3.3 Wherever possible "A" Boards should be located within the curtilage of the property.

4. Practical Guidelines for “A” Boards on the Highway

- 4.1 “A” Boards and other freestanding pavement signs should be placed within a distance of 60 cm immediately in front of the premises they are advertising provided that 1.8 metres of clear footway can be retained between the road and the board.

No “A” Board or other freestanding pavement signs should be placed on highway land where there are private forecourts that could be used to accommodate them in accordance with conditional deemed consent.

Dimensions of “A” Boards

- 4.2 “A” Boards should be a standard A1 size and a maximum of 1.1 metres high. This is to ensure some uniformity in design, and thereby limit the size of the obstruction in the highway.

Colour and Design

- 4.3 Strong colours enhance in small quantities; too much and the effect is overpowering. To achieve impact a sign or advertisement should contrast with its background but it should not overwhelm it. Vibrant colours can be appropriate in commercial areas to add excitement, but may not be appropriate in more sensitive areas such as Conservation Areas or close to Listed Buildings.
- 4.4 Signs which are purely promotional rather than informative, for example, a sign bearing wording advertising a “Sale” or “Special Offer”, are discouraged in favour of a sign bearing the name of the company or organisation owning or operating in the premises. This is not because of the subject matter of the sign, but in order to discourage a proliferation of promotional advertising, which ultimately could lead to a cluttered appearance.

Illumination

- 4.5 No electrical supply or illumination will be considered on the Highway where it constitutes a highway hazard.

General

- 4.6 All “A” Boards and other freestanding pavement signs should be temporary in their nature so that they can be easily removed (e.g. require no excavation to install or remove).
- 4.7 “A” Boards and other freestanding pavement signs must not damage the highway. They must also be stable and not easily blown over.
- 4.8 Rotating or swinging signs, boards, displays, etc. on public highway should be avoided.
- 4.9 “A” Boards should relate to the normal business of the trading establishment.
- 4.10 Where multiple occupancy premises share joint accesses, only one sign, board, display, etc. will normally be considered appropriate per frontage (such as Arcades and Courts). However alternative options may be considered such as larger shared boards.
- 4.11 Any business should only display one “A” Board.
- 4.12 Advance directional “A” Board signs should not be placed on the highway away from premises.
- 4.13 It is not permitted to fix/chain boards or adverts to any bollard or piece of street furniture.
- 4.14 Placing “A” Boards in sensitive areas such as conservation areas or close to listed buildings can be unacceptable because of the adverse impact that the proliferation of such displays can have on visual amenity. As such particular attention will be paid to the visual amenity consideration of the “A” Boards in such locations.
- 4.15 “A” Boards will be the owners’ responsibility when placed on the highway and the Highway Authority will not be liable for any injury or damage caused to highway users where these are placed on the highway.

All “A” Boards should be removed in their entirety from the Highway at the end of the days trading.

- 4.16 Nothing in these guidelines absolves those concerned from their legal responsibilities under the Town and Country Planning Act 1990 as amended and the Highways Act 1980.

5. Safety Considerations

- 5.1 The impact of an advertisement on public safety will depend on the nature of the advertisement and its location. The advertisement should not be so distracting or confusing that it endangers people who are taking reasonable care for their own and others safety.

- 5.2 A sign would be considered a hazard if: -

- It obstructs visibility;
- Its content or appearance might distract the attention for a period of sufficient duration to endanger the viewer;
- It might create glare and dazzle the viewer;
- It obstructs, overshadows or distracts the attention away from highway, signs, signals or beacons.

6. Equality

- 6.1 On 5th April 2011 the new public sector ‘Equality Duty’ came into force under the Equality Act 2010. The aim of the duty is for public bodies to consider the needs of all individuals in making society fairer by tackling discrimination and providing equality of opportunity for all.

7. Enforcement

- 7.1 Enforcement will be taken by the Council in appropriate situations under the Highways Act 1980.
- 7.2 “A” Boards that create a nuisance or present a danger are likely to be removed by the Council in accordance with relevant legislation. This may involve serving a Notice requesting its removal before seeking a court order for removal and disposal where necessary. However “A” Boards that constitute an “immediate” danger, hazard or obstruction will be removed from the highway immediately.

- 7.3 “A” Boards removed from the highway, will be stored for 3 months after which they will be disposed of. A charge of £50 per item will be made if any item is claimed. In the case of persistent offenders or commercial concerns that the authority feels has an impact on the street scene, consideration will be given to seeking a criminal prosecution.
- 7.4 Normally, enforcement action will be undertaken on a theme or area based approach to coordinate and maximise its impact and efficiency.

It will however be necessary at times to take action immediately on individual complaints.

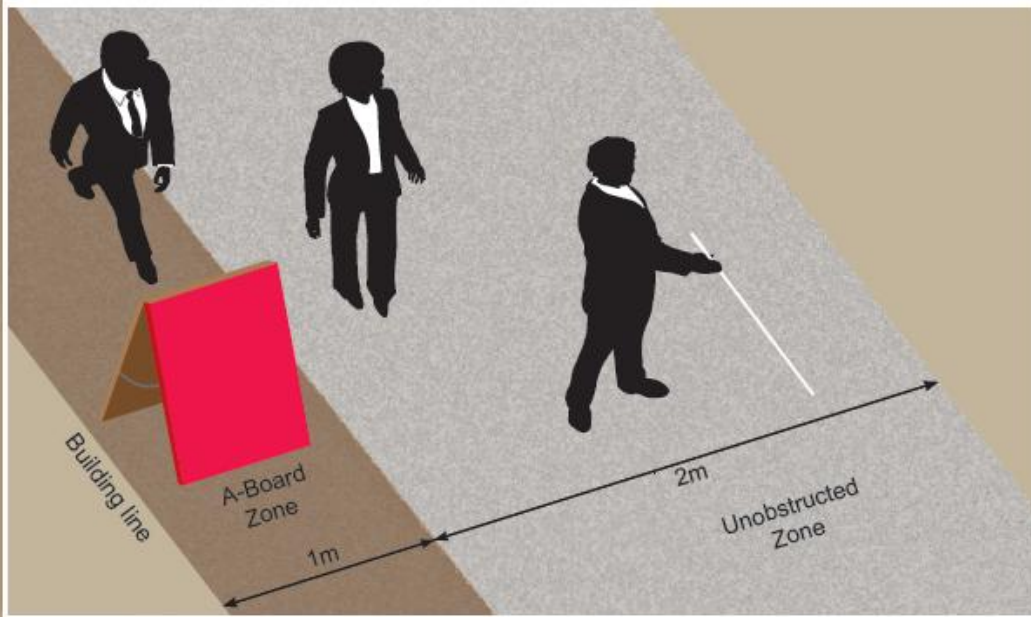
Example of Simple Policy Allowing Use of A-boards from Essex County Council



Essex County Council policy
for the placement of advertising boards
on the publicly maintainable highway

An advertising board will be no larger than the standard A1 size (637x1100x800 mm) and normally two sided, however this does not prevent the use of new forms of mobile facilities. Any mobile facility must be of sufficient weight or design so as to prevent it being blown over in the wind and not creating a hazard to other highway users and be portable in case removal or re-siting is required.

A minimum of 2 metres unobstructed footway width **must** be maintained between the edge of carriageway and the advertising board. In exceptional circumstances, with the agreement of the borough/district or city council responsible for the location and following discussions with the appropriate access mobility groups a minimum clearance of 1.8 metres will be considered.



If a business has its own private forecourt adjacent to the highway the advertising board should be placed fully within the confines of the forecourt.

The advertising board must be positioned within the curtilage of the property to which it relates.

Only one advertising board per business will be allowed.



Advertising boards will not be permitted in conservation areas except with the written agreement of the borough/district or city council.

Sufficient public liability insurance should be in place.

The advertising boards will not:

- obstruct access to bus stops, taxi ranks or other frontages
- obstruct access to any service covers or apparatus
- be placed on or near to tactile paving or dropped kerbs
- obscure the visibility of highway users on or near a junction
- obscure any traffic signs or road markings

The advertising board will be kept clean and tidy, in good condition and appear professionally made with no content likely to cause offence.


The advertising board should be removed when the premises are closed.

If within a short distance a proliferation of advertising boards results in pedestrians finding it difficult to navigate, all owners will be asked to remove boards until agreement can be reached. (Essex County Council, borough/district and city councils).



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Example of Total Ban Policy from Hackney



The illustration shows three A-boards on a light blue background. The left board is blue with white text that reads "trip over me". The right board is dark blue with white text that reads "I'm in the way". In the center, a white sign with a blue hand icon pointing to the right and the handwritten text "A-boards are hazardous to pedestrians" is placed in front of the other two boards.

A-board guidance

Keeping our high streets open and accessible for all



The Hackney logo, consisting of a stylized 'H' icon followed by the word "Hackney" in a bold, sans-serif font.

An **A-board** is a free standing board advertising the goods or services of a business.

A-boards are usually placed outside shops, cafes or other businesses to attract customers.

A-boards can be a major hazard to pedestrians, especially people with visual impairments or physical disabilities. They can clutter the pavement, making it difficult for people in wheelchairs or people with pushchairs to use the space.

Well designed, uncluttered streets increase footfall and are beneficial to local businesses.

To make sure our streets are accessible to all, and to make sure we are consistent, **no A-boards are allowed on the public highway in Hackney.**



Why are A-boards not allowed on the public highway?

It is in the interests of residents, business owners and visitors that Hackney's high streets are open and accessible to all.

We have a duty to protect the public's access rights on roads and footways. It is an offence to wilfully obstruct any user of the highway, without lawful excuse or authority.

Since 2006 we have been removing street furniture including bollards and other obstacles, and have removed more than 6km of railing. We need businesses to help to keep our streets free of clutter.

Our approach is supported by the Royal National Institute of Blind People (RNIB) and Disability Back Up. RNIB says:

"It is essential for many people, including blind and partially sighted people, to have a clear route to walk along a pavement. Walking past shops too often involves running the risk of serious injury from advertising boards spread across the pavement, sometimes causing a dangerous obstruction.

Falling over an A-board can be both painful and confidence knocking. The unmonitored, under-regulated and over use of the boards is dangerous and obtrusive.

RNIB supports a complete ban on A-boards. A complete ban will enable many people to walk along their local streets without fear of colliding with a heavy, painful sign."



Can I put an A-board on land I own?

You can place A-boards on private land. This includes:

- the enclosed area in front of a shop
- a terrace in front of a restaurant or cafe.

It does not include the area of pavement in front of premises which forms part of the highway.

Owning the cellar under a public highway does not automatically mean there are rights to place A-boards on the area above.

Notices, signs or A-boards on private land will not need planning permission if:

- the total permitted area of all advertisements does not exceed 4.6 square metres
- they are not illuminated.

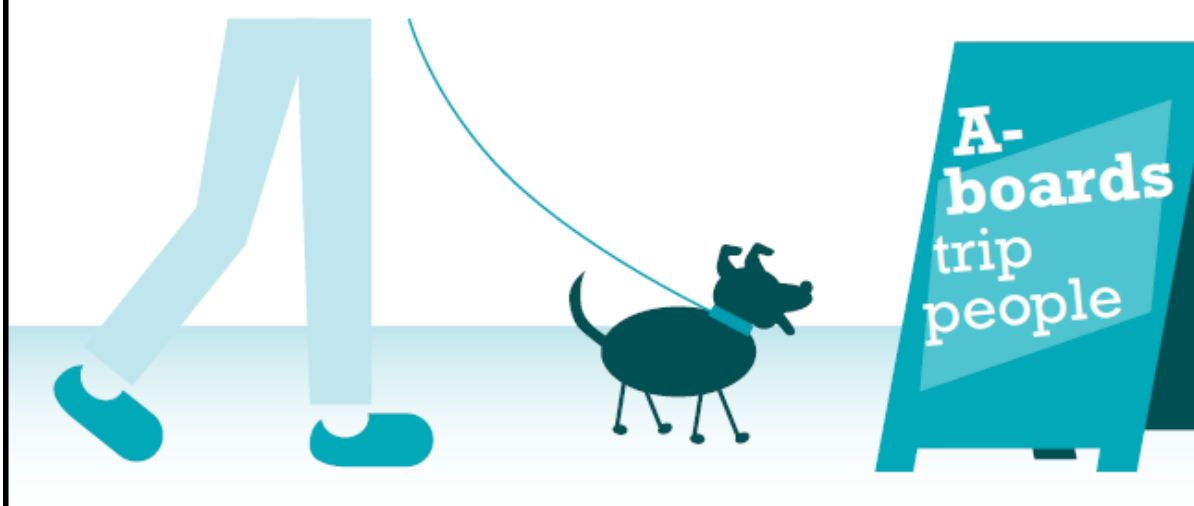
If I have a tables and chairs licence can I display an A-board?

No. A tables and chairs licence is for tables and chairs only.

We have to be fair and consistent. This means that no A-boards can be put on the public highway whether or not that space is licensed for another activity.

How can I advertise special offers?

Chalk boards or white boards can be displayed in shop windows or fixed to an external wall next to a window.



How else can I advertise my business?

There is a wide variety of notices, signs, awnings and advertisements that have deemed consent. This means you do not need specific planning permission to erect them.

To benefit from deemed consent rights, there are certain conditions you must follow. These are broadly:

- Signs may only advertise the goods or services available at your premises.
- If your business is a shop, signs should only be put on external walls which have shop windows on them.
- A sign must not:
 - have any letters, figures or symbols over 0.75 metres in height, or 0.3 metres in a conservation area
 - have its highest part at more than 4.6 metres above ground level, or 3.6 metres in a conservation area
 - have its highest part above the level of the bottom of the first-floor window in the wall where the advertisement is
 - project more than one metre from the wall or exceed two thirds of the width of the pavement below it.

If your advertisement or signs fall outside the deemed consent rights, you may apply to the council for advertisement consent, which will be assessed against our planning policies.

If your shop is a listed building or in a conservation area you should contact the planning department to find out if you need specific consent.



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A-Boards Task Group Scrutiny Review

Notes from public consultation event held at West Offices on 5 February 2014

Issues raised:

- Clarification was sought as to why a full ban on A-Boards was not being considered. An explanation was given as the decision made by the Executive regarding this matter.
- It was noted that currently A-Boards tended to be tolerated unless a complaint was lodged. This resulted in problems if complaints were made against one business and not others as there was a perception of unfairness.
- The city centre shouldn't be sterile but people needed to be able to move around.
- There shouldn't have to be a complaint before action was taken – the DDA required anticipatory action to be taken.
- There were places where A-Boards could be placed safely without causing an obstruction – eg against the walls of shops.
- Need to avoid a slalom effect.
- They could be required to be removed during footstreets
- The problems in enforcing guidance were noted.
- What evidence was in place from business that A-Boards were essential? Businesses were asked if they could provide evidence (eg asking their customers).
- Businesses stated that they needed the flexibility provided by A-boards. Listed buildings and planning regulations meant that some premises could not use lights, signage etc.
- Issues experienced at particularly busy times eg St Nicholas Fayre.
- Often the A-boards were not advertising particular offers or events or were advertising businesses that already had queues.
- Problems caused for parents with buggies
- Need to exercise discretion and not go overboard.
- Noted that there was other street clutter – not just A-boards
- Could signs be attached to railings or walls instead?
- If one business uses an A-board others feel they must also do so.
- Guide dog owners in York had been asked about their views. They said the problems were not as bad in the outer parts of the city as there was more space on the pavement. A real issue in the city

centre. In some parts they had to step on the road – dangers of traffic.

- Does the council have the capacity to enforce a policy?
- Other towns, eg Hull, have banned A-boards.
- Needs to be some sort of guidance so can identify who is in contravention.
- Some businesses would welcome guidelines.
- Some businesses are responsible in their use of A-boards eg remove them at night, do not cause an obstruction.
- Some businesses would be prepared to pay for a licence.
- Attention was drawn to the very difficult economic climate over the last three years. The situation was desperate for retailers. Shops were closing in the city centre. A-boards have a significant impact.
- The difficulties in gaining planning permission for other forms of signage (and the costs involved) were noted. A-boards were a cheap and effective alternative.
- Officers are being placed in a very difficult situation in trying to tackle complaints about A-boards – there is no guidance for them to apply.
- Attention was drawn to the requirements of the Highways Act.
- Who would be responsible if an accident occurred and the LA had put a policy in place?
- It was not only independent retailers who used A-boards. National companies were also using them.
- Some A-boards were sited some distance from the business involved.
- Lots of blind and partially sighted people use the building line for guidance although some prefer to use the kerb. Guide dogs tend to go down the middle of a path.
- If the A-boards are bigger they are easier to see.
- It was agreed that a blindfold walk would take place to raise awareness of the problems.
- A holistic approach needed to be taken to address this issue eg highways and planning departments working together.
- Some concerns were raised as to whether the suggested alternatives to A-boards were a suitable alternative. Independent traders were already working together.
- Other options could be considered eg advertising on bikes etc.
- A-boards are cheap to produce, mobile, easy to update and effective advertising.

- Clarification was sought as to whether all members of the public had been invited to attend the group, including representatives from older people's groups.

Details were given of the process for the review and the opportunities for further input from the public.

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Community Safety Overview & Scrutiny Committee**7 January 2015**

Report of the Assistant Director, Governance & ICT

Update on Implementation of Outstanding Recommendations from Previously Completed Taxi Licensing Scrutiny Review**Summary**

1. This report provides Members with a further update on the implementation of the recommendations arising from the previously completed Taxi Licensing scrutiny review and asks Members to sign off any of the remaining recommendations which are now fully implemented.

Background

2. In coming to a decision to review the topic, this Committee agreed the following key objectives for the review:
3. To consider the future allocation of hackney carriage vehicle licences having regard to the Department for Transport's Best Practice Guidance for Taxi & Private Hire Licensing, in meeting the needs of all potential members of the travelling public
 - i) To examine the provision and usage of taxi ranks in the city
 - ii) To examine conditions attached to vehicle licences, in particular with regard to accessibility, emissions, vehicle colour and window tinting
 - iii) To look at innovative ways in which the licensed taxi and private fleet may enhance the public transport provision both within the city and in rural communities
4. A Task Group was set up to carry out the review and the full Committee signed off the Task Group's draft final report in March 2011.
5. The review final report went to Gambling, Licensing & Regulatory Committee in July 2011 and they approved recommendation 1 (subject to the wording being amended to reflect that the issuing of 2 additional licences for hybrid vehicles would be over and above licences issued subject to future unmet demand surveys) and recommendations 5 to 15.

They also agreed that the Taxi Licensing Policy should be re-drafted to take into account the recommendations approved by the Committee, together with the results of the Halcrow Unmet Demand Survey

6. The remaining recommendations (2, 3, 4 & 16) were Officer delegated decisions. Finally, this Committee asked that the revised Taxi Licensing Policy be presented to them at a future meeting, which subsequently happened on 21 Nov 2011.
7. In June 2014, this Committee received its first update on the recommendations arising from the review. At that time a number of recommendations were signed off as fully implemented, and a further update was requested in 6+ months time – see further update at Annex A

Consultation

8. City of York Council's Licensing Manager has provided the update information contained within Annex A, and will be in attendance at this meeting to answer any questions arising.

Options

9. Members may decide to sign off any individual recommendations where implementation has been completed, and can:
 - a. request further updates and the attendance of the relevant officers at a future meeting to clarify any outstanding recommendations relating to the review or;
 - b. agree to receive no further updates on this review

Council Plan 2011-15

10. The review supported a number of the aims of the Council Plan i.e. to make York a thriving city with a successful economy, and a safer city.

Implications

11. There are no known Financial, Human Resources, Equalities, Legal, ITT or other implications associated with the recommendation made in this report.

Risk Management

12. In compliance with the Council's risk management strategy, there are no known risks associated with this report.

Recommendations

- 13. Members are asked to note the contents of this report and sign off all recommendations that have now been fully implemented.

Reason: To raise awareness of those recommendations which are still to be fully implemented.

Contact Details

Author:

Melanie Carr
Scrutiny Officer
Scrutiny Services
01904 552063

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director, Governance & ICT

Report Approved



Date

11 November 2014

Wards Affected:

All



For further information please contact the author of the report

Background Papers: None

Annexes: Annex A – Further Update on Taxi Licensing Scrutiny Review

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Implementation Update on Approved Recommendations Arising from Taxi Licensing Review

Approved Recommendation	Update as of May 2014	Update as of Jan 2015
<p>i. Not to introduce deregulation. Future increases in the number of taxi licenses to be subject to the findings from future unmet demand surveys and the forthcoming quota to be set by the Government for wheelchair accessible vehicles. Outside of this, in an effort to introduce/ increase the number of environmentally friendly vehicles into the city's taxi fleet, two additional licences to be made available to applicants with a hybrid or electric vehicle every 6 months.</p>	<p>To date the government has not set a quota for wheelchair accessible vehicles. Committee agreed that no new licences would be issued until an unmet demand survey is carried out in 2014. That survey is currently been carried out and a report is expected in 2 – 3 months.</p>	<p>An unmet demand study has been carried out, a report was taken to Gambling, Licensing & Regulatory Committee on 20th October with the finding. Committee decided that no new hackney carriage vehicle licences will be issued.</p>
<p>ii. CYC Planning Dept to encourage the siting of new/additional taxi ranks adjacent to major new developments e.g. outside the new stadium or near the new council offices or major retail centres / supermarkets.</p>	<p>Planning has been made aware of this recommendation.</p>	
<p>v. To reduce the emissions from hackneys and PHVs, the following European standards only to be accepted for replacement vehicles, as from 1 June 2012 for hackneys and 1 November 2012 for PHVs.</p> <ul style="list-style-type: none"> ➢ For petrol cars – Euro 4 petrol vehicle class ➢ For diesel cars – Euro 5 diesel vehicle class 	<p>Not implemented awaiting unmet demand survey.</p>	<p>Not implemented by Committee.</p>
<p>vi. The number of low emission vehicles and to meet the forthcoming quota to be set by the government for wheelchair accessible vehicles, a hierarchy should be applied to issuing new licences in priority order as</p>	<p>Not implemented awaiting unmet demand survey.</p>	<p>Not implemented by Committee.</p>

<p>follows:</p> <ul style="list-style-type: none"> ➤ those applicants providing an electric car ➤ those applicants providing a hybrid car or euro 3 standard gas fuelled car ➤ those applicants providing a wheelchair accessible diesel car ➤ those applicants providing a petrol car 		
<p>viii. Where there are a number of applicants with cars of the same type (i.e. types shown above) the order they are issued plates should be based on the length of time they have been on the waiting list in line with the council's current policy.</p>	<p>Not implemented awaiting unmet demand survey.</p>	<p>Not implemented by Committee.</p>
<p>ix. CYC Taxi Licensing Unit to monitor emissions and the number of wheelchair accessible vehicles in York's taxi fleet (Hackneys and PHVs) by revising their annual inspection regime to ensure the gathering and recording of the relevant information, within the new Licensing Unit computer system (once its commissioned)</p>	<p>Will be in place once the new computer system is in place, due to be in place by August 2014.</p>	<p>This will be in place for renewal of vehicle in 2015.</p>
<p>x. Introduce as soon as is practicable, a requirement for new taxi drivers to undertake an Eco-driving course prior to the issue of a taxi licence.</p>	<p>Not yet in place. Will be a proposal taken to committee when unmet demand survey is done.</p>	<p>Will be considered in future as part of the taxi licensing policy as a full consultation with the trade will have to take place.</p>
<p>xiii. The council be sympathetic towards the introduction of taxi buses for use in rural areas and work with possible future providers to investigate how such services may be introduced.</p>	<p>This would have to be done at the request and in conjunction with the council's transport team.</p>	

<p>xiv. In regard to taximeters, the policy to include a new specification - 'the taximeter must comply with the Measuring Instruments (Taximeter) Regulations 2006 and must be of the calendar control type which is locked and sealed by an approved manufacturer/ supplier and/or installer' The application of any GPS system must provide a comparable level of security for the customer.</p>	<p>Will be taken to committee following the unmet demand survey.</p>	<p>Will be considered in future as part of the taxi licensing policy as a full consultation with the trade will have to take place.</p>
<p>xv. The new specification to initially apply to new vehicle applications only and subsequently will apply to all existing vehicles, both hackney and private hire (where fitted) with effect from 1 April 2015.</p>	<p>Will be taken to committee following unmet demand survey.</p>	<p>Will be considered in future as part of the taxi licensing policy as a full consultation with the trade will have to take place.</p>
<p><u>June 2014</u> Members agreed recommendations iii, iv, vii, xi, xii, & xvi had been fully implemented and signed them off. They requested a further update in 6 months times on the remaining recommendations.</p> <p><u>Jan 2015</u></p>		

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Community Safety Overview & Scrutiny Committee – Workplan 2014-15

Dates	Work Programme
4 June 2014 @ 5:30pm	<ol style="list-style-type: none"> 1. Introductory Report on Suggested Scrutiny Topics for Review in this Municipal Year 2. Update on the Embedding of CYCs Taxi Licensing Policy 3. Workplan 2014-15
30 July 2014 @ 5:30pm	<ol style="list-style-type: none"> 1. Attendance of the Cabinet Member for Environmental Services, Planning & Sustainability 2. Safer York Partnership Bi-Annual Performance Report 3. CYC Year End Financial & Performance Monitoring Report 4. Scoping Report on Proposed 'Discretionary Charges in Waste Management' Scrutiny Review 5. CCTV Overview Report (<i>Deferred to 3 September 2014 meeting</i>) 6. Workplan 2014-15
3 Sept 2014 @ 5:30pm	<ol style="list-style-type: none"> 1. Update on Refresh of Equalities Scheme inc. Introduction to relevant focus areas 2. Update on the work of AVANTE (Alcohol, Violence & Night-Time Economy) (Tanya Lyon SYP) 3. Draft Final Report – Domestic Waste Review 4. Workplan 2014-15
5 Nov 2014 @ 5:30pm	<ol style="list-style-type: none"> 1. Presentation on Changes in Probation Service 2. Attendance of Cabinet Member for Homes & Safer Communities (Apologies given & report provided) 3. Update on implementation of recommendations from Community Resilience Review 4. Update report on work of Horse Bailiff 5. Workplan 2014-15 & Verbal Update on Ongoing Scrutiny Reviews
7 Jan 2015 @ 5:30pm	<ol style="list-style-type: none"> 1. Update on New North Yorks Policing Model (Superintendent Cain confirmed attendance) 2. Safer York Partnership Bi-Annual Performance Report (Ian Cunningham/Jane Mowat) 3. CYC Second Qtr Finance & Performance Monitoring Report (Patrick Looker) 4. Draft Final Report - A-boards Scrutiny Review 5. Further Update on the implementation of recommendations from CYC's Taxi Licensing Policy Review (Lesley Cooke) 6. Workplan 2014-15
4 March 2015 @ 5:30pm	<ol style="list-style-type: none"> 1. CYC Third Qtr Finance & Performance Monitoring Report 2. Update on Anti-Social Behaviour Hub

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