



Notice of meeting of

Executive Member For Neighbourhood Services and Advisory Panel

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

Date: Thursday, 7 June 2007

Time: 5.00 pm

Venue: Guildhall

AGENDA

Notice to Members - Calling In:

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

10:00 am on Wednesday 6 June 2007, if an item is called in *before* a decision is taken, *or*

4:00 pm on Monday 11 June 2007, if an item is called in *after* a decision has been taken.

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

1. **Declarations of Interest**

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

2. Exclusion of Press and Public

To consider excluding the public and press from the meeting during consideration of Annex 2 to agenda item 5 on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

3. Minutes (Pages 1 - 8)

To approve and sign the minutes of the meeting held on 21 March 2007.

4. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Panel's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 6 June 2007 at 5.00pm.

ITEMS FOR DECISION

5. 2006/07 Provisional Outturn - Finance and Performance (Pages 9 - 36)

This report presents draft outturn figures for revenue and capital expenditure for the Neighbourhoods portfolio and traded accounts and outturn (2006/07) performance against target figures for a number of key indicators.

6. Friends of St Nicholas Field Service Level Agreement (Pages 37 - 42)

This report requests the Executive Member to approve the continuation of funding for the Friends of St Nicholas Fields kerbside recycling collections and for additional funding to March 2008 for recycling to 2,000 properties.

7. The Implementation of Smokefree Legislation in England
(Pages 43 - 52)

This report provides background information on the smokefree legislation and requests the Executive Member to approve an enforcement policy.

ITEMS FOR INFORMATION

8. Neighbourhoods and Community Safety Group Legal Actions
(Pages 53 - 60)

This report informs Members of the results of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of Neighbourhood Services for the period 1 January 2007 – 31 March 2007.

9. York Neighbourhood Pride Service and Enforcement - Update
(Pages 61 - 66)

This report provides a detailed update on progress of the new Neighbourhood Pride Service.

10. Procurement Update - Building materials supply through OGC - Partnership with Jewsons (Pages 67 - 70)

This report informs Members of progress of the building materials procurement exercise through the Office of Government Commerce in partnership with Jewsons Ltd (Saint Gobain Building Distribution).

11. Waste Management CPA Inspection June 2007 (Pages 71 - 82)

This report informs Members that as a follow up of the Comprehensive Performance Assessment in 2004, the Audit Commission will be completing a further inspection of Waste Management in York during June 2007.

12. Service Plans April 2007/08 (Pages 83 - 86)

This report informs Members that revised service plans for 2007/08 have been produced . The revised service plans including organisational charts and budget information following the recent restructure are available to view on-line as part of this agenda item.

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

Contact Details

Democracy Officer:

Name: Louise Cook

Contact details:

- Telephone – (01904) 551027
- E-mail – louise.cook@york.gov.uk

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

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

Contact details are set out above.

City of York Council

Minutes

MEETING	EXECUTIVE MEMBER FOR NEIGHBOURHOOD SERVICES AND ADVISORY PANEL
DATE	21 MARCH 2007
PRESENT	COUNCILLORS LANCELOTT (CHAIR), HALL, POTTER, WALLER (EXECUTIVE MEMBER) AND B WATSON

44. Declarations of Interest

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

Councillor Potter declared a personal non-prejudicial interest in agenda item 4 (Service Level Agreements with Community Centre Management Committees 2007/08) as she was a Member of the Tang Hall Community Centre Management Committee and in agenda item 8 (Neighbourhoods Group Legal Actions) as her daughter is working with Trading Standards as a test purchaser.

45. Minutes

RESOLVED: That the minutes of the last meeting of the Executive Member for Neighbourhood Advisory Panel held on 7 December 2006 be approved and signed by the Chair and Executive Member as a correct record.

46. Public Participation

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

Mr Beavan spoke on agenda item 9 (Service Plans 2007/08). He raised concerns about the sketchy information contained within the plans and had reservations as to whether Members had enough information to make an informed decision.

47. Service Level Agreements with Community Centre Management Committees 2007/08

Members considered a report that advised them of the provision of grants linked to Service Level Agreements (SLAs) awarded to four Community Centre Management Committees in York. It relates to centres owned by the City of York Council but managed on a daily basis by voluntary management committees. The report covers the financial year 2007/08.

Members agreed that it was a shame that this had to be taken as a cut rather than being redistributed amongst the other organisations.

Members then considered the following options:

Option 1: To award grants to each Committee as recommended in paragraph 1 of the report and Annex one

Option 2: Discontinue grants to all Committees with effect from 01.04.2007

Advice of the Advisory Panel

That the Advisory Panel advises the Executive Member to approve grants to the organisations concerned for the financial year 2007/8 as outlined in Annex one.

Decision of the Executive Member

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

REASON: To ensure that Community Centre Management remains in the hands of local people who have the knowledge and motivation and are enabled to manage local community assets.

48. Letting of Office and Storage Space for Building Materials Provider

Members considered a report that informed them of the progress of the building materials procurement exercise as reported in December and to seek approval to let depot space to Jewson Ltd.

Some Members asked whether Jewsons would need a deposit and the Officer explained that the final documentation regarding this was still being drawn up by Legal Services.

Members also asked how many parking spaces would be required and the Officer said that there would be one required for the stores van.

Members then considered the following Options:

Option A Instruct Jewsons to locate at alternative premises.

Option B Charge a commercial rent to Jewsons for the property within the ECO depot

Option C Rent the ECO depot space at a peppercorn rent

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to approve Option C in the report; to rent the ECO depot space at a peppercorn rent.

Decision of the Executive Member

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

REASON: This is considered the most efficient and cost effective method of managing the rental agreement between the City of York Council and Jewsons Ltd. (Saint Gobain building Distribution).

49. York Neighbourhood Pride Service - Update of Pilot and Future Rollout

Members considered a report that provided a detailed update on the progress of the street scene pilot and to provide background information for the Executive Member to consider the roll out of the new working practices to the rest of the city as a single exercise in spring of 2007.

Officers said that the objectives of the pilot were set out at paragraph 6 of the report and having tested everything they were now ready to roll the scheme out to the rest of the City (excluding the City centre).

Some Members queried whether staff were happy with the changes and said that there had been anecdotal evidence that suggested that they were not. Officers responded that there had been a series of meetings with the staff and there had been both positive and negative responses from them. They were now evaluating the feedback that they had received and were looking at allocating zones and jobs based on individual preference where possible. They were in the process of examining possible properties that could be used by the staff for comfort breaks.

The Chair asked if Neighbourhood Services had received any compliments from members of the public and the Officer responded that there had been lots and they were always fed back to the relevant member of staff.

Some Members were concerned that there was not enough detail in the report about the views of the staff on the scheme and more information was needed. The Officers said that they were significantly improving street cleansing services and they wanted to work with staff on all issues and wanted to make sure staff morale and motivation were high.

Officers mentioned that there had been a dedicated officer who continually monitored problems such as people leaving their rubbish bags out early or in the wrong place. Councillor B Watson raised a query regarding a letter that residents in Acomb had received concerning the correct procedures and places for putting out refuse; he said that the information contained in this was misleading. Councillor Watson was asked to speak to the Assistant Director – Environment at the end of the meeting who would then investigate this matter.

Both Councillors Potter and B Watson said that in principle they were happy with the recommendation but they felt that further information was required to make an informed decision regarding this scheme.

Members then considered the following options:

- Option 1** Not to roll out to the remainder of the City.
Option 2 To roll out the new working arrangements gradually to the remainder of the City.
Option 3 To roll out the new working arrangements as a single exercise.
Option 4 To roll out the new working arrangements as a single exercise but to exclude the Guildhall City Centre (within the walls).

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to thank Officers for delivering a successful pilot and agree that the new service should be rolled out as a single exercise, but excluding the City Centre (within the walls) which has its own high quality service.

Decision of the Executive Member

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

REASON: To provide an improved Street Cleaning service in the City.

50. York Neighbourhoods Pride

Members considered a report that provided them with a summary of the work carried out to date by the York Neighbourhoods Pride initiative together with information about what is planned to October 2007.

The Officer stated future campaigns and activities would include the Spring Clean Campaign, Red Card for Dog Fouling, Litters Out Campaign, Blooming City Campaign, Cleaner City Campaign and Feeling and Being Safe in York Campaign.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the report and to thank Officers for their hard work in delivering further improvements to deliver York Neighbourhoods Pride.

Decision of the Executive Member

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

REASON: To update Members on the York Neighbourhoods Pride initiative.

51. Neighbourhoods Group Legal Actions

Members considered a report that informed them of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, Licensing and Street Environment Services) for the period 1st October 2006 to 31st December 2006.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member notes the contents of this report and thanks Officers for their diligence in pursuing cases in the courts.

Decision of the Executive Member

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

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

52. Service Plans April 2007/08

Members considered a report for the Stage Two Service Plans for 2007/8 of each of the Service Areas. The Stage One Service Plans were approved at the December 2006 EMAP. These Service Plans contained the 2007/08 budget information and some performance data which was not available at that time.

Some Members asked what impact the proposed restructure would have on the plans and whether there would be a need to revise the plans again after this and Officers confirmed that the objectives would stay the same and the total budget of the department would not change. The Officer confirmed that Service Plans often changed throughout the year and were, in effect, fluid documents. They were designed to be adapted and amended as developments were made within each area of the department.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to approve the Service Plans proposals for Neighbourhood Services for 2007/08.

Decision of the Executive Member

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

REASON: To monitor and review performance in this portfolio area.

53. Noise Complaints Update

Members considered a report that asked them to note the actions taken by the Environmental Protection Unit (EPU) to tackle noise nuisance and approve the proposals to deal with the service pressures generated by the implementation of the Licensing Act 2003 and the introduction of the night time Noise Patrol Service.

The Officer presented his report and said that there had been an increase in the workload but this had been anticipated.

Members thanked the Officer and his team for delivering a much appreciated service but noted that care needed to be taken in regards to the smoking legislation as the ban coming into force soon could lead to potential disturbance to residents who lived in close proximity to licensed premises.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member to note the service pressures generated by the additional demands to tackle noise nuisance and the proposed service improvements.

- Appointing an additional temporary Environmental Protection Officer until 31 March 2008.
- Providing additional out of hours cover as workload demands.
- Adopting additional anti-social behaviour powers.
- Increasing education about noise nuisance.

Decision of the Executive Member

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

REASON: So that the Executive Member is advised of the steps being taken to deal with noise nuisance.

54. York Safer Working Community Project

Members considered a report that advised them of the York safer Working Community Project that took place between 22nd and 26th January 2007.

Members agreed that this had been a very successful event and a good example of partnership working.

Advice of the Advisory Panel

That the Advisory Panel advise the Executive Member note the report.

Decision of the Executive Member

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

REASON: To update the Executive Member on the practical implications of partnership working with HSE.

55. Executive Member's Remarks

The Executive Member thanked Councillor Hall, who was standing down from the Council in May, for all his hard work over the years. He paid tribute to his dedication as a Councillor.

He also thanked Councillor Lancelott for Chairing the Committee.

CLLR WALLER
EXECUTIVE MEMBER

CLLR LANCELOTT
CHAIR OF ADVISORY PANEL
The meeting started at 4.30 pm and finished at 6.00 pm.

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

7th June 2007

Report of the Director of Neighbourhood Services

2006/07 PROVISIONAL OUTTURN – FINANCE & PERFORMANCE

Summary

1. This report represents two sets of data:
 - a) draft outturn figures for revenue and capital expenditure for the Neighbourhoods portfolio and traded accounts.
 - b) outturn (06/07) performance against target for a number of key indicators that are made up of:-
 - Best Value Performance Indicators
 - Customer First Targets (letter and telephone answering)
 - Staff Management Targets (sickness absence)

Background

2. Service provision is as important as financial performance. This report combines financial and service performance information and is reported as part of the Council plan each year.
3. The financial target surplus for the traded accounts reflect the move to Best Value accounting principles where internal business is operating as near to break-even as possible. The surplus being achieved from external business such as Commercial Waste, Building Repairs, Drainage and Civil Engineering.
4. It should be noted that figures are provisional and may be adjusted. However significant changes are not anticipated.

Management Summary

Financial Overview

5. The original budget for the non-trading Neighbourhood Services Portfolio was set at £13.9m and this remains the same. The budget surplus for the traded Neighbourhood Services Portfolio was set as the former Commercial Services structure and the agreed target surplus was £179k after the FRS 17 pension adjustment. Since then further savings targets

have been required totalling £37k and an additional £243k FRS 17 adjustment has decreased the target surplus to a £16k deficit.

6. The Provisional revenue outturn for Neighbourhood Services portfolio shows expenditure of £13.4m compared to a budget of £13.9m, an underspend of £524k, which represents a variation of 3.8% on the net expenditure budget. This compares to a predicted overspend of £57k in the second monitoring report.
7. The financial position for each service area is dealt with separately in the following sections. The overall position can be summarised as follows:

	Exp Budget £000	Income Budget £000	Net Budget £000	Outturn £000	Var'n £000	Var'n %
Env Health & Trading Standards	2,685	702	1,982	2,021	39	1.9
Licensing & Bereavement Svs	1,047	1,730	(683)	(707)	(25)	(3.6)
Street Environment	797	1	796	727	(69)	(8.7)
Neighbourhood Management	1,052	349	703	648	(56)	(8.0)
Ward Committees	940	60	880	770	(109)	(12.4)
Waste Management	10,003	2,051	7,952	7,843	(109)	(1.4)
Cleansing & Toilets	2,540	282	2,258	2,220	(39)	(1.7)
Traded Accounts (The detail is held under the confidential annex 2)	24,657	24,640	16	(139)	(156)	(949)
PORTFOLIO TOTAL	43,721	29,815	13,906	13,382	(524)	(3.8)

Performance Overview

8. The directorate is responsible for 47 Best Value and other local performance indicators of corporate significance (ie those published within the annual Best Value Performance Plan). Teams within the directorate also monitor a number of other local performance indicators through the year, including indicators relating to complaints, customer response and staff sickness.
9. This report highlights performance against the key indicators among this group, and aims to draw some conclusions over performance during 2006/7. Key performance headlines are set out below:
 - (BVPI89). Customers' perception of local cleanliness is improving. In 2006/7, 71% of respondents stated they were satisfied with cleanliness levels in their locality. This compares with satisfaction levels of between 60% and 63% in the previous three years.

- (BVPI199a). 19.2% of relevant land and highways were free from litter and other 'detritus'. This compares with 22% in 2005/6, 24% in 2004/5 and 30% in 2003/4.
 - (BVPI82a+82b). 39.93% of household waste was either recycled or composted in 2006/7. This compares with 24.08% in 2005/6 and 17.77% in 2004/5.
 - BVPI84a. The average York household produced 538.54kg of waste last year. This figure is just over 2% higher than last year, but remains below the figures for 2003/4 and 2004/5.
 - BVPI90a. 72% of residents expressed satisfaction with the household waste collection service. This is up very slightly from 69% in 2005/6. However it is still significantly below the figures recorded in 2003/4 and 2004/5.
 - BVPI90b. 75% of residents expressed satisfaction with waste recycling facilities. This has jumped from 54% in 2005/6 – and has now risen above the figure of 70% recorded in 2003/4.
 - BVPI90c. 86% of residents expressed satisfaction with household waste sites. This is significantly higher than the last 3 years – where the figure was between 67% and 69%.
10. Performance on Neighbourhoods Services' two LPSA2 indicators is such that we expect to achieve 100% of the potential Performance Reward Grant available when the agreement ends in March 2008.
11. Staff sickness in the directorate reduced from 18.7 to 16.8 days/shifts lost per fte employee in 2006/7. However staff absence continues to be a challenge for the directorate.

Financial Overview

Non-Trading Accounts

Environmental Health and Trading Standards

12. The provisional outturn shows that there will be an overspend of £39k, or 1.9% of the net expenditure budget. This compares to a projected breakeven position at monitor 2. The key reasons for the overspend are:
- An anticipated shortfall of £33k in EPU income from recharges for air quality assessment work done on behalf of Planning & Transport as reported in the previous monitor. This remains a budget pressure in 2007/08.
 - An overspend of £10k for one off costs relating to contaminated land sampling and also legal costs relating to the abatement of noise nuisance at Elvington Airfield

- Overall staffing variances in this service area net off to a £1k underspend. These are made up of underspends due to vacancies which are offset by overspends due to not achieving the vacancy factor.

Licensing and Bereavement Services

13. The provisional outturn shows that there will be an underspend of £25k, or 3.6% of the net expenditure budget within Licensing, Regulatory and Bereavement Services. This compares to a projected overspend of £54k at the last monitor. It was agreed at the last EMAP that £55k from contingency could be released to fund the shortfall, which partly explains the improvement since the last monitor. The key reasons for the underspend are as follows:
- Licensing income is £17k above budget. 2006/07 was the first year that the revised rates applied and the budgeted amount was the best estimate at the time.
 - Vacant posts in the licensing unit resulted in a underspend of £12k.
 - There is an overall underspend at the crematorium of £17k. Income from cremation fees were £25k above budget mainly due to cremations that were undertaken on behalf of Harrogate whilst their cremators were under repair. This is not expected to repeat in 2007/08. Income from the sale of memorials is £18k more than budget. The additional income above was offset by an overspend of £30k.
 - Offsetting the underspend at the crematorium the loss at Fulford Cemetery to which the council contribute has increased, due to fewer than estimated funerals. A provision has been made in this financial year to cover any future losses. The total overspend is £21k.

Street Environment

14. The provisional outturn shows that there will be an underspend of £69k, or 8.7% of the net expenditure budget. This compares to a projected overspend of £2k at the last monitor. The main reasons for the underspend are as follows:
- The York Pride budget underspent by £32k. £9k relates to projects that are already committed and £5k relates to the total underspend or uncommitted budget over the 18 wards. It is proposed to carry forward £14k relating to the committed ward projects.
 - The 'Campaigns' budget is underspent by £28k. This budget was created in 2006/07 to fund the monthly Neighbourhood Pride Campaigns which was approved by Executive and which were timetabled to run to October 2007. As this split two financial years, it was always expected that this would underspend and a request for carry forward be made because the remaining budget is for the

remaining Executive approved campaigns that will take place in the financial year 2007/08.

Neighbourhood Management

15. The provisional outturn shows that there will be an underspend of £56k, or 8.0% of the net expenditure budget. This compares to a projected breakeven at the last monitor. The main reasons for the underspend are as follows:
- Vacant posts resulted in an underspend of £58k. A recruitment exercise is near completion and therefore an underspend of this nature is not expected in 2007/08.
 - There were additional production and delivery costs for Your Ward, Your City and Neighbourhood Action Plans of £29k. This is not expected to be a budget pressure in 2007/08.
 - An underspend of £22k on the Target Hardening budget was as a result of slippage so it is proposed to carry forward this underspend. This is to be approved by City Strategy EMAP because the budget relates to a Safer City issue.

Ward Committees

16. The provisional outturn shows that there will be an underspend of £109k, or 12.4% of the net expenditure budget. This compares to a projected breakeven at the last monitor. This main reasons for the variance are as follows:
- There is an underspend of £82k on Ward Committee budgets. £55k relates to schemes that are already committed and it is requested to carry forward this amount. The remaining £27k is uncommitted. However it is requested to also carry forward the £27k to assist with the funding of 2.5 additional Police Community Support Officers (PCSOs).
 - There was an underspend of £25k which relates to a one off saving on PCSO costs. There was an agreement reached with North Yorkshire Police not to pay for the PCSO service in 2006/07. This was not confirmed until late in the financial year so it was not possible to utilise the budget elsewhere. It is requested to carry forward this budget. Charges for PCSOs will resume in 2007/08.

Waste Management, Refuse & Recycling

17. The provisional outturn shows that there will be an underspend of £109k, or 1.4% of the net expenditure budget. This compares to a projected overspend of £11k at the last monitor. The main reasons for the underspend are as follows:

- The expansion of the kerbside recycling service has resulted in an underspend of £231k in landfill and waste processing costs due to a reduction in the amount of tonnage going to landfill. This is offset by an increase in collection costs of £163k.
- £82k grant income was received just before the end of the financial year to cover costs incurred relating to the WEEE directive (Waste Electrical and Electronic Equipment). This was unbudgeted.
- Increased security was required as a result of several break ins and threatening behaviour towards site staff at HWRCs (Household Waste Recycling Centres). The cost of security was £70k above budget. Security of HWRCs is currently under review but this is likely to remain a budget pressure in 2007/08. A contingency has been requested for 2007/08 but is subject to corporate approval.
- There was a total underspend of £29k in the Waste Strategy Unit as a result of an underspend of £18k on market research and £11k on the Community Repaint Project. The repaint project has underspent because it was not possible to complete the whole project in year because the initial groundwork was time consuming. Therefore it is requested to carry forward £11k so that the project may continue.

Cleansing & Toilets

18. The provisional outturn shows that there will be an underspend of £39k, or 1.7% of the net expenditure budget. This compares to a projected overspend of £49k at the last monitor. The main reasons for the overspend are as follows:
- Additional costs of £46k were incurred following the letting of a new toilet cleansing contract. The contract has been renegotiated for 2007/08 and is not expected to overspend.
 - During 2006/07 the above costs are offset by savings on utilities of £25k.
 - Collections of certain waste items such as needles were previously collected by a specifically contracted team. These items are now collected under the SIDI initiative and are absorbed under the cost of that service. This has resulted in a saving of £14k.
 - The number of abandoned vehicles has reduced because there is an end of life value for vehicles resulting in savings of £12k.
 - An underspend of £26k has occurred on the street cleansing contract. The budget is set on the assumption that there will be a cost for additional hours above the standard amount contracted. This was not the case in 2006/07 resulting in an underspend of £26k.

Traded Accounts

19. Overall the trading Accounts have made a surplus of £139k against an approved budget of £16k deficit. The budget target has changed during the year because of pension adjustments required for FRS 17 totalling £241k and additional savings targets of £37k.

Building Maintenance

20. Income continues to exceed budget expectations but the corresponding increase in expenditure needs to be monitored to ensure the area remains within target overall.
21. The majority of Building Maintenance income is from the Housing Repairs Partnership. This partnership works on the basis of open book accounted, whereby all income charged relates to actual cost plus overhead.

Civil Engineering

22. This account is performing well throughout the year. The drainage section income has exceeded budget expectations. A significant proportion of income was from external business which contributes to the surplus achieved.

Commercial Waste

23. Commercial waste and the University Waste Management Contract are both performing very well. Income from Commercial Waste is above budget yet control of expenditure pressures has led to this area exceeding its budgeted target.

Cleaning

24. The prime business of this service is, school cleaning, council office cleaning and empty property (void) cleaning for housing. The pressures identified in previous years on this account have not been turned around during this financial year.
25. The Building and School cleaning service is currently under review and action will be taken early in the financial year so that the ongoing pressure on the 2007/08 budget can be rectified. In addition work is ongoing with schools to establish individual service level agreements to ensure the service matches the resources available.

Cleansing and Grounds Maintenance

26. The account is operating close to breakeven. The rollout of the Street Scene pilot is to be contained within existing budgets and there are no financial pressures on this account for 2007/08.

Non Operational Costs

27. Costs relating to the depot move and costs of replacement hire vehicles that were not covered by insurance have been classed as non operational and shown 'below the line'. There will be additional depot costs in 2007/08 that are unlikely to be covered by the original contract yet will be required for health and safety reasons. It is proposed that the trading account reserve is increased by £100k as a provision against these costs.

Capital Programme

28. The Neighbourhood Services capital programme includes schemes within Neighbourhood Pride Unit, Environmental Protection Unit and Waste Management. Details of the current budgets are set out below:

	<u>Current Budget £000s</u>	<u>Outturn £000s</u>
Ward Committees	307	190
Foxwood Community Centre	108	0
Hazel Court Household Waste Site	70	50
Defra Waste Performance Efficiency Grant	100	100
Air Quality Management	61	26
Contaminated Land Investigation	33	22
Total	679	388

29. Overall spend at the end of 2006/07 was £388k against an approved budget at the last monitor of £679k, an underspend of £291k. The progress on delivering the projects within the programme and a comment on the variances for each scheme is outlined below:

Ward Committees

Budget: £307k (CYC resources)
Outturn: £190k

30. The Ward Committee has underspent by £117k. £29.5k of the underspend is as a result of engineering consultancy fees being less than budgeted. Unfortunately the notification of this came too late to spend on alternative schemes. The remaining £87.5k relates to slippage and it is proposed to carry forward this amount.

Foxwood Community Centre

Budget: £108k (CYC resources)
Outturn: £0k

31. The Foxwood Community Centre Project was a partnership project with the objective of extending and developing the existing community centre, in order to address unmet learning, personal and community development needs, with targeted groups. A range of partners including Council services had indicated that they would be able to contribute part-funding toward either the capital cost and/or the cost of delivering

services and projects through the new building. The main external funding for the capital cost was however to come from the Lottery and the Primary Care Trust, with a matching contribution from CYC of £108k; the total capital cost being in the region of £400k. The project became unfeasible when the Lottery rejected the partnership's initial bid.

Hazel Court Household Waste Site

Budget: £70k (CYC Resources)

Outturn £50k

32. This grant was applied against the final costs of completing Hazel Court. Funding was from CYC resources but £50k of the Waste Performance & Efficiency grant was used to fund this project thereby releasing £70k of CYC funding back to the corporate pot.

Defra Waste Performance Efficiency Grant

Budget: £100k (Grant)

Outturn: £100k

33. This grant was provided by Defra to deal with waste issues and the capital element above was used to provide recycling containers and to cover the cost of replacing grey bins.
34. £44k of the Waste Performance & Efficiency Grant remains and it is proposed to this carry forward.

Air Quality Management

Budget: £61k (Grant)

Outturn: £27k

35. The grant relates to air quality monitoring, air quality modelling and air quality action planning.
36. A cheaper than budgeted solution was found to fund the majority of the air quality monitoring through the trading in of redundant equipment. As a result only approximately £1.5k of air quality grant funding was used towards the project. The remainder has been retained and will be put towards further monitoring projects in 2007/8.
37. The air quality action planning funding was originally applied for to cover two projects. The first was a low emission zone project. Work on this project has commenced but some weather induced delays were experienced in the completing of the vehicle emissions monitoring part of the project. There have also been some delays on the traffic modelling side of the project due to loss of key staff members within the transport planning unit. This work will be progressed further during 2007/ 8 once key staff members have been replaced. The second project for which funding was originally sought was an air quality information project. The reduced funding level received for this project had to be scaled back and redesigned. Rapid progress is now being made on a new air quality website aimed at children and students. The site will also incorporate new measures to allow direct access to air quality data. The new site is due to be launched in early autumn 2007.

38. A carry forward of the remaining £34k is requested.

Contaminated Land Investigation

Budget: £33k (Grant)

Outturn: £23k

39. Defra have amended a capital grant to support some detailed contaminated land investigations at three sites in accordance with obligations placed on the council by Part 11A of the Environmental Protection Act 1990.
40. This work is ongoing and it is proposed that the £10k underspend is carried forward.

Performance Overview

Environmental Health and Trading Standards (EHTS)

41. Environmental health and trading standards services keep all residents and businesses in York safe and healthy. Work undertaken by these services is becoming more risk based and intelligence led, and the teams have developed strong working relationships with North Yorkshire Police. As part of the LPSA2 agreement we introduced a new out of hours noise patrol service which operates on a Friday and Saturday night to tackle anti-social behaviour caused by noise neighbours and other noise nuisances. The service will inherit a range of new national priorities in 2007/8 following the Rogers review, which will require the services to focus onto six priority areas.
42. During 2006/7, York's environmental health and trading standards services both met 100% of a set of enforcement best practice benchmarks (BVPI166a,b). In addition 100% of high-risk premises were visited by trading standards officers during the year. The council saw a 100% improvement in the level of business compliance with trading standards legislation - ie where we have found a business to be breaking the law (to a significant degree) we have taken appropriate corrective action to bring them 'back into line' during the year. The food safety team inspected a record number of premises in the year - 99.7% of all high and medium risk food businesses were visited. This should provide a high degree of assurance to residents in York.
43. Just under 84% of customers were satisfied with Trading Standards during 2006/7, and just over 89% of businesses.
44. 12.1% of businesses that were part of the test purchase programme were found to sell alcohol illegally to under 18s. This figure is continuing to improve – the figure was 34% in 2003/4.

Licensing & Bereavement Services

45. The Licensing service underwent significant change in 2006/7, with pest control services transferring to another unit within the directorate. The licensing service has developed close working relationships with North

Yorkshire Police over licensing policy and the implementation of new licensing laws, and contributed to Safer York Partnership's initiatives on anti-social behaviour and violent crime particularly within the city-centre. Overall satisfaction among key customer groups remains high.

97% of licence applicants were satisfied with the licensing service (compared to 95% in 2005/6).

91% of taxi licence holders were satisfied with the licensing service (compared with 93% in 2005/6).

Street Environment

46. As a corporate priority this is a key area for the directorate. The indicators set out below are a key part of the Street Scene review

Indicator	05/06 Outturn	06/07 Outturn	06/07 Target	Trend	Hit Target?	07/08 Target
BVPI 218a. % of new reports of abandoned vehicles investigated within 24 hours of notification	95.79%	99.77%	95%	√	Yes	95%
BVPI 218b. % of abandoned vehicles removed within 24 hours (from the point at which we can legally remove them)	89.93%	91.01%	95%	√	No	95%
COLI 77a. Average time taken to remove obscene graffiti	1.98 days	1.55 days	2 days	√	Yes	2 days
COLI 77b. Average time taken to remove non-obscene graffiti	4.94 days	2.46 days	4 days	√	Yes	4 days
VH5a. Average time taken to remove fly-tips (global figure)	1.53 days	1.69 days	2 days	x	Yes	2 days
VH5b. Average time taken to remove fly-tips (NS figure)	1.04 days	0.87 days	1 day	√	Yes	1 day

47. Performance in 2006/7 was good, with all of the indicators either improving or meeting target, or both. Although targets appear to be flattening, these have been set at realistic levels which are achievable taking into account country wide trends which show an increase in incidents of graffiti, we are also beginning to move towards customer standards.

48. Work processes to respond to graffiti and fly-tipping have improved following the Neighbourhood Service restructure. Bringing Street

Environment Officers within the same team has facilitated improved communications, and we would expect to maintain the current high level of performance, despite the national trends mentioned above.

49. Members should note that the abandoned vehicle service is currently going out to formal tender. If a new service provider is awarded the contract then there may be a period of 'bedding in' required.

Ward Committees

50. Each ward committee meeting was attended by 38 people in 2006/7 – a 25% increase on the figure in the previous year. This is partly due to some very successful summer fete ward committee meetings, community safety initiatives such as cycle tagging, and key local issues such as the relocation of the homeless hostel being discussed at the meetings.
51. In total, 4609 people were involved in ward committee decisions each year – either by voting in person at the October round of committee meetings, or through postal voting on local improvement schemes. This is a slight reduction on last year (4858), but is well above the figure for 2004/5 (3554). The Neighbourhood Management unit is currently looking at introducing an indicator which will recognise all forms of public participation in decision making, from ward committees and residents associations through to consultation around neighbourhood action plans.

Waste Management, Refuse & Recycling

52. Reducing the amount of biodegradable waste and recyclable products going to landfill is a corporate priority and as such is a key area for the directorate. The table below shows performance against key measures.

Indicator	05/06 Outturn	06/07 Outturn	06/07 Target	Trend	Hit Target?	07/08 Target
BVPI 82a(i) % of household waste recycled	16.50%	23.30%	22.25%	√	Yes	24.70%
BVPI 82a(ii) Tonnage of household waste recycled	16100	23440	22140	√	Yes	25100
BVPI 82b(i) % of household waste composted	7.58%	16.63%	13.67%	√	Yes	16.91%
BVPI 82b(ii) Tonnage of household waste composted	7390	16730	13600	√	Yes	17180
BVPI 82d(i) % of household waste landfilled	75.92%	60.07%	64.08%	√	Yes	58.39%
BVPI 82d(ii) Tonnage of household waste landfilled	74070	60430	63770	√	Yes	59330
BV84a Kg of household waste collected per head of population	526.78	538.54	534.43	x	No	536.63
BV86 Cost of household waste collection per household	£42.37	£39.61	£37.08	√	No	£39.96

COLI 3. Number of missed bin collections (per 100,000)	97.5	77.63	66	√	No	60
VW 19. Missed bin collections put right by end of next working day	60.76%	58.24%	95%	x	No	100%

53. There has been a significant reduction in the amount of household waste sent to landfill in 2006/07. With a little over 60% of all household waste sent to landfill, we have diverted 13,640 tonnes through increased recycling and composting. Initiatives taken during the year - including expanding the range of materials collected separately (plastics and cardboard) - have had a positive effect and allowed us to exceed our national targets for recycling and composting. Other positive initiatives during the year were maintaining the alternate weekly waste collection over the full year rather than suspension over winter months as in the previous year, improving the infrastructure of household waste sites, and the letting of a comprehensive landfill, disposal and recycling contract worth over £50m.
54. Overall, each household in York produced a total of 539kg of waste in the year – 2% more than last year, though still lower than in 2003/4 or 2004/5.
55. Significant progress has been made during the year on reducing the number of missed bins reported (COLI3) and we are now maintaining a level within our national target. While we have not achieved our performance target for 2006/07, mainly due to difficulties in the first quarter of the year, we have shown a significant improvement on the 2005/06 figure. This has been particularly in evidence in the final quarter of the year and the trend continues to show an improvement. Work has been done with crews and the York Contact Centre (YCC) to ensure that more accurate collection details are given to crews and that there is a robust script for contact centre staff to use when dealing with customers. We have also amended the quality checks undertaken by supervisors to cover issues around work quality and comparing an area before and after collection. Our ability to interrogate the new CRM system is greatly improved, though the issue of staff resources may affect how sustainable this is. The target for 2007/8 is to maintain the number of missed bins per 100,000 below the national target (60).

Cleansing & Toilets

56. The key indicator within this section is BV199a – which is a measure of the proportion of land and highways that have combined deposits of litter and ‘detritus’ that falls below a set standard. This is very complex indicator that is measured through 3 surveys of the city each year – with an average then taken. 19.2% of land and highways fell into this category in 2006/7. This figure has now fallen for a third successive year – it was at 30% in 2003/4.
57. BV199a was chosen as an LPSA2 target – under LPSA2 we have targeted a reduction on this figure to 17% during 2007/8. Recent implementation of changes to street cleansing under the Street Scene

review are designed to ensure that this target is met. We will be undertaking the next survey in late May/early June 2007 and this will help us judge the effect of changes to street scene working.

58. It is pleasing that overall perception with street cleanliness (BV89) also rose during 2006/7 to 71% of respondents satisfied or very satisfied. This compares to 61% in 2005/6. This is also an LPSA2 target.

Cleaning

59. 90% of head teachers reported they were satisfied with their school cleaning service during the year – slightly higher than in 2005/6 (86%). Each school now has its own unique cleaning specification and these have all been agreed by individual heads.
60. Our own cleaning training officer has progressed the NVQ training in cleaning operations with Barnsley college and over 120 staff have now achieved level 2 or above. It is anticipated that all school cleaning staff will have undertaken this NVQ training by the end of 2007/08.
61. In recognition of the achievements made by staff in school and building cleaning, an awards evening was held in March 2007 where individuals, and groups, of staff were rewarded for their efforts.

Commercial Waste

62. There is a significant amount of work due to be undertaken during 2007/08 with commercial waste. Reducing the amount of waste sent to landfill from businesses and maximising recycling opportunities are all key targets for the year. At present there is no suite of performance measures for this service but these will be developed as the service is enhanced. This will then be complimented by a comprehensive survey of satisfaction from our customer base.

Staff related performance

63. For comparison purposes, it should be noted that 05/06 outturn figures reflect the old Commercial Services directorate. During 2006/7, Neighbourhoods and Community Safety (formerly Environment and Neighbourhoods) transferred in to the new Neighbourhood Services Directorate. While a true comparison cannot be made against the 05/06 outturn figure, staff sickness remains a considerable challenge for the directorate. Although the level of sickness absence fell in 2006/7, it was still well above the council target of 11.5 days/shifts lost per employee. The other significant change this year is the larger level of stress related illness. There have been a relatively small number of cases where an employee has been absent for a long period of time due to a stress related illness which has resulted in the figure increasing significantly – albeit from a relatively low base.

PI	Measure	05/06 outturn	06/07 actual	Corporate target	Improving?	Notes
BVPI 12	Number of working days / shifts lost to sickness absence	18.66	16.80	11.5	Yes	CSO figure 05/06, NS figure 06/07
COLI 58a	% of staff turnover (including retirement, resignation, dismissals and redundancies)	16.85%	15.31%	12%	Yes	CSO figure 05/06, NS figure 06/07
CP13a	Number of days lost for stress related illness (per fte staff)	1.62	2.79	1.8	No	CSO figure 05/06 NS figure 06/07
CP14	% of staff who have had an appraisal in the last 12 months	59.0%	59.1%	80%	Stable	CSO figure 05/06 NS figure 06/07
CP11a	Health and Safety: RIDDOR accidents reported	25	25	28 (06/07 Neighb. Services target)	Stable	CSO figure 05/06 NS figure 06/07

64. The figures for departments within Neighbourhood Services for 2006/7 are set out below.

PI	Measure	Building Maintenance	Civils	Cleaning	Management	Street Scene	Refuse	Support Staff (includes HR, Perf, Transport, Admin)	EH & TS	Licensing & Regulation	Neighbourhood Pride
BVPI 12	Number of working days / shifts lost to sickness absence	15.2	24.0	20.2	1.0	15.7	16.2	8.4	12.3	12.7	16.6
COLI 58a	% of staff turnover (including retirement, resignation, dismissals and redundancies)	8.6%	9.5%	18.3%	9.0%	15.0%	9.3%	20.0%	10.0%	10.5%	14.2%
CP 13a	Number of days lost for stress related illness (per fte staff)	1.7	0.3	5.8	0	2.4	4.3	0	1.1	4.5	4.9
CP 14	% of staff who have had an appraisal in the last 12 months	100% (103 staff)	100% (74 staff)	43.3% (453 staff)	-	50.6% (79 staff)	46.5% (99 staff)	100% (15 staff)	76.1% (46 staff)	86.4% (22 staff)	81.5% (27 staff)
CP11a	Health and Safety: RIDDOR accidents reported	5	5	3	0	6	7	0	0	0	0

Customer-Related Performance

65. The restructure of Neighbourhood Services has made it difficult to track all of the customer first indicators consistently. However the table below sets out performance on customer contact and complaints for the directorate.

PI	Measure	05/06 outturn	06/07 actual	Corporate target	Improving ?	Notes
CG2	% phone calls answered within 20 seconds	79%	84%	95%	Yes	CSO figure 05/06, NS figure 06/07
CG3	% letters replied to within 10 working days	87%	92%	95%	Yes	CSO figure 05/06, NS figure 06/07
B1a	% of stage 1 complaints responded to and problems solved within 10 working days	81%	71%	95%	No	Commercial services only

66. Since the Eco-Depot was opened, providing a new reception area for Neighbourhood Services, 100% of visitors have been seen in ten minutes, and 100% of visitors have been referred onto the correct officer within a further ten minutes. We have not been able to disaggregate information relating to the former City Strategy and Chief Executive's parts of Neighbourhood Services.

LPSA2 Forecast

67. Two of York's LPSA2 targets relate to improving levels of street cleanliness, and improving the recycling rate. In both cases we can forecast that the stretch target and therefore the total reward grant will be achieved.

Target	Measure	Base figure	06/07 target	06/07 actual	07/08 LPSA2 target	Potential Reward Grant	Predicted Reward Grant
1	BV199a Proportion of land and highways having deposits of litter and 'detritus'	2003/4 and 2004/5 27%	20%	19%	17%	£262,335	100%

	BV89 Percentage of people satisfied with local cleanliness	2003/4 60%	63%	71%	70%	£65,584	100%
2	BV82a (ii) Tonnage of household waste recycled	2003/4 10,550 tonnes	22,140 tonnes	23,440 tonnes	23,988 tonnes	£327,919	100%

Conclusions

Financial Overview

68. Overall, the Neighbourhoods Portfolio is projected to underspend by £524k (3.8% of the net portfolio revenue budget).
69. There is an underspend of £291k on the capital programme of which £131k relates to slippage.
70. It is proposed to increase the trading account reserve by £100k.

Performance Overview

71. Performance on the Directorate's key Best Value Indicators around waste management, cleanliness, local environment, environmental health and trading standards improved in 2006/7. In addition all four nationally comparable customer perception measures on local cleanliness, waste collection, recycling and the household waste sites, showed an improvement between 2006/7.
72. The one key measure that went the wrong way in 2006/7 was the 2% rise in the average level of household waste produced by York households. However this figure continues below the figure for 2003/4 and 2004/5.
73. The level of sickness absence in the directorate continues to be a challenge. The directorate's sickness level is above the authority average, although the situation has improved on last year. We will continue to focus on this issue in order to reduce sickness absence levels further.

Consultation

74. The report is primarily an information report for Members and therefore no consultation has been undertaken regarding the contents of the report.

Options and analysis

75. The report is primarily an information report for Members and therefore no specific options or analysis are provided to Members regarding the contents of the report.

Implications

Financial

76. The report provides details of the portfolio revenue and capital outturn and therefore implications are contained within the report

Human Resources

77. There are no significant human resources implications within the report

Equalities

78. There are no significant equalities implications within the report.

Legal

79. There are no significant legal implications within the report

Crime and Disorder

80. There are no significant crime and disorder implications within the report

Information Technology

81. There are no significant Information Technology implications within the report.

Property

82. There are no significant Property implications within the report.

Risk Management

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

Recommendations

84. That the Advisory Panel advise the Executive Member to approve the financial and performance position of the portfolio.
85. Reason – In accordance with budgetary and performance monitoring procedures.

Contact Details

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Chief Officer Responsible for the report:

Terry Collins
Director Neighbourhood Services

Report Approved



Date 24th May 2007

Specialist Implications Officers

None

Wards Affected: *List wards or tick box to indicate all*

All



For further information please contact the author of the report

Background Papers – 2006/07 Budget Monitoring papers held at
Neighbourhood Services

Attached Annexes

- Annex 1 Major service variations against budget for non-traded services
- Annex 2 Income and expenditure for the traded accounts (Confidential)

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Major Service Variations Identified Against Budget for Non Trading Services

	Outturn £000	%
Environmental Health and Trading Standards		
Staffing variances: Underspend on some staff costs due to vacancies were offset by overspends due to unachieved vacancy factors	(1)	
EPU: There was a £34k shortfall in income from EPA licences and capital recharges and a one off £10k overspend on costs relating to contaminated land sampling and legal costs for Elvington Airfield	44	
Misc variances:	(4)	
Environmental Health and Trading Standards Total	39	1.9
Licensing and Bereavement Services		
Licensing: Income greater than budget	(17)	
Regulation: Underspend on vacant posts	(12)	
Bereavement Service: Additional one off income of £25k was mainly due to cremations undertaken on behalf of Harrogate and additional income of £18k from sales of memorials was offset by an overspend of £30k. Offsetting the crematorium underspend, the loss at Fulford Cemetry that CYC contribute to was higher than budgeted and funds were set aside as a provision against future losses. The total overspend was £21k	4	
Licensing and Bereavement Services Total	(25)	(3.6)
Street Environment Service		
York Pride: Underspend on York Pride budgets (£29k) and Campaign budgets (£28k)	(57)	
Misc Variances:	(12)	
Street Environment Service Total	(69)	(8.7)

Major Service Variations Identified Against Budget for Non Trading Services

	Outturn £000	%
Neighbourhood Management		
Staffing variances:		
Underspend due to vacant posts	(58)	
Community Centres:	2	
Your City/ Your Ward:		
Overspend on additional leaflet and delivery costs	29	
Target Hardening:		
Underspend on project work due to slippage	(22)	
Misc Variances:	(7)	
Neighbourhood Management Total	(56)	(8.0)
Ward Committees		
Ward Committees:		
An £82k underspend on ward schemes due to slippage and a £27k underspend relating to one off saving on PCSOs	(109)	
Ward Committees Total	(109)	(12.4)
Waste Management, Refuse & Recycling		
Waste Management, Refuse & Recycling Collection:		
The expansion of the kerbside recycling scheme has resulted in an underspend of £231k in landfill costs due to reduction in amount of tonnage going to landfill. This is offset by an increase in collection costs of £163k and an increase in WDA recycling credits of £13k. Unbudgeted WEEE grant income of £82k was received.	(138)	
Waste Strategy Unit:		
An £18k underspend on market research and an £11k underspend on community projects due to slippage	(29)	
Household Waste Recycling Centres:		
Increased cost of security on HWRC sites resulted in an overspend of £70k which was offset by an £11k underspend on misc variances	59	
Waste Management & Refuse Total	(109)	(1.4)

Cleansing & Toilets

Cleansing:

Special collections are not now required, resulting in savings of £14k. The number of abandoned vehicles has reduced because there is an end of life market value which has reduced costs against budget by £12k. There is a £26k underspend on the street cleansing contract.

(52)

Misc Variances:

(8)

Toilets:

A £46k overspend on the toilet cleansing contract was offset by savings of £25k on utilities

21

Cleansing & Toilets Total (39) (1.7)

Total non trading (368.1)

Trading Accounts (Confidential Annex 2) (155.7)

Neighbourhood Services Total (523.8) (3.8)

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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7th June 2007

Meeting of Executive Member For Neighbourhood Services and Advisory Panel

Report of the Director of Neighbourhood Services

Friends of St Nicholas Fields Service Level Agreement

Summary

1. The Friends of St Nicholas Fields currently undertake kerbside recycling collections to 3,300 properties in York. This was agreed in 2005/06 and established in the base budget. The purpose of this report is to ask Members to approve the continuation of this funding and a request for additional £6,500 for the period January to March 2008 to continue a kerbside recycling collection to 2,000 properties, which are currently financed through a scheme which will cease on 31 December 2007. This money is set aside in the Waste Services budget, pending this decision.
2. At the beginning of 2007, a comprehensive review of the waste and recycling operations will be held with a view to setting out the strategic objectives of the waste service for the next 6 years. An options appraisal for those properties serviced by The Friends of St Nicholas Fields will form part of the review.
3. Continued support for St Nicholas Fields into 2008/9 for the full 5,300 properties will require a further growth bid of £19,500.

Background

4. The council is committed to maximising the amount of household waste which is recycled or composted and reducing the amount which is landfilled.
5. In 2006 members approved the Joint Municipal Waste Management Strategy "Let's Talk Less Rubbish" with North Yorkshire County Council and the District Council's within North Yorkshire for dealing with the area's rubbish for the next 20 to 25 years.

The Partnership aim to achieve the following targets, as a minimum:·

Recycle or compost 40% of household waste by 2010
Recycle or compost 45% of household waste by 2013
Recycle or compost 50% of household waste by 2020
Divert 75% of municipal waste from landfill by 2013

These targets are minimum collective targets for the Partnership. The City of

York Council is committed to meeting, and exceeding these targets where possible.

6. Currently, the City of York Council provides a kerbside recycling collection service to approximately 71,000 properties (86% of the city). Residents are provided with a collection of between one and five recyclable materials, on a fortnightly basis, depending on the type of property. There are a number of properties which the council is currently unable to service including those within the city centre, farms and rural properties, some terraced streets and flats.
7. The Friends of St Nicholas Fields are a not-for-profit registered charity who develop projects and services such as recycling and composting schemes, which help to create sustainable communities. They have been operating a kerbside recycling collection for many years in the areas neighbouring the Environment Centre.
8. The Friends of St Nicholas Fields now provide a kerbside recycling collection to a total of 5,300 properties. A Service Level Agreement is in place for 2007/8 which funds collections from approximately 3,300 of these properties. The collections from the remaining 2,000 properties are currently funded through the Community Recycling and Economic Development (CRED) until 31 December 2007. Funding is therefore requested to allow these collections to continue during January, February and March 2008.
9. The City of York Council has supported Friends of St Nicholas Fields financially and otherwise for several years. The Waste Strategy Unit works closely with them to ensure that our services work in partnership to promote recycling and composting.
10. The kerbside recycling collections started in the Tang Hall area several years ago and have expanded steadily as demand for their services increased. Collections are typically provided to terraced streets and flats which can be serviced using the group's bike with trailer and low emissions collection vehicle. They now provide collections in the following areas: Tang Hall, Lawrence Street, Hull Road, Bishophill, Aldwark, Holmefield Lane and Saint Peter's Quarter. The collections financed by CRED, until 31 December 2007, are in the Heslington Road, South Bank and Clementhorpe areas.
11. The Friends of St Nicholas Fields offer either weekly or fortnightly collections for the following materials glass, paper, cans, empty aerosols, foil, textiles and shoes, garden waste. Some properties also benefit from a collection of plastic bottles.

Consultation

12. Not applicable.

Options

13. The options for Members to consider are:

14. **Option 1 - funding for January, February & March 2007/8**

This option seeks approval for funding of £6,500 for provision of kerbside recycling collections for the period January, February & March 2007/8.

Option 2

Not to approve the request for funding. This would mean that the properties financed under the existing CRED agreement would cease to receive a kerbside recycling collection beyond 31 December 2007. This would affect approximately 2,000 properties.

Analysis

15. The kerbside recycling collections offered by Friends of St Nicholas Fields are well used by residents. From April to December 2006 a total of 255 tonnes of recyclable waste was diverted from landfill.
16. During 2006/7 the average participation rate for the Friend of St Nicholas Fields kerbside recycling collections was 54% (a property is counted as participating if the box is put out for collection once in 3 collection cycles).
17. Approval of option one will guarantee that the 2,000 residents in South Bank, Clementhorpe and Heslington Road can continue to be provided with a kerbside recycling collection. It is estimated that, providing a kerbside recycling collection during January, February and March 2008, these 2,000 properties would divert approximately 48 tonnes of recyclable waste from landfill. This will contribute to the authority's recycling and composting performance BVPI 82 a & b. The collection of biodegradable paper and garden waste will also contribute to the achieving the council's LATS targets for reducing biodegradable waste landfilled.
18. Under option 2 the Friends of St Nicholas Fields would no longer be able to undertake kerbside recycling collections from the 2,000 properties. Without an opportunity to recycle from home, many residents may choose to dispose of their recyclable waste with the refuse, or may struggle to take recyclables to bring recycling sites. This could have a negative impact on the recycling and composting performance of the authority.
19. If option 2 is chosen it would not be possible, under current collection arrangements, for CYC to service these properties.
20. A report on the findings of the review of waste services will come forward to Members in late summer 2007. Within this report, the costs, contributions and service delivery to these properties will be considered. The existing arrangement would be reviewed if members decided to rollout recycling to all terraced properties in 2007/08

Corporate Priorities

21. The funding of the kerbside recycling collections will contribute to the council's corporate priority to "decrease the tonnage of biodegradable waste and

recyclable products going to landfill”.

Implications

22.

- **Financial** – This report requests the release of the £6,500 for 2007/8 from the waste services budget.
- **Human Resources (HR)** – There are no implications for CYC staff. However, option 2 will have implications for a number Friends of St Nicholas Fields staff, whose salaries are linked with the request for funding.
- **Equalities** – There are no equalities implications
- **Legal** – Should funding be approved, under option 1, the servicing of these properties will be added to the existing Service Level Agreement for 2007/8.
- **Crime and Disorder** – There are no implications in this report for crime and disorder.
- **Information Technology (IT)** – There are no implications for information technology.
- **Property** – There are no implications for property in this report.
- **Other** - There are no other implications to state, relating to this report.

Risk Management

23. There are no known risks.

Recommendations

24. That the Advisory Panel advise the Executive Member to approve Option One for funding the Friends of St Nicholas Fields kerbside recycling collections for 2007/8.

Reason: To enable the continued collection of recyclable waste to 2,000 properties, which will contribute towards the authority’s recycling and composting performance.

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**Report
Approved**



Date 21.05.07

Specialist Implications Officer(s)

Specialist Implications Officer(s) *List information for all*

Implication Financial

Name Sarah Kirby

Title Finance Manager

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Tel No. 553109

Implication HR

Name Nick Carter

Title HR Advisor

Chief Executives

Tel No. 553291

Wards Affected: Fishergate, Holgate, Hull Road, Micklegate.

All

For further information please contact the author of the report

Background Papers:

Meeting of the Executive, 13 June 2006, revised joint municipal waste management strategy for City of York Council and North Yorkshire "Let's Talk Less Rubbish"

Annexes

None

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

7 June 2007

Report of Director of Neighbourhood Services

The implementation of smokefree legislation in England

Summary

1. On 1 July 2007, the provisions within the Health Act 2006 relating to smokefree areas in England becomes law.
2. The purpose of this report is to provide some background to the smokefree legislation and to outline how businesses will be assisted to achieve compliance with the legislation. The Executive Member is also requested to approve the proposed enforcement policy, attached at Annex One.

Background

3. In December 2006, the Government announced that the smokefree legislation will become law at 6 am on 1 July 2007.
4. The primary reason for this smokefree legislation, is to protect the health and safety of employees across all sectors of the employment market. The evidence for implementing the smokefree agenda is clear; each year, over 600 employees die prematurely as a direct result of exposure to second hand smoke in the workplace.
5. The only effective way to prevent exposure to second hand smoke, is to completely ban smoking. Technological fixes, such as ventilation systems, have been scientifically proven as ineffective, as there is no safe level of exposure to second hand smoke.
6. Earlier drafts of the smokefree regulations contained a number of broad exemptions, such as pubs that do not serve food and private clubs. However, following a free vote by MPs on 14 February 2006, there was an overwhelming decision to apply smokefree legislation to virtually every workplace.

Legislative requirements

7. The smokefree regulations have been issued under the Health Act 2006.
8. These regulations will apply to virtually all 'enclosed' and 'substantially enclosed' work places and public places. This requirement also extends to vehicles used for work purposes and also to temporary structures (eg marquees).

9. There are a number of exemptions to the legislation, which are as follows:
 - Private accommodation (but not communal areas of flats, such as enclosed hall ways and stair cases)
 - Accommodation for guests (eg: hotel bedrooms)
 - Other residential accommodation (eg: care homes, prisons)
 - Performers in theatre productions
 - Specialist tobacconists (there is one in York)
10. The smokefree regulations will impose the following requirements:
 - Smokefree premises/vehicles must display an adequate number of smokefree signs, in suitable locations (there are statutory signage requirements).
 - Managers, occupiers and other responsible parties, must prevent smoking occurring where the legislation applies.
 - Individuals must not smoke in smokefree premises/vehicles.

Implementation

11. Traditionally, new legislation such as this would be delivered at a local level, by the local authority alone. The smokefree campaign is different, as there are other key stakeholders involved, meaning partnership working is essential.
12. Nationally, the Department of Health (DoH) has the lead role for the smokefree agenda. They have already started raising awareness in a number of ways:
 - a national advertising campaign
 - providing information packs to businesses
 - supplying free no-smoking signage
 - providing a business advice line
13. At the Yorkshire and the Humber level, there is a network of NHS staff involved in stop-smoking services. These teams have a budget, which will allow them to supplement the national campaign, with local initiatives. Their aim is to bolster the smokefree awareness campaigns, and to provide assistance to those individuals who want to stop smoking (eg: the stop-smoking bus sometimes seen in Parliament Street).
14. At a local level, environmental health professionals are responsible for educating and advising businesses during the lead in period. This will be followed by enforcement action, where this becomes necessary.
15. The aspiration of the DoH, is to raise awareness and understanding prior to the legislation going live, in order to achieve high levels of compliance. By using this approach, it is hoped that the need for enforcement action will be minimised. Although environmental health will be the regulators, there is a clear need to work closely with the other stakeholders, thereby ensuring that clear and consistent messages are delivered across the authority's area.

16. Joint working between the various stakeholders is fundamental, if the smokefree legislation is going to be successfully and smoothly implemented.
17. The DoH has provided the council with a grant to help it implement the smokefree agenda. This money has been used to employ two smokefree officers for a 12 month period, and to cover other implementation costs.
18. In restricting the grant to terminate by March 2008, the Government anticipates that once the legislation has been in place for a number of months, smokefree places will be regarded as the norm and in most instances, will self-regulate. Consequently, the Government feels there will not be a continuing need for additional funding from 2008, and it is anticipated that any work load will be dealt with using existing resources.
19. The DoH is keen to ensure that local authorities use an enforcement approach that is non-confrontational in the first instance, by raising levels of awareness and understanding amongst those affected. It is intend to approach the smokefree agenda in two phases:

Phase 1 – Education, awareness and understanding

This programme has already started, and various departments within the council have already been made aware of the forthcoming legislation. Presentations have been given at team meetings, such as planning and licensing, which has provided a useful forum to debate around the issues specific to those teams.

In addition to the above, a business education programme has already started, some examples of which include:

- An article on the smokefree requirements is shortly to appear in Copper's Tale, a Police publication sent to all licensed premises in the City of York Council area.
- A presentation was given to businesses, by environmental health and the PCT, at the recent Safer Working Communities health and safety training week in the Guild hall.
- A presentation was given to licensees at the recent annual licensing meeting. The event is held at the race course and is primarily aimed at licensees who operate pubs and clubs in the York area.

The council's press office have been kept updated on the smokefree agenda, and have assisted with press releases and the like.

Communications and marketing are playing a key role and have helped to develop a strategic education/awareness campaign. The use of less traditional media formats, such as adverts on local commercial radio, are being considered.

Over the past couple of months officers have been responding to requests for assistance from businesses, and have made a number of visits to provide site specific guidance.

Phase 2 - Enforcement

The DoH has made very clear that they wish local authorities to take an informal approach to enforcing the legislation after 1 July. With this in mind we have

developed a proposed enforcement policy, which states how City of York Council intends to deal with any breaches of the legislation.

As can be seen by the proposed enforcement policy at Annex One, the council will offer advice and assistance in the first instance. It is only where this advice is not acted upon, or where an individual flouts the law that we will consider taking formal enforcement action.

Consultation

20. The approach to formal enforcement action, found in section 5 of the proposed enforcement policy, has been agreed following consultation with all the North Yorkshire district councils.

Options

21. There are two options for members to consider:

Option 1

Approve the enforcement policy found at Annex One.

Option 2

Not approve the enforcement policy found at Annex One.

Analysis

22. Approval of the attached enforcement policy will encourage the consistent application of the smokefree legislation in the North Yorkshire region. It also assists businesses understand what is required of them and promotes a transparent approach to our enforcement activities. Having an approved enforcement policy is necessary in order to strengthen the councils position in court should formal enforcement action be taken
23. Not approving the enforcement policy will leave businesses and the public unclear on the council's position in respect of enforcing the smokefree agenda, and would jeopardise any future formal enforcement action.

Corporate Priorities

24. The smokefree legislation has the potential to impact upon a number of the council's corporate priorities:
 - Improving the condition and appearance of York's streets.
 - Reducing the impact of nuisance behaviour.
 - Improving the health and lifestyles of York residents.
 - Improving the way the Council and its partners work together to deliver better services

Implications

Financial

25. There are no financial implications associated with this report. All costs relating to enforcing the smokefree legislation are expected to be contained within the 2007/8 grant.

Other implications

26. There are no significant HR, equalities, legal, crime and disorder, IT, property or other implications other than those set out in the body of this report.

Risk Management

27. There are no risks associated with the recommendation of this report.

Recommendations

28. That the Advisory Panel advise the Executive Member to note the contents of this report and approve the enforcement policy found at Annex One.

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

Contact Details

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Chief Officer Responsible for the report:
Andy Hudson
Assistant Director
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(Phone: 551814)

Report Approved



Date 18/05/2007

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

'Implementation of smokefree legislation in England' – Published by LACORS, CIEH and TSI.

Annex One – Enforcement Policy (Smokefree Legislation)

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ANNEX ONE

City of York Council

Enforcement policy (Smokefree legislation)

1.0 Introduction

City of York Council has a statutory duty to enforce the smokefree provisions of the Health Act 2006. In general terms, smoking is prohibited in all enclosed and substantially enclosed premises to which the public have access. Work premises and vehicles used by more than one person are also included.

Section 5 of this policy has been agreed with the other local authorities in North Yorkshire, in order to promote a consistent approach to enforcement of the smokefree legislation across the region.

This document sets out the policy of City of York Council for enforcement of this legislation.

2.0 Objectives

The objective of the smokefree legislation is to prevent smoking occurring where people's health could be affected from the exposure to second hand smoke.

Our objective is to implement the smokefree legislation in an equitable and consistent manner. We will apply the law proportionally, to ensure a fair and safe trading environment for members of the public, employees and businesses.

3.0 Achieving the objectives

We will use an educational, advisory and non-confrontational approach, both before and for a period of time after the legislation comes into force.

We aim to help businesses and those who smoke to comply with the legislation by raising awareness and understanding of the legal requirements. We will actively work with local businesses to advise on, and assist with, compliance with the law.

4.0 Offences and penalties

The smokefree legislation introduces three offences that carry a range of penalties, consisting of fines and fixed penalty notices (FPN):

Offence	Penalty*
<ul style="list-style-type: none"> Failing to prevent smoking in a smokefree premises/vehicle 	<ul style="list-style-type: none"> Fine – up to £2500
<ul style="list-style-type: none"> Failing to display the appropriate smokefree signage, in an appropriate position, on a smokefree premises/vehicle. 	<ul style="list-style-type: none"> Fine – up to £1000 FPN - £200 (£150 if paid in 15 days)
<ul style="list-style-type: none"> Smoking in a smokefree premises/vehicle 	<ul style="list-style-type: none"> Fine – up to £200 FPN – £50 (£30 if paid in 15 days)

* Penalties may be subject to change by the government.

5.0 Circumstances for taking formal enforcement action

Where non-compliance is due to misunderstanding or a lack of diligence, then further information, advice and guidance will be provided. However, where it is evident that reasonable efforts are not being made to comply, or the attitude is un-cooperative or antagonistic, then a decision to take formal enforcement action will be considered.

Before deciding whether to prosecute, we will consider a number of factors in line with the Code for Crown Prosecutors, and any other national guidance concerning the taking of relevant enforcement action.

We recognise that there may be some unintentional breaches of the legislation and our approach to achieving compliance will be as follows:

Failure to display no-smoking signage

The manager or occupier of smokefree premises/vehicles will be approached where signage does not comply with the statutory guidance.

Advice on the signage requirements will be given and a timescale to take corrective action will be verbally agreed and subsequently confirmed in writing.

Where appropriate signage has not been installed in the agreed timescale (or extended timescale as agreed with the local authority), a verbal and written warning will be issued and we will specify a date for compliance.

If we establish that appropriate signage is still not installed by the specified compliance date, we will consider serving a FPN.

We will consider taking legal proceedings where appropriate signage is still not in place following the service of a FPN, or where a previously issued FPN has not been paid.

Failure to prevent smoking in a smokefree premises or vehicle

Where smoking is witnessed by an officer or is alleged to have occurred in a smokefree premises/vehicle, we will approach the management or person in control of that premises/vehicle.

We will offer them advice and a timescale to take reasonable corrective action. We may also issue them with a verbal warning and will follow any verbal warning up in writing.

Where this advice is not acted upon and we establish that smoking is taking place in a premises/vehicle, we may issue a final written warning.

We will consider taking legal proceedings against the manager or person in control of a premises/vehicle if they have not taken reasonable corrective action after receiving a final written warning.

Smoking in a smokefree premises or vehicle

Our aim is to achieve compliance with the legislation by ensuring that the management or person having control of a premises/vehicle prevents smoking where they are legally required to do so.

Where reasonable steps have been taken to prevent smoking by the management or person having control, we will approach individuals who are smoking. Depending on the circumstances we will issue a verbal and/or written warning.

Where this verbal/written warning is ignored and an individual continues to smoke, we will consider serving a FPN.

We will consider taking legal proceedings where we become aware of an individual who has previously received a FPN and continues to flout the law. We will also consider prosecuting those who fail to pay a FPN.

6.0 Rights of appeal

There are no formal appeal provisions against the incorrect service of a FPN (eg: the FPN was served on the wrong person). In such cases, an individual can appeal against a FPN directly to the council, who have the power to cancel the FPN. The decision on whether to cancel a FPN will be taken by the Director of Neighbourhood Services, or any person authorised to do so under the City of York Council Scheme of Delegation.

Where the recipient of a FPN wishes to challenge the offence for which they have received a notice, they can make a request for a court hearing. This request must be made in writing to the local authority within 29 days of the FPN being issued.

7.0 Review

This policy will be subject to an annual review with additional reviews as and when required.

Contact

If you have any comments or queries about this policy please contact the Food and Safety Unit Manager by calling (01904) 551525, or by writing to 9 St Leonards Place, York, YO1 7ET or email at food.safety@york.gov.uk

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Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

7th June 2007

Report of the Director of Neighbourhood Services

NEIGHBOURHOODS & COMMUNITY SAFETY GROUP LEGAL ACTIONS

Summary

1. To inform Members of the results of legal actions (prosecutions, formal cautions and fixed penalties) undertaken by the Neighbourhoods and Community Safety area of the Directorate of Neighbourhood Services (Environmental Health, Trading Standards, Licensing and Street Environment Services) for the period 1st January 2007 – 31st March 2007.

Background

2. The Executive Member for Environment and Sustainability approved an enforcement policy for Environmental Health, Trading Standards and Licensing Services in September 2005.
3. This report details the results of prosecutions taken in the period 1st January 2007 – 31st March 2007. 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 cautions that have been issued (a caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue).

Consultation

5. Not applicable.

Options

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

Analysis

7. Not applicable.

Corporate Objectives

8. Corporate Objective 4.8 is to provide effective consumer and environmental protection services.

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

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

Contact Details

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and Trading Standards
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Chief Officer Responsible for the report:

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

Report Approved

Date 25/05/07

Specialist Implications Officer(s) *List information for all*

Implication ie Financial
Name
Title
Tel No.

Implication ie Legal
Name
Title
Tel No.

Wards Affected:

All

Background Papers:

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

Annexes

Annex A: EH and TS Formal Enforcement Action 1st January 2007 – 31st March 2007.

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Annex A: Formal Enforcement Action 1st January 2007 – 31st March 2007**Animal Health**

Defendant	Legislation	Nature of Case	Penalty	Costs
William ANDERSON (Private Individual)	Dogs (Fouling of Land) Act 1996	Allowed dog to foul and did not remove faeces	Not guilty	
Deborah KIRBY (Private Individual)	Dangerous Dogs Act 1989	Failure to comply with Dog Control Order	12 months conditional discharge	£50.00
Roy Lucas (Private Individual)	Dogs (Fouling of Land) Act 1996	Allowed dog to foul and did not remove faeces	Fine £25.00	£50.00
Helen OVEREND (Private Individual)	Dogs (Fouling of Land) Act 1996	Allowed dog to foul and did not remove faeces	Not guilty	
Paola SILESU (Private Individual)	Dogs Act 1871	Failed to keep dog which is dangerous under proper control	Control Order	£60.00
John Richard THACKRAY Trading as G W Thackray & Son (Farmer)	Transmissible Spongiform Encephalopathies Regulations 2006	Consigned to slaughterhouse a bovine animal, which was born or reared before 1st August 1996.	Fine £1000.00	£315.96
Kirsty TOZER (Private Individual)	Dogs Act 1871	Failed to keep dog which is dangerous under proper control	Control Order	£150.00

Food

Defendant	Legislation	Nature of Case	Penalty	Costs
Gateway to York Hotel Ltd (Hotel owner)	Food Hygiene (England) Regulations 2006	Poor Hygiene/procedures at The Gateway to York Hotel, Hull Road, Kexby.	Fine £9,500.00	£599.00
Christine JOHNSON (Director of Yorkshire Village Stores Ltd trading as Huntington Village Stores – Grocers)	Food Hygiene (England) Regulations 2006	Director of Yorkshire Stores Ltd due to whose act offences were committed.	Fine £1500.00 & prohibited from participating in the management of any food business	£808.65
David LONG Trading as Tyburn House Hotel (Hotel owner)	Food Safety Act 1990	Brand substitution on spirit drinks.	Fine £1500.00	£635.20

Food (continued)

Defendant	Legislation	Nature of Case	Penalty	Costs
Giampaolo SILESU trading as Il Paradiso De Cibo (Caterer)	Food Safety (General Food)	Poor Hygiene/procedures and failure to comply with Improvement Notice.	6 months conditional discharge	£500.00
Spirit Group Ltd trading as The Fox Inn (Public House)	Food Hygiene (England) Regulations 2005/ Food Hygiene (England) Regulations 2006.	5 offences: Failed to comply with a Community provision to put in place procedures based on HACCP principles and to keep food premises and equipment clean at the Fox Public House, Stockton on the Forest.	Total Fines £9500.00 1 offence withdrawn	£1138.10
Yorkshire Village Stores Ltd trading as Huntington Village Stores (Grocers)	Food Hygiene (England) Regulations 2006	Hygiene - failed to comply with a Community provision/implement and maintain procedures.	Fine £1500.00	£808.65

Christopher Stephen PARKER trading as Scoop Value
(Owner – Grocers)

- A formal caution was issued under the Food Labelling Regulations 1996 as amended for possessing for the purpose of sale a number of food products which were not marked or labelled/easily understood.

Trading Standards

Defendant	Legislation	Nature of Case	Penalty	Costs
Sandor ALEXANDER trading as Dreamsdirect (Trader)	Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations 1987	Failed to deliver to the consumer a notice in writing indicating the right of the consumer to cancel the contract	Fine £2500.00 Compensation £3699.00	£1018.50
Lynsey DE-WILDE (Bar Person – The Fossway Public House)	Licensing Act 2003	Sold alcohol to an individual under the age of 18.	Fine £75.00	£179.70
Pamela Kathleen INCE (Sales Assistant – Kwik Save, Oakdale Road)	Licensing Act 2003	Sold alcohol to an individual under the age of 18.	Absolute Discharge	£250.00
Susan IRELAND (Sales Assistant – The Spar, Acomb Road)	Licensing Act 2003	Sold alcohol to an individual under the age of 18.	Fine £50.00	£70.00

Trading Standards (Continued)

Defendant	Legislation	Nature of Case	Penalty	Costs
Janette Alice Christina MIDDLETON (Designated Premise Supervisor – The Fossway Public House)	Licensing Act 2003	Sold alcohol to an individual under the age of 18.	Fine £75.00	£179.70
Rachel Amanda SIMPSON (Sales Assistant – Morrisons, Front Street, Acomb)	Licensing Act 2003	Sold alcohol to an individual under the age of 18.	Fine £75.00	£179.70
Stuart SNELLING Sales Assistant – Costcutters, Main Street, Wheldrake)	Licensing Act 2003	Sold alcohol to an individual under the age of 18.	1 year conditional discharge	£45.00

- Cheryl Denise BELLERBY
(Bar Person) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Flag and Whistle, Huntington Road.
- Adam BILTON
(Bar Person) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Kennedy's Café Bar, Stonegate.
- Christopher Edgar BROWN
(Designated Premise Supervisor) - Two Cautions were issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Six Bell, Ox Carr Lane, Strensall.
- Stephen CUMMINGS
(Designated Premise Supervisor) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Bobo Lobo, Little Stonegate.
- Ruth DARRELL
(Sales Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Co-op Late Shop, Haxby.
- Jonathan KUME DAVY
(Bar Person) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at the Judges Lodgings, Lendal.
- Rose Elizabeth FENTON
(Bar Person) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Junction Public House, Leeman Road.
- Christopher HARDY
(Designated Premise Supervisor) - Two Cautions were issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Flag and Whistle, Huntington Road.

- Michael Joseph HELLAWELL
(Designated Premise Supervisor) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Spar, Lowther Street.

- Peter O'TOOLE
(Designated Premise Supervisor) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at the Judges Lodgings, Lendal.

- John Peter STEEL
(Bar Person) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Bobo Lobo, Little Stonegate.

- Elizabeth SUNDERLAND
(Bar Person) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at the Flag and Whistle, Huntington Road.

- Victoria SURGENOR
(Sales Assistant) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Co-op Late Shop, Haxby.

- Caroline THOMPSON
(Designated Premise Supervisor) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at The Co-op Late Shop, Haxby.

- Karen WAUGH trading with another as Kennedys Café Bar
(Designated Premise Supervisor/Partner) - A Caution was issued under the Licensing Act 2003 for selling alcohol to an individual under 18 at Kennedy's Café Bar, Stonegate.

Environmental Protection

Defendant	Legislation	Nature of Case	Penalty	Costs
Mark CAPLE (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	12 months Conditional Discharge	£100.00
Thomas CROOK (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	12 months Conditional Discharge	£958.40
Philip Nicholas Paul KEMP (Private Individual)	Environmental Protection Act 1990 as amended	Failed to comply with a noise abatement notice	Fine £250.00	£250.00

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

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



Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

7th June 2007

Report of the Director of Neighbourhood Services

York Neighbourhood Pride Service and Enforcement – Update

Summary

1. To provide a detailed update on progress of the new Neighbourhood Pride Service.

Background

2. A Street Scene review took place in the summer 2006 involving a cross section of staff involved in the service in addition to representatives from relevant trade unions. Key findings and recommendations were presented to the Executive on 21st November 2006. Members subsequently agreed how the recommendations from the review were to be implemented.
3. Recommendations included the implementation of a pilot of new street cleansing practices to be tested in an area of the city over a three month period. The new working practices introduced barrow operatives, cleansing by barrows and brushes, working to a defined beat, in addition to a mobile cleansing team to address other service needs.
4. The pilot also introduced new working arrangements between the Street Cleansing team and the Street Environment Officer (SEO), who took overall responsibility for the pilot 'zone' and the deployment of resources where necessary. Finally the pilot introduced a dedicated enforcement officer to the zone to address environmental crime issues.
5. The pilot zone was designated in the west of the city, including the wards of Acomb, Holgate, Woodthorpe and Dringhouses, Westfield, and Micklegate (outside of the walls). The pilot was launched on 4th December 2006. Within a short period it was evident that the new service was both popular with residents and effective. Street cleaning performance had increased by nearly 5% during the pilot period which was a significant achievement considering that it was the most problematic period of the year for the service due to late leaf fall (following the extremely mild autumn) and wet weather conditions that were being experienced.

6. The Executive Member for Neighbourhood Services approved the roll-out of the pilot to all areas, except the city centre on 21st March 2007. The following is an update detailing how the service has developed since the rollout:

Barrow Rollout

7. Barrow operatives have embraced their new working arrangements and remain positive about the new role. Regular zone meetings have not highlighted any drawbacks to the use of barrows and brushes.
8. The mobile crew have also reported positive progress in the zone and have demonstrated ownership and commitment of their area.
9. Improved practices are being developed and encouraged including closer working relationships with other council services to report problems, such as dog fouling, fly posting, overgrown vegetation and refuse problems.
10. Working practices have also improved within the service, to enable more rapid deployment to tackle street level problems, such as fly tipping, domestic waste, heavy leaf fall and areas in need of deep cleaning. This has removed the need for the SEO to work via York Pride Action Line/Call Centre, and has meant greater empowerment and responsibility to the cleansing team.
11. The section has received a number of compliments from councillors and residents who have noticed the improvements including letters being sent to the Press by local residents. All compliments are passed on the operative who have also been receiving positive comments directly from the public.
12. New uniforms have been ordered for the staff which will improve the visibility and appearance of the team. Officers are also currently considering how branding on existing vehicles can be improved working within existing budgets.

Increase Education and Enforcement

13. In order to test the benefits of an Environmental Enforcement Officer (EEO), a temporary appointment into the pilot area was made in January 2007. The member of staff had no previous experience in enforcement therefore he needed training before he commenced certain areas of work, including litter enforcement, business visits and use of CCTV equipment. The member of staff works three days a week in the pilot which is representative coverage of the remaining zones. The support of the EEO has been significant in delivery the education and enforcement objectives.
14. Interviews are planned beginning of June for the recruitment of the two permanent Environmental Enforcement Officers who will assist the Street Environment Team in tackling environmental crime, through pro-active monitoring and appropriate enforcement action against fly tipping, domestic and commercial refuse problems, graffiti, fly posting and nuisances.
15. Below are details of the enforcement-related work carried out by the Street Environment team from February 2007 to mid-May 2007.

- The SEOs have been attending Joint Action Group Meetings and Pre-Ward Committee meetings in the last few weeks. These meetings enable multi-disciplinary working to tackle anti-social behaviour and ward environmental improvements at a local level. Officers have also been attending various parish council meetings, walkabouts and ward improvement meetings.
- There have been 15 private drainage problems across the city that SEOs are responsible for investigating and resolving with the home owners. Investigations involve identifying the source of the problem and bringing about repair through notices served on affected properties.
- Five unauthorised encampments have also warranted visits and in some instances, the issue of Direction Orders to remove the travellers from public land. Some of these encampments are still being investigated with a view to removal and complaints are being managed. One SEO is also involved in a multi-disciplinary working group to address problems with a group of vagrants with tents in the Clifton ward.
- Proactive monitoring for litter offences has been taking place around the city, including the school runs and retail areas in Micklegate ward, ten fixed penalty notices have been issued, nine of which have been paid. Enforcement proceedings have commenced for one non payment.
- Refuse presentation problems in Micklegate, Clifton, Guildhall and Clifton wards continue to be monitored by the SEOs and as part of the role of the Enforcement Officer. The continuous presence and monitoring in these bag areas has seen a dramatic decrease in early presentation problems and fly tipping in back lanes. 226 warning letters have been issued, largely to new residents or streets that have been added to the monitoring schedule. 22 Statutory Notices have been served for continual refuse presentation problems. Failure to comply will result in a fixed penalty notice for £100.
- Nine business inspections have taken place to discuss duty of care requirements with business owners. This includes ensuring that commercial waste is correctly stored and disposed of, including lawful collection arrangements.
- 61 investigations for fly tipping have been carried out, resulting in 5 warning letters, four possible prosecutions are currently being investigated arising in Bad Bargain Lane, Tang Hall and Lord Mayors Walk.
- 282 requests for service have been received via the Customer Contact Centre, including various complaints and calls for advice, environmental improvement requests, nuisance issues and reports of anti-social behaviour.

ENCAMS

16. ENCAMS (Environmental Campaigns), formerly the Tidy Britain Group, will be assisting and advising the Council in the development of the new service. ENCAMS will visit the city during the next three months to independently assess our street cleaning operations whilst consulting with customers to assess if their needs are being delivered and also talking to a number of ward councillors. This information will be fed back to the officers along with suggestions to improve service delivery. Officers consider that by working in partnership with ENCAMS a relationship can be developed that will promote the continual improvement of the service.
17. Along side this, ENCAMS are considering a number of national campaigns targeting specific aspects of the problems associated with a busy city centre environment. The Council is looking to support these campaigns in a partnership role.

Performance

18. Performance is measured by BVPI199a. In 2006/07 19.2% of relevant land and highways were free from litter and other 'detritus'. This compares with 22% in 2005/6, 24% in 2004/5 and 30% in 2003/4. In the pilot area BV199a was measured at 15% and it is hoped that this can be achieved throughout the city following the rollout.

Corporate Priorities

19. The new working practices have been developed in direct response to the Council's Corporate Strategy and in particular to the Corporate Priority:
- 'Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces'.***

Implications

20. The following implications have been noted:

Financial

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

Human Resources (HR)

22. Street Scene employees and the Street Environment Officers were kept abreast of developments during the pilot and the eventual roll-out. There are ongoing staff meeting design to iron out any problems as they occur.

Equalities

23. There are no equalities implications associated with the report.

Legal

24. It has been established that the new working practices are compliant with the council's duties under Environmental Protection Act 1990 and associated enforcement, fixed penalties and surveillance laws.

Crime and Disorder

25. The introduction of the enforcement team city wide, in addition to the work carried out by SEOs will enable greater impact on environmental crime, which leads to cleaner neighbourhoods, tackles anti-social behaviour and improves perceptions of crime. A clear enforcement policy and strategy for tackling environmental crime, gathering information to identify and combat hot spots, and using education and promotion to raise awareness amongst stakeholders will contribute to the council's duties towards crime and disorder, working closely with Safer York Partnership and North Yorkshire Police.

Information Technology (IT)

26. There are no IT implications.

Risk Management

27. Risks associated with the enforcement activity been measured in terms of impact and likelihood and a risk score has been assessed at 9 or less. Key control measures have been identified for the greater risks, however the likelihood of these risk materialising is minimal.

Recommendations

That the Advisory Panel advise the Executive Member to note and comment on the report

Reason: To update the Executive Member on progress of the new Neighbourhood Pride Service.

Contact Details

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Chief Officer Responsible for the report:
Terry Collins
Director
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Tel No 01904 552003
Report Approved **Date** 23 May 2007

Specialist Implications Officer(s)	<i>List information for all</i>
<i>Implication ie Financial</i>	<i>Implication ie Legal</i>
<i>Name</i>	<i>Name</i>
<i>Title</i>	<i>Title</i>
<i>Tel No.</i>	<i>Tel No.</i>

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers: Executive Report 21st November 2006 – Street Scene Review – Executive
Executive Member for Neighbourhood Services and Advisory Panel 21st March 2007 – York Neighbourhood Pride Service – Update of Pilot and Future Rollout



Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

7th June 2007

Report of the Director of Neighbourhood Services

Procurement update, building materials supply through OGC - partnership with Jewsons.

Summary

1. This report is to inform members of the progress of the building materials procurement exercise as reported in December 2006 and March 2007 through the OGC (Office of Government Commerce) in partnership with Jewson Ltd. (Saint Gobain Building Distribution).

Background

2. The Building Department within Neighbourhood Services spends in the region of £1.2 million p.a. on General Building materials including, plumbing goods, electrical parts and equipment, domestic and commercial heating spares and equipment, joinery products, kitchens and other general building materials such as cement, plaster and bricks.
3. In December 2006 members approved the award of a contract to Jewson Ltd to supply building materials to the building maintenance department following a procurement exercise with the OGC (Office of Government Commerce) subject to successful negotiations and mobilisation plan.
4. In March 2007 members also approved the letting of depot space to Jewsons to accommodate the stores provision. This is to be done at a peppercorn rent to reduce the overall cost of the service. Both of these reports are available to view on the Intranet.
5. Negotiations are proceeding well but there have been some delays in the legal agreement before the lease could be signed, both parties needed the service agreement in place. This is now agreed and work has started on the conversion of the premises.
6. Meetings between staff and Jewsons are continuing to be held to establish, as accurate as possible, a stock list to ensure the arrangement will carry as much of the required stock as possible. If any item of material is not present in the store then Jewsons will be responsible to source whatever is required within pre-agreed timescales.

7. In addition to this Jewsons have also been meeting with some of our smaller providers to make arrangements to keep them within the supply chain.
8. A final model on the costs of the arrangement has been agreed. Savings are expected when the service gets into full operations in terms of reduction in wasted time for operatives “shopping” at different merchants and improved supply chain management, avoiding un-necessary delays in completing jobs.
9. Key dates for mobilisation are now:
 - Start work on alterations to stores building W/C 28th May
 - Jewsons stores staff commence work W/C 28th May
 - Stocking – by end of June
 - Opening and operational – by mid July.

Consultation

10. Member approval has been sought on the agreement and use of the stores. All users of the service were consulted on the decision to locate within the ECO depot. Consultation on the proposals have taken place with City of York Council Property Services who are helping to draw up the contract. Legal Services have commented in the implications section. Staff are involved in the preparation of stock lists.

Options

11. This report is for information only.

Corporate Priorities

12. This procurement exercise sets out to improve service delivery to customers and offer better value for money. This ties in with two corporate priorities to:
 - Improve the way the Council and its partners work together to deliver better services for the people who live in York
 - Improve efficiency and reduce waste to free-up more resources. The negotiations will look at issues such as sustainability, and product whole life costing. For example, timber from sustainable sources, eliminate use of rain forest hardwoods, electrical components that minimise energy use, lifespan of the product and are the products recyclable when they are eventually replaced.

Implications

- **Financial** Financial implications are covered in previous reports.
- **Human Resources (HR)** There are no HR issues
- **Equalities** There are no equalities issues
- **Legal.** The legal issues are covered in the previous reports
- **Crime and Disorder** Non applicable
- **Information Technology (IT)** There are no IT issues arising from this rental agreement
- **Property.** Property Services have provided the contract for the rental agreement.

Risk Management

13. A risk analysis of the recommended approach shows no significant risk to the authority. The major risk analysed is the failure of the agreement over the 5 year period. This risk is minimised by the inclusion of a break clause in the agreement. Either party can terminate the agreement with good cause with a 13 week notice period.

Recommendations

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

Reason: To keep the Executive Member updated on progress of the building materials procurement exercise with Jewson Ltd.

Contact Details

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Andrew Plant

Head of Service
Building Maintenance

Specialist Implications Officer(s)

Property Services
Philip Callow
Head of asset and property management
553360

Chief Officer Responsible for the report:

Terry Collins
Director Neighbourhood Services

Report Approved



Date 23.05.07

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

EMAP report December 2006

EMAP report March 2007



Meeting of the Executive Member for Neighbourhood Services and Advisory Panel**7th June 2007**

Report of the Director of Neighbourhood Services

Waste Management CPA Inspection June 2007**Summary**

1. As a follow up to the CPA inspection in 2004, the Audit Commission will be completing a further inspection of Waste Management in York during June 2007.
2. The inspection will focus on:
 - An assessment of the Waste Services contribution to the Council's strategic priorities and vision for York.
 - An analysis of the steps being taken to improve Value for Money (VfM) in relation to the delivery of Waste Services.
 - An assessment of the relative risks to the Council, associated with its preferred method of future waste service provision.

Background

3. Best value places a duty on local authorities to review services, set targets for improvement, monitor progress and report results.
4. To achieve these objectives the council needs to establish suitable arrangements for the delivery of its services in line with nationally set challenges, whilst accommodating local needs and expectations .
5. The authority had an inspection in 2004 which identified issues relating to customer service, service delivery and performance management arrangements.
6. The Audit Commission identified the need to carry out a further inspection to assess the progress made since the 2004 as, at the time, the Council was reviewing its waste disposal arrangements jointly with North Yorkshire, which included future service provision through PFI arrangements.

7. The inspectors considered that these proposals introduced risks to the Council relating to cost, performance, operational viability and community acceptance. The satisfactory resolution to these issues, along with the achievement of ongoing improvements to the waste service provided a considerable challenge to the Council.

Scope and Objectives of the Inspection

8. The scope of the inspection is to look at how waste collection and disposal services are being provided in relation to the needs of local people and the requirements of the national criteria.
9. The objective of the inspection is to determine how well the Council has responded to the findings of the 2004 inspection and to consider the progress made in the proposals for future waste disposal arrangements. This work will include a review of the quality of on-going service provision and the level of risk relating to the Council's proposals for future service provision. An assessment of performance management and waste partnerships will form part of the work.

Reporting and Timescales

10. There was an initial discussion with the inspectors on 12th March 2007 which identified key contacts and documents required. An agreed programme of work and timescales were established as follows:
 - The provision of documents along with a brief self-assessment focusing on the Key Lines of Enquiries (KLOE's) by 25th May 2007. See annex A attached.
 - On-site interviews week commencing 11th June 2007, for three days. This will include feedback of initial findings on the first day and a summary of findings on the last on-site day.
 - A draft report will be presented on or about week commencing 9th July 2007, with the final report agreed on or about week commencing 23rd July 2007.

Consultation

11. Consultation in the preparation of the brief self-assessment was restricted to officers directly linked to the service delivery. The driver for the service is the Local Area Agreement (LAA) which, in turn are linked to the Corporate Strategy.
12. The LAA sets out York's 20-year Vision and Community Strategy (*Without Walls [2004] York: A City Making History – York City Vision and Community Strategy 2004-2024*) took two years to develop and was agreed by key public, private, voluntary and community sector partners across the city. Development of the vision was led by the Without Walls Executive Board and based on widespread consultation with residents, local public service providers, businesses, and voluntary and community groups through a 'Festival of Ideas'. Hundreds of residents and visitors took part, including many whose views are

not normally heard. Activities included live public debates, ward-based community planning events and 'postcards from the future'.

Options

13. This report is for information only. Members should note the self-assessment, inspection dates and the proposed dates for the final report.

Corporate Priorities

14. The Waste Services contribute significantly to the council's corporate priority to "decrease the tonnage of biodegradable waste and recyclable products going to landfill"

Implications

15.
 - **Financial** – There are no financial implications associated with this report.
 - **Human Resources (HR)** – There are no implications for CYC staff.
 - **Equalities** – There are no equalities implications in this report.
 - **Legal** – There are no legal implications in this report.
 - **Crime and Disorder** – There are no implications in this report for crime and disorder.
 - **Information Technology (IT)** – There are no implications for information technology.
 - **Property** – There are no implications for property in this report.
 - **Other** - There are no other implications to state, relating to this report.

Risk Management

16. The outcome of the inspection could contribute to the corporate CPA inspection scheduled for the early part of 2008.

Recommendations

17. That the Advisory Panel advise the Executive Member to note this report.

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

Contact Details

Author:

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Terry Collins
Director of Neighbourhood Services
Tel No. 01904 552003

Report Approved

Date 21.05.07

Specialist Implications Officer(s)

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A – Brief self-assessment submission.



Brief Self-Assessment

City Of York Council CPA Waste Management June 2007

“Cleaner, Greener, Safer”



Context

Introduction

1. York is a nationally and internationally prominent city for a range of reasons; not only as a historical city and an important location for the Church of England, but also as one of the UK's most visited tourist destinations. The City of York Council covers an area of 105 square miles and comprises an urban area, which is surrounded by many small rural and semi-rural settlements. Around 85 square miles of the York area is greenbelt.
2. Approximately 186,800 people live in York. However, this increases significantly between September and May when around 20,000 higher education students attend the university and colleges (that's an 11% increase).
3. The population of the city is constantly increasing and is expected to reach 192,000 by 2011. Life expectancy at birth for children born in York between 1998 - 2000 is greater than the national average. This, together with rapid economic growth and a decrease in the average number of people per household is placing pressure on housing.

The Council's Journey Since 2004

4. In 2004 the Council's Waste Management was assessed as being a 'fair', one-star service, which had uncertain prospects for improvement. Since then we have made significant progress.
5. In response to the judgement, the Council established a 'Waste Strategy Board' consisting of the Director of Commercial Services (Chair), the Director of Resources and the Deputy Chief Executive. This has transformed the Council's approach to Waste Management and significantly enhanced the profile of waste minimisation and recycling across the city. The 2004/05 Council Plan reflected the need for sustainability and York recognised waste management as a major concern. It made links to the Corporate Aims 1.5 (Minimise waste arising from both residents and businesses) and 1.6 (Maximise recycling opportunities for residents and businesses). The plan noted the previous years performance on recycling at 15%, exceeding the government target of 12% but needed to reduce household waste levels which were still rising. Targets for the following two years, 2005/06 and 2006/07 for kg of household waste collected per head of population (BVPI84) was set at a 2% annual rise, being 1% below the national average. The target for 2006/07 was set at 576kg per head of population. Today's actual is 538.5kg per head.
6. A project delivery team was established with the Assistant Director of Commercial Services as Lead Officer. His role was to apply the revised waste strategy [Executive report – York's Waste Strategy – Reviewed and Amended 9th November 2004](#) and guide the team in its delivery. Establishing timed and costed action plans in order to manage the improvement process and to report any problems to the Waste Strategy Board, the project sponsor. [Scoping Document](#)
7. The team established seven distinct action plans that would contribute to the delivery of the revised York Waste Strategy. In doing so, it took advantage of local, regional, national and international initiatives and sought to maximise such grants as they became available. [Grant application summary](#)
 - **Action Plan 1.1 – Consultation:** Awareness raising and education is essential to ensure the success of the Strategy. Section 3 of the York and North Yorkshire Waste Management Partnership sets in place the process for successful consultation. [Action plan](#)
 - **Action Plan 1.2 – Minimisation:** Delivering change required actions by individuals, manufacturers, retailers and government bodies. York set out its overall objective for Waste Minimisation in [\(E-MAP report – Environment and Sustainability 14th July 2004\)](#) [Minimisation impact document](#)

- **Action Plan 1.3 – Green Waste and Recycling/Kerbside Collection and ‘bring sites’:** The Council is committed to recycling and intends to recycle as much waste as possible within the bounds of resources and markets. [Kerbside recycling and green waste impact document](#)
- **Action Plan 1.4 – Household Waste Sites (HWS):** Well-managed HWS with clear targets and incentives are one of the easiest and most cost effective methods of collecting recyclable materials. [HWRC impact document](#)
- **Action Plan 1.5 – Mass Treatment Facilities:** Despite the above, the residual waste will remain at levels where further treatment will be necessary if the obligations of the Landfill Directive is to be met. A partnership approach with North Yorkshire is addressing this challenge. [PFI Overview](#)
- **Action Plan 1.6 – Procurement:** Rigorous soft market testing and options appraisals are necessary to ensure value for money. The initial focus has been on the Landfill and composting contract, the bulky collection and the management of Household Waste Sites. [Bulky waste service impact document](#) [HWRC tender documents](#) In addition, the opportunity to tender for the waste management for York University enabled our operational costs to be tested. [University impact document](#) (Links: [Russell, abandoned cars](#))
- **Action Plan 1.7 – Disposal:** Rigorous market testing of the Material Recycling Facility (MRF), and review of disposal options in the short-term leading up to the Mass Treatment Facility as in 1.5 above. [Disposal and recycling tender](#)

Impact Assessment

8. The following are the headlines of York’s proud achievements since 2003/04:
- Household waste arisings held at 2004/05 levels despite 2,100 (2.6%) additional properties and national trends in waste growth; Target set in 2004/05 was a 2% waste growth, being 1% below the national forecast. [Performance management](#)
 - Household waste going to landfill reduced from 83,400 tonnes in 2003/04 to 60,430 in 2006/07;
 - All municipal waste arisings including Commercial Waste, down over 1,000 tonnes since 2004/05
 - Total recycling up from 15.4% to 39.9% (yet to be audited);
 - Kg of waste collected per head of population down from 554.43kg to 538.5kg;
 - Percentage of households served by kerbside collection of at least one recyclable at 87.5%
 - An expanded range of recyclable materials collected from kerbside from over 60,000 (75% of the households) are:
 - Tin cans
 - Aluminium cans
 - Clear glass
 - Coloured glass
 - Paper
 - Cardboard
 - Plastic bottles
 - Overall satisfaction with waste collection at 72%, down on levels pre alternate week but 3% higher than the national average for unitary authorities who have move to alternate week over the last three years.
 - High recycling participation monitoring [Participation monitoring report](#) [committed recycler report](#)
 - Household Waste Recycling Centres (HWRC’s) average recycling performance has improved from 31.7% in 2003/04 to over 59% in 2006/07. These figures exclude inert waste.

Ambition

Local Area Agreement (LAA)

9. York's 20-year Vision and Community Strategy (Without Walls [2004] *York: A City Making History – York City Vision and Community Strategy 2004-2024*) took two years to develop and was agreed by key public, private, voluntary and community sector partners across the city. Development of the vision was led by the Without Walls Executive Board and based on widespread consultation with residents, local public service providers, businesses, and voluntary and community groups through a 'Festival of Ideas'. Hundreds of residents and visitors took part, including many whose views are not normally heard. Activities included live public debates, ward-based community planning events and 'postcards from the future'. [Extract from LAA](#)
10. One of the Local Strategic Partnership's (LSP) seven top-level objectives (as outlined in the Community Strategy) is 'to be a model environmentally sustainable city'. LSP strategic aims within this objective are to significantly reduce the adverse impact on the environment of current lifestyles, promote taking pride in the environment to local people and to support them in improving the quality of their communities. By prioritising the reduction in waste to landfill and increase recycling and making York cleaner and greener through improved levels of street cleanliness. [Service Plan](#)

Prioritisation

Corporate Strategy

11. The Corporate Strategy links to the LAA and sets out the Council's 13 priorities, which will be delivered over the next three years. These priorities cover key areas of the Council's business. They focus on improving key areas that are important locally and nationally. [Corporate strategy summary](#)
 - **Priority** – Decrease the tonnage of biodegradable waste and recyclable products going to landfill.

Securing Continuous Improvement

Performance Reporting

12. Over the recent years our performance management arrangements have developed from simple monitoring to more robust management that focus on outcomes and results. We integrate our performance monitoring reports with financial and health and safety data. [Senior management performance report](#)

Scrutiny and Policy

13. Our scrutiny arrangements have strengthened over the last year with the introduction of the revised Constitution. This saw an expansion of the scrutiny process from members of the dedicated advisory panel being restricted to their own portfolio to a more robust, crosscutting scrutiny regime. [Waste from Terraced Properties Scrutiny report](#)

European Foundation for Quality Management (EFQM)

14. The Directorate undertake regular Self Assessment using the EFQM Excellence Model to drive improvements and develop service plans. This had been recognised by the 'Committed to Excellence Award' [EFQM feedback report](#)

Charter Mark

15. The assessment by the East Midlands Quality Centre said the Directorate provided a good customer focused service across its areas of service delivery. We actively seek feedback from customers and this is generally positive. We work closely in partnership with other services providing a seamless service around waste strategy and collection and recycling. *Evidence available on-site*

Figure 1 – Judgement 1: How Good is the Service

Key Line of Enquiry (KLOE)	Source of Current State, Priorities and Improvements	Impact
<p>What has the service aimed to achieve in terms of community, regional and national priorities and corporate ambitions</p>	<ul style="list-style-type: none"> • Local Area Agreement LAA • Corporate Strategy • York and NYCC Waste Partnership • ‘Lets Talk Less Rubbish’ • Partnership achievements • LATS • PI's • Assisted Collection • LPSA 2 Agreement 	<p>York has set out its commitment to driving down the impact on waste in the City. The LAA demonstrates the commitment of the LSP that leads through into the Corporate Strategy. Service plans reflect these ambitions and priorities. Partnership working with NYCC structures the longer-term ambitions of the two councils. LATS is another key issue with regular monitoring by the Internal Waste Board. As a result of user participation in recycling, and the momentum achieved through the rollout of kerbside collection of plastic, the outcomes have gone significantly beyond the stretched targets set out in the LPSA 2 agreement.</p>
<p>Access, customer care and user and/or community focus</p>	<ul style="list-style-type: none"> • York's Web Site – A to Z • Easy @ York - Customer Call Centre • Service Level Agreement • Policy Report • Cardboard and plastic consultation • DEPAG reports • HWRC – Customer Care Policy • Hazardous Waste • VW 19 • Missed Bins • Bulky Collection • WEEE 	<p>The customer call centre is well established and the number is prominent in many places, including all waste services vehicles. On line customer reporting is established for the waste collection and street environment services. Service level agreement and policies are well defined and built into the automatic responses from on-line enquiries. Customer care is a priority for York. The Senior</p>

<p>Diversity</p>	<ul style="list-style-type: none"> • Fly tipping • Equalities Policy • Assisted Collections • Medical Collections 	<p>Management Group of the Neighbourhood Services Directorate monitors the numbers of missed bins on a weekly basis.</p> <p>The Council has made significant strides in the field of equalities in recent years. In 2003 we adopted a new “comprehensive equalities policy”. We were determined this policy was not just to be fine words so it committed us to developing the policies and plans we needed to make equality a reality. It also committed us to implementing the Equality Standard for Local Government, to provide a structure and measure for the success of our work.</p>
<p>Service outcomes for users and communities</p>	<ul style="list-style-type: none"> • Waste Flow Data • Annual Residents Opinion Survey • Waste minimisation survey • Service Level Agreement • Talk-about • Quality Inspections • Commercial Waste Partnership • Doorstep Surveys • BVPI 84 • Packaging Enforcement 	<p>Missed bins are a critical driver in terms of customer outcomes for the waste service. Close scrutiny of performance is carried out weekly, with actions taken when and where necessary. Neighbourhood Services currently carry out quality inspections regularly throughout the day. In all, supervisors carry out 40 inspections each month, with 4 per month by the Head of Service and Operations Managers.</p> <p>Each inspection covers such items as:</p> <ul style="list-style-type: none"> ▪ Position of bins after emptying ▪ Appearance of crew and vehicle ▪ Any spilled litter ▪ Defective equipment ▪ General Health and Safety ▪ Crew issues
<p>How do the organisation’s costs</p>	<ul style="list-style-type: none"> • BVPI – Cost of Collection • Waste data flow 	<p>The 2005/06 benchmarking</p>

<p>compare to others, allowing for local context, performance and policy choices</p>	<ul style="list-style-type: none"> • Management Accounts • University contract • Disposal contract • HWRC contract and Performance Measures • Bulky collections contract • Abandoned cars contract 	<p>comparators indicated that York was in the lowest quartile for both cost of collection and disposal, compared with other unitary authorities. Several elements of the service have recently been exposed to market competition and the collection service has recently been soft market tested through the award of the university contract.</p>
<p>How is value for money managed, including through partnership and procurement and taking a long-term view</p>	<ul style="list-style-type: none"> • PFI • Procurement strategy • Procurement methods • University – 3 way partnership • Commercial Waste with Yorwaste • Grants, including LPSA 2 • Community involvement – Friends of St Nicholas Fields • Service Plans 	<p>The Council is committed to improving the delivery of its services and, as a result of an internal review in 2003, decided to create a Corporate Procurement Team to help drive these improvements forward. The team is headed by a Procurement Manager and is supported by a team of three. Its remit is to advise on policy and strategy, the letting and administration of corporate contracts, contract monitoring, collecting procurement information across the council, overseeing devolved buying, and acting as an internal source of expertise for devolved purchasing/ procurement practitioners and Service Managers in Directorates.</p>

Figure 2 – Judgement 2: (Prospects for Improvement)

Key Line of Enquiry (KLOE)	Source of Current State, Priorities and Improvements	Impact
<p>What is the service track record in delivering improvements</p>	<ul style="list-style-type: none"> • PI's • Waste data flow • HWRCs • Expending kerbside recycling materials • Kerbsiders and their development • Doorstep surveys • Waste review - DIP's • Disposal Contract 	<p>York has been very successful in diverting waste from landfill, a top priority since 2003/04. Waste growth has remained static, despite increases in both population and properties. Waste entering landfill has fallen by 22,970 tonnes</p>

How well does the service manage performance

- Council Strategy – Priorities
- Local Area Agreement (LAA)
- York and North Yorkshire Waste Strategy
- PI's
- [Service plans](#)
- Management accounts
- [DMT performance reports](#)
- Waste review
- Minimisation strategy
- Education and awareness
- Consultation
- Involvement with area working
- Regional meetings

(72% of its 2003/04 level) between 2003 and 2007. Customer satisfaction remains relatively high, when compared with other unitary authorities that have made the move to alternate week collection.

There is a clear vision set out in the LAA (Without Walls). This is translated through the Council Strategy and into the service plans. Key indicators are monitored weekly or monthly, with quarterly performance reports presented to members. The authority recognises its commitment to landfill diversion and expanding the kerbside collection of recyclables.

Does the service have capacity to improve

- Waste Board
- Priorities
- LATS strategy
- Easy @ York - online forms
- Training and development
- Staff surveys
- Sickness absence
- Contract for agency staff
- Equalities
- Grants
- Budget savings and growth bids
- Vehicle Tracking and Commercial Waste Software:
 - [Business case](#)
 - [Specification 1](#)
 - [Specification 2](#)

The LSP, through the LAA, support the systematic improvement in the service within the restrictions of the budget position. Councillors and members of the Internal Waste Board are clear about the medium and long-term strategy and the day-to-day operations. Over the coming months, ICT will add further to the efficiency of the service, as vehicle tracking will be integrated into the corporate mapping system allowing the service to become far more responsive to customer needs and requests. In addition, a new software system for managing the commercial waste service will be introduced (it is currently in procurement).



Meeting of the Executive Member for Neighbourhood Services and Advisory Panel

7th June 2007

Report of the Director of Neighbourhood Services

Service Plans April 2007/08

Summary

1. The purpose of this report is to inform Members that revised service plans for 2007/08 have been produced. The revised service plans include organisation charts and budget information following the recent restructure. The revised service plans (Annexes 1- 8) are available to view on line on the Council's website at www.york.gov.uk

Background

2. The 2007/08 service plans were approved by the Executive Member at the last meeting on 21st March 2007. On the 27th March 2007 the Neighbourhood Services restructure was approved by Urgency Committee. The approved service plans did not fully reflect the new restructure because at the time of that meeting approval of the restructure had not been granted.

Consultation

3. The report is an information report for Members and therefore no consultation has been undertaken regarding the contents of the report.

Options and analysis

4. Not applicable as members are being asked to note the report.

Corporate Priorities

5. The Service Plans, indirectly will contribute to most of the Corporate Priorities. There are three Priorities that will make a direct input into the Improvement Statement:
 - Decrease the tonnage of biodegradable waste and recyclable products going to landfill.
 - Improve the actual and perceived and appearance of the City's streets, housing estates and publicly accessible space.
 - Improve the quality and availability of decent homes that people can afford.

Implications

Financial

5. The service plans will be delivered within budget

Human Resources

6. There are no human resources implications within the report

Equalities

7. Equality issues are addressed in each of the Service Plans

Legal

8. There are no significant legal implications within the report

Crime and Disorder

9. There are no significant crime and disorder implications within the report

Information Technology

10. There are no significant Information Technology implications within the report.

Property

11. There are no significant Property implications within the report.

Risk Management

12. There are no significant Information risk management implications within the report.

Recommendations

13. That the Advisory Panel advise the Executive Member to note the report.

Reason – To update members on the 2007/08 service plans.

Contact Details

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Chief Officer Responsible for the report:

Terry Collins
Director Neighbourhood Services

Report Approved



Date 23/05/07

Specialist Implications Officer(s) *None.*

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers – Stage 2 Service plans – March EMAP

Annexes – Available on-line

<http://democracy.york.gov.uk/ieListMeetings.asp?CId=440&Year=2007>

Civil Engineering (Annex 1)

Cleaning Services (Annex 2)

Construction (Building Services) (Annex 3)

Environmental Health and Trading Standards (Annex 4)

Licensing and Bereavement Services (Annex 5)

Neighbourhood Management and Business Support (Annex 6)

Neighbourhood Pride Service (Annex 7)

Waste Services (Annex 8)

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