



## Notice of meeting of

### Executive Member For Neighbourhood Services and Advisory Panel

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

**Date:** Wednesday, 19 March 2008

**Time:** 5.00 pm

**Venue:** The Guildhall

## AGENDA

### Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

**10:00 am on Tuesday 18 March 2008**, if an item is called in *before* a decision is taken, *or*

**4:00 pm on Tuesday 25 March 2008**, if an item is called in *after* a decision has been taken.

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

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

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

**2. Minutes (Pages 3 - 10)**

To approve and sign the minutes of the meeting held on 21 January 2008.

**3. Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Panel's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Tuesday 18 March 2008 at 5pm.

**4. Neighbourhood & Community Safety Group Legal Actions (Pages 11 - 16)**

This report informs Members of the results of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1<sup>st</sup> October – 31<sup>st</sup> December 2007.

**5. City of York Council Public Toilets Review (Pages 17 - 28)**

This report proposes a complete review of public toilet provision for York and presents Members with information regarding the new Silver Street toilet facility which will be built to replace the existing facility in Parliament Street.

**6. Service Level Agreements with Community Centre Management Committees 2008/09 (Pages 29 - 36)**

This report seeks approval for the provision of grants linked to Service Level Agreements (SLAs) awarded to four Community Centre Management Committees in York.

**7. Ward Committee Local Improvement Schemes Grant Applications (Pages 37 - 64)**

This report advises Members of proposed changes to the Ward Committee local improvement schemes grant application process

and seeks approval for the incorporation of the changes into a new Ward Committee grant application policy in respect of local improvement schemes.

**8. Response to Petition From the Residents of Poplar Street, Presented at Council on 29th November 2007** (Pages 65 - 68)

This report has been prepared in response to a petition presented to Council by Councillor Crisp on behalf of 20 residents of Poplar Street and gives details of the actions taken to rectify the unpleasant smell coming from the sewage system when the pumps operate at the nearby, newly constructed flats.

**9. Renewal of Charter Mark to the Environmental Services and Cleaning Operations** (Pages 69 - 86)

This report reviews the background and seeks to inform the Executive Member of the outcome of the inspection against the Cabinet Office's customer charter mark standard.

**10. Rural Collection of Waste** (Pages 87 - 96)

This report reviews the current arrangements for collecting refuse from remote properties and farms and proposes a new policy.

**11. Response to Petition From the Residents of Various Locations Across the City, Presented at Council on 29th November 2007** (Pages 97 - 100)

This report has been prepared in response to a petition presented to Council by Councillor Gunnell calling for the extension of recycling to all terraced areas of the City and to all developments of flats to ensure that people living in these properties receive the entitlement to recycling services as other parts of the City.

**12. Implications of the Unfair Commercial Practices Directive** (Pages 101 - 112)

This report informs Members of the new legislation aimed at ensuring businesses trade fairly with consumers.

**13. Revised Enforcement Policy for Environmental Health, Trading Standards and Licensing Services** (Pages 113 - 124)

This report informs Members of the government's new 'Statutory Code of Practice for Regulators' and seeks approval of a revised enforcement policy for environmental health, trading standards and licensing services which is consistent with the principles laid down within the code.

**14. Forward Plan** (Pages 125 - 126)

To review the forward plan for the Executive Member for Neighbourhood Services and Advisory Panel for the 2008/09 municipal year.

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

Democracy Officer:

Name: Simon Copley

Contact details:

- Telephone – (01904) 551078
- E-mail – [simon.copley@york.gov.uk](mailto:simon.copley@york.gov.uk)

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.



## About City of York Council Meetings

### Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

**A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088**

### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

### Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

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

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

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অর্ধাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোঅবী সর্ববরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

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اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ مہیا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

*Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550*

### **Holding the Executive to Account**

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

### **Scrutiny Committees**

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

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

### **Who Gets Agenda and Reports for our Meetings?**

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

City of York Council

Committee Minutes

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MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	21 JANUARY 2008
PRESENT	COUNCILLORS BOWGETT (CHAIR), AYRE, HOLVEY (VICE-CHAIR), POTTER, TAYLOR, WALLER (EXECUTIVE MEMBER), B WATSON AND WATT

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**53. DECLARATIONS OF INTEREST**

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

No interests were declared.

**54. MINUTES**

RESOLVED: That the minutes of the last meeting of the Executive Member for Neighbourhood Services and Advisory Panel, held on 6 December 2007, be approved as a correct record and signed by the Chair.

**55. PUBLIC PARTICIPATION**

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

**56. UPDATE ON NEIGHBOURHOOD ACTION PLANNING**

Members received a report which outlined the approach and development of Neighbourhood Action Plan's (NAPs) across the city, which took into account the details and ethos contained within the *Local Government White Paper – Strong and Prosperous Communities*. The Executive Member was asked to note the development of the documents to date and to approve a new delivery framework.

The report presented the following options for consideration:

- Option One – To implement the continued development of the NAPs, as detailed in paragraphs 15-18 of the report;
- Option Two – To request that officers develop further models for their delivery and report back to the Executive Member for Neighbourhood Services and Advisory Panel (EMAP) at a later date.

Members highlighted the importance of involving other Council directorates, partners and the voluntary sector in NAPs and officers

outlined current work that was being undertaken to do this. It was also noted that schools have to demonstrate community cohesion plans to Ofsted and that this could be linked to NAPs.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the content of the report and the development of NAPs citywide to date be noted;
- (ii) That Option One for the future development of the NAPs be approved, to enhance their corporate role and greater involve partners in identification and resolution of local priorities, as outlined in paragraphs 15-18 of the report.<sup>1</sup>

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

- REASON:
- (i) So that Members are aware of the content and development of NAPs to date;
  - (ii) To comply with the Council's obligation contained within the Council's Constitution Part 3 Schedule 2 concerning the functions of Ward Committees, to deliver strategic links with the Local Area Agreement and Sustainable Community Strategy and to comply with the requirements of central government in terms of the neighbourhood management and engagement and involvement ethos.

Action Required

1 To implement proposals for future development of NAPs. KS

**57. ENCAMS NEIGHBOURHOOD PRIDE SERVICE REVIEW**

Members received a report which provided an introduction to the presentation that was given to the meeting by Steve Graham, Regional Director of Environmental Campaigns (ENCAMS), following a 'Light Touch Review' of the new Neighbourhood Pride Service.

The presentation also outlined methods for dealing with graffiti.

The report presented the following options for consideration:

- Option 1 – to agree all of the recommendations from the review, as detailed in paragraph 6 of the report, and ask officers to develop an action plan so as to implement these as soon as reasonably practicable;
- Option 2- to disagree with all or some of the recommendations.

On conclusion of the presentation, officers provided a further update on progress made since the review.

Members requested feedback from the Director on schemes being trialled to coat street surfaces with a substance to prevent chewing gum from sticking.<sup>1</sup>

Members and officers thanked ENCAMS for the presentation.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the recommendations from the review, as detailed in paragraph 6 of the report, be approved.<sup>2</sup>

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To further improve service delivery of the Neighbourhood Pride Service.

Action Required

- 1 To provide feedback; KS
- 2 To develop an action plan to implement the recommendations from the review. KS

**58. GROVES RECYCLING PILOT - DELIVERY PLAN**

Members received a report which reviewed the background and sought approval for the delivery plan for the 2008 Groves Area Recycling Pilot, which included a set of mini-trials, each with public consultation and review, prior to assessing the best options to be used for the full rollout.

The report presented the following options for consideration:

- Option 1 – To agree the mini-trial area as set out in paragraph 5 of the report;
- Option 2 – To propose alternatives or additional areas within the Groves trial area to carry out the mini-trials;
- Option 3 – Not to carry out mini-trials as outlined in the report, but to move directly into a full trial for the whole of the Groves area.

The report was accompanied by a presentation from the Acting Head of Waste Services.

Members thanked officers for their work developing the proposals for mini-trials.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the mini-trial area in paragraph 5 of the report be agreed.<sup>1</sup>

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To ensure full support from the local area for successful mini-trials and full trials.

Action Required

1 To carry out the mini-trials.

KS

**59. SALES OF AGE RESTRICTED PRODUCTS - REPLICA GUNS**

Members received a report which informed them of the legislation regulating the sale of replica firearms, and specifically explained what controls existed to prevent these potentially dangerous items being supplied to children. The report sought Executive Member approval of an enforcement policy for the enforcement of the legislation.

The report presented the following options for consideration:

- Option 1 – To amend the Environmental Health, Trading Standards and Licensing Enforcement Policy to include that formal enforcement action be considered in cases involving sales of realistic imitation firearms;
- Option 2 – Not to amend the Environmental Health, Trading Standards and Licensing Enforcement Policy.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That Option 1 be approved and the Environmental Health, Trading Standards and Licensing Enforcement Policy be amended to include that formal enforcement action be considered in cases involving sales of realistic imitation firearms;<sup>1</sup>
- (ii) That the government's new legislation to bring the sale of replica guns under the jurisdiction of the Council's Trading Standards function be welcomed, but it be agreed that the legislation should go further and give councils the power to officially test purchase for the sale of imitation firearms to those under 18, without the purchaser committing an offence;
- (iii) That the Director of Neighbourhood Services be asked to draft a letter to request the Secretary of State for an additional change to the legislation to give Local Authorities the power to test purchase without

an offence being committed as is the case with the sale of alcohol, aerosols, cigarettes and knives, with the letter being signed by representatives of all the political parties on the Council and copies sent to all local MPs;<sup>2</sup>

- (iv) That it also be requested that improvements be made at border control to prevent illegal guns entering the country.<sup>3</sup>

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To enable the Council's Trading Standards Service to take enforcement action to prevent the sale of realistic imitation firearms in York.

Action Required

- |                                     |    |
|-------------------------------------|----|
| 1 To update the enforcement policy; | KS |
| 2 To send letter;                   | KS |
| 3 To send letter.                   | KS |

**60. NEIGHBOURHOOD SERVICES SERVICE PLANS**

Members received a report which sought approval for a set of service plans for 2008/9 for Neighbourhood Services.

The report presented the following options for consideration:

- Option 1 – To agree the proposed service plans;
- Option 2 – To agree the proposed service plans, with amendments.

Members thanked officers for their work producing the service plans.

The Labour Group reserved their position on the service plans, given that the budget position for 2008/9 was currently unknown.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That Option 1 be approved and the service plans be agreed.<sup>1&2</sup>

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To agree a clear direction for services in 2008/9.

Action Required

- |   |    |
|---|----|
| 1 To update service plans with 2008/9 budget information; | KS |
|---|----|

2 To implement the service plans.

KS

## **61. REVENUE AND CAPITAL BUDGET ESTIMATES 2008/09**

Members received a report which presented the 2008/09 budget proposals for Neighbourhood Services.

The report included:

- the revenue budget for 2007/08 (Annex 1) to show the existing budgets;
- the budget adjusted and rolled forward from 2007/08 into 2008/09;
- the provisional allocation of pay and price increases for the portfolio;
- officer proposals for budget service pressure costs and savings options for the portfolio area (Annexes 2 and 3);
- other revenue budget options for consultation (Annex 4);
- the existing approved capital programme (Annex 5);
- options for new capital schemes (Annex 6).

Members were asked for their comments or alternative suggestions on the proposals shown in Annexes 2, 3, 4 and 6.

Councillor Taylor commented that the closure of St George's Car Park toilets should not be accepted as a budget saving.

The Liberal Democrat and Labour Groups reserved their positions on the budget proposals.

### Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the report be noted.

### Decision of the Executive Member

**RESOLVED:** That the advice of the Advisory Panel be accepted and endorsed.

**REASON:** To begin consultation on the Neighbourhood Services budget for 2008/09.

## **62. REVENUE BUDGET 2008/09 - NEIGHBOURHOOD SERVICES FEES AND CHARGES**

Members received a report which advised them of the proposed fees and charges for Neighbourhood Services for the financial year 2008/09 and the anticipated increase in income which they would generate.

Paragraphs 4-13 of the report set out key elements of the fees and charges proposals for Members consideration.



Councillor Taylor commented that gambling fees should be set at the highest possible levels and that increased fees for the removal of bulky items of waste may result in increased flytipping.

The Liberal Democrat and Labour Groups reserved their positions on the fees and charges proposals.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the report be noted.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To update the Executive Member on the proposed fees and charges for Neighbourhood Services for 2008/09.

**63. FORWARD PLAN**

Members reviewed the latest version of the forward plan for the Executive Member for Neighbourhood Services and Advisory Panel (EMAP) for the remainder of the 2007/08 municipal year and the beginning of the 2008/09 municipal year.

Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the latest version of the forward plan be noted.

Decision of the Executive Member

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To inform Members and update the Forward Plan.

COUNCILLOR A WALLER,  
EXECUTIVE MEMBER

COUNCILLOR D BOWGETT,  
CHAIR

[The meeting started at 4.30 pm and finished at 7.30 pm].

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## Meeting of the Executive Member for Neighbourhood Services

19<sup>th</sup> March 2008

Report of the Director of Neighbourhood Services

### **NEIGHBOURHOODS & COMMUNITY SAFETY GROUP LEGAL ACTIONS**

#### **Summary**

1. To inform Members of the results of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1<sup>st</sup> October – 31<sup>st</sup> December 2007.

#### **Background**

2. The Executive Member for Environment and Sustainability approved an enforcement policy for Environmental Health, Trading Standards and Licensing Services in September 2005.
3. This report details the results of prosecutions taken in the period 1<sup>st</sup> October 2007 – 31<sup>st</sup> December 2007. In accordance with the policy each case is considered on its merits before legal proceedings are instituted.
4. Annex One summarises the prosecutions completed, fixed penalty notices and cautions that have been issued (a caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue).

#### **Consultation**

5. Not applicable.

#### **Options**

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

#### **Analysis**

7. Not applicable.

#### **Corporate Priorities**

8. The formal legal actions taken contribute towards two corporate priorities, which are “To reduce the actual and perceived impact of violent, aggressive and nuisance behaviour of

people in York” and “To improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest

### Implications

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

### Risk Management

17. In compliance with the Council’s risk management strategy. There are no risks associated with the recommendations of this report.

### Recommendations

18. That the Advisory Panel advise the Executive Member to note the contents of this report.

Reason: So that the Executive Member is updated on formal enforcement activity undertaken by the Neighbourhoods and Community Safety Group.

### Contact Details

**Author:**

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

**Chief Officer Responsible for the report:**

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

**Report Approved**  **Date** 18/2/08

**Specialist Implications Officer:** None

**Wards Affected:**

**All**

### Background Papers:

Environmental Health, Trading Standards and Licensing Enforcement Policy (September 2005)

### Annexes

Annex One: EH and TS Formal Enforcement Action 1<sup>st</sup> October 2007 – 31<sup>st</sup> December 2007.

**Formal Enforcement Action 1<sup>st</sup> October 2007 – 31<sup>st</sup> December 2007****Animal Health**

Defendant	Legislation	Nature of Case	Penalty	Costs
Kerrie WARNER (Private Individual)	Dogs Act 1871	Failed to keep a dog which is dangerous under proper control	*Destruction Order	£200.00

\*Subject to appeal

**Food**

Defendant	Legislation	Nature of Case	Penalty	Costs
Sai Kit LAM Trading as Phoenix Chinese Restaurant and Takeaway (Owner - Restaurant and Takeaway)	Food Hygiene (England) Regulations 2006	Not keeping a food premises or equipment clean  Food not protected from contamination and not stored in appropriate conditions  Lack of a food safety management system	Fine £2345.00	£1238.80

Yan Bing KUANG  
Trading as Magic Rainbow  
(Owner – Takeaway )

- 2 Cautions were issued under the Food Hygiene (England) Regulations 2006 for failing to comply with Community Provisions regarding hygiene.

**Health & Safety**

Patrick YZQUIERDO  
(Private Hire Vehicle Driver)

- £150 fixed penalty notice for failing to display a 'No Smoking' sign in his vehicle (Section 6 of the Health Act 2006).

Paul WRIGGLESWORTH  
(Hackney Carriage Driver)

- £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).

Michael DENNIS  
(Private Hire Vehicle Driver)

- £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).

Michael DOWSON  
(Private Hire Vehicle Driver)

- £50 fixed penalty notice for smoking in his vehicle (Section 7 of the Health Act 2006).

## Trading Standards

Defendant	Legislation	Nature of Case	Penalty	Costs
Paul SHELDON (Car Boot Trader)	Video Recordings Act 1984	Supplied DVDs which had no classification certificates and video recordings which should only be supplied in a licensed sex shop.	Fine £500.00	£495.52

- Paul Colin GORDON (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Hull Road Service Station.
- Kaulbar KAUR (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at G & K News, Fourth Avenue.
- Sandra LESLIE (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Jacksons Stores, Moorcroft Road.
- Lawrence LEVINE (Market Trader) - A Caution was issued under the Trade Marks Act 994 for possessing counterfeit sunglasses.

## Trading Standards (Continued)

- Glynis Mary OUTERSON (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Somerfield, Hull Road.
- Arnold PEARSON (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Costcutter Express at Hull Road Filling Station, Dunnington.
- Sandra Anne POLLARD (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at the Co-op, Tang Hall Lane.
- Kevin RICHARDS (Shop Supervisor) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Yorkshire Terrier, Stonegate.
- Louise TEALE (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at McColls, Hamilton Drive.
- Julie TOMLINSON (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at the One Stop Shop, Walmgate.
- Vanessa WATKINSON (Shop Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Heslington Road News, Heslington Road.
- Kay Louise WEBSTER (Car Boot Trader) - A Caution was issued under the Trade Marks Act 1994 for selling counterfeit jewellery.

## Environmental Protection

Defendant	Legislation	Nature of Case	Penalty	Costs
Barry ANDERSON (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	£500.00	£619.40

Jamie R BURLEY (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	12 months Conditional Discharge	£100.00
Louise BUTLER (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	12 months Conditional Discharge	£100.00
Gail JOHNSTON (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	6 months Conditional Discharge	£50.00
Muhammed Yaseen HASHIM (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	£500.00	£619.40
Roger WIGGINS (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	£100.00	£125.00

Michael Frederick BRYANT  
(Private Individual) - A Caution was issued under the Environmental Protection Act 1990 as amended for failing to comply with noise abatement notice.

## Licensing

Defendant	Legislation	Nature of Case	Penalty	Costs
Mr Martin Davies (Owner - Burger Grill)	Local Government (Miscellaneous Provisions) Act 1982	Engaged in street trading in a consent street without being authorised to do so.	18 months Conditional Discharge	£100.00

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## **Meeting of the Executive Member for Neighbourhoods and Advisory Panel**

19<sup>th</sup> March 2008

Report of the Director of Neighbourhood Services

### **City of York Council Public Toilets Review**

#### **Summary**

1. This report proposes a complete review of public toilet provision for York and presents members with information regarding the new Silver Street toilet facility which will be built to replace the existing facility in Parliament Street.

#### **Background**

2. The provision of clean, safe, accessible public toilets affects all local people and visitors to York. For older people, those with medical conditions such as diabetes and parents with young children, public toilets are an important factor in quality of life and in making the city centre user-friendly. Quality of public toilets plays a major role in defining the image of a city.
3. There is no statutory obligation for local authorities to provide public toilets but many people perceive that this is the responsibility of local authorities. The 2007/08 budget for providing this service is £443,000 with £41,300 allocated for repairs and no capital budget for improvements, other than the Silver Street proposal. Annex A sets out the current facilities in York. While the performance of our cleaning contractor is being carefully monitored and has recently improved, frequent vandalism puts significant pressure on the limited budget, resulting in a poor image and many complaints. Many of the toilets are no longer meeting expectations.

#### **Reviewing public toilet provision in York.**

4. York is a major tourist destination and has a thriving economy therefore it is important that the standard of toilet provision is of the highest standard possible maximising the use of existing financial resources.

A number of improvements are in train already. A new public toilet facility in Silver Street will be provided subject to a planning application in the near future. This facility will replace the Parliament Street provision which will remain open until Silver Street comes on stream. The new Silver Street facility will be fully attended and male and female customers will be charged the same fee. We will also continue to

charge both male and female customers at the fully attended Union terrace facility.

### **Review Scope.**

5. It is proposed that a review of the existing toilet provision within York is undertaken. The scope of a review would need to include the issues below:
6. A full review of all existing sites. In addition to considering the level of use and cost effectiveness of existing sites, officers would undertake an options appraisal and condition survey for each current site, including cost implications to bring the current range of facilities up to modern standards.
7. The review will investigate the potential for a community toilet scheme to be developed in partnership with local retail outlets and public houses as in other large city's in the UK. This could significantly increase the level and quality of provision by inviting local businesses to allow members of the public to use their toilets for free possibly in return for a small annual fee from the council or as their contribution to the continued success of the city centre. If successful, this could allow toilets that are sub-standard and with low usage to be considered for closure without reducing provision. Savings resulting from reduced maintenance costs and capital receipts from the sale of any of the closed sites could be reinvested in the operation of the scheme or to upgrade the remaining council facilities. Current gaps in the provision of facilities in the evenings could also be addressed without the need for capital investment.
8. The review will examine where councils have introduced hydraulic urinals that are stored underground during the day and raised in the evening to reduce street urination. Alternatively, authorities such as Leeds City Council operate quality mobile units that are available in the city centre at week-end or other locations and events where high volumes of customers are expected. It is proposed that a working group of officers be assigned to look at such facilities, which would benefit the main city centre area, even if a community toilet scheme were introduced. The review would ensure that our provision incorporates the needs of the night time economy. The working group would report back to EMAP on the progress they have made at three monthly intervals.
9. The review will consider the charging regime across the range of attended and unattended toilet facilities, and ensure that future arrangements made the city fully compliant with equalities legislation, and considered how to cover the cost of ensuring that compliance.
10. The review will consider access issues to ensure that whatever solution was recommended improved facilities for a range of disabled residents and customers and their carers. Care would need to be taken to ensure that any community toilet scheme maintained accessibility.

11. Taking all of the issues above into account, the review will make recommendations about the potential for alternative patterns of provision across the city whilst reviewing the current contractual arrangements to clean and maintain the facilities.

## **Options**

12. A number of options have been considered over how best to undertake a full review of provision in the city.
13. Option A: Bring in an external organisation such as 'The British Toilet Association' or 'encams' or a similar organisation to undertake a full review of all the issues sets out in paragraphs 7-11.
14. Option B: Carry out an in-house review of the issues in paragraphs 7-11.
15. Option C: A hybrid of options A and B where the bulk of the review work is carried out in house, but making use of expertise held by other interested organisations through their acting as 'critical-friends'.

## **Analysis**

16. Option A: The advantages would be the opportunity to gain an independent view of these issues, and the speed with which the review could be completed. The disadvantages relate to cost and the lack of local knowledge in these organisations.
17. Option B: Doing the review in house means we would lose the independence that an external agent would bring. However, this would be cheaper. A further disadvantage is the level of resource required to carry out a full review would place significant pressure on the directorate with the implication that the review would likely take longer to complete.
18. Option C is recommended as the most practical way to undertake the work despite the fact that it may take longer to complete. Starting in April 2008 we would aim to complete the review and report its outcomes to EMAP in October 2008. Spring / summer is the best time to review provision as these are the times of year when pressure on the facilities will be highest and so the work will be most realistic.
19. While taking option C forward, we would seek to set up a multi-agency working group to consider the findings in depth. We would invite representatives from the city centre partnership as well as representatives of interested parties such as the tourism, economy and community safety sectors.

## **Silver Street Design Proposals**

20. Current thinking on good practice is that the best way to avoid the type of vandalism and community safety problems in York's public toilets is to operate a mix of facilities that include a small number of well-

designed, paid for and attended public toilets ('supertoilets'), alongside a range of community toilets provided by retailers, augmented as and when needs arise by temporary on-street facilities. The difficulties that we and our current maintenance contractor have experienced in running the current facilities suggests that a radical approach is required and that Silver Street, as the city centre's main public toilet, should be designed as an attended, paid for 'supertoilet' using the Union Terrace model.

21. The new Silver Street facility will be fully attended, with male and female customers being charged the same fee. Architects drawings which have now been submitted for planning approval are attached at Annex 2. The facility will offer a range of improvements over the Parliament Street facility:
  - Level access throughout.
  - One ambulant w.c. cubicle in both the male and female toilet.
  - Baby change facility.
  - Wheelchair accessible wc to be open 24/7 through RADAR scheme.
  - Changing place accessible during opening hours using a key to be held by the toilet attendant. This will include a hoist and bed and is a significant step forward in terms of making the city centre accessible to wheelchair users and other disabled people and their carers.
  - Alarms in place for both the accessible wc and changing place linked to the attendant's office.
  - More modern fittings and fixtures which will be easier to clean and maintain to an acceptably high standard.
  - Much better plumbing layout which will reduce the amount of time toilets are out of order.
  - More modern approach to payment which will reduce loss of income through customers letting other customers in without paying.
22. The proposed opening hours for Silver Street are from 0700 - 2100 daily. This is an improvement on the Parliament Street opening hours of 0800 – 2000 daily. The net cost of attendance at Silver Street is estimated to be £10k, (see finance section below) but this would be covered by the review of the contract or other savings within the Service Area. Any part year cost (Dec 08 to March 09), will be covered by existing budgets.
23. The disabled access wc will open directly onto the street. An option that was considered would be for the disabled access wc to open onto the internal corridor. However by having the toilet open directly onto the street with access via a RADAR key, we can ensure that the facility is available 24 hours a day. If it opened to the corridor it would only be available during the opening times of the toilets ie 0700-2100 daily.

We would want to consider how to design the internal layout of the disabled wc to ensure that somebody using the facility would be shielded from the street if the door was opened, or to ensure that the facility could not be inadvertently opened from outside once occupied.

## **Consultation**

24. This report asks members to agree to a full review of this service which would include a significant amount of consultation with a range of interested parties.

## **Corporate Priorities**

25. This report is important for the following corporate priority:
  - Improve the actual and perceived condition of the city's streets, housing estates and public spaces.

## **Implications**

### **Financial**

26. There will be additional funding required for the attendant duties, this will be part funded by transferring the existing attendant at Parliament Street, and additional income received from charging male users as well as females (c25k). This will leave a funding requirement of c£10k in 2009/10. The review will identify opportunities to make savings or reinvest budget currently spent in other areas of the cleaning contract.

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

27. The current attendant at Parliament Street will transfer to the new facility.

### **Equalities**

28. This paper has taken access issues into account. Under the recommended review method option C at paragraphs 18-20 we would invite community groups interested in access issues to take part. Access issues have been central in designing the proposed Silver Street toilets. The formal planning process provides an opportunity for community groups to make detailed comments on the proposals.

### **Legal.**

29. There are no legal implications.

### **Crime and Disorder.**

30. Improving the quality of the facilities, making the toilets fully attended and increasing the opening hours should reduce vandalism experienced in Parliament Street facility. The review being proposed

would take community safety issues into account, and in particular look at ways to improve facilities during the evenings and thereby potentially reduce environmental crime.

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

31. There are no IT implications.

### **Property**

32. The Silver Street premises are part of the councils portfolio and available for re-development following the transfer of the electrical sub-station.

### **Risk Management**

33. In compliance with the council's risk management policy the main risks that have been identified in this report are those which could lead to the inability to deliver a service review of sufficient quality (operational) which could lead to damage to the Council's image and reputation and failure to meet stakeholders' expectations (governance).
34. Measured in terms of impact and likelihood, the risks at this point need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

### **Recommendations**

35. That the Advisory Panel advise the Executive Member:
36. To agree the scope of a review of public toilet provision at paragraphs 7-11.
37. Reason: To inform the Executive Member of meetings with potential partners to this review.
38. To agree Option C at paragraphs 12-20
39. Reason: To carry out a cost effective review of the public toilet provision in York.
40. To agree to a report being presented to EMAP at three monthly intervals to detail the progress of the review.
41. Reason: To keep the Executive Member informed on the progress of the review.

Contact Details

**Authors:**

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Neighbourhood Services  
Tel No.553204

**Chief Officer Responsible for the report:**

**Terry Collins**  
Director of Neighbourhood Services

Report Approved

Date 28/2/08

**Russell Stone**  
Head of Neighbourhood Pride  
Service  
Neighbourhood Services  
Tel No.553108

**Specialist Implications Officer(s)**

Finance - Sarah Kirby – Finance Manager, Neighbourhood Services  
Property – Neil Hindhaugh – Head of Property Service

Wards Affected:

All

For further information please contact the author of the report

**Background Papers:**

None

**Annexes**

Annex A - Existing facilities.  
Annex B: - Architects drawing of Silver Street plans.

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## Annex A

Location	Disabled Access?*	Baby Change?	Attended?
Acomb, Front Street	Yes	No	no
Coppergate (shopping centre)	Yes	Yes	10.00am - 4.00pm, 20p cubicle controlled entry (Female only)
Haxby, town centre	Yes	No	No
Kent Street ( <i>The long term future of this site is uncertain</i> )	Yes	No	No
Museum Gardens (1 April - 30 Sept only)	Yes	No	No
Nunnery Lane (car park)	Yes	No	No
Parliament Street	Yes	yes	10.00am - 5.00pm, 20p cubicle controlled entry (Female only)
St George's Field (1 April - 30 Sept only)	Yes	no	No
St Leonard's Place (Exhibition Square)	Yes	no	No
St Sampson's Square (disabled only)	Yes	n/a	N/a
Tanner Row	Yes	no	No
Union Terrace	Yes	yes	8.00am - 8.00pm, 20p controlled entry (Male & Female)

\*Key available to disabled people that can be used to access disabled toilet facilities nationwide.

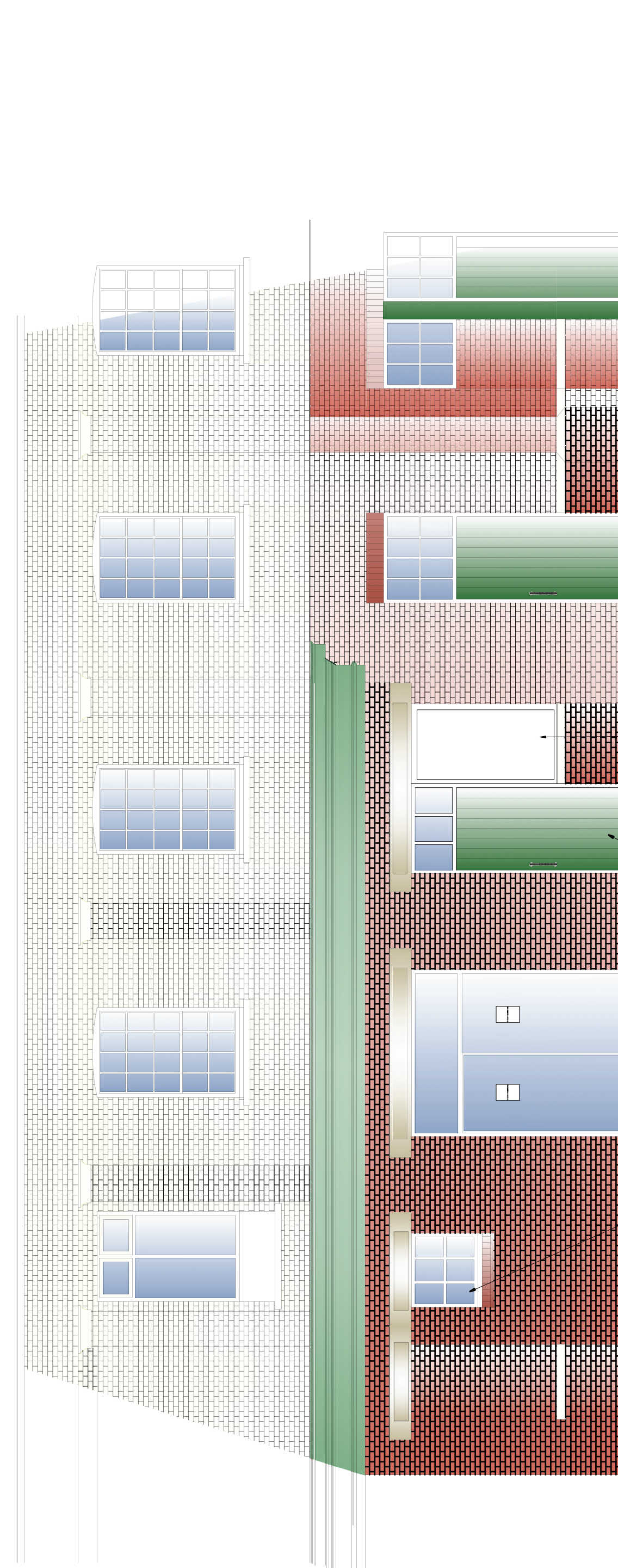
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All dimensions must be checked on site and not taken from this drawing

Revision notes

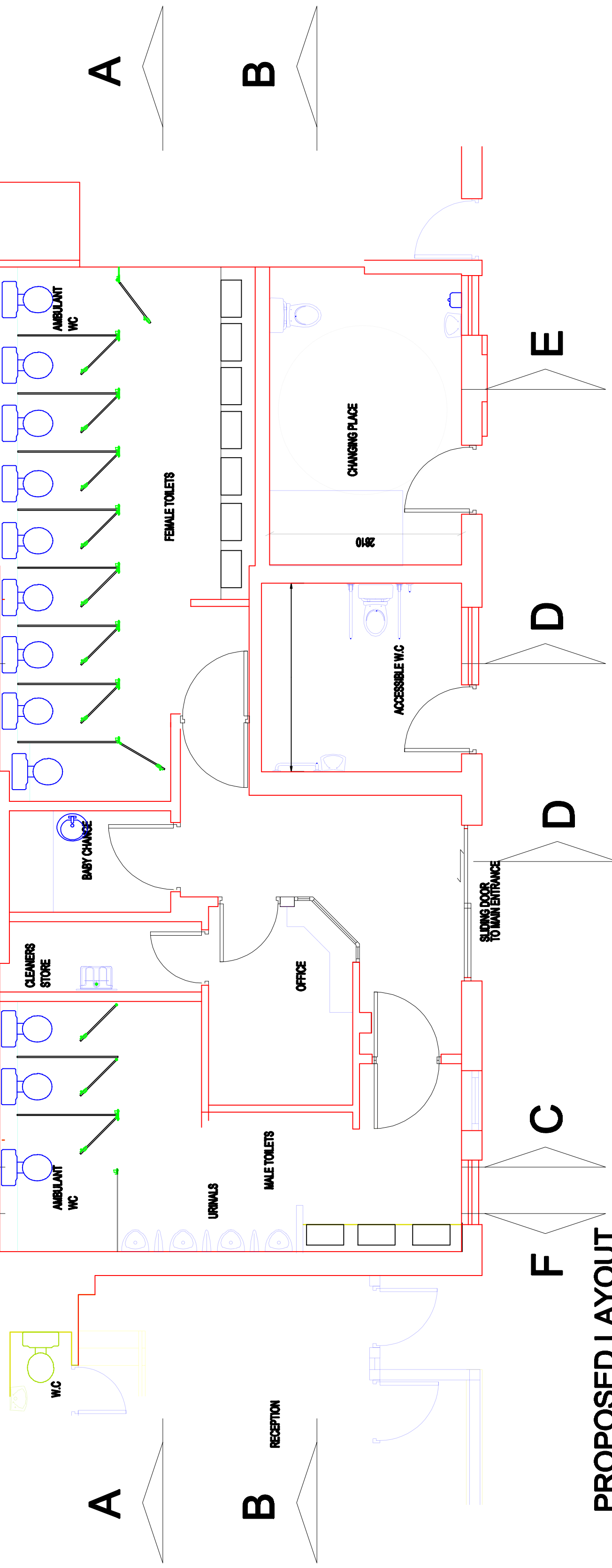
Rev

1

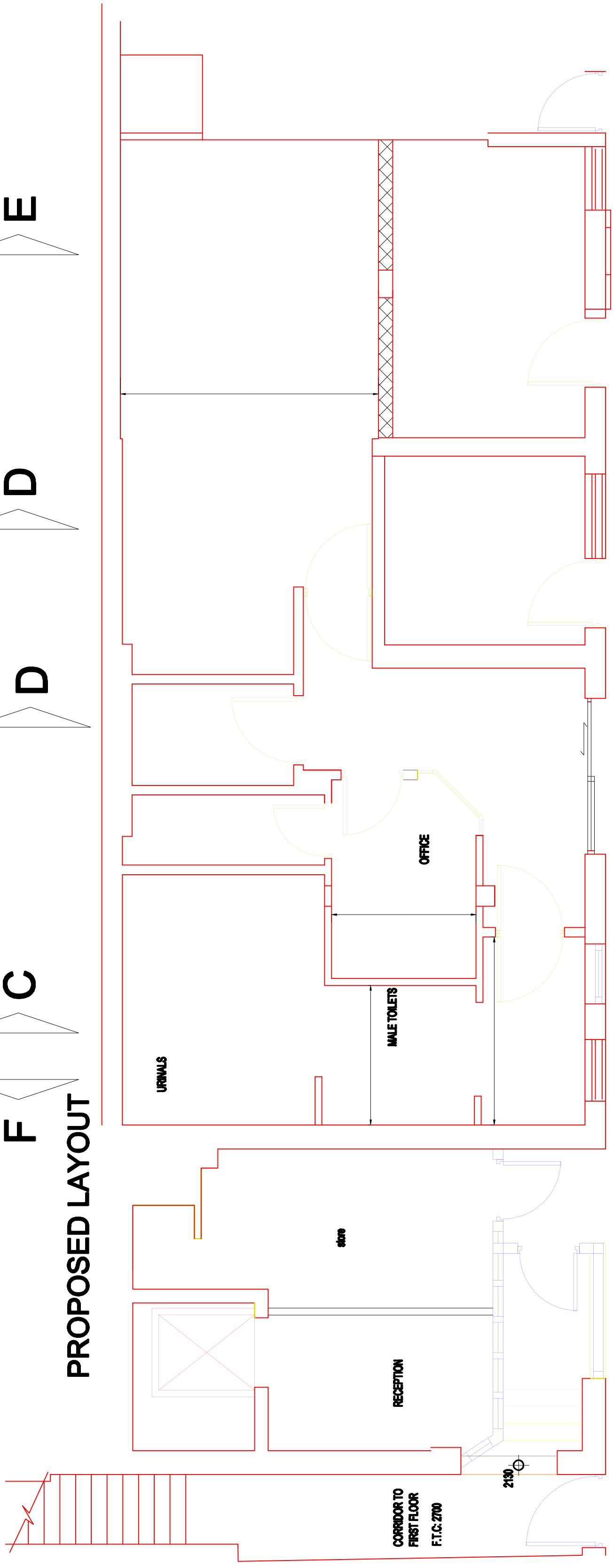


**ELEVATION**

- F** existing opening closed with blockwork behind recessed brickwork
- E** existing opening closed with blockwork behind recessed brickwork
- D** new door and frame c/w fanlight
- C** new frames glass sliding door with manifestation c/w fanlight
- B** decorative panel dynamic or similar
- A** new door and frame c/w fanlight



**PROPOSED LAYOUT**



**PROPOSED LAYOUT SHOWING NEW WALLS**

Rev	Date	By	Reason
A	27/10/07	RTL	Layout amended as per discussion 28th Jan 2008

**CITY OF YORK COUNCIL**  
 Property Services  
 Resources Directorate  
 City Finance Centre  
 PO Box 97 Library Square  
 York, YO1 7DU

Contact: 01904 653414  
 Tel No: 01904 653414  
 Fax No: 01904 653414  
 Email: richard.leathley@york.gov.uk

Job Title: **Silver Street Toilets**  
 Proposed Layout

Drawn	RTL	Checked	Authorised
Date	Nov 2007	Scale	A1
Issue	1	Scale	1:50

Drawing Number	<b>0566/03A</b>
Revision	

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

19<sup>th</sup> March 2008

Report of the Director of Neighbourhood Services

### Service Level Agreements with Community Centre Management Committees 2008/09

#### Summary

1. This report seeks approval for the provision of grants linked to Service Level Agreements (SLAs) awarded to four Community Centre Management Committees in York. It relates to centres owned by City of York Council (CYC) but managed on a daily basis by voluntary management committees. The report covers the financial year 2008/09.
2. The Executive Member is recommended to approve the level of grant funding to the community centres as detailed at Annex One

#### Background

3. Service Level Agreements (SLAs) with associated grant are one form of funding offered by the Council to York's voluntary sector. The grant is used to purchase a specific activity or programme from an organisation, in this instance the voluntary management of Council-owned community centres.
4. Organisations that are given an SLA are required to complete yearly monitoring forms at the end of March each year. The organisations use the monitoring forms to describe how the funded programme was carried out and the outcomes achieved.
5. The grants awarded concern four voluntary organizations that the Council has been working in partnership with and has funded for a number of years. They are providing day-to-day management for community centres, according to mutually agreed standards that have been actively developed through discussion with the Council over time. These agreements are reviewed to take account of the particular circumstances of each community centre management committee.

## **Delegated powers**

6. The scheme of delegation in respect of service level agreements with voluntary organisations can be found in Part 3 of the Council Constitution and in summary is as follows:
  - delegated authority for Chief Officers to approve grants up to £5k
  - delegated authority for the Executive Member to approve grants of more than £5K and up to £50K
  - grants of more than £50K to be approved by the Executive

## **Consultation**

7. SLAs have been developed over a number of years following consultation with each Community Centre Committee concerned. The SLAs for 2008/09 will reflect the individual circumstances of each community centre whilst providing for a programme of events and activities for the residents living in the area of benefit that are accessible to the whole community. Officers consult with the Council's Legal Services before they sign a final copy of each SLA.

## **Options**

8. The options for Members are to:
  - a) Option One – To award grants to each Committee as recommended in paragraph 1 above and Annex One
  - b) Option Two – To discontinue grants to all committees with effect from 1.4.2008

## **Analysis**

9. Option One is recommended for the financial year 2008/09. The grant represents the Council's support to each management committee for undertaking day-to-day management of the centres and associated costs. The centres concerned are Bell Farm Social Hall, Foxwood Community Centre, Tang Hall Community Centre and Poppleton Community Centre. To run the centres the management committees rely on income from rent and room hire charges, fundraising events, donations, and external grants. Rent and room hire charges have to be competitive but also within reach of users in each locality.
10. All centres (excepting Poppleton) are in areas which, according to the Index of Multiple Deprivation (IMD), fall within the top 20% most deprived areas on the country. Therefore, the grants awarded to committees in Bell Farm, Foxwood, and Tang Hall allows these committee to levy affordable charges, and helps each committee keep essential services at the centres including caretaking for the centres to remain open during hours that local people need to use them.

11. Regarding Poppleton Community Centre, on 21<sup>st</sup> March 2006 whilst considering Double Taxation matters the Executive resolved to *'phase out support and funding to Poppleton Community Centre and notify the management committee of a five year period during which this will occur'*. The Advisory Panel should therefore note that in future years the grant to Poppleton Community Centre is expected to decrease by £2000 each year as follows:

- 2009/10      £1,180
- 2010/11      £ Nil

12. Option 2 is not recommended for financial year 2008/09. Bell Farm, Tang Hall and Foxwood management committee will need the grant to be able to sustain their 2008/09 operation at current levels. The 2008/09 grant is the same as that awarded in 2007/08, with the exception of Poppleton Community Centre. Work continues with each Committee to develop long-term business plans so that their reliance on Council grants is reduced over time. In the case of Poppleton Community Centre, there is agreement in place for the grant to be tapered as outlined in paragraph 11 above.

### **Corporate Priorities**

13. The development of SLAs with grants to assist independent Community Centres run by local volunteer management committees supports the Council's Corporate Strategy. They support the Corporate Values of:

- Delivering what our customers want
- Supporting and developing people

They support a number of the 10 year Direction Statements, in particular:

- Listening to the community and ensuring people have a greater say in deciding local priorities
- Promoting a cohesive and inclusive community

They contribute to the Corporate Priorities, namely:

- Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest.
- Improve the life chances of the most disadvantaged and disaffected children, young people and families in the City.

The local management committee plan and deliver services located at each centre with direct input from the local community and local users whilst undertaking the day-to-day management with development support from Neighbourhood Management Officers.

## Implications

14.

- **Financial** – There are no financial implications other than those described above which will be met from existing budgets.
- **Human Resources (HR)** - None
- **Equalities** – The SLAs specify that Community Centre Committees observe current Equalities legislation and relevant CYC policies when they plan and deliver services in the Centres. The views of the local community and other groups are taken into account in providing these services and meeting local needs.
- **Legal** – SLAs are legally binding documents which will be examined and approved by CYC Legal Services before finalised.
- **Crime and Disorder** – None.
- **Information Technology (IT)** – None.
- **Property** – None.
- **Other** – None.

## Risk Management

15. In compliance with the Council's risk management strategy. The main risk relates to not progressing, developing and monitoring the SLAs. This could lead to damage to the Council's image and reputation and failure to meet public and partners' expectations.

## Recommendations

16. That the Advisory Panel advise the Executive member to:

Approve Option One as outlined in paragraphs 9 to 11 to give grants to the organisations concerned for the financial year 2008/09 as outlined in Annex One.

Reason: To ensure that Community Centre management remains with the local community who have the knowledge and motivation and are enabled to manage local community assets. In doing so support the Corporate Strategy of the Council.



**Contact Details**

**Author:**

Elizabeth Levett  
Acting Head of Neighbourhood  
Management  
Neighbourhood Management Unit  
Tel No. 551527

**Chief Officer Responsible for the report:**

Andy Hudson  
Assistant Director (Neighbourhoods and  
Community Safety)

**Specialist Implications Officer(s)** None

**Wards Affected:** Westfield, Heworth, Rural West

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

**Background Papers:**

Service Level Agreements

**Annexes**

Annex One – Level of Grant Funding for Community Centres

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## Annex One

## Level of Grant Funding for Community Centres

<b>Organisation</b>	<b>Amount Granted 2007/08</b>	<b>Proposed Grant 2008/09</b>
Bell Farm Social Hall	£7,180	£7,180
Foxwood Community Centre	£7,180	£7,180
Tang Hall Community Centre	£7,180	£7,180
Poppleton Community Centre	£5,180	£3,180
<b>TOTAL</b>	<b>£26,720</b>	<b>£24,720</b>

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**Meeting of Executive Member for Neighbourhood Services and Advisory Panel****19<sup>th</sup> March 2008**

Report of the Director of Neighbourhood Services

**Ward Committee Local Improvement Schemes Grant Applications****Summary**

1. The purpose of this report is to advise Members of proposed changes to the Ward Committee local improvement schemes grant application process and to seek approval for the incorporation of the changes into a new Ward Committee grant application policy in respect of local improvement schemes.
2. The Executive Member is recommended to approve the proposed changes and adopt the local improvement schemes grant application policy as contained within the draft Ward Committee Grants Policy Guidance Notes and Application Form at Annex Three and Four.

**Background**

3. Each Ward Committee use their Ward Committee budgets to pay for the implementation of schemes and grant projects by not-for-profit organisations which either improve the physical environment or provide local services in the ward. In doing so the Ward Committees seek to improve their local area.
4. Each ward has identified ambitions and priorities for their local area (as set out in their Neighbourhood Action Plan) and the Council is committed to listening to communities to ensure that people have a greater say in deciding local priorities.
5. Schemes and grant projects can be suggested by local residents, Ward Councillors, community groups and other public organisations. Not-for-profit groups and organisations who are active locally can apply for grants for projects providing that they can show that they will benefit people living in the ward committee area. Ward Councillors make the decision on what schemes are funded taking into account ward priorities, residents' preferences and budget available. Information about possible projects are published in the ward newsletter, Your Ward, and all ward residents can vote to indicate their preference for the schemes that they would like to see funded in their ward.
6. A review of the Ward Committee local improvement scheme process has been undertaken to ensure that it is robust, consistent with best practice of other

Local Authorities and to ensure that local needs are met. The proposed amendments to the Ward Committee grant application process are detailed in Annex Two and will apply to applications for grant funding in the financial year 2009/10.

7. These amendments which have been incorporated into the Ward Committee Grants Policy guidance notes and application form seek to provide additional clarification and guidance to applicants including conditions that clearly set out the basis on which ward committee grant applications will be judged to ensure that grant money allocated by the Ward Committee is targeted at local needs.

### **Consultation**

8. Voluntary and community sector groups have been asked to comment on the proposed changes to the Ward Committee grant application process. This includes all those who have applied for grants in the past three years and through the York Compact. The eight-week consultation period ends on Friday 14<sup>th</sup> March. A copy of the letter is attached at Annex One. Members will receive a verbal report and details of the comments received at the meeting of Executive Member for Neighbourhood Services and Advisory Panel.

### **Options**

9. After consideration of the verbal report as to the consultation exercise the options for Members are to:
  - a) Option One – To implement the amended terms and conditions in respect of Ward Committee local improvement schemes grant applications as recommended in paragraph 2 and Annex Three and Four.
  - b) Option Two – Not to implement the terms and conditions in the Ward Committee local improvement schemes grant applications as recommended in paragraph 2 and Annex Three and Four.

### **Analysis**

10. In examining their options Members will want to ensure that Ward Committee grant application process is transparent, reflects best practice, is aligned to other similar local authority schemes and ensure that the grant money allocated by the Ward Committee is targeted at local needs. Option One supports this. Option Two maintains the existing system, and does not include the amendments.

### **Corporate Priorities**

11. Ward Committee local improvement schemes support the Council's Corporate Strategy. By updating and incorporating a transparent policy within the process this demonstrates the Corporate Values of:
  - Delivering what our customers want

- Supporting and developing people
- Encouraging improvement in everything we do

They also support a number of the 10 year Direction Statements including:

- Listening to communities and ensuring that people have a greater say in deciding local priorities

In addition they contribute to the Corporate Priorities, namely:

- Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces
- Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York

## **Implications**

11.

- **Financial** – To be met from existing budgets.
- **Human Resources (HR)** – None.
- **Equalities** – There are no equalities implications. The views of voluntary and community groups will be taken into account.
- **Legal** – None.
- **Crime and Disorder** – None.
- **Information Technology (IT)** – None.
- **Property** – None.
- **Other** – None.

## **Risk Management**

12. In compliance with the Council's risk management strategy. The main risk relates to not being transparent in the policy and application of the grant process. This could lead to damage to the Council's image and reputation and failure to meet the public and partners' expectations.

## **Recommendations**

13. That the Advisory Panel advise the Executive Member to:

Approve Option One to enable the incorporation of the proposed changes into a new Ward Committee grant application policy in respect of local improvement schemes.

Reason: To ensure transparency of policy and process in the application of Ward Committee local improvement schemes grant applications.

**Contact Details**

**Author:**

Elizabeth Levett  
Acting Head of Neighbourhood  
Management  
Neighbourhood Management Unit  
Tel No. 551527

**Chief Officer Responsible for the report:**

Andy Hudson  
Assistant Director (Neighbourhoods and  
Community Safety)

**Report Approved**

**Date** 19.2.2008

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

**Wards Affected:**

**All**

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

**Background Papers:**

**Ward Committee Local Improvement Schemes 2008/09 Application Form and Information Sheet**

**Annexes**

- Annex One – Letter to Consultees
- Annex Two – Proposed amendments to the Ward Committee Grant Application Process
- Annex Three - Draft Ward Committee Grants Policy Guidance Notes
- Annex Four – Ward Committee Application Form 2009/2010





Neighbourhood Services

Andy Hudson  
Assistant Director  
(Neighbourhood Services)  
9 St Leonard's Place  
York  
YO1 7ET

Tel: 01904 551550  
Fax: 01904 551590

Ref: EAL/WCGP/EMAP

18<sup>th</sup> January 2008

Dear Sir/Madam

**Ward Committee Grant Applications**

I am writing to you to seek your views on the attached information which outlines proposals to modify the Ward Committee Grant application process, and incorporate the changes into a new Ward Committee Grant Application Policy.

A report will go to the meeting of the Executive Member for Neighbourhood Services and Advisory Panel on 19<sup>th</sup> March 2008. At this meeting Members (Councillors) will review the current Ward Committee Grant application process, and be asked to make a decision about the proposed changes and adopt a Grant Application policy. If the changes are approved they will apply to applications for grant funding in the financial year 2009/2010.

The changes to the grant application process are being proposed to reflect best practice, to align our process with other local authorities, and to ensure that grant money allocated by the Ward Committee is targeted at local needs.

I have enclosed details of the items it is proposed to be included in the revision of the Ward Committee Grant application process and would invite any comments you may wish to make.

Please send your comments by Friday 14<sup>th</sup> March 2008 marked for the attention of Kay Hoare, Neighbourhood Management Unit, 9 St Leonard's Place, York, YO1 7ET.

Yours faithfully

Elizabeth Levett  
**Acting Head of Neighbourhood Management**

## Proposed Amendments to Ward Committee Grant Application Process

Conditions relating to:

- Successful applicants will acknowledge the support of the Ward Committee and publicise this fact displaying the City of York Council's logo in recognition of this support.
- Applicants will need to provide information as to how they will measure the success of their group/project in delivering the activities to be funded. Success will need to be referenced to measurable outcomes at ward level.
- Applicants will need to provide evidence of risk assessment for any public events funded by the grant.
- Applicants will need to provide evidence that they are not duplicating an existing council-funded service. If they are they must demonstrate that what they are proposing is additional to existing services or activities.
- Successful applicants will be paid by BACs.
- Applicants will be asked to explain how their group has a commitment to equal opportunities.
- Applicants will give permission for the City of York Council to record their details and their organisations details for publicity and consultation purposes.
- Ward Committee grant funding applicants must demonstrate that any schemes/services for which funding is sought provide additional benefits to people in the ward and **are additional** to the schemes/services that applicants already provide. Applications must relate specifically to the Ward in question and demonstrate the specific additional services and benefits to that particular Ward. Applicants will be required to demonstrate how the residents in the relevant ward, including the number of residents, will benefit. Applications will need to contain customer satisfaction or other measurable outcomes at ward level. The Ward Committee Grant process does not preclude applications being made to more than one Ward Committee but each application will have to be tailored to the needs and priorities of each ward and must evidence measurable outcomes in relation to that ward. Blanket applications for grant funding, where a generic application is made to all, or a number of, Ward Committees will not be permitted.

Additional guidance/clarification for applicants:

- A clear statement that individuals cannot apply for funding
- In considering applications Ward Councillors will be looking for clear links to the Council's wider aims and priorities (Corporate Strategy), and individual Ward ambitions and vision (Neighbourhood Action Plans).
- Appeals will only be accepted under exceptional circumstances.
- The award of a Ward Committee grant in one year is no guarantee that grant applications will be successful in subsequent years. Each Ward Committee makes its own decision on funding and an award by one Ward Committee does not influence the decision of another.

**A LARGE TEXT VERSION OF THIS  
INFORMATION IS AVAILABLE ON REQUEST  
Telephone: 551818**

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)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

**☎ (01904) 613161**

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## Proposed Amendments to Ward Committee Grant Application Process

Conditions relating to:

- Successful applicants will acknowledge the support of the Ward Committee and publicise this fact displaying the City of York Council's logo in recognition of this support.
- Applicants will need to provide information as to how they will measure the success of their group/project in delivering the activities to be funded. Success will need to be referenced to measurable outcomes at ward level.
- Applicants will need to provide evidence of risk assessment for any public events funded by the grant.
- Applicants will need to provide evidence that they are not duplicating an existing council-funded service. If they are they must demonstrate that what they are proposing is additional to existing services or activities.
- Successful applicants will be paid by BACs.
- Applicants will be asked to explain how their group has a commitment to equal opportunities.
- Applicants will give permission for the City of York Council to record their details and their organisations details for publicity and consultation purposes.
- Ward Committee grant funding applicants must demonstrate that any schemes/services for which funding is sought provide additional benefits to people in the ward and **are additional** to the schemes/services that applicants already provide. Applications must relate specifically to the Ward in question and demonstrate the specific additional services and benefits to that particular Ward. Applicants will be required to demonstrate how the residents in the relevant ward, including the number of residents, will benefit. Applications will need to contain customer satisfaction or other measurable outcomes at ward level. The Ward Committee Grant process does not preclude applications being made to more than one Ward Committee but each application will have to be tailored to the needs and priorities of each ward and must evidence measurable outcomes in relation to that ward. Blanket applications for grant funding, where a generic application is made to all, or a number of, Ward Committees will not be permitted.

Additional guidance/clarification for applicants:

- A clear statement that individuals cannot apply for funding
- In considering applications Ward Councillors will be looking for clear links to the Council's wider aims and priorities (Corporate Strategy), and individual Ward ambitions and vision (Neighbourhood Action Plans).
- Appeals will only be accepted under exceptional circumstances.
- The award of a Ward Committee grant in one year is no guarantee that grant applications will be successful in subsequent years. Each Ward Committee makes its own decision on funding and an award by one Ward Committee does not influence the decision of another.

# Ward Committee Grants Policy Guidance Notes

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## Guidance for Applicants

The money for Ward Committee grants comes from City of York Council (CYC) Ward Committee budgets. These guidance notes explain what the budgets are for and how they are used. They will help you fill in the Ward Committee Grant Application Form.

### **BEFORE YOU FILL IN THE FORM**

Before you start filling in the form, you can talk to the Neighbourhood Management Officer (NMO) covering the Ward Committee you are applying to. Talking over your application with them will help you to ensure that your proposal meets the requirements for a Ward Committee grant. You can contact your NMO at the Neighbourhood Management Unit, 9 St Leonard's Place, York YO1 7ET tel: 01904 551832.

### **WHAT ARE WARD COMMITTEE BUDGETS FOR?**

Ward Committee budgets pay for the implementation of schemes and grant projects by not-for-profit organisations which:

- i) **improve** the physical environment and
- ii) provide **local services** in any of the 18 Ward Committee areas of the Council.

The aim is to make Ward Committee areas better places in which to live, work and play.

Each ward has ambitions and priorities (set out in their Neighbourhood Action Plan) which seek to do this and the Council is committed to listening to communities to ensure that people have a greater say in deciding local priorities.

Schemes and grant projects are suggested by local people, Ward Councillors, community groups and other public organisations in each Ward Committee area.

Not-for-profit groups and organisations who are active locally, can apply for grants for projects to be completed in the financial year in which they are awarded, for the benefit of people living in the ward committee area.

**It is important to note that Ward Committee grants are annual and no guarantee can be given that the same grants will be renewed each year.**



## 1. What project is eligible for funding?

Your application needs to show that your project fits these criteria before we can consider it.

Any scheme suggestion or grant request can be considered for funding if it is:

- for the benefit of the local community within the ward, can be accessible to all and there is a demonstrable need
- legal and feasible within CYC or national policy
- has planning permissions or other relevant approvals
- can be completed within the financial year in which it is awarded (i.e. financial year runs between 01 April 2009 – 31 March 2010)

## 2. What projects cannot be funded?

- Projects which cannot be completed in the financial year in which they are awarded
- Commercial schemes e.g. shops, businesses
- Projects which are not legal and/or run counter to CYC policy
- Projects which do not have planning approval
- Projects which have started before the time they are approved or have already been committed to, by way of contract i.e. grants cannot be given retrospectively
- Projects which do not show clear evidence of financial need
- Projects which do not show community benefit/need
- Events/activities that have party political or religious goals
- **Multi-ward applications**

Ward Committee grant funding applicants must demonstrate that any schemes/services for which funding is sought provide additional benefits to people in the ward and are **additional** to the schemes/services that applicants already provide. Applications must relate specifically to the Ward in question and demonstrate the specific additional services and benefits to that particular Ward. Applicants will be required to demonstrate how the residents in the relevant ward, including the number of residents, will benefit. Applications will need to contain customer satisfaction or other measurable outcomes at ward level. The Ward Committee grant process does not preclude applications being made to more than one Ward Committee but each application will have to be tailored to the needs and priorities of each ward and must evidence measurable outcomes in relation to that ward. Blanket applications for grant funding, where a generic application is made to all, or a number of, Ward Committees will not be permitted.

**3. Who can apply for a Ward Committee grant?**

- Not-for-profit, constituted community groups (N.B. if you do not have a constitution why not approach a larger organisation to act as your sponsor.)
- Ward-based voluntary organisations
- Parish or Town Councils which are active in the Ward Committee area
- Council departments, to do ward-based schemes which are **additional** to the Council's core service provision

**4. Who cannot apply for a Ward Committee grant?**

- Individuals
- Commercial organisations
- Profit-making organisations

**5. How much can you apply for?**

In 2009/10, there is no upper or lower limit on how much can be applied for, however if the request exceeds £10,000, you are less likely to be awarded a grant due to the limited budgets.

Generally, we receive more proposals than we can support.

**MAKING A DECISION**

**6. Who decides whether or not you will be awarded a grant?**

Ward Councillors make the decision on what schemes are funded taking into account ward priorities, residents' preferences and budget availability.

Ward Councillors firstly look at whether your group and your project are eligible.

They also consider whether your proposal :

- Improves the local environment
- Improves local community safety
- Helps the local community become self sufficient
- Regenerates areas which local people consider run-down
- Helps tackle social exclusion and/or poor health
- Has the support of local communities and takes into account their needs and priorities
- Tackles local priorities that have been highlighted by residents
- Provides good value for money
- Helps the wider aims of the Council and its partners

In deciding the Ward Councillors look at:

- How much money is available overall in the Ward Committee budget
- The preferences of local people. Information about possible projects are published in the ward newsletter, Your Ward. All ward residents can vote to indicate their preference for the schemes that they would like to see funded in their Ward.
- Advice from the Ward Team (including Parish Councillors (if applicable), Town Councillors (if applicable), Neighbourhood Policing Teams, Street Environment Officers, and Neighbourhood Management Officers or other relevant members of the ward.
- Your scheme must comply with Council policies. The Ward Committee will not support schemes which conflict with decisions taken at Full Council. Information is enclosed to help you decide whether your application supports the Council's Vision for York as well as the ambitions and priorities which have been identified and agreed for each ward's Neighbourhood Action Plan.

**7. How long will it take before I find out if my application has been successful?**

Grant awards are likely to be confirmed in July each year, subject to the receipt of all relevant information.

**8. Is there a right of appeal if we are unsuccessful?**

Appeals will only be accepted under exceptional circumstances.

**9. When will I receive the grant?**

The payment of approved grants will be confirmed in writing by the Neighbourhood Management Unit and provided that all relevant information has been returned (including a signed grant agreement form), a payment will be made by BACS (Bankers Automated Clearing Services) in one instalment by the end of July.

**10. Monitoring and reporting progress**

We will only fund grant projects which will be completed by 31<sup>st</sup> March of the financial year in which the grant has been awarded. A progress report is required at the end of September of that year. A final report showing how allocated funds have been used is required by the end of June of the following financial year or

three months after the completion of the scheme, whichever is soonest. We may ask organisations to attend Ward Committee meetings to report back on the work that is being done.

The Council will require the organisation to repay all or part of the sum paid if:

- a) the money is not used for the purpose specified, unless changes are made by prior agreement between the Council and the organisation.
- b) the organisation is not able to provide project details as requested in the monitoring reports
- c) the organisation is not able to spend the sum within the financial year in which it is awarded
- d) the organisation is wound up or ceases to exist.
- e) You do not provide the necessary paperwork including the return of the grant agreement form and the progress report form

**For office use only:**

Date Received

Reference Number

Ward Committee area of benefit



## Ward Committee Grant Application Form for projects to be completed within the period 1 April 2009 to 31 March 2010

### DO YOU NEED SOME HELP OR ADVICE?

Before you start you might like to contact us for an informal discussion or for some help filling in the form. You can contact us at: Neighbourhood Management Unit, 9 St Leonard's Place, York, YO1 7ET  
Tel: 01904 551818 email: [kay.hoare@york.gov.uk](mailto:kay.hoare@york.gov.uk)

The closing date for receipt of completed application forms is **Friday 1<sup>st</sup> August 2008**. You are expected to complete all sections of the application form. Please complete the answers in the boxes but you may refer us to additional information. This information is used to assess eligibility and priority for the grants. Incomplete and late applications will not be considered.

### SECTION 1: CONTACT INFORMATION

#### 1.1 Name of group

**Payee name** (Payments are made by BACS. If this is not possible please provide a payee name. Cheques cannot be made payable to an individual.)

	1
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#### 1.2 Group address and details

The group's office address (if you have one) and contact information. Please supply an address where you are happy for a cheque to be sent to safely in the event of a successful application.

postcode:

telephone:

email:

	2
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#### 1.3 Name of contact person

You, or someone else in the group we can contact about this application.

position in group:  
(eg chair, active member etc)

	3
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#### 1.4 Contact address

The contact person's address and contact information (if different from the group's). Please supply an address where you are happy for a cheque to be sent to safely in the event of a successful application

postcode:

telephone:

email:

	4
--	---



- Do you have a child protection policy?
- j) If you are applying for funding for a public event a risk assessment must be carried out. Please attach a copy of the document.

**2.2 Have you received ward committee funding before?** If you have received ward committee funding before, please include a short report explaining how the grant was spent and why you are applying again.

<p><b>Yes / No</b> <span style="float: right;">7</span></p> <p><b>Year grant received:</b></p> <p><b>Amount awarded: £</b></p> <p><b>Project:</b></p>	

Please continue on a blank sheet if you need to

**2.3 Starting a new group?**  
If you are applying for money to set up a new group, then tell us why you have decided to set up the group and who else has been involved so far. Please enclose aims and objectives. Let us know that you have checked this project is not duplicating work already being done in the ward.

	8
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**2.4 When did your group start?** or when does your group intend to start if you are a new group?

	9
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**2.5 What links do you have with other groups and organisations?**  
Please tell us whether your group has links with other community groups, voluntary organisations and statutory bodies – like Parish Councils, Police and City of York Council.  
If your group is a branch of a larger organisation, then please tell us its name:

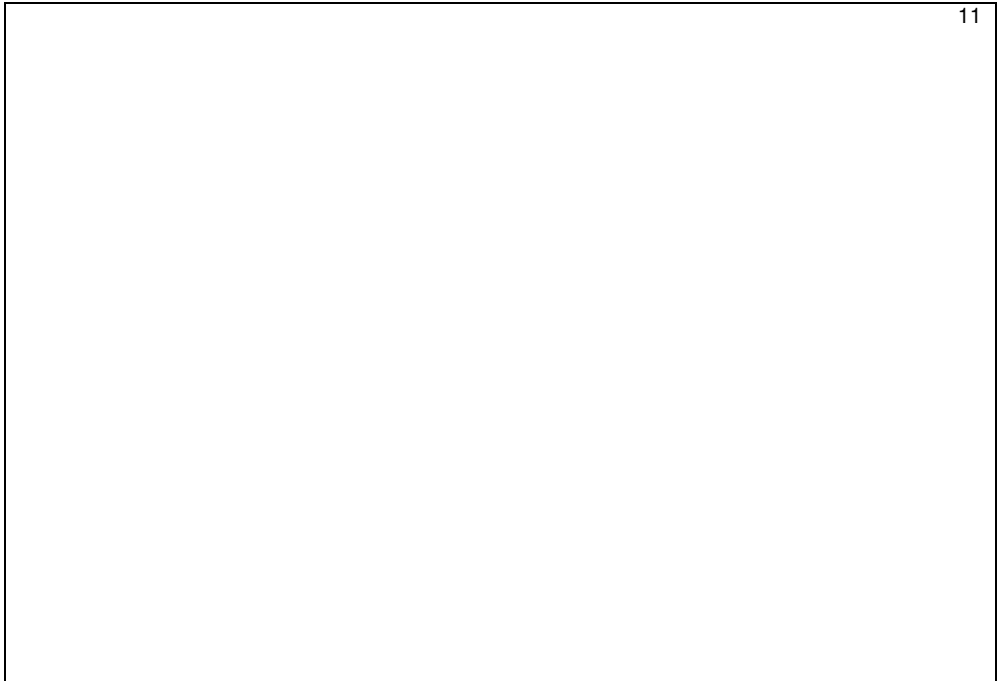
	10
--	----

Please continue on a blank sheet if you need to

**2.6 Please tell us how your group is committed to equal opportunities in the way it works.**

Is your group open to all sections of the wider community?

11



**2.7 Please show how your project is additional to existing services or activities provided by City of York Council.**

12





**SECTION 3: YOUR PROPOSAL**

**3.1 Tell us about what you want to do ...**

Please describe the project or activity you would like the Ward Committee to support.

If you want to organise a one-off event, then give us a draft timetable of the day and say how many people you are expecting.

If you want to organise a programme of activities over a longer time period, then give us a draft outline plan of what would happen when - and who you expect to be involved.

If you want support for the running costs of a group or project which is likely to be on-going afterward committee funding finishes at the end of this financial year, then make sure you explain how you plan to fund it after the money from the Ward Committee runs out.

13
Please continue on a blank sheet if you need to

**3.2 When do you aim to start and finish?**

Projects must start and finish in the same financial year in which the grant is awarded.

14	<b>Start date:</b>
	<b>Finish date:</b>

**3.3 Specifically who will benefit from your proposal?**

15	<b>Which ward(s) benefit(s)?</b>
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The aim of the Ward Committee Fund is to help communities improve the places they live and improve service delivery of CYC in the Ward. Explain how your proposal benefits a given ethnic community, age group or community of interest or a neighbourhood community, but you must be able to show that what you are proposing will lead to better places to live in York.

How many people in the ward will your project benefit? Do not write whole ward, we need to know specifically who will benefit.

State the ward in which the work will take place.

**Which people benefit?**

**How many?**

**3.4 How does this project fulfil the ambition statement(s) of the Neighbourhood Action Plan and other strategic plans?**

You can find out about these plans in the application pack.

16

Please continue on a blank sheet if you need to

**You must show how your project or activity will make a difference in *one or more of these ways*:**

- Improve the local environment
- Improve local community safety
- Tackles local priorities that have been highlighted by residents
- Help the local community become self sufficient by:
  - improving the way community activities or community groups are managed
  - improving the skills, know-how or information resources available to community groups
  - involving more people in community activities or community groups
  - increasing the confidence and ability of marginalised or disadvantaged communities

17

Please tick as many as are appropriate


- Regenerate areas which local people consider run-down
- Help tackle social exclusion and/or poor health
- Provide good value for money


**If you are successful, your project must publicise Ward Committee support in any publicity material, displaying the City of York Council’s logo in recognition of this support.**

**SECTION 4: MEETING OUR WIDER AIMS**

**4.1 How will your proposal support and improve any of the following?**

- the economic prosperity of the local area
- people’s skills and knowledge and life chances
- community safety
- the local streets, housing estates, publicly accessible spaces and the natural environment
- healthy living and lifestyles
- the ability of all residents to take part in the life of the locality

		18
		a
		b
		c
		d
		e
		f

**4.3 How do you know there is a need for your project?**

19

Tell us which communities in York your proposal involves and show that your proposal meets their needs and has their support. You could include evidence of surveys or petitions your group has carried out or promoted in the area. If the proposal has been discussed at public meetings, how many people took part?

Please continue on a blank sheet if you need to

**4.4 How will you measure the success of your project?**

20

Please continue on a blank sheet if you need to

**SECTION 5: FUNDING**

**5.1 How much will your proposal cost?**

Please give a detailed break down of the overall cost of your project for the period it will last in financial year 2009/10. Please provide 3 different quotes and estimates and/or catalogue page copies to evidence costs. If you haven't got 3 quotes explain why. If you decided not to go for the cheapest quote, explain why.

We have to show that the proposals we support are good value for money. So please explain how you have worked out the costs and the assumptions you have made (eg hourly rates of pay).

				<b>How funded? 21</b>	
Itemised list of your expenditure for the project	Total cost of item	Your groups contribution	Other income / grants	Ward committee grant	
Total	£	£	£		
	A				
					£
					B

**5.2 You are asking the ward committee for:**

**5.3 What percentage of the total project cost are you applying for?**

<p>box A / box B x 100 =            %</p>	<p>22</p>
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**5.4 How will you fund the difference (if any)?**

23

If you are applying to us for less than the total cost of the proposal, then we need to know how you will raise the rest of the money. The ward committee will look favourably on groups that have looked for funding elsewhere. If you are relying on grants from other funders, then please tell us their name(s) and show whether the money is:

- secured
- applied for
- still to be applied for

<b>Your Funds</b>	<b>£</b>
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Other sources:	Date Applied For	Date Confirmed	Date of Offer	Date of decision	Amount
<b>Funding Confirmed</b>					
					£
					£
					£

**Funds applied for**

					£
					£
					£

**Still to be applied for**

					£
					£
					£

Please enclose a copy of any offer letters or confirmed funds as listed above.

**5.5 Tell us about your group's finances ...**

24

Please tell us about your group's money including:

- how much income your group received in the last financial year
- How much money has your group spent in the last financial year
- how much money your group has in the bank
- Does your group have any reserves? Please tell us how much

£  
£  
£  
£

a  
b  
c  
d

You should be able to find this information from your annual accounts.

It is okay to have reserves and doesn't mean you won't get a grant. We encourage good financial planning. However if you have substantial reserves the ward committee will take this into account when looking at your application. There should be evidence of financial need.

**Please attach your group's most recent annual accounts and bank statement .**

## SECTION 6: DECLARATION

This is to confirm that the information given in this form is correct to the best of my knowledge; that the group named on page 2 of this form is a not-for-profit community group, a neighbourhood-based voluntary organisation, or a public body which acts locally and that I am authorised to sign on behalf of the group.

I give permission for City of York Council to record my details and the organisation's details and to publicise successful grant applications.

<b>signed</b>		25
<b>name</b> in block capitals please		26
<b>position in group</b>		27
<b>date</b>		28
<b>Sponsor's signature</b> and <b>details</b> – to confirm they have read, agree with and have a copy of this application (if applicable)		29
<b>date</b>		30

**NOW...** please check you have completed all the form, signed it, added any extra pages and copies of any relevant documents, included estimates and price lists as required and included letters of support from other groups. **If you send an incomplete pack this may delay the processing of your application.**

**Please return this form to:**

Local Improvement Schemes Officer  
Neighbourhood Management Unit  
City of York Council  
9 St Leonard's  
York YO1 8QD  
Tel: 01904 551818 Fax: 01904 551531

**Fair Processing Information for Grant Application Forms**

City of York Council will use the information you provide on this form for the administration of grant aid. Your group or organisation's contact details will be added to a database held by City of York Council for the processing of grant aid and for consultation purposes. The Council may also use the information you provide to ensure that all its other information systems are up to date. The award of grants is debated, decided and reported publicly. All information held by the council is liable to disclosure under the Freedom of Information Act unless it is exempt.

If you have any queries concerning the protection of personal privacy or publication of information please contact the City of York Council's Information Management Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or call 01904 552933.





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

19<sup>th</sup> March 2008

Report of the Director of Neighbourhood Services

### **Response to petition from the residents of Poplar Street, presented at Council on 29<sup>th</sup> November 2007**

#### **Summary**

1. This report has been prepared in response to a petition presented to Council by Councillor Crisp on behalf of 20 residents of Poplar Street. The report gives details of the actions taken to rectify the unpleasant smell coming from the sewage system when the pumps operate at the nearby, newly constructed flats.

#### **Background**

2. The residents of Poplar Street in Holgate Ward have complained about a sewerage smell in the street and in their homes which started soon after the occupation of a new development of flats at the end of Poplar Street in April 2006.
3. It was thought that the smell was as a result of a faulty public sewer. Yorkshire Water completed a full CCTV inspection in November 2007 and confirmed that the sewer was in good condition. Yorkshire Water did however express concern regarding the design of the septic tank and pumping station at the new development and confirmed that the installation had not been adopted by them therefore it remained the responsibility of the developer.

#### **Work with the developers (Miller Homes)**

4. After discussions between Officers of Neighbourhood Services and the Developers, on 17<sup>th</sup> December an agreement was reached whereby Miller Homes:
  - Accepted that the problem with the drains was due to their development of the flats;
  - That they were committed to resolving the problems at their costs;

- That they would appoint a company to evaluate the installation and act on the recommendations.
- 5. On 4<sup>th</sup> February 2008, Miller Homes confirmed in a letter that changes had been made to the installation which would prevent the water from stagnating and therefore avoid it becoming septic.
- 6. Early indications are that the problem has been resolved although the situation would continue to be monitored.
- 7. Local Ward Councillor's have been kept informed of developments to resolve this matter.

### **Consultation**

- 8. There has been ongoing consultation with the residents of Poplar Street via Councillor Crisp.

### **Options**

- 9. Report for note only.

### **Analysis**

- 10. The street and houses will continue to be monitored.

### **Corporate Priorities**

- 11. This work is specifically relevant to the following Corporate Priority:
- 12. Improve the actual and perceived condition of city streets.

### **Implications**

- 13. **Financial** – No implications in this report
- 14. **Human Resources (HR)** – No implications in this report
- 15. **Equalities** – No implications in this report
- 16. **Legal** - Enforcement may be necessary if the problem persists.
- 17. **Crime and Disorder** – No implications in this report
- 18. **Information Technology (IT)** – No implications in this report
- 19. **Property** – No implications in this report.

### **Risk Management**

20. In compliance with the Council's risk management strategy, the main risks that have been identified in this report are those which could lead to physical illness and financial loss.
21. **Physical Risk** – The physical risk to residents if the problems persist will need to be monitored. Currently a low risk.
22. **Financial Risk** – The financial risk is to residents if work is needed to their property or services to reduce the impact of the problem. Currently a very low risk.

### Recommendations

23. That the Advisory Panel advise the Executive Member to note this report.
24. Reason: To acknowledge the work done and the ongoing monitoring.

### Contact Details

**Author:**

John Goodyear  
Assistant Director  
Neighbourhood Services  
Tel No. 553204

**Chief Officer Responsible for the report:**

Terry Collins  
Director of Neighbourhood Services

**Report Approved**



**Date** 28<sup>th</sup> February 2008

**Specialist Implications Officer(s)**

Environmental Enforcement Manager - Legal enforcement advice

**Wards Affected:** Holgate

**All**

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

**Background Papers:**

None

**Annexes** – None

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

19<sup>th</sup> March 2008

Report of the Director of Neighbourhood Services

## Renewal of Charter Mark to the Environmental Services and Cleaning Operations

### Summary

1. The report reviews the background and seeks to inform the Executive Member of the outcome of the inspection against the Cabinet Office's customer charter mark standard.

### Background

2. The environmental services assessed for this award include the neighbourhood pride service, waste services and building & school cleaning.
3. Charter mark is the government's national set of standards for customer service for public sector organisations. This group of services was first awarded charter mark status in August 2006, after an independent assessment and evaluation.
4. The charter mark scheme sets out six criteria. These are:
  - To set standards and consult with customers,
  - To engage with customers, partners and staff;
  - To offer services fairly and accessibly to everyone, and to promote choice.
  - To continuously develop and improve services,
  - To make effective use of resources,
  - To contribute to improving opportunities and quality of life in the wider community.

### Why Charter Mark?

5. Environmental services and cleaning services applied for charter mark for a number of reasons.
6. To improve our service:
  - The experience of holders is that charter mark provides an excellent framework for self-assessment and a tool kit for improvement.

7. To get expert feedback:
  - Almost all applicants for formal charter mark assessment find it of great help; even those who are unsuccessful find the feedback useful in order to identify areas of weakness.
8. To improve staff morale
  - Charter mark holders say that attaining the standard has a positive effect on morale and motivation.
9. To help achieve good value
  - Charter mark holders listen more to their customers, perform better than average, have more satisfied users and use resources wisely.

### **The Challenge of the Review**

10. The initial independent assessment against the charter mark standard that we received in August 2006 told us about our strengths and also set out a number of areas where we needed to consider further improvement. When the service was re-inspected late last year, we were able to point the inspector to a significant amount of positive changes that had been undertaken. Key changes include:
  - A street scene review led to the neighbourhood pride service piloting a new way of working from December 2006. The new approach meant street cleansing staff working with barrows to clean in 5 city zones – a much more transparent and visible approach. This approach was rolled out across York in March 2007.
  - In December 2006 Neighbourhood Services moved from its old site at Foss Islands Road to a new eco-depot at Hazel Court. A very successful open day was held in February 2007 for families and residents. Over 500 people turned up to view the new facility.
  - All telephonic and electronic customer contact on the charter mark service areas has moved to the York Call Centre – which went live on 7th February 2007. Centralised call centre staff now handle our customer contact, deal with simple requests and issues, collect customer information and then feed that information where necessary into the service via a customer relationship management (CRM) computer system. As with any computer system this has taken time to bed down and iron out teething problems.
  - A full directorate restructure was agreed in March 2007, and has now been fully implemented.
  - A review of the council's corporate strategy during 2007 with a new strategy agreed in September 2007.
  - A Comprehensive Performance Assessment (CPA) waste management inspection in June 2007 reported positively about the improvements made to the service since the previous inspection in 2004.
  - EnCams (Environmental Campaigns) reviewed our street scene services in August 2007. Their report identified a range of further developments that could be made.

- Over the summer we developed a directorate plan for Neighbourhood Services, which set out 12 priorities for the directorate. The strategy was formally agreed in October 2007.

11. The re-inspection visit took place at the end of November 2007. We completed a brief self-assessment, and set out how we had responded to the original areas where the inspector had pointed to some weaknesses (described as 'partial compliances'). After reviewing our self-assessment documentation, the inspector visited York to undertake interviews with service managers and talk to a small number of staff. While he was here he also saw a CRM system demonstration and had a tour round the depot.

### **Inspection Feedback**

12. The full feedback report is available in Annex 1. The inspector reported that he had enjoyed visiting a team which had made such a lot of progress in the past year.

13. The inspector was very impressed by the amount of positive change over the last year. Overall we were fully compliant in 56 of the 63 criteria. The services retained the Charter Mark award – which will be valid until August 2009. Issues he mentioned specifically were:

- the Eco-depot / Hazel Court – as a step up in terms of customer experience from Foss Islands Depot.,
- the successful reshaping of the old street scene service to benefit front line service delivery,
- the closer working between the waste strategy unit (WSU) and operational waste teams,
- improved performance on waste and street scene,
- the customer relationship management (CRM) system to deliver a better 'end to end' service to the customer,
- strong operational performance monitoring and management against service standards and targets,
- school cleaning service standards that have been revised around the needs of individual schools,
- approach to consulting customers before service improvement changes are made eg piloting the extension of recycling,
- widely available publicity about our services to residents and business customers – including for example information about revised timings of refuse collections around Christmas and bank holidays.

14. One of the reasons to undertake the assessment is to receive an external view of how well the service is doing, including suggestions over areas where further progress could be made. A number of areas for improvement were identified – partial compliances against the charter mark standards.

15. Under criteria 1 (set standards and perform well) there were two partial compliances around informing the public about service standards, and informing the wider public about performance against those standards.
16. Although the inspector recognised the WSU role and compared this favourably to other authorities, he was unclear as to how we report information back to customers/ public. The inspector made a number of innovative suggestions over how we could inform customers about performance – for example by placing performance information on the side of fleet vehicles. We are currently trying to identify how best to feed back annual performance to customers, particularly in light of the removal of the Best Value Performance Plan (BVPP), and the ongoing corporate review of customer standards. There is potential to develop an annual report for the directorate, but we need to do more work to see whether this would be cost effective, and whether it would fit whatever corporate arrangement will be made post-BVPP.
17. Under criteria 2 (engage with customers, partners and staff) two partial compliances were identified. The first was a suggestion that we should improve how we feed back to customers on the outcome of consultation. The second was that we do not seek feedback on the information that we provide to customers, and hence we are uncertain how effective that information is. The directorate is looking at how we consult and engage with customers, as part of a wider corporate development in light of changes to the national performance management framework.
18. Under criteria 3 (fair and accessible to everyone) one partial compliance was noted. The inspector felt that while we work within the council's policies and train staff on equality issues, we did not seek feedback from customers on whether they felt that they had been treated fairly and sensitively. The waste service is currently undertaking an equality impact assessment against its service and the council's waste strategy. Any findings within this assessment will be responded to in order to improve the equity and accessibility of the service, which will respond to this area of partial compliance.
19. Under criteria 4 (continuously develop and improve) two partial compliances were noted. These were that services could learn more from informal feedback. In response the performance team have started to explore how to analyse the CRM system to try to identify trends in informal feedback. For example we have started to look at reports of bins not being replaced in the right place, and spillages following waste collection to see whether trends can be identified on either issue. The second partial compliance was around how we published information about complaints as a directorate and service area – recognising that the council overall did do this. Until the corporate complaints review is completed we do not plan to respond as an individual service area.
20. Criteria 5 (use of resources) and 6 (community impact) were fully compliant.
21. Work being done in response is noted above. More generally, the directorate management team has considered a paper suggesting that a range of customer focused development work could be undertaken across Neighbourhood Services. The scope of this does depend on the outcome of two separate but related corporate level reviews of customer complaints and customer standards.



## **Consultation**

22. Consultation with members, frontline staff and officers were carried out on the service standards. Consultation will form a part of the waste service's equality impact assessment.

## **Options/Analysis**

23. The report is for information, so no options are provided.

## **Corporate Priorities**

24. This work is specifically relevant to the following Corporate Priorities:
- Decrease the tonnage of biodegradable waste and recyclable products going to landfill.
  - Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces.

## **Implications**

25. Financial – No implication in this report.
26. Human Resources (HR) – No implication in this report
27. Equalities – To note the recommendations under criteria 3 in paragraph 17 above
28. Legal - No implication in this report
29. Crime and Disorder – No implication in this report
30. Information Technology (IT) – No implications in this report
31. Property – No implication in this report.

## **Risk Management**

32. In compliance with the Council's risk management strategy, there are no risks identified in connection with this report.

## **Recommendations**

33. That the Advisory Panel advise the Executive Member to note the content of the report.

Reason: So the Executive Member is updated on the position regarding the Award of the Charter Mark.

**Contact Details**

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**Chief Officer Responsible for the report:**

Terry Collins  
Director of Neighbourhood Services

**Report Approved**

**Date** 28<sup>th</sup> February 2008

Mike Douglas  
Performance Improvement  
Manager  
Neighbourhood Services  
Tel No. 553227

**Specialist Implications Officer(s)** None

**Wards Affected:**

**All**

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

**Background Papers:** None

**Annex 1:** Environmental Services assessment report.



# assessment report



## CHARTER MARK CONTINUOUS COMPLIANCE REPORT



CUSTOMER SERVICE EXCELLENCE

**Client:**

Environmental Services, Neighbourhood Services Directorate,  
York City Council

**Ref No:**

07/2157

**Assessor:**

Nigel Hunt

**Location:**

Head Office, Hazel Court, York

**Date:**

26<sup>th</sup> November 2007

### Assessor's findings

- Front line service delivery

Environmental Services have reshaped their services over the last twelve months to provide improved front line delivery. This is particularly so with the introduction of the Neighbourhood Pride Service, the front line street cleaning service, which has seen the re-introduction of barrows. An initial review and feedback from the public indicates that there has been a significant improvement in the street scene environment. The reorganisation has also brought together the waste collection and waste strategy services with improved links between the two. The recycling service has also continued to develop and achieve higher rates of recycling, largely through an increase in the green recycling.

- Levels of complaints and satisfaction with the service.

There are still a number of complaints about the refuse collection service, primarily centred on 'missed bins', but the number has reduced and strategies have been put in place to ensure that 'missed bins' are dealt with more speedily. The development of GPS planned routes will help further in the longer term. The anecdotal feedback about the revised new Neighbourhood Pride Service is highly positive about the impact that is having on communities. Feedback indicates that, generally, satisfaction levels are continuing to rise.

- Progress made by the Charter Mark holder in respect of partial compliances or areas for improvement which were identified during the previous assessment.

Environmental Services have undergone a number of fundamental changes over the last twelve months, including the upheaval of moving offices and depot. They have been able to address a number of key areas, but there remain some areas of partial compliance, primarily in promoting standards and performance reporting. There are some issues around complaints reporting and service monitoring which may need to be reviewed in the light of the introduction of the new Customer Contact Centre and its front facing role on behalf of Neighbourhood Services.

- Issues which may affect certification.

There are no issues that may affect certification.

Criterion 1 – Set standards and perform well

Some of the Service Standards within the Environmental Services team are set nationally as Best Value Performance Indicators (BVPIs), for example the Waste Collection and Recycling targets and those for the Neighbourhood Pride Service (formerly Streetscene). These cover activities such as targets for dealing with missed bins, local street cleanliness and other activities such as the removal of graffiti. The service works within York City Council's Customer First standards for responses to phone calls. Your Services have developed Customer Service Standards that relate to the specific needs of their users. Where services are provided to specific organisations, for example cleaning of schools and other buildings, the standards the service works to are set out in specific service specifications and service level agreements with individual schools. These standards have been agreed in general with the Leisure, Culture and Children's Service (LCCS).

Each of the services within Environmental Services is active in reviewing and monitoring its standards, for example, the standards relating to cleaning service provided to schools have been completely revised and based around the needs of individual schools. The Service Standards for Neighbourhood Pride Services have been developed following the reorganisation of the team and the re-introduction of neighbourhood street cleaners using barrows. These, and the standards relating to schools, have been based around service outcomes rather than processes and are therefore more meaningful to the people using the services.

Each of the services are active in monitoring performance against the BVPIs and other standards and targets, The school cleaning service, for example, receives regular reports from the LCCS. Inspectors who monitor the performance on behalf of the schools. The BVPIs are also monitored from outside the service. Overall, performances are good, for example, most of the schools cleaned reach the 95% target and there are regular meetings with the LCCS to ensure agreed remedial action is taken where there are any shortfalls in performance. Performance is monitored regularly against the BVPIs and it is clear from information to date that the reintroduction of the street cleaning barrows has led to fairly significant improvements in street cleanliness.

There have also been improvements in the performance of dealing with missed bins, and an increase in recycling performance. This has meant that performance in comparison with other authorities has improved raising you into the higher quartiles. You have made use of APSE to benchmark data, but have found realistic comparators difficult and are now working with PSNET to develop more realistic benchmark data. Alongside this quantitative benchmarking, you recognise the value of process benchmarking and have met with comparative authorities such as Chester and visited other authorities, such as South Tyneside and benefited from those experiences. The Audit Commission carried out a Comprehensive Performance Assessment of the Waste Management Service in June 2007 and reported positively that significant improvements had been made in performance in all areas and that there were effective improvement in the performance management arrangements. You have also had ENCAMS carry out audits of your services.

You have involved staff in the identification of standards and customers have been involved in the development of some of the standards within the other areas of service delivery. Comprehensive, new service standards have been developed for schools through the involvement of customers and staff which have been welcomed by individual schools. There are individual meetings with trade customers where standards in respect of their individually tailored services are discussed and which form part of their specific contracts with you. Performance against standards is closely monitored and reviewed monthly and any dips are readily identified, for example, staff meet regularly with Liaison Officers in LCCS to discuss

improvements where cleaning standards may, for whatever reason, dip.

## **Partial Compliance**

### **Element 1.3.2**

There is limited information in the wider public domain about the Customer Service Standards that have been adopted.

### **Element 1.3.3**

Some information about performance is available through the Council's Best Value Performance Plan but this is not widely available nor does it specifically cover performance against the Service's standards.

## **Areas for Development**

There is scope to review how you can provide information about your Customer Service Standards more widely, perhaps building onto using of existing communication processes, for example, including information in existing waste collection and management information that is delivered to all homes, or making better use of the web site and the 'Your Ward' publication (1.3.2).

There is scope to review how and where information about your performance against standards is available and how it can be more widely available to the full range of your customers, perhaps making use of some of the methods outlined above (1.3.3).

Many of the initial calls in respect of the Environmental Services activities are now directed through the Customer Contact Centre. As this arrangement is new, there is scope to review the performance monitoring processes you have in place to ensure you are receiving adequate feedback about how many front line calls are being dealt with first time without follow up calls or having to be referred to your team (1.2.2).

## **Criterion 2 – Actively engage with your customers, partners and staff**

The various services are active in consulting with and receiving feedback from customers. One mechanism for this is through the Council's 'Talk About' Panel which provides feedback about the service generally. There was considerable consultation and discussion with the LCCS and individual schools, making use of the Head Teacher Forum, on the introduction of the new cleaning standards as well as consultation and feedback about other services through attendance at Ward Meetings, Parish Council meetings and surveys, particularly in respect of green waste collections. You are currently piloting the introduction of recycling collections in areas of terraced housing and flats and are consulting widely as part of that process. You also consulted the public and particularly staff on the re-introduction of the barrow system of street cleaning.

There have been a number of changes over the last twelve months, including the move to the new premises that have involved staff and there is a continuing dialogue through team meetings and Service Forums with representatives of staff. A Council wide Staff Survey was completed earlier in year and showed an improvement in satisfaction levels from staff and involvement in the organisation. The layout of the new premises has helped to improve communication with, and the involvement of, staff. Feedback from the customers and from front line staff helped to identify the need for changes in the street cleaning services and this has led to the introduction of the new Neighbourhood Pride Service and the return to the use of street cleaning barrows. You have also listened to customers in terms of the changes made to the

green waste collection which has remained a good service now being maintained throughout the year. Feedback from customers about the public toilet provision has led to discussions about the future provision and opening of new facilities in the City Centre. Whilst feedback from customers is sought, there is scope for feedback to be developed.

Information about your services to the general public is widely available both through specific literature aimed at customers or through general Council publicity. For example, you provide information to all householders at Christmas, and other Bank Holidays, about the revised timings of refuse collections. You are active in promoting environmental campaigns as part of the waste strategy. For schools, information concerning specific services is set out in individual service level agreements. Otherwise, information is available through the Council's web-site, its offices and in general Council information. You opened your new offices to the public which, alongside the environmental issues, helped provide information about a range of your services, about which people hitherto had little awareness. The web-site contains helpful 'Frequently Asked Questions'. The commercial waste aspect of your service provision is promoted to potential customers. Information on costs of the services are summarised in the authority's 'Your Council Tax Explained' that is distributed to every property. Details of charges for the trade waste collection service are distributed to all customers and potential customers. The charges are negotiated individually to meet the needs of individual local businesses. The Waste Strategy team produce positive information about recycling and waste minimisation activities. The Household Waste Recycling Centres are well advertised with clear signage. The Service works within Council guidelines on accessible communication. Where appropriate there are one-to-one discussions about service level agreement arrangements. The Waste Collection service is strong on using terminology that customers understand. Within the cleaning service you have recognised that a number of front line staff do not have English as their first language and have produced cleaning specifications in Polish.

The Services work closely in partnership with external organisations and internal services within the authority, for example, LCCS and wider waste partnership meetings. For example, the Waste Collection Service works very closely with Waste Strategy and this relationship has developed since the Waste Strategy Team was integrated into Environmental Services. The links with the Customer Contact Centre have been a major new partnership for you. Neighbourhood Services work in close partnership with Jewson and ABRO, who lease the remainder of the site, and through which you operate your vehicle servicing. The Service also works in partnership with York University and has entailed particularly close working in introducing new technological innovations. These partnership arrangements are evidenced through a mix of formal contractual relationships, service agreements, regular partnership meetings, informal meetings and contacts and minutes of meetings. The Partnership working with schools has enabled you to provide an improved and, in the longer term, more cost effective service for some schools. The move into Neighbourhood Services has enabled a closer working relationship between Waste Strategy and Waste Management to develop. Information provided on recycling and the waste disposal sites provide good examples of how customers can access services operated in partnership with others and receive a seamless service.

### **Partial Compliance**

#### **Element 2.1.5**

Although there is some degree of feedback to customers on the outcome of consultations there is, overall, little evidence that this is an embedded process.

#### **Element 2.3.2**

You do not seek feedback on the information you provide and the effectiveness of that information.



## Areas for Development

You may wish to consider developing a consultation strategy to identify the most appropriate ways to seek feedback from, and consult with, the wide variety of your customers ensuring that you get effective feedback from the full range of service users and the full range of your activities. There is scope, for example, to develop the use of telephone feedback and text messaging (2.1.1).

Although there has been an improvement in your approach to involving employees and seeking their contributions to the development of your services and encouraging suggestions and comments on the service, the most recent staff survey suggests that there is still room to further develop these processes and opportunities for staff (2.1.2 & 2.1.3).

There is scope to review the mechanisms the Service has for feeding back after consultations and for these to be effective across all your services (2.1.5)

There is scope to seek feedback from customers on the specific information you provide, how it is used, whether it meets their needs and, if and how, it can be improved (2.3.2).

### Criterion 3 – Be fair and accessible to everyone and promote choice

The services provided can be accessed in a number a number of ways, telephone, email and through the internet where some services are available 'on-line' for example the reporting of 'missed bins'. The York Pride number is the key access point for information about services, as this is now the Customer Contact Centre for Neighbourhood Services. Customers can email York Pride Action Line direct. The web-site also contains helpful information about how the services provided.

Staff are clearly identifiable through corporate clothing and front line staff have undergone customer care training. Customer surveys have found staff to be polite and courteous. The Service is able to offer a range of choices, through different size 'wheelie bins' depending upon needs and circumstances, or can be provided with plastic sacks where that is more convenient. A 'wheel-out' service is available for customers with special needs. Similarly, trade refuse customers are able to choose the size of skip suitable to their needs and the service offered to trade waste customers is designed to meet their specific needs. Service Level Agreements for school cleaning are based on choice of each school in terms of the standards of cleaning they require. All your public services are provided free of charge to customers, but where there are specific charges, for example, commercial waste collection or cleaning contracts these are clearly specified. The Service works within the Council's framework of equality and disability policies and procedures. There is the facility for information to be available in different formats and languages, should there be requests. The Service is active in ensuring that the needs of specific customers are supported through, for example, the provision of larger or smaller wheelie bins where they may be required because of family size or those with special needs, a 'wheel out' service is available for customers with special needs and there is also a clinical waste collection service for those with specific requirements.

## Partial Compliance

### Element 3.3.4

Although you work within the Council's policies and train staff on equality issues, you do not seek feedback from customers about whether they consider themselves to have been treated fairly and sensitively.



## Areas for Development

You may wish to review the access routes through which people access your information and services, for example, the web site to see if they are effective channels and meet your customers' needs, for example, those who may have disabilities (3.1.1).

You may wish to seek support corporately in reviewing the web site to ensure that it is easily accessible to people with disabilities, making use of technology to change font sizes, contrast and browse readers and placing these on the Home Page (3.3.3).

You review your feedback mechanisms and consider how best you can ask customers about whether they have been treated fairly and equally (3.3.4).

### Criterion 4 – Continuously develop and improve

The Neighbourhood Services Directorate is developing a three year plan form 2008/9 to 2010/11 that brings together service objectives and performance indicators and linking these into the Council's wider corporate objectives taking account of short term imperatives, medium term priorities and the longer term vision. It outlines current and future provision, proposed service developments, with action plans, taking resources into account. This includes an action plan against issues raised by the Audit Commission.

The services provided have continued to improve over the last three years and this has been confirmed by the Audit Commission in their most recent review. It is also evident in the feedback from customers about the services and the BVPI indicators that show significant improvements in street cleanliness and the levels of recycling, particularly in green waste and kerbside collection. You are piloting an extension of the recycling scheme to residents of terraced properties and flats who, hitherto, have not been able to access services available to other residents. The development and introduction of the Customer Relationship Management system is a further example of improvements in service delivery as is the new household waste recycling service at Hazel Court. Feedback from the most recent satisfaction surveys is not yet available, but the most recent satisfaction levels are over seventy percent level and increasing. Feedback from schools indicates that there is also over 70% satisfaction with the standard of cleaning.

Technology is being used to improve the services provided such as the use of GPS to better plan refuse collection rounds, and the use of technology to pinpoint 'hotspots' for example, of missed bins or complaints about litter, which will assist in the future management of the services.

The Council has a corporate complaints system, which is available through its web-site with a three stage system, clear timescales and recourse to the Local Government Ombudsman if customers continue to feel aggrieved. Residents of York also know to make use of York Pride to contact the Service if they have a complaint or comment and this number appears on all the refuse collection vehicles. There is a clear differentiation between complaints made through York Pride and other issues around service delivery reported through York Pride. Although the first point of call is now the Customer Contact Centre, all formal complaints are passed through to Neighbourhood Services. There is comprehensive corporate guidance on complaints and appropriate staff have received training on complaints handing. A large number of complaints are successfully resolved at the first stage. The service provides the opportunity for comments, compliments and suggestions which are logged onto the system.

Details of complaints and actions taken are centrally recorded and, complaints, formal

complaints and compliments are recorded. Information about complaints is reported to Council members and complaints for the whole Council are reported in the annual performance report. There is a formal process for seeking feedback from complainants. Staff and customers were involved in the most recent review of the complaints process. Access to complaints procedure and reporting on the internet has improved over the last twelve months.

## **Partial Compliance**

### **Element 4.3.4**

There is insufficient evidence to show that you are able to monitor informal complaints effectively.

### **Element 4.3.5**

The Council publishes information about complaints corporately, but not by individual service.

## **Areas for Development**

There is scope to introduce into your satisfaction surveys questions about the importance of services as well as satisfaction levels, to provide you with a gap analysis that will help you develop your services (4.2.2).

There is scope to review the questions you ask in your satisfaction / feedback surveys with a view to seeking more information about the reasons behind the satisfaction levels so as to be able to use those to develop the service (4.2.4).

You may wish to review your satisfaction / feedback surveys, looking to extend the range, perhaps making use of telephone surveys and distributing questionnaires through street cleaning staff (4.2.4).

A number of complaints on your new reporting system were 'out of time' for response. There is scope to review how you monitor that to ensure that complaint responses can be brought within the target time (4.3.1).

The introduction of the new Customer Contact Centre means that first line enquiries are responded to outwith your Service. This means that informal complaints may not be recorded or come to the attention of your staff. There is scope to review this to ensure that you are able to pick up informal complaints through your new procedures and processes (4.3.4).

You may wish to explore how you can promote information about the number of complaints you have received, how you have dealt with them and any improvements you have made separately from the corporate reporting of complaints (4.3.5).

## **Criterion 5 – Use your resources effectively and imaginatively**

The Service has well developed processes for managing and reviewing its revenue and capital budgets including monthly monitoring and variance reporting. It monitors the cost of waste collection and is able to compare this annually with the Service's own costs and to benchmark it with other organisations. The budget process is comprehensive. The Service has responsibility for managing the complex arrangements for landfill tax and has in place arrangements to monitor and review this aspect of financial management.

The Service is cost conscious and is aware of the need to ensure that it provides value for money. There has been an historic deficit on the school cleaning service, but the service is

required to break even this year and is taking action to manage this process. The Service makes good use of the commercial waste vehicles using them on both morning and evening collections. The development of the Customer Contact Centre have enabled you to make more effective use of staff with first line calls now received in the Contact Centre. The Cleaning Service has reviewed specification which is now based on outcomes, rather than detailed schedules, providing a more cost effective service to meet the needs of customers. The introduction of the Neighbourhood Pride Services and the barrow rounds has mean that you have been able to better tailor the services to meet the areas of highest demand.

All services are aware of the need for efficiency and cost savings and improving the use of resources and have been required to make Gershon and other savings in recent years. Each of the services is aware of the need to benchmark its costs and do so, for example, the cleaning service making use of comparators through the British Cleaning Council. The Waste Service has recently received an Audit Commission Assessment that indicates that it provides good value for money. The Services have in the last year moved to a new depot and service area that have been partially procured on innovative long term partnership arrangements with ABRO and Jewson. Staff are well aware of the need for value for money and cost effectiveness and finance and budget matters and for the need for longer term efficiency gains and effectiveness of the service.

### **Partial Compliance**

There are no areas of partial compliance.

### **Areas for Development**

No areas for development have been identified

### **Criterion 6 – Contribute to improving opportunities and quality of life in the communities you serve**

The Council has adopted a number of strategies that cover a range of community issues including the development of the local economy, safer communities through the reduction of crime and disorder, and addressing wider community disadvantage and improving environment. The sustainable city that seeks to reduce the impact of the environment on current lifestyles, coupled with taking pride in environment and improving the quality of the environment are central to the City's Vision. The Service has in the last twelve months moved to a new depot is very eco-friendly, being the largest straw building in Europe and, for example, using recycled rain water to clean vehicles as well as generating 40% of the electricity it needs. The Waste Strategy team work in partnership with a number of agencies and promotes recycling in the community and through educational work.

The Service has considered how it can implement these strategies and its Directorate Plan has been based around the longer term vision of the Council and its corporate proprieties, particularly those that relate to the community, for example, reducing the environmental impact of its policies and waste minimisation. Your central involvement in York Pride means that you play an important role in improving the environment. Staff are committed to supporting York Pride initiatives and are all aware of the Council's vision in this area and work to sustain improvement in the environment. It has been involved with the community for a long period and has worked with PACY volunteers for many years. The work of the Waste Strategy team in working on educational and promotional activities also provides valuable input into the wider community and neighbourhood strategies.

The feedback from the Yorkshire Pride scorecard indicated that the performance in the

community is monitored and that improvement can be demonstrated. The Service has clearly learnt from its involvement in the community and developed its programmes to respond to needs of the community in respect of the York Pride initiative. The launch of York Business Pride alongside York Pride reflects that.

### **Partial Compliance**

There are no areas of partial compliance.

### **Areas for Development**

No areas for development have been identified

### Outcome

Following this visit I am able to inform you of my decision that Environmental Services, Neighbourhood Services Directorate, York City Council continue to meet the Charter Mark Standard, and based on my findings I can confirm the next surveillance will be due in November 2008.

Although I have indicated when your next visit is necessary, if you feel you would benefit from an assessment before this date, you are able to opt for a **certification review** at any time. This can be done by simply completing and submitting one of our assessment request forms which can be found on our website [www.emqc.co.uk](http://www.emqc.co.uk), if successful your certificate will be re-issued for a further 3 years, subject to ongoing monitoring. This will form a '**rolling certification**'.

**Compliance against the Charter Mark Standard**

Criterion	Sub-Criterion	Element	Best Practice	Full Compliance	Partial Compliance	Major Non-Conformance
1	1.1	1.1.1		X		
		1.1.2		X		
	1.2	1.2.1		X		
		1.2.2		X		
		1.2.3		X		
		1.2.4		X		
	1.3	1.3.1		X		
		1.3.2				X
		1.3.3			X	
		1.3.4		X		
		1.3.5		X		

Criterion	Sub-Criterion	Element	Best Practice	Full Compliance	Partial Compliance	Major Non-Conformance
2	2.1	2.1.1		X		
		2.1.2		X		
		2.1.3		X		
		2.1.4		X		
		2.1.5			X	
		2.1.6		X		
	2.2	2.2.1		X		
		2.2.2		X		
	2.3	2.3.1		X		
		2.3.2				X
	2.4	2.4.1		X		
		2.4.2			X	
		2.4.3		X		
		2.4.4		X		
		2.4.5		X		

Criterion	Sub-Criterion	Element	Best Practice	Full Compliance	Partial Compliance	Major Non-Conformance
3	3.1	3.1.1		X		
		3.1.2		X		
	3.2	3.2.1		X		
		3.2.2		X		
		3.2.3		X		
		3.2.4		X		
	3.3	3.3.1		X		
		3.3.2			X	
		3.3.3		X		
		3.3.4			X	

Criterion	Sub-Criterion	Element	Best Practice	Full Compliance	Partial Compliance	Major Non-Conformance	
4	4.1	4.1.1		X			
		4.2.1		X			
	4.2	4.2.2		X			
		4.2.3		X			
		4.2.4		X			
		4.2.5		X			
		4.3	4.3.1		X		
			4.3.2		X		
			4.3.3		X		
		4.3.4			X		
		4.3.5			X		
		4.3.6		X			
		4.3.7		X			

Criterion	Sub-Criterion	Element	Best Practice	Full Compliance	Partial Compliance	Major Non-Conformance
5	5.1	5.1.1		X		
		5.1.2		X		
		5.1.3		X		
		5.1.4		X		
		5.1.5		X		
	5.2	5.2.1		X		
		5.2.2		X		

Criterion	Sub-Criterion	Element	Best Practice	Full Compliance	Partial Compliance	Major Non-Conformance
6	6.1	6.1.1		X		
		6.1.2		X		
		6.1.3		X		
	6.2	6.2.1		X		
		6.2.2		X		
		6.2.3		X		
		6.2.4		X		



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

19<sup>th</sup> March 2008

Report of the Director of Neighbourhood Services

### Rural Collection of Waste

#### Summary

1. This report reviews the current arrangements for collecting refuse from remote properties and farms and proposes a new policy.

#### Background

2. The council has a duty to arrange for the collection of household waste from properties unless the properties are so isolated or inaccessible that the cost of collecting it would be unreasonably high. (Environment Protection Act 1990 s45) No property in York is excluded on this basis.
3. The council may, by notice require the occupier to place the waste for collection in receptacles of a kind and number specified and may make provision with respect to the size, construction and maintenance and the placing of receptacles for the purpose of facilitating the emptying of them (EPA s46).
4. The Household Waste Recycling Act 2003 requires at least two types of waste to be collected for recycling, together or individually separated from the rest of the household waste by 31 December 2010.

#### Current Arrangements

5. Collections of domestic refuse are made from 148 rural or remote locations. Several of these locations include farms with adjacent residential premises. As an example, at the New Farm estate, Cinder lane, Nether Poppleton, there are eight properties.
6. Collections are made from a total of 370 properties. Of these 57 are roadside collections, the remainder being accessed from unadopted roads and farm tracks. Some accesses are of good quality with hard surfaces, others are rough and narrow. During inclement weather the access may be undefined which is a problem as many have deep ditches alongside. In areas such as this there is also an increased risk of an accident or damage to one of our

vehicles being experienced. Examples of vehicles experiencing difficulties are shown below.



7. Many of the collections are made from within the working farmyard area where there is some space to turn the collection vehicle. The remainder of the residential collections are from adjacent to the track and typically these properties have only a right of access, which makes manoeuvring problematic.
8. Only mixed domestic refuse is collected, there is no current recycling provision. Two types of collection vehicle are used, a large but narrow Refuse Collection Vehicle(RCV) and a smaller caged vehicle with a tail / bin lift. This smaller vehicle is necessary where there are bridges with weight limits.
9. Both vehicles operate 5 days per week and collect other waste whilst on their rounds. The larger RCV also collects commercial waste from some farms. The small vehicle does not have the capacity to collect from all the remote properties and farms.
10. Waste management policies were reviewed in September 2005 when wheeled bins and alternate weekly collections were introduced. It was agreed that for all properties, the point of collection should be the edge of the boundary of the property, or if advised, at a central collection point. However this policy did not apply to the remote properties and farms because they did not have alternate weekly collections.
11. For the kerbside service (green bins and grey bins) the council provides an assisted collection service to those households where none of the occupants are physically able to put containers out for collection. This has not been an issue on the rural round as collections have been from adjacent to the properties.

### **Foot and Mouth Precautions**

12. During the foot and mouth outbreak, collections from farms and the associated properties were suspended. After restrictions were lifted, letters were sent asking that refuse bins be placed adjacent to the nearest adopted highway for collection, this being the equivalent of the edge of property in urban situations.



13. Following complaints from affected householders about the impracticality of this arrangement, the previous collection arrangements were reinstated whilst further investigations were undertaken.

### **Concerns Raised by Householders**

14. A selection of comments raised by customer is detailed below:
  - Not reasonable to wheel bin long distances to main road;
  - Leaving bins on main road is dangerous and theft/ vandalism could occur;
  - Farm track is in good condition, used by large feed wagons, so no risk to refuse collection vehicle;
  - Service standard being reduced: with no adopted highway, streetlights or drainage, refuse collection is the only relevant service provided for their council tax.

### **Approach taken by other Waste Collection Authorities**

15. Adjoining Districts:
  - In Hambledon collections are from the lane end unless there are three or more properties. If there is good access i.e. an acceptable surface, passing places, no gates and a safe turning space, collections are made from the property.
  - In Ryedale the kerbside policy for all farms is strictly enforced. Collections will however be made from the farm if there are 3 or more separate properties eligible to pay council tax.
  - In Selby where residents are within approximately 140 metres of a public highway they must bring their bins to their property boundary for collection. Properties beyond this distance have a “garden gate” or “farmyard boundary” collection subject to there being satisfactory access and facilities for manoeuvring a refuse collection vehicle.
16. Annex 1 to this report summarises a web-based request for information undertaken by East Riding. It can be seen that the majority of collection authorities insist on “lane end” collections i.e. adjacent to the adopted highway. Agreed shared collection points are commonly used if the owners of the private roads agree and the access is suitable.
17. Those authorities retaining edge of property collections provide sacks and use small vehicles with limited capacity, (even down to “Transit” size vans in one authority).

## **Appraisal**

18. The level of service that historically has been provided has resulted in damage to vehicles and allegations of damage to the private tracks used. It is not sustainable when foot and mouth restrictions apply.
19. The Health and Safety Executive have published a 'good practice' document for the waste industry. In it, they state, that reversing causes a disproportionately large number of moving vehicle accidents in the waste industry. Where possible the risk should be controlled by eliminating reversing and reducing distances reversed.
20. They go on to recommend that waste collection authorities should 'liaise with householders and customers to re-locate waste and recycling collection points'.
21. The council has provided a more extensive service than many other collection authorities, in particular our neighbouring councils. Lane end collections are widely implemented.
22. Early planning is needed to assist in the development of a recycling service to these properties. The process of kerbside sort of recycling takes significantly longer than the emptying of bins, therefore it is important that minimal 'narrow lane' travelling is achieved in order to ensure an efficient recycling service.
23. It is therefore appropriate to review the current arrangements for collecting refuse from remote properties and farms and agree the basis of a policy which will then assist with recycling collection arrangements as they are introduced.
24. A policy is required which produces a consistent approach whilst allowing for the incorporation of site specific, common sense solutions where appropriate.

## **Proposed Policy**

25. Officers consider that the following policy should be adopted for collecting waste from rural or remote areas.
26. Where the boundary of a property does not border on an adopted highway, refuse containers should be placed adjacent to an adopted highway for collection, irrespective of distance, unless otherwise agreed with the council.
27. Collection vehicles will not use private roads, tracks or drives serving one or two properties unless it is expedient to do so and a local agreement is made with the relevant landowner.
28. Subject to compliance with paragraphs 29 and 30 below, groups of 3 or more properties liable for council tax, which are served from a shared private road, track, or drive, will be provided with an edge of property collection unless an accessible shared collection point can be located to serve the properties.

29. The method of collection of waste may be by plastic bags for easier delivery to the collection point, or by wheeled bins. The council will provide the wheeled bins, boxes or communal containers as required.
30. Where possible, local collection points will be suitable for the introduction of recycling containers and will be located to avoid collection arrangements being disrupted by foot and mouth restrictions.
31. The use of unadopted roads, tracks or private drives will only be acceptable to the council when the condition, surface and alignment are suitable and where the landowner has agreed in writing to indemnify the council for damage caused to the access route by the refuse vehicle and damage to the vehicle caused by using the access. Passing and turning spaces must be available and their use similarly indemnified.
32. Deterioration of any aspect of the suitability of the private road, track or drive may result in the removal of a local arrangement. In this case a direction would be made requiring waste to be placed at a specified point adjacent to the adopted highway.
33. Assisted collection arrangements will be available in accordance with existing policy and be taken into account when agreeing local collection arrangements.

### **Consultation**

34. Over 120 letters were sent to properties on the “Farm Collection “ round which resulted in 40 responses. All were followed up and site visits undertaken. The information gathered was used to refine the proposed policy. Many of the issues raised have been taken into account whilst the proposed policy was being established.
35. There has been consultation with adjacent authorities on their policies, details are contained in this report.

### **Options**

36. Three options should be considered:
  - **Option 1:** retain the status quo i.e. provide collections from all properties using private roads, tracks and accesses as necessary.
  - **Option 2:** implement a strict “lane end” approach.
  - **Option 3:** A “lane end” with exceptions approach as set out in the proposed policy.

### **Analysis**

37. Option 1 does not address the concerns regarding collection vehicles using unadopted roads and private tracks and accesses, nor does it consider the

guidance given by the Health and Safety Executive. It is not within the existing council policy where collections are not from the boundary of the properties.

38. Option 2 is not within existing policy as some collections would not be from the boundary of the property. The affected households would all have a poorer level of service than is normal elsewhere in the city.
39. Option 3 requires a change of policy as not all collections would be at the edge of the property. It significantly reduces the risk of damage to collection vehicles. If the access is adequate, it provides the same level of service to groups of properties as they would receive if the properties were not remote. The proposed policy would align the council's collection arrangements with those of neighbouring authorities.

### **Corporate Priorities**

40. This work is specifically relevant to the following Corporate Priority:

Decrease the tonnage of biodegradable waste and recyclable products going to landfill.

### **Implications**

41. **Financial** – The effects of implementing the proposed policy will be to decrease the risk of vehicle damage. Vehicle utilisation will change but no significant variation in transport or employee requirements is anticipated. The cost of site inspections, meetings with residents and any additional refuse containers will be contained within existing budgets.
42. **Human Resources (HR)** – No implication in this report
43. **Equalities** – Equalities issues have been considered and are addressed within the proposed policy.
44. **Legal** - The proposed policy may be implemented under sections 45 and 46 of the Environmental Protection Act 2006.
45. **Crime and Disorder** – No implication in this report
46. **Information Technology (IT)** – No implications in this report
47. **Property** – No implication in this report.

### **Risk Management**

48. In compliance with the Council's risk management strategy, the main risks that have been identified in this report are:
  - Damage to the Refuse Collection Vehicles;

- Damage to resident and customer property;
  - Health and Safety risk of reversing large vehicles in confined areas, or long reversing distances.
49. The proposed policies reduce the risk to council vehicles and employees. They also reduce the risk of claims against the council for damage to private property.

### Recommendations

50. That the Advisory Panel advise the Executive Member:
51. That the proposed policy be approved, as set out in option 3 above.
52. That consultation with affected householders be undertaken to agree local collection points where necessary.
53. Reason:

To reduce the risk of damage to vehicles and property, reduce the risk of an accident occurring and minimise the need to carry out reversing manoeuvres as set out in the guidance from the Health and Safety Executive.

### Contact Details

**Author:**

Peter Davison  
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Waste Services  
Tel No. 553111

**Chief Officer Responsible for the report:**

Terry Collins  
Director of Neighbourhood Services

**Report Approved**

**Date** 28<sup>th</sup> February 2008

John Goodyear  
Assistant Director  
Neighbourhood Services  
Tel No. 553204

### Specialist Implications Officer(s)

*Sarah Kirby – Finance Manager – Neighbourhood Services*

**Wards Affected:**

All

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

**Background Papers:** None

**Annexes** – Annex 1 - Information on the policies of other authorities

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## Rural Collection of Waste

**Information on the policies of other authorities**

Strabane	Kerbside only
Exeter	lane end only
Melton	end of drive with limited exceptions
Suffolk	adjacent to highway
Stafford	lane end but go to groups of property
Mid Bedfordshire	not up tracks unless >3 properties
Pembrokeshire	bags collected kerbside
Bridgenorth	edge of "made" road,, not down tracks
Staffordshire Moorlands	lane end
High Peak	lane end only
South Oxfordshire	Lane end
Suffolk	edge of highway and encourage enclosure
Hart	all collections from kerbside except assists
Perth & Kinross	lane end only
Caradon	lane end –with exceptions
S Norfolk	lane end – offer sacks
S Northants	end of lane only
Bromsgrove	end of drive- however long
N Norfolk	use private roads if owners agree, otherwise lane end
Kettering	edge of property if road adopted or agreed collection point
( 20 councils)	
Charnwood	back door service unless abut highway
Sheffield	Small vehicle- occupiers to keep track in good condition or collection withdrawn
Canterbury	edge of property- small truck used
North Hertfordshire	Go to property if accessible
Sefton	"gatepost" collection
Sunderland	from farm – 3.5t vehicle
Ceridigion	edge of property
Alnwick	edge of property if access ok
NE Derbyshire	generally collect if too great for householder to get to road but some have no collection
( 9 councils)	
Wyre Forrest	at farm for refuse, lane end for recycling
Gwnedd	Not up private tracks, some specified collection points and communal sites. 50 sacks /year provided.
Wakefield	take to where can be collected by a small vehicle
N Devon	edge of property or agreed collection point
W Dorset	Do not enter property to avoid damage
Preston	designated collection points
Plymouth	end of track if small vehicle cannot access farm
	unreasonable to buy small vehicle for a few farms

N W Leicester  
S Cambs.  
( 9 councils)

individual solutions- sacks offered  
Farmyard if accessible. New properties end of drive only





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

**19<sup>th</sup> March 2008**

Report of the Director of Neighbourhood Services

### **Response to petition from the residents of various locations across the City, presented at Council on 29<sup>th</sup> November 2007**

#### **Summary**

1. This report has been prepared in response to a petition presented to Council by Councillor Gunnell calling for the extension of recycling to all terraced areas of the City and to all developments of flats to ensure that people living in these properties receive the entitlement to recycling services as other parts of the City.

#### **Background**

2. Eighty signatures to the petition were received from various streets and wards across the City.
3. The Household Waste Recycling Act requires the council to collect at least two materials from all households by December 2010. Currently households with kerbside recycling are offered paper & card; plastic bottles; metal cans/drinks containers and mixed coloured glass collections.
4. The Executive agreed on 9th October 2007, that a trial recycling scheme be implemented in the Groves area in 2008. It was also agreed that the implementation plan would be shared with Members. This was considered at the Neighbourhood Services EMAP on 21<sup>st</sup> January 2008.

#### **The Trial**

5. The report to the Executive identified issues such as vehicle and general access in addition to container provision and storage, which would need to be resolved. A minimum of 6 months trial was anticipated with substantial householder liaison.
6. The trial will provide the basis for methods of kerbside collections of recycling to all households. There is no expectation that a "one size fits all" service approach will be right for all circumstances as there are simply too many variables. The Groves trial will however provide a sound basis for planning

implementation of the Executive decision to fully rollout recycling in remaining areas from 2009.

7. The council provides, bags and /or boxes for recyclables. In smaller terrace properties, external storage may be the norm, so containers will need to be water and vermin proof. It is also proposed to trial a "recycling station" which was featured in the report presented to the Neighbourhood Services EMAP.

## **Consultation**

8. Given the number of different types of property, types of refuse containment and vehicle constraints, the range of participation rates and the effort required to successfully communicate with residents, it is proposed to undertake several small mini-trials in the Groves area to determine which options work best.
9. Before delivery commences:
  - All households taking part in the trial will receive leaflets that offer full information regarding the proposed arrangements;
  - Ward councillors will be offered personal briefings;
  - York customer contact centre staff will be provided with copies of the publicity and given guidance on answering queries;
  - Press releases would inform the public in general and other Groves area residents in particular that localised changes are taking place to some collection arrangements;
  - A presentation will be given to the Groves residents association

## **Options**

10. Report for note only.

## **Analysis**

11. Surveys of participation rates and weights of each type of recyclate will be undertaken to determine the optimum collection containment method and the vehicles needed for the eventual rollout.

## **Corporate Priorities**

12. This work is specifically relevant to the following Corporate Priority:

Decrease the tonnage of biodegradable waste and recyclable products going to landfill.

## Implications

13. **Financial** – No implications in this report
14. **Human Resources (HR)** – No implications in this report
15. **Equalities** – No implications in this report
16. **Legal** - No implications in this report
17. **Crime and Disorder** – No implications in this report
18. **Information Technology (IT)** – No implications in this report
19. **Property** – No implications in this report.

## Risk Management

20. In compliance with the Council's risk management strategy, there are no risks identified from this report.

## Recommendations

21. That the Advisory Panel advise the Executive Member to note this report.
22. Reason: In response to the petition.

## Contact Details

### Author:

John Goodyear  
Assistant Director  
Neighbourhood Services  
Tel No. 553204

### Chief Officer Responsible for the report:

Terry Collins  
Director of Neighbourhood Services

Report Approved

Date 28<sup>th</sup> February 2008

**Specialist Implications Officer(s)** None

**Wards Affected:**

All

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

### Background Papers:

Waste Management Strategy 2007/2008 – 2013/2014 – Executive 9<sup>th</sup> October 2007.

Groves Recycling Pilot – Delivery Plan - Neighbourhood Services EMAP 21<sup>st</sup> January 2008.

**Annexes** – None

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

19 March 2008

Report of the Director of Neighbourhood Services

### Implications of the Unfair Commercial Practices Directive

#### Summary

1. The purpose of this report is to inform members of the new legislation aimed at ensuring businesses trade fairly with consumers.

#### Background

2. The Consumer Protection from Unfair Trading Regulations 2008 (the Regulations) will come into force on 26<sup>th</sup> May 2008, and bring about a number of significant changes to the legislation that trading standards officers enforce. Most notably, the offence provisions of the Trade Descriptions Act 1968 (which made it an offence for traders to falsely describe goods or to knowingly/recklessly make a false statements about their services) will be repealed, as will many other established pieces of consumer protection legislation.
3. A variety of new measures will come into place, which are anticipated to further strengthen consumer protection, and improve fair competition between businesses. A number of different unfair commercial practices are prohibited by the Regulations, below is a summary of the main provisions and examples of the kind of actions which are prohibited. However, unlike existing legislation, the Regulations are only concerned with dealings between consumers and businesses. Separate legislation covering misleading claims (only) in business to business dealings will come into force in April 2008.
4. Misleading Actions

These provisions prevent a trader giving false information about their goods or services or presenting information in a way that is likely to deceive the **'typical consumer'**, and as a result the consumer makes a (or is likely to make) a **'transactional decision'** (for example to buy the goods) that they wouldn't otherwise have made. It may be false (or deceiving) information about many aspects of the product, including the characteristics such as claiming that jewellery is gold or other precious metal when it is not, or giving a misleading price about the product e.g. claiming that it will cost £50 to cut back the trees in a consumer's garden and presenting an invoice for £500 (£50 per tree).

(See Annex One for the definition of 'typical consumer' and 'transactional decision')

5. Misleading Omissions

Misleading omissions are where a trader fails to give a consumer information, and as a result, the consumer makes (or is likely to make) a transactional decision that they would not otherwise have made. For example the trader omits to tell a consumer that a car they were thinking of buying from him had been previously involved in an accident. This section also applies where a trader hides material information (e.g. something hidden away in the small print of the terms and conditions), or provides material information in a manner which is unclear, unintelligible, ambiguous or untimely (e.g. presenting the consumer with a document about the car's accident history after the sale has been concluded).

6. It will also be a misleading omission if the trader makes an 'invitation to purchase a product' and fails to give material information including details of the main characteristics of the product including the identity of the trader (i.e. their name and address), the price and other additional charges amongst other things (e.g. failing to disclose a booking fee for a concert ticket).

7. Aggressive Commercial Practices

A trading practice is aggressive, and therefore unlawful, if the trader uses harassment, coercion or undue influence to impair the consumers choice or conduct. An example might include driving a consumer to the bank to obtain cash for work they have carried out on their home.

8. Specific 'Banned' Practices Listed in the Regulations.

The Regulations specify 31 practices which will be considered unfair in any circumstances. These practices are shown in Annex Two and it will be seen that that they include some of the most commonly complained about trading practices. Many of these practices are not illegal under current legislation. The list in the schedule includes; displaying a quality mark (logo) without having obtained the necessary authorisation such as where a plumber falsely claims CORGI registration, making inaccurate claims to a consumer about the risks to their personal security if they do not buy the product they are selling (e.g. that a consumers house is likely to be burgled unless they buy an alarm), claiming that a trader is about to cease trading or move premises when they are not and traders who claim their job is in jeopardy if the consumer doesn't buy their product.

9. General Unfair Commercial Practices

Finally the Regulations make it an offence to knowingly or recklessly engage in a practice which falls below 'the requirements of professional diligence' i.e. below what is 'honest market practice' or 'good faith' in the trader's field of activity. Again, in simple terms, the practice must be likely influence a consumer's decision to buy the product, an example might be a consumer who

engages a roofer to replace tiles he says need replacing on a persons home when they do not.

10. Defences and Penalties

As with most consumer protection and other regulatory law there is a 'due diligence' defence available to a businesses (the defence does not apply in respect of general unfair commercial practices outlined in paragraph 9 above). This means when a business has taken all the reasonable steps they can to avoid the offence and exercised all due diligence to make sure that the steps are effective they can avoid any prosecution.

A breach of the regulations can be dealt with under either the criminal or civil law. If a prosecution is taken, a fine of up to £5000 per offence may be imposed in the Magistrates' Court. If the matter is heard in the Crown Court, the maximum penalty is an unlimited fine and up to 2 years in prison (or both). Alternatively a breach of the Regulations may lead to a complaint being made to the County Court under the Enterprise Act 2002 to seek an injunction to stop the trader carrying out their unfair practice.

11. Powers

Trading standards officers have powers inspect goods and to enter businesses premises to ascertain whether there has been a breach of the Regulations. In addition, there are powers for trading standards officers to require businesses to produce documents and to seize goods (or documents) in certain circumstances such as where they are required as evidence in the same way that existing powers allow.

**Consultation**

12. There is no consultation associated with this report.

**Options**

13. City of York Council has a statutory duty to enforce the Regulations. This report is for information only

**Analysis**

14. Not applicable.

## **Corporate Priorities**

15. Enforcement of the Regulations will contribute towards the corporate priority to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on the people in York.

## **Implications**

### **Financial**

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

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

17. There are no human resources implications associated with this report

### **Equalities**

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

### **Legal**

19. The City of York Council has a duty to enforce these Regulations.

### **Crime and Disorder**

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

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

21. There are no IT implications associated with this report

### **Property**

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

### **Other**

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

### **Risk Management**

24. In compliance with the council's risk management strategy. There are no risks associated with the recommendations of this report.

### **Recommendations**

25. That the advisory panel advise the executive member to note the report.



Reason: To inform members of this significant change in consumer protection legislation.

**Contact Details**

**Author:**

***Matt Boxall***

***Trading Standards Manager***

*01904 551528*

**Chief Officer Responsible for the report:**

***Andy Hudson***

Assistant Director (Neighbourhoods and Community Safety)

**Report Approved**

**Date** 18/2/08

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

**Wards Affected:**

**All**

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

**Background Papers:**

- None

**Annexes:**

One. Definition of 'typical consumer' and 'transactional decision'.

Two. Commercial practices which in all circumstances are considered unfair.

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**Annex One**

**‘Typical consumer’** means-

- (a) the average consumer to whom the commercial practice is addressed or whom the commercial practice reaches; or
- (b) The average member of a particular group of consumers to who the commercial practice is directed; or
- (c) The average member of a clearly identifiable group of consumers –
  - (i) who are particularly vulnerable to the commercial practice or to the underlying product because of their mental or physical infirmity, age or credulity in a way which a consumer could reasonably be expected to foresee; and
  - (ii) who are not particularly vulnerable to the commercial practice by reason only of that commercial practice being the common and legitimate advertising practice of making exaggerated statements of statements which are not meant to be taken literally.

**‘Transactional decision’** means any decision taken by a consumer whether to act or to refrain from acting concerning –

- (a) whether, how and on what terms to purchase, make payment in whole or in part for, retain or dispose of a product; or
- (b) whether, how and on what terms to exercise a contractual right in relation to a product.

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**Annex Two****Commercial practices which are in all circumstances considered unfair**

1. Claiming to be a signatory to a code of conduct when the trader is not.
2. Displaying a trust mark, quality mark or equivalent without having obtained the necessary authorisation.
3. Claiming that a code of conduct has an endorsement from a public or other body which it does not have.
4. Claiming that a trader (including his commercial practices) or a product has been approved, endorsed or authorised by a public or private body when the trader, the commercial practices or the product have not or making such a claim without complying with the terms of the approval, endorsement or authorisation.
5. Making an invitation to purchase products at a specified price without disclosing the existence of any reasonable grounds the trader may have for believing that he will not be able to offer for supply, or to procure another trader to supply, those products or equivalent products at that price for a period that is, and in quantities that are, reasonable having regard to the product, the scale of advertising of the product and the price offered (bait advertising).
6. Making an invitation to purchase products at a specified price and then—
  - (a) refusing to show the advertised item to consumers,
  - (b) refusing to take orders for it or deliver it within a reasonable time, or
  - (c) demonstrating a defective sample of it,with the intention of promoting a different product (bait and switch).
7. Falsely stating that a product will only be available for a very limited time, or that it will only be available on particular terms for a very limited time, in order to elicit an immediate decision and deprive consumers of sufficient opportunity or time to make an informed choice.
8. Undertaking to provide after-sales service to consumers with whom the trader has communicated prior to a transaction in a language which is not an official language of the EEA State where the trader is located and then making such service available only in another language without clearly disclosing this to the consumer before the consumer is committed to the transaction.
9. Stating or otherwise creating the impression that a product can legally be sold when it cannot.
10. Presenting rights given to consumers in law as a distinctive feature of the trader's offer.
11. Using editorial content in the media to promote a product where a trader has paid for the promotion without making that clear in the content or by images or sounds clearly identifiable by the consumer (advertorial).
12. Making a materially inaccurate claim concerning the nature and extent of the risk to the personal security of the consumer or his family if the consumer does not purchase the product.
13. Promoting a product similar to a product made by a particular manufacturer in such a manner as deliberately to mislead the consumer into believing that the product is made by that same manufacturer when it is not.

14. Establishing, operating or promoting a pyramid promotional scheme where a consumer gives consideration for the opportunity to receive compensation that is derived primarily from the introduction of other consumers into the scheme rather than from the sale or consumption of products.
15. Claiming that the trader is about to cease trading or move premises when he is not.
16. Claiming that products are able to facilitate winning in games of chance.
17. Falsely claiming that a product is able to cure illnesses, dysfunction or malformations.
18. Passing on materially inaccurate information on market conditions or on the possibility of finding the product with the intention of inducing the consumer to acquire the product at conditions less favourable than normal market conditions.
19. Claiming in a commercial practice to offer a competition or prize promotion without awarding the prizes described or a reasonable equivalent.
20. Describing a product as 'gratis', 'free', 'without charge' or similar if the consumer has to pay anything other than the unavoidable cost of responding to the commercial practice and collecting or paying for delivery of the item.
21. Including in marketing material an invoice or similar document seeking payment which gives the consumer the impression that he has already ordered the marketed product when he has not.
22. Falsely claiming or creating the impression that the trader is not acting for purposes relating to his trade, business, craft or profession, or falsely representing oneself as a consumer.
23. Creating the false impression that after-sales service in relation to a product is available in an EEA State other than the one in which the product is sold.
24. Creating the impression that the consumer cannot leave the premises until a contract is formed.
25. Conducting personal visits to the consumer's home ignoring the consumer's request to leave or not to return, except in circumstances and to the extent justified to enforce a contractual obligation.
26. Making persistent and unwanted solicitations by telephone, fax, e-mail or other remote media except in circumstances and to the extent justified to enforce a contractual obligation.
27. Requiring a consumer who wishes to claim on an insurance policy to produce documents which could not reasonably be considered relevant as to whether the claim was valid, or failing systematically to respond to pertinent correspondence, in order to dissuade a consumer from exercising his contractual rights.
28. Including in an advertisement a direct exhortation to children to buy advertised products or persuade their parents or other adults to buy advertised products for them.
29. Demanding immediate or deferred payment for or the return or safekeeping of products supplied by the trader, but not solicited by the consumer, except where the product is a substitute supplied in accordance with regulation 19(7) of the Consumer Protection (Distance Selling) Regulations 2000 (inertia selling)(a).
30. Explicitly informing a consumer that if he does not buy the product or service, the trader's job or livelihood will be in jeopardy.

- 31.** Creating the false impression that the consumer has already won, will win, or will on doing a particular act win, a prize or other equivalent benefit, when in fact either—
- (a) there is no prize or other equivalent benefit, or
  - (b) taking any action in relation to claiming the prize or other equivalent benefit is subject to the consumer paying money or incurring a cost.

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

19 March 2008

Report of the Director of Neighbourhood Services

### Revised Enforcement Policy for Environmental Health, Trading Standards and Licensing Services

#### Summary

1. The purpose of this report is to inform members of the government's new 'Statutory Code of Practice for Regulators' and to seek executive member approval of a revised enforcement policy for environmental health, trading standards and licensing services which is consistent with the principles laid down within the code.

#### Background

2. From 1<sup>st</sup> April 2008, all regulatory services (including environmental health, trading standards and licensing services) must have regard to the 'Statutory Code of Practice for Regulators' published by the Department for Enterprise and Regulatory Reform (the code) in determining how they go about their functions. The revised enforcement policy, attached at Annex 1, sets out the environmental health, trading standards and licensing services commitment to following the principles set out in the code. It also gives details of the key considerations that officers will have regard to, in seeking to ensure that businesses and individuals comply with the laws they enforce.
3. The revised enforcement policy is drafted under headings contained in the code. The key requirement under each heading is summarised in paragraphs 4 to 11 below and changes from the current enforcement policy are highlighted.
4. Economic Progress

The code requires that regulators will consider the impact that their activities may have on their businesses including consideration of costs, effectiveness and perceptions of fairness. There is no significant difference to the current policy in this respect, officers are already committed officers to working with businesses to meet their legal obligations without unnecessary expense, and states that action taken by officers would be proportionate to the risk and effect on the local community and consumers.

5. Risk Assessment

The code requires that resources will be allocated where they will be most effective by assessing the risks due to non-compliance with the law. Although in practice this is done at present, and reflected in the customer contract for environmental health, trading standards and licensing services, this commitment is formally introduced for the first time in the revised enforcement policy.

6. Advice and Guidance

The code requires that regulators will recognise that most businesses and individuals wish to comply with the law and that officers should actively work to advise on, and assist with, compliance with the law. This requirement is contained in the current enforcement policy.

7. Inspections and Other Visits

The code requires that there will be no inspection or other visit to a business unless there is a good reason, e.g. risk/intelligence/government guidance, and states that, where practical, inspections will be co-ordinated to minimise the burden on business. This is a new requirement.

8. Information Requirements

The code requires that businesses will only be asked for information that is necessary after considering the cost and benefit to obtaining the information, and steps will be taken to try to ensure that businesses do not have to provide information more than once. This is a new requirement.

9. Compliance and Enforcement Actions

The code requires that regulators recognise that most businesses wish to comply with the law, but also that firm action will be taken against those who flout the law or who act irresponsibly. The revised enforcement policy contains an updated list of circumstances in which 'formal enforcement action' may be considered in the first instance against a business or an individual. This list has been extended to incorporate cases involving 'unfair commercial practices' as defined by the Consumer Protection from Unfair Trading Regulations 2008. In addition, the definition of formal enforcement action has been extended to include the issuing of fixed penalty notices, the seeking of an injunction and the suspension or revocation of a licence.

10. Accountability

Officers will be accountable for the efficiency and effectiveness of their regulatory activities. There is no change to the current enforcement policy in this respect.

11. Application and review of the enforcement policy

Officers will have regard to the document when making enforcement decisions and the policy should be subject to annual review. There is no change to the current enforcement policy in this respect.

### **Consultation**

12. There is no consultation associated with this report.

### **Options**

13. Option 1. To approve the revised enforcement policy to ensure that officers enforcement actions are consistent with the code.
14. Option 2. Maintain the existing enforcement policy as the applicable guidance to officers.

### **Analysis**

15. Option 1. Will mean that officers can carry out their regulatory activities and seek to ensure legal compliance with direct regard to the provisions in the code. The City of York Council will comply with its legal duties and enforcement actions are less likely to be exposed to a legal challenge.
16. Option 2. Will mean that enforcement action may be open to legal challenge in any of the respects in which it does not expressly meet the code.

### **Corporate Priorities**

17. Option 1 would contribute towards the corporate priority to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on the people in York.

### **Implications**

#### **Financial**

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

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

19. There are no human resources implications associated with this report

#### **Equalities**

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

**Legal**

21. The City of York Council has a duty to adopt an enforcement policy, which is consistent with the principles in the code.

**Crime and Disorder**

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

**Information Technology (IT)**

23. There are no IT implications associated with this report

**Property**

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

**Other**

25. There are no other implications associated with this report.

**Risk Management**

26. In compliance with the Council's risk management strategy. There are no risks associated with the recommendations of this report

**Recommendations**

27. That the Advisory Panel advise the Executive Member to approve Option 1.

Reason: To ensure that environmental health, trading standards and licensing services conduct their enforcement activities under an enforcement policy that complies with the code.

**Contact Details**

**Author:**  
***Matt Boxall***  
***Trading Standards Manager***

*01904 551528*

**Chief Officer Responsible for the report:**  
***Andy Hudson***

Assistant Director of Environment &  
Neighbourhoods

**Report Approved**



**Date** 18/2/08

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

**Wards Affected:**

**All**



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

**Background Papers:**

- EMAP report on Environmental Health, Trading Standards and Licensing Enforcement Policy – September 2005 (approval of current policy)
- Statutory Code of Practice for Regulators published by the Department for Business Enterprise and Regulatory Reform – 17<sup>th</sup> December 2007
- EMAP report on the implications of the Unfair Commercial Practices Directive – 19 March 2008

**Annexes:** Annex One: Revised enforcement policy for environmental health, trading standards and licensing services.

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## Environmental Health Trading Standards and Licensing Services

### Enforcement Policy

This document is the enforcement policy for City of York Council's environmental health, trading standards and licensing services. It sets out the key principles under which officers will seek to achieve compliance with the legislation enforced by these services. In carrying out their duties officers will adhere to the principles of good enforcement set out in the 'Statutory Code of Practice for Regulators' and all other relevant codes of good practice.

#### 1.0 Introduction

The main purposes of the environmental health, trading standards and licensing services are to maintain a fair and safe trading environment for consumers and businesses, to help reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York and to protect and improve the environment. We recognise that effective and well-targeted regulation is essential in achieving this.

We will ensure legal compliance by:

- Helping and encouraging businesses and individuals to understand comply with the law.
- Responding proportionately to breaches of the law.

#### 2.0 Economic Progress

We will consider the impact that our regulatory activities may have on businesses, including consideration of costs, effectiveness and perceptions of fairness. We will only adopt a particular approach if the benefits justify the costs and in doing so will endeavour to keep any perceived burdens to a minimum.

(References to costs and benefits include economic, social and environmental costs and benefits).

### **3.0 Risk Assessment**

We will allocate our resources where they will be most effective by assessing the risks due to non-compliance with the law. The risk factors include:

- the potential impact on residents, consumers and business in failing to meet legal requirements.
- the likelihood of non-compliance taking into account matters such as: the past history, the systems the business has in place, management competence and willingness to comply.

### **4.0 Advice and Guidance**

We recognise that prevention is better than cure and will actively work with business and residents to advise on and assist with, compliance with the law.

In doing this we will ensure that:

- Legal requirements are made available and communicated promptly upon request.
- The information we provide will be in clear, concise and accessible language. Advice will be confirmed in writing where necessary.
- We will clearly distinguish between legal requirements and guidance aimed at improvements above minimum standards.

### **5.0 Inspections and Other Visits**

All inspections and other visits to businesses will be undertaken after consideration of the risk the business poses if it fails to comply with the law (see paragraph 3.0 above), where the business has requested advice or where intelligence/information suggests that an inspection or visit is appropriate.

- Where we carry out inspections we will give feedback to the business on what the officer has found; this will include positive feedback to encourage and reinforce good practice.
- Where practicable we will co-ordinate inspections with other regulators to minimise the burden on businesses.
- Random inspection will be undertaken where government guidelines require us to do so. A small amount of random inspection may also be undertaken to test our risk assessments or the effectiveness of any action we have taken.



## **6.0 Information Requirements**

We will only ask businesses for information that is necessary after considering the cost and benefit to obtaining the information. Where possible we will share this information with our partners (taking account of data protection) to prevent the need for providing the information more than once.

## **7.0 Compliance and Enforcement Actions**

We recognise that most businesses and individuals wish to comply with the law, however firm action will be taken against those who flout the law or act irresponsibly.

We will carry out all of our enforcement duties, including taking formal enforcement action, in a fair, equitable and consistent manner. Whilst officers exercise judgement in individual cases, we will have arrangements in place to promote consistency including liaison with other agencies and authorities.

Formal enforcement action will only be considered and taken in the first instance in cases involving unfair commercial practices against consumers, commercial fraud, sales of age restricted products, occupational health and safety, public safety, a risk to public health (including food safety), statutory nuisances, animal health and welfare, damage to the environment, overloaded goods vehicles, dog fouling, trading standards offences committed by doorstep sellers and the sale of imitation firearms.

Formal enforcement action will also be considered and may be taken where advice has been ignored.

Where formal enforcement action is necessary, we will consider the most appropriate course of action (from the range of sanctions and penalties available) with the intention of:-

- Aiming to change the behaviour of the offender
- Aiming to eliminate any financial gain or benefit from non-compliance
- Being responsive and considering what is appropriate for the particular offender and issue involved, including punishment and the public stigma that may be associated with a criminal conviction.
- Being proportionate to the nature of the offence and harm caused
- Aiming to restore the harm caused by non-compliance
- Aiming to deter future non-compliance.

Before formal enforcement action is taken:

- there will be an opportunity to discuss the circumstances of the case, unless immediate action is required e.g. to prevent the destruction of evidence or there is an imminent risk to the environment or health and safety. This discussion will usually follow an interview under caution if a prosecution is being considered.
- Where immediate formal enforcement action is taken, which will usually be the service of a written notice, reasons for such action will be given at the time (if possible) and confirmed in writing within 10 working days.
- Where there are rights of appeal against formal enforcement action, notification of the appeal mechanism will be clearly set out in writing at the time the action is taken.
- Clear reasons will be given for any formal enforcement action taken, and confirmed in writing.

For the purposes of this policy 'formal enforcement action' includes serving a legal notice (e.g. an improvement, suspension, prohibition, fixed penalty or abatement notice), the seizure of goods, the seeking of an injunction, the issue of a 'formal' written caution and prosecution. In cases involving food safety and the issue of legal notices and voluntary closure of premises we will follow guidance set out in the appropriate Food Standards Agency Food Law Code of Practice.

If the formal enforcement action being considered is a prosecution we will also consider a number of additional factors in line with the Code for Crown Prosecutors and any other nationally recognised guidance such as the Enforcement Management Model published by the Health and Safety Executive These factors may include the following:

- The seriousness of the alleged offence
- The history of the party concerned
- The willingness of the business or the individual to prevent a recurrence of the problem and co-operate with officers
- Whether it is in the public interest to prosecute
- The realistic prospect of conviction
- Whether any other action (including other means of formal enforcement action) would be more appropriate or effective
- The views of any complainant and other persons with an interest in prosecution.

These factors are NOT listed in order of significance. The rating of the various factors will vary with each situation under consideration.

## **8.0 Accountability**

We will be accountable for the efficiency and effectiveness of our activities, while remaining independent in the decisions we take.

- We shall provide businesses and individuals with effective consultation and opportunities for feedback on our service.
- Officers will be courteous, fair and efficient at all times, and will identify themselves by name.
- Any complaints about the way you have been treated will follow City of York Council's complaints procedure, which is easily accessible to all service users, and explains how to make a complaint and the timescales involved. A copy of the complaints procedure can be obtained from 9 St Leonard's Place, York, by telephoning 01904 551550 or via our website at [www.york.gov.uk](http://www.york.gov.uk)

## **9.0 Application of our enforcement policy**

All officers will have regard to this document when making enforcement decisions.

Any departure from this policy must be exceptional, capable of justification and be fully considered by the head of service before a final decision is taken. This proviso shall not apply where a risk of injury or to health is likely to occur due to a delay in any decision being made. In cases of emergency or where any exceptional conditions prevail, the chief executive may suspend any part of this policy where necessary to achieve effective running of the service and/or where there is a risk of injury or to health of employees or any members of the public.

## **10.0 Review**

This document will be subject to an annual review with additional reviews as and when required. Improvements will be made if there are any changes in legislation or in local needs.

If you have any comments please contact the head of environmental health and trading standards by calling 01904 551550 or by writing to 9 St Leonard's Place, York YO1 7ET or email to [trading\\_standards@york.gov.uk](mailto:trading_standards@york.gov.uk).

**This information can be provided in your own language.**


**我們也用您們的語言提供這個信息 (Cantonese)**

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

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

**Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)**

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

** (01904) 551550**

## Neighbourhood Services EMAP

June 08

1	Update on Cold Calling Control Zones	CR	
2	Neighbourhoods & Community Safety Legal Actions Quarterly Update	CR	
3	Retail Enforcement Pilot	CR	
4	City Walls – Procurement of Maintenance and Restoration Works	RW	
5	Toilet Review Update	JG	
6	Finance and Performance Report	SK	
7	Directorate Plan Update	MD	
8	Air Quality Management Update	AH	
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