

Notice of meeting of

Decision Session - Executive Member for Neighbourhoods and Housing.

To: Councillor Reid (Executive Member)

Date: Tuesday, 16 November 2010

Time: 4.00 pm

Venue: The Guildhall, York.

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:

10am on Monday 15th November 2010, if an item is called in *before* a decision is taken, *or*

4pm on Thursday 18th November 2010, 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 - 4)

To approve and sign the minutes of the meeting of the Neighbourhoods and Housing Decision Session held on 19th October 2010.

3. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5pm on Monday 15th November 2010**.

Any written representations in respect of items on this agenda must be submitted to Democratic Services by **5pm on Friday 12th November 2010**.

Members of the public may speak on item on the agenda, an issue within the Executive Member's remit, or an item that has been published on the Information Log for the current session. The following items have been published on the Information Log for this session:

Quarter 2 Performance Monitoring Report – This report is included in this agenda at the request of the Executive Member.

4. Air Quality Grant Update (Pages 5 - 16)

The purpose of this report is to update the Executive Member of the outcome of the recent Air Quality Support Grant (AQSG) applications made to the Department for Environment, Food and Rural Affairs (DEFRA).

5. Mid Summer Clean-up Review and Litter Policy (Pages 17 - 30)

This report provides the Executive Member for Neighbourhoods and Housing with a summary of the work undertaken during June under the banner of the Mid-Summer Clean-up Campaign. The report also asks the Executive Member to consider the options in the report and endorse a plan for a 'Spring Clean' Campaign for 2011 within the overall anti-litter policy statement.

6. Health and Safety Risk Management (Pages 31 - 56)

In 2009, the Health and Safety Executive published the strategy 'Health and Safety of Great Britain – Be Part of the Solution'. This report asks the Executive Member to pledge the council's support for the strategy

- 7. Response to petition on waste presentation** (Pages 57 - 62)
This report advises the Executive Member for Neighbourhoods and Housing of the receipt of petitions from the residents of the Holgate ward regarding the presentation of waste at the front of houses. It sets out recommended actions in response to these petitions.

- 8. Neighbourhoods and Community Safety Group** (Pages 63 - 66)
Legal Actions
The purpose of this report is to enable the Executive Member to review the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by Environmental Health, Trading Standards and Licensing Services in the Communities and Neighbourhoods Directorate for the period 1 July 2010 – 30 September 2010 and to approve the continuation of the current enforcement policy.

- 9. Quarter 2 Performance Report** (Pages 67 - 92)
This report presents an overview of key performance issues for the portfolio at Quarter 2 2010/11. This report is for information only. The Executive Member has asked for this report to be placed onto the agenda.

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

Democracy Officer:

Name: Laura Bootland

Contact Details:

- Telephone – (01904) 552062
- E-mail- laura.bootland@york.gov.uk

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

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- Business of the meeting
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- Copies of reports

Contact details are set out above.

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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 Decision Session) 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

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City of York Council

Committee Minutes

MEETING	DECISION SESSION - EXECUTIVE MEMBER FOR NEIGHBOURHOODS AND HOUSING.
DATE	19 OCTOBER 2010
PRESENT	COUNCILLORS REID (EXECUTIVE MEMBER)

17. DECLARATIONS OF INTEREST

The Executive Member was asked to declare any personal or prejudicial interests in the business on the agenda. None were declared.

18. MINUTES

RESOLVED: That the minutes of the meeting held on 21 September be approved and signed by the Chair as a correct record.

19. PUBLIC PARTICIPATION - DECISION SESSION

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

20. WINTER MAINTENANCE SERVICE 2010/11

The Executive Member considered a report which outlined the proposed Winter Maintenance policy for the next winter maintenance period, from November 2010 and sought approval for the policy as set out in Appendix 1.

Officers advised that the report was a follow on report from one which had been to the Executive in July to propose a number of changes to the Winter Maintenance policy, including an increase in the gritting routes following the severe winter. The manual attached at appendix 1 had been amended accordingly and had been brought before the Executive Member for approval.

In light of a recent article in the local newspaper, the Executive Member commented that she is happy that salt bin distribution is in line with the Council's adopted policy but recognised that some Wards may have more salt bins than others if some Ward Committee's had chosen to fund additional bins.

Officers assured the Executive Member that all Members would be made aware of the Winter Maintenance Policy. The Executive Member was happy to approve the policy.

RESOLVED:

That the Executive Member approved the Winter Maintenance Policy as detailed in the Winter Maintenance Manual 2010/11.

REASON:

To ensure that the Council has an up to date Winter Maintenance Policy in place.

21. THE CUSTOMER SERVICE EXCELLENCE AWARD

The Executive Member considered a report which advised of the outcome of an external review of the Customer Service Excellence Award for Environmental Health, Trading Standards, Licensing and Bereavement Services and seek approval from the Executive Member to expand the scope of the services covered by the Award to include Registry Services.

The Executive Member congratulated the team on the progress made and was happy to approve the extension of the scheme to include Registry Services.

RESOLVED:

That the Executive Member noted the report and approved the extension of the scope of the Customer Excellence Award to Registry Services for the next annual assessment in June 2011.

REASON:

To ensure the concept of Customer Service Excellence is embedded in the services provided by the Communities and Neighbourhoods Directorate.

Councillor Reid, Chair

[The meeting started at 4.00 pm and finished at 4.15 pm].



**Decision Session – Executive Member for
Neighbourhoods and Housing.**

16 November 2010

Report of the Director of Communities and Neighbourhoods

AIR QUALITY UPDATE

Summary

1. The purpose of this report is to update the executive member of the outcome of the recent Air Quality Support Grant (AQSG) applications made to the Department for Environment, Food and Rural Affairs (DEFRA). Three AQSG bids were made in relation to the council's ongoing Local Air Quality Management (LAQM) work. The report provides an overview of the planned expenditure of the AQSG and requires a formal decision to be taken to approve the amount of AQSG to be accepted from DEFRA. The report also provides a general update on local air quality management in York.

Air Quality Support Grant

Background

2. The government supports local authorities capital expenditure on LAQM through a direct grant scheme known as the Air Quality Support Grant Programme (AQSG). Previous air quality grants from DEFRA have funded a comprehensive air quality monitoring network in York and the in-house operation of an air quality computer model. The scope of the monitoring network was reviewed and streamlined in 2006, with the main emphasis now on nitrogen dioxide and particulate monitoring.
3. The environmental protection unit (EPU) submitted three AQSG bids to DEFRA in April 2009. The total amount bid for was £195,025 of which £16,500 was initially awarded. A letter was sent to DEFRA requesting that York should be considered for any further grant that might become available later in the year. In February 2010 an additional grant of £20,000 for Air Quality Action Planning was awarded.
4. In April 2010, EPU submitted three new AQSG bids to DEFRA to support the council's air quality work during 2010/2011. The amounts bid for were:

Air quality monitoring =	£88,610
Air quality modelling =	£50,628
Air quality action planning =	£172,750

5. Due to a national shortfall in the amount of grant available, York has been provisionally allocated the following amounts of AQSG for 2010/2011 :

Air quality monitoring =	£0
Air quality modelling =	£4,340
Air quality action planning =	£72,750

It can be seen that these awards again fall well below the amounts within the bids. It should be noted, however, that City of York Council received the fifth highest grant allocation of all UK local authorities.

Consultation

6. No consultation has been undertaken for the purpose of this report.

Proposed expenditure

Air quality monitoring

7. The DEFRA grants received for monitoring during 2009 allowed an upgrade of the Gillygate real time monitoring site, together with a new five year service and maintenance contract. The real-time monitoring site on Heworth Green was also upgraded, as was the computer system used by EPU to undertake in-house data management of real time air quality data.
8. The £88,600 bid for air quality monitoring, submitted in April 2010, was to undertake the following three projects:
- Project 1 : A real-time monitoring station on Salisbury Terrace
 - Project 2 : Replacement of the Nunnery Lane monitoring site
 - Project 3 : New portable particulate monitors for biomass monitoring projects in the city
9. Project 1 relates to the installation of a real time monitoring station along Salisbury Terrace. City of York Council's most recent Progress Report (April 2010) identified an area of Salisbury Terrace that has shown elevated levels of nitrogen dioxide in recent years. The Council is required to progress to a Detailed Assessment of nitrogen dioxide in this area and undertake further monitoring to establish whether air quality objective levels are being exceeded in this area. Project 2 is concerned with upgrading existing older air quality monitoring equipment in the city to ensure continuous collection of high quality monitoring information for future rounds of air quality review and assessment. Project 3 requested funding for the purchase of additional portable particulate monitors. Due to the recent increase of applications for biomass boilers in the city (as described in City of York Council's most recent Progress Report, April 2010), the OSIRIS particulate monitors were required for short term monitoring projects in the city, and shall be moved around different locations to monitor the

local impact on particulate concentrations. Two examples of recent biomass installations in the city include those located at Oaklands Pool and York High School in Acomb.

10. City of York Council did not receive any funding for air quality monitoring during 2010/11. This means that it will not be possible to purchase a real time monitoring site for undertaking a detailed investigation into the levels of nitrogen dioxide along Salisbury Terrace. Whilst the undertaking of a Detailed Assessment is a statutory requirement, this study will now have to be carried out on the basis of diffusion tube monitoring (a less accurate monitoring technique). Nunnery Lane monitoring station and enclosure will not be replaced, and small scale projects looking at the impact of biomass burners in the city will have to be scaled down considerably.

Air quality modelling

11. The £1,500 allocation for modelling received in 2009/10 was used to support the air pollution modelling activities within EPU. This included extension of the support contracts for the air quality dispersion modelling software.
12. The £50,628 bid for air quality modelling submitted in April 2010 was to undertake the following five projects:
 - Project 1 : Continuation of the air pollution modelling post that was successfully established in the department following the successful modelling SCA application in 2001/02.
 - Project 2 : Origin/Destination study on the A19 Fulford Road corridor.
 - Project 3 : Traffic survey work to refine the traffic data in City of York Council's existing air quality model.
 - Project 4 : Source apportionment study for Fulford to look at the relative contribution made by different sources to pollution in the area.
 - Project 5 : Purchase of recent met data for air quality dispersion modelling studies.
13. Project 1 requested funding for offsetting salary costs for an officer responsible for undertaking all air quality dispersion modelling in the city. This post is considered essential for progressing the council's statutory Review and Assessment work. Projects 2,3, 4 and 5 are concerned with further work in relation to the recently declared Air Quality Management Area (AQMA) in Fulford. The declaration of the AQMA in April 2010 placed a statutory requirement for the council to produce an Air Quality Action Plan (AQAP) for the area by the end of 2011. Projects 2 to 5 are required to support the development of the AQAP.
14. The amount of AQSG funding received from DEFRA for air quality modelling during 2010/2011 was only £4,340 compared with the **£50,628** bid. This means that salary costs for the modelling officer post will have to be funded from EPU's

budget. Whilst an Air Quality Action Plan for Fulford still has to be developed, the shortfall in funding allocation for means that planned projects will have to be scaled down considerably. Since receiving notification of the proposed funding allocation, EPU has been approached by the Institute of Transport Studies (Leeds University) and have secured a part time (fully funded) researcher to work within EPU to assist with developing options for the Fulford Air Quality Action Plan. Dr James Tate will work within EPU two days a week for a 12 month period. Dr Tate research interests include traffic micro-simulation and emissions modelling.

Air quality action planning

15. As the £20,000 additional allocation for air quality action planning received in 2009/10 was awarded late in the financial year, the majority of this money was carried forward and will be used for projects proposed for the 2010/11 period. A small proportion of this money was used to fund an advert to raise awareness about the existence of smoke control areas, and continued work with local primary schools in relation to local air quality. A sum of £1760 has also recently been used to undertake detailed traffic counts on Fulford Main Street. This was required to inform the air quality action planning process currently being undertaken for this area. Some additional costs are likely in relation to the consultation process for the Fulford air quality action plan.
16. The £172,750 bid for air quality action planning submitted in April 2010 was to undertake the following seven projects:
 - Project 1 : Low Emission Strategy Regional Group Initiative
 - Project 2 : Low Emission Strategy Procurement Guidance Project
 - Project 3 : Development of an AQAP for Fulford
 - Project 4 : Better understanding of on-road vehicle emissions in the AQMAs using remote sensing and automatic number plate recognition (ANPR).
 - Project 5 : Procurement of an electric vehicle and electric bike
 - Project 6 : Improved control of domestic emissions
 - Project 7 : Further development of JorAir website
17. In addition to these 7 projects, City of York Council has also submitted an eighth bid on behalf of the Leeds City Region Low Emission Regional Group Initiative (hereinafter termed 'Project 8'). The purpose of this bid is to allow in use traffic emissions data from around the region to be analysed simultaneously by the Institute of Transport Studies (ITS) at Leeds University and a regional vehicle emission data base to be set up. This will aid air quality action planning throughout the region and also inform the land use planning system at both a local, regional and potentially national level. Like York, each of the interested local authorities has submitted an individual application to support the undertaking of remote sensing and ANPR surveys in their areas.

18. Of the 7 projects outlined above, projects 1, 2 and 4 received funding.

(a) Project 1 relates to the work York is undertaking as part of the Leeds City Region Regional Group Initiative (LCR RGi) for which York is acting as a regional low emission champion with Leeds. The funding received for this project will be used to:

- i. Promote the work of the LCR RGi through a website. This website has already been developed in house and was recently launched at a low emission vehicle conference in Leeds www.lcrrgi.org.uk . The funding will be used to cover the domain hosting and registration costs.
- ii. Support the development of an overarching low emission strategy (LES) in York. The LES is already under development with an outline strategy to be brought before members in December 2010. The funding received to support this project will be used to undertake some of the following:
 1. Feasibility studies and cost benefit analysis for some of the proposed LES measures
 2. Promoting the use of low emission vehicle fleets in York
 3. Marketing of the LES concept including development of a recognisable logo and marketing campaign
- iii. Support the development of low emission supplementary planning documents (SPDs) across the LCR. This will encourage the adoption of low emission measures on new developments and help ensure a network of electric vehicle recharging points is delivered across the city.
- iv. Promotion of low emission vehicles across the LCR. A number of seminars and workshops have already been held, the latest being a low emission vehicle demonstration day and conference held in Leeds on the 7 October. A short video of the event can be viewed here : <http://www.youtube.com/watch?v=lpyKhgL324A>

A total of £42,096 is available to support the development of the low emission strategy.

(b) Project 2 is being co-ordinated by the low emission strategies partnership (LESP). A number of local authorities including York bid for funding to support this project which will examine how the procurement process can influence the uptake of low emission technology by local authorities. A key focus of this study will be the procurement of low emission vehicles and how local authorities can work together to bring down the cost of adopting new technologies and providing the necessary refuelling infrastructure. A member of the York procurement team will be involved in this project which will result in the production of a low emission

procurement guidance note. York's contribution to this project will be £12,000.

(c) Project 4 relates to the undertaking of further in-use vehicle emission testing and ANPR surveys in York by ITS. Some initial measurements were undertaken in 2008 but further data is needed to gain a better understanding of how different vehicle types and ages contribute to the air quality issues in York. Similar bids were placed by a number of other local authorities in the Yorkshire region which were also successful. This will allow a regional database of in-use vehicle emissions to be drawn up for the first time. The cost of the further monitoring in York will be £10,403

19. As detailed above, a further bid for £8250 was submitted by York on behalf of the LCR to cover the analysis of a regional emissions data set. This bid was also successful. The sum of £8250 will fund 15 days of data analysis over and above that which will be carried out for individual authorities.

Update on Local Air Quality Management in York

Local Progress

20. In April 2010, City of York Council submitted an Air Quality Progress Report to DEFRA. This report provided an update on the air quality monitoring data collected during 2009 and considered the potential impact of newly identified sources of air pollution.

21. The assessment of additional monitoring data collected during 2009 has identified numerous relevant locations within the current AQMA where annual average nitrogen dioxide concentrations remain above the $40\mu\text{g}/\text{m}^3$ objective level. This reflects the findings of previous review and assessment reports and indicates that the current AQMA must be retained in its current form for the foreseeable future.

22. Trend analysis of annual average nitrogen dioxide concentrations across the AQMA showed that between 2002 and 2005 concentrations were decreasing, but this trend was reversed in 2006. For the past four years, year on year increases in annual average nitrogen dioxide concentrations across the AQMA have been recorded.

23. Outside the AQMA the annual average nitrogen dioxide objective is being met at most locations. However, there are a handful of sites which have given rise to individual elevated concentrations in recent years, but at present it is not considered necessary to bring them within the AQMA. It is proposed to continue monitoring at these sites and to re-assess their position in 2011. The one exception to this is Salisbury Terrace, where elevated concentrations of nitrogen dioxide have been consistently observed over recent years. A detailed assessment of nitrogen dioxide concentrations in this area is now required by DEFRA.

24. Monitoring of other pollutants, including particulate matter (PM₁₀), has not indicated any issues with respect to any air quality objective values; therefore no further AQMAs are proposed at this time. A further, comprehensive update for other pollutants will be provided as part of City of York Council's next Progress Report, due in April 2011.

Fulford Air Quality Management Area (AQMA)

25. City of York Council's Air Quality Progress Report, submitted to DEFRA in April 2008, identified a number of air quality monitoring sites outside the existing AQMA where elevated concentrations of nitrogen dioxide had been monitored in recent years. One of these sites, Fulford Main Street, had experienced consistently elevated concentrations of nitrogen dioxide for a number of years.
26. A Detailed Assessment, as required by DEFRA, was carried out (report available online at : <http://www.jorair.co.uk/index.php?page=reports>) for the area of Fulford Main Street near the junction with Heslington Lane. Diffusion tube monitoring work indicated that concentrations of nitrogen dioxide are above health based air quality objective values along a short stretch of Fulford Main Street. Real-time monitoring at the junction of Fulford Main Street and Heslington Lane did not indicate any potential breaches and the extent of the exceedence appeared to be limited to Fulford Main Street itself.
27. Following a public consultation exercise, a new AQMA for nitrogen dioxide was declared in Fulford on 8 was required by DEFRA April 2010. A map showing the extent of the AQMA is shown in Annex A.
28. Nitrogen dioxide is a known respiratory irritant, which affects vulnerable groups such as children and people suffering from respiratory illnesses such as asthma, emphysema and lung disease. The declaration of the AQMA and subsequent development and implementation of an Air Quality Action Plan will aim to achieve a reduction in the levels of nitrogen dioxide, a benefit for both residents and visitors to the city of York.
29. Due to the volume of traffic using the Fulford Road corridor on a daily basis, it is thought that traffic is a significant source of air pollution in this area. This will be confirmed through further traffic surveys and 'source apportionment' work for the corridor. Further 'origin-destination' study for the A19 corridor is planned for later this year.
30. City of York Council will have 12-18 months to develop an AQAP for the AQMA in Fulford. Further consultation with local residents is planned for 2010/11 to establish what measures are appropriate for the corridor. As already mentioned, The highways and transport planning teams will be heavily involved in this process due to the close links to the Fulford Road corridor study.

Air Quality Website Review

31. In the annual Air Quality Bulletin publication website review, EPU's air quality website "JorAir" (<http://www.jorair.co.uk>) was ranked in the top 3 air quality

websites amongst all UK authorities, getting 5 stars for quality, and 4 stars for accessibility.

Low Emission Strategy (LES)

32. The council's LES steering group continues to work on the development of an overarching LES for the city. A list of possible measures for inclusion in the LES is currently under consideration by officers and being ranked in terms of delivery timescales and estimated costs. Once this process has been completed an outline framework for the LES will be presented to members in December 2010.

Joseph Rowntree School – the Faraday Project

33. Joseph Rowntree School was successful in obtaining a significant grant from the Faraday Project to develop two interactive science projects on the site. The Faraday Project is an initiative which set out to promote practical and innovative secondary school science facilities which support more interactive and exciting ways of teaching and learning. One of these projects was the installation of a real-time air quality monitoring station within the new school grounds to act as a science teaching resource. EPU have assisted the project by providing technical advice and lending particulate monitoring equipment to the school.

Options

- 34.
- (a) To accept air quality grants from DEFRA totalling £77,090 and allow the air quality projects outlined above to proceed, and to request that York be considered for any further grant that may become available in the year.
 - (b) To reject some or all of the air quality grants from DEFRA and revise the planned air quality projects for 2010/2011 accordingly.

Analysis

35. Option (a) will allow the council to progress development of the Air Quality Action Plan for Fulford and to continue with York's commitments to low emission measures both locally and regionally.
36. Option (b) would prevent the further development of an overarching low emission strategy for York and prevent York from fully undertaking its role as a regional low emission champion. Plans to develop national low emission procurement guidance and LES SPDs would be hindered, further emissions monitoring in York would have to be cancelled and the development of a regional emission database will not take place, even if other authorities accept their own emissions monitoring grants. An alternative source of funding for the development of an AQAP in Fulford would also need to be sought.

Corporate Priorities

37. Monitoring air quality, providing information to the public about air quality, and developing strategies to improve air quality contribute towards delivering the corporate priorities relating to thriving city, sustainable city and healthy city.

Financial Implications

38. No other source of funding exists for the projects outlined in this report. If the AQSGs are not accepted, alternative sources of funding will have to be identified in order to further LAQM in the city.

Human Resources

39. There are no human resource implications.

Equalities

40. There are no equalities implications.

Legal Implications

41. The council has a statutory duty to periodically review and assess local air quality against national air quality objectives and report its findings to DEFRA. As the council has declared an AQMA in Fulford, it is now obliged to produce an AQAP. There is also a requirement to submit regular AQAP progress reports to DEFRA demonstrating that it has a continued commitment to improving air quality in the city. Under the provisions of the Freedom of Information Act 2000 air quality data must be made freely available to members of the public upon request.

Crime and Disorder

42. There are no crime and disorder implications.

Information Technology (IT)

43. There are no IT implications.

Risk Management

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

Recommendations

45. That the advisory panel advise the executive member that :

Option (a) at para 36 should be accepted - to accept air quality grants from DEFRA totalling £77,090 and to request that York be considered for any further grant that may become available later in the year.

Reason: It represents the most appropriate way of funding the continuation of LAQM in the city and projects in relation to Council's Low Emission Strategy. LAQM is a statutory undertaking that contributes towards the corporate priorities on Thriving City, Sustainable City and Healthy City.

Option (b) should be rejected

Reason: No other source of funding for LAQM or the Low Emission Strategy projects has been identified. Refusal to accept all, or part of, the provisional grant would limit progress on corporate priorities relating to health and transport.

Contact Details

Author:

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Senior Environmental
Protection Officer (Air Quality)

Chief Officer Responsible for the report:

Steve Waddington
Assistant Director (Housing and Public
Protection)

**Report
Approved**



**Date
21/10/10**

Wards Affected: All

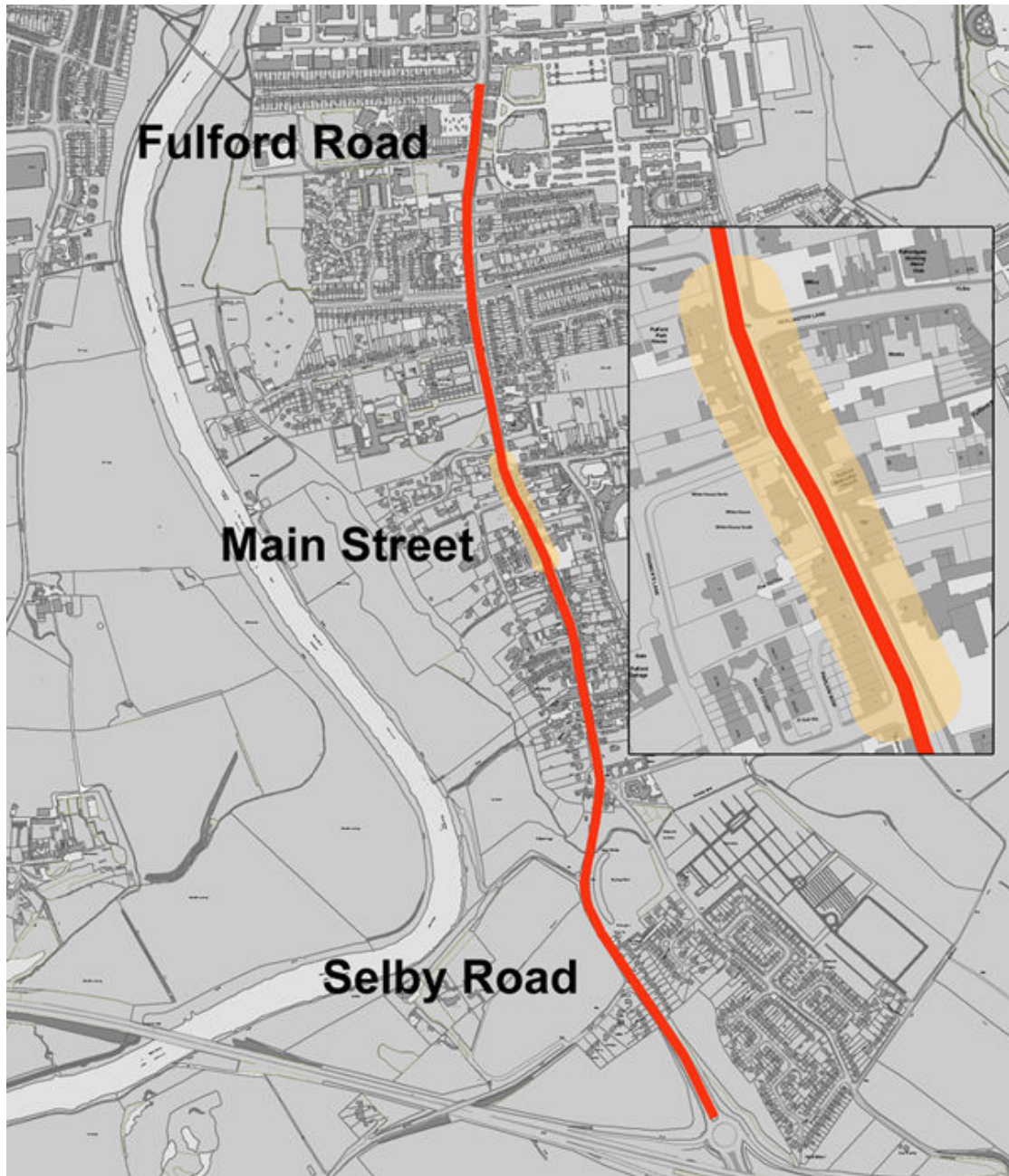
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For further information please contact the author of the report

Background Papers:

Annex A : Fulford Air Quality Management Area

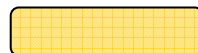
Annex A : Fulford Air Quality Management Area



Roads included in AQMA



Properties included in AQMA



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**Decision Session – Executive Member for
Neighbourhoods and Housing**

16th November 2010

Report of the Director of Communities and Neighbourhoods

**Mid-Summer Clean-up Campaign Review and Anti-Litter Policy
Statement**

Summary

1. This report provides the Executive Member for Neighbourhoods and Housing with a summary of the work undertaken during June under the banner of the Mid-Summer Clean-up Campaign. It outlines how we engaged with the voluntary sector, and communities and how this led to the development of the proposed Anti-Litter Strategy.
2. This work builds on the success of York Pride programme in recent years with the positive direction of travel of the NI195 performance indicators and increasing levels of satisfaction with local cleanliness.
3. The next stage is to refresh the Anti-Litter Policy Statement to assist the council in minimising the effects of certain types of litter and to examine barriers to the cleansing of this litter.

Background

4. York is a fabulous place to live, work or visit. Everyone benefits from the superb environment both in the city and within the neighbourhood areas. However similar to most council's in the United Kingdom, York does suffer from relatively small amounts of environmental crime, which impacts negatively on the 'liveability' of the areas.
5. The importance of providing a clean, safe and green environment for residents continues to rise up the national agenda. This is also a vital local issue as in all of the community surveys carried out by the council, residents identify services involving the local cleanliness as being one of their top priorities.
6. As Communities and Neighbourhoods, we are focused on improving the local, natural and built environment whilst celebrating everything that is good about our historic city. It is important that work continues to find suitable solutions to local environmental issues and concerns whilst promoting everything that is

good about our city to our residents and visitors alike, so that the high levels of employment, satisfaction, investment and success can continue.

7. The Mid-summer Clean-up campaign engaged with local residents and businesses to encourage them to become involved with their local area. The teams focused on key 'hot spots' across the city and looked to residents to identify and report issues in their local area.
8. In order to move the city to the next level of cleanliness an Anti-Litter Policy Statement is proposed to tackle the problems of litter in a 'holistic' way which can be fully understood by partners, community organisations and businesses alike.

The Campaign

9. The month long campaign focused on cleaning York's open spaces and riversides, back lanes, road islands, verges and street furniture. In mid to late May there were press releases and information sent to ward members informing residents on how to report their local cleanliness issues.
10. We encouraged community groups and others who wish to improve their local area to take part, either by being involved with the work we had set up, or we will supported them in the things they wanted to do.
11. **Annex One** lists all the activities carried out as part of the campaign and the various partners that supported us in the work we did. By repeating similar campaigns in future yeas it is hoped to build on this support.
12. This report proposes that a similar campaign be run next year, but in March/April 2011 as a 'Spring Clean', again focusing on the city centre, back lanes, riverside walks and open spaces.

Anti-Litter Policy Statement

13. The Executive Member is asked to consider and confirm the Anti-Litter Policy Statement to tackle the problem of litter in a 'holistic' way. Its aim is to bring awareness of reducing litter in four main ways:
 - By raising awareness of the problem through campaigns and a process of community education
 - Support area based working to ensure residents understand the service they can expect
 - By supplementing this with a law enforcement deterrent
 - By continuously striving to improve the effectiveness and efficiency of the street cleansing service
14. The Anti-Litter Policy Statement is underpinned by a number of principles, by far the most important of which is prevention. The statement recognises that

no matter how well and how quickly we clear up the mess caused by litter, the only sustainable solution is to find ways of preventing littering in the first place.

15. This document meets the objectives of the Coalition Government who are looking to launch their National Litter Campaign in December 2010 at a convention in Westminster. Its aim is to have a common anti-litter message to encourage partnership action and responsible behaviour to reduce littering.
16. Another fundamental principle of the York Statement is partnership working. Litter is everyone's problem. We need the support of a wide range of people, businesses, schools, community organisations and other agencies if we are to achieve a change in behaviour of those responsible for littering.
17. The Anti-Litter Policy Statement, attached **Annex Two** is designed to assist the council in minimising the effects of certain types of litter and examines barriers to the cleaning of this litter. If approved, processes will be developed to assist in implementing its objectives and monitor progress against targets and outcomes.
18. These targets will be set within the framework of the NI195 criteria and the outcomes measured by the customer satisfaction surveys.

Options

19. There are four options for the Executive Member to consider:
 - Option 1 - Prepare for a 'Spring Clean' campaign in March/April 2011 as a free standing campaign and engaging partners within this specific time.
 - Option 2 - Confirm and publish the refreshed Anti-Litter Policy Statement to allow the council and its partners to address the issues of littering in a 'holistic' way as an ongoing process.
 - Option 3 - Link the 'Spring Clean' Campaign as part of the overall Anti-Litter Statement.
 - Option 4 - Continue to clear litter as it occurs within the existing street sweeping and litterbin emptying rounds, supplemented by the 'rapid response' teams.

Analysis

20. The Mid-Summer Campaign was successful in engaging with residents and voluntary groups within the narrow window of the campaign period. What became clear during the process was that we needed the infrastructure into which these groups could participate throughout the year. Whilst successful in its own right, the Executive Member is asked to consider the wider proposal

and look to join up this success, into a refresh of a wider anti-litter policy statement.

Corporate Priorities

21. The Without Walls Sustainable Community Strategy 2008-2025 provides a sustainable framework which aim for York to be a city that is thriving, is sustainable and is safe. This campaign will contribute to all these aims.

Implications

22. **Financial** - All work and promotional activity with by funded within existing budgets.
23. **Human Resources (HR)** – No HR implications.
24. **Equalities** – Each of the services referred to are part of larger services, each of which have had their own Equality Impact Assessment completed.
25. **Legal** - There are no implications in this report.
26. **Crime and Disorder** - There are no implications in this report.
27. **Information Technology (IT)** - There are no implications in this report.
28. **Property** - There are no implications in this report.

Risk Management

29. The risks associated with this report are low, being at levels 1 – 3.

Recommendations

30. The Executive Member for Neighbourhoods is asked to consider the options outlined in this report and endorse the plan for a 'Spring Clean' Campaign for 2011 within the overall anti-litter policy statement.

Reason: There will be significant environmental and Safer City implications that will benefit the city and its residents.

Contact Details

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Chief Officer Responsible for the report:

Sally Burns
Director of Communities and Neighbourhoods

Report Approved

Date 1 November 2010

Specialist Implications Officer(s)

Financial

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Tel No 553210*

Enforcement

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Wards Affected:

All

For further information please contact the author of the report

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MID SUMMER CLEAN 2010 TASK AND LOCATION DETAILS

Annex One

Page 23

Ref	LOCATION	TASK	WARD	ZONE	CARRIED OUT BY	REQUESTED BY Contact Name
1	Askham Bryan Rural verges	General litter pick	Rural West York	West	CPRE	
2	York Rd Acomb, Litter Bin has been moved.	Resite litter bin	Acomb	West	NPS	10338017
3	St Georges Field recycling bins.	Wash down bins	Fishergate	East	NPS	Councillor
4	City Centre	General litter pick	Guildhall	City	Community Payback	
5	St Georges Field car park entrance	Plant area to provide colour	Fishergate	East	NPS	Councillor
6	The area between Burton Green School sports field and the Backies.	General litter pick	Clifton	East	NPS	Member of Public
7	Beaconsfield Area	General litter pick	Westfield	West	Community Payback	
8	Clifton Backies	Remove burnt our motor bikes	Clifton	East	NPS	Member of Public
9	Hedge from Burton Green School to Bootham Stray Allotments.	Litter pick hedge bottom	Clifton	East	NPS	Member of Public
10	The snicket from Ashton Park to Burrel Avenue.	Litter pick and power wash	Clifton	East	NPS	Member of Public
11	The area behind the front fence at the old shop in Link Avenue is like a tip. (it is private property)	Contact owners to request a tidy up.	Clifton	East	SEO	Member of Public
12	Snicket from Askham Grove to Tennant Road	General litter pick	Westfield	West	NPS	10338528
13	Litter bins in Kings sq and Parliament St	Wash down bins	Guildhall	City	NPS	10340161
14	Path & alley at side/rear of 13-14 Earlsborough Terrace	General litter pick	Clifton	East	NPS	10340237
15	Water Ln/Tamworth Rd Roundabout surround	Litter Pick Shrubs	Clifton	East	NPS	10340332
16	Verges on Water Ln to Clifton Moorgate	General litter pick	Clifton	East	NPS	10340332
17	Heslington Rd, from the School to Kexby Ave and edge of Blakeney Place	Clean detritus from rear edge of footpath	Heslington	East	NPS	10341179
18	Kexby Ave	Remove salt bin, and detritus	Heslington	East	NPS	10341179

MID SUMMER CLEAN 2010 TASK AND LOCATION DETAILS

Annex One

Ref	LOCATION	TASK	WARD	ZONE	CARRIED OUT BY	REQUESTED BY Contact Name
19	Alex Lyon House	Clear weeds and build raised allotment bed	Heworth	East	York City Church	
20	New Walk / Terry Ave	Litter Pick	Fishergate	East	Community Payback	
21	New Walk Steps	Litter Pick and Sweep	Fishergate	East	Freinds of New Walk	
22	Little Knavesmire area	Litter Pick	Micklegate	West	York Marriot Hotel	
23	Foxwood Flats	Provide planters	Westfield	West	NPS/Foxwood residents Association	
24	Askham Bryan	Provide Litter pickers, bags etc	Rural West York	West	CPRE	
25	River Foss	Litter/debris clearence	Heworth	East	River Foss Society, York Viking Rotary Club	

Yorks' Anti-Litter Policy Statement (York Pride)

Introduction

This Anti-Litter Policy Statement is produced to assist the council in its aims of a cleaner and greener city by minimising the effects of certain types of litter and to examine barriers to the cleansing of this litter. Processes are being developed to assist in a more robust implementation of this Policy Statement and to monitor progress against targets and outcomes.

Issues covered in this Policy Statement are:

- Environmental awareness
- The interaction between commercial and domestic waste and litter generation
- Litter from 'fast food' outlets
- Schools generated litter
- Smoking related litter
- Chewing gum
- Drugs related litter
- Litter generated from moving traffic
- Fly tipping
- Public space generated litter
- Litter on Network Rail/c2c land
- Problems of litter clearance once it has been deposited
- Designing out litter problems
- Highway staining
- Enforcement

Environmental Awareness

Environmental awareness will take a number of forms, but the central message is always the same, don't drop litter, use the bins and be aware of the council's zero tolerance on environmental crimes. The York Pride Action Line 01901 551551 will continue to be the central contact point for all aspects of the Policy Statement. Once the issue has been logged it can then be tracked through the system until resolved.

Environment awareness, to be successful will need education to be at its forefront followed up by enforcement where necessary.

Awareness will include current and future activities:

- Community campaigns such as 'Spring Clean'
- Targeted marketing and media campaigns
- Free to Schools Environmental Education
- Support of the local newspaper including interviews and articles
- Support and sponsorship from local businesses
- Providing support for community clean-up projects
- Promotion of recycling
- Membership of Keep Britain Tidy

The successful partnering of primary schools in the development of dog fouling and litter campaigns will be built on.

The zero tolerance to litter will be at the heart of the awareness programme.

The interaction between commercial and domestic waste and litter generation

To minimise the effects of commercial and domestic waste as sources of litter the council will:

- Implement its co-ordinated enforcement policy for dealing with both commercial and domestic waste, using all relevant powers that are available. This will be a concerted and high profile effort, undertaken over a period of time street by street and area by area, with publicity of all prosecutions.

Action has already been taken to minimise the impact of recycling collection with the introduction of the '3 box' system with nets and lids to keep the materials enclosed, thus avoiding litter during windy weather.

Litter from 'fast food' outlets

To combat the large amounts of 'fast food' waste there are four approaches that will be undertaken:

- Providing litter bins in the right place
- Education programme through schools and colleges and the work place
- Vendor self management around premises
- Enforcement

Providing litter bins in the right place is not a simple task as people consume food at different rates whilst on the move. However analysis of deposited litter, will show the most frequently abused places. Litter bins will then be placed at these locations. The Environmental Enforcement Team will be needed to be very active with regard to these matters.

Litter on school routes

Tackling the issue of litter in and around schools is very important, not only because it improves the surrounding environment, but it can also be a powerful educational tool. The Street Environment Team will work with the Adult and Children Education Directorate in partnership and through school visits and campaigns to assist in the promotion of the Eco Schools programme, recycling and environmental awareness.

Smoking related litter

Preventing this type of litter is very difficult as most of the people dropping it do not see it as litter.

Research carried out by Keep Britain Tidy has shown that some smokers do respond when they are given the opportunity to correctly use litter bins. This will be one aspect of the on going educational programme with stands in the city centre and other events across the area to continue to campaign to change attitudes.

However this is only likely to have a limited impact so unfortunately enforcement will be needed to bring about behavioural change.

The issue of smoking related litter outside businesses generated by companies no smoking policies can be tackled by working in partnership with the companies. The Street Environment Officers will begin the process of education and getting companies to provide receptacles and empty them on a regular basis.

Companies would be asked to sponsor a bin to reduce the cost and ensure standardisation. The council may also bulk purchase bins and offer them to the companies as part of the York Pride targeted campaigns.

Chewing gum

One aspect of the Policy Statement is aimed at reducing the amount of chewing gum deposited. This problem is a pandemic across the whole country.

As this is a national issue and not easily resolvable the council's approach will be to continue with education work but also to accept that the problem exists and try through planning guidance to aim to use surfaces that will resist the adhesion of this material. Trials are planned in the coming months to test pavement coatings to see if this improves the look of the city. We will continue to work with and support organisations such as the Keep Britain Tidy Group in their efforts to change the way gum is manufactured. Enforcement will continue to be used to deal with this matter.

Drug related Litter

The prime concern of the council must be to protect the workforce and the public from the dangers posed by this material. The Neighbourhood Pride Manager will ensure appropriate training on risk assessment and the handling of needles and other paraphernalia is attended by relevant staff. Investment will be made where necessary in equipment to help deal with this issue.

A fine balance has to be struck regarding the level of information given to the public regarding the danger posed by this type of waste. This will be part of the longer term educational and support activities.

Residents will be encouraged to report any drug related litter to the York Pride Action line on 01904 551551. The council will aim to remove this type of litter within two hours of it being reported.

The long term minimisation of this type of material can only be achieved by working in partnership with all agencies and other stakeholders that are concerned with the misuse of drugs.

Litter from moving vehicles

Through campaigns, we will raise awareness of this issue. Partnership working with the owners of Landfill sites is also recognised as a key factor if the residue from Lorries on the major routes in the City is to improve.

As part of the York and North Yorkshire Waste Partnership targeted enforcement will take place to reduce the nuisance which is also the cause of much of the A59 and A1237 waste accumulation.

Our own waste vehicles are all equipped with the necessary equipment to eliminate the loss of material during transportation. Encouragement work will be done with other carriers to ensure they meet the necessary standards. Ultimately enforcement action will be taken where there is clear evidence of poorly contained loads.

Fly tipping

The usually accepted definition of when litter becomes fly tipping is when there is more than a cubic metre i.e. the size of a full black bag or where a cubic metre worth of rubbish is within a small area i.e. 4 square metres.

Neighbourhood Pride staff will continue to collect all waste that falls below these levels as part of their scheduled cleansing. Street Environment and Enforcement Officers will call upon the re-active team or specialist contractors to remove large fly tipping.

All waste above this level will be classified as 'fly tipping' and handled by the Rapid Response Team in accordance with the Environment Agency, the council protocol and best practice methods. Where it is a significant amount of fly tipping or specialist in nature then external contractors will be used at the discretion of the Neighbourhood Pride Manager.

The council will make public all prosecutions in connection with fly tipping to demonstrate to all the zero tolerance to such practice.

Litter from public open spaces and private property

The clearance of litter from public open spaces abutting or close to the highway is the responsibility of the Neighbourhood Pride Team.

The aim of the team is to:

- Ensure that the whole of the 'street scene' is cleansed at the same time and maintained in a clean and litter free state.
- Prevent litter from migrating from un-cleansed areas, to those that have been cleansed.
- Eliminate duplication of travel time and effort of staff.
- Reduce the incidents of the shredding of litter during grass cutting.
- Improve the public perception that 'the council' is acting in a sensible and unified manner with regard to creating a Cleaner Greener City.

With regard to private land abutting or close to the highway the owners or occupiers should be persuaded to keep their land litter free or if necessary enforcement action will be taken.

Gated back lanes will be cleared by the Rapid Response Team where requested by Members to do so or as determined by the Neighbourhood Pride Manager to maintain a clean neighbourhood. The clearing of back lanes will be dependent on resources and not as a way of dwellings frequently depositing large items for collection.

Litter on Network Rail/Sustrans

Litter on Network Rail land and cycle paths managed by Sustrans is a difficult problem, however we are continuing to improve our working relationship with Network Rail and we are becoming more successful at working together to remove litter from railway land.

The Neighbourhood Pride Manager will work with Sustrans to establish how the council can work in partnership with them to reduce the environmental impact of litter on cycle paths.

Problems of litter clearance once it has been deposited

Improvements to the quality of the street scene will depend on:

- Supervision
- Training
- Raising morale

The level and quality of work has risen considerably and will be linked to continuous training of the workforce through the Excellence in Everything Programme.

The training and re-training of operatives on a regular basis is essential if high quality services are to be achieved and this will be co-ordinated by the Neighbourhood Pride Manager.

Street Cleansing Officers need to be reminded of the level of cleansing that is expected of them to achieve high NI 195 levels, especially regarding the backlines and round and under street furniture. This will be achieved through positive encouragement of the team.

The reasons for the use of mechanical sweepers need to be fully understood and regularly reviewed as new equipment becomes available. Understanding and adapting to systematic sweeping, particularly in large pedestrianised areas and around street furniture is an important part of the council's approach to cleanliness.

Designing out litter problems

It is essential that the Planning Team consult with the Neighbourhood Pride Services during the design stage of highway projects to ensure that the new developments can be cleansed efficiently and economically.

Experiments with different types of paving and highway surfaces have shown that the retention of chewing gum and other stains can be greatly reduced by using suitably resistant materials.

From a Neighbourhood Pride Services perspective surface materials should only be considered if they can provide some degree of resistance to the adhesion of chewing gum and other staining.

Where proofing is considered to be the best option, the cost of the initial treatment and subsequent treatments over the life of the surface must be taken into account in the budget estimate.

In addition the designs, curves, angles of kerblines should reflect, where possible, the needs of the mechanical sweepers.

Highway staining

Consideration will be given to using all suitable sweeping vehicles to wash the streets on a regular basis, as part of their normal sweeping duties.

This will help remove the unsightly bird droppings and most of the other staining before it becomes a problem and will help improve residents' perception of a Cleaner, Greener York.

Enforcement

Litter can affect the quality of the local environment and can influence how places look and are perceived, how attractive areas are to workers, visitors and existing and new business investors and how safe and happy people feel about living in an area.

The Council's policy is to protect the safety, welfare and wellbeing of all persons within the City. We will enforce Litter legislation in all areas of the city. This section of the anti-litter Policy Statement sets out the general principles of enforcement and the use of litter legislation. It will be used in conjunction with guidance issued from the Department for the Environment and Rural Affairs (DEFRA) and professional bodies.

There is no comprehensive definition of litter, however it is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded and left by members of the public; or are spilt during business operations as well as waste management operations. The discarded ends of cigarettes, cigars and like products and discarded chewing gum and discarded remains of other products designed for chewing are specifically stated to be items of litter in legislation.

The above will be achieved through education, by providing advice and by enforcement of regulations. Securing compliance with statutory requirements and using enforcement powers, including prosecution is an important part of this Policy Statement.

The City of York Council will ensure that all appointed officers are competent and are trained in the use of this policy. We will work with the other Local Authorities, professional bodies and DEFRA to ensure coherent regulation.

The Council regards prevention as better than cure and as such offer information and advice to those we regulate.

Enforcement will be used to deliver this Policy Statement

Our Enforcement Policy has been produced having regard to three principal documents:-

- The Enforcement Concordat
- The Code for Crown Prosecutors
- The Regulators' Compliance Code

The Enforcement Concordat

The Concordat is a Code of Practice between Government and local Councils. It sets out what businesses and others being regulated can expect from the Council's enforcement services. The City of York Council has signed the Concordat. This means all Services provided by the Council are committed to good enforcement practices and procedures.

The Code for Crown Prosecutors

The code for Crown Prosecutors sets out general principles to be applied when making decisions about prosecutions. As a regulatory body the Council also follows the principles of the guide when considering enforcement action.

Regulators' Compliance Code

The Regulators' Compliance Code (the Code) is made under Legislative and Regulatory Reform Act 2006. The code sets out that Regulators must *have regard* to the provisions of the Code when determining general policies and principles or when setting standards or giving general guidance about the exercise of general functions.



**Decision Session – Executive Member for
Neighbourhoods & Housing**

16 November 2010

Report of the Director of Communities and Neighbourhoods

Health and Safety Risk Management.

Summary

1. In 2009, the Health and Safety Executive published the strategy 'Health and Safety of Great Britain – Be Part of the Solution'. This report asks the Executive Member to pledge the council's support for the strategy.

Background

2. The Health and Safety Commission and the Health and Safety Executive merged to form a single body, the Health and Safety Executive in April 2008.
3. This newly formed body is responsible for promoting the cause of better health and safety at work within Great Britain. It continues to work in close partnership with local authorities.
4. One of the first tasks that the newly formed HSE undertook, was to consider the direction of health and safety in Great Britain. As part of this work, the HSE published the strategy document – 'Health and Safety of Britain – Be Part of the Solution' (Annex A).
5. The HSE are seeking support for the strategy and are asking stakeholders, from the private and public sector, to 'become part of the solution'.

Sensible risk management

6. The main purpose of the HSE strategy, is to promote the concept and application of sensible risk management.
7. The media often reports of everyday activities being stopped, such as conker fights or toothpicks in restaurants. Health and safety is often given the blame, but in reality it is often used as a convenient excuse.
8. Sensible risk management is about focusing on real risks that are still causing people to be killed, injured or made ill at work.
9. Applying sensible risk management has several benefits:

- It ensures that workers and citizens are properly protected;
 - It provides overall benefit to society by balancing benefits and risks, with a focus on controlling real risks – both those which arise more often and those with serious consequences;
 - It enables innovation and learning, not stifling them;
 - It ensures that those who create risks manage them responsibly and understand that failure to manage real risks responsibly is likely to lead to robust action;
 - It enables individuals to understand that, as well as the right to protection, they also have to exercise personal responsibility;
10. In contrast, sensible risk management is not about:
- Creating a totally risk-free society;
 - Generating useless paperwork mountains;
 - Scaring people by exaggerating or publicising trivial risks;
 - Stopping important recreational and learning activities for individuals where the risks are managed;
 - Reducing protection of people from risks that cause real harm and suffering;
11. It is important that the council supports the HSE strategy for a number of reasons:

Health and safety - City of York Council

The Corporate Health and Safety team is responsible for ensuring CYC meets its legal obligations as an employer in respect of Health and Safety legislation. This is achieved through a proportionate response to the risk the authorities employees face.

The team apply the approach of sensible risk management through their work activity, promoting the philosophy that health & safety management is about accepting risks exist in the course of CYC's work activities and the key aspect of health & safety is about managing those risk in a proportionate and sensible manner, not eliminating all risks.

We aim to achieve this through risk based approach to our work, concentrating our resources on the higher risk activates; reviewing paperwork to integrate into existing business processes as far as possible, and eliminating unnecessary paperwork/assessments whilst ensure that what is retained is the right quality to demonstrate we have taken the required measures.

We also promote the HSE's myth of the month through CYC's Safety News to try to ensure employees understand the true meaning of health & safety. Similarly, we challenge colleagues who may be taking an action in the name of health of safety when in actual fact no serious risk is present and they are carrying out the action under the banner of health & safety.

Health and safety – external regulation

Officers from the council's food and safety unit regulate health and safety in over 5,000 premises in the city.

The team already applies the principle of sensible risk management when carrying out their work. Taking such an approach is beneficial to businesses, employees and also the council, as limited resources are focused on dealing with real risks, and not those that might be considered trivial.

Taking this approach also reduces the burden on those businesses that are subject to regulation, and avoids them having to spend unnecessary time and resources controlling meaningless or insignificant risks.

Pledging support

12. Pledging support for the HSE strategy will confirm the council's commitment to the promotion and application of sensible risk management across all sectors.
13. A copy of the pledge that the HSE is asking companies and organisations to sign up to is below:

"We, the undersigned:

- *Agree to play our part in reducing the numbers of work-related deaths, injuries and ill-health in Great Britain.*
- *Call on employers to put health and safety at the heart of what they do and to take a common sense approach to health and safety.*
- *Commit to debunking myths around health and safety that trivialise the impact of injuries, ill health and deaths on individuals and their families.*
- *Recognise the importance of health and safety in difficult economic times and the dangers of complacency.*
- *Pledge to work with the Health and Safety Executive and its partners to Be Part of the Solution."*

14. Section 18 of the Health and Safety at Work Act 1974, places a duty on the HSE and the council's external health and safety team to have in place 'adequate arrangements' for health and safety enforcement.

15. The HSE recently reviewed what would be considered 'adequate arrangements' under Section 18. In response to this review, they produced the 'Section 18 Standard'. Local authority health and safety functions are required to comply with this new standard by March 2011.
16. The 'Section 18 Standard' requires the following from every local authority health and safety regulatory service:

To "make it happen" every service shall ...

- set out their commitment priorities and planned interventions.
- put into place the capacity, management infrastructure, performance management and information systems required to deliver an effective service and to comply with their statutory duties.
- operate systems to train, appoint, authorise, monitor, and maintain a competent inspectorate.

(ii) To "do it right" every service shall ...

- use interventions, including enforcement action, in accordance with their enforcement policy and within the principles of proportionality, accountability, consistency, transparency and targeting.

(iii) To "work together" every service shall ...

- work within their own organisation, in partnership with other EAs and with other regulators and stakeholders to make best use of joint resources and to maximise their impact on local, regional and national priorities.
- actively contribute to liaison, policy and governance arrangements at a local, regional and national level.

(iv) To "sell the story" every service shall...

- promote sensible risk management .

17. In relation to the requirement to "sell the story", the HSE is expecting local authorities to pledge their support for the strategy, and apply the principles of sensible risk management through the course of their work.

Consultation

18. The council's Corporate Health and Safety team have been consulted on this report and their comments can be found at paragraph 11.

Options

19. Members are asked to consider the following options:
 - (i) Pledge the council's support for the HSE's strategy document, 'Health and Safety of Great Britain – Be Part of the Solution'; OR
 - (ii) Not pledge the council's support for the above strategy.

Analysis

20. If the council chose to pledge their support for the HSE strategy, this will send a strong message to members of the public, employees of the council and businesses that operate within the city, that the council is committed to the sensible risk management of health and safety.
21. Pledging support will also allow the council's external health and safety team to comply with the requirement of the Section 18 Standard.
22. Not pledging support for the strategy will mean the external health and safety team cannot fulfil the requirements of the Section 18 standard. Failure to meet the requirements of the standard may present a reputational risk for the council and may cause the team to come under unnecessary close scrutiny from the HSE.
23. Signing up to HSE Sensible Risk Management will support the risk based approach adopted by the Corporate Health & Safety team, which is designed around accepting risk exists and ensuring that the sensible proportionate management of risk are in place.

Corporate Priorities

24. Implementation of the HSE strategy will support the following corporate priorities:
 - Thriving City
 - Safer City
 - Inclusive City
 - Healthy City
 - Effective Organisation

Implications

(a) Financial

There are no financial implications associated with this report.

(b) Human Resources (HR):

There are no HR implications associated with this report.

(c) Equalities:

There are no equalities implications associated with this report.

(d) Legal: (Contact – Head of Civic, Democratic & Legal Services)

There are no legal implications associated with this report.

(e) Crime and Disorder:

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

(f) Information Technology (IT):

There are no IT implications associated with this report.

(g) Property:

There are no property implications associated with this report.

(h) Other:

There are no other implications associated with this report.

Risk Management

25. There are no anticipated risks should the council pledge its support for the HSE strategy.

Recommendation

26. That members pledge the council's support for the HSE strategy document 'Health and Safety of Great Britain – Be Part of the Solution'.

Reason: To demonstrate the council's commitment to sensible health and safety risk management and to allow the council's external health and safety team to comply with the requirements of the 'Section 18 Standard'.

Contact Details

Author:

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Food & Safety Unit Manager
X 1599

Chief Officer Responsible for the report:

Steve Waddington
Assistant Director Housing and Public Protection

Report Approved

Date 20/10/10

Specialist Implications Officer(s) There are no specialist officer implications.

Wards Affected: All

All

For further information please contact the author of the report

Background Papers:

Nil

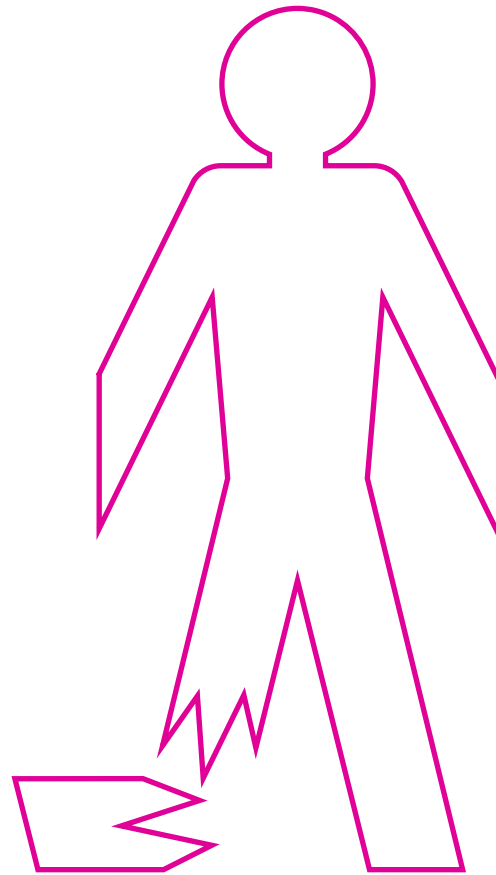
Annexes

Health and Safety of Great Britain – Be Part of the Solution (HSE)

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The Health and Safety of Great Britain \ Be part of the solution



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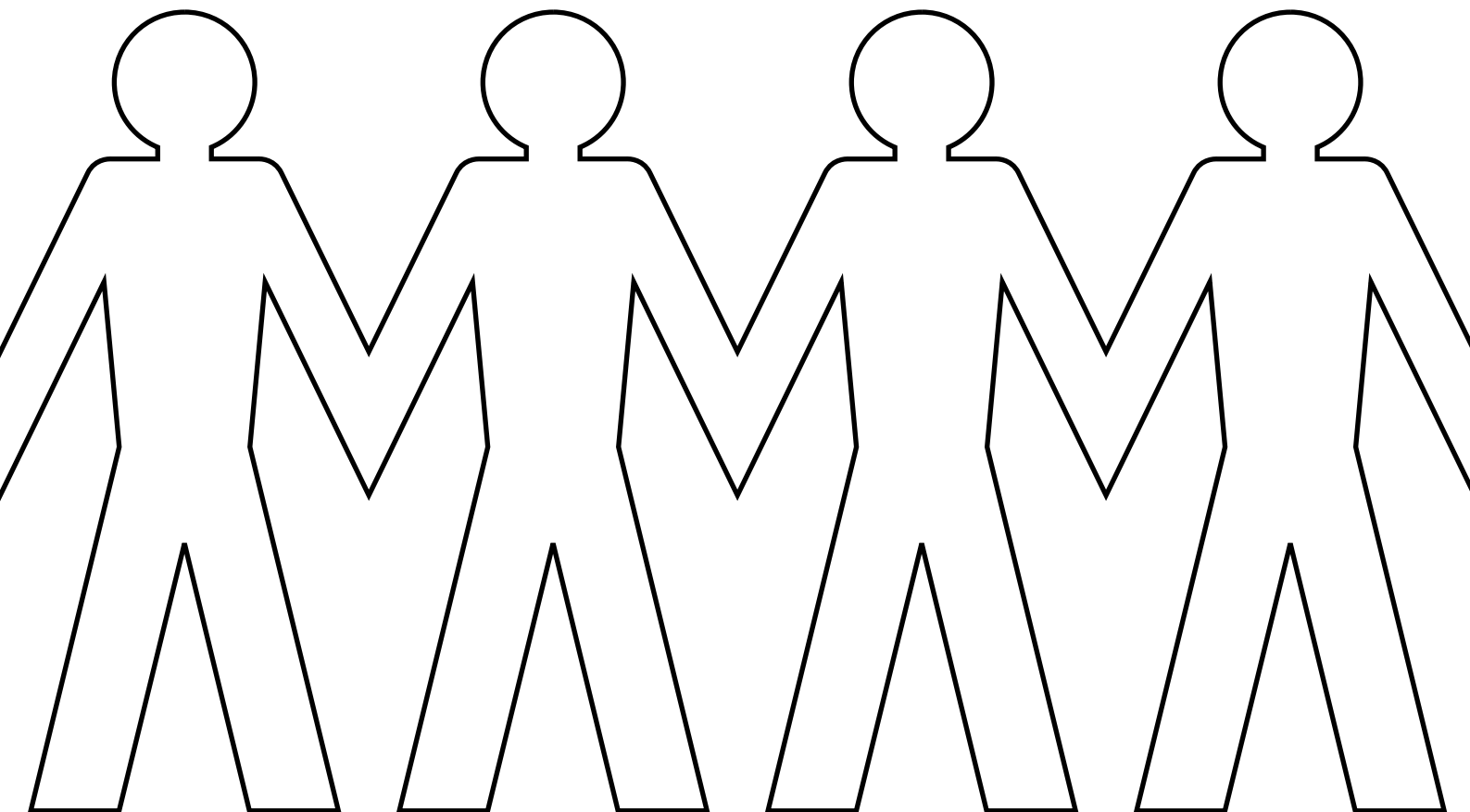
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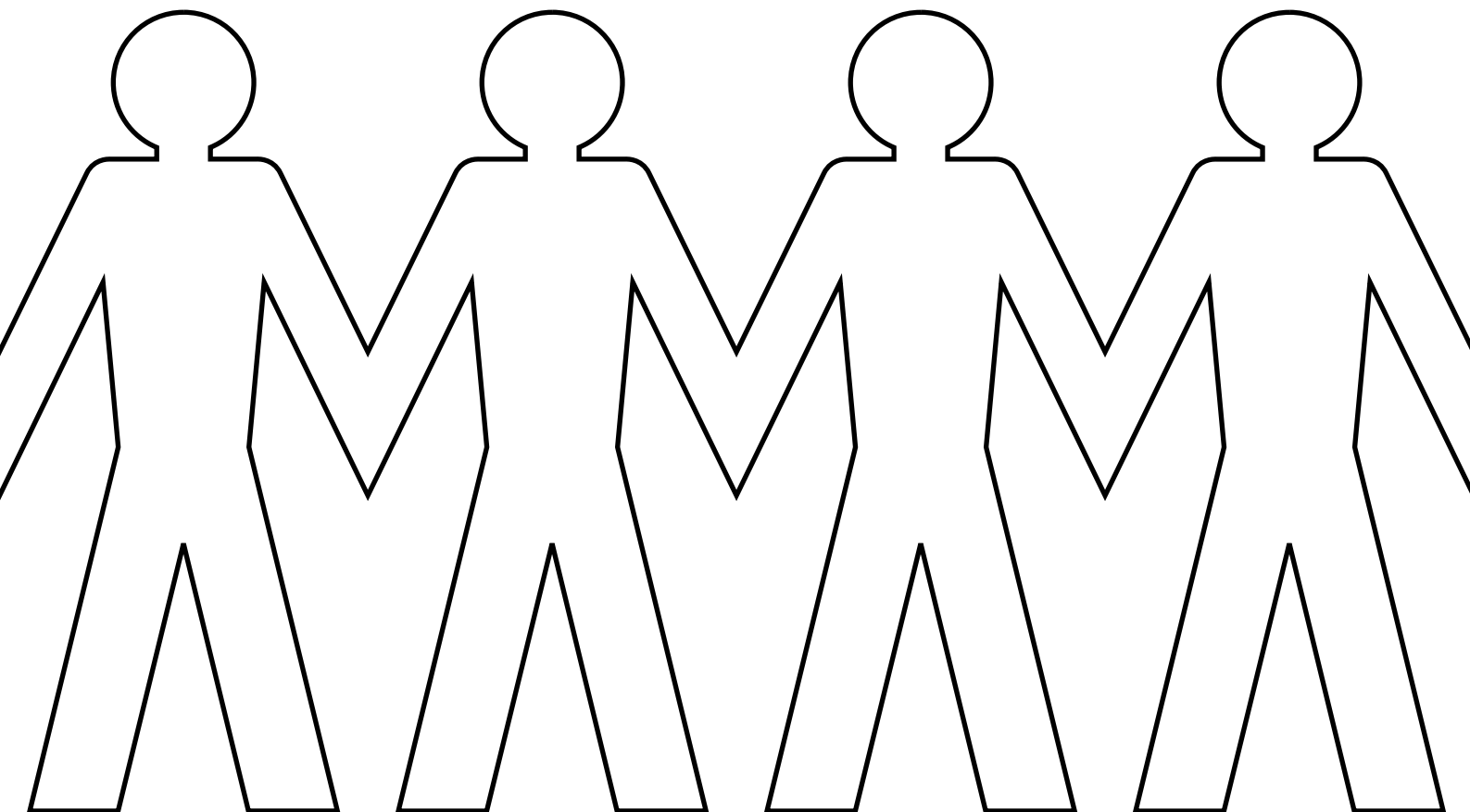
Our mission is to prevent death, in health in Great Britain's workplaces and we are seeking your support – for the strategy and by becoming part of the solution.

The improvements in Great Britain's health and safety performance over the last three decades are already a collective achievement we can all take pride in – and build on. The 1974 Health and Safety at Work etc Act and its underlying principles and philosophy provide us with a legislative framework that is adaptable and remains fit for purpose today.

When the new Board of HSE formed in April 2008 we decided to take the lead in developing a new strategy, which would build on the many strengths of what we already have, but would also recognise the many changes that continue to take place around us and which present new challenges for the health and safety system as a whole. The consultation process has evinced widespread support for our approach from all stakeholders and has enabled us to fine-tune the strategy to take account of the views expressed.

There is collective agreement that:

- ∞ We need renewed momentum to improve health and safety performance.
- ∞ We need to respond to a wide range of risks – from more small businesses, from new sectors and new technologies, as well as traditional industries and long-standing risks.
- ∞ We need to find new ways of engaging workforces in all workplaces of all shapes and sizes, using the knowledge we have gained from the past that properly involved unionised safety representatives achieved better health and safety performance.



∞ We need leaders who are committed to adopting a common-sense, practical approach to health and safety in their own organisations and throughout the supply chains they work with, motivated by the real business benefits, not exemption from regulatory scrutiny.

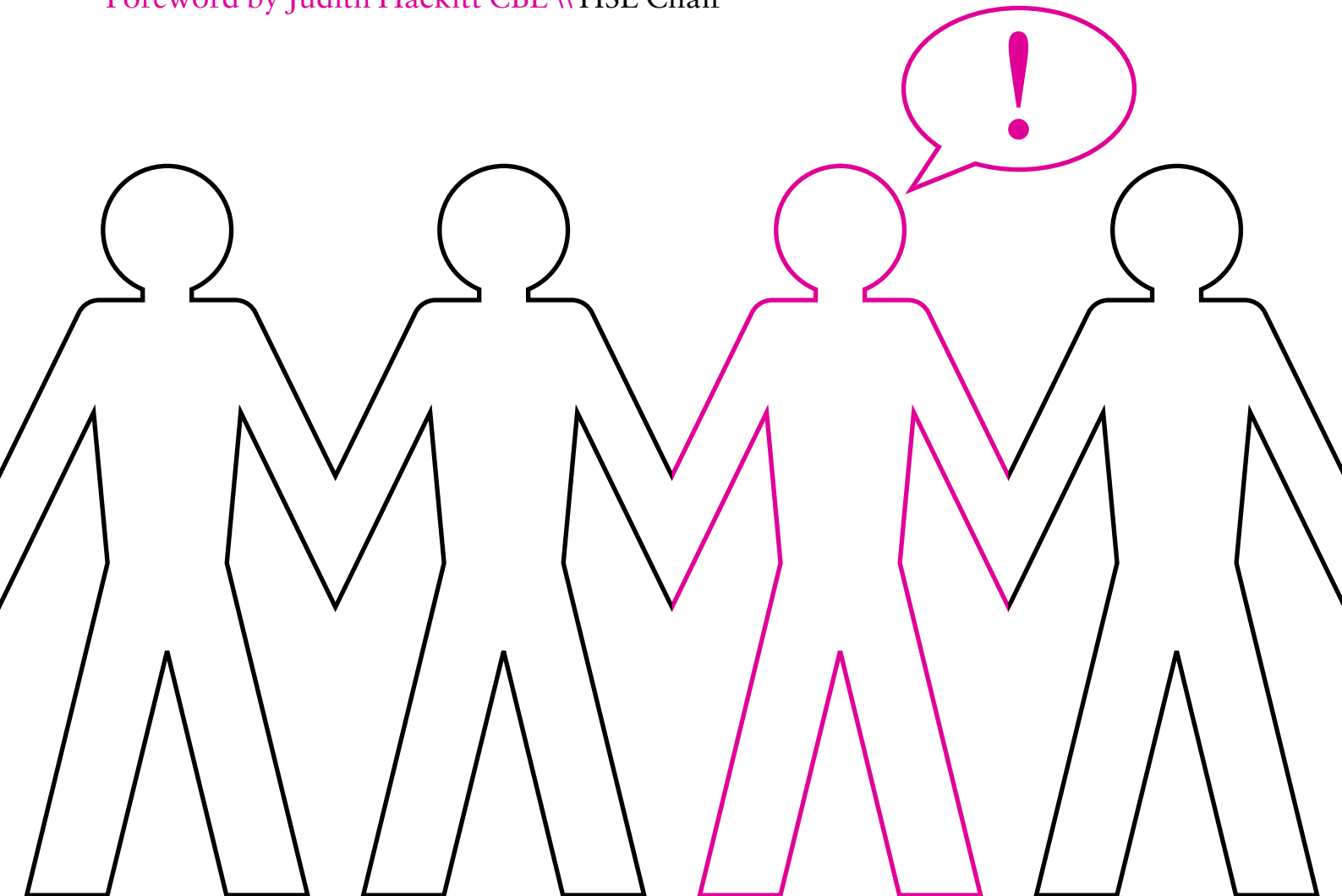
∞ We need to regain the value of the brand for what is real health and safety and challenge its devaluation as a synonym for unnecessary bureaucracy and an excuse for not doing things.

The strong co-regulator partnership between HSE and local authorities is integral to this strategy and to its delivery – but regulators cannot do it alone. We need everyone to play their part in delivering improved higher standards of performance in health and safety because it is **delivery** of this strategy that will count.

We will measure and report our progress, but we should be clear that we will be measuring the success of our collective efforts not just the role of the regulator.

You have told us that you support our approach, now let us work together to make this a truly shared mission and to realise the many benefits. Prevention of pain and suffering to people caused by work is the major driver for us all, but doing the right things the right way also delivers improved productivity, increased workforce commitment and enhanced reputation. In a world that is continually changing around us, the need for us all to work together to make this happen is constant.

Foreword by Judith Hackitt CBE ∞ HSE Chair



Resetting the direction

The Health and Safety at Work etc Act 1974 established the simple yet enduring principle that those who create risk are best placed to manage it. The Act led to the setting up of the Health and Safety Commission (HSC) and the Health and Safety Executive (HSE) and established HSE and local authorities as joint enforcers of health and safety law.

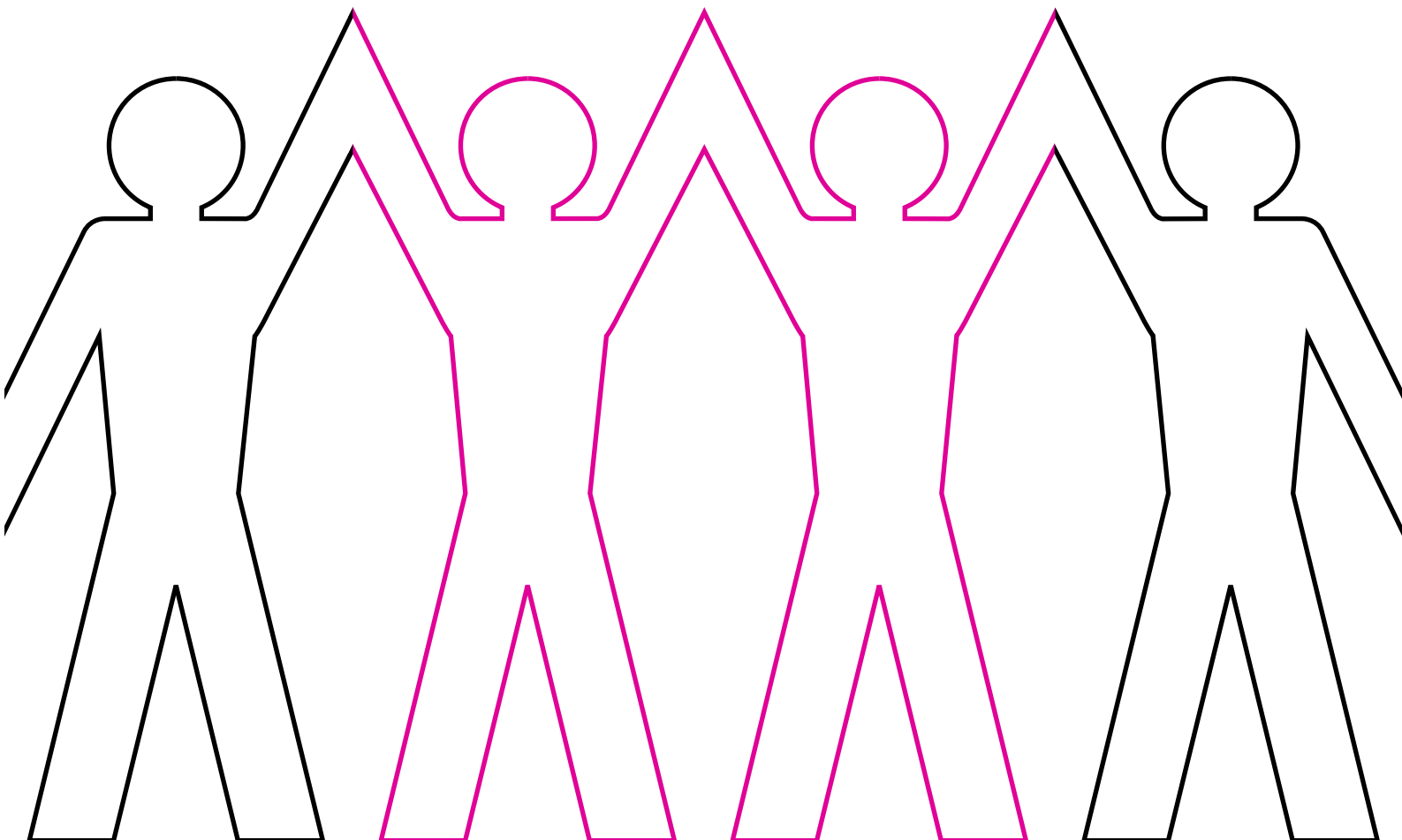
On 1 April 2008 HSC and HSE merged to form a single entity known as the Health and Safety Executive (HSE). HSE is the national regulatory body responsible for promoting the cause of better health and safety at work within Great Britain. It continues to work in close partnership with local authorities.

One of the first undertakings of the new HSE Board was to reset and reaffirm the direction of health and safety.

This document presents the Board's strategy for the health and safety system as a whole. It recognises and addresses the many stakeholders who have a role in maintaining or improving health and safety standards. Those stakeholders include:

- \\ employers and their representative bodies;
- \\ the self-employed;
- \\ workers and their representative bodies;
- \\ HSE;
- \\ local authorities;
- \\ Government, through its departments and agencies etc;
- \\ the devolved administrations and their agencies etc;
- \\ professional bodies;
- \\ voluntary and third sector organisations.

To be truly effective, health and safety has to be an everyday process supported by all as an integral part of workplace culture.



The pressures to improve

Great Britain has one of the best health and safety records in the world. However, although the rates of death, injury and work-related ill health have declined for most of the past 35 years, the rate of decline has noticeably slowed.

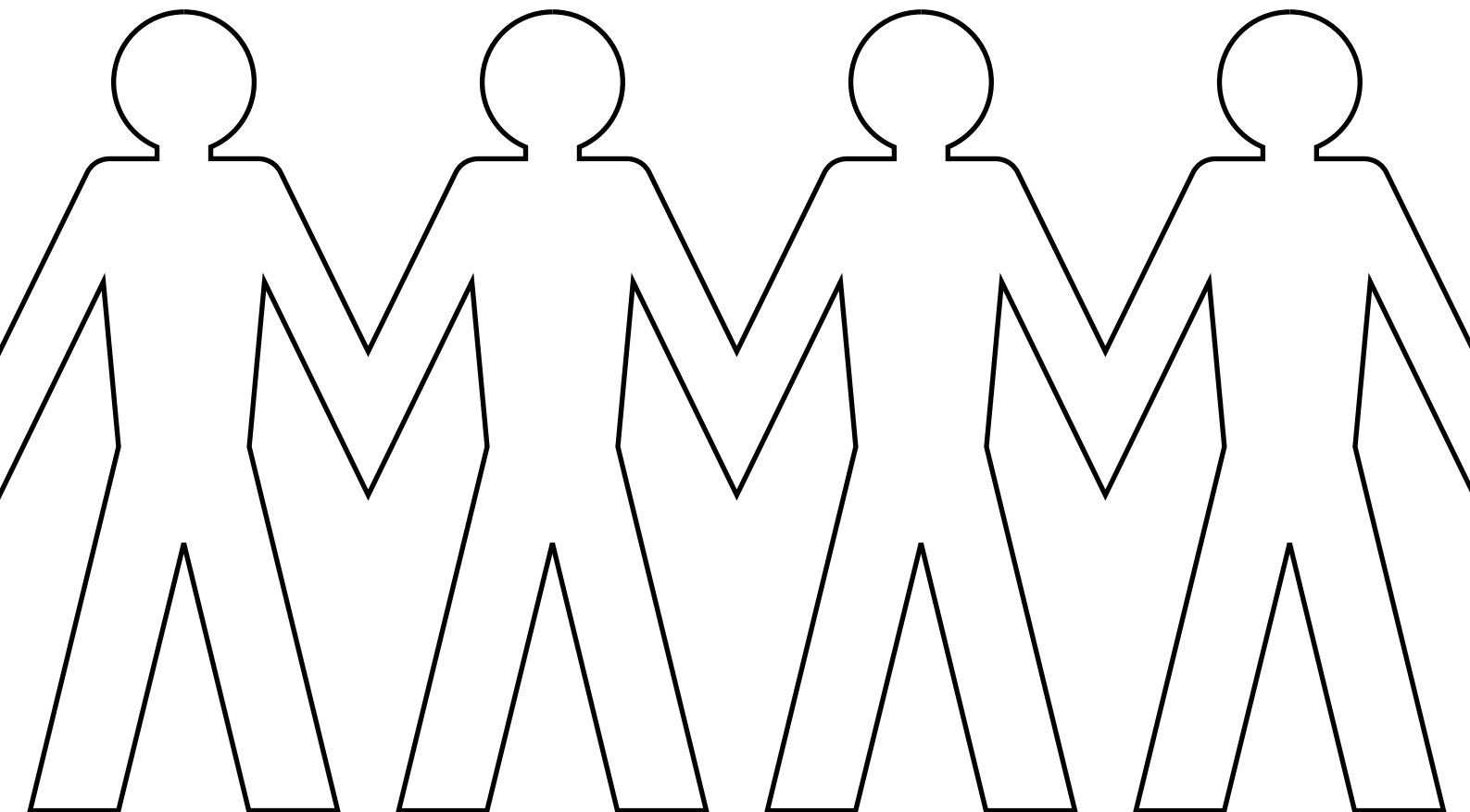
Within the EU, considerable effort has been invested in raising standards and bringing consistency to health and safety legislation across all member states. Even so, Great Britain has the lowest average rate of work-related fatal injuries and only Sweden and Ireland have lower rates for non-fatal injuries resulting in the worker being absent for three or more days.

Yet, despite the previous successes, today's headline figures indicate that the combined incidence of injury and ill health in Great Britain is much the same now as it was five years ago.

Provisional figures for 2007/08 show that 229 workers were killed and 136 771 employees were seriously injured at their place of work. Similarly, during the same period, approximately 2.1 million people were suffering from an illness reputedly caused or made worse by their current or past work. The emotional toll to families, friends and communities is enormous.

Then there is the impact on the economy. Around 34 million working days were lost in 2007/08 due to the consequences of accidents at work and work-related ill health. Looking at the finances, it is estimated that the annual cost to society of work-related accidents and ill health is a staggering £20 billion (approximately 2% of GDP).

Clearly, maintaining the status quo is morally, legally and financially unacceptable. The pressure is on to better understand why aspects of Great Britain's health and safety performance have apparently stalled, and to find ways of beginning again the process of improvement.



Everyone has a role

To bring about improvements in health and safety performance the need is for everyone to work together towards a set of common goals. For that to become a reality, each stakeholder within the health and safety system has to understand their role and become better at executing their responsibilities.

Employers, self-employed, manufacturers and suppliers

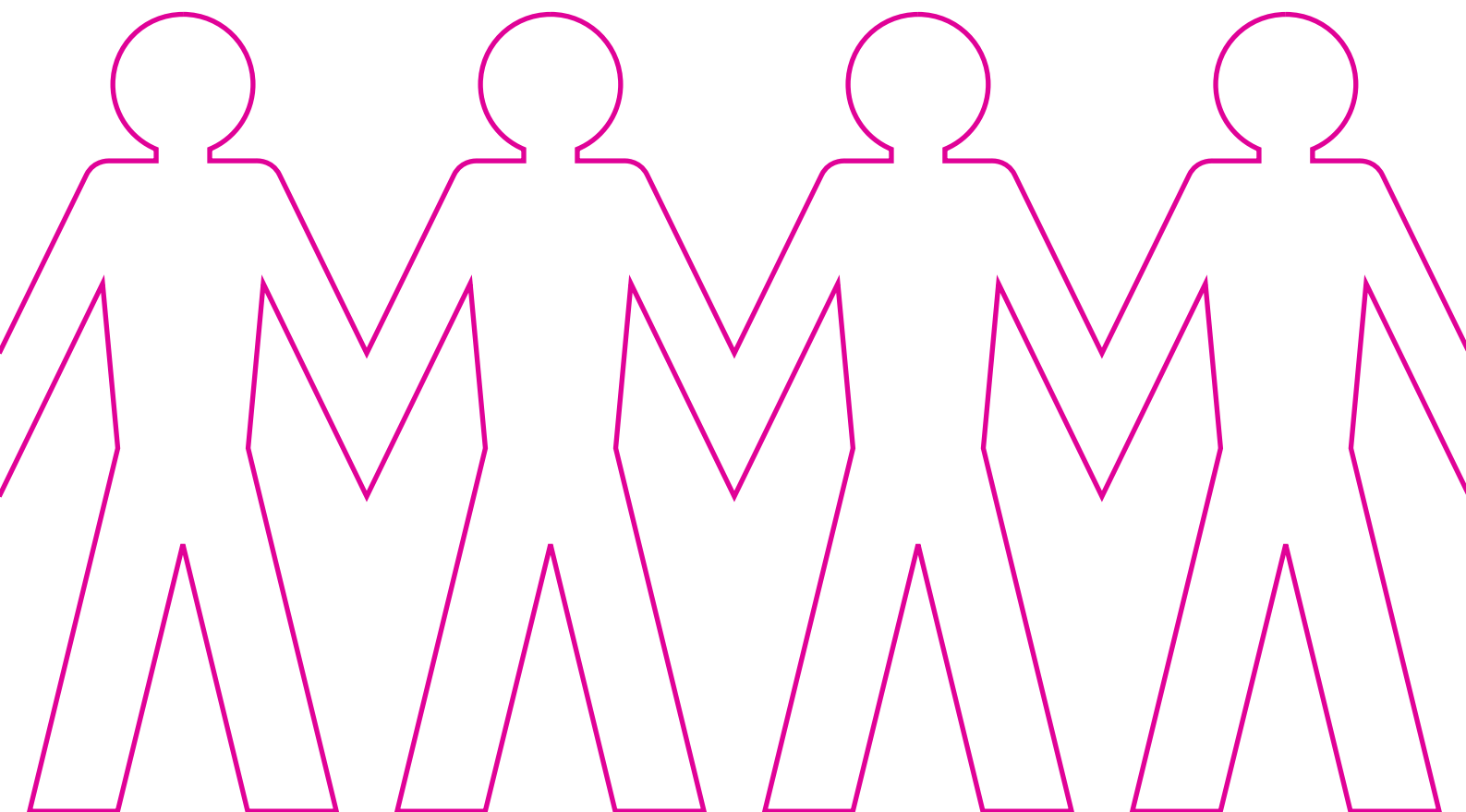
The Health and Safety at Work etc Act clearly places responsibility on those who create the risk to manage it. This applies whether the risk maker is an employer, self-employed or a manufacturer or supplier of articles or substances for use at work. Whatever the corporate status, each risk maker has a range of duties that must be implemented to manage the risk.

Workers

All workers have a fundamental right to work in an environment where risks to health and safety are properly controlled. The primary responsibility for this lies with the employer. However, workers have a duty to care for their own health and safety and for others who may be affected by their actions. The legislation requires that workers co-operate with employers on health and safety issues.

Third-party organisations

Representative organisations are in a position to play a key role in driving health and safety improvements. Some are already doing so. For instance, the TUC actively promotes health and safety, while many trade union appointed health and safety representatives do a commendable job in the workplace. There is also a good spread of employer organisations, trade associations, consultant firms and voluntary organisations providing health and safety guidance to members and clients. Plus there are other organisations such as government departments and local authorities exerting influence throughout the supply chain by ensuring that contractors work in a safe and healthy way.

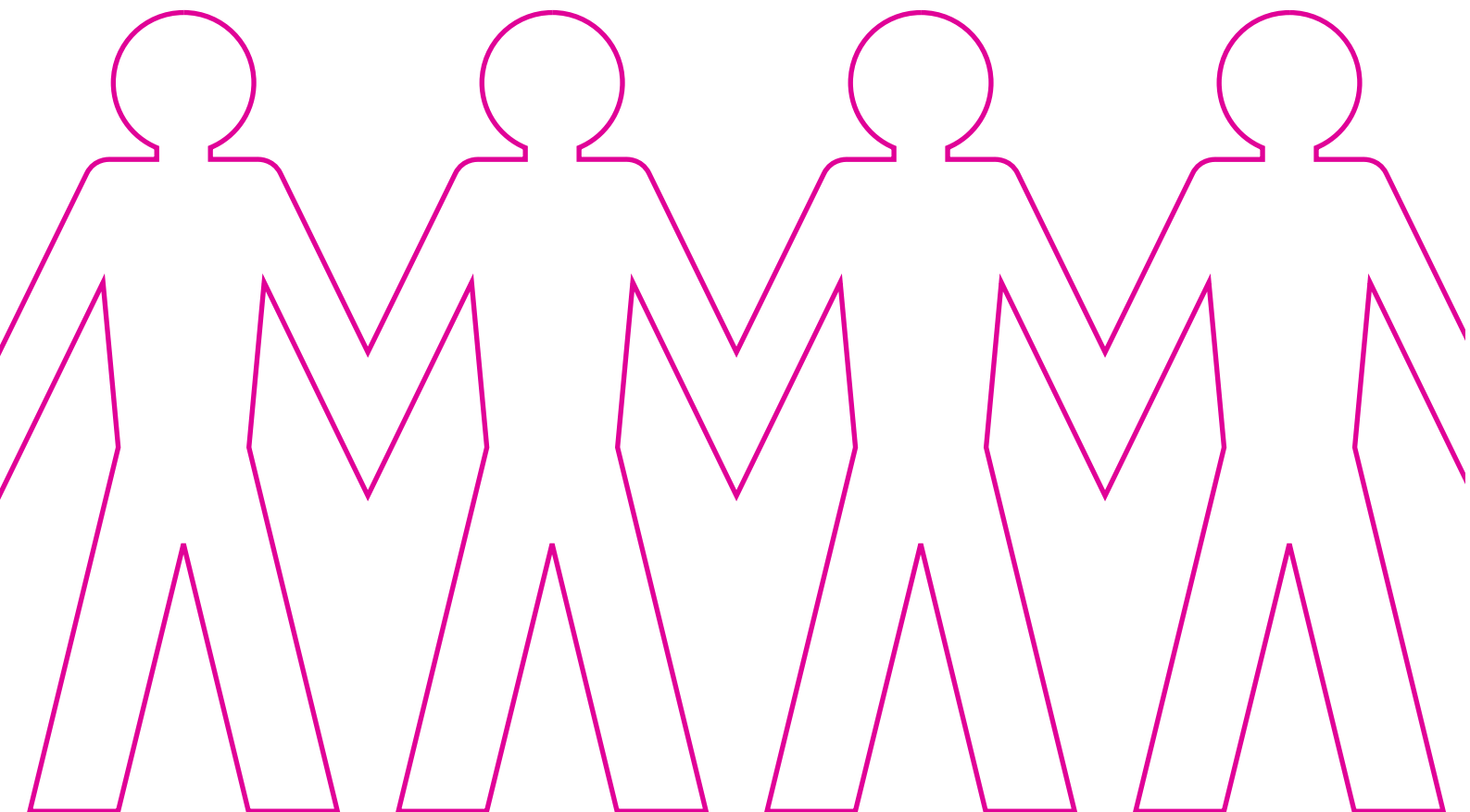


HSE and local authorities

HSE provides strategic direction and leads the health and safety system as a whole. In addition to inspection, investigation and enforcement, key activities include research, introducing new or revised regulations and codes of practice, alerting dutyholders to new and emerging risks as they are identified, providing information and advice, and promoting training.

Local authorities operate in partnership with HSE to ensure that dutyholders manage their workplaces with due regard to the health and safety of their workforce and those affected by their work activities. To achieve this, local authorities, as with HSE, provide advice and guidance on what the law requires, conduct inspections and investigations, and take enforcement action where appropriate.

With regard to the public, there are many regulatory bodies whose remit includes protection of the public from work activities. Local authorities also have wider responsibilities for the safety of local communities. Where appropriate, HSE and local authorities will therefore work with partner bodies to ensure that activities are co-ordinated, duplication of effort is avoided and that public safety is effectively delivered.



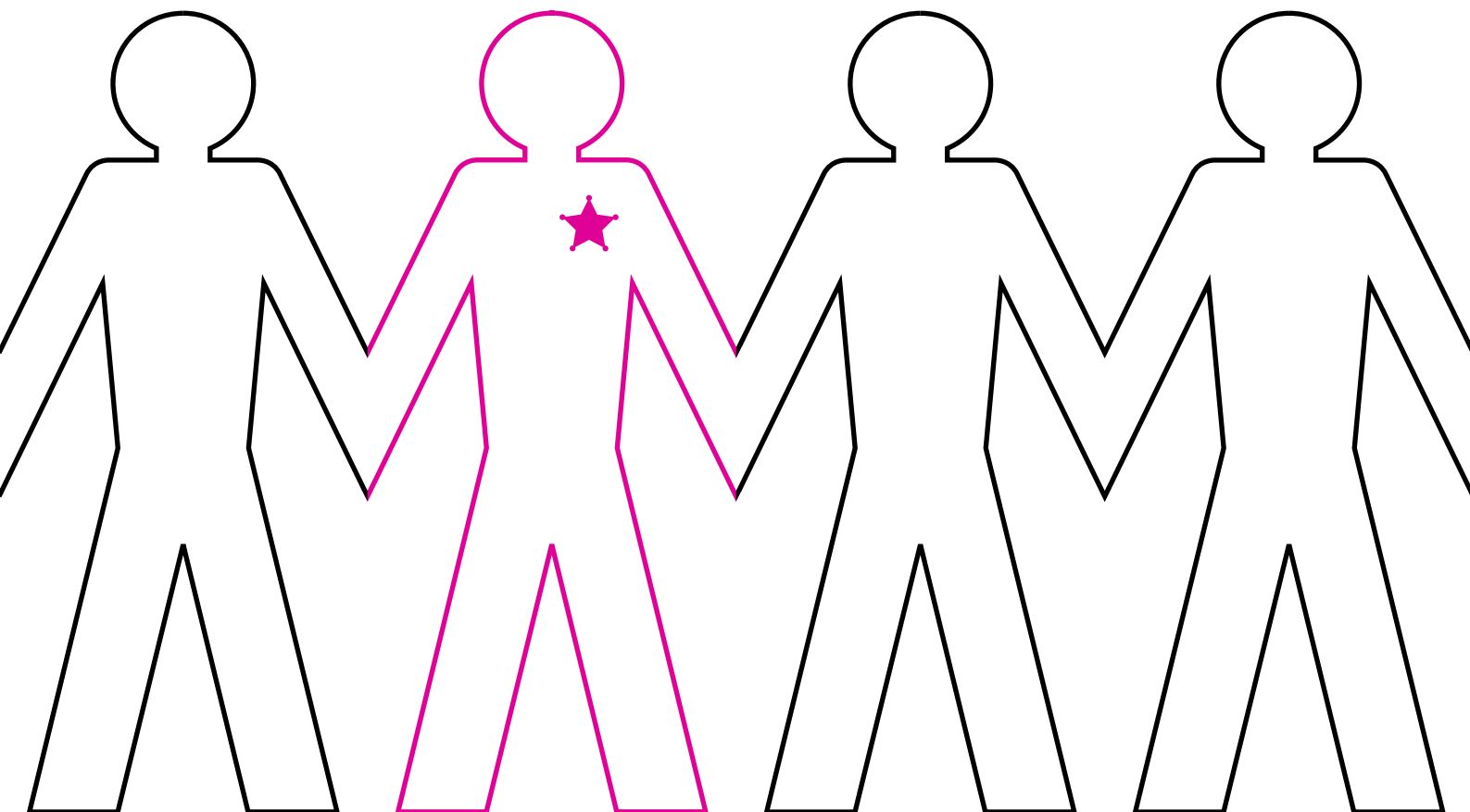
Investigations and securing justice

HSE and local authorities are independent regulators. Working in partnership, their primary focus is to assist dutyholders in preventing work-related accidents and ill health. This is generally achieved through inspections and a range of proactive measures including stakeholder engagement, communications programmes and the provision of information and advice.

Investigating complaints, accidents and ill health is also an important lever for improving health and safety standards. In particular, the investigation of incidents is crucial to help determine the causes, learn and share lessons and ensure that necessary measures are in place to prevent recurrence.

Investigation also provides the basis for enforcement action to secure justice. Where appropriate, HSE or the relevant local authority will rigorously seek justice against those that put others at risk and in particular where there is a deliberate flouting of the law.

Enforcement has three main objectives: Firstly, it seeks to compel dutyholders to take immediate action to deal with the risk. Secondly, it promotes sustained compliance with the law. Thirdly, it looks to ensure that dutyholders who breach health and safety requirements, and directors or managers who fail in their responsibilities, should be held to account for their actions.



Our goal \\ To motivate focus on the core aims of health and safety and, by doing so, to help risk makers and managers distinguish between real health and safety issues and trivial or ill-informed criticism.

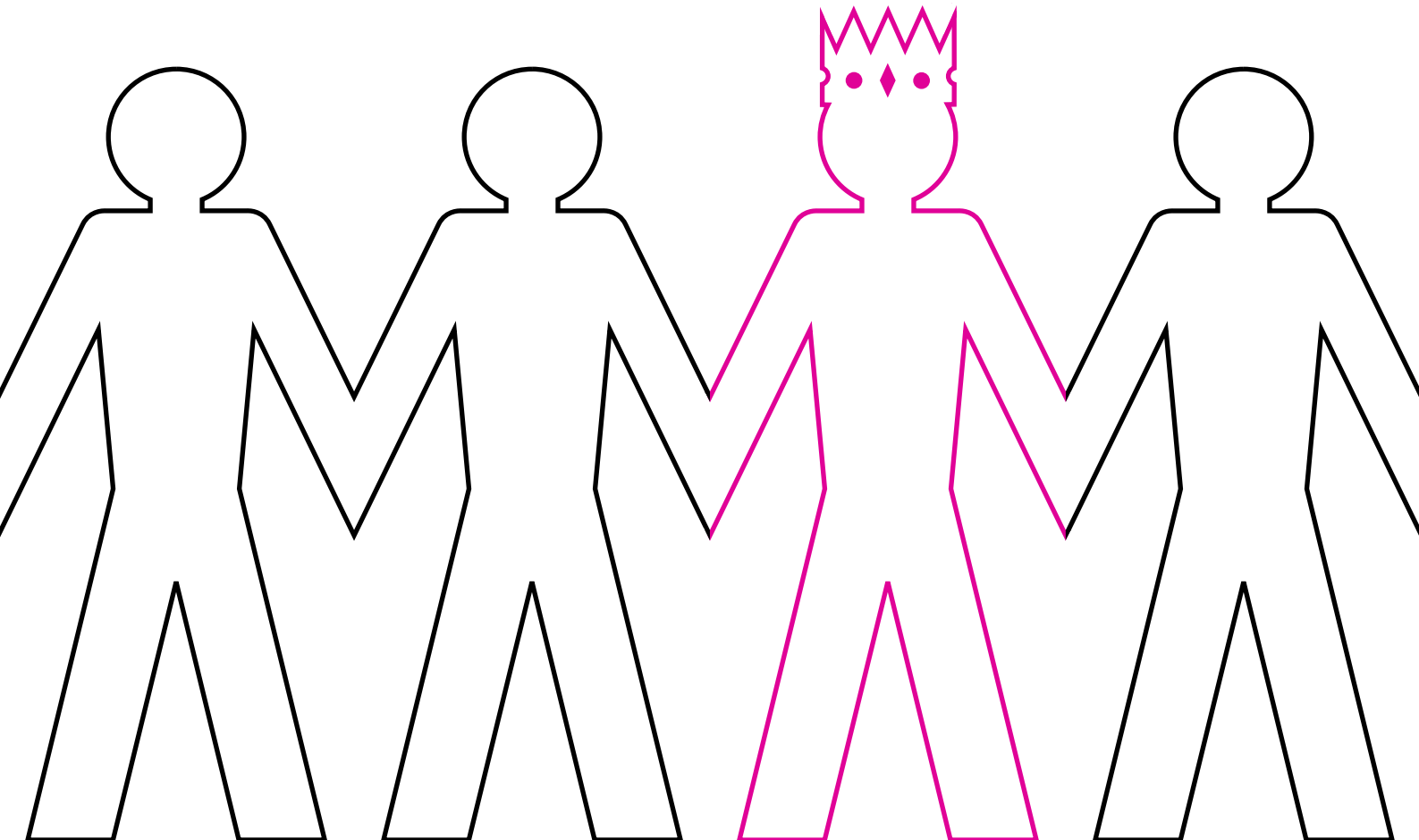
The need for strong leadership

Health and safety leadership must start at the top. Whatever the nature of the organisation, whether in the public, private or not-for-profit sector, members of the board have both collective and individual responsibility for health and safety. As such, the need is for people of board-level status to champion health and safety and be held accountable for its delivery.

Following the example of leadership at board level, leadership must also permeate throughout the management and supervisory levels and the workforce. In SMEs there should be at least one person committed to ensuring good health and safety performance.

Health and safety leadership is all about accountability. It means taking ownership of risk and accepting responsibility for managing it. A health and safety leader is the person who drives cultural change by winning the hearts and minds of directors, managers, workers and contractors. A leader fundamentally alters the corporate ethos so that health and safety becomes 'the way we do business around here'.

Importantly, good leadership maintains a focus on the real health and safety issues and distances itself from the 'jobsworth' approach and those instances where health and safety is used as a convenient excuse for not doing something.

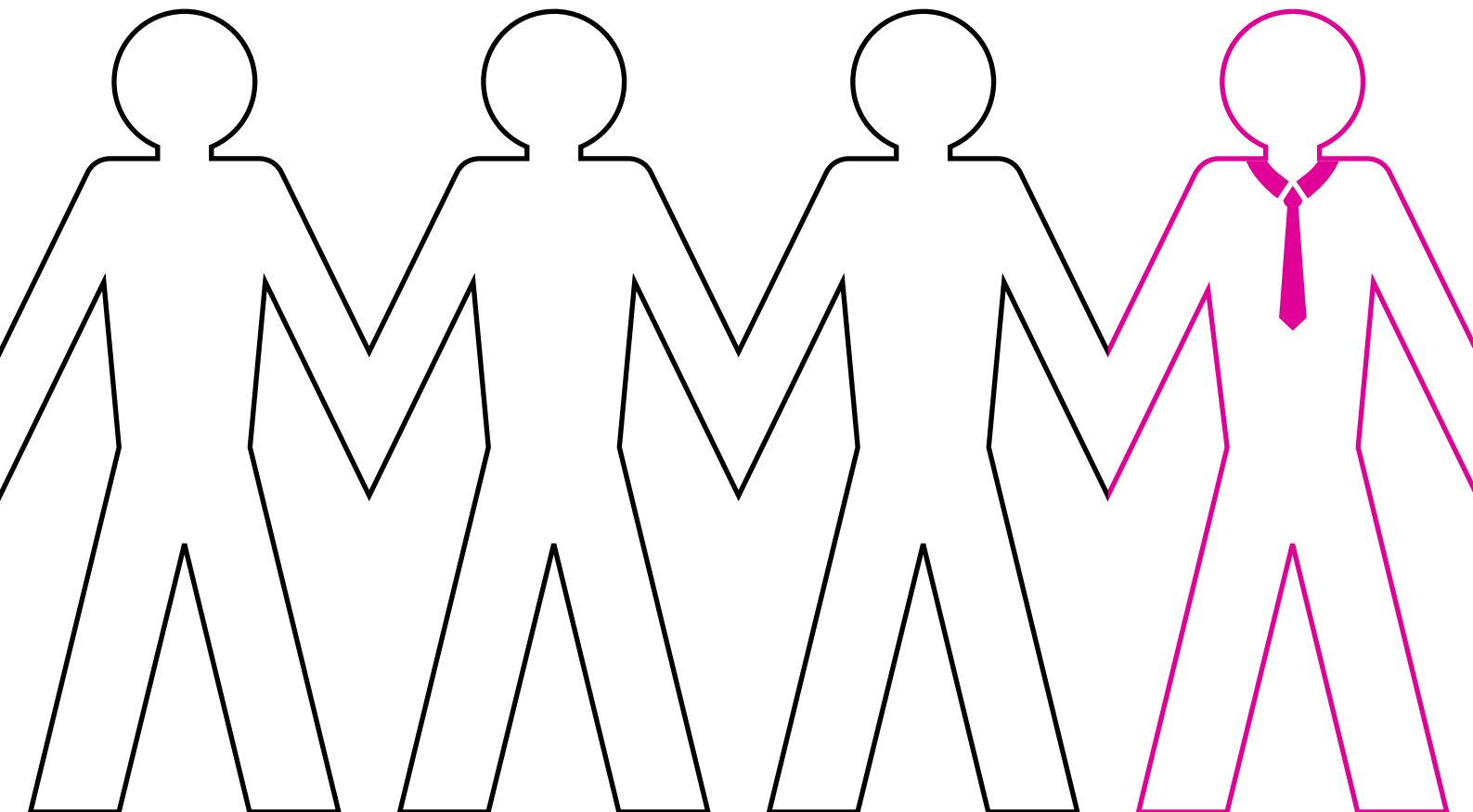


Building competence

It is important to understand that within health and safety legislation, organisations of all sizes are required to nominate at least one competent person to help them meet their duty to control the risks posed by their work activities. Larger organisations often appoint one or more members of the workforce to do this, while with SMEs the responsibility commonly rests with the owner/manager. Similarly, some organisations bring in specialist external consultants to help, and in other instances a professional body may be called upon to provide advice.

The essence of competence is relevance to the workplace. What matters is that there is a proper focus on both the risks that occur most often and those with serious consequences. Competence is the ability for every director, manager and worker to recognise the risks in operational activities and then apply the right measures to control and manage those risks.

However, in practice, legislative compliance should be regarded as the minimum acceptable standard. Truly effective health and safety management requires competency across every facet of an organisation and through each level of the workforce. The need is for health and safety training to place greater emphasis on coaching so that directors, line managers and workers alike are able to determine what is sensible and reasonable. Also, it is important that the education system embeds the basic understanding of risk as a life skill so that young people joining the workforce are more risk aware.



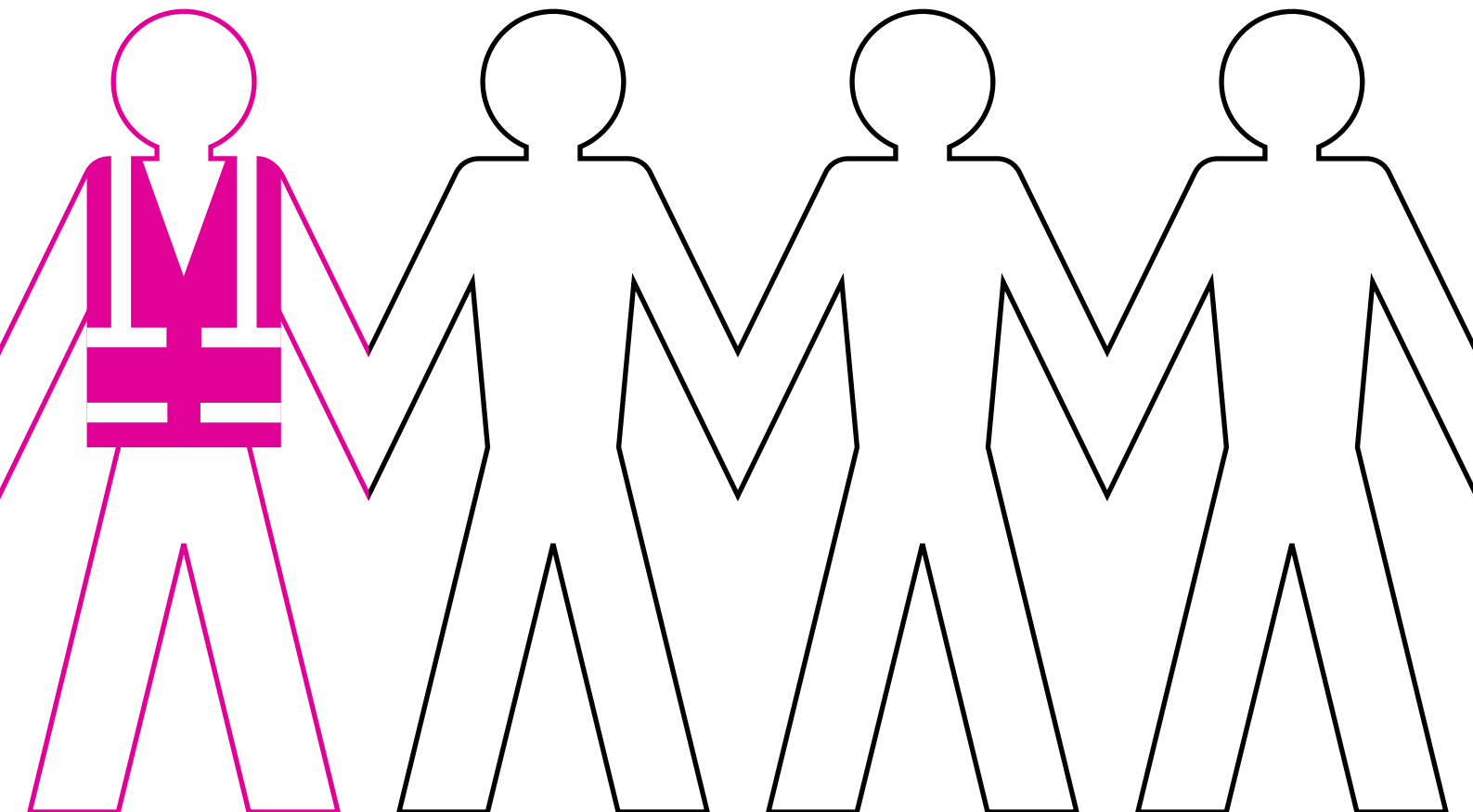
Involving the workforce

Workplace research provides evidence to suggest that involving workers has a positive effect on health and safety performance. Equally, there is strong evidence that unionised workplaces and those with health and safety representatives are safer and healthier as a result.

The need is to develop a genuine management/workforce partnership based on trust, respect and co-operation. With such a partnership in place, a culture can evolve in which health and safety problems are jointly solved and in which concerns, ideas and solutions are freely shared and acted upon.

In the first instance, training managers and health and safety representatives together will establish a shared perspective on tackling health and safety issues in their organisation and complement the training they already receive separately. This, in turn, encourages the combined involvement of management and health and safety representatives in inspections, investigations and risk assessments. Ultimately, the effect of workforce involvement is that operational practices and health and safety risk management are aligned for the benefit of all and with the co-operation of everyone.

Whether unionised or not, no matter the size or scope of the organisation, worker involvement is fundamental to good health and safety performance and therefore to good business.



Our goal \\ To specifically target ke and to identify and work with those bodies best placed to bring about a reduction in the incidence rate and number of cases of work-related ill health.

Our goal \\ To set priorities and, within those priorities, to identify which activities, their length and scale, deliver a significant reduction in the rate and number of deaths and accidents.

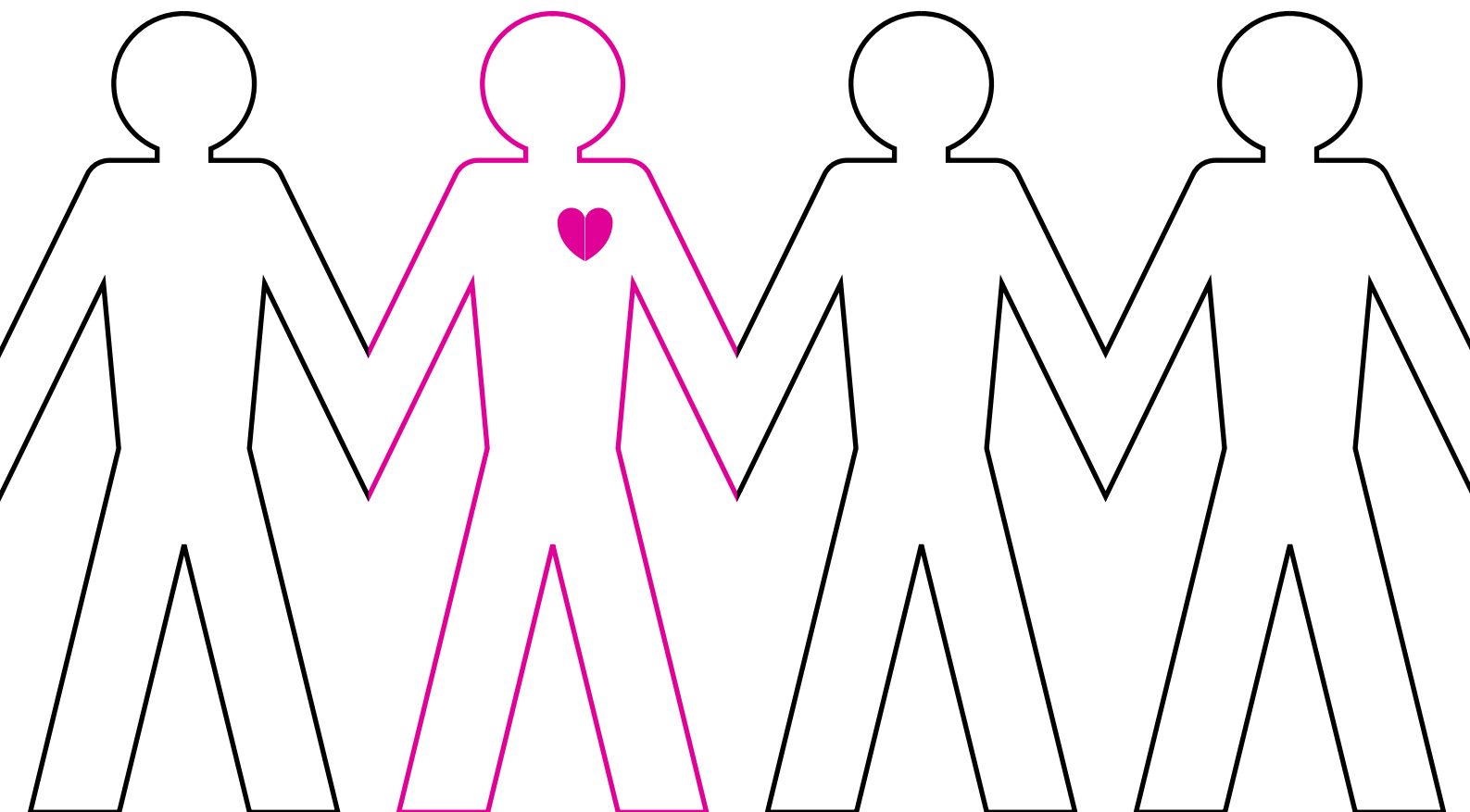
Creating healthier, safer workplaces

Central to the creation of healthier, safer workplaces is the need for all stakeholders in the health and safety system to set priorities. This applies whether the stakeholder focus is on an industry, a sector, a particular health and safety issue or an individual business or organisation.

The starting point is to create a risk profile identifying which groups of workers are most at risk and the scale and incidence of injuries or cases of ill health. Bearing in mind the evolving nature of British society, care should be taken to acknowledge differences within the workforce in terms of ethnicity and language, cultural values and gender. Having a risk profile sets the priorities for health and safety improvement, which then enables resources and expertise to be more accurately targeted to deliver those improvements.

With regard to work-related ill health, setting targets and implementing actions is complex. Some ill health is clearly work related, albeit with long latency in certain cases. However, as every employer will recognise, other causes of ill health are not solely work-related or their seriousness may be exacerbated by non-work-related factors. In order to set health priorities and establish the most effective delivery mechanisms, collaboration is required to establish who should deal with specific issues. Key among those issues is how best to manage the interface between work and the other factors that may be impacting on a person's health.

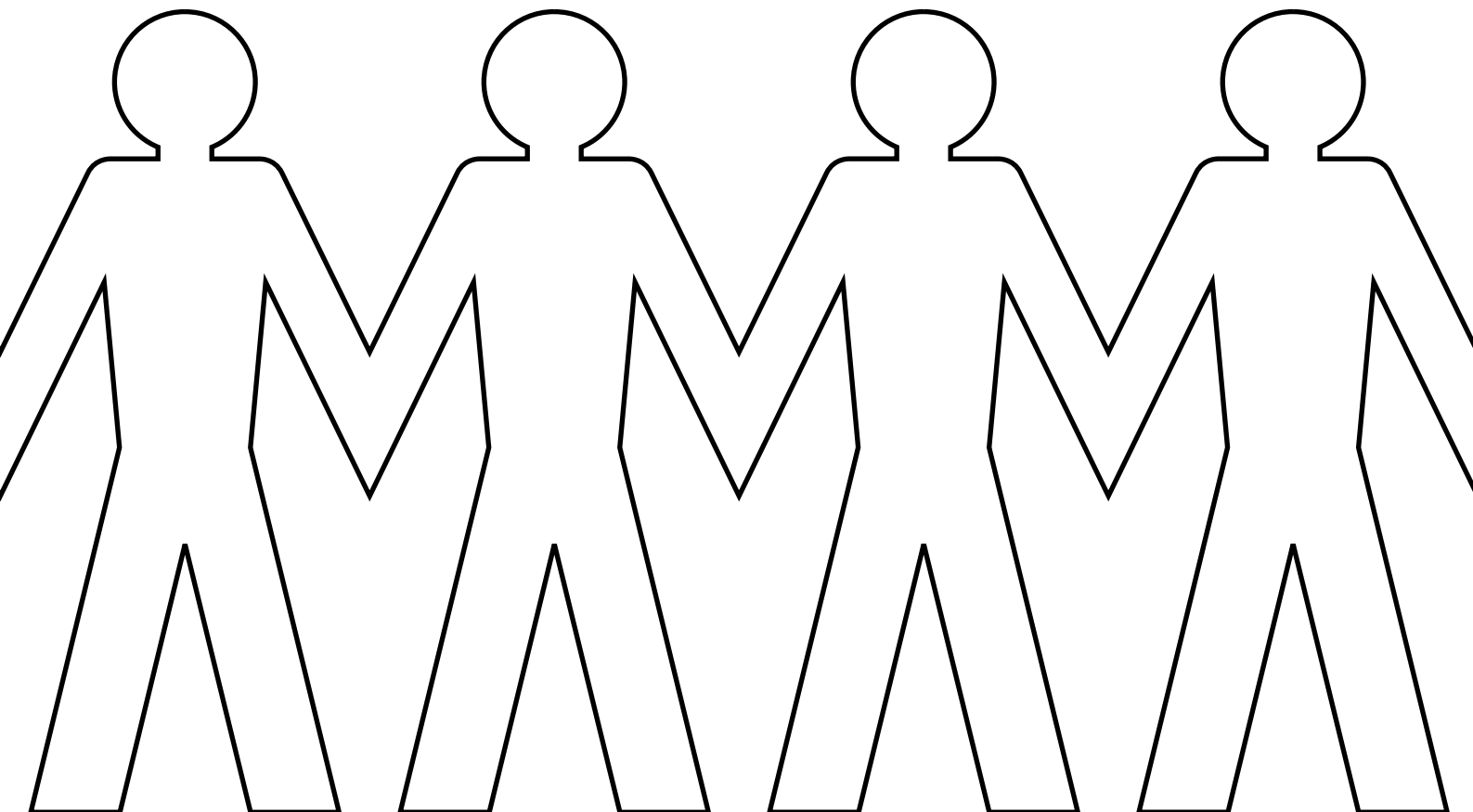
To make workplaces safer, in those sectors where injury has always run higher than average the need is to find new ways of tackling old problems. Equally, in emerging sectors and those existing sectors energised by evolving technologies, the requirement is to recognise the inherent new risks and implement appropriate methods for managing them from the beginning.



Customising support for SMEs

Small businesses and other organisations make an important contribution to Great Britain's economic prosperity. However, they also account for a considerable number of the health and safety incidents reported each year. That is not to say that SMEs are inherently dangerous. Rather, it is the case that some SMEs conduct certain activities that carry a high level of risk.

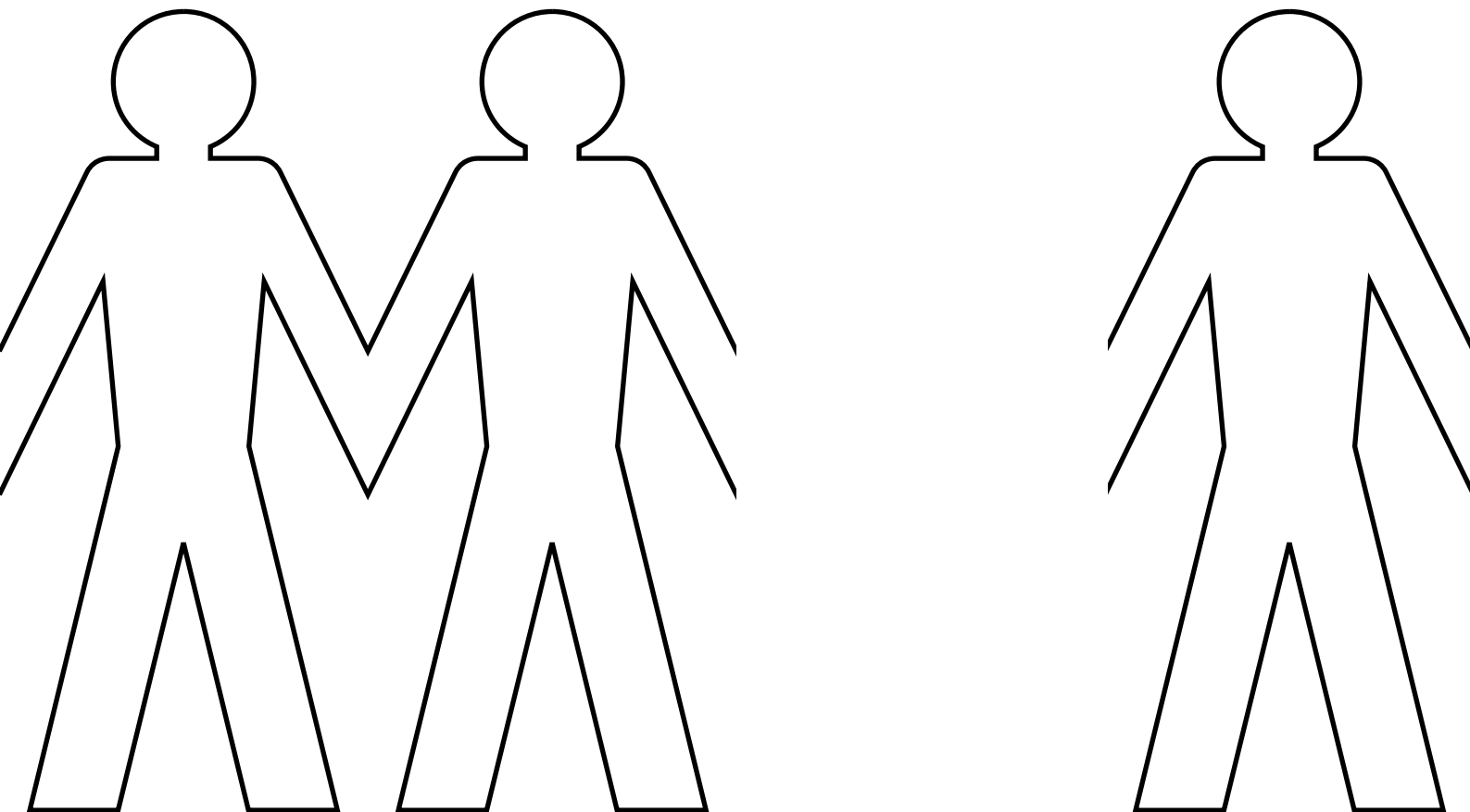
SMEs often find goal-based health and safety management difficult to apply. Therefore, the objective for HSE, local authorities and all stakeholders involved with SMEs is to find new ways to help them understand how to comply with health and safety law in a manner proportionate to the risks posed by their work activities.



Avoiding catastrophe

Great Britain has a number of highly specialised industries providing products or services that are essential to contemporary living, such as energy for homes and workplaces and fuel to power vehicles. There is a risk though that if these industries are not properly managed they have the potential to cause harm to their workers and the public at large. Even a small failure in their health and safety regimes could have catastrophic consequences.

Strong health and safety leadership is essential to make sure that the right systems are in place, that best practice is shared and that learning is disseminated from previous incidents. While recognising the economic and social importance of hazardous industries, the critical objective is to ensure that the hazards are kept firmly in check.



Taking a wider perspective

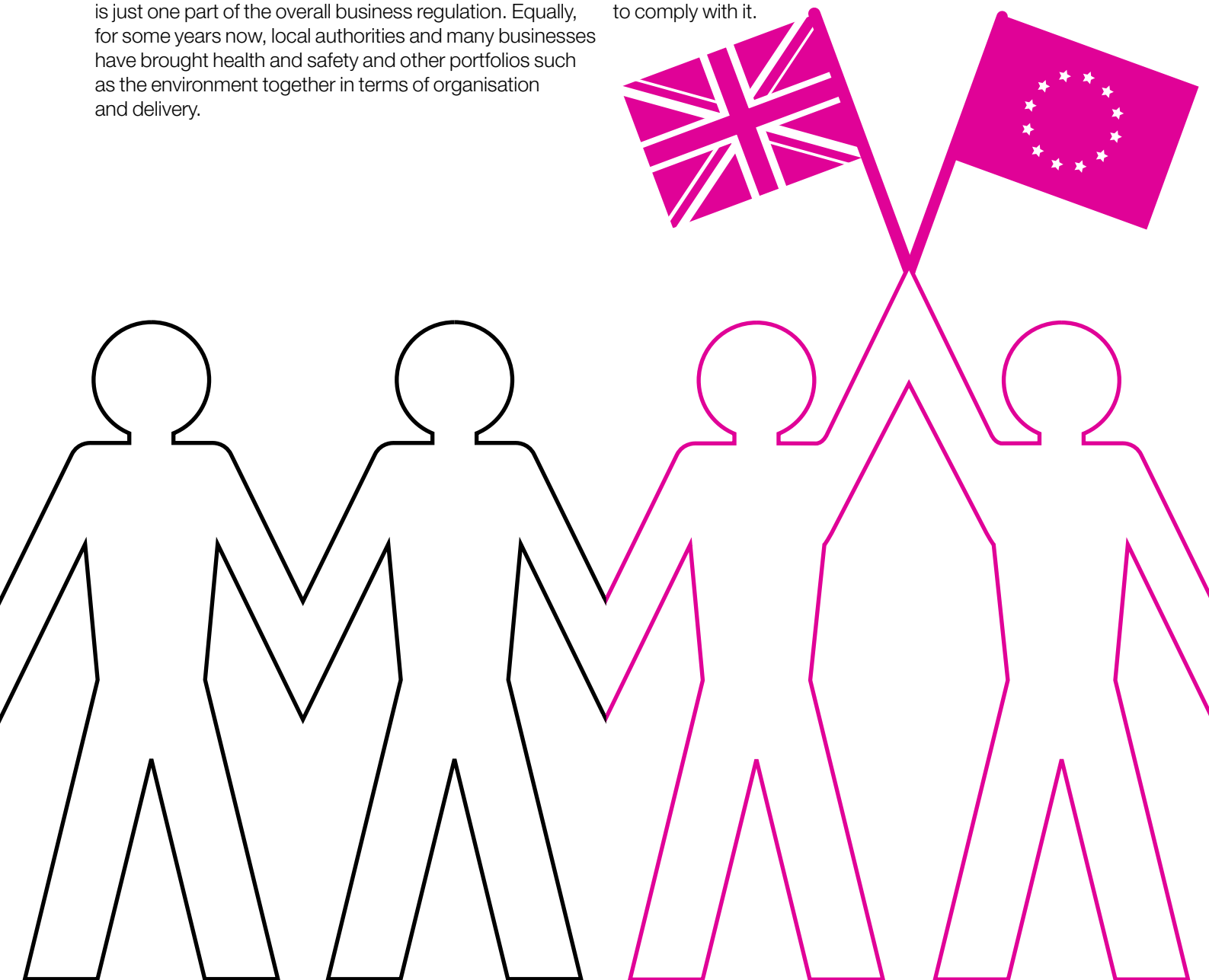
Health and safety does not and cannot exist in a vacuum. It is not a discrete entity and so Great Britain's health and safety priorities cannot be delivered in isolation from other issues that impact on or overlap with them.

National legislation and its implementation has been and continues to be influenced by the EU. Similarly, Britain's socio-economic make-up and cultural values have changed enormously since 1974 and so the practice of health and safety must continually evolve to accommodate diversity within the population.

From the Government's perspective, health and safety is just one part of the overall business regulation. Equally, for some years now, local authorities and many businesses have brought health and safety and other portfolios such as the environment together in terms of organisation and delivery.

The reality is that health and safety integrates with a much wider agenda aimed at protecting people from harm and thereby benefitting not just the individual but society as a whole.

This strategy seeks to continue improving the country's health and safety performance while recognising and responding to wider issues where it is appropriate to do so. As such, there is an acknowledged need for balance in managing the interfaces between health and safety and other law and also between HSE and other regulators. Crucially, regulation must be a benefit to those it seeks to protect, not a disproportionate burden on those who have to comply with it.



Driving change for the better

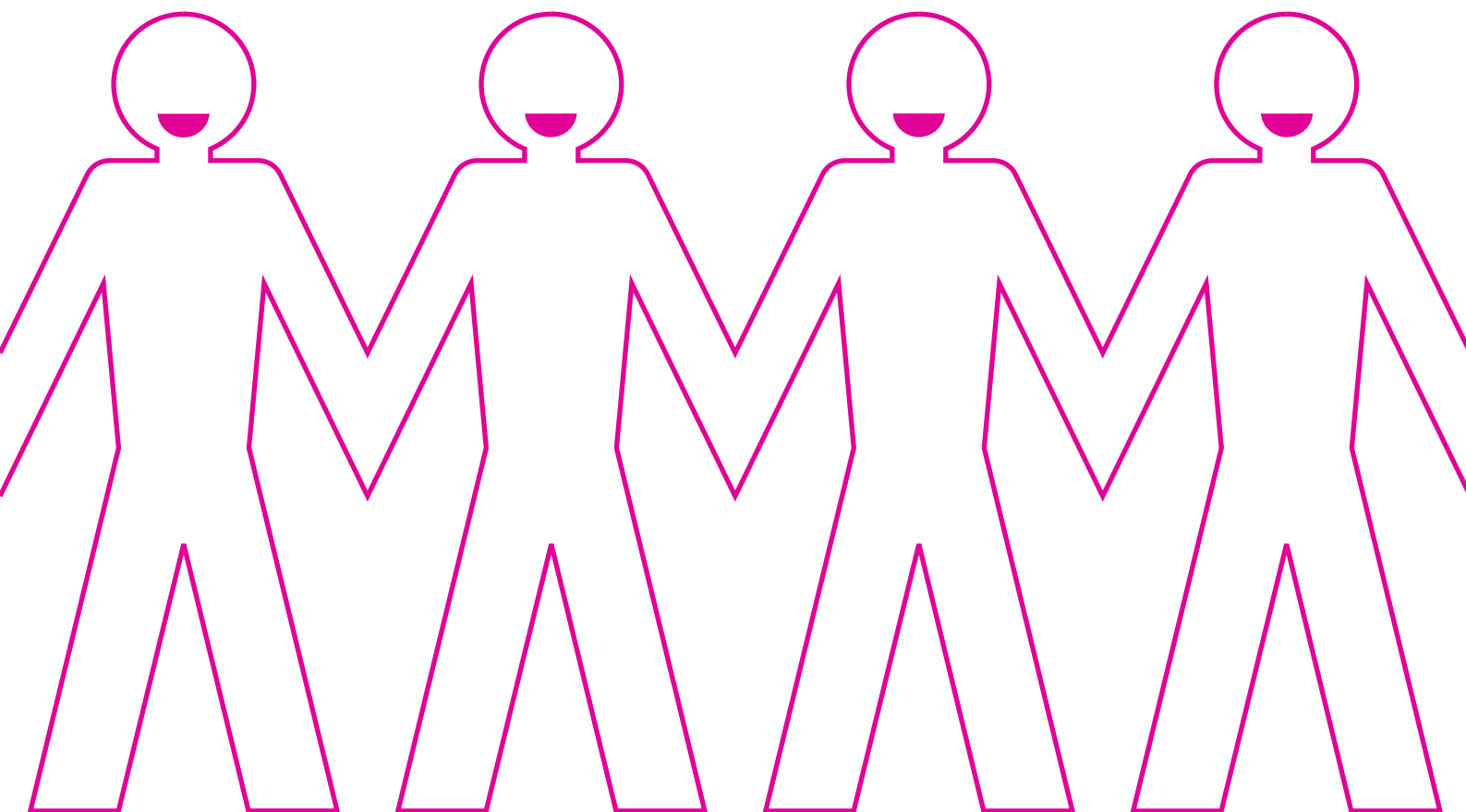
The strategic goals for the health and safety of Great Britain are founded in common sense and practicality. They have one overriding aim: that is to prevent the death, injury and ill health of those at work and those affected by work activities. The strategy is not asking for or expecting the impossible. Its essence is that everyone adopts a sharper focus on the priorities and takes leadership in addressing their responsibilities.

HSE is committed to directing its energies and resources to the achievement of the strategic goals. As such, it stands alongside all the stakeholders in the health and safety system and is prepared to be held accountable for its performance.

The process of health and safety improvement began in 1974 and continued unabated until around 2003. Since then it has stalled. From now on, if all stakeholders work together with a clear vision and purpose, improvement can recommence and changes for the better can be realised.

Ultimately, the goals set out in this strategy have four clear objectives for the health and safety of Great Britain:

- \\ to reduce the number of work-related fatalities, injuries and cases of ill health;
- \\ to gain widespread commitment and recognition of what real health and safety is about;
- \\ to motivate all those in the health and safety system as to how they can contribute to an improved health and safety performance;
- \\ to ensure that those who fail in their health and safety duties are held to account.



For more information about the Health and Safety Executive, visit our website at www.hse.gov.uk.

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**Decision Session - Executive Member for
Neighbourhoods and Housing**

16th November 2010

Report of the Director of Communities and Neighbourhoods

Petition regarding front of house collection of refuse in the Holgate ward

Summary

1. This report advises the Executive Member for Neighbourhoods and Housing of the receipt of petitions from the residents of the Holgate ward regarding the presentation of waste at the front of houses. It sets out recommended actions in response to these petitions.

Background

2. On 15th July 2010 Councillor Crisp presented four slightly different petitions on behalf the residents of Holgate ward, plus a questionnaire collected on behalf of York Labour. The petitions and questionnaire request the following:
 - Residents opposed to rubbish and recycling to front of houses on Salisbury Terrace one way system and all gated streets (56 properties)
 - Residents disagree to the proposals regarding carrying waste bags once a fortnight through the house (*46 properties)
 - Residents in Barlow Street regarding carrying bags of refuse from the rear of the building to the front of the building on a fortnightly basis with no consideration for the one hundred plus houses that flank each side of the terraced street (*39 properties including Poplar Street and Murray Street)
 - Residents objecting to the change in refuse/recycling collections in Holgate (*17 properties)
 - The questionnaire on behalf of the York Labour asking if they were happy with having to bring refuse through their home to present at front of property (*124 residents)
 - *There is evidence that the same properties and resident appear in more than one petition/questionnaire.*

Consultation with Residents

3. Prior to the Council meeting on 15th July 2010, officers had attended a ward meeting and held three day long drop-in sessions within the ward to advise residents as to the reasons for the change, listen to their concerns, gather information on options and to give general advice. Residents were asked to complete a response form, which could be used to fully assess the concerns and options.
4. To gain a better understanding of why refuse arrangements are working in some streets in the Leeman Road area, but not in others, there was a need to carry out further consultation with residents. This would provide an opportunity to establish what options are available for residents to improve refuse arrangements in the area. The Neighbourhood Management Unit set up two meetings on Wednesday 25th August in order to gather the final information.

Outcome

5. For streets in the Poppleton Road and Acomb areas, residents were invited, through a return questionnaire, to nominate how they would prefer to have their refused collected every fortnight. The three options provided were:
 - Option 1 - Continue with front door collection of black bags (with option of having a storage bin for keeping black bags safe and dry between collections)
 - Option 2 - Front door collection of wheeled bins
 - Option 3 - Central collection point for wheeled bin
6. The appropriate bins and central collection points were put in place and these areas are now being collected based on the individual house preference.
7. The response rate were:

Street Name	Option 1	Option 2	Option 3	Residences Leafleted	Return %
Barlow Street	6	1	13	73	27.40
Dodgson Terrace	1	0	1	12	16.67
School Street	1	0	3	9	44.44
Severus Street	2	0	3	11	45.45
Amberley Street	4	3	12	63	30.16
Beech Avenue	2	3	5	25	40.00
Carrington Avenue	1	0	2	13	23.08
Falconer Street	4	1	2	18	38.89
Lindley Street	9	7	6	99	22.22
Linton Street	4	0	4	42	19.05
Murray Street	6	6	4	86	18.60
Park Lane	4	3	1	14	57.14
Poppleton Road	6	8	15	84	34.52
Carr Lane	17	7	3	38	71.05

8. For the Leeman Road area, residents were sent a questionnaire asking them to identify their preference for how refuse should be collected every fortnight. The two options given were:

- Option 1 - Black bags collected at the front of property (with option of having a storage bin for keeping black bags safe and dry between collections)
- Option 2 - Wheeled bin collected from a central collection point located at the end of each street

If residents did not respond to the questionnaire it has been assumed that they want to use black bags with front of property collection.

9. Following further consultation with residents, Option 2 was extended to include the collection of black bags from a central collection point.
10. On collection day, residents using black bags can therefore choose to have these collected at the front of their property or from a central collection point. Those residents choosing to use wheeled bins must take these to the nearest central collection point to be emptied on collection day.
11. Information leaflets confirming the new collection arrangements will be circulated to residents. These leaflets will let residents know about the council's commitment to provide an effective and efficient waste collection service. The leaflets will also explain how residents can help keep their area clean and tidy by following the service guidelines detailed below:
- Black bags - These should be left at the front of property, or at a central collection point, no earlier than 7pm the evening before collection day, and no later than 7am on collection day.
 - Wheeled bins - These should be left at the central collection point no earlier than 7pm the evening before collection day, and no later than 7am on collection day. Wheeled bins must be left outside alleygates, where applicable, as any left inside will not be emptied. Once wheeled bins have been emptied, residents must return them to their property as soon as possible or they could be removed if left out 24 hours after collection. Between collections residents should store their wheeled bin in the back yard or next to the back gate.

12. Households with gardens in the Poppleton Road, Acomb and Leeman Road areas will be provided with a garden waste collection service. Information leaflets will be circulated to residents to inform them about the new service collection arrangements.

Consultation

13. There has been an extensive consultation exercise to canvas resident's opinions about waste collection and to give them the opportunity to help shape service delivery in their area. The consultation process has included drop in sessions, ward committee meetings, surveys and questionnaires.

Corporate Priorities

14. By working with the residents to deliver a service which best fits the area contributes to the council's strategic ambitions of creating a Safer City, Sustainable City, Healthy City and Inclusive City.

Financial Implications

15. Any financial implications arising from this report will be managed within the existing resources of the services.

Human Resources

16. There are no human resources implications.

Equalities

17. The Equality Impact Assessment carried out for the provision of recycling cover the detail set out in this report.

Legal Implications

18. There are no legal implications.

Crime and Disorder

19. There are no crime and disorder implications.

Information Technology (IT)

20. There are no IT implications.

Risk Management

21. In compliance with the council's risk management strategy, there are no risks associated with the information in this report.

Recommendations

22. That the Executive Member is asked to note the work done during the development of the recycling roll-out programme and the response to the petitions.

Reason: To address the issue raised by the petition through the implementation of a comprehensive and partnership approach to tackle the problem of waste presentation in the areas.

Contact Details

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Tel: 553204

Report Approved **Date** *1 November 2010*

Wards Affected: Holgate

For further information please contact the author of the report

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**Decision Session - Executive Member for
Neighbourhoods & Housing**

16 November 2010

Report of the Director of Communities & Neighbourhoods

Neighbourhoods & Community Safety Group Legal Actions

Summary

1. The purpose of this report is to enable the Executive Member for Communities & Neighbourhoods to review the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by Environmental Health, Trading Standards, and Licensing Services in the Communities and Neighbourhoods Directorate for the period 1st July 2010 – 30 September 2010 and approve the continuation of the current enforcement policy.

Background

2. The Executive Member for Environment and Sustainability approved an enforcement policy for Environmental Health, Trading Standards, Licensing, Street Environment and Enforcement Services in March 2008.
3. This report details the results of prosecutions taken in the period 1st July 2010 – 30th September 2010 by Environmental Health, Trading Standards, and Licensing Services. In accordance with the policy each case is considered on its merits before legal proceedings are instituted.
4. Annex A summarises the prosecutions completed, fixed penalty notices and simple cautions that have been issued. A simple caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue.

Consultation

5. Not applicable.

Options

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

Analysis

7. Not applicable.

Corporate Objectives

8. Two corporate priorities 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”.

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. **Other:** There are no other implications associated with this report.

Risk Management

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

Recommendations

17. That the Executive Member approve this report and the continuation of the current enforcement policy.

Reason: so that the Executive Member reviews formal enforcement activity undertaken by Environmental Health, Trading Standards, and Licensing Services.

Contact Details

Author:

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and Trading Standards
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Chief Officer Responsible for the report:

Steve Waddington
Assistant Director (Housing and Public Protection)

Report Approved Date 20/10/10

Specialist Officer Implications: None

Wards Affected:

All

Background Papers:

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

Annexes

Annex A: EH, TS and Licensing Formal Enforcement Action 1st July 2010 – 30th September 2010

**Environmental Health, Trading Standards and Licensing
Formal Enforcement Action 1st July 2010 – 30th September 2010**

Animal Health

Defendant	Legislation	Nature of Case	Penalty	Costs
Daniel BARRACLOUGH (Private Individual)	Dogs Act 1871 as amended by Dangerous Dogs Act	Dangerous dog	Control Order	£205.00
Peitro ROSSI (Private Individual)	Dogs (Fouling of Land) Act 1996	Failure to pay a fixed penalty for dog fouling	Fine £50.00	£140.00
Allison POLLARD (Private Individual)	Dogs Act 1871 as amended by Dangerous Dogs Act	Dangerous dog	Control Order	£215.00

1 written undertaking was signed to keep a dog under proper control.

2 x £50.00 fixed penalty notices were issued under the Dogs (Fouling of Land) Act 1996 for allowing a dog to foul and failing to remove the faeces.

Food

1 simple caution was issued under the Food Safety Act 1990 for misdescribing olive oil.

Health & Safety/Licensing

3 x £50 fixed penalty notices were issued under the Health Act 2006 for smoking in a vehicle/premise.

Environmental Protection

1 simple caution was issued under the Environmental Protection Act 1990 as amended for breaching an abatement notice for noise nuisance

Trading Standards

Defendant	Legislation	Nature of Case	Penalty	Costs	Compensation
Ian Raymond LEGG (DVD trader)	Trade Marks Act 1994	Counterfeit DVDs	1 year imprisonment (suspended for two years) 250 Hours Community Service	*	N/A

*Proceeds of Crime Act 2002 hearing to determine confiscation and costs will be held in December

3 simple cautions were issued under the Trade Marks Act 1994 for selling counterfeit goods.

1 written assurance (of improved conduct) was signed under the Enterprise Act 2002 for various breaches of civil consumer protection legislation.

A trial relating to alleged offences under the Trade Marks Act 1994 against Michael Frederick WARD, Scott Michael WARD, Jason Stuart WARD and Sheila WARD, was unsuccessful.

Please note: all fines imposed by the Courts are now subject to an additional £15 victim surcharge.

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16 November 2010

Executive Member for Neighbourhoods and Housing

2010/11 Quarter 2 Performance Report

Summary

- 1 This report presents an overview of key performance issues for the portfolio at Q2 2010/11.

Background

- 2 This report is for information only. The Executive Member has asked for this report to be placed onto the agenda. This is the first update report that covers headline indicators for both the Neighbourhoods and Housing elements of the portfolio. A detailed progress report for Q2 in respect of all Housing's performance indicators and Service Plan actions is attached at Annex 1.

Performance overview

- 3 Three of the 6 relevant LAA indicators appear likely to hit target. 1 is unlikely to hit target, and 2 are only measurable annually.
- 4 Of 14 relevant Corporate Strategy actions, 12 are on target, 1 is behind target, and a further action has been withdrawn and funding redirected.
- 5 75% of the relevant actions and measures in the 2010/11 directorate plan are on target to be delivered / targets met.
- 6 64% of the 11 National PIs that are measurable at this point are on target, while 64% are improving on last year, and 27% are stable.
- 7 Performance for Housing indicators has improved significantly from the levels of Q1. With two thirds of Housing indicators improving and less than a third not achieving target (where performance is known). Significant progress has been made in completing Housing Service Plan actions with the majority of year 1 milestones either having been completed or in progress with only 13 actions at this midway point still to start.

Local Area Agreement

- 8 The Secretary of State announced last week that:
 - i. he was handing over all responsibility for LAAs to local areas, ie it is now up to us if we want to change the agreement locally.
 - ii. central government will not want to see whether the current agreement targets have been met.
 - iii. the LAA reward grant will not be paid at the end of the agreement (March 2011).

iv. LSPs will not be required to set up new agreements.

This report assumes that York's LSP will continue to focus on the current agreement as its agreed statement of local priority measures.

9 Six LAA indicators are relevant to the portfolio. Three are likely to hit target, and one to miss target. The Fuel Poverty figures can only be reported annually.

Table: Progress on LAA Indicator	Improving	On Target
<p>NPI 4: Community Engagement: Percentage of people who feel they can influence decisions in their locality.</p> <p>This is a Place Survey measure. In 2008/09 the result was 31.7%, which was 7th highest for unitary councils. Talkabout 33 asked an identical question – 36% of respondents agreed. Care should be taken in comparing Talkabout and Place Survey results. The 2009/10 figure is similar to the unweighted Place Survey result in 2008/9. On basis of ongoing work to engage young people, tenants and to develop neighbourhood planning arrangements – we are treating this as on target.</p>	Stable	Yes
<p>NPI 191: Waste Management: Kilograms of residual (i.e. landfilled) household waste collected, per household.</p> <p>During 2009/10 614kg of residual waste was collected per household.</p> <p>The forecast for 2010/11 based on Q2 data is for this to drop to 590kg (which is well ahead of the LAA target of 611kg).</p>	Yes	Yes
<p>NPI155: Number of affordable homes delivered (gross).</p> <p>83 homes had been completed to end Q2. We are forecasting a figure of 225 for 2010/11 against a very stretching target of 252. 130 homes were completed in 09/10.</p>	Yes	No
<p>NPI156: Number of households living in temporary accommodation</p> <p>At end of Q2 just 76 people in temporary accommodation (down from 93 at end June, and 79 at end of 2009/10). This is forecast to come in on target (75).</p>	Yes	Yes
<p>NPI 187a: Tackling fuel poverty – people receiving income based benefits living in homes with a low energy efficiency rating.</p> <p>Annual figure</p>	Annual target	Annual target
<p>NPI 187b: Tackling fuel poverty – people receiving income based benefits living in homes with a high energy efficiency rating.</p> <p>Annual figure</p>	Annual target	Annual target

Corporate Strategy

10 The table below provides more detail about progress to end of quarter 2 on the actions relevant to the portfolio.

Priority vision	CYC commitments	Improvement by 2012	2009/10 actions / milestones	Progress	Comment
Sustainable City: We aim to be clean and green, reducing our impact on the environment while maintaining York's special qualities and enabling the city and its communities to grow and thrive	We will reduce the environmental impacts of council activities by making it as easy as possible for residents to recycle, investing in new ways to avoid landfill and through the Carbon Management Programme (CMP)	* Recycle, reuse or compost 50% of household waste. * Reduced CO2 emissions in the LA area per head by at least 0.8 tonnes (12% reduction) (LAA). * Reduce council's energy consumption in offices by 5% each year. * Save approximately an additional 1680 tonnes of carbon through the installation of 7 projects funded through Salix finance (approx. 740 t), and 940 tonnes through additional CMP Strategic Implementation Plan identified projects	Implement a wider rollout of kerbside recycling to 98% of properties by March 2011.	On target	Implementation is going ahead. Additional public consultation is being undertaken on a ward by ward/street by street basis. The service remains confident that 98% of households will have kerbside recycling by March 2011. Progress to end September was that 40% of the new properties had now moved onto alternate weekly collection.
			Use route optimisation software to make bin rounds and other vehicle routes more efficient	On target	The software is being used to streamline how we service existing domestic waste and recycling routes. A 4-week trial to test out the software began 11th October. The aim will be to reduce vehicle mileage, fuel use, and to speed up the time taken. The software has also been applied to streamline routes used by mechanical sweepers, and public bin rounds - again with the aim of reducing mileage, fuel use and time taken to get round.
			Raise recycling participation to 70% of York households through communications and investment in new recycling kit.	On target	The participation rate will be measured in the 4th quarter once the vast majority of roll out of new equipment and arrangements has been completed. Early feedback is suggesting that the areas with new boxes saw around a 2.7% rise in recycling tonnages over the summer - we think at least partly due to increased levels of participation.
			Roll out improved kerbside recycling containers to approximately 60,000 households by March 2011.	On target	The service is on track to complete delivery of the new boxes by 15th October.

			Continue to modernise our street lighting with the aim of reducing energy consumption by 25% over 5 years.	On target	Cllr Reid agreed a detailed programme of light replacement at EMDS meeting on 22nd June 2010. The 2009/10 programme achieved a 2.5% reduction in energy use (£22k) and a reduced Co2 emissions by 126 tonnes. The 2010/11 programme should realise another 7.5% reduction in energy usage (£71k) and reduce Co2 emissions by 336 tonnes. Further reductions in the next years are likely to need more radical approaches
	We will improve the quality of the local environment and the condition of York's streets and public spaces	Reduce by 40% the level of service requests reported about litter in the street	Develop a joint city centre management and enforcement team by December 2010.	On target	Discussions at Director level have started. The approach is likely to be to strengthen joint work arrangements between NPS, Waste Services in CANS, and City Centre team in CS.
			Implement a vehicle tracking system for the mechanical sweeper fleet by March 2011 to provide improved information to improve street cleanliness	On target	Tracking systems now in the mechanical sweeper fleet. We are now able to gather data which will help us to alter rounds to become more efficient and effective.
Inclusive City We will work to make sure that all citizens, regardless of race, age, disability, sexual orientation, faith or gender, feel included in the life of York. We will help improve prospects for all, tackle poverty	We will provide more affordable homes.	At least 275 affordable homes delivered (gross) (LAA)	Complete new build projects delivering 58 new homes for rent, and 74 bungalows/apartments for older people and those requiring extra care by March 2011.	Not on target	Homes are not delivered in equal numbers over each quarter. It is therefore not necessarily the case that a target won't be met because it isn't 'on track' especially in the first three quarters. In quarter two, 30 affordable homes have been completed. These include a supported housing scheme of 11 apartments for adults with learning difficulties. An adjusted forecast for completions is now 225 against an LAA year end target of 252.
			Supporting 4 local young people into a youth build scheme by March 2011.	Withdrawn	No suitable property was found in York for this scheme and the Golden Triangle Partnership Board decided in September 2010 that the funding would be redirected to other projects that were certain of delivery by March 2011. Housing are pursuing funding to deliver a Yong Peoples Foyer.

and exclusion and make services and facilities easy to access.	We will reduce fuel poverty for poorer households by improving energy efficiency and reducing costs for those households most in need	Each year take a minimum of 50 households on benefits from a Standard Assessment Procedure (SAP) rating of below 35, to above 35. (LAA)* Each year take a minimum of 50 households on benefits from a SAP rating of below 65, to above 65. (LAA)	To achieve at least 2000 referrals to the "hotspot" scheme during 2010/2011	On target	City of York council are on target to achieve their hot spot referral target of 150-499 referrals with 99 referrals being made so far this year. The hotspot coordinator however continues to promote the scheme against a backdrop of organisations tightening their belts and concentrating their efforts on their own core business
			To expand the 'Free Insulation' scheme to the remaining 1800 homes in the Hull Road area by March 2011. To extend 'Free Insulation' scheme to the Guildhall ward by March 2011.	On target	The Fishergate area has been completed. All but one SOA has been completed in the Hull Road Ward. The one remaining area has been left as it is likely to attract additional funding (CESP) - however it will be completed by the end of the fourth quarter. Two SOA have been completed in the Guildhall Ward.
	We will tackle homelessness by reducing the number of people in temporary accommodation, Bed & Breakfast and the number of rough sleepers	Reduce the number of households living in temporary accommodation to 110 (LAA) * Keeping the number of rough sleepers always below 4.	To ensure that the YorHome scheme becomes self financing by March 2011. To be on site to commence building of new foyer and sustainable emergency accommodation on the Ordance Lane site by March 2011.	On target	Report to HSMT in August 2010. 31 homes at that stage. Subsequently up to 40 properties let through Yor Home by end of September need to have 50 homes by Mar 2011. Further report to HSMT in November on viability.
Safer City: We want York to be a safer city with low crime rates and high opinions of the city's safety record.	We will reduce the number of burglary and thefts within the city, using all available funds, such as target hardening.	Reduce serious acquisitive crimes by at least 18%	Respond to 100% of resident requests to have Cold Calling Control Zones	On target	From the 1st April - 30th September 2010 we have launched 29 zones, refused 26 zones we have 5 zones which were started in September but as yet have not been finalised and we have the Nunnery Lane Project which is on going. We have responded to every request received and have a pending list.

	<p>We will reduce the number of first time entrants into the criminal justice system and tackle public perception of anti-social behaviour</p>	<p>Reduce public concern about anti-social behaviour</p>	<p>Continue a targeted under age sales testing programme throughout 2010-11 to target the sale of alcohol, tobacco, fireworks, knives and spray paints</p>	<p>On target</p>	<p>Testing took place in August, and will be undertaken again at the October half term and at Christmas. The tests in August were not specifically intelligence led and recorded 2 underage tobacco sales (from 12 visits). However the Autumn test purchasing programme will include premises where we have had complaints. Executive Member for Neighbourhoods and Housing received an update report on 21st September, and agreed to continue the programme under the existing policy framework (ie the young people will not lie about their age if challenged).</p>
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National Performance Indicators

- 11 The Secretary of State announced the abolition of the national PI set in early October. It will be replaced with a single list of all the data (including PIs) that councils will provide to central government. The rationale is to reduce administration, and to allow councils to agree their own measures and report those measures to local residents. As yet the list has not been published.
- 12 In the meantime we are continuing to record performance against the NPIs. The table below shows progress against the relevant NPIs. .

Table: National Performance Indicators

<i>Overall</i>	<i>Total reported</i>	<i>On target?</i>	<i>Improving?</i>	<i>Declining?</i>	<i>Stable</i>
Exec Member NPI set	11 of 19 (58%)	7 of 11 (64%)	7 of 11 (64%)	1 of 11 (9%)	3 of 11 (27%)
On target		Off target			
NPI14: Satisfaction with opportunities to participate (Place) NPI156: Number of households in temporary accommodation. NPI191: Residual household waste. NPI195a-b: Local environmental quality		NPI155: Number of affordable homes delivered. NPI192: % household waste reused, recycled or composted NPI193: % of municipal waste landfilled NPI196: Fly-tipping			
Improving		Stable			
NPI155: Number of affordable homes. NPI156: Number of households in temporary accommodation. NPI191: Residual household waste. NPI192: % household waste reused, recycled or composted NPI193: % of municipal waste landfilled NPI195a: Litter standards NPI195c: Graffiti standards		NPI14: Satisfaction with opportunities to participate (Place) NPI195b: Detritus standards NPI195d: Fly-posting standards			
Declining					
NPI196: Fly-tipping					
Not measured, data not available at this stage					
NPI13: Civic participation (Place) NPI15: Overall/general satisfaction with local area (Place) NPI138: Satisfaction of over 65s with home and neighbourhood (Place). NPI158: Decent homes standard NPI160: Tenant satisfaction with landlord		NPI168: Principle roads where maintenance should be considered. NPI169: Non-principle roads where maintenance should be considered. NPI182: Business satisfaction with Regulatory Services. NPI187a+b: Fuel poverty NPI190: Animal health.			

Directorate Plan

- 13 The CAN 2010/11 Directorate Plan sets out 110 actions and measures under the corporate strategy themes. Of these 20 relate to environmental and regulatory services, and 22 to Housing Services.
- 14 At end Quarter 2, the services are on target to deliver 75% of the programme to target. The table below provides an overall assessment.

Table: Overall Assessment of 2010/11 CAN Directorate Plan (elements relevant to the Executive Member)

This table summarises performance against the relevant actions and measures set out in the Directorate plan, provides an overall assessment of progress.

Objective	Traffic Light Actions	Traffic Light Measures	Overall rating ¹	Overall Assessment
Sustainable City	7 green 1 red	3 green 2 red	77% (10/13)	While improving, only one of the waste management NPIs is on target. Development of affordable housing action and measure both off target. Therefore 3 issues at red.
Safer City	2 green 2 amber	1 amber	70% (3.5/5)	Delivery of the housing anti-social behaviour strategy was delayed to broaden the work across all of CANs – causing two actions to be delayed. The Gas Servicing procedure has been reviewed and properties receiving a valid gas certificate at 99.03 % is slightly under the 100% target to be achieved.
Inclusive City	3 green 1 red	2 green 1 amber	79% (5.5/7)	Work to support young people through a self build scheme has been dropped in favour of other projects.
City of Culture				
Healthy City	2 green	2 amber	75% (3/4)	All this work is about affordable warmth.
Learning City				
Thriving City	2 green	1 amber	83% (2.5/3)	No issues
Effective Organisation	5 green	2 green 3 red	70% (7/10)	More for York savings target forecasting to be missed. 2 rent figures at red.
Overall Service Priorities	21 green 2 amber 2 red	7 green 5 amber 5 red	28 green 7 amber.....75% (31.5/42) 7 red	

¹ On basis of simple calculation – 1 mark for green, 0.5 mark for amber, totalled, and then divided by the total number of actions/measures.

Directorate Plan: Inclusive City

- 15 A key outcome measure under this heading is the LAA measure NPI 4 – reported above.
- 16 We have started to pilot a new approach to working in local areas. Neighbourhood Management are working to bring together a new approach to ward partnership working in 6 wards in the west of York. The pilot will run through to September 2011. Governance and evaluation networks are also being put in place.
- 17 Performance on reducing the number of homeless households living in temporary accommodation continues to improve. Performance at 76 is slightly above the target set at 75 but we are forecasting that this will come in on target.
- 18 It has not been possible to support 4 young people into a youth build scheme as no suitable property was found in York for this scheme and the Golden Triangle Partnership Board decided in September 2010 that the funding would be redirected to other projects that were certain of delivery by March 2011. However Housing are pursuing funding to deliver a Young Peoples Foyer.

Directorate Plan: Thriving City

- 19 The corporate strategy included an action to develop closer working between Environmental Services teams and the City Centre team within City Strategy. This has been brought back on target during quarter 2 – with discussions starting over how work can be taken forward in a more streamlined fashion.

Directorate Plan: Healthy City

- 20 Affordable warmth projects are making good progress and additional funding is being sought to extend these further.

Directorate Plan: Safer City

- 21 Two corporate strategy actions undertaken through regulatory services teams set out above are on target to complete (Cold Calling Zones, and under age test sales programmes).
- 22 Gas safety procedures have been reviewed resulting in significant progress with 99.03% (in line with the gas servicing programme) of council properties having a valid gas certificate against a target of 100%. The number of gas servicing outstanding certificates has reduced from 93 at the end of June (22 over 30 days) to 73 (6 over 30 days) at the end of September. Actions are in hand to undertake gas servicing in these properties.
- 23 Housing have produced an Anti Social Behaviour strategy initially to be housing focused. However this strategy is currently being developed to be a City wide strategy.

Directorate Plan: Sustainable City: Affordable Homes

- 24 Maximising the number of affordable homes for the City is a key priority in the refreshed Housing Strategy. Currently the number of affordable homes developed is under target. A number of developments to increase the number of affordable homes including Discus and Lilbourne Drive are online. However in this economic climate it will be challenging to meet the target of 252 by the end of the financial year.

Directorate Plan: Sustainable City: Local Environmental Quality

- 25 Two service plan areas address local cleanliness: Neighbourhood Pride Service, and Street Environment and Enforcement Service. The main outcome measures for both services are the NPI195a-d measures – which are measured by a survey of local cleanliness undertaken 3 times per year. The first of this year's three NPI195a-d local cleanliness surveys was undertaken in June. The survey results were very positive across all four elements. The second survey will be completed by end of November.
- 26 The first half of 2010/11 has seen a 20% rise in fly-tipping incidents (NPI196) compared with last year - from approximately 64 per month to about 77 per month. Street environment service is undertaking about 30% more enforcement activity than last year. It is not clear why the level of fly-tipping has increased, but the Executive member will be aware that last year saw a very large reduction in the problem, and we still expect to be well ahead of the level of fly-tipping experienced in 2008/9 (about 93 incidents per month).

Directorate Plan: Sustainable City: Waste Management

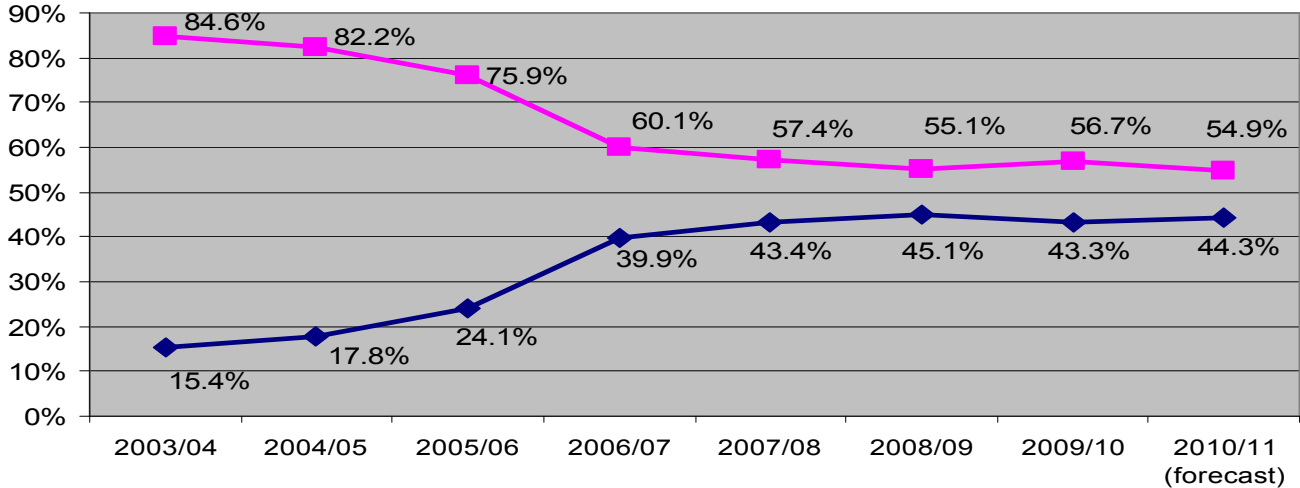
- 27 NPI 191-193. Waste collection and management (NPI 191 is LAA indicator). Although current forecasts based on Q2 indicate that recycling and landfill levels are starting to improve, this year's targets of 48.1% for recycling and 51.1% for landfill are unlikely to be achieved.
- 28 The amount of waste that we are collecting is continuing to reduce. We will achieve the 2010-11 LAA target of 611kg for NPI191, set 3 years ago. We expect to collect 590kg of residual waste per household this year – compared with 663kg in 2007/08.
- 29 We expect to collect 103,700 tonnes of municipal waste this year, compared with 106,300 tonnes last year (2.4% reduction). Overall we will landfill 57000 tonnes this year, compared with 60,300 tonnes last year – giving an improved NPI193 figure of 54.9%.
- 30 We expect to recycle an extra 1400 tonnes of household waste this year. However green waste levels collected this year will reduce by 1150 tonnes – meaning that overall we will recycle and compost 39900 tonnes out of the 90178 tonnes of household waste that we collected – giving a rate for NPI192 of 44.3%.
- 31 The reduction in the total amount of waste being collected, and in the amount of residual waste being collected is partly due to the improved recycling opportunities for residents. The trend is also in part due to national trends in reduced levels of packaging, as well as national economic trends around (for example) reduced sales of newspaper and glass bottles. While these are positive in terms of the overall amount of waste being collected, they have made it more difficult to increase the recycling rate (NPI192). Overall perhaps the key issue is that we will reduce waste to landfill this year by 5.5% (3330 tonnes less).
- 32 Extensive work on improving recycling will continue throughout this year:
- expanding full recycling and fortnightly residual waste collection to an additional 16,600 properties by end March 2011. Additional consultation is being undertaken on an area by area basis, which has slowed the programme slightly.
 - providing improved kerbside recycling containers to approximately 60,000 households. The roll out of the three box recycling system was completed

in mid October. Initial experience suggests that replacing the old recycling equipment with new has led to a 2.7% increase in recycling.

- Underpinned by continuing waste minimisation work to encourage people to recycle as much as possible.

Waste Management in York

- ◆ % household waste reused, recycled or composted
- % of municipal waste landfilled



	2009/10	2010/11 target	2010/11 forecast
Household waste collected	91726	89930	90180 (-1.7%)
Household waste recycled	22924	25960	24310 (+6%)
Household waste composted	16754	17270	15610 (-7%)
Household waste recycled and composted	39678	43230	39910 (+0.6%)
Residual (landfilled) household waste	52048	46700	50265 (-3.4%)
NPI192: (household recycling and composting rate)	43.3%	48.1%	44.3%
Municipal waste collected	106289	104780	103700 (-2.4%)
Municipal waste landfilled	60296	53570	56960 (-5.5%)
NPI193: (municipal waste landfilled rate)	56.7%	51.1%	54.9%
Number of households	84819	85133	85133
NPI191: residual household waste per households	614kg	549kg (LAA target 611kg)	590kg

Directorate Plan: Effective Organisation

- 33 **The More for York service** development programme in environmental services is continuing as a key priority. The service started to pilot a new approach to processing customer service requests in partnership with York Call Centre staff from 4th October. An updated environmental services CRM system went live on that date. Hand held devices are being used in the field, and back office administration officers from across teams have been brought together alongside the YCC staff. This pilot will continue until December.
- 34 A review of current and former tenant arrears has taken place which has resulted in current tenant arrears at £711k – a reduction of £77k on this time last year and former tenant arrears currently at £802k – a reduction of £100k from this time last year.

Consultation

- 35 The report is an information report and therefore no consultation has been undertaken regarding its contents.

Options

- 36 The report is an information report and therefore no options are provided.

Corporate Priorities

- 37 The expanded portfolio is relevant to 6 of the corporate strategy themes.

Implications

Financial

- 38 There are no financial implications.

Human Resources

- 39 There are no human resources implications.

Equalities

- 40 There are no equalities implications.

Legal

- 41 There are no legal implications.

Crime and Disorder

- 42 There are no crime and disorder.

Information Technology

- 43 There are no IT implications.

Property

- 44 There are no property implications.

Risk Management

- 45 The report is primarily a look back at service performance and therefore there are no significant risks in the content of the report.

Recommendations

- 46 The report is an information report and therefore no recommendations are made.

Contact Details

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Housing
Tel No. 554198

Report Approved

Date 1st Nov 2010

Specialist Implications Officers

Financial: None, **Human Resources:** None, **Equalities:** None
Legal: None, **Crime and Disorder:** None, **Information Technology:** None
Property: None, **Risk Management:** None
Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Communities and Neighbourhood Directorate Plan 2010/11

Housing Service Plan 2010/11

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Annex 1

Housing Service Plan Q2 Progress Report

April – September 2010

Introduction

1. This report provides a quarterly update on the Performance Indicators in the Housing Service Plan 2010/11 for the period April to September 2010, and progress on quarter 2 actions contained in the Service Plan. The report also provides an overview of Value for Money (VFM) initiatives.
2. For 2010/11 the suite of indicators included in service plans and performance reports have been reviewed, to ensure that performance monitoring aligns with the drives for quality improvement across the service. 102 indicators covering all aspects of the housing service have been identified, with 42 classed as headline indicators to focus on key areas of performance. A complete list of all the indicators, which are in the service plan, with current performance and status where this is available can be provided on request.
3. The new indicator suite has drawn on advice from the recent mock inspection, and on the range of indicators used in the HouseMark core benchmarking. Many of the indicators have not been collected in York before, so the focus has been on confirming definitions, establishing collection methods, calculating baselines and extrapolating targets. Also many of the indicators are satisfaction measures based on an annual survey, or other annual measures, so the number of indicators for which data is available at this stage in the year is limited.
4. The indicator suite includes 11 National Indicators. As part of the changes being introduced by the coalition Government, the national indicator set is being replaced with a new single comprehensive list of all the data Central Government require. Further announcements about the new list are expected following the Comprehensive Spending Review, but at present we do not know whether any of the national indicators will remain on the new list.

Performance Scorecard

5. Annex 1a and the tables from paragraph 11 below show a performance scorecard, which looks at the performance against target, direction of travel and benchmarking information. Performance status measures the current (Q2) actual performance against target. The scorecard shows the annual target for 2010/11, but also a profiled target where necessary. Status is shown as follows:

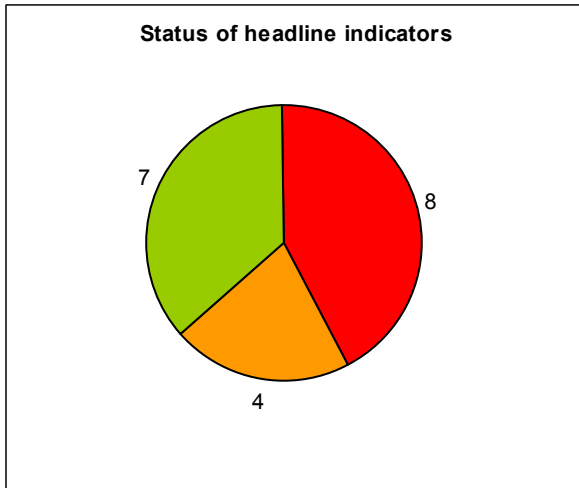
	On or exceeding profiled target
	Less than 5% outside profiled target
	More than 5% outside profiled target

6. Direction of travel compares current performance with the last reported figure, usually 2010/11 Q1, or in the case of profiled indicators, the 09/10 quarter 2 performance.

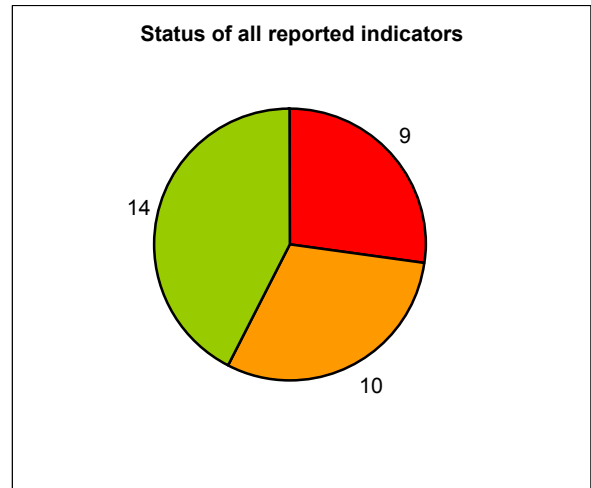
↑	Improving
↔	Stable
↓	Declining

7. Where possible, the scorecard provides the top quartile threshold value from the 08/09 HouseMark core benchmarking data from 276 housing providers. For some indicators this data is not available, so quartile values from 08/09 HIP data or BVPI 07/08 have been used to provide a benchmark.
8. The pie charts below show the status of current performance for those headline indicators for which data is available (19 indicators), and for all reported indicators (33 indicators).

Current performance against target



Based on 19 reported indicators with a further 23 unreported



Based on 33 reported indicators with a further 69 unreported

9. Of the 19 headline indicators reported, only 4 have declined, none remained stable and 15 improved from the relevant comparator position.
10. Considering all 33 reported indicators, 10 have declined; one is stable and 20 improved from Q1 or the relevant comparator.

Performance issues to note

11. The paragraphs below show the reported indicators by service area, identifying indicators where the status is red together with comments and action to be taken to improve performance, and also highlighting notable successes and significant changes from Q1 performance.

Homelessness Service

	09/10 actual	09/10 Q2	Current perf	Q2 Target	Annual Target	DoT
NI156 Number of homeless households living in temporary accommodation	79	-	76	77	75	↑
Number of 16-17 years olds accepted as homeless	35	18	26	17	33	↓
Number of households prevented from homelessness	1076	597	305	565	1130	↓
Homelessness decisions made within 33 working days (average time to make decisions)	21.47	23.92	21.75	-	33	↑

12. The Homelessness Service had an exceptional year in 2009/10, with a concerted effort leading to very high performance on all indicators. However performance in the first quarter of 10/11 was not able to sustain this level or meet the challenging targets set as a result of last year's achievements. In Q2 the team have worked hard to clear the backlog of applications, so the number of households in temporary accommodation is now better than target. Decisions are also being made promptly, with the average time taken below performance at this point last year.
13. There has been a significant increase in young people approaching all agencies as homeless or for advice, which may be in part due to the use of legal highs but no definitive reason. All agencies are working hard to tackle this issue. Preventions are particularly low compared to last year, but this indicator has been affected by incomplete returns, as some external agencies have been unable to provide data. We are also seeing a slight reduction in cases, and many cases are significantly more complex and take longer or are harder to resolve. The target remains challenging.

Affordable homes

	09/10 actual	09/10 Q2	Current perf	Q2 Target	Annual Target	DoT
NI 155 Number of affordable homes delivered (gross)	130	37	83	126	252	↑

14. Homes are not delivered in equal numbers over each quarter. Current forecast is for 225 homes to be delivered by year-end against a target of 252. The forecast will undoubtedly change as we approach the end of the year, but I would stress that achieving delivery of over 200 new homes in the current housing market and economic climate will be a considerable achievement and therefore overall performance must be viewed in this wider context.

Other 'Your Place' indicators

	09/10 actual	Current perf	Annual Target	DoT
NPI 196: Fly-tipping Performance	2	3	2	↓
NI 141 Percentage of vulnerable people achieving independent living (Supporting People)	69.38%	71.11%	72%	↑

15. The latest August data for fly tipping shows 21% more tipping taking place, but 30% more enforcement action to address the problem. Supporting People data is only available 4 weeks after the end of the quarter. Q1 figures show an improvement on the position at year-end, and progress towards the target.

Repairs

	09/10 actual	Current perf	Annual Target	DoT
Percentage of 4 hour repairs completed on time	91.4%	96.3%	95.0%	↑
Percentage of same day repairs completed on time	97.1%	98.9%	98.1%	↑
Percentage of general repairs (20 working days) completed on time	96.1%	94.8%	98.0%	↑
Average number of days to complete all repairs	4.26	4.93	5.30	↓
Percentage of urgent repairs completed within govt timescale	96.92%	97.4%	99%	↑

Average number of days to complete non-urgent repairs	5.03	5.63	7	↓
Gas safety - percentage of properties having a valid gas safety certificate	98.9%	99.03%	100%	↑

16. A comprehensive review has taken place of emergency repairs jobs, and processes have been improved, and amended to reduce recording errors. Manual corrections have been made to the first quarter's data, so the significantly improved performance is now a truer picture of delivery. Average time to complete overall and non-urgent repairs is increasing slightly, as part of the planned shift in priorities to focus on the emergency jobs, but these indicators are well within target.
17. Progress on gas safety has continued with the number of outstanding certificates reduced from 93 at the end of June (22 over 30 days) to 73 at the end of September (6 over 30 days). Actions are in hand to undertake gas servicing in these properties.

Income management and voids

	09/10 actual	09/10 Q2	Current perf	Q2 Target	Annual Target	DoT
Rent lost through voids	0.98%	0.49%	0.58%	0.48%	0.95%	↓
% of tenants evicted as a result of rent arrears	0.30%		0.08%	0.15%	0.29%	↑
Current rent arrears as % of annual rent due	1.80%		2.61%	2.45%	1.47%	
Former rent arrears as % of annual rent due	3.32%		2.95%	3.26%	1.77%	
% rent collected (including current arrears b/fwd)	97.50%		94.77%	95.58%	98.54%	
% rent collected (excluding current arrears b/fwd)	99.60%		97.89%	98.73%	100.28%	
% of rent collected (BV66a)	98.40%	94.36%	94.94%	94.24%	98.68%	↑
Average number of days to re-let empty properties (overall)	20.94		21.58		21	↑
Average number of days to re-let empty properties (excluding temporary accommodation)	22.70		20.50		21	↑
Average number of offers per letting (excluding non-secure)	1.998		1.82		2	↔

18. The overall re-let time continues to be adversely affected by the success in reducing the need for temporary accommodation. A number of hostel rooms and temporary properties, vacant for extended periods due to the success in avoiding homeless presentations, were let during quarter 1, with a disproportionate effect on the cumulative re-let time. Although performance in quarter 2 has been consistently within target, the cumulative figure has not yet reached target levels. The rent loss through voids is similarly affected by the situation with temporary accommodation. A significant proportion of the void rent loss (over 50%) is due to Discus bungalows (without Discus properties the current rent loss is 0.26% compared to 0.58%).
19. Four rent arrears indicators have been introduced based on the HouseMark annual core benchmarking. Profiling of targets for these indicators is still being refined to ensure robust comparisons for in-year monitoring, but profiled targets are included in this report. Although current tenant arrears are £75k less than at the same point last year, this has slipped against the usual profile of arrears levels, hence the

performance status is red. Former tenant arrears have reduced steadily over the first half of the year and are now £100k below last year's level. The new rent collection indicators are running slightly behind target.

Adaptations

	09/10 actual	Current perf	Annual Target	DoT
Percentage of minor adaptations completed within 20 days of assessment (council tenants)	89.0%	90.8%	92.0%	↓
Percentage of major adaptations completed within 60 days of assessment (council tenants)	33.7%	44.4%	40.0%	↑
Percentage of customers satisfied with overall grants and loans service	95.4%	100%	95%	↑
Percentage of customers satisfied with adaptations service (council tenants & owner occupiers)	97%	96.5%	95%	↓
% of customers satisfaction – quality of life in their home has been improved by work carried out (Disabled facilities grant and adaptations – owner occupier & council tenant)	97.8%	95.7%	100%	↓

20. Performance on completion of major adaptations has continued to improve this quarter, but minor adaptations performance has slipped slightly. However small numbers on both these indicators increases the variability. Work is ongoing to refine the indicators to better reflect the performance and drive improvement in the adaptations service.
21. Customer satisfaction indicators for the adaptations service are available some weeks after the quarter end, so Q1 figures are now available. Performance is generally good, but the number of respondents is very small so few conclusions can be drawn from one quarter's performance.

Customer

	09/10 actual	Current perf	Annual Target	DoT
Percentage of complaints responded to in full within target time	73.20%	72.4%	88%	↑
Percentage of external telephone calls answered within 20 seconds	97.0%	95.65%	97%	↓

22. Within Housing Services in Q2 only 74.4% of complaints were dealt with within the appropriate timescale, an improvement from below 70% in Q1. However the Service Development team have been working with service managers with regards complaints handling and training has been implemented. It is expected that performance will continue to improve in this area.
23. Performance on the percentage of external telephone calls answered within 20 seconds has declined from last year and from Q1. However, these figures now include Building Maintenance and EcoDepot Repairs Partnership staff who were not included in the Q1 figure.

Staff

	09/10 actual	Current perf	Annual Target	DoT
Reduce average number of days sickness per employee	15.03 days	6.53 days	9 days (annual)	↑
Complete all staff appraisals by the end of June 2010	71%	92.1%	100%	↑

24. The number of sickness days lost per FTE is 6.53 days compared to the April to September profile target of 4.5 days lost per FTE. Of the days lost only 1.65 days was due to short-term sickness with 4.88 days lost due to long-term sickness. Managers are actively pursuing the sickness absence procedure to ensure staff sickness is tackled effectively. Compared to last year significant progress has been made in completing staff PDR's, with only 13 left outstanding. For those PDR's remaining line managers have programmed in PDR meetings.

Service Plan Action Update

22. Following the mock inspection and reflecting the recommendations and improvement timescales suggested by the inspectors, Housing set a very challenging improvement action plan with a total of 63 actions broken down into a 145 milestones to be completed in year 1 of the Housing Service Plan (by March 2011).
23. Of these milestones 127 were to be completed by the end of September 2010. The progress status for each of these milestones is attached at Annex 1b (Green status denotes those actions that have been completed (or dropped), amber those actions that are in progress and red denotes actions still to start).
24. Considerable progress has been made in progressing and completing milestones with :
- 64 milestones completed (50.5%).
 - 40 In progress (31.5%)
 - 17 to start (13%)
 - 6 withdrawn (5%)
25. Seventeen milestones are still to start which are outlined below. However lack of progress against these should be considered in the context of the challenging programme set and achievements to date despite a number of staff vacancies in various teams. HSMT are asked to consider the milestones below, note comments and revise completion timescales.

Milestones still to commence

Action	Milestone	Officer	Date	Comments
Develop Housing approach to equalities and diversity	Review CRE compliance and identify gaps	A Davies	June 2010	CRE compliance gap analysis not carried out. Will form part of Equality & Diversity strategy/ statement for Housing services. It's suggested that the time scale for this is revised to January 2011
	Work with corporate team to ensure diversity is featured within Housing's procurement processes	A Davies	June 2010	Work on this has slipped slightly, this will now be completed November 2010
Involve customers in programming works and contractor selection	Arrange in - house training for customer representatives in contractor selection by Asset Management Officers	J Whitehouse	July 2010	Customers will have an opportunity to be involved in Tenant Choice Procurement in April. It is suggested that training for interested customers takes place in January and that the current timescale is revised to January 2011
	Involve customers in the development of specifications, contractor selection and scrutiny of contracts	Asset Manager	Aug 2010 onwards	Not actioned yet, will look at this when TC OJUE goes out in the New Year. It is suggested that the timescale is revised to Jan 2011 to coincide with the timetable to procure Tenant's Choice.
Improve Asbestos Management	Establish an Asbestos Management lead	Asset Manager	April 2010	Work has yet to proceed on this. In the absence of an Asset Manager a decision is required on who have overall responsibility for this. It is suggested that the timescale is revised to March 2011 for completion allowing for an Asset Manager to be appointed
Develop a protocol for pre tenancy risk assessment to identify vulnerability/s support needs	Working with partners audit the range of work currently done around the prevention/early intervention agenda and following this identify any gap in service that needs to be addressed.	P Morrison	May 2010	Developing the ASB as a Safer York Partnership Strategy has taken priority. This action will be implemented with SYP when strategy complete. Suggested revised timescale Feb 2011
Improve Leasehold Management	Consider our approach to a sinking fund for leaseholders	D Southall	Aug 2010	Work has still to commence on this action; long-term staff sickness has had an impact on the ability to take this action forward. Initial meeting with Legal on possibility of altering the lease to incorporate a sinking fund has been arranged / imminent. Suggested revised timescale is March 2011.

	Consider extending the service offering to leaseholders including routine repairs or access to capital improvements	D Southall	Aug 2010	This action was originally down for the Housing Operations Manager who suggests that this should be taken forward by Asset Management. It is suggested that the Asset Manager is responsible for taking this forward, following consultation with leaseholders by the Service Development Team and that the timescale is revised to March 2011 allowing for the appointment of an Asset Manager.
Develop HRA Business Plan	Following consultation period of HRA subsidy review undertake base review of business plan	D Mitchell	June 2010	Received confirmation that subsidy system to be abolished, but now awaiting Comprehensive Spending Review announcement in October. In view of this it is suggested that the timescale for completion is revised to February 2011
	Feed resource implications into the financial planning process	D Mitchell	Sept/Oct 2010	Awaiting CSR in October and final subsidy determination in December. It is suggested that the timescale is revised to February 2011
Develop the website to ensure that this provides a comprehensive approach to information, is accessible and is utilised as a self-serve tool	Publish Tenant and Leaseholder information leaflets incorporating service standards on website	A Davies	July 2010	Delays due to unavailability of service development manager and support services manager to sign off leaflet content prior to formatting in new design. To be completed November 2010
Develop measures to reduce young people homelessness	Undertake prevention work with families to prevent future homelessness	B Ward	Mar 2010	Work has not started on this as this action is to be incorporated into the bigger review of Homelessness to be undertaken later in the year Suggested timescale is put back to March 2011
Develop a compensation policy and ensure customers and staff are clear about the policy	Raise awareness of policy with staff and customers including providing information on the website and in the information handbook	K Robinson	June 2010	Compensation policy has been drafted and will be presented to HSMT in November 2010. Once the policy has been considered by HSMT then awareness raising issues will be implemented
Develop staff recognition scheme	Hold staff recognition award ceremony	S Waddington	Sept 2010	The scheme was to be presented to DMT on 28 th Oct 2010. The item has been pulled and will not be considered in the foreseeable future. HSMT are requested what further action if any is to be taken
Ensure we are inspection ready	Agree discretionary documents for inspection	A Davies	May 2010	This will be completed in November once all self-assessments of the Landlord Service are finalised.

Improve communication with and involvement of staff	Introduce regular meeting with operatives and integrate them into the performance management framework	Asset Manager	April 2010	The Asset Managers post is vacant so this action has not been taken forward. It is suggested that the timescale for completion is revised to March 2011.
	Produce Housing quarterly newsletter	Tracy Botterill	Quarterly	This action is being revised as part of the development of the Communication Plan

26. The following Milestones have been withdrawn

- Review the approach to letting adapted properties to ensure that delays are minimised~ No work intended on this as the new CBL policy should ensure only appropriate customers bid for vacancies
- Consider introducing a housing applicants newsletter~ The CBL implementation from April 2011 will provide a regular newsletter as part of the implementation
- Carry out work with Annual Housing Survey respondents to establish why satisfaction with opportunities to participate is low ~ This action is unable to be taken forward due to confidential issues with the release of names of respondents
- Bring back 15 empty hospital properties back into use. Report options to HSMT. Agree terms with hospital. Having considered the options available it was not financially viable to take this project forward.

Value for Money

27. HSMT earlier in the year agreed the Value for Money Strategy. A key action within the strategy was to develop a value for money register in order to capture value for money savings. Outlined in the table below are value for money initiatives, which have resulted in savings or improvements in service delivery or both. At the present time the register does not capture the VFM savings, which have occurred through Housing's More for York programmes.

Value for Money Initiatives

Team	Value for Money Initiative	Budget Saving	Improvement in Service	HRA Surplus	Other
Hsing Ops	Review of ground maintenance SLA leading to an under spend of £18k which has been reinvested into the service to undertake additional environmental works		£18k		
Hsing Ops	Income generation -Provide a tenancy			£70k	

	management service for Fabric HA which results in a net income of £70k which is part of the HRA Surplus				
Hsing Ops	Income generation- Provide specialist tenancy enforcement and legal services to RSL's in York. This is reinvested into the Family intervention project		£5k		
Asset Management	Review of Tenant Choice work to the end of Oct expected to make a 10% saving on contract price	£75k			
Standards & Adaptations	Reviewed the procurement for the supply and installation of stair lifts making a saving of £2.5k on the average cost of installation. Will quantify at the end of the financial year		✓		Reduced installation costs Speedier service
Service Development	Using customer profiling information reviewed the number of languages required as strap line for housing leaflets making a £25 saving on translation costs. This will be quantified when all the leaflets have been completed	✓			

Conclusions

26. The performance indicators included in the 2010/11 Service Plan represent a significant change from those previously reported. As such the collection methods, baselines and targets for many indicators are still in development. Many indicators

are also based on annual or periodic data collection or surveys. As a result only about 45% of the headline indicators and over 30% of all indicators are reportable at this stage in the year.

27. Reported performance has improved significantly from the disappointing levels of Q1. Two thirds of indicators are improving and less than a third are at red status. The performance of the Homelessness Service has improved from the dip in Q1, although preventions and acceptances of young people are still below target. The actions to address issues with emergency repairs have resulted in significant improvement. There are still issues around staff sickness and the timely response to complaints, but all have made progress since Q1. HSMT and Service Managers are asked to consider what actions could drive further improvement and address weaknesses in performance in their areas.
28. Significant progress as been made in completing Service Plan actions with the majority of year 1 milestones either having been completed or in progress with only 13 actions at this midway point still to start. HSMT and Service Managers are advised to regularly review progress against the Housing Service Plan to minimise slippage against completion timescales.

Recommendations

30. Executive Member is asked to note progress to date and agree the revised timescales for completing the actions still to start.

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