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MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	5 JUNE 2008
PRESENT	COUNCILLORS AYRE (VICE-CHAIR, IN THE CHAIR), CRISP, HOLVEY, KING, TAYLOR, WATT, SCOTT (SUBSTITUTE) AND WALLER (AS A <i>SUBSTITUTE FOR COUNCILLOR REID (EXECUTIVE MEMBER)</i> ) [ <i>AMENDED AT MEETING ON 4 SEPTMEBER 2008</i> ]
APOLOGIES	COUNCILLORS BOWGETT AND REID

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### 1. 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.

Councillor Scott declared a personal non prejudicial interest in Item 6 (Developments in Proceeds of Crime Legislation) and Item 8 (Neighbourhoods and Community Safety Group Legal Actions) as a solicitor although his firm did not do any criminal law work.

Councillor King declared a personal non prejudicial interest in item 13 (City of York Council Public Toilets Review – Update) as an honorary member of Access.

### 2. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of annexes 2 and 3 to agenda item 7 (2007/08 Final Monitoring Report – Finance & Performance) (minute 87 refers) on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). This information was classed as exempt under Paragraphs 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

### 3. MINUTES

RESOLVED: (i) That the minutes of the meeting of the Executive Member for Neighbourhood Services and Advisory Panel held on 19 March be approved as a

correct record and signed by the Chair and Executive Member subject to Minute 77 (Forward Plan) being amended as follows to reflect a change to the date for the following items to be included on the forward plan.

Regional Scambuster Team – *23 July 2008*  
Contaminated Land Investigation Grant – *5 June 2008*

(ii) That the minutes of the meeting of the Executive Member for Neighbourhood Services and Advisory Panel held on 11 April be approved as a correct record and signed by the Chair and Executive Member.

#### **4. PUBLIC PARTICIPATION**

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

#### **5. AWARD OF DEFRA GRANT FUNDING FOR THE INVESTIGATION OF POTENTIALLY CONTAMINATED LAND**

Members received a report which updated them on the successful outcome of a recent Contaminated Land Capital Grant Programme (CLCGP) application made to the Department for Environment, Food and Rural Affairs (DEFRA).

The report presented the following options for consideration:

- a) To accept the grant funding offered and undertake the detailed investigation
- b) Not to accept the grand funding offered

A plan showing the area of the proposed ground investigation at Fulford Cross was circulated to Members at the meeting. The Assistant Director (Neighbourhoods and Community Safety) advised the meeting that Officers had written to residents in the area to advise them of the proposed work and had not received any adverse comments.

##### Advice of the Advisory Panel

That the Executive Member be advised:

That Option A, to accept the grant funding offered and undertake the detailed investigation, be approved. <sup>1</sup>

##### Decision of the Executive Member

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

REASON: In order that the Council can investigate the land off Fulford Cross, in accordance with obligations place on the Council by Part IIA.

Action Required

1. To accept the grant funding and carry out the investigation

KS

## 6. DEVELOPMENTS IN PROCEEDS OF CRIME LEGISLATION

Members received a report which informed them of developments in the law aimed at the recovery of criminal assets and the disruption of crime.

The Assistant Director (Neighbourhoods and Community Safety) explained how the Proceeds of Crime Act 2002 enabled police and other enforcement bodies, like trading standards, to recover the criminal assets of those people living off the proceeds of crime. He explained how a system of incentivisation existed whereby half of any money recovered (and repaid) was retained by the government and the remaining half was divided equally between the court, the prosecuting body and the investigating body. Members expressed a view that the Council should have a bigger share of the funds.

Members welcomed the report and expressed their appreciation for the time and effort Officers had spent in the preparation of cases.

Advice of the Advisory Panel

That the Executive Member be advised:

That the content of this report be noted and the use of any monies received, in accordance with the Home Office Guidance, be approved.

Decision of the Executive Member

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

REASON: To ensure the Executive Member and Advisory Panel are informed of developments in proceeds of crime legislation and that monies received are allocated in accordance with Home Office guidance.

## 7. 2007-08 FINAL MONITORING REPORT - FINANCE AND PERFORMANCE

Members received a report which presented draft outturn figures for revenue and capital expenditure for the Neighbourhood Services Portfolio and set out progress against the directorate plan priorities, including annual performance against target for the directorate's key performance indicators.

The Directorate Finance Manager reported that an underspend of £162,000 was currently forecast, which was a variation of 1.2% on the net expenditure budget.

The Directorate Performance Manager highlighted areas of improved performance such as street cleanliness and recycling.

Members thanked staff for their hard work and efforts in improving the financial position and performance in the directorate.

Some Members expressed concern regarding the level of sickness absence and it was noted that changes to culture in relation to sickness absence and Health Safety took a long time to achieve.

Members requested circulation of a breakdown of expenditure by ward in relation to the ward committee budgets and the £23,000 underspend. <sup>1</sup>

Members expressed concern about the percentage of people living in York who felt safe and requested a breakdown of figures for this indicator relating to young people. <sup>2</sup>

#### Advice of the Advisory Panel

That the Executive Member be advised:

That the financial and performance position of the portfolio be approved and requests, subject to the approval of the Executive, be carried forward. <sup>3</sup>

#### Decision of the Executive Member

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

REASON: In accordance with budgetary and performance monitoring procedures.

#### Action Required

1. To circulate the breakdown of expenditure by ward in relation to the ward committee budgets and the £23,000 underspend as requested by Members. KS  
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2. To circulate a breakdown of figures to include young people for the indicator "% of people who feel York is a safe city to live in", as requested by Members.
3. To refer the carry forward requests to the Executive for

approval.

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

Members received a report which informed them of the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, and Licensing) for the period 1 January – 31 March 2008.

### Advice of the Advisory Panel

That the Executive Member be advised:

That the contents of the report be noted.

### Decision of the Executive Member

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

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

## **9. PLASTIC BAG FREE CITY OF YORK - RESPONSE TO PETITION FROM THE RESIDENTS OF VARIOUS LOCATIONS ACROSS THE CITY, PRESENTED AT COUNCIL ON 10TH APRIL 2008**

Members received a report which had been prepared in response to a petition presented to council by Councillor Potter supporting a plastic bag free City of York and calling upon the Council to do all in its power to achieve this aim.

The Assistant Director (Environmental Services) reported that the next 3 year waste minimisation action plan would move this project forward and promote “Bag Free” areas across York where the use of reusable bags would be promoted with the aim of moving away from plastic bags.

### Advice of the Advisory Panel

That the Executive Member be advised:

That the report be noted.

### Decision of the Executive Member

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

REASON: In response to the petition.

## **10. RETAIL ENFORCEMENT PILOT SCHEME**

Members received a report which explained how the Council's environmental health, trading standards and licensing teams were implementing a Retail Enforcement Scheme to achieve compliance with the Regulator's Compliance Code (RCC).

### Advice of the Advisory Panel

That the Executive Member be advised:

That the contents of the report be noted.

### Decision of the Executive Member

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

REASON: So that Members are aware of action being taken to meet the Council's obligations under the Regulator's Compliance Code.

## **11. REFRESH OF NEIGHBOURHOOD SERVICES DIRECTORATE PLAN**

Members received a report which asked them to agree to a lightly refreshed version of the Neighbourhood Service directorate plan and which presented a small amount of updated information for a number of the service plans agreed by the Executive Member in January.

The report presented the options of supporting the proposals, supporting the proposals with amendment, or rejecting the proposals.

### Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That the updated Directorate Plan at Annex A be approved.
- (ii) That the updated service plan targets, set out in paragraphs 15 and 16 of the report, be approved.<sup>1</sup>

### Decision of the Executive Member

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

REASON: To set out clear priorities, including key actions and measures, for Neighbourhood Services in 2008/09.

Action Required

1. To implement the plan.

KS

**12. UPDATE ON COLD CALLING CONTROLLED ZONES**

Members received a report which presented a six month review following the introduction of cold calling controlled zones in the city as requested at the meeting of the Executive Member for Neighbourhood Services and Advisory Panel on 6 December 2007.

Advice of the Advisory Panel

That the Executive Member be advised:

That the report in relation to the development of Cold Calling Controlled Zones be noted.

Decision of the Executive Member

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

REASON: To comply with the decision of the Executive Member for Neighbourhood Services and Advisory Panel on 6<sup>th</sup> December 2007, which required a report to review the scheme after 6 months, and to enable the officers to develop the zones in response to demand and to reduce the concern in areas of doorstep crime in area where residents may be vulnerable.

**13. CITY OF YORK COUNCIL PUBLIC TOILETS REVIEW - UPDATE**

Members received a report which informed them as to the progress to date on the complete review of public toilet provision for York.

Members thanked Officers, in particular the Assistant Director of (Environmental Services), for their work to date and looked forward to considering the results of the review.

Members emphasised the need for any facilities to be fully accessible to all.

Advice of the Advisory Panel

That the Executive Member be advised:

That the project plan be noted.

#### Decision of the Executive Member

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

REASON: To inform the Executive Member of work completed to date.

### **14. CITY WALLS REPAIRS AND MAINTENANCE**

Members received a report which updated them on the decision taken by the Executive on 11 March to agree a partnership arrangement between City Strategy and Neighbourhood Services for the future repair and maintenance of the City Walls.

Members welcomed the benefits of having the specialist knowledge and skills provided by the Ancient Monuments Team in house and stressed the importance of retaining this. They praised the links between the team and York College which had produced some skilled masons through the apprenticeship scheme.

#### Advice of the Advisory Panel

That the Executive Member be advised:

That the contents of the report contained as Annex 1 and the minute contained in Annex 2, both from the meeting of the Executive on 11 March, be noted.

#### Decision of the Executive Member

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

REASON: To ensure the City Walls are maintained to a consistently high standard.

### **15. USE OF YORK PRIDE FUNDING TO IMPROVE ENVIRONMENTAL MAINTENANCE**

Members received a report which proposed a change to the current arrangements of utilising the York Pride budget to address the recommendation from the EnCams review to improve street washing to remove staining in heavy usage areas such as outside of shop fronts, at bus stops and areas close to litter bins and also requested £10,000 from this budget to support an initiative to tackle graffiti throughout the city working with partners.



The report presented Members with the option to either support both these proposals or alternatively support one or neither of them.

Officers circulated examples of “tagging” for Members’ information in relation to the graffiti database.

The Executive Member proposed that the funding of the Environment Maintenance Team from the York Pride Budget should be for one year only and then mainstreamed.

Some Members expressed the view that other sources of funding should be used such as the Business Growth Incentive Grant and following approval by the Executive, the carry forwards. They also expressed the view that the Campaigns budget should be decreased to £24,000 in the light of this year’s underspend.

#### Advice of the Advisory Panel

That the Executive Member be advised:

- (i) That it be agreed to top slice the York Pride budget by £10,000 on a one off basis in 2008/09 to support the development of a new graffiti database which will allow partners to tackle this problem more efficiently and effectively in future.
- (ii) That it be agreed to top slice the York Pride budget by £53,800 on a one off basis to fund the new Environmental Maintenance team
- (iii) That it be agreed to top slice the York Pride budget by £30,000 on a recurring basis to continue to fund campaigns.<sup>1</sup>

[Councillors Crisp, King and Scott wished it to be recorded that they voted against the above advice.]

#### Decision of the Executive Member

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

REASON: To improve environmental maintenance within the city including in its neighbourhoods and parishes.

#### Action Required

1. To adjust the appropriate budgets

KS

## **16. FORWARD PLAN**

The Director of Neighbourhood Services advised Members that there were no items listed on the Forward Plan for the next meeting of the Executive

Member for Neighbourhood Services and Advisory Panel on 23 July but that six reports were listed for the meeting in September.

Advice of the Advisory Panel

That the Executive Member be advised:

- (iv) That the update on the forward plan be noted
- (v) That the meeting of the Executive Member for Neighbourhood Services and Advisory Panel scheduled for 23 July be cancelled due to lack of business. <sup>1</sup>

Decision of the Executive Member

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

REASON: To inform Members

Action Required

1. To cancel the meeting scheduled for 23 July 2008.

KS

COUNCILLOR A WALLER, EXECUTIVE MEMBER

COUNCILLOR N AYRE IN THE CHAIR

[The meeting started at 5.00 pm and finished at 8.15 pm].